



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

December 14, 2022
AGENDA ITEM #5

Approve the annual compliance report for submittal to the Texas Department of Transportation as required by 43 Texas Administrative Code §26.65

Strategic Plan Relevance: Stewardship
Department: Finance
Contact: José Hernández, Chief Financial Officer
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on draft resolution

Project Description/Background: Pursuant to 43 Texas Administrative Code §26.65, the Mobility Authority is required to submit a report to TxDOT confirming that the Mobility Authority has complied with all the responsibilities it is required to perform under Texas Administrative Code, Title 43, Chapter 26, Subchapter G. The compliance report must be in the form prescribed by TxDOT, approved by official action of the Board of Directors, and certified as correct by the Executive Director.

Previous Actions & Brief History of the Program/Project: N/A

Financing: N/A

Action requested/Staff Recommendation: Staff recommends approving the attached resolution.

Backup Provided: Draft Resolution
Compliance Report

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 22-0XX

**APPROVING THE ANNUAL COMPLIANCE REPORT FOR
SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Texas Transportation Commission has adopted rules codified at Title 43, Chapter 26, Subchapter G of the Texas Administrative Code (TAC) that require regional mobility authorities to file certain reports and conduct certain audits, as specified therein; and

WHEREAS, pursuant to 43 TAC § 26.65(a), the Central Texas Regional Mobility Authority (Mobility Authority) is required to file a report with the Texas Department of Transportation (TxDOT) confirming that the Mobility Authority has complied with all the duties it is required to perform under Title 43, Chapter 26, Subchapter G of the Texas Administrative Code; and

WHEREAS, the Executive Director has prepared a compliance report containing the information in the form required by 43 TAC § 26.65(a) which is attached hereto as Exhibit A; and

WHEREAS, the compliance report must be approved by the Board prior to submission to TxDOT; and

WHEREAS, the Executive Director certifies to the Board that the information contained in the compliance report attached hereto as Exhibit A is true and correct.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves the compliance report in the form attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Board directs the Executive Director to perform all actions necessary to submit the compliance report to the Texas Department of Transportation in accordance with 43 TAC § 26.65(a).

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 14th day of December 2022.

Submitted and reviewed by:

Approved:

James M. Bass
Executive Director

Robert W. Jenkins, Jr.
Chairman, Board of Directors

Exhibit A

Central Texas Regional Mobility Authority Compliance Report

Texas Administrative Code Title 43, Part I, Chapter 26, Subchapter G
§26.65(a) Annual Reports to the Commission

| Compliance Rule | Compliance Statement | Certification |
|--|---|--|
| <i>Rule §26.61 Written Reports:</i> | | |
| The annual operating and capital budgets adopted by the RMA year. | The Mobility Authority submits copies of the annual operating and capital budget adopted for the Fiscal Year 2023 beginning July 1, 2022, to Travis County and Williamson County. | The Board of Directors approved the FY 2023 Budget by Resolution No. 22-027 enacted on June 29, 2022. |
| Any annual financial information and notices of material events required to be disclosed under Rule 15c2-12 of the SEC. | No financial information or notices are required to be disclosed; not applicable. | |
| To the extent not disclosed in another report required in this compliance report, a statement of any surplus revenue held by the RMA and a summary of how it intends to use the surplus revenue. | The Mobility Authority did not hold any "surplus revenue" in FY 2022, as that term is defined by §370.003(12) of the Transportation Code. | |
| An independent auditor's review of the reports of investment transactions prepared under Government Code, §2256.023. | Included as part of the FY 2022 annual audit. See certification below. | Included as part of the FY 2022 annual audit. See certification below. |
| <i>Rule §26.62 Annual Audit:</i> | | |
| The RMA shall maintain its books and records in accordance with generally accepted accounting principles in the United States and shall have an annual financial and compliance audit of such books and records. | The Mobility Authority received an unmodified opinion for FY 2022 from an independent certified public accountant. | The FY 2022 annual audit was accepted by the Board of Directors (acting through its Audit Committee) by resolution 22-046 enacted October 26, 2022. |
| The annual audit shall be submitted to each county or city that is a part of the RMA within 120 days after the end of the fiscal year and conducted by an independent certified public accountant. | The Mobility Authority submitted electronic copies of the FY 2022 annual audit to Travis County and Williamson County. | The Mobility Authority provided to Travis County and Williamson County an electronic copy of the FY 2022 audit accepted by resolution on November 1, 2022. |
| All work papers and reports shall be retained for a minimum of four years from the date of the audit. | Work papers and reports are and will be retained for a minimum of four years. | |

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| <i>Rule §26.63 Other Reports to Counties and Cities:</i> | | |
| Provide other reports and information regarding its activities promptly when requested by the counties or cities. | The Mobility Authority promptly provides reports and information regarding its activities when requested by Travis County or Williamson County. There is no city that is a part of the Central Texas Regional Mobility Authority. | |
| <i>Rule §26.64 Operating Records:</i> | | |
| The Department will have access to all operating and financial records of the RMA. The executive director will provide notification if access is desired by the department. | The Mobility Authority will provide the Texas Department of Transportation access to all its operating and financial records when requested by the Department's executive director. | |