

MINUTES

Regular Meeting of the Board of

Directors of the

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, September 26, 2018

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 September 21, 2018 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/09262018-691>

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 Wilkerson called the meeting to order at 9:06 a.m. with the following Board members present: David Armbrust, Mark Ayotte, Frank Leffingwell, Nikelle Meade, and David Singleton.

2. Opportunity for public comment.

No comments were offered.

3. Audit Committee Meeting:

David Singleton, Chairman of the Audit Committee called the Audit Committee Meeting to order at 9:08 a.m.

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

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

Michael O'Brien, Partner, RSM US, LLP presented the Fiscal Year 2018 Audit Reports.

- C. Discuss, consider, and take appropriate action to accept the Fiscal Year 2018 Audit Reports.

Following the Board discussion, Audit Committee Chairman Singleton entertained a motion to accept the Fiscal Year 2018 Audit Reports.

MOTION: Accept the Fiscal Year 2018 Audit Reports.

RESULT: Approved (Unanimous); 6-0

MOTION: Frank Leffingwell

SECONDED BY: Ray Wilkerson

AYE: Armbrust, Ayotte, Leffingwell, Meade, Singleton

NAY: None.

ADOPTED AS: Resolution No. 18-045

- D. Adjourn Audit Committee.

After completing the Audit Committee, Chairman Singleton adjourned the Audit Committee meeting at 9:19 a.m. and Chairman Wilkerson reconvened the regular Board Meeting in open session at 9:19 a.m.

Regular Board Items

4. Approve the minutes from the July 25, 2018 Regular Board meeting and the August 22, 2018 Special Called Board Meeting.

MOTION: Approval for the July 25, 2018 Regular Board meeting and the August 22, 2018 Special Called Board meeting.

RESULT: Approved (Unanimous); 6-0

MOTION: Frank Leffingwell

SECONDED BY: Mark Ayotte

AYE: Armbrust, Ayotte, Leffingwell, Meade, Singleton

NAY: None.

5. Accept the financial statements for July 2018 and August 2018.

Mary Temple, Controller presented this item.

MOTION: Accept the Financial Statements for July 2018 and August 2018.

RESULT: Approved (Unanimous); 6-0

MOTION: David Singleton

SECONDED BY: Frank Leffingwell

AYE: Armbrust, Ayotte, Leffingwell, Meade, Singleton

NAY: None.

ADOPTED AS: Resolution No. 18-046

6. Approve Amendment No. 2 to the CDM Smith Inc. Agreement and Authorize Future Work Authorizations for Traffic and Revenue Studies on Mobility Authority Toll Projects.

Mary Temple, Controller presented this item.

MOTION: Approve Amendment No. 2 to the CDM Smith, Inc. Agreement

RESULT: Approved (Unanimous); 6-0

MOTION: Nikelle Meade

SECONDED BY: Mark Ayotte

AYE: Armbrust, Ayotte, Leffingwell, Meade, Singleton

NAY: None.

ADOPTED AS: Resolution No. 18-047

7. Consider and take appropriate action on the proposed registered account parameters, fees and charges, and billing schedule for the new Pay By Mail program.

Tracie Brown, Director of Operations presented this item.

MOTION: Approve the proposed registered account parameters, fees and charges, and billing schedule for the new Pay By Mail program

RESULT: Approved (Unanimous); 6-0

MOTION: Nikelle Meade

SECONDED BY: Mark Ayotte

AYE: Armbrust, Ayotte, Leffingwell, Meade, Singleton

NAY: None.

ADOPTED AS: Resolution No. 18-048

8. Adopt a Habitual Violator Policy for the implementation of new toll enforcement remedies and approve corresponding amendments to the Mobility Authority Policy Code.

Tracie Brown, Director of Operations presented this item.

MOTION: Adopt a Habitual Violator Policy and approve corresponding amendments to the Mobility Authority Policy Code

RESULT: Approved (Unanimous); 6-0
MOTION: Nikelle Meade
SECONDED BY: Frank Leffingwell
AYE: Armbrust, Ayotte, Leffingwell, Meade, Singleton
NAY: None.

ADOPTED AS: Resolution No. 18-049

9. Approve an interlocal agreement with the North East Texas Regional Mobility Authority for electronic and video toll collection transaction processing and image review services.

Tracie Brown, Director of Operations presented this item.

Note: John Langmore arrived at the dais at 9:46 a.m.

MOTION: Approve an interlocal agreement with the North East Texas Regional Mobility Authority for electronic and video toll collection transaction processing and image review services

RESULT: Approved (Unanimous); 7-0
MOTION: David Singleton
SECONDED BY: Frank Leffingwell
AYE: Armbrust, Ayotte, Langmore, Leffingwell, Meade, Singleton
NAY: None.

ADOPTED AS: Resolution No. 18-050

10. Approve a contract and work authorization for construction engineering and inspection services, approve a work authorization for general engineering consultant services, and approve a contingency budget for construction phase professional services for the Manor Expressway (290E) Phase III Project.

