

MINUTES

Regular Meeting of the Board of

Directors of the

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, May 31, 2017

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 May 24, 2017 at the respective County Court Houses 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:

<https://mobilityauthority.swagit.com/play/05312017-546>

1. Welcome and opening remarks by the Chairman and the members of the Board of Directors.

After noting that a quorum of the Board was present, Chairman Ray Wilkerson called the meeting to order at 9:02 a.m. with the following Board members present: Nikelle Meade, David Singleton, Charles Heimsath, David Armbrust, Amy Ellsworth, and Mark Ayotte.

2. Opportunity for public comment.

No comments were offered.

Consent Board Items

Chairman Ray Wilkerson presented Items 3 and 4 for Board consideration as the consent agenda and tabled Item 5.

3. Adopt a written compliance program as required by 43 TAC § 10.51.

ADOPTED AS: Resolution No. 17-025

4. Approve Work Authorization No. 15 with Kapsch TrafficCom USA for toll system integration services related to the Manor Expressway (290E) Phase III Project.

ADOPTED AS: Resolution No. 17-026

5. Approve Personal Services Agreement with Neal Spelce for Communications Support Services.

NOTE: Chairman Wilkerson tabled Item 5 for a future Board meeting. No vote was taken on this item.

MOTION: Approve Item No. 3 and 4 under the consent agenda

RESULT: Approved (Unanimous); 7-0

MOTION BY: Nikelle Meade

SECONDED BY: Amy Ellsworth

AYE: Wilkerson, Singleton, Meade, Heimsath, Armbrust, Ellsworth, Ayotte

NAY: None

Regular Board Items

6. Approve the minutes from the April 26, 2017 Regular Board meeting and from the May 15, 2017 Board Workshop meeting.

MOTION: Approval for the April 26, 2017 Regular Board meeting minutes and the May 15, 2017 Board Workshop meeting minutes.

RESULT: Approved (Unanimous); 7-0

MOTION BY: David Singleton

SECONDED BY: Charles Heimsath

AYE: Wilkerson, Singleton, Meade, Heimsath, Armbrust, Ellsworth, Ayotte

NAY: None

7. Accept the financial statements for April 2017.

Mary Temple, Controller presented this item.

MOTION: Accept the financial statements for April 2017.

RESULT: Approved (Unanimous); 7-0

MOTION BY: Charles Heimsath

SECONDED BY: Amy Ellsworth

AYE: Wilkerson, Singleton, Meade, Heimsath, Armbrust, Ellsworth, Ayotte

NAY: None

ADOPTED AS: Resolution No. 17-027

8. Presentation of the draft budget for Fiscal Year 2017-2018.

Mary Temple, Controller presented this item.

9. Discuss and take appropriate action to rescind primacy for the east to south direct connector on the Manor Expressway (290E) Phase III Project.

Justin Word, Director of Engineering presented this item.

MOTION: Rescind previously exercised option of the Mobility Authority under state law to develop, finance, construct, and operate a portion of the Manor Expressway (290E) Phase III Project.

RESULT: Approved (Unanimous); 7-0

MOTION BY: Nikelle Meade

SECONDED BY: Charles Heimsath

AYE: Wilkerson, Singleton, Meade, Heimsath, Armbrust, Ellsworth, Ayotte

NAY: None

ADOPTED AS: Resolution No. 17-028

10. Discuss and consider authorizing the procurement of a contractor for miscellaneous work related to the MoPac Improvement Project.

Justin Word, Director of Engineering presented this item.

Max Sherman, Board Member, Westminster Non-profit spoke on behalf of the Westminster senior community in support of this item.

MOTION: Authorize the procurement of a contractor for miscellaneous work related to the MoPac Improvement Project.

RESULT: Approved (Unanimous); 7-0

MOTION BY: Ray Wilkerson

SECONDED BY: Nikelle Meade

AYE: Wilkerson, Singleton, Meade, Heimsath, Armbrust, Ellsworth, Ayotte

NAY: None

ADOPTED AS: Resolution No. 17-029

Briefings and Reports

11. Executive Director Report.

A. Texas 85th Legislature Update.

Brian Cassidy, Attorney, Locke Lord LLP, provided the Board with an update of legislative activities that affect the CTRMA.

