AUSTIN TRANSIT PARTNERSHIP BOARD OF DIRECTORS MEETING

Capital Metro

Rosa Parks Board Room and Microsoft Teams

~ Agenda ~

Wednesday, January 19, 2022 2:00 PM

Capital Metro Headquarters 2910 E. 5th St. Austin, TX 78702

The presiding officer will be present at the above location and some members of the Board may participate by videoconference. Live stream available at https://atptx.org/atp-board-meetings.

1. Public Comment

2. Monthly Program Updates

- 1. Community Engagement and Involvement Update
- 2. Technical Program Update
- 3. Administrative Program Update

3. Action Items

- 1. Approval of minutes from the December 2021 Board Meeting
- 2. Adoption of CAC Bylaws
- 3. Adoption of Technical Advisory Committee Charter Amendments
- Approval of resolution awarding a Commercial, Risk and Project Delivery Services Contract to Ernst & Young Infrastructure Advisors, LLC for a four-year term in an amount not to exceed \$17,000,000.

4. Discussion Items

1. FY2021 Q4 Financial Report

5. Executive Director Report

1. Program Decision Drivers Conversation

6. Executive Sessions

- 1. Section 551.074 of the Texas Government Code for personnel regarding Internal Auditor Candidate Review
- 2. Section 551.074 to the Texas Government Code for personnel regarding Executive Director's FY22 Performance Criteria

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512) 389-7525 or email <u>chloe.maxwell@atptx.org</u> if you need more information.

ATP Board meetings can be <u>streamed live</u> and public comments may be made virtually over Teams or in-person. Those wishing to contribute comments must notify ATP 24-hours before the meeting (by 2:00 p.m. on Tuesday, January 18 by calling 512-389-7525 or emailing <u>chloe.maxwell@atptx.org</u>. Give your name, a phone number and the topic you wish to discuss. On the day of the meeting, you

will be contacted, added as an attendee of the board meeting, and have 3 minutes to speak.

<u>Please Note</u>: You will have only <u>one</u> opportunity at the beginning of the board meeting to speak on <u>all</u> items you intend to address.

Public comment will be over Microsoft Teams (camera may be turned off) or in person. Once registered for Public Comment, a participation link will be distributed.

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

AUSTIN TRANSIT PARTNERSHIP

Board of Directors Meeting January 19, 2022



January 19 - AGENDA

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PUBLIC COMMENT



MONTHLY PROGRAM UPDATES:

COMMUNITY ENGAGEMENT AND INVOLVEMENT UPDATE



Community Engagement: 3 Month Look-Ahead

- Mobility Committee 1/20
- •CANPAC (Central Austin Neighborhoods) Stakeholder Meeting 1/24
- •University Area Partners Meeting (UAP), Drag Discussion 1/25
- •CAC Meeting 1/26
- Pickup Community Update 2/1
- •EAC Meeting 2/2
- •PSEC Meeting 2/3
- •MetroRapid Community Update 2/7
- Mobility Committee 2/10
- Parks and Recreation Board 2/23
- •MetroRapid Pleasant Valley Groundbreaking 2/23





Community Engagement: 3 Month Look-Ahead

- •CAC Meeting 2/23
- •CAC/TACs Joint Meet & Greet with Senior Management
- Teams February (TBD)
- •CAC/TACs Alignment Tour February (TBD)
- •EAC Meeting 3/2
- •PSEC Meeting 3/3
- Mobility Committee 3/10
- CAC Meeting 3/23
- •Let's Talk Project Connect Virtual Community Conversation March (TBD)
- •Community Design Workshop: So. Congress Transit Center 2022 (TBD)
- •Community Design Workshop: Crestview 2022 (TBD)





TAC Charter Amendments – January Board Meeting

UPDATES:

- Update FAR meeting cadence to quarterly
- Change in FAR staff liaison
- All charters amended to add CAC Delegates to serve on TACs
- Removal of requirement for officers on all charters
- Addition of board reporting language



CAC Bylaws – January Adoption

- JPA emphasizes closer collaboration between ATP and CAC
- JPA requires ATP Board, Capital Metro Board, and City Council approval of CAC bylaws
- Changes to current CAC bylaws are needed to comply with the terms of the JPA and the ILA between the City and Capital Metro:
 - Membership changes to reflect number of CAC appointments
 - Scope addition of business mitigation and community involvement plans for CAC review
 - TAC delegates acknowledgment of CAC members appointed to the TACs as delegates
 - Support acknowledges support from ATP and City staff liaisons



MONTHLY PROGRAM UPDATES:

TECHNICAL UPDATE



4th Street design for EIS and 30% design

PROGRAM UPDATES:

