



Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, January 21, 2014
Prepared By/Phone Number: Deece Eckstein, 854-9754
Elected/Appointed Official/Dept. Head: Steven Manilla, 854-9429
 Deece Eckstein, 854-9754
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION TO REAPPOINT CHARLES HEIMSATH AND DAVID ARMBRUST TO THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY (CTRMA) BOARD OF DIRECTORS FOR TERMS TO EXPIRE ON FEBRUARY 1, 2016.

SUMMARY AND IGR RECOMMENDATION:

The Commissioners Court makes three appointments to the Central Texas Regional Mobility Authority (CTRMA) Board of Directors. The terms of two of them – **Charles Heimsath** and **David Armbrust** – expire on February 1, 2014.

IGR recommends that the Commissioners Court reappoint Charles Heimsath and David Armbrust to the Board of Directors of the Central Texas Regional Mobility Authority for terms to run from February 2, 2014, through February 1, 2016.

BACKGROUND:

Central Texas Regional Mobility Authority

The Central Texas Regional Mobility Authority was created in 2002 as a joint effort between Travis and Williamson counties to expand mobility options in the region. The CTRMA is governed by a seven-member board, with three appointees each from Travis and Williamson counties and a chair appointed by the governor. The other Travis County appointee is **Nikelle Meade**, whose term will expire in February, 2015.

Uniform Appointment Process

The CTRMA is one of six agencies subject to the Uniform Appointment Process adopted by the Court last March. Under Subsection (b)(1)(B) of that process:

- (B) Reappointments. Before expiration of a term, or upon a vacancy arising for an organization subject to this UAP, the County Judge shall ... in the case of an existing organization member, that by the end of their term will not have served six years, instruct the Coordinator for Intergovernmental Relations (IGR) to determine if the member desires to continue for an additional term, and contact the organization to determine if the member has a good attendance of meetings and is a good contributor to the organization. Should the Coordinator for IGR submit an acceptable report to the County Judge, the County Judge shall schedule for Commissioners Court the consideration of the re-appointment.

Mr. Heimsath was first appointed in December of 2009 and was reappointed in 2011. Mr Armbrust was first appointed in January of 2012. Thus, neither has served six years or longer in their current position.

Qualifications – and Disqualifications – of a Board Member

A member of the Board must be a resident of the county from whence they are appointed.

A member of the Board may **not** be:

1. An elected official; or
2. An employee of a city or county located wholly or partly within the boundaries of CTRMA.

Moreover, a person is **not** eligible to serve on the Board if the person or the person's spouse:

1. is employed by or participates in the management of a business entity or other organization, other than a political subdivision, that is regulated by or receives money from TxDOT or the Authority;
2. owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization that is regulated by or receives money from TxDOT or the Authority, other than compensation for acquisition of turnpike right-of-way;
3. uses or receives a substantial amount of tangible goods, services, or money from TxDOT or the Authority, other than compensation or reimbursement authorized by law for Board membership, attendance, or expenses, or for compensation for acquisition of turnpike right-of-way;

4. is an officer, employee, or paid consultant of a Texas trade association in the field of road construction, maintenance, or operation; or
5. is required to register as a lobbyist under Chapter 305, Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of TxDOT or the Authority.

Applicants are required to sign a notarized affidavit attesting they meet these criteria. Messrs. Heimsath and Armbrust have submitted their affidavits.

REQUIRED AUTHORIZATIONS: None.

NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:

Deece Eckstein
Coordinator, Intergovernmental Relations
Phone: 854-9754
Email: Deece.Eckstein@co.travis.tx.us

Steven Manilla
County Executive, Transportation and Natural Resources
Phone: 854-4929
Email: Steven.Manilla@co.travis.tx.us

Carol Joseph
Assistant Director, Transportation and Natural Resources
854-9418
Carol.Joseph@co.travis.tx.us

Anna Bowlin
Director of Development Services, Transportation and Natural Resources
854-7561
Anna.Bowlin@co.travis.tx.us

Randy Nicholson
Long-Range Transportation Planning Program Manager, Transportation
and Natural Resources
854-4603
Email: Randy.Nicholson@co.travis.tx.us

ATTACHMENTS:

A. Letters from Charles Heimsath and David Armbrust to Judge Biscoe, expressing their interest in reappointment to the CTRMA Board of Directors.

B. Affidavits of CTRMA board membership eligibility, executed by Charles Heimsath and David Armbrust.

C. CTRMA Board of Directors Meeting attendance reports for Charles Heimsath and David Armbrust.



CAPITOL
MARKET
RESEARCH

Real Estate Research, Land Development Economics & Market Analysis

December 3, 2013

Judge Sam Biscoe
Travis County Commissioners Court
P.O. Box 1748
Austin, Texas 78767

Dear Judge Biscoe:

Thank you for allowing me the opportunity to serve the Commissioners Court and the people of Travis County as a member of the CTRMA Board of Directors. I have learned a great deal about long range transportation planning and the financing and construction of toll roads during the last four years while serving as one of the Travis County representatives on the CTRMA Board. I trust that I have faithfully represented the County's interests over the last four years, and I would be honored to accept another two year appointment, if that is the Court's desire.

