



Austin-San Antonio Intermunicipal Commuter Rail District

**Board Meeting**

**Friday, February 2, 2007**

10:00 a.m.

San Marcos Activity Center

501 E. Hopkins

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, February 2, 2007. Chairman Covington called the meeting to order at approximately 10:10 a.m.

**Participants:**

Sid Covington, Chair

Gonzalo Barrientos

Lisa Birkman

Mary Briseño

Mariano Camarillo

Gerald Daugherty

Patty Eason

Fred Harless

Jennifer Kim

Dave Marsh

Al Notzon

Carroll Schubert

John Thomaidis

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

2. **Chairman and Member Comments**

Chairman Covington welcomed Board members and the audience. Mr. Covington noted that in January the San Antonio-Bexar County MPO allocated \$10 million for the commuter rail project in the FY11 Transportation Improvement Program (TIP) and earmarked \$10 million in the FY12 TIP. He expressed the appreciation of the Rail District for the MPO's action and thanked Board members Notzon, Adkisson, and Perez for their support.

Chairman Covington recognized outgoing Board members Al Notzon and Senator Barrientos for their outstanding service to the Rail District and presented them with certificates of appreciation. Mr. Covington also noted that as new members are appointed to the Board, he will revisit committee assignments. He encouraged Board members to volunteer for their preferred committees.

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Councilmember Thomaides remarked that commuter rail was an important issue in San Marcos' recent City Council elections. Two of the City's top state and federal legislative priorities are commuter rail and freight rail relocation.

Al Notzon thanked his fellow Board members for their service and their support. He observed that the Austin-San Antonio corridor needs a reliable alternative to I-35 and the Rail District has an important responsibility to develop a viable option. Commissioner Daugherty commented that commuter rail won't be as fast or as convenient as cars because riders will have to transfer to other transportation modes to get to their final destinations. Mr. Notzon noted that the commuter rail system will integrate with the local bus systems—VIA, Capital Metro, CARTS and AART—to ensure connectivity. He emphasized that connectivity and integration are key issues to providing a reliable alternative. Commissioner Daugherty reiterated that two of his concerns are connectivity and fares. Councilmember Thomaides noted that Texas State University has 10,000 commuter students and, because parking is limited and expensive, students are looking for a viable alternative even if they have to pay for it. Mary Briseño remarked that the benefit of commuter rail is more than simply providing congestion relief on I-35—it's also about providing education and employment opportunities and providing an alternative to people who don't have cars. Chairman Covington noted that Texas State University President Denise Trauth spoke at a Growth Summit the previous day in Austin and said that the university is considering capping enrollment because of the transportation and parking problems on campus, and she strongly urged the region to implement commuter rail service between Austin and San Antonio. Mr. Covington noted that the Board should look at all aspects of the project—economic as well as transportation, benefits as well as costs—and understand that the project is more than the number of daily riders.

### **3. Consider Approval of November 3 Board Meeting Minutes**

Upon a motion by Fred Harless and second by Dave Marsh, the November 3, 2006 meeting minutes were approved.

### **4. Committee Report: Program Management Oversight Committee Meeting December 5, 2006**

Committee Chair Mariano Camarillo directed the Board's attention to the written summary of the meeting included in the agenda packet. On December 5 the Committee met in three different locations via conference call. The Committee voted unanimously to extend the end date of Carter & Burgess' contract from January 31 to March 31, 2007. The extension allows Carter & Burgess to complete on-going work for the District and present information at the February 2 Board meeting. The contract amendment only extends the end date, it does not change the fee or scope of services.

### **5. Consider and Take Appropriate Action on Status of Appointments to Board, Administration of Oath of Office to Newly Appointed Board Members, Election of Board Officers, and Amendments to Bylaws**

Bill Bingham announced Board appointments to date include Birkman, Briseño, Eason, Camarillo, Thomaides and Wells. The remaining appointments are in the process of being made, and all Board members continue to hold their positions until they or a successor are appointed.