Justin Word, P.E., Director of Engineering presented this item.

MOTION: Approve a contract and work authorization for construction engineering and inspection services, approve a work authorization for general engineering consultant services, and approve a contingency budget for construction phase professional services for the Manor Expressway (290E) Phase III Project

RESULT: Approved (Unanimous); 7-0
MOTION: Nikelle Meade
SECONDED BY: Mark Ayotte
AYE: Armbrust, Ayotte, Leffingwell, Meade, Meade, Singleton

NAY: None.

ADOPTED AS: Resolution No. 18-051

11. Authorize the Executive Director to enter into one or more Interlocal Agreements with the Capital Area Council of Governments for Emissions and Fuel Consumption Analysis on CTRMA Facilities.

Jeff Dailey, Deputy Executive Director and Andrew Hoekzema, Director of Regional Services with the Capital Area Council of Governments presented this item.

Note: Nikelle Meade left the dais at 9:57 a.m.

MOTION: Authorize the Executive Director to enter into one or more Interlocal Agreements with the Capital Area Council of Governments for Emissions and Fuel Consumption Analysis on CTRMA Facilities

RESULT: Approved (Unanimous); 6-0

MOTION: frank Leffingwell

SECONDED BY: John Langmore

AYE: Armbrust, Ayotte, Leffingwell, Langmore, Singleton

NAY: None.

ADOPTED AS: Resolution No. 18-052

Briefings and Reports

12. 183 South Project Update.

Justin Word, P.E., Director of Engineering and Terry Oliver, Director of Construction with Colorado River Constructors presented this item.

13. Status report on the 183 North Managed Lanes Project.

Justin Word, P.E., Director of Engineering presented this item.

14. Presentation on Transportation Innovation Initiative.

Jeff Dailey, Deputy Executive Director presented this item.

Note: Nikelle Meade returned to the dais at 10:47 a.m.

15. Presentation on potential Park & Ride locations for inclusion in the CAMPO 2045 Long Range Plan and Project Connect.

Jeff Dailey, Deputy Executive Director and Lindsey Wood, WSP presented this item.

16. Executive Director Board Report

- A. Texas Senate Committee on Transportation Hearing – August 27, 2018

Mike Heiligenstein, Executive Director presented this item.

- B. Update on Travis County Projects

Mike Heiligenstein, Executive Director and Bubba Needham, Project Director with Atkins North America, Inc. presented this item.

- C. 2018 Greater Austin Business Awards – Environmental Champion Award

Mike Heiligenstein, Executive Director and Jeff Dailey, Deputy Executive Director presented this item.

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 11:36 a.m. that the Board would recess the meeting and reconvene in Executive Session to deliberate the following items:

17. 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).
18. Discuss the potential sale or disposition of one or more parcels or interests in surplus real property owned by the Mobility Authority and related legal issues as authorized by §551.072 (Deliberation Regarding Real Property; 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 12:05 p.m.

Regular Board Items

22. Determine that certain real property is not necessary or useful and authorize negotiation and execution of a contract to sell the following described surplus real property interest or parcel:

- A. Parcel 51R of the Manor Expressway (290E) Phase I Project, a 0.156-acre tract of land **owned by the Central Texas Regional Mobility Authority** and located at 9745 U.S. Highway 290 East, Austin, Travis County, Texas.

Note: David Singleton did not return to dais following Executive Session.

MOTION: Authorize the sale of Parcel 51R, an approximately 0.158 acre remainder parcel located at **9745 U.S. Highway 290 east, Austin, Travis county, Texas** that was originally acquired as part of a settlement agreement when acquiring right-of-way for the Manor Expressway (290E) Phase I Project, by adopting the resolution presented in executive session.

RESULT: Approved (Unanimous); 6-0

MOTION: Nikelle Meade

SECONDED BY: John Langmore

AYE: Armbrust, Ayotte, Leffingwell, Langmore, Meade

NAY: None.

ADOPTED AS: Resolution No. 18-053

23. Consideration of the use of eminent domain to condemn property: Declare a public necessity to acquire the following described parcels of land, or interests therein, for the 183 South (Bergstrom Expressway) Project; and with respect to each such parcel or interest therein, authorize any of the following actions: (i) acquisition through negotiation or by the use of eminent domain to condemn the parcel or interest therein; (ii) execution of a contract to purchase, and (ii) execution of a possession and use agreement:

- A. Parcel E36E/F of the 183 South (Bergstrom Expressway) Project, an easement taking of 0.197 acres, from 4.392 acres of real estate, **owned by 8200 N. I-35 LLC, a Texas limited liability company**; and located at 912 Highway 183 South, Austin, Travis County, Texas.

Chairman Wilkerson tabled this item.

After confirming that no member of the public wished to address the Board, Chairman Wilkerson declared the meeting adjourned at 12:06 p.m.

24. Adjourn Meeting.

Approved October 31, 2018