

CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY BOARD OF DIRECTORS MEETING

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~ Minutes ~

Board Liaison Ed Easton
512-369-6040

Monday, December 14, 2020
12:00 PM

12:04 PM Meeting Called to Order
3:20 PM Meeting Adjourned

I. Recognition

The meeting began with recognitions for retiring Vice President of Real Estate and Asset Management Shanea Davis, and departing Board Member Delia Garza.

II. Public Comment:

Isiah Smith, Bus Operator, spoke about the effects of the COVID-19 on bus operators. He says that a limited number of customers - often homeless - are refusing to wear a face covering, and that Capital Metro radio control and the managers at the Operations Control Center are continuing to tell operators to remain in service even if the operator feels unsafe with these unmasked customers onboard. He also suggests more training for new operators on safety issues, particularly how to handle difficult customers. He also suggests that more criminal trespass notices should be issued to passengers who don't follow the rules onboard. Many operators do not feel safe.

III. Advisory Committee Updates:

1. Access Advisory Committee

Community Engagement Coordinator Yannis Banks gave the monthly report. Advisory committee meetings continue to be held virtually due to the pandemic. This month the Access Committee heard updates on Project Connect, the January 2021 Service Change, MetroAccess metrics for 2020 and the Good Hands program, and a briefing on how fixed route and paratransit services work together. They also held their officer elections, with the current officers being re-elected for 2021.

2. Customer Service Advisory Committee (CSAC)

Community Engagement Coordinator Yannis Banks gave the monthly report. This month the CSAC Committee heard an update on Project Connect, had a conversation led by Ruven Brooks on utilizing vanpool services for low-income housing residents, and got an update on the January 2021 Service Change. They also held their 2021 officer elections - Ethan Taylor will continue as Chair, and B.J. Taylor as Vice Chair.

IV. Board Committee Updates:

1. Finance, Audit and Administration Committee

Chair Terry Mitchell gave the monthly report. The FAA Committee met on December 7th and took action on the 2020 performance review for the Vice President of Internal Audit; recommended a contract modification for executive recruiting services; and recommended an amendment to the ILA with Austin Community College for student and employee transit passes. They also heard updates on the FY2020 Risk Assessment and current Internal Audit projects.

2. CAMPO update

CAMPO did not meet this month.

V. Consent Items

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeffrey Travillion, Board Member
SECONDER:	Terry Mitchell, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion, Stratton
ABSENT:	Hill

1. Approval of minutes from the November 23, 2020 board meeting.
2. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract modification with Krauthamer & Associates for executive recruiting services to increase the amount by \$275,000 for a total not to exceed contract amount of \$923,000.
3. Approval of a resolution authorizing the President & CEO, or his designee, to amend an Interlocal Agreement (ILA) with Austin Community College for student and employee transit passes that extends a pay-per-ride arrangement for paratransit, rail and fixed-route bus services to the months January 2021 through August 2021.

VI. Action Items:

1. Approval of a resolution authorizing the President & CEO, or his designee, to execute a contract modification with HNTB Engineering, Inc. in the amount of \$18,540,965 for two one-year option periods for Phase II of the Blue Line Engineering Services to complete the Environmental and Preliminary Engineering phase of the program.

Project Connect Program Office Dave Couch and Manager of Community Engagement Jackie Nirenberg brought forward this item, Action Item #2, and the Project Connect Update presentation at the same time.

Jackie kicked off the presentation with an update on upcoming community engagement. Virtual scoping meetings for both the Blue and Orange Lines will begin in January with 8 sessions (4 for each) scheduled in both English and Spanish. Dave then gave an update on Project Connect funding and program components. He then walked through upcoming milestones related to new MetroRapid lines and extensions, the Red Line including Broadmoor/McKalla, and Neighborhood Circulators.

