

**JUNE 29, 2011 CTRMA BOARD OF DIRECTORS MEETING
Summary Sheet**

AGENDA ITEM # 22

Executive Director's Update – Presentation of the Executive Director's Report

Department: Administrative

Associated Costs: None

Board Action Required: No

Description of Matter:

The Executive Director's Report is attached for review and reference and includes the following:

- a. Attorney General's concurrence with the Comprehensive Development Agreement with Central Texas Mobility Constructors**
- b. Union Pacific Railroad and the MoPac Improvement Project**
- c. Customer Service Update (Oral Presentation).**

Contact for further information: Mike Heiligenstein



REPORT TO THE BOARD OF DIRECTORS JUNE 29, 2011

MIKE HEILIGENSTEIN - EXECUTIVE DIRECTOR

PRIORITY ISSUES



MoPac Improvement Project
environmental process



Manor Expressway Phase 2
Financing

ADMINISTRATION

CAMPO

In our continued effort to keep the CAMPO Policy Board updated on our activities, Mobility Authority staff made presentations on the Green Mobility Challenge and HERO program at their June 13th meeting. Since launching in September, the HERO motorist assistance program has helped more than 3,600 drivers.

OPERATIONS

UPDATED VIOLATION ENFORCEMENT PROCESS

Starting in July, the Mobility Authority will be expanding our effort of encouraging payment of tolls by reducing the number of violations needed before entering the court process. The goal is to resolve these cases more quickly and at less expense to the customer by bringing these violators in to the court process earlier. MSB, our video bill processor, will also be reaching out more frequently prior to filing with additional letters and phone calls. In addition the courts have been issuing arrest warrants for anyone ignoring their court summons. Additional enforcement methods for violators are still being researched.

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Staff continues to support the Cameron County Regional Mobility Authority with their first toll project, SH 550, which opened to traffic March 10th. Through the efforts of our toll system integrator, Telvent, our toll bill processor MSB and our communication and marketing consultant, Hahn, Texas, we have facilitated the implementation of their toll system and Pay By Mail program. Cameron County RMA began collecting tolls on May 10th. The Mobility Authority is being reimbursed for all out of pocket expenses.

PROJECT DEVELOPMENT

MANOR EXPRESSWAY PHASE 1

CONSTRUCTION

Webber has set more than 40% of the beams and constructed 91% of the footings necessary to complete the interchange at US 183. Construction teams also maintain focus on paving the eastbound express lanes.

MANOR EXPRESSWAY PHASE 2

DESIGN/BUILD COMPREHENSIVE DEVELOPMENT AGREEMENT

The Mobility Authority reached major milestones necessary to start construction of Phase 2 of the Manor Expressway. The Comprehensive Development Agreement with Central Texas Mobility Constructors has been deemed sufficient by the Attorney General of

Texas, and a formal Concurrence of Award has been received from FHWA.

RIGHT-OF-WAY

Right-of-way acquisition and negotiations with affected property owners continues for the Manor Expressway between US 183 and Parmer Lane. All parcels have been acquired for Phase 1 of the Manor Expressway from US 183 to Chimney Hill Boulevard. Negotiations are ongoing for the remaining parcels for Phase 2 of the Manor Expressway from Chimney Hill Boulevard to Parmer Lane. Property management efforts have been successful and will be wrapping up with the removal of the last underground storage tank.

MO-PAC IMPROVEMENT PROJECT

PROJECT DEVELOPMENT

The MoPac Improvement Project environmental study remains on schedule. The Context Sensitive Design Advisory Committee met again on June 6th to discuss feedback from the May 26th Open House meeting. Sound wall workshops began June 23rd and will occur throughout the summer. Workshop attendees will be able to view graphic displays and ask questions about proposed wall locations, heights and design.

In addition, we have been notified by Union Pacific Railroad (UPRR) that they denied our request for right-of-way easements to construct refuge bays along the corridor. Our project staff continues to look at other possible options, and we continue to work with UPRR on other MIP issues.

HB 2327 UPDATE

HB 2327, which would have allowed buses to drive on shoulders, was vetoed by the Governor.

The pilot program would have only been available to certain counties, including Travis. The Mobility Authority in partnership with Capital Metro, would have liked to have implemented such a pilot program as part of the MoPac Improvement Project. The Governor cited safety concerns as the reason for the veto.

183A EXTENSION

CONSTRUCTION

Webber continues to make progress on the 183A Extension and has placed bridge beams at Crystal Falls Parkway and FM 2243. Crews have spent the majority of last month focused on placing bridge deck panels and concrete at the Block House Creek and Crystal Falls Parkway overpasses. Webber has also erected a temporary concrete batch plant for future concrete paving. Construction is reported at 56% complete.