Blue & Orange Line Field & Engineering Activities

- Collaborating with ATD to develop 4th Street pedestrian-focused design options for Environmental Impact Statement (EIS) and 30% design
- Continued coordination with TxDOT for the SH 71 Riverside bridge cross section based on structural analysis
- Traffic analysis related to scenarios and the impact on Riverside traffic
- Tunnel design workshops between City of Austin and ATP to • advance underground station program with focus on Fire Life Safety
- At-grade station platform canopy design concepts
- Finalizing Utility Rules of Practice (UROP) and agreement with City of Austin
- Finalizing Orange Line design for the 30% draft submission

The Railvard Condos

(Planned Redevelopment Site



The Railvard Condo



Convention Cent

Potential Improvements: Republic Square to Colorado Street

PROGRAM UPDATES:

Blue & Orange Line Planning/NEPA Progress

- Coordination with FTA and their 139J Support Consultant in the preparation of the Orange Line Administrative Draft Environmental Impact Statement (ADEIS).
- 39 out of the 42 Technical Reports developed for OL/BL EIS document have been submitted to FTA for review and are nearing finalization for the inclusion in the ADEIS.
- Continued addressing FTA comments on the draft Orange and Blue Line ADEIS Chapters
 - Chapter 1 Purpose & Need
 - Chapter 2 Alternatives Considered
 - Chapter 5 Summary of Submitted Alternatives, Information, and Analysis
- Advanced NEPA analysis for Maintenance Facility



PROGRAM UPDATES:

MetroRapid

Expo & Pleasant Valley

- FTA Risk Workshop held in December
- Received Letter of No Prejudice (LONP) from the FTA
- Proposal received for Shelter Fabrication Contract
- Expo Groundbreaking held December 15th at LBJ Early College High School
- Continued review of civil design submittals, including: 60%, 90% and IFC Plans
- Continued coordination with the City of Austin (ATD, AE and AULCC)
- Consultant selected for the Expo and Goodnight Ranch End-of-Line Charging locations for 10% to 100% design. Fee negotiations to begin January 10th and task order to be issued shortly after

Gold Line & South Lamar

- Design Consultant selected and task order executed
- Design kick off meeting first week of January 2022
- Coordination with COA for ROW permitting and discussions on process, expectations and ways to expedite permitting
- Set up bi-weekly meeting with CMTA Planning to discuss station locations



PROGRAM UPDATES:

Red Line & Pick-Up Service

Red Line

- McKalla Station
 - 60% design package for trackwork, drainage, signals, & grade crossings completed
 - Design/Build solicitation underway
 - Successful community outreach event held December 9th
- Lakeline-to-Leander
 - Construction in progress
- Broadmoor Station
 - Groundbreaking event planned for January



MONTHLY PROGRAM UPDATES:

ADMINISTRATIVE UPDATE



Internal Auditor – Recruitment Process Overview

- Position initially posted on September 10, 2021
- Initial search yielded some candidate submissions, with one candidate considered for interview
- On November 1st, ATP partnered with K&A Partners for targeted recruitment
- K&A search provided four additional candidates
- Five candidates reviewed by Chair Castro de Barrera & Board Member Elkins, with three candidates scheduled for interviews
- Interviews conducted by Chair Castro de Barrera, Board Member Elkins, Board Member Stratton and Ex-Officio Board Member Gina Fiandaca
- First round of interviews completed by January 7, 2022 and second round of interviews scheduled and held on Tuesday, January 11th
- Final candidate(s) reviewed for selection in Executive Session at today's Board meeting





ACTION ITEM 1:

Approval of minutes from the December 15, 2021 ATP Board of Director's Meeting



AUSTIN TRANSIT PARTNERSHIP BOARD OF DIRECTORS MEETING

Austin Energy Headquarters 4815 Mueller Blvd. Austin, TX 78723

~ Minutes ~

Board Secretary Casey Burack 512-369-6040

Wednesday, December 15, 2021 2:00 PM

2:05 PM Meeting Called to Order 8:55 PM Meeting Adjourned

I. Public Comment

There was no public comment at this meeting.

II. Technical Advisory Committee Update

The Planning, Sustainability, Equity, and DBE Committee (PSEC) discussed the recent Community Design Workshop for the Drag and the ETOD program. The members talked about the importance of trees and other shade for pedestrians on the Drag. They also discussed the multiple modes of transportation on this street and how to protect both pedestrians and cyclists. PSEC discussed what happens to the ETOD program after 2022 and how the groundwork is being developed for the City of Austin to take over the program.

The Engineering, Architecture, and Construction Committee (EAC) discussed the Drag, 4th Street, and the Blue Line Bridge designs. They focused on the traffic impacts because of lane changes on the Drag, and they suggested larger maps to show traffic impacts to the greater street network.