Dave then introduced Action Items #1 and #2 by reminding the board of the key contracts executed for the Blue Line, Orange Line, and as Program Management Owners Representative (PMOR). The Blue and Orange Line contracts are now moving from Task I to Task II along the program timeline. He summarized the completed Task I achievements and laid out the milestones and a timeline for Task II, which covers Environmental and Preliminary Engineering. This work was included under the original scopes of the two contracts, but it was not priced. He also presented the evaluation criteria used by the Federal Transit Administration to determine the level of federal funding commitment.

Dave then moved into the contract specifics on the two Action Items. Task II for the Orange Line will be performed by AECOM, and for the Blue Line by HNTB. These contract updates under Action Item #1 will take the projects through Task II, with future design and construction contracts to be developed and awarded by the Austin Transit Partnership (ATP). The second contract update under Action Item #2 is for additional tasks under the PMOR function, which is being performed by HDR Engineering. Dave also gave the board statistics on the three contractor's original proposed and current to-date use of DBE subcontractors.

Dave closed with an update on the formation and staffing for the Austin Transit Partnership. The ATP board's first meeting will take place on January 20, 2021.

Board Member Kitchen asked Jackie about the community meetings scheduled for January - is there a reason that we are using the term "scoping" for those? Jackie replied that yes, that is NEPA (National Environmental Protection Act) terminology for the first stage of outreach to the community in the NEPA process. Dave later explained that items under "scoping" include looking with a greater level of detail at what the project could and should be, along with its location and purpose.

Board Member Kitchen also asked about the community engagement tasks under these two contracts - do the companies have a role? Dave replied that yes, the Blue and Orange Line contractors develop the community engagement plans, and the PMOR contractor (along with the Capital Metro Community Engagement team) oversees the plan and process. Board Member Kitchen asked to be kept up to date on these plans as they develop. Board Member Travillion commented that he would be interested in seeing minority community-specific outreach plans.

Chair Cooper asked for further details on community-specific inputs under NEPA. Dave provided an overview of the basic structure of those inputs.

Board Member Stratton asked for a further clarification on the DBE slide figures and whether the proposed goals included Task II. He also asked which of the two contractors would have responsibility for the Task II tasks for the tunnel, since it will be shared by both the Blue and Orange Lines. Dave responded that there will be a very detailed coordination process between Capital Metro/ATP, the two contractors, and the PMOR.

Chair Cooper complimented the three firms involved on their work on the Project Connect initiative to date. Board Member Renteria commented that he is very pleased to see these projects moving forward, particularly along Riverside Drive.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Delia Garza, Vice Chair
SECONDER:	Ann Kitchen, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion, Stratton
ABSENT:	Hill

2. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract modification with AECOM Technical Services, Inc. in the amount of \$21,267,146 for Phase II of the Orange Line Engineering Design Services to complete the Environmental and Preliminary Engineering phase of the program.

See Action Item #1.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Terry Mitchell, Board Member
SECONDER:	Sabino Renteria, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion, Stratton
ABSENT:	Hill

3. Approval of a resolution confirming the evaluation rating for Fiscal Year 2020 for President & CEO Randy Clarke as _____ and that the Board approves the adjustment of base pay to \$_____ and a performance achievement bonus of \$_____. The increases are awarded retroactively to October 4, 2020 in accordance with the Employment Agreement.

This item was taken up after Executive Session along with Action Item #4.

Board Secretary Eric Stratton made the motion that based on discussion in Executive Session, the board recognizes a performance rating for President & CEO Randy Clarke for FY2020 of "exceptional", and that his base compensation be adjusted by 3 percent to \$327,411, and that a performance bonus of 5% equal to the amount of \$15,893.75 be awarded, retroactive to October 4, 2020.

