

## MINUTES

### Regular Meeting of the Board of

### Directors of the

### CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, March 30, 2022

9:00 a.m.

This was an in person and telephone conference call meeting. Notice of the meeting was posted March 25, 2022 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 and Board Members David Singleton, Heather Gaddes\*/\*\*, Mike Doss, Nikelle Meade\*\*, and Jay Blazek Crossley were present in the Lebermann Board Room. Board Member David Armbrust participated on the telephone conference call.

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

<https://mobilityauthority.swagit.com/play/03302022-671>

After noting that a quorum of the Board was present, Chairman Jenkins called the meeting to order at 9:03 a.m. and had each Board Member who called in 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 on the phone.

\*Note: Heather Gaddes arrived at the dais at 9:04 a.m.

1. Welcome and opportunity for public comment.

JB Kendrick, President, Kapsch TrafficComm North America addressed the board.

#### **Consent Agenda**

2. Approve the minutes from the February 23, 2022 Regular Board Meeting and March 4-5, 2022 Board Workshop.
3. Prohibit the operation of certain vehicles on Mobility Authority toll facilities pursuant to the Habitual Violator Program.

**ADOPTED AS: RESOLUTION NO. 22-011**

4. Approve a contract with Gratiot Construction, Ltd. for roadway maintenance and safety enhancements on 183A Toll.

**ADOPTED AS: RESOLUTION NO. 22-012**

5. Amend the FY 2022 Operating Budget to fund the renewal and replacement of the 71 Toll System.

**ADOPTED AS: RESOLUTION NO. 22-013**

**MOTION:** Approve Item Nos. 2 thru 5.  
**RESULT:** Approved (Unanimous); 7-0  
**MOTION:** Mike Doss  
**SECONDED BY:** David Singleton  
**AYE:** Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton  
**NAY:** None.

#### **Audit Committee Meeting**

David Singleton, Chairman of the Audit Committee called the Audit Committee Meeting to order at 9:06 a.m.

6. Audit Committee Meeting

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

Mary Temple, Controller introduced the auditors, Joel Perez, RSM US LLC and Tino Robledo, RSM US LLC who provided a presentation.

- B. Authorize the engagement of RSM US, LLP to provide independent auditing services.

**MOTION:** Authorize the engagement of a firm to provide independent auditing services.  
**RESULT:** Approved (Unanimous); 7-0  
**MOTION:** Mike Doss  
**SECONDED BY:** Heather Gaddes  
**AYE:** Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton  
**NAY:** None.

**ADOPTED AS: RESOLUTION NO. 22-014**

C. Adjourn Audit Committee.

David Singleton adjourned the Audit Committee Meeting and Chairman Jenkins reconvened the Board Meeting in open session at 9:18 a.m.

**Regular Items**

7. Accept the financial statements for February 2022.

Presentation by Jose Hernandez, Chief Financial Officer and Mary Temple, Controller and Tracie Brown, Director of Operations answered questions.

<b>MOTION:</b>	Accept the financial statements for February 2022.
<b>RESULT:</b>	Approved (Unanimous); 7-0
<b>MOTION:</b>	Nikelle Meade
<b>SECONDED BY:</b>	Heather Gaddes
<b>AYE:</b>	Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton
<b>NAY:</b>	None.

**ADOPTED AS:                    RESOLUTION NO. 22-015**

**Briefings and Reports**

8. Executive Director Report.

Presentation by James Bass, Executive Director.

A. Agency performance metrics.

- (i) Roadway performance
- (ii) Call Center performance

Tracie Brown, Director of Operations answered questions.

B. FY2023 budget process.

C. MoPac South Environmental Study Overview.

Mike Sexton, P.E., Acting Director of Engineering answered questions.

D. Update on DBi Services LLC default.

## Executive Session

Chairman Jenkins announced in open session at 11:04 a.m. that the Board would recess the meeting and reconvene in Executive Session to deliberate the following items:

9. Discuss the sale, transfer or exchange of one or more parcels or interests in real property owned by the Mobility Authority and related legal issues as authorized by §551.071 (Consultation with Attorney) and §551.072 (Deliberation Regarding Real Property; Closed Meeting).
10. 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).
11. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
12. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After completing the executive session, the Board reconvened in open meeting at 12:07 p.m.

\*\*Note: Heather Gaddes and Nikelle Meade were not present following the Executive Session.

## Regular Items

13. Discuss and consider approving a settlement with Kapsch TrafficCom USA, Inc. for liquidated damages related to toll system maintenance key performance indicators.

Presentation by James Bass, Executive Director.

<b>MOTION:</b>	Approve a settlement with Kapsch TrafficCom USA, Inc. for liquidated damages related to toll system maintenance key performance indicators.
<b>RESULT:</b>	Approved; 4-1
<b>MOTION:</b>	Jay Blazek Crossley
<b>SECONDED BY:</b>	Mike Doss
<b>AYE:</b>	Armbrust, Crossley, Doss, Jenkins
<b>NAY:</b>	Singleton
<b>ADOPTED AS:</b>	<b>RESOLUTION NO. 22-016</b>

- 14.** Discuss and consider authorizing the Executive Director to hire outside counsel to assist with claims on the 183 South Project.  
Presentation by James Bass, Executive Director.

**MOTION:** Authorize the Executive Director to hire outside counsel to assist with claims on the 183 South Project.  
**RESULT:** Approved (Unanimous); 5-0  
**MOTION:** David Singleton  
**SECONDED BY:** Mike Doss  
**AYE:** Armbrust, Crossley, Doss, Jenkins, Singleton  
**NAY:** None.

**ADOPTED AS: RESOLUTION NO. 22-017**

After confirming that no member of the public wished to address the Board, Chairman Jenkins declared the meeting adjourned at 12:09 p.m.

- 15.** Adjourn.

Approved 04/25/2022