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Mr. Bingham continued with the election of Board officers. The statute that created the District states the Board will elect a chairman and vice chairman, the District bylaws also add a secretary and treasurer. In the past the Board chose not to elect a secretary and treasurer, but the Board may fill those positions as well. Upon a motion by Carroll Schubert and second by Fred Harless, Sid Covington was unanimously re-elected Board chairman. Upon a motion by Mariano Camarillo and second by Al Notzon, Tullos Wells was unanimously re-elected Board vice-chairman. Following discussion by the Board on the secretary and treasurer positions, and upon a motion by Dave Marsh and second by Patty Eason, John Thomaides was unanimously elected Board secretary. The Board took no action on the treasurer position.

Mr. Bingham directed the Board's attention to the memo included in the agenda packet on bylaws amendments. He noted that, in accordance with the District's bylaws, Board members were notified 10 days in advance that amendments would be considered. The proposed amendments on meetings by videoconference and on staggered terms for Board members track the language in the state statute. A lengthy discussion ensued on adding meetings by webconference to the bylaws. Mr. Bingham advised the Board that the District does not currently have statutory authority to conduct meetings by webconference, but the District can conduct meetings by videoconference and provide web access. The Rail District is one of two entities in Texas allowed to conduct meetings by videoconference in non-emergency situations, and was given the authority due to its unique situation of having members located throughout a 112-mile corridor. Videoconferencing will be used initially for Committee meetings. As the technology improves the Board could consider revising the state statute.

The Board also discussed the amendment on staggered terms. Mr. Bingham noted that today's action on amending the bylaws recognizes there will be staggered terms, with approximately half of the Board rotating each February so that all members' terms don't end at one time. Once the full Board is appointed, the Board will take action on how to stagger terms. The mechanism to stagger terms should consider that five entities (TxDOT, Austin, San Antonio, Bexar County, Travis County) appoint two members each to the Board.

Chairman Covington noted that the amendments bring the District's bylaws into compliance with the state statute, give the District flexibility, and follow the intent of the Open Meetings Act. Upon a motion by Al Notzon and second by Jennifer Kim, the bylaws amendments were approved. The Board directed staff to develop a proposed mechanism for staggering Board terms and present it to the Board in March.

### **6. Consider and Take Appropriate Action on Amending Legislation to Expand Definition of Political Subdivisions that May Become Members of the Rail District**

Bill Bingham briefed the Board on membership requirements under the state statute. Currently, counties in the service area and cities with a population of 18,000 may join the District. Other entities have expressed interest in joining; in particular, cities in the service area with a population of less than 18,000. Membership requirements could be loosened to allow any city along the rail line to join regardless of population. The definition of who may become a member of the District could be expanded to also include regional mobility authorities, state colleges and universities, independent school districts, and special districts. If the Board wants to change the membership requirements, the

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state statute would have to be amended. Board discussion followed on which entities should become members, keeping the Board a manageable size, using some mechanism to allow smaller cities to participate, and the level of financial participation expected for new members. Several Board members noted that school districts and universities are already represented by the city council members and county commissioners on the Board, and all organizations are welcome to attend, offer comments, and participate in Board meetings.

Mr. Bingham noted that a section in the statute creates a Board position, now vacant, for an elected official to represent all municipalities in the District that are not otherwise represented. If the Board expands the definition to include all local governments and universities, the vacant position could be used to represent other entities that wished to join. The Board directed staff to develop a recommendation that would let other organizations have a voice while not increasing the size of the Board.

### **7. Consider and Take Appropriate Action on Resolution of Support for Texas Rail Relocation and Improvement Fund**

Ross Milloy presented a resolution in support of the Rail Relocation Fund for the Board's approval. Board discussion followed and Commissioner Daugherty recommended language be added to the resolution that the \$200 million annual appropriation for the Rail Relocation Fund not come out of Fund 6. Upon a motion by Dave Marsh and second by Lisa Birkman, the resolution in support of the Rail Relocation and Improvement Fund was approved as amended.