Respectfully yours,

A handwritten signature in black ink, reading "Charles H. Heimsath". The signature is written in a cursive style with a horizontal line underneath.

Charles H. Heimsath

Capitol Market Research, Inc.
1102 West Avenue, Suite 100
Austin, Texas 78701
(512) 476-5000
cheimsath@cmraustin.com

From: [David Armbrust](#)
To: [Sam Biscoe](#)
Cc: [Deece Eckstein](#); [Julie Wheeler](#); [Mike Heiligenstein](#)
Subject: CTRMA Reappointment
Date: Friday, November 22, 2013 8:18:49 AM
Attachments: [ctrma affidavit.pdf](#)

Dear Judge Biscoe,

Deece Eckstein asked if I am interested in serving another term as a Travis County appointee to the Central Texas Regional Mobility Authority.

I am very interested in reappointment and hope that you and the Commissioners' Court will give me another opportunity to serve. I think our region has a very bright future, but mobility and traffic congestion could have a detrimental impact on our economy and vitality unless we aggressively address our future transportation challenges. I think the CTRMA plays a critical role in the overall success of our future transportation needs, and I have been proud to be part of that effort. I would like to continue my service if the Court will allow me to do so.

Thank you for your consideration.

David

PS. Attached is a copy of my Affidavit for Board Eligibility as requested by Mr. Eckstein.

<p>David B. Armbrust Armbrust & Brown, PLLC 100 Congress Avenue, Suite 1300 Austin, Texas 78701-2744 (512) 435-2301 - Direct (512) 435-2360 - Facsimile darmbrust@abaustin.com www.abaustin.com</p>	
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------

THE INFORMATION CONTAINED HEREIN IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED HEREIN. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT DISSEMINATION, DISTRIBUTING, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE. THANK YOU.

**AFFIDAVIT OF ELIGIBILITY FOR APPOINTMENT TO
THE BOARD OF DIRECTORS FOR THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

On this day Charles H. Heimsath appeared before me, the undersigned notary public, and after I administered an oath, upon his/her oath, said:

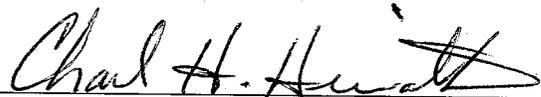
“My name is Charles H. Heimsath. I am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I am making this affidavit to establish that I meet all eligibility requirements established by Chapter 370, Texas Transportation Code, and by 43 *Texas Administrative Code* §26.51 for appointment to the Board of Directors of the Central Texas Regional Mobility Authority (“Mobility Authority”).

Accordingly, I hereby affirm that all of the following statements are true:

1. I am not an elected official.
2. I am a resident of Travis County, a county within the geographic area of the Mobility Authority.
3. I am not an employee of the Texas Department of Transportation.
4. I am not an employee of a governmental entity any part of which is located within Travis County or Williamson County, the geographic boundaries of the Mobility Authority.
5. I do not own an interest in any real property that is known at this time will be acquired for a Mobility Authority project.
6. Neither I nor my spouse is employed by nor participates in the management of a business entity or other organization that is regulated by or receives funds from the Mobility Authority, the Texas Department of Transportation, Travis County, or Williamson County.
7. Neither I nor my spouse directly or indirectly owns or controls more than a 10 percent interest in a business or other organization that is regulated by or receives funds from the Mobility Authority, the Texas Department of Transportation, Travis County, or Williamson County.
8. Neither I nor my spouse uses or receives a substantial amount of tangible goods,

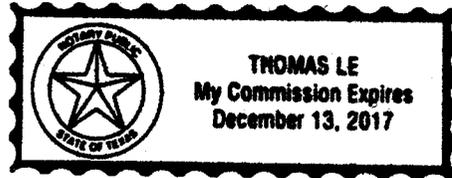
services, or funds from the Mobility Authority, the Texas Department of Transportation, Travis County, or Williamson County.

9. Neither I nor my spouse is required to register as a lobbyist under Chapter 305, Government Code, because of activities for compensation on behalf of a profession related to the operation of the Mobility Authority, the Texas Department of Transportation, Travis County, or Williamson County.
10. Neither I nor my spouse is an officer, employee, or paid consultant of a Texas trade association in the field of road construction or maintenance, public transportation, rail, or aviation.


Name: Charles H. Heimsath

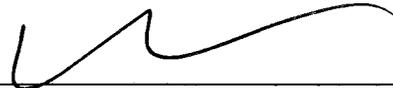
SWORN TO and SUBSCRIBED before me by 14 on 01, 2014.


