

## MINUTES

### Regular Meeting of the Board of

### Directors of the

### CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

**Wednesday, October 30, 2019**

The meeting was held in the Mobility Authority's Lowell H. Lebermann, Jr. Board Room at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849. Notice of the meeting was posted October 25, 2019 online on the website of the Mobility Authority; and in the Mobility Authority's office lobby at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849.

**An archived copy of the live-streamed video of this meeting is available at:**

<https://mobilityauthority.swagit.com/play/10302019-532>

**1. Welcome and opening remarks by the Chairman and the members of the Board of Directors**

After noting that a quorum of the Board was present, Chairman Jenkins called the meeting to order at 9:01 a.m. with the following Board members present: David Armbrust, Mike Doss, John Langmore, Nikelle Meade, and David Singleton

**2. Opportunity for public comment.**

No comments were offered.

**3. Audit Committee Meeting:**

Chairman Jenkins recessed the regular meeting of the Board of Directors and David Singleton, Chairman of the Audit Committee, called the Audit Committee Meeting to order at 9:03 a.m.

A. Audit Committee meeting called to order by Committee Chairman Singleton.

B. Mary Temple, Controller introduced auditors Heath Jackson Assurance Manager RSM US, LLP, Michael O'Brien, Partner and Tino Robledo, Senior Manager with RSM US, LLP.

Michael O'Brien, Partner, RSM US, LLP presented the Fiscal Year 2019 Audit Reports.

- C. Discuss, consider, and take appropriate action to accept the Fiscal Year 2019 Audit Reports.

Following the Board discussion, Audit Committee Chairman Singleton entertained a motion to accept the Fiscal Year 2019 Audit Reports.

**MOTION:** Accept the Fiscal Year 2019 Audit Reports.

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** Mike Doss

**SECONDED BY:** Nikelle Meade

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS: RESOLUTION NO. 19-053**

- D. Adjourn Audit Committee.

David Singleton adjourned the Audit Committee and Chairman Jenkins reconvened the regular meeting of the Board of Directors at 9:25 a.m.

**Consent Agenda**

4. Approve the minutes from the September 11, 2019 Regular Board Meeting.
5. Approve an interlocal agreement with the North East Texas Regional Mobility Authority for Pay By Mail receivables management services.

**ADOPTED AS: RESOLUTION NO. 19-054**

6. Authorize the Executive Director to execute Interlocal Agreements with the Texas Department of Transportation for materials inspection and testing services.

**ADOPTED AS: RESOLUTION NO. 19-055**

7. Approve Amendment No. 1 to the Interlocal Agreement with University of Texas Center for Transportation Research for on-call research and advisory services.

**ADOPTED AS: RESOLUTION NO. 19-056**

**MOTION:** Approve Item Nos. 4 thru 7 under the consent agenda

**RESULT:** Approved 7-0;

**MOTION:** Mark Ayotte  
**SECONDED BY:** David Singleton  
**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton  
**NAY:** None.

**Regular Items**

8. Accept the financial statements for August 2019 and September 2019.

Presentation by Mary Temple, Controller

**MOTION:** Accept the financial statements for August 2019 and September 2019.

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** David Singleton

**SECONDED BY:** Mike Doss

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS:** **RESOLUTION NO. 19-057**

9. Discuss and consider modifying the annual toll rate escalation becoming effective on January 1, 2020.

Presentation by Bill Chapman, Chief Financial Officer and Justin Word, P.E., Director of Engineering.

Following Board discussion, no action was taken on this item.

10. Discuss and consider amending Mobility Authority Policy Code, Chapter 3, Article 9, Subchapter A, Section 301.002(c) to address annual toll rate escalation for the MoPac Express Lanes.

Presentation by Bill Chapman, Chief Financial Officer

**MOTION:** Defer the annual toll rate escalation for the MoPac Express Lanes for one year.

**RESULT:** Failed; 2-5

**MOTION:** John Langmore

**SECONDED BY:** David Armbrust

**AYE:** Armbrust, Langmore

**NAY:** Ayotte, Doss, Jenkins, Meade, Singleton

- 11.** Approve Amendment No. 1 to the Interlocal Agreement with the Capital Area Metropolitan Planning Organization related to the MoPac Improvement Project.

Presentation by Robert Goode, Deputy Executive Director

**MOTION:** Approve Amendment No. 1 to the Interlocal Agreement with the Capital Area Metropolitan Planning Organization related to the MoPac Improvement Project.

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** David Singleton

**SECONDED BY:** Mike Doss

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS: RESOLUTION NO. 19-058**

- 12.** Exercise the option of the Mobility Authority under state law to develop, finance, construct, and operate the 183A Phase III Project as a toll project.

Presentation by Robert Goode, Deputy Executive Director

**MOTION:** Exercise the option of the Mobility Authority under state law to develop, finance, construct, and operate the 183A Phase III Project as a toll project.

