CCTRA RESOLUTION NO. 2009-3022-09-14

STATE OF TEXAS

COUNTY OF COLLIN

COLLIN COUNTY TOLL ROAD AUTHORITY
MEETING MINUTES
AUGUST 10, 2009

On Monday, August 10, 2009, at 10:34 a.m. the Collin County Toll Road Authority Board of Directors met in regular session with the following members present, and participating, to wit:

Present: President Keith Self
Director Matt Shaheen
Director Jerry Hoagland
Director Joe Jaynes
Director Kathy Ward

1. President Self called the Collin County Toll Road Authority meeting to order at 10:34 a.m.

2. Consent agenda to approve: President Self asked if any member of the Board or any member of the audience would like to have an item pulled off the consent agenda for individual consideration. President Self said he would like to discuss item 2a3. Motion to approve remainder of consent agenda.

Motion By: Director Jerry Hoagland
Second By: Director Matt Shaheen
Vote: 5 – 0 Passed

a. Filing of the Minute(s), County Clerk:

1. AI-30445 May 11, 2009.

CCTRA RESOLUTION NO. 2009-3015-08-10

2. AI-30444 June 22, 2009.

CCTRA RESOLUTION NO. 2009-3016-08-10

3. AI-30470 July 13, 2009.

President Self asked Bill Bilyeu when will the Board see the two methods, a private toll road and a traditional CDA, as discussed in the July 13, 2009 meeting. Bill Bilyeu, Administrative Director, addressed the Board saying they needed to gather information to see if either of the options is even available to the county. Mr. Bilyeu told the Board if they had a vendor in mind, they could schedule it for discussion in the next meeting. Mr. Bilyeu said Tracy Homfield, Engineering, had contacted the Council

of Governments (COG) who will meet with the Board to give a status report on where they are in the Outer Loop Project. This is a step in helping the county get to where it wants to be.

CCTRA RESOLUTION NO. 2009-3017-08-10

4. AI-30502 July 20, 2009 Special Session.

CCTRA RESOLUTION NO. 2009-3018-08-10

GENERAL DISCUSSION

Presentation, discussion and any action regarding:

3. AI-30549 Job Description for Executive Director.

Bill Bilyeu, Administrative Director, approached saying the Board asked him to put together a job description; before it is posted he wanted to present it to the Board to see if that was the direction they wanted to take. Mr. Bilyeu said his initial preference on the matter is for the Board to wait until the Request for Quote (RFQ) goes out, so they can see what the traffic counts are, to determine which direction they want to take. President Self told the Board they needed to review the job description for approval then decide on the timing. Director Hoagland said he had looked at it and it appeared fine to him. He made a motion to approve the job description.

Director Jaynes asked about the flexibility in the position. If the person could not keep busy 40 hours a week on the toll road, could they assist Ruben Delgado. Director Jaynes said in his opinion the person selected should be an Engineer. Mr. Bilyeu asked the Board if they wanted him to re-draft the document. Director Jaynes said he did not necessarily need to re-draft the description; rather add something to have the person assist Engineering. Director Hoagland expressed concerns about this position assisting Engineering saying the county was trying to keep the CTA separate from other county business and if the person was working in both areas it could damage the county's CTA status with the State. President Self agreed and said they should not hire someone until there was enough work to keep the person busy as an Executive Director. Director Hoagland responded saying the county needed to hire someone and get the project off the ground. He continued by saying he believed this was not just a 40 hour a week job, but rather a 60 to 80 hour a week job.

Extensive discussion among Board members on when they should post and hire for the position followed. Director Hoagland moved to approve the words on the page of the job description. Director Shaheen said he would not vote in favor of the motion and addressed Director Jaynes' comments on adding to the description.

Motion By: Director Jerry Hoagland
Second By: Director Kathy Ward
Vote: 4 – 1 Passed

Nay: Director Matt Shaheen

Director Hoagland made a motion to post the position immediately. He expressed his concerns to the Board on waiting too long and then putting the CTA at risk for dissolution by not being as far ahead as they should be. President Self replied that the county has been moving forward by buying right of way, conducting the necessary engineering studies and following the environmental processes. He said the county is making progress. Director Ward said the county should move forward with posting the position so they could hire the best possible person for the job. She said posting immediately doesn't mean they have to fill it immediately. This will just give the county a more broad selection of candidates to choose from.

Motion By: Director Jerry Hoagland
Second By: Director Kathy Ward
Vote: 3 – 2 Failed

Nay: President Keith Self
Director Matt Shaheen
Director Joe Jaynes

CCTRA RESOLUTION NO. 2009-3019-08-10

4. AI-30553 Issuing an RFQ for a level two traffic study for the outer loop, Commissioners Court.

Mr.Bilyeu addressed the Board with cost information saying the study is in about a fifty thousand dollar range. Mr. Bilyeu said Frank Ybarbo, Purchasing, could explain the differences between a Request for Proposal (RFP) and Request for Quote (RFQ). Mr. Bilyeu said if the county chose a RFQ, they could negotiate a cost and then put it before the Board for approval. If they go with the RFP they would take the lowest bidder. Ruben Delgado gave comments regarding firms who can provide this study to obtain the needed information saying there are not that many who conduct these types of studies; however, there are companies available. Mr. Delgado said Wilbur Smith is the first to come to mind, but others are out there. He continued saying this is a three to five month process. Frank Ybarbo, Purchasing, addressed the Board stating if this is involving an Engineer then the Board should do a RFQ, if this is a non-Engineer they could go out for an RFP.

Extensive discussion on how to proceed continued. Mr. Ybarbo stated a RFP will get fees and costs and the RFQ is a two step process which includes qualifications, and a specific statute on how to hire an Engineer. Director Hoagland asked how long it would take if the county asked CH2M HILL to find someone to conduct the study. Mr. Ybarbo said they could amend the contract which would take approximately two weeks. If they did a separate RFQ it would take approximately six weeks. Motion to issue RFQ for a level two traffic study for the outer loop. Director Hoagland said he was voting no on the motion because time is of the essence and the county needs to move on this project. Going out for a RFQ will take too much time when the county would most likely choose the current Engineering firm anyway.

Motion By: Director Matt Shaheen
Second By: Director Kathy Ward
Vote: 4 – 1 Passed
Nay: Director Jerry Hoagland

CCTRA RESOLUTION NO. 2009-3020-08-10

EXECUTIVE SESSION
The Board of Directors did not recess into Executive Session. There being no further business of the Board, President Self adjourned the meeting at 10:54 a.m.

Keith Self, President

Matt Shaheen, Director

Jerry Hoagland, Director

Joe Jaynes, Director

Kathy Ward, Director