III. Executive Director Report

Austin Transit Partnership Executive Director, Randy Clarke, provided this update.

Mr. Clarke informed the Board that we received a Letter of No Prejudice (LONP) from the Federal Transit Administration (FTA) for the Expo and Pleasant Valley Metro Rapid projects. He explained the importance of an LONP in the grant process, which permits early implementation work that will be reimbursable by FTA in accordance with their agreed upon share of the project costs. He also shared that there was a groundbreaking for the Metro Rapid project at LBJ High School with strong positive feedback from the community. Mr. Clarke reported that the Red Line and the Metro Expo Line are both on schedule.

II. Monthly Program Update

1. Community Engagement Update

Director of Community Involvement, Jackie Nirenberg, gave the first part of this report.

Ms. Nirenberg discussed the recent North Lamar Transit Center Community Design Workshop and the community engagement team's pop-up outreach, which successfully increased outreach to those who frequent the station. Jackie also discussed the two Drag Community Design Workshops: one virtually with 153 individuals, and the other in person with 160 participants. The 4th Street Design Workshop had 40 individuals in attendance.

Board Member Elkins asked about buses on the Blue Line Bridge. Chief of Architecture and Urban Design, Peter Mullan, responded that it's not in the plans to date.

Jackie discussed changes to the Community Advisory Committee (CAC) Charter per the Joint Powers Agreement (JPA). All three bodies: ATP, Capital Metro, and the Austin City Council, will need to pass the Bylaws to comply with the JPA. The changes include membership changes to reflect the number of CAC appointments, scope, community involvement plans for CAC review, delegates to the Technical Advisory Committees, and ATP and city staff liaisons. Additionally, Jackie discussed changes to the Technical Advisory Committee Charters, which, along with the CAC Charter, the ATP Board will vote to approve in January 2022.

Chief of Architecture and Urban Design, Peter Mullan, updated the Board on the Community Design Workshops, starting with the North Lamar Transit Center. Mr. Mullan discussed the difficulties faced on North Lamar with the number of traffic lanes and the TXDOT right-of-way. The Drag Community Design Workshop focused on two plans, one of which removes vehicular traffic from the Drag. The team also discussed the 4th Street Community Design Workshop and how best to use placemaking practices in its development.

Board Member Elkins asked about a traffic study on the Drag to analyze the impact on businesses. Board Member Burnette asked which agencies we partner with for traffic studies, and Mr. Mullan replied that we work closely with the Austin Transportation Department. She suggested meetings with the Chamber of Commerce and other business partners. Mayor Adler asked about the impact to retail on the Drag and staff committed to reporting back on this once the design was further advanced.

III. Action Items

1. Approval of minutes from the October 20, 2021 Austin Transit Partnership Board Meetings.

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

2. Adoption of ATP Records Management Policy and Approval of Records Management Officer Appointment.

RESULT: ADOPTED [UNANIMOUS] MOVER: Stratton SECONDER: Adler AYES: Castro de Barrera, Adler, Stratton, Elkins, Pierce Burnette ABSENT:

3. Adoption of ATP Investment Policy and authorization to execute each of the (i) Participation Agreement for TexPool/Texpool Prime and (ii) Participation Agreement for Texas CLASS as authorized investment vehicles

RESULT: ADOPTED [UNANIMOUS] MOVER: Elkins SECONDER: Burnette AYES: Castro de Barrera, Adler, Stratton, Elkins, Pierce Burnette ABSENT:

4. Approval of Resolution Authorizing General Counsel to Proceed with the Proposed Process for Independent Analysis, including authorization to engage The Eno Center for Transportation to serve as the Independent Consultant for performance of the Independent Analysis in an amount not to exceed two hundred thousand dollars (\$200,000).

RESULT: ADOPTED [UNANIMOUS] MOVER: Stratton SECONDER: Adler AYES: Castro de Barrera, Adler, Stratton, Elkins, Pierce Burnette ABSENT:

III. Discussion Items

1. Project Connect Program Roadmap.

Chief Program Officer, Dave Couch, Senior Director of Project Controls, Jen Pyne, Orange Line Outreach Team Member, Meg Merritt, and HDR Principal Project Manager, Brian Buchanan, gave this presentation.

Mr. Couch discussed the 30% design and the NEPA process. He talked about how the team moves through the decision process with the Board and how we will continue as we continue to move to 30% design this summer.

Ms. Merritt discussed the project's key milestones, such as the approval by the Capital Metro and Austin City Council in Summer 2020 and the passing of the November 2020 referendum, which created the Austin Transit Partnership. She addressed the steps to build the system map and the NEPA process.

