



Austin-San Antonio Intermunicipal Commuter Rail District

Board Meeting
Friday, September 8, 2006

10:00 a.m.

The Meeting Place
400 S. CM Allen Parkway
San Marcos, Texas

1. **Call to Order**

Notice was duly posted and a meeting of the Austin-San Antonio Intermunicipal Commuter Rail District was held on Friday, September 8, 2006. Chairman Covington called the meeting to order at approximately 10:08 a.m.

Participants:

Sid Covington, Chair

Mary Briseño

Mariano Camarillo

Gerald Daugherty

Patty Eason

Fred Harless

Dave Marsh

Al Notzon

Carroll Schubert

John Thomaides

Other participants included Ross Milloy, Bill Bingham, Alison Schulze, Clif Davis, and Tom Shelton.

2. **Chairman and Member Comments**

Chairman Covington thanked Board members and the audience for attending the meeting. Mr. Covington announced that he appointed Austin City Council Member Jennifer Kim to the Executive Committee and the Finance Committee to replace Council Member Betty Dunkerley.

Mr. Covington reported on his recent tour of the New Mexico Rail Runner Express commuter rail facilities, and distributed a handout, *Frequently Asked Questions*, that provides information on the New Mexico commuter rail system. Phase 1 of the system—Albuquerque to Bernalillo—includes 7 trains per day and 3 stations; current ridership far exceeds early projections. Herzog operates the system in the existing BNSF corridor.

3. **Consider Approval of August 4 Board Meeting Minutes**

Al Notzon requested the meeting minutes be amended to change the wording in the summary of items to be included in the cost-benefit presentation (agenda item 9, page 4), as follows: delete “concept of phased implementation” and replace it with “project timeline.” Upon a motion by Dave Marsh and second by John Thomaides, the August 4, 2006 meeting minutes were approved as amended.

4. Committee Reports: Program Management Oversight Committee Meeting August 29, 2006

PMO Committee Chair Mariano Camarillo directed the Board's attention to a written summary of the Committee meeting included in the agenda packet. Mr. Camarillo summarized the Committee's actions and recommendations on August 29, which included the following:

- The PMO Committee recommends approval of the amendment to A3 Design's contract for website services. The Committee recommendation will be presented for Board discussion and action under agenda item 6.
- The PMO Committee recommends approval of the amendment to Carter-Burgess' master contract for planning and engineering services. The Committee recommendation will be presented for Board discussion and action under agenda item 7.
- The PMO Committee recommends approval of the amendment to Carter-Burgess' work authorization. Additional services include cost-benefit presentations to local jurisdictions, per Board direction in August. The Committee recommendation will be presented for Board discussion and action under agenda item 7.
- The PMO Committee approved an amendment to Carter-Burgess' work authorization, in accordance with Board direction on August 4th. Carter-Burgess and Cambridge Systematics will conduct a financial and economic benefits study for a fee not to exceed \$50,000.

5. Consider and Take Appropriate Action to Amend Program Management Oversight Committee's Authority to Authorize Contracts and Expenditures

In November 2003, the Board authorized the PMO Committee to approve contracts up to \$50,000 through PBS&J, the program management consultant. Upon a motion by Al Notzon and second by Fred Harless, the Board unanimously voted to remove the stipulation of PBS&J and grant the PMO Committee the authority to approve any non-controversial contracts, work authorizations, and expenditures. The PMO Committee will continue to report any such actions to the full Board, and the limit of the Committee's authority remains at \$50,000.

6. Consider and Take Appropriate Action on Amendment to A3 Design Contract for Website and Print Design Services

Alison Schulze described the contract amendment for A3 Design, which includes a one-year extension (to September 30, 2007) of the current contract, continuation of monthly website services, and design and print services for an updated brochure insert as well as two new public outreach brochures to be developed under the direction of the Public Information (PI) Committee. The total fee for the services is \$35,000.

On August 29, the PMO Committee voted unanimously to recommend approval of A3 Design's contract amendment, with the caveat that the PI Committee confirm and/or modify the stated number of deliverables for each publication as each product is developed. The PI Committee and Rail District staff also recommend approval of the contract amendment. Upon a motion by Dave Marsh and second by John Thomaidis, the Board unanimously voted to approve the PMO Committee's recommendation and caveat, and authorized the Interim Executive Director to execute the contract.

7. Consider and Take Appropriate Action on Amendments to Carter-Burgess Master Contract and Work Authorization No. P&PE-1, Alternatives Analysis and Conceptual Engineering

Alison Schulze summarized the contract amendment to Carter-Burgess' master contract. The amendment extends the master contract for one year to September 30, 2007, and increases the fee cap from \$2 million to \$2.25 million. The master contract establishes a maximum allowable fee, but spending is authorized under subsequent work authorizations. On August 29, the PMO Committee voted unanimously to recommend approval of the amendment to the master contract. Upon the motion for approval from the PMO Committee, the Board unanimously voted to approve the amendment to Carter-Burgess' master contract.

Alison Schulze summarized the contract amendment to Carter-Burgess' work authorization. The amendment to the work authorization (supplemental agreement #9) includes the following:

- A credit for \$116,000 for tasks related to the New Starts application, which are no longer required since the Board decided not to submit an application at this time
- Additional services by Public Financial Management (PFM) for the one-on-one meetings with local jurisdictions (\$108,070)
- Miscellaneous program management and technical services tasks by Carter-Burgess (\$86,700)
- Additional services by Carter-Burgess for the one-on-one meetings with local jurisdictions (\$68,535)
- Increasing the maximum amount payable for the work authorization from \$1.89 million to \$2.04 million

Ms. Schulze directed the Board's attention to the scope of services for the meetings with local jurisdictions. The scope identifies the items to be included in the cost-benefit presentation and the jurisdictions with which the consultants, staff and Board will meet. Ms. Schulze also noted that the agenda packet includes a draft letter to be sent the following week to each Board member that states the purpose and timeframe of the meetings.