### **8. Consider and Take Appropriate Action on Contract Extension for Federal Legislative Assistance**

Ross Milloy briefed the Board on the consultant selection process in 2006 for federal legislative assistance. In June 2006 the Board authorized Mr. Milloy to execute a contract with Smith, Dawson & Andrews through the end of the fiscal year (September 2006). The Rail District needs continued legislative assistance and Mr. Milloy requested the contract be extended for one year. Board discussion followed on the District's recent lobbying efforts in Washington DC, federal legislative priorities, the 2006 request for proposals, and the Proposal Evaluation and Selection Committee's process. Council member Kim requested that the work plan for the legislative program be distributed to the full Board. Upon a motion by Dave Marsh and second by John Thomaides, a one-year contract extension was approved. The Board directed the consultant team to brief the Proposal Evaluation and Selection Committee (Dave Marsh, Commissioner Adkisson, Council member Thomaides) on the federal legislative program, notify the full Board of the meeting date and time, and report back to the Board.

### **9. Presentation on Results of Financial and Economic Benefits Study**

In August 2006 the Board directed Carter & Burgess and Cambridge Systematics to conduct a study to quantify the benefits of the commuter rail project. Clif Davis and Tom Shelton presented the draft results, which focused on four areas:

- Financial benefits to users of the regional transportation system in terms of reduced congestion delay and fuel cost saving: cumulative cost saving of \$544 million to \$584 million over 18 years (2012-2030)
- Financial benefits to the State in terms of savings in highway construction and highway maintenance, air quality benefits, and savings in accident avoidance: cumulative cost saving of \$1.5 billion over 18 years (2012-2030)
- Financial benefits to freight railroads in terms of savings in travel time and additional freight: aggregate benefit of \$11 billion to \$21 billion over 18 years (2012-2030)
- Economic benefits to the region and the State in terms of additional jobs, increased tax base, and increased tax revenues: aggregate benefit of \$6 billion to \$7 billion over 18 years (2012-2030)

There are substantial and significant benefits associated with the project. The Board commended the consultant team on their analysis. Board discussion followed on identifying the economic benefits to local jurisdictions. The final report will be delivered in the next few weeks.

**10. Financial Report**

Ross Milloy directed the Board attention to two financial reports in the agenda packet. The first quarter statement shows the Rail District is under budget in all categories for the year.

**11. Legislative Update**

There was nothing to report.

**12. Other Business**

**A. Status Report on Meetings with Member and Local Jurisdictions**

Ross Milloy briefed the Board on the recent meetings with local jurisdictions and observed that the smaller communities seem to want the project more and are working more aggressively to implement the project than the larger communities. Mr. Milloy also noted that the counties expressed they don't have the same level of revenue or access to revenue as the cities, and they don't feel the counties will see as many benefits as the cities. Overall, all jurisdictions are interested in the project and the meetings have provided meaningful dialog on substantive issues. Mr. Milloy thanked Board members—particularly, Sid Covington and Mariano Camarillo—for attending the meetings and showing Board support.

**B. Status Reports on Seaholm Station Location Study and VIA Westside Multimodal Center Study**

Alison Schulze reported that the Seaholm Study is complete, the results have been presented to the Rail District and Austin City Council, and are scheduled to be presented to Capital Metro in February. The report is available on CD upon request.

Alison Schulze reported that the VIA Study is underway, Parsons Transportation Group/Wilbur Smith Associates were selected as the consultant team in January, and the study is scheduled for completion by May 2007. The Rail District is one of the funding partners on the study.

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### **C. Status Report on PBS&J Billing Adjustment**

Bill Bingham briefed the Board on the PBS&J contract, which expired in March 2006. At that time, the Rail District received a refund of approximately \$30,000. Since then, PBS&J adjusted its billing and overhead rates and the Rail District is due an additional refund of about \$23,000 plus interest. On TxDOT's recommendation the Rail District will accept the additional refund and the matter will be closed. Board action is not necessary.

### **13. Public Comment**

There were no comments from the public.

### **14. Adjourn**

Chairman Covington announced that the next Board meeting will be March 2 at AACOG in San Antonio and the PMO Committee will meet February 16 in San Marcos. Mr. Covington thanked Board members and the audience for their attendance and participation. There being no further items, the meeting adjourned at 12:10 p.m.