CCTRA RESOLUTION NO. 2009-3025-09-28

THE STATE OF TEXAS **COLLIN COUNTY TOLL ROAD AUTHORITY**

COUNTY OF COLLIN **SEPTEMBER 14, 2009**

On Monday, September 14, 2009, the Collin County Toll Road Authority Board of Directors met in regular session in the Commissioners Courtroom, Jack Hatchell Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Present: President Keith Self
Precinct 1 Director Matt Shaheen
Precinct 2 Director Jerry Hoagland
Precinct 3 Director Joe Jaynes
Precinct 4 Director Kathy Ward

1. President Self called to order the meeting of the **Collin County Toll Road Authority** at 10:06 a.m.

2. Consent agenda to approve: Judge 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. Director Jaynes made a motion to approve the consent agenda. (Time: 10:07 a.m.)

Motion: Director Joe Jaynes
Second: Director Kathy Ward
Vote: 5-0 Passed

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

1. AI-30751 August 10, 2009.

COURT ORDER NO. 2009-3022-09-14

2. AI-30743 August 24, 2009.

COURT ORDER NO. 2009-3023-09-14

GENERAL DISCUSSION

3. AI-30733 Engineering Services Agreement with CH2M Hill, Inc. in the amount of $563,155 for Outer Loop, Segment 3 (Denton County Line to US 75) for revision to and preparation of a diagrammatic layout (existing and proposed), preparation of the adopted technically preferred alignment, and consulting services associated with developing the Outer Loop using a Public Private Partnership (P3) delivery method; budget amendment in the amount of $349,938

and further authorize the Board President to finalize and execute same, Engineering.

President Self started the discussion by commenting on a slide entitled "Timelines for Outer Loop Segment Development", which focused on PPP (Public Private Partnership) (Main Lanes). Sandy Wesch, Council of Governments (COG), was engaged to do Collin County's environmental studies, which, according to President Self, has added value. President Self discussed engineering timelines. Segment 1 is the segment that is farthest along. Costs for Segments 1, 2 and 3 were listed. President Self felt there was no time pressure and the Board should look at a service contract for 3a, which is the section between DNT (Dallas North Tollway) and Preston Road. President Self continued with his presentation, which included, among other things, a traffic count study.

Director Shaheen asked Bill Bilyeu, Administrative Services, for a summary of his meeting with Ms. Wesch. Mr. Bilyeu stated Ms. Wesch would appear at a future Court with a Power Point presentation. Discussion followed among Board members. Director Jaynes wants to revisit the decision to have COG conduct environmental studies for the County, and also stated the County would need as many partners as possible for this project.

Ruben Delgado, Engineering, came forward to address questions from the Board regarding the engineering services agreement with CH2M Hill for the most feasible alignment. President Self asked if COG was doing a second preferred study. Mr. Delgado stated COG has to propose as many alternatives in the region as possible. Collin County has been very diligent in the last ten years with conducting public meetings and hearings. Director Jaynes had questions of Mr. Delgado. Mr. Delgado discussed engineering. Director Shaheen had questions about the timing of acquiring right-of-ways. Director Hoagland had concerns about the total cost to Collin County for the construction of service roads. He wanted to know the cost for building service roads from the Denton County line to the Rockwall County line. Director Hoagland then stated he had asked Attorney Jim Shepherd to draw up a uniform policy for the creation of service roads: Should the County pay for them or not? Should the developer pay for a percentage of them? How is this handled by various cities in the County? Director Hoagland wants developers to pay for the construction of service roads. Mr. Delgado stated the cost for this section of service road would be approximately $50 million.

Director Hoagland felt there was time pressure and this project should be moved ahead as quickly as possible. Director Shaheen had questions regarding Director Hoagland's discussions with Mr. Shepherd. Director Hoagland offered clarification. President Self felt there should be public input because there could be a conflict of interest between developers and business owners. Mr. Delgado answered further questions following discussion among Board members on the

technically preferred alignment. Additional engineering will be needed before further right-of-way can be acquired. Mr. Bilyeu returned to the podium to pull up a Power Point slide following questions from Director Shaheen regarding how much money has been spent to date on Segment 1. President Self asked for an update from Directors Hoagland and Shaheen, who are members of a subcommittee, on their findings regarding costs. They said they are drafting a Statement of Work. Director Shaheen addressed that question, giving an explanation as to how they arrived at their findings. Director Jaynes stated his reasons for wanting to jump start this project to which President Self disagreed. He asked Director Jaynes to show his respect for $90,000. Director Jaynes felt the County is losing $90,000 per day for every day this project is delayed and delays will only cost the County more money in the future. Director Ward asked Mr. Delgado to return to the podium for clarification. Actual fee submitted was $607,000 for subcontractors and CH2M Hill, which was reduced to $563,000 after meeting with CH2M Hill. Director Shaheen stated if CH2M Hill cannot adjust their rates further, they can be cut and the next engineering firm can be retained. Director Jaynes stated opposition to that suggestion. Director Ward felt the CCTRA needed to move forward. Mr. Delgado stated Collin County is the most proactive County in the State. The cost of right-of-ways will not go down; they will go up.

President Self spoke about Representative Laubenberg's battle before the legislature for House Bill 1105, which did not pass. Director Shaheen did not want to take tax dollars to pay $90,000. CH2M Hill has come down 8-1/2% on their hourly rates; however, Director Shaheen wants them to come down 17%.

Trustee Hoagland made a motion to approve Item 3. Trustee Ward said the Board cannot change what happened during the legislative session; however, land prices are going up and ultimately that will cost the County more than $90,000. (Time: 11:03 a.m.)

Motion By: Precinct 2 Director Jerry Hoagland
Second By: Precinct 3 Director Joe Jaynes
Vote: 3 - 2 Passed
Aye: Director Jerry Hoagland
Aye: Director Joe Jaynes
Aye: Director Kathy Ward
Nay: President Keith Self
Nay: Director Matt Shaheen

COURT ORDER NO. 2009-3024-09-14

EXECUTIVE SESSION

There being no reason to recess into Executive Session, President Self adjourned the meeting of the Collin County Toll Road Authority at 11:04 a.m. and recessed Commissioners Court until 11:15 a.m.

Keith Self, County Judge

Matt Shaheen, Commissioner, Pct. 1

Jerry Hoagland, Commissioner, Pct. 2

Joe Jaynes, Commissioner, Pct. 3

Kathy Ward, Commissioner, Pct. 4

ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S