Al Notzon requested Exhibit A.1, Scope of Services, be amended to change the wording in the summary of the cost-benefit presentation (page 3 of 6), as follows: delete "concept of phased implementation" and replace it with "project timeline." Dave Marsh requested the letter to Board members be amended to change the last word from "crisis" to "issues."

Board discussion followed on the purpose and expected outcome of the meetings with local jurisdictions. The objectives of the meetings are to share information on the project and its costs, talk about local funding sources, discuss methods to allocate local costs, and identify each jurisdiction's level of support. Fred Harless requested the presentation be given to the Board before the meetings begin. Board Chair Covington suggested the draft presentation be made to the Finance Committee to keep the process on schedule. Staff will notify and invite all Board members to attend the Committee meeting to preview the presentation.

On August 29, the PMO Committee voted unanimously to recommend approval of supplemental agreement #9 to Carter-Burgess' work authorization. Upon the motion for approval from the PMO

Committee, the Board unanimously voted to approve the amendment to Carter-Burgess' work authorization as amended by Mr. Notzon.

8. Consider and Take Appropriate Action on FY07 Budget

Ross Milloy directed the Board's attention to the budget for Fiscal Year 2007, which consolidates the local and federal budget in one document. Mr. Milloy pointed out two changes in the budget for local funds in the upcoming fiscal year:

- An increase of \$14,000 for Corridor Council staff to initiate and maintain the District's document control system
- An increase of \$50,000 for federal assistance in Washington DC

Bill Bingham noted that the District's federal funds and local funds must be accounted for separately in accordance with federal guidelines, and the budget document consolidates the funds for presentation purposes only.

Upon a motion by Mariano Camarillo and second by Mary Briseño, the Board unanimously voted to conditionally approve the FY07 budget subject to review by the Finance Committee. The Finance Committee will report back to the Board in November on recommended changes to the budget, if any.

9. Consider Status Report on MoPac/Loop 1 Study and Seaholm Station Location Study

Tom Shelton briefed the Board on the Seaholm Station Location Study, which was initiated early in 2006 in response to impending redevelopment of the former Seaholm power plant site. The site is the location of the proposed commuter rail station in downtown Austin. The purpose of the study is to ensure that right-of-way is preserved for the rail station as the site is redeveloped, and to locate the platform to maximize ridership and transit-oriented development opportunities. The study is jointly funded by the Rail District, City of Austin, and Capital Metro. The final draft report will be delivered next week.

Clif Davis briefed the Board on TxDOT's MoPac/Loop 1 Study in central Austin, which is underway. TxDOT is studying adding managed lanes in the right-of-way adjacent to the existing Union Pacific track. In central Austin, the UP right-of-way is constrained at only 60 feet. TxDOT would need 21 feet of the 60 feet to add managed lanes, leaving 39 feet for freight and future commuter rail operations. The Rail District sent a letter to TxDOT in May 2006 requesting that TxDOT coordinate with the Rail District and not preclude future passenger rail opportunities. Carter-Burgess and the Rail District continue to meet and coordinate with TxDOT on the project.

Clif Davis also briefed the Board on Lonnie Blaydes' analysis of the cost estimates generated by Carter-Burgess. The purpose of the analysis is to examine the cost estimates and identify areas where costs could be streamlined. The results of the analysis will be presented to the PMO Committee in October.

At Al Notzon's request, Alison Schulze briefed the Board on the status of VIA's study of the Westside Multi-Modal Center in downtown San Antonio. VIA issued a Request for Proposals in

ASAICRD Board Meeting

September 8, 2006

Page 5

September and anticipates selecting a consultant team by the end of the year. The Rail District committed \$25,000 to help fund the study, which is expected to get underway in early 2007.

At Fred Harless' request, Bill Bingham briefed the Board on the status of negotiations with Union Pacific. The consultant team has been meeting to frame the discussions and hopes to initiate meetings with UP before the end of the year, at which time Mr. Bingham will report back to the Board.

10. Financial Report

Mr. Milloy directed the Board attention to financial reports in the agenda packet. The Rail District is under budget for the quarter and for the year.

11. Legislative Update

Mr. Milloy reported that the City of Georgetown, VIA, and the City of San Marcos adopted resolutions in support of funding the Texas Rail Relocation Fund. He encouraged all members of the Rail District and all jurisdictions in the Austin-San Antonio Corridor to approve resolutions of support. Council Member Thomaides reported that he is meeting with Texas State University to approve such a resolution.

12. Other Business

Dave Marsh reported that he received a request that the District post all agenda items on the website prior to Board meetings. Mr. Marsh requested guidance from legal counsel and the Board on distributing agenda items prior to Board consideration and action. Mr. Bingham stated the Rail District routinely posts meeting agendas on the website and, upon Board approval, the meeting minutes of each Board meeting. Other agenda items, with the exception of draft documents and attorney-client-privilege issues, can be posted on the website once approved by the Board. Mr. Marsh requested written guidance and suggested that the Board develop a policy on the issue. Mr. Bingham suggested staff develop draft guidance on the issue for the Board's consideration at the next meeting.

Al Notzon reported on an article on North Carolina and New Starts in the recent edition of *Metro* magazine. The article states that North Carolina's evaluation process has lasted 100 months and shows signs of lengthening. The article validates the Board's decision not to pursue New Starts at this time.

13. Public Comment

There was no public comment.

14. Adjourn

Chairman Covington thanked Board members and the audience for their attendance and participation. There being no further items and upon a motion by Dave Marsh and second by Gerald Daugherty, the meeting adjourned at 11:15 a.m.