

MINUTES

Regular Meeting of the Board of

Directors of the

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, September 30, 2020

9:00 a.m.

This was a video conference meeting. Notice of the meeting was posted September 25, 2020 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. Chairman Jenkins was present at the Lebermann Board room and on the video conference meeting were Vice Chair Meade, Board Members David Singleton, David Armbrust, Mark Ayotte, John Langmore and Mike Doss.

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

<https://mobilityauthority.swagit.com/play/09302020-568>

After noting that a quorum of the Board was present, Chairman Jenkins called the meeting to order at 9:04 a.m. and had each Board Member who attended via video conference state their name for the record and confirm that they could both hear and be heard by all other attendees that were present in-person or live streaming.

1. Welcome and opportunity for public comment.

Video of 45SW featured on The Daytripper with Chet Garner was shown to the Board.

2. **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 9:11 a.m.

- A. Audit Committee meeting called to order by Committee Chairman Singleton.
- B. Mary Temple, Controller introduced auditors Joel Perez, Partner and Tino Robledo, Senior Manager with RSM US, LLP.

Joel Perez, Partner, RSM US, LLP presented the Fiscal Year 2020 Audit Reports and Tino Robledo, Senior Manager with RSM US, LLP presented on the required communication portion of the Fiscal Year 2020 Audit.

- C. Discuss, consider, and take appropriate action to accept the Fiscal Year 2020 Audit Reports.

Following the Board discussion, Audit Committee Chairman Singleton entertained a motion to accept the Fiscal Year 2020 Audit Reports.

MOTION: Accept the Fiscal Year 2020 Audit Reports.

RESULT: Approved (Unanimous); 7-0

MOTION: John Langmore

SECONDED BY: Mike Doss

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

NAY: None.

ADOPTED AS: **RESOLUTION NO. 20-055**

- D. Adjourn Audit Committee.

David Singleton adjourned the Audit Committee and Chairman Jenkins reconvened the regular meeting of the Board of Directors 9:26 a.m.

Consent Agenda

- 3. Approve the minutes from the August 26, 2020 Regular Board Meeting.
- 4. Prohibit the operation of certain vehicles on Mobility Authority toll facilities pursuant to the Habitual Violator Program.

ADOPTED AS: **RESOLUTION NO. 20-056**

MOTION: Approve Item Nos. 3 and 4 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

5. Accept the financial statements thru August 2020 and consider the monthly budget update.

Presentation by Bill Chapman, Chief Financial Officer, Robert Goode Deputy Executive Director, and Mary Temple, Controller

MOTION: Accept the financial statements thru August 2020.

RESULT: Approved (Unanimous); 7-0

MOTION: John Langmore

SECONDED BY: David Singleton

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

NAY: None.

ADOPTED AS: **RESOLUTION NO. 20-057**

With no objection from the Board, Chairman Jenkins announced items 6, 7, and 8 would be combined for a single vote.

Presentation of Items 6, 7 and 8 by Bill Chapman, Chief Financial Officer.

MOTION: Approve the contracts described in Item Nos. 6, 7, and 8.

RESULT: Approved (Unanimous); 7-0

MOTION: Mike Doss

SECONDED BY: David Singleton

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

NAY: None.

6. Discuss and consider approving a contract with Stantec Consulting Services, Inc. for traffic and revenue engineering services.

ADOPTED AS: **RESOLUTION NO. 20-058**

7. Discuss and consider approving a contract with CDM Smith, Inc. for traffic and revenue engineering services.

ADOPTED AS: **RESOLUTION NO. 20-059**

8. Discuss and consider approving a contract with C&M Associates, Inc. for traffic and revenue engineering services.

ADOPTED AS: RESOLUTION NO. 20-060

9. Discuss and consider authorizing the issuance, sale and delivery of Central Texas Regional Mobility Authority Senior Lien Revenue Bonds, Subordinate Lien Revenue Bond Anticipation Notes, and Subordinate Lien Refunding Bonds, in accordance with specified parameters for improvements to the CTRMA System, including the 183A Phase III Project, and the refunding of certain outstanding Obligations.