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** David Singleton

**SECONDED BY:** Mark Ayotte

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS: RESOLUTION NO. 19-059**

- 13.** Add the 183A Phase III Project to the Mobility Authority Turnpike System.

Presentation by Robert Goode, Deputy Executive Director

**MOTION:** Add the 183A Phase III Project to the Mobility Authority Turnpike System.

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** Mike Doss

**SECONDED BY:** David Singleton

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS:** **RESOLUTION NO. 19-060**

14. Authorize the Executive Director to issue work authorizations for general engineering consultant services for the MoPac South Project.

Presentation by Justin Word, P.E., Director of Engineering.

**MOTION:** Authorize the Executive Director to issue work authorizations for general engineering consultant services for the MoPac South Project.

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** John Langmore

**SECONDED BY:** Nikelle Meade

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS:** **RESOLUTION NO. 19-061**

### **Briefings and Reports**

15. Quarterly project updates:

- A. 183 South

Presentation by Justin Word, P.E., Director of Engineering, Daniel Freeman, Atkins Sr. Project Director 183 South, and Steve Pustelnyk, Director of Community Relations.

- B. 290E Phase III

Justin Word, P.E., Director of Engineering introduced presenter Greg Blake, P.E., Atkins, Program Manager

C. MoPac South – public outreach & environmental schedule

Justin Word, P.E., Director of Engineering introduced presenter Charlotte Gilpin, K. Friese, MoPac South Environmental Corridor Manager

D. 183 North

Justin Word, P.E., Director of Engineering introduced presenter Neil Paytner, WSP Project Manager

**16. MoPac Express Lane Performance Review & Operations Update**

A. Operations Update

Mike Heiligenstein, Executive Director introduced presenter Tracie Brown, Director of Operations and Christopher Mwalwanda, Vice President, CDM Smith

B. Emissions and Fuel Consumption Analysis

Presentation by Mia Zmud, Mobility Innovation Manager

C. Metropia Rideshare Analysis

Presentation by Mia Zmud, Mobility Innovation Manager

D. CapMetro ridership

Presentation by Mia Zmud, Mobility Innovation Manager

**17. Executive Director Board Report**

A. Habitual Violator Program

Item was skipped

B. Toll Exemption Update

Item was skipped

C. 290E Phase IV

Presentation by Mike Heiligenstein, Executive Director

D. Upcoming refinancing opportunities for outstanding debt

Presentation by Bill Chapman, Chief Financial Officer

## **Executive Session Pursuant to Government Code, Chapter 551**

Chairman Jenkins announced in open session at 11:53 a.m. that the Board would recess the meeting and reconvene in Executive Session to deliberate the following items:

18. Discuss acquisition of one or more parcels or interests in real property needed for the Bergstrom Expressway (183 South) Project and related legal issues, including consideration of the use of eminent domain to condemn property, pursuant to §551.072 (Deliberation Regarding Real Property; Closed Meeting) and §551.071 (Consultation with Attorney; Closed Meeting).
19. Discuss legal issues related to claims by or against the Mobility Authority; pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation with Attorney).
20. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
21. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After completing the executive session, the Board reconvened in open meeting at 12:26 p.m.

## **Regular Board Items**

22. Authorize negotiation and execution of a contract to purchase each of the following described parcels or property interests for the 183 South (Bergstrom Expressway) Project:
  - A. Parcel 127E of the 183 South (Bergstrom Expressway) Project, an easement taking of 3.052 acres, from 26.845 acres of real estate, **owned by Church of Christ at East Side**, and located at 5701 East Martin Luther King, Jr. Boulevard, on the southwest corner of U.S. Hwy 183 and East MLK Jr. Blvd, Austin, Texas.

### **MOTION:**

Authorize the Executive Director the Executive Director to execute a settlement agreement on an easement taking of 3.052 acres from 26.45 acres of real estate **owned by Church of Christ at East Side**, and located at 5701 5701 East Martin Luther King, Jr. Boulevard, on the southwest corner of U.S. Highway 183 and East MLK Jr. Blvd, Austin, Texas 78721 Travis County, for public use related to the expansion, construction, operation, and maintenance of Highway 183 South (Bergstrom

Expressway), a state highway project, by adopting the resolution presented in executive session

**RESULT:** Approved (Unanimous); 7-0

**MOTION:** Nikelle Meade

**SECONDED BY:** Mark Ayotte

**AYE:** Armbrust, Ayotte, Doss, Jenkins, Langmore, Meade, Singleton

**NAY:** None.

**ADOPTED AS: RESOLUTION NO. 19-062**

After confirming no member of the public wished to address the Board, Chairman Jenkins declared the meeting adjourned at 12:28 p.m.

**23.** Adjourn.

Approved November 20, 2019