SHARED USE PATH

Construction of the 183A shared use path from South Brushy Creek to FM 1431 is 95% complete, and the path is on schedule to open this summer. An opening event is being planned, and details will follow soon.

COMMUNICATIONS

COMMUNICATIONS AND MARKETING

REQUEST FOR PROPOSALS

The Mobility Authority released the Communications and Marketing Services Request for Proposals on May 6th, and participation was positive. Staff has convened a committee made up of public and private professionals from Williamson and Travis Counties to review the proposals. Staff anticipates bringing its recommendation to the Board at our July meeting.



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

RECEIVED
JUN 14 2011
CTRMA
AUSTIN, TEXAS

June 13, 2011

Mr. Mike Heiligenstein
Executive Director
Central Texas Regional Mobility Authority
301 Congress Avenue, Suite 650
Austin, TX 78701

Re: 290 East Toll Project Design/Build Comprehensive Development Agreement, Dated as of _____, 2011, by and among Central Texas Regional Mobility Authority, a regional mobility operating pursuant to Texas Transportation Code Chapter 370 and Central Texas Mobility Constructors, LLC ("D/B CDA Developer")(hereinafter referred to as the CDA)

Dear Mr. Heiligenstein:

Pursuant to section 371.051 of the Texas Transportation Code, the Office of the Attorney General conducted a **legal sufficiency review of the proposed CDA.**

The independent legal sufficiency review conducted by this office was a limited review to determine whether the CDA substantially satisfies the applicable procedural, statutory, and regulatory requirements such that a court would have some basis on which to sustain the authority of the Central Texas Regional Mobility Authority to enter into the CDA. The legal sufficiency review conducted by this office did not address, and we express no opinion and make no determination with respect to, any matters related to the viability or advisability of the CDA or the underlying project. As such, the investigation, evaluation, and assessment of matters including, but not limited to, (i) the technical adequacy or advisability of specific terms, (ii) business points and risks, (iii) policy determinations, (iv) counter-party risks, (v) technical specifications, and (vi) financial viability and risks were outside of the scope of the legal sufficiency review.

This determination of legal sufficiency is not an opinion of the Attorney General under chapter 402 of the Texas Government Code or other law, and no party is entitled to rely upon it as such. Further, the determination of legal sufficiency and any interactions between this office and the Central Texas Regional Mobility Authority, Texas Transportation Commission, and the Texas Department of Transportation during the course of our legal sufficiency review are not to be considered and may not be relied upon as legal advice to the Central Texas Regional Mobility Authority, Texas Transportation Commission, the Texas Department of Transportation, or any other party. In addition, the determination of legal sufficiency does not exempt the Central Texas Regional Mobility Authority or any other party from obtaining the approval of the Office of the Attorney General in the connection with the issuance of public securities or other obligations as required by law.

Mr. Mike Heiligenstein

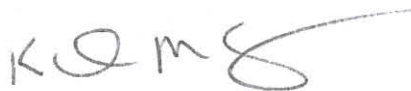
June 13, 2011

Page 2

In conducting our legal sufficiency review, we have examined applicable law and a transcript of certified proceedings containing copies of certain proceedings of the Central Texas Regional Mobility Authority, customary certificates of officers, agents, and representatives of the Central Texas Regional Mobility Authority, and other certified showings related to the CDA. We have assumed the genuineness of all signatures, the legal capacity of natural persons, the authenticity of all documents submitted to us as originals, the conformity to original documents of all documents submitted to us as certified or photostatic copies, and the authenticity of the originals of such copies. We have relied upon the representations and warranties of the Central Texas Regional Mobility Authority and other parties to the CDA as contained in the transcript of proceedings as well as other certifications of officers, agents, and representatives of the Central Texas Regional Mobility Authority and other parties furnished to this office without undertaking to verify the same by independent investigation. We have assumed that all applicable conditions concurrent with the execution of the closing documents will be properly satisfied and all applicable conditions subsequent and approvals will be obtained and properly satisfied in a timely manner. We have also assumed that there will be no material change in the circumstances, facts, or documentation underlying the transcript of proceedings provided to this office between the date of this determination and the final execution of the CDA.

Based upon our review, and subject to the assumptions, conditions, and qualifications stated herein, this office has determined pursuant to section 371.051 of the Texas Transportation Code that the CDA is legally sufficient.

Sincerely,



Katherine Minter Cary
General Counsel
General Counsel Division
Office of the Attorney General
katherine.cary@oag.state.tx.us

cc: Mr. Brian Cassidy
Locke Lord Bissell & Liddell LLP
100 Congress Ave. Ste 300
Austin, TX. 78701