Presentation by Bill Chapman, Chief Financial Officer.

MOTION: Approve authorizing the issuance, sale and delivery of Central Texas Regional Mobility Authority Senior Lien Revenue Bonds, Subordinate Lien Revenue Bond Anticipation Notes, and Subordinate Lien Refunding Bonds, in accordance with specified parameters for improvements to the CTRMA System, including the 183A Phase III Project, and the refunding of certain outstanding Obligations.

RESULT: Approved (Unanimous); 7-0

MOTION: Nikelle Meade

SECONDED BY: John Langmore

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

NAY: None.

ADOPTED AS: RESOLUTION NO. 20-061

10. Discuss and consider approving a Project Development Agreement with the Texas Department of Transportation for the 183A Phase III Project.

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

MOTION: Approve a Project Development Agreement with the Texas Department of Transportation for the 183A Phase III Project.

RESULT: Approved (Unanimous); 7-0

MOTION: Mark Ayotte

SECONDED BY: Mike Doss

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

NAY: None.

ADOPTED AS: RESOLUTION NO. 20-062

- 11.** Discuss and consider awarding a construction contract for the 183A Phase III Project.

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

MOTION: Award a construction contract for the 183A Phase III Project to the Lane Construction Corporation.

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. 20-063

- 12.** Discuss and consider approving Work Authorization No. 1 with Cofiroute USA, LLC for the automation of the Habitual Violator Program.

Presentation by Jeff Dailey, Deputy Executive Director.

MOTION: Approve Work Authorization No. 1 with Cofiroute USA, LLC for the automation of the Habitual Violator Program

RESULT: Approved (Unanimous); 7-0

MOTION: Mark Ayotte

SECONDED BY: Nikelle Meade

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

NAY: None.

ADOPTED AS: RESOLUTION NO. 20-064

- 13.** Authorize negotiation and execution of a contract to purchase each of the following described parcels or property interests for the 183A Phase III Project:

- A. Parcel 3E of the 183A Phase III Project, a temporary construction easement of 996 square feet and a permanent waterline easement taking of 20,500 square feet from a 11.34-acre parcel of real estate, owned by Tiny Foster, and located at 1880 Hwy 183, Leander, TX 78641.

Presentation by Geoff Petrov, General Counsel.

MOTION: Authorize the Executive Director to execute an agreement in an amount not to exceed \$54,578.00 for a temporary construction easement of 996 square feet and a permanent waterline easement taking of 20,500 square feet from a 11.34-acre parcel of real estate, **owned by Tiny Foster**, and located at 1880 Hwy 183, Leander, TX 78641 for public use related to the expansion, construction, operation, and maintenance of 183A Phase III Project, a state highway project, by adopting the resolution presented to the board by staff.

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

ADOPTED AS: **RESOLUTION NO. 20-065**

Briefings and Reports

14. Presentation regarding TxDOT/TxTag back office transition.

Presentation by Mike Heiligenstein, Executive Director, Jeff Dailey, Deputy Executive Director, and Richard Nelson, TxDOT Toll Operations Division Director.

15. Executive Director Report.

Presentation by Mike Heiligenstein, Executive Director

- A. Key findings of CTRMA travel behavior survey
- B. Effect of COVID-19 on agency operations
- C. 183 North procurement update
- D. 183 South schedule update
- E. Annual toll rate adjustments

Executive Session Pursuant to Government Code, Chapter 551

Chairman Jenkins announced in open session at 11:09 a.m. that the Board would recess the meeting and reconvene in Executive Session to deliberate the following items:

- 16.** Discuss the acquisition of one or more parcels or interests in real property needed for the 183A Phase III Project and related issues, pursuant to §551.072 (Deliberation Regarding Real Property) and §551.071 (Consultation with Attorney).
- 17.** 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).
- 18.** Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
- 19.** Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After completing the executive session, the Board reconvened in open meeting at 12:05 a.m.

Regular Items

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

- 20.** Adjourn.

Approved 10/28/2020