



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

Regular Meeting of the Board of Directors

9:00 a.m.

Wednesday, October 30, 2024

Lowell H. Lebermann, Jr., Board Room
3300 N. IH-35, Suite 300
Austin, Texas 78705

*A live video stream of this meeting may be viewed on the internet at
www.mobilityauthority.com*

Persons with disabilities. If you plan to attend this meeting and may need auxiliary aids or services, such as an interpreter for those who are deaf or hearing impaired, or if you are a reader of large print or Braille, please contact Laura Bohl at (512) 996-9778 at least two days before the meeting so that appropriate arrangements can be made.

Español. Si desea recibir asistencia gratuita para traducir esta información, llame al (512) 996-9778.

AGENDA

No action on the following:

1. Welcome and opportunity for public comment – See **Notes** at the end of this agenda.

Convene the Audit Committee Meeting

2. Audit Committee Meeting
 - A. Audit Committee meeting called to order by Committee Chairman Singleton.
 - B. Introduction of external auditors from RSM US LLP.
 - C. Discuss, consider, and take appropriate action to accept the Fiscal Year 2024 Audit Reports.

D. Adjourn Audit Committee.

Consent Agenda

See **Notes** at the end of this agenda.

3. Approve the minutes from the September 25, 2024 Regular Board Meeting.
4. Prohibit the operation of certain vehicles on Mobility Authority toll facilities pursuant to the Habitual Violator Program.

Regular Items

Items to discuss, consider, and take appropriate action.

5. Accept the unaudited financial statements for September 2024.
6. Discuss and consider modifying the annual toll rate escalation on Mobility Authority toll facilities and approving a toll rate adjustment for certain locations becoming effective January 1, 2025.
7. Discuss and consider amending the Mobility Authority Policy Code § 301.002 regarding toll rates for Mobility Authority express lane facilities.
8. Discuss and consider approving an amendment to the interlocal agreement with the Texas Department of Transportation for highway emergency response operations (HERO) to add services for 183 Toll, 45SW Toll, 183A Phase III and the 183N Express Lanes and remove services for MoPac south of Stratford Drive.
9. Discuss and consider approving an agreement with Penn Credit Corporation to provide process servers to support the Mobility Authority's Habitual Violator Program.
10. Discuss and consider approving an agreement with Deloitte Consulting LLP for monthly toll operations and maintenance services for the Mobility Authority's Data Platform System.
11. Discuss and consider approving an agreement with AtkinsRéalis USA, Inc. for general engineering consulting services.
12. Discuss and consider approving an agreement with Carrington Coleman, Sloman & Blumenthal LLP for legal services for the 183A Phase III Project and the 183 North Project.

Briefings and Reports

Items for briefing and discussion only. No action will be taken by the Board.

13. Project updates.

- A. 183A Phase III.
- B. 183 North.

14. Executive Director Report.

- A. Recent agency staff activities.
- B. Agency roadway performance metrics.

Executive Session

Under Chapter 551 of the Texas Government Code, the Board may recess into a closed meeting (an executive session) to deliberate any item on this agenda if the Chairman announces the item will be deliberated in executive session and identifies the section or sections of Chapter 551 that authorize meeting in executive session. A final action, decision, or vote on a matter deliberated in executive session will be made only after the Board reconvenes in an open meeting.

The Board may deliberate the following items in executive session if announced by the Chairman:

- 15. Discuss acquisition of one or more parcels or interests in real property needed for a Mobility Authority headquarters, including facilities for traffic and incident management and other agency functions, pursuant to §551.071 (Consultation with Attorney) and §551.072 (Deliberation Regarding Real Property; Closed Meeting).
- 16. 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).
- 17. Discuss legal issues related to the development of the Mopac South Project, as authorized by §551.071 (Consultation with Attorney).
- 18. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects and toll system improvements including potential impacts of the Texas Department of Transportation's US 183 General Purpose Lane Project on Mobility

Authority Toll System financing, as authorized by §551.071 (Consultation with Attorney).

19. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

Reconvene in Open Session.

Regular Items

Items to discuss, consider, and take appropriate action.

