



Austin-San Antonio Intermunicipal Commuter Rail District

**Board Meeting**

**Friday, March 7, 2008**

10:00 a.m.

Alamo Area Council of Governments (AACOG)

8700 Tesoro

San Antonio, Texas

**1. Call to Order**

Notice was duly posted and a meeting of the Austin-San Antonio Commuter Rail District was held on Friday, March 7, 2008. Chairman Covington called the meeting to order at 10:06 a.m.

**Participants:**

Sid Covington, Chair

Tommy Adkisson

Gloria Arriaga

Hal Baldwin

Jeff Barton

Mary Briseño

Will Conley

John Cowman

Patty Eason

Debbie Ingalsbe

Carroll Schubert

Jeff Wentworth

Pat Wiggins

Other participants included Ross Milloy, Bill Bingham, and Alison Schulze.

**2. Chairman and Member Comments**

Chairman Covington introduced new Board member, Leander Mayor John Cowman, who represents Austin's Capital Metropolitan Transportation Authority. Mr. Covington announced the Texas Transportation Forum will take place in Austin on April 20 – 22, 2008. The deadline for the discounted-registration rate is March 7. Registration is available on-line.

Councilmember Patty Eason reported the results of the City of Georgetown's Quality of Life survey. The #1 issue was traffic. Transportation solutions ranked as follows, in order of preference: 35% in favor of commuter rail, 26% in favor of HOV lanes to Austin, 16% for fixed-route bus service within the city, and 16% for bus service to Austin. In addition, the survey results indicated people were willing to pay higher taxes for traffic solutions to fix the problems. There were no other comments from Board members.

**3. Consider Approval of December 7, 2007 Board Meeting Minutes**

Upon a motion by Gloria Arriaga and second by Senator Wentworth, the December 7 meeting minutes were unanimously approved.

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### **4. Committee Report: Rules & Procedures Committee Meeting February 22, 2008**

Mayor Hal Baldwin, Committee Chair, reported the Rules & Procedures Committee consensus items. The Committee recommended two amendments to the State statute:

- Expand the definition of political subdivisions that may join the Rail District
- Expand the powers and duties of the Rail District to include “intercity or other types of passenger rail service”

Board action on the amendments will follow under agenda item 8.

The Committee recommended three amendments to the Rail District’s bylaws:

- Delete annual certification of Board’s qualifications
- Delete limitation on size of Executive Committee
- Delete mail confirmation of meetings
- Leave as written:
  - §11: At least 4 Board meetings per year
  - §15(b): Powers of Executive Committee

The Committee recommended the Board discuss two issues, which will be taken up under agenda items 6 and 7:

- The role and size of Executive Committee
- Frequency of Board and Executive Committee meetings

### **5. Consider and Take Appropriate Action on Amending Bylaws**

Alison Schulze directed the Board’s attention to the material in the agenda packet, which included a summary of the proposed amendments as well as the bylaws with the proposed changes shown in legislative style. Ms. Schulze summarized the Rules & Procedures Committee’s recommended bylaws amendments:

- §6, pg. 2: Delete annual certification of Board’s qualifications, which isn’t necessary.
- §15(b), pg. 6: Delete limitation on size of Executive Committee, which currently limits the Committee to four members plus the Board Chair and Vice-Chair (delete the word “four”). The Board would decide the size of the Executive Committee.
- §16, pg. 6: Delete mail confirmation of Board meetings, which isn’t necessary.

Upon a motion by Councilmember Pat Wiggins and second by Councilmember Patty Eason, the Board voted unanimously to amend the bylaws as recommended by the Rules & Procedures Committee.

### **6. Consider and Take Appropriate Action on Appointment of Executive Committee**

Chairman Covington noted that, in accordance with the bylaws, the Board appoints the Executive Committee and the Board Chair appoints all other committees. Based on the bylaws’ amendments approved in the prior agenda item, there is no longer a limitation on the size of the Executive Committee.

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Mr. Covington directed the Board's attention to the proposed slate of Executive Committee members (seven members and two alternates) in the agenda packet, and to the assignments on each of the operating committees, which were slightly revised to balance the load on members. Mr. Covington stated he tried to geographically balance the makeup of each Committee and not unduly overload any single member.

Upon a motion by Carroll Schubert and second by Gloria Arriaga, the Board unanimously approved Chairman Covington's proposed slate of seven Executive Committee members plus two alternates. Bill Bingham recommended the motion establish the size of the Executive Committee at seven members in addition to electing the Executive Committee members. Upon an amended motion by Carroll Schubert and second Gloria Arriaga, the Board voted unanimously to establish the size of the Executive Committee at seven members and to approve Chairman Covington's proposed slate of members (Board Chair Covington, Board Vice Chair Wells, Board Secretary Thomaides, Board members Briseño, Camarillo, Eason, and Schubert; and two alternates, Board members Barton and Wentworth).

### **7. Consider Revised Board Meeting Schedule**

Chairman Covington reported that the Rules & Procedures Committee recommended the Board meet quarterly and the Executive Committee meet monthly as needed. Given the large size of the Board and the length of the corridor, monthly Board meetings have become cumbersome. The smaller Executive Committee is a more manageable size and could more efficiently make day-to-day business decisions. The powers of the Executive Committee are limited by the bylaws; thus, major decisions would still be directed to the full Board, the Board has the authority to overturn Executive Committee decisions, and all Board members would be notified and invited to attend Executive Committee meetings.