NOTE: Following Item 11B, Jerry Valdez, Jerry Valdez Governmental Affairs LLC, provided the Board with additional comments regarding legislative activities that affect the CTRMA.

B. Interoperability with the Kansas Turnpike Authority.

Tim Reilly, Director of Operations presented this item.

C. Commissioner Shea's meeting regarding urban cable.

Mike Heiligenstein, Executive Director presented this item.

12. 183 North Delivery Model update.

Justin Word, Director of Engineering presented this item.

13. MoPac Improvement Project Monthly report.

Steve Pustelnyk, Director of Community Relations presented this item.

Jon McGill, Regional Manager with Lindsay Transportation Solutions / Barrier Systems Inc. presented a video of the zipper barrier system used on the project.

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 10:35 a.m. that the Board would recess the meeting and reconvene in Executive Session to deliberate the following items:

14. Discuss the acquisition of one or more parcels or interests in real property needed for the Bergstrom Expressway (183 South) Project and related legal issues, pursuant to §551.072 (Deliberation Regarding Real Property) and §551.071 (Consultation With Attorney).

15. 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).
16. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
17. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After completing the executive session, the Board reconvened in open meeting at 11:59 a.m.

NOTE: After Executive Session, Charles Heimsath did not return to the dais.

18. Authorize negotiation and execution of a contract to purchase the following described parcel or property interests for the 183 South (Bergstrom Expressway) Project:
 - A. Parcel 157 of the 183 South (Bergstrom Expressway) Project, a fee taking of 0.163 acres, from 0.527 acres of real estate, owned by Dr. William Selman and Claire Selman, and located between Vargas Road and Thompson Lane, on Bastrop Highway, Austin TX 78741.

MOTION: Authorize the Executive Director to execute a settlement agreement in an amount not to exceed \$134,000 and that provides the landowner with a driveway to be permitted and constructed by the CTRMA on a 0.163 acre acquisition, from a 0.527 acre Parcel of real estate, owned by Dr. William Selman and Claire Selman, and located between Vargas Road and Thompson Lane, on Bastrop Highway, Austin TX 78741 Travis County, for public use related to the expansion, construction, operation, and maintenance of Highway 183 South (Bergstrom Expressway), a state highway project, by adopting the resolution presented in executive session.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Nikelle Meade

SECONDED BY: David Armbrust

AYE: Wilkerson, Singleton, Meade, Armbrust, Ellsworth, Ayotte

NAY: None

ADOPTED AS: Resolution No. 17-030

- B. Parcel 158 of the 183 South (Bergstrom Expressway) Project, a fee taking of 0.035 acres, from 4.477 acres of real estate, owned by Cactus Rose OH Delta, LLC. and located at 436 Bastrop Highway, Austin TX 78741.

MOTION: Authorize the Executive Director to execute a settlement agreement that provides the landowner with two 45 foot driveways to be permitted and constructed by the CTRMA in exchanged for consideration of \$20,000 to be paid by the landowner to the CTRMA on a 0.035 acre acquisition, from a 4.477 acre Parcel of real estate, **owned by Cactus Rose OH Delta, LLC.**, and located at 436 Bastrop Highway, Austin TX 78741 Travis County, for public use related to the expansion, construction, operation, and maintenance of Highway 183 South (Bergstrom Expressway), a state highway project, by adopting the resolution presented in executive session.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Nikelle Meade

SECONDED BY: Mark Ayotte

AYE: Wilkerson, Singleton, Meade, Armbrust, Ellsworth, Ayotte

NAY: None

ADOPTED AS: Resolution No. 17-031

After confirming that no member of the public wished to address the Board, Chairman Wilkerson declared the meeting adjourned at 12:03 p.m.

19. Adjourn Meeting.

Approved 06/28/2017