20. Discuss and consider approving a project development agreement with the Texas Department of Transportation for the US 183 General Purpose Lane Project and making associated determinations regarding the effect of the US 183 General Purpose Lane Project on the operation of the Mobility Authority Toll System and the ability of the Mobility Authority to comply with outstanding debt agreements and covenants.

21. Adjourn meeting.

Notes

Opportunity for Public Comment. At the beginning of the meeting, the Board provides a period of up to one hour for public comment on any matter subject to the Mobility Authority's jurisdiction. Each speaker is allowed a maximum of three minutes. A person who wishes to address the Board must register in advance and provide the speaker's name, address, phone number and email, as well as the agenda item number and whether you wish to speak during the public comment period or during the agenda item. If a speaker's topic is not listed on this agenda, the Board may not deliberate the speaker's topic or question the speaker during the open comment period but may direct staff to investigate the matter or propose that an item be placed on a subsequent agenda for deliberation and possible action by the Board. The Board may not deliberate or act on an item that is not listed on this agenda.

Consent Agenda. The Consent Agenda includes routine or recurring items for Board action with a single vote. The Chairman or any Board Member may defer action on a Consent Agenda item for discussion and consideration by the Board with the other Regular Items.

Public Comment on Agenda Items. A member of the public may offer comments on a specific agenda item in open session if he or she signs the speaker registration sheet for that item before the Board takes up consideration of the item. The Chairman may limit the amount of time allowed for each speaker. Public comment unrelated to a specific agenda item must be offered during the open comment period.

Meeting Procedures. The order and numbering of agenda items is for ease of reference only. After the meeting is convened, the Chairman may rearrange the order in which agenda items are considered, and the Board may consider items on the agenda in any order or at any time during the meeting.

Participation by Telephone Conference Call. One or more members of the Board of Directors may participate in this meeting through a telephone conference call, as authorized by Sec. 370.262, Texas Transportation Code (*see below*). Under that law, each part of the telephone conference call meeting that by law must be open to the public, shall be audible to the public at the meeting location, and will be tape-recorded or documented by written minutes. On conclusion of the meeting, the tape recording or the written minutes of the meeting will be made available to the public.

TEXAS TRANSPORTATION CODE Sec. 370.262. MEETINGS BY TELEPHONE CONFERENCE CALL.

(a) Chapter 551, Government Code, does not prohibit any open or closed meeting of the board, a committee of the board, or the staff, or any combination of the board or staff, from being held by telephone conference call. The board may hold an open or closed meeting by

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telephone conference call subject to the requirements of Sections 551.125(c)-(f), Government Code, but is not subject to the requirements of Subsection (b) of that section.

(b) A telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(c) Notice of a telephone conference call meeting that by law must be open to the public must specify the location of the meeting. The location must be a conference room of the authority or other facility in a county of the authority that is accessible to the public.

(d) Each part of the telephone conference call meeting that by law must be open to the public shall be audible to the public at the location specified in the notice and shall be tape-recorded or documented by written minutes. On conclusion of the meeting, the tape recording or the written minutes of the meeting shall be made available to the public.

TEXAS GOVERNMENT CODE Sec. 551.125. OTHER GOVERNMENTAL BODY. (a) Except as otherwise provided by this subchapter, this chapter does not prohibit a governmental body from holding an open or closed meeting by telephone conference call.

~~(b) A meeting held by telephone conference call may be held only if:~~

~~(1) an emergency or public necessity exists within the meaning of Section 551.045 of this chapter; and~~

~~(2) the convening at one location of a quorum of the governmental body is difficult or impossible; or~~

~~(3) the meeting is held by an advisory board.~~

(c) The telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(d) The notice of the telephone conference call meeting must specify as the location of the meeting the location where meetings of the governmental body are usually held.

(e) Each part of the telephone conference call meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting and shall be tape-recorded. The tape recording shall be made available to the public.

(f) The location designated in the notice as the location of the meeting shall provide two-way communication during the entire telephone conference call meeting and the identification of each party to the telephone conference shall be clearly stated prior to speaking.