Notary Public in and for
the State of Texas



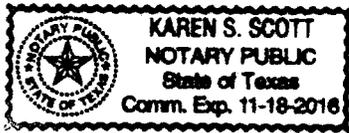
services, or funds from the Mobility Authority, the Texas Department of Transportation, Travis County, or Williamson County.

9. Neither I nor my spouse is required to register as a lobbyist under Chapter 305, Government Code, because of activities for compensation on behalf of a profession related to the operation of the Mobility Authority, the Texas Department of Transportation, Travis County, or Williamson County.
10. Neither I nor my spouse is an officer, employee, or paid consultant of a Texas trade association in the field of road construction or maintenance, public transportation, rail, or aviation.



Name: DAVID B. ARMBRUST

SWORN TO and SUBSCRIBED before me by DAVID B. ARMBRUST on January 13,
2014.



Notary Public in and for
the State of Texas

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
2012 – 2013 BOARD MEETING DATES ATTENDANCE – CHARLES HEIMSATH
Regular, Special & Workshops/Retreats

ATTENDED*	MEETING DATE	MEETING TYPE
Y	January 25, 2012	Regular Meeting of the Board of Directors
Y	February 29, 2012	Regular Meeting of the Board of Directors
Y	March 28, 2012	Regular Meeting of the Board of Directors
Y	April 11, 2012	Special Meeting of the Board of Directors
Y	April 25, 2012	Regular Meeting of the Board of Directors
Y	May 24, 2012	Special Meeting of the Board of Directors
Y	May 30, 2012	Regular Meeting of the Board of Directors
Y	June 8, 2012	Special Meeting of the Board of Directors
Y	June 27, 2012	Regular Meeting of the Board of Directors
Y	July 25, 2012	Regular Meeting of the Board of Directors
Y	August 29, 2012	Regular Meeting of the Board of Directors
Y	September 13, 2012	Special Meeting of the Board of Directors
Y	October 31, 2012	Regular Meeting of the Board of Directors
Y	November 14, 2012	Board of Directors Workshop
Y	December 5, 2012	Regular Meeting of the Board of Directors
N	December 21, 2012	Special Meeting of the Board of Directors
Y	January 30, 2013	Regular Meeting of the Board of Directors
N	February 27, 2013	Regular Meeting of the Board of Directors
Y	March 27, 2013	Regular Meeting of the Board of Directors
Y	April 24, 2013	Regular Meeting of the Board of Directors
Y	May 22, 2013	General Meeting of the Board of Directors
Y	June 26, 2013	General Meeting of the Board of Directors
Y	July 31, 2016	General Meeting of the Board of Directors
Y	August 28, 2013	General Meeting of the Board of Directors
Y	October 2, 2013	General Meeting of the Board of Directors
Y	October 30, 2013	General Meeting of the Board of Directors

*Attendance as reflected by approved minutes.

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
2012 – 2013 BOARD MEETING DATES ATTENDANCE – DAVID ARMBRUST
Regular, Special & Workshops/Retreats

ATTENDED*	MEETING DATE	MEETING TYPE
Y	February 29, 2012	Regular Meeting of the Board of Directors
Y	March 28, 2012	Regular Meeting of the Board of Directors
Y	April 11, 2012	Special Meeting of the Board of Directors
Y	April 25, 2012	Regular Meeting of the Board of Directors
Y	May 24, 2012	Special Meeting of the Board of Directors
Y	May 30, 2012	Regular Meeting of the Board of Directors
Y	June 8, 2012	Special Meeting of the Board of Directors
N	June 27, 2012	Regular Meeting of the Board of Directors
N	July 25, 2012	Regular Meeting of the Board of Directors
Y	August 29, 2012	Regular Meeting of the Board of Directors
Y	September 13, 2012	Special Meeting of the Board of Directors
Y	October 31, 2012	Regular Meeting of the Board of Directors
Y	November 14, 2012	Board of Directors Workshop
Y	December 5, 2012	Regular Meeting of the Board of Directors
Y	December 21, 2012	Special Meeting of the Board of Directors
Y	January 30, 2013	Regular Meeting of the Board of Directors
Y	February 27, 2013	Regular Meeting of the Board of Directors
Y	March 27, 2013	Regular Meeting of the Board of Directors
Y	April 24, 2013	Regular Meeting of the Board of Directors
Y	May 22, 2013	General Meeting of the Board of Directors
Y	June 26, 2013	General Meeting of the Board of Directors
Y	July 31, 2016	General Meeting of the Board of Directors
Y	August 28, 2013	General Meeting of the Board of Directors
Y	October 2, 2013	General Meeting of the Board of Directors
Y	October 30, 2013	General Meeting of the Board of Directors

*Attendance as reflected by approved minutes.