Chair Cooper praised President Clarke for the his leadership of the agency, including the recent passage of Proposition A, ridership increases, increased community and partnership engagement, and financial stewardship during he pandemic. Each of the other board members added their thanks and praise for President Clarke's energy, passion and commitment.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Eric Stratton, Board Secretary
SECONDER:	Ann Kitchen, Board Member
AYES:	Mitchell, Cooper, Kitchen, Renteria, Travillion, Stratton
ABSENT:	Hill
AWAY:	Garza

4. Approval of the execution of an extension and amendment to the President & CEO Employment Agreement extending the term of the agreement to December 14, 2025, and amending certain terms of the agreement.

Chair Cooper led this item, which followed Executive Session, and read the motion.

There was no additional discussion.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Jeffrey Travillion, Board Member
SECONDER:	Sabino Renteria, Board Member
AYES:	Mitchell, Cooper, Kitchen, Renteria, Travillion, Stratton
ABSENT:	Hill
AWAY:	Garza

VII. Presentations:

1. Project Connect Update

This item was presented along with Action Items #1 and #2.

2. FY2020 End of Year Financial Report

CFO Reinet Marneweck gave the presentation.

Reinet kicked off the presentation by saying that despite it being a very challenging year, the agency performed very well financially in 2020. She gave the board an overview of the preliminary FY2020 Revenue measured against the full year budget. Revenues ended the year about \$71 million higher than expected, largely because of CARES Act funding of \$101.9 million received. This CARES Act funding more than made up for budget shortfalls in fares, sales taxes, and other grants. Reinet then reviewed current and historic sales tax receipts, which were higher in FY2020 than FY2019 but which were below the budgeted figure, along with fare revenues by mode, channel, and pass type.

She then reviewed preliminary Operating Budget expenses for the year measured against budget. In total these expenses were \$11 million below budget, which was largely due to COVID-based service cuts and a hiring freeze. She then presented a table which summarized the four budget transfers that exceeded \$150,000 in the fourth quarter, reported on year-end balances for each of Capital Metro's reserve, allocated, and restricted funds, and showed a list of preliminary budget variances by department.

Reinet closed by reviewing preliminary Capital Budget expenses and projects by department. Several projects slated for FY2020 were paused when the pandemic hit early in the year, and there were several other projects that were reclassified as capital contributions to other entities since Capital Metro is not considered the owner of the infrastructure.

Board Member Stratton complimented Reinet and staff on their ability to weather the pandemic storm this year on a net positive. Chair Cooper complimented the Capital Projects team on their ability to complete their items despite the difficulties this year.

VIII. Reports:

1. President's Report

President Clarke gave his monthly report.

This month's report included gratitude and a farewell to Vice Chair Garza; the 2020 Stuff the Bus campaign kickoff; the annual Capital Metro Giving Tree for AISD's Metz/Sanchez Elementary School, the ongoing food delivery program utilizing Capital Metro's paratransit vehicles and operators; the upcoming joint meeting with Austin City Council; and a \$900,000 Federal Transit Administration grant for equitable transit development that Capital Metro has just been awarded.

IX. Executive Session of Chapter 551 of the Texas Government Code:

Section 551.074 for Personnel Matters related to President & CEO
FY2020 Performance Review and Employment Agreement

The board entered Executive Session at 1:59 p.m. with quorum present. The board came out of Executive Session at 2:57 p.m.

X. Items for Future Discussion:

XI. Adjournment

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512) 369-6040 or email ed.easton@capmetro.org if you need more information.

BOARD OF DIRECTORS: Wade Cooper, Chair; Delia Garza, Vice Chair; Eric Stratton, Secretary; Terry Mitchell; Troy Hill; Ann Kitchen, Jeffrey Travillion and Pio Renteria.

The Board of Directors may go into closed session under the Texas Open Meetings Act. In accordance with Texas Government Code, Section 551.071, consultation with attorney for any legal issues, under Section 551.072 for real property issues; under Section 551.074 for personnel matters, or under Section 551.076, for deliberation regarding the deployment or implementation of security personnel or devices; arising regarding any item listed on this agenda.