

**AUSTIN TRANSIT PARTNERSHIP  
BOARD OF DIRECTORS MEETING  
2910 East Fifth Street Austin, TX 78702**

~ Minutes ~

Board Secretary Casey Burack  
512-389-7474

**Wednesday, April 21, 2021  
2:00 PM**

**2:05 PM Meeting Called to Order  
3:48 PM Meeting Adjourned**

## **I. Public Comment**

There was no public comment this month.

## **II. Monthly Program Updates**

### **1. Community Engagement and Involvement Update**

Director of Community Engagement and Involvement Jackie Nirenberg presented the monthly update.

Jackie provided the board with a summary of the status for each of the Project Connect Technical and Community Advisory Committees and Workgroups, including an updated timeline. She also updated the board on upcoming community engagement opportunities - both virtual and live - and discussed longer-term engagement ideas including alignment tours for the Blue and Orange lines.

### **2. Project Connect Technical Update**

Chief Program Officer Dave Couch presented the update.

Dave gave an update on Project Connect-related activities taking place in the field as well as engineering activities in support of the 15% design milestone. Soil testing in several locations continues, as does development of right-of-way plans and coordination with the City of Austin. Notice of intent and supporting schedule for the National Environmental Policy Act (NEPA) process has been sent to the Federal Transit Administration for review, and the team continues work on a real estate acquisition policy and prioritization matrix.

Dave also provided updates on developments along the MetroRail Red Line, including station construction, additional sidings, and coordination with the City on an urban trail along the line. New MetroRapid lines (Expo and Pleasant Valley) have completed 30% design and are with the City for review. Dave's hope is that construction on those lines will begin by the end of the year. Other updates included Pickup Service, which will soon launch 3 new zones, and updates on customer technology and the expansion of the fare-capping program.

Dave also presented an overall timeline for the Orange and Blue Line Projects, walking the board through each of the major steps leading to the start of revenue service. He also displayed a similar graphic for steps leading to the start of service for the new MetroRapid lines.

Board Member Elkins asked about plans for fare enforcement on the system. Dave explained that the intention will be to have an open fare system, with checking of tickets taking place in ways that don't slow down the service or extend dwell times.

Board Member Adler asked about staffing and the extension of the two existing MetroRapid lines. Dave explained that those extensions are planned for implementation soon after the new lines are launched.

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Board Member Colette Pierce Burnette asked about how the land acquisition policy dovetails with anti-displacement efforts. Dave explained that his expectation is that most of what falls under the policy under development will be small parcels or slivers of property and will not require the relocation of people or purchase of entire properties.

### III. Action Items

1. Approval of minutes from the March 17, 2021 Austin Transit Partnership board meeting.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Steve Adler, Board Member  
**SECONDER:** Tony Elkins, Board Member  
**AYES:** Castro de Barrera, Pierce Burnette  
**ABSENT:** Stratton

2. Approval of the Austin Transit Partnership's Ethics, Conflicts and Nondisclosure Policy.

General Counsel Casey Burack brought this item forward.

Casey shared a presentation that included both current and upcoming Austin Transit Partnership policy approvals. She gave the board a brief summary of the Ethics, Conflicts and Nondisclosure Policy as well as each of the upcoming policies.

There was no discussion.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Steve Adler, Board Member  
**SECONDER:** Collette Pierce Burnette, Vice Chair  
**AYES:** Castro de Barrera, Elkins  
**ABSENT:** Stratton

3. Approval of the designation of Austin Transit Partnership's General Counsel as its Public Information Coordinator pursuant to Section 552.012 of the Public Information Act.

General Counsel Casey Burack brought this time forward and gave a summary of the relevant statutes for why a formal appointment is necessary.

There was no discussion.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Tony Elkins, Board Member  
**SECONDER:** Steve Adler, Board Member  
**AYES:** Castro de Barrera, Pierce Burnette  
**ABSENT:** Stratton

### IV. Discussion Items

1. Federal Requirements Overview

Program Officer Dave Couch introduced new Deputy Program Officer John Rhone and new Senior Director of Systems and Vehicles Dave Kubicek, both of whom gave the presentation.

John kicked off with a summary of the Federal Transit Administration's (FTA) Best Practices Manual, which provides detailed information on the procurement cycle, the Disadvantaged Business Enterprise (DBE) program and certification process. Dave Kubicek then presented requirements for the Buy America program for rolling stock (vehicles) and infrastructure. John then picked back up to walk the board through various other FTA requirements, including adherence to the Davis-Bacon Act, bonding requirements and other special contract provisions that must be considered during the procurement and contracting processes.

Board Member Elkins commented on the relatively high FTA bonding requirements when compared to federal road and bridge projects, which he believes raises costs and seems antiquated. John explained that the high requirements are there to protect both the FTA and the local agency, which would be responsible in the case of a default. Executive Director Clarke also commented that the American Public Transportation Association is working with Congress on many of these requirements, and that there may be changes coming over the next few years.

Board Member Pierce Burnett commended staff on working so closely with the local minority chambers of commerce on the Disadvantaged Business Enterprise (DBE) program. Executive Director Clarke added that we will continue to reach out to them and hold open houses and industry days to encourage their participation, as there will be many opportunities over the lifetime of this initiative.

Chair Castro de Barrera asked about the Buy America requirements for station builds and how far they extend to items like technology that are subcomponents of the station but not part of the construction process. Dave answered that the FTA primarily looks at the origin of the firm that is involved with those items, and things like where final assembly is done. This will be regularly monitored throughout the process.

Assistant City Manager Fiandaca asked about Buy America requirements around "green" components. Dave Couch answered that to his knowledge there are no specific requirements. Chair Castro de Barrera followed up with a question on addressing interest from outside organizations who advocate for things such as additional safeguards around worker safety. Executive Director Clarke added that many items that outside groups are most concerned about will be covered by other programs and requirements - safety, working conditions, DBE compliance, contract audits. We will make a strong effort to articulate these programs to the community as we move forward. Board Member Adler suggested adding these parameters as topics for a public engagement sessions and events.

## V. Executive Director's Report

Executive Director Clarke presented his monthly report.

This month's focus was recent engagements with our federal partners including the Federal Transit Administration Deputy Administrator Nuria Fernandez, as well as the FTA Region VI staff. Randy also asked General Counsel Casey Burack to give the board a quick update on the recruitment and hiring process for Austin Transit Partnership staff positions. The board then had a brief discussion and offered ideas to Casey on organizations that might be resources during the recruitment process. Randy also led a discussion on the logistics of the board returning to in-person meetings starting as early as next month. Board members will be contacted individually on their preferences.

## VI. 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](mailto:ed.easton@capmetro.org) if you need more information.*

**BOARD OF DIRECTORS:** Veronica Castro de Barrera, Chair; Colette Pierce Burnette, Vice Chair; Steve

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*Adler, Tony Elkins, Eric Stratton and Gina Fiandaca (ex officio).*

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.

Attachment: 210421 Board Meeting Minutes (4861 : April Board Minutes)