Mr. Covington noted the Rules & Procedures also proposed that all Board meetings be held in San Marcos. Having the meetings in a central location would improve attendance by reducing the drive time for most, and having the meetings at one set location would improve attendance because of the certainty of the meeting location—rotating meeting locations has been confusing to Board members and to the public.

Board discussion ensued regarding meeting attendance when meetings were held at either end of the corridor and that quarterly meetings reflect the reality of the Board's meeting schedule over the past two years. Councilmember Patty Eason suggested that Board meetings be physical meetings, not teleconference meetings. Chairman Covington responded that the four Board meetings would require physical attendance, but Executive and other committee meetings would consider teleconferencing as an option.

Upon a motion by Mayor Hal Baldwin and seconds by Commissioner Will Conley and Commissioner Jeff Barton, the Board unanimously approved quarterly Board meetings, monthly Executive Committee meetings as needed, and all meetings will be held in San Marcos.

**8. Consider and Take Appropriate Action on Recommended Legislative Amendments to Expand Definition of Political Subdivisions That May Become Members of the Rail District and Expand Powers**

Bill Bingham briefed the Board on two proposed amendments to the State statute. The first amendment would allow other governmental entities to become members of the Rail District. Under the current state statute, counties, cities over 18,000 in population, metropolitan and rural transportation authorities, and others specified in the statute may join the District. The amendment would allow other government entities such as state universities and regional mobility authorities to become members. The Rules & Procedures Committee recommended that additional entities be given the opportunity to join, but that the size of the Board not increase. Every entity does not need to be on the Board as there is already ample and broad representation.

The second amendment recommended by the Rules & Procedures Committee would allow the District to provide intercity or other types of passenger rail under the same conditions it is currently authorized to provide commuter rail service. The purpose of the amendment is to provide flexibility on the type of service to be provided and allow the District to fit within any funding source.

Board discussion followed on whether new members would pay dues (the Finance Committee will consider dues when the issue arises) and if water districts and municipal utility districts would be allowed to join the District.

Upon a motion by Mayor Hal Baldwin and second by Councilmember Pat Wiggins, the Board voted unanimously to approve the two legislative amendments recommended by the Rules & Procedures Committee.

**9. Report on Status of Potential Intercity Passenger Rail Opportunities**

Bill Bingham reported that Amtrak has expressed interest in providing passenger rail service for the Rail District, and summarized recent meetings and correspondence between Amtrak, TxDOT and the Rail District. TxDOT has requested that Amtrak conduct a study on the potential for improving intercity rail service in the corridor. Details on funding, timing and scope of the study are still under discussion. The Rail District will be a partner in the study.

Amtrak brings two important powers to the process: indemnity in case of accidents and access to Union Pacific's right-of-way. Planning to-date has assumed Union Pacific's through-freight would be relocated. Under this new scenario, Amtrak would look at improvements (double track, passing sidings, stations) to be made on the existing UP line to provide extra capacity to run passenger trains in addition to Amtrak's current service. Amtrak provides an alternative that may allow initial service to begin quicker, although the Rail District will continue to pursue through-freight relocation to increase speeds and capacity on the main UP line.

Board discussion ensued on the timeline and deliverables of the study, and similar corridor studies being conducted by Amtrak.

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### **10. Financial Report**

Ross Milloy directed the Board's attention to two financial reports in the agenda packet: the first quarter statement for FY08 and the reconciliation report. Mr. Milloy noted the District's finances remain on budget. An audit of the Rail District's finances has been completed and the report is available for review. Staff will present the audit report to the Finance Committee at its next scheduled meeting.

### **11. Legislative Update**

Ross Milloy reported on recent efforts to form a statewide coalition to encourage the legislature to fund the Rail Relocation and Improvement Fund. A funding source will have to be identified for rail relocation. Mr. Milloy commended Senator Wentworth for his continued support and assistance with funding for rail crossing improvements through the Texas Emissions Reduction Program (TERP).

### **12. Other Business**

Bill Bingham reminded Board members Kim, Ingalsbe, Clamp, Conley, Thomaides and Baldwin that their terms expired on February 1<sup>st</sup> and they need to be reappointed. A letter will be sent to each appointing jurisdiction that the reappointments should be made as soon as possible and forwarded to the Rail District.

Chairman Covington reminded the Board that the Capital Area MPO will conduct a public hearing on project requests for federal STP-MM funds—including the Rail District's request—on March 17. Board members are encouraged to attend and support the funding request.

### **13. Public Comment**

Jennifer Moczygamba, Director of TxDOT's Multimodal Division, reported on several items:

- TxDOT is updating the State Rail Plan in support of the needs for the Rail Relocation and Improvement Fund. Public meetings across the state—including meetings in Austin and San Antonio—are expected to begin in early summer.
- TxDOT is continuing to work with the Texas Commission on Environmental Quality (TCEQ) on models and information required for the Texas Emissions Reduction Program (TERP), and will make the information available to the Rail District. The application deadline for TERP funds is April 11, 2008.
- Phase 2 of the San Antonio Freight Study is complete and under review by the railroads. Upon completion of the review, the study will be forwarded to the Board.

### **14. Adjourn**

There being no further items, the meeting adjourned at 11:11 a.m.