

AUSTIN–SAN ANTONIO INTERMUNICIPAL COMMUTER RAIL DISTRICT

BOARD MEETING

Friday, September 9, 2005

10:00 a.m.

The Meeting Place

400 S. CM Allen Parkway

San Marcos, Texas 78666

I. Call to Order:

Notice was duly posted and a meeting of the Austin-San Antonio Intermunicipal Commuter Rail District Board was held on September 9, 2005. Chairman Covington called the meeting to order at approximately 10:14 a.m.

Participants:

Sid Covington, Chairman

Tommy Adkisson

Gerald Daugherty

Betty Dunkerley

Fred Harless

Dave Marsh

Carroll Schubert

Tim Tuggey

Senator Jeff Wentworth

Senator Gonzalo Barrientos, Sam Barshop, Mariano Camarillo, Al Notzon and Tullos Wells were unable to attend. Other participants included Bill Bingham. Additionally, Alison Schulze attended in Ross Milloy's absence.

II. Chairman and Member Comments:

Chairman Covington thanked the Members and the audience for attending.

III. Approval of Minutes of June 3rd Meeting:

The Members, upon a motion by Commissioner Daugherty and second by Fred Harless, unanimously approved the June 3, 2005 meeting minutes.

IV. Report on Status of Appointments to the Board and Administration of Oath of Office to any Newly Appointed Board Members:

Bill Bingham reported that the only change was the City of Austin's appointment of Councilman Betty Dunkerley, who has taken the oath and signed the required forms (replacing Councilman Slusher).

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Chairman Covington welcomed Councilman Dunkerley and thanked her for her attendance.

V. Report on 2005 Milestone and 2006 Goals:

Chairman Covington briefly discussed the draft report on 2005 Milestones and 2006 Goals as prepared by Ross Milloy. Covington requested input from the Board on the draft reports.

VI. Legislative Update:

Mr. Bingham discussed the following three (3) items that were passed by the last session of the legislature:

- Rail Relocation Funding Bill, which will require a constitutional amendment in November to become effective/funded;
- In August, Congress passed a Transportation Funding bill, which had been discussed for year (this project is a recognized project in the bill); and
- Senator Wentworth and Senator Barrientos sponsored and passed Senate Bill 182, which accomplishes two (2) things: (i) staggers the terms of the board members as new members are appointed; and (ii) establishes the ability of the board to conduct routine meetings by video or telephone conference.

A brief discussion ensued.

VII. Consider Approval of Contract Amendment to Planning and Preliminary Engineering Contract to Add Economic Analysis of Proposed Station at FM 3009:

Alison Schulze discussed the proposed contract amendment to the PP&E contract, which adds the economic analysis for the proposed station that was added as part of the LPA at FM 3009 (to be prepared by Capital Market Research, a sub-consultant on the PP&E Team led by Carter & Burgess).

After a brief report/presentation by Charles Heimsath, with Capital Market Research, concerning the status of the economic impact analysis, Schulze recommended that the Board approve an amendment to the PP&E contract for Capital Market Research to conduct an economic impact analysis of the proposed station at FM 3009.

A lengthy discussion by the Board ensued.

Upon motion by Dave Marsh and second by Tim Tuggey to approve the contract amendment to the Planning and Preliminary Engineering Contract to Add Economic Analysis of Proposed Station at FM 3009, the Board unanimously approved the motion.

VIII. EXECUTIVE SESSION: Report and Consultation with General Counsel on Consultant Contracts:

Chairman Covington announced a brief recess pursuant to Section 551.071 of the Texas Open Meetings Act in order to consult with legal counsel in a closed meeting. Covington invited the audience to wait for the Board to reconvene momentarily.

- The Board recessed at 10:45 A.M. and reconvened at 11:22 A.M. Attached is the Certified Agenda for the Closed Portion of the Meeting.

IX. Committee Reports:

A. Program Management Oversight Committee Reports Including Recommendation on New Starts Application:

Schulze reported there had been three (3) PMOC meetings (06/01/05, 06/17/05, and 07/15/05) and provided summaries of each meeting in the Board packet. Additionally, Schulze stated that a summary of the July 13th Staff meeting with FTA was also included in the Board packet.

Bingham reported that two (2) consultant contracts will expire September 30, 2005. Bingham's report was that Milloy recommended that the Board extended those contracts through March 31, 2006 – which is adequate to finish the New Starts Application - without any additional funding other than what is called for in the original contracts.

Upon Senator Wentworth's motion, and Harless' second, for the adoption of the two (2) attached resolutions: (i) concerning contract for engineering services under ASAICR-1 with Post, Buckley, Scheh and Jernigan d/b/a PBS&J; and (ii) concerning contract for engineering services under ASAICR-2 with Carter & Burgess, Inc., the Board unanimously passed the motion.

B. PBS&J, Program Management and Engineering Services:

There was no report by PBS&J.

C. Carter-Burgess, Planning and Preliminary Engineering Services:

There was no report by Carter-Burgess.

X. Briefing on Potential Interlocal Agreements for Study of Seaholm Station Locations:

Covington said this agenda item was meant as an information-only item for the Board. Covington reported that the study of Seaholm Station locations is on-going and he hopes to have an interlocal agreement ready to review and approve at the next meeting. Covington added that he believes the Seaholm area is a very important area of the City of Austin and it is imperative that it be done properly.

XI. Financial Report:

Mr. Milloy prepared and provided the Board with the following financial information/documents:

- "Reconciliation Detail – Checking Account, Period Ending 09/30/2005"; and
- 2005 Second Quarter Statement of Income and Billable Expense.

XII. Other Business:

Covington announced the resignation of Catherine Robinson, of the Corridor Council, and presented her with a framed certificate of appreciation.

There were no other items of business brought before the Board.

XIII. Public Comment:

Wilda Won announced that Texas Register Today published notification that there is a public hearing on the Texas State Rail Plan on September 23rd at 10:00 a.m. at the Greer Building. The Public comment period will be open until October 10, 2005.

XIV. Adjourn:

Chairman Covington thanked the Members and the audience for their attendance and participation.

There being no further items of business brought before the Board, Chairman Covington adjourned the meeting at 11:45 A.M.