CCTRA RESOLUTION NO. 2009-3029-10-26

STATE OF TEXAS **COLLIN COUNTY TOLL ROAD AUTHORITY MEETING MINUTES**

COUNTY OF COLLIN **OCTOBER 12, 2009**

On Monday, October 12, 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 the meeting of the **Collin County Toll Road Authority Board of Directors** to order at 1:43 p.m.

FYI NOTIFICATION

1. AI-30884 Budget amendment(s)/adjustment(s) totaling $300,000 (over $5,000 per c/o 2005-589-08-01), Budget.

2. Consent agenda to approve. President Self asked if any member of the Board of any member of the audience would like to have an item pulled from the consent agenda for individual consideration. Director Shaheen pulled item 2a; Director Jaynes pulled item 2b and then made a motion to approve the remainder of the consent agenda. (Time: 1:44 p.m.)

Motion: Director Jerry Hoagland
Second: Director Joe Jaynes
Vote: 5-0 Passed

a. AI-30898 Negotiations for Professional Services, Engineering: Traffic and Revenue Study, Collin County Outer Loop (RFQ No. 08742-09) with the top ranked firm as determined by the evaluation committee, Engineering.

Director Shaheen had a request of the team working with Wilbur Smith's engineering firm. He felt it would be helpful to be provided with benchmarking or information as the project progressed. Director Hoagland asked Ruben Delgado, Engineering, if Wilbur Smith had any long-term contracts with NTTA. Mr. Delgado

replied no, but they do work extensively with NTTA. Director Hoagland asked about provisions in the RFP for a long-term strategy. Mr. Delgado replied and gave explanation. Director Jaynes had concerns and wanted to hold this item due to any potential conflicts with NTTA. He would like those issues clarified before the Board moves ahead.

Bill Bilyeu, Administrative Services, stated NTTA can be invited to next Monday's meeting; at that time the Board could conduct an interview with them. Director Jaynes felt this was important and made a motion to interview what the staff thinks is an appropriate number of firms. Director Hoagland and President Self agreed with Director Jaynes. (Time: 1:48 p.m.)

HELD

b. **AI-30857** Adoption of the Collin County Toll Road Authority Bylaws, Administrative Services.

Director Jaynes was concerned about the necessity of bylaws. He felt the attached bylaws are a recitation of transportation code. Director Hoagland stated that was partially his fault as he had asked attorney Jim Shepherd to draft bylaws for the Board. Mr. Bilyeu added it was done at the direction of the Commissioners Court. (Time: 1:49 p.m.)

NO ACTION TAKEN

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

1. **AI-30886** September 21, 2009, Workshop.

COURT ORDER NO. 2009-3026-09-28

2. **AI-30906** September 28, 2009.

COURT ORDER NO. 2009-3027-09-28

GENERAL DISCUSSION

President Self pulled item AI-30943 from Executive Session to General Discussion.

AI-30943 P3 Proposal, Administrative Services.

President Self invited Fred A. Brown, P.E., to come forward to address the Board. Mr. Brown was with Tomlin Infrastructure Group which is a firm that acts as the intermediary for infrastructure funds and public entities to facilitate new infrastructure projects. Tomlin Group is getting involved to help the Board facilitate the outer loop project in a more forward manner. Mr. Brown went into an in-depth explanation of his firm's plans and ideas to assist the Board with their private toll road development for the outer loop.

Director Shaheen called Mr. Delgado forward to answer questions. Mr. Delgado spoke about the RFP being prepared by CH2M Hill. Director Shaheen thought it was okay to pursue Mr. Brown's suggestions as long as it did not bind the Board legally. Director Hoagland agreed, but felt the Board could not do this with one firm; he wanted the project opened up for competitive bidding. Extensive discussion followed between Mr. Brown, Mr. Delgado and Board members.

Director Hoagland asked Phil Yerby, Vice-President, CH2M Hill, to come forward. Mr. Yerby stated he has not had the ability to see the proposal that Tomlin Group is presenting. Mr. Shepherd answered legal questions from the Board. Discussion continued. Director Hoagland wanted to pursue both options.

Following further discussion and explanation, Director Hoagland made a motion to approve pursuing RFP's in the traditional sense of the word and RFQ qualifications for each of the people who are bringing their teams together. Director Hoagland added the Board is looking at the outer loop as a funding mechanism for road construction in the future. (Time: 2:28 p.m.)

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

COURT ORDER NO. 2009-3028-09-28

President Self recessed the meeting of the Collin County Toll Road Authority at 2:28 p.m. and reconvened at 2:39 p.m.

EXECUTIVE SESSION

Economic Development Negotiations (551.087)

Legal (551.071)

AI-30944 Consultation with legal counsel, Administrative Services.

NO ACTION TAKEN

EXECUTIVE SESSION

There being no reason to recess into Executive Session, President Self adjourned the meeting of the Collin County Toll Road Authority Board of Directors at 2:39 p.m. and reconvened the meeting of the Collin County Commissioners Court.

Keith Self, President

Matt Shaheen, Director

Jerry Hoagland, Director

Joe Jaynes, Director

Kathy Ward, Director