Ms. Pyne discussed the NEPA process, including the technical and community engagement aspects required and the importance of our partnership with the FTA. She addressed risks to the program such as utilities, right-of-way, and real estate acquisition.

Mr. Buchanan discussed the CIG process, the project's long-term plan, and the Federal grant process.

V. Adjournment

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512) 369-6040 or email <u>chloe.maxwell@austintransitpartnership.org</u> if you need more information.

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

ACTION ITEM 2:

Adoption of CAC Bylaws





Subject: Approval of a resolution approving the Community Advisory Committee Bylaws.

Fiscal Impact: Does not apply.

Business Case: Does not apply.

Executive Summary: Approval of the Community Advisory Committee Bylaws is required by all three parties in accordance with the Joint Powers Agreement entered into by the Austin Transit Partnership, Capital Metropolitan Transportation Authority, and City of Austin.

Responsible Department: Legal

Procurement Summary: Does not apply.



RESOLUTION OF THE AUSTIN TRANSIT PARTNERSHIP BOARD OF DIRECTORS

STATE OF TEXAS

COUNTY OF TRAVIS

Resolution ID: ATP-2021-002

Approval of the Community Advisory Committee Bylaws

WHEREAS, the Austin Transit Partnership ("ATP") is a local government corporation organized jointly by the City of Austin ("City") and Capital Metropolitan Transportation Authority ("Capital Metro") pursuant to Chapter 431, Subchapter D of the Texas Transportation Code, as amended; and

WHEREAS, the City and Capital Metro created the Project Connect Community Advisory Committee ("Community Advisory Committee") to assist the City Council, Capital Metro Board, and ATP Board in engaging the community and advising on anti-displacement and equity matters related to Project Connect; and

WHEREAS, ATP entered into a Joint Powers Agreement with the City and the Capital Metro which requires all three parties to approve the Community Advisory Committee's Bylaws; and

NOW, THEREFORE, BE IT RESOLVED that the ATP Board of Directors has reviewed and approved the Community Advisory Committee Bylaws attached hereto as <u>Exhibit A</u>.

Date: _____

Casey Burack Secretary of the Board <u>Exhibit A</u>

BYLAWS OF THE Project Connect Community Advisory Committee

ARTICLE 1. NAME.

The name of the board is _____ Project Connect Community Advisory Committee _____

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the Project Connect Community Advisory Committee, referred to hereinafter as CAC, is to assist the Austin City Council (City Council), Capital Metropolitan Transportation Authority (Capital Metro) Board, and Austin Transit Partnership (ATP Board) in engaging the community and advising on anti-displacement and equity matters related to Project Connect, in its entirety, as well as to assist the community and the City Council in the creation and evaluation of neighborhood-level anti-displacement strategies and priorities and the identification of Key Performance Indicators related to equity and displacement and triggers thereof, leveraging the Project Connect Equity Tool.

The recommendations made by the CAC related to displacement mitigation measures or social equity issues that impact historically underserved populations must be considered at a public meeting of the ATP Board, City Council, or the Capital Metro Board, as appropriate, in accordance with the recommendations made.

As provided in the City Contract with the Voters (Res. No. 20200812-015), the City shall "create with the community, neighborhood-level prevention and mitigation strategies" and shall make "recommendations for funding proposals and implementation of identified strategies." Further, ATP shall provide funding and "enter into interlocal agreements and/or grant agreements with the City to timely develop and implement anti-displacement strategies." The CAC will provide support in the creation and implementation of these strategies.

As provided in the Joint Powers Agreement, the CAC shall also review Project Connect business impact mitigation strategies and public involvement plans prior to their approval.

ARTICLE 3. MEMBERSHIP

(A) CAC shall be composed of an odd number, at least eleven members, plus an ex-officio member, appointed by the City Council and Capital Metro Board. Eight or more community members will be selected through a nomination process and jointly appointed by the City and Capital Metro; five members will be appointed from within the following five existing advisory groups (one member each):

- o City of Austin Urban Transportation Commission
- o City of Austin Mayor's Committee for People with Disabilities
- o City of Austin Community Development Commission
- o Capital Metro's Customer Satisfaction Advisory Committee
- Capital Metro's Access Advisory Committee

(B) The CAC member applicants shall:

• be residents of either the City of Austin or Capital Metro's service area;

- have interests and experience that will assist the CAC in developing recommendations on community engagement and equity matters related to Project Connect;
- not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8;
- not be an employee of the City of Austin, Capital Metro, or ATP; and
- not have a contract for real property, goods or services with the City of Austin, Capital Metro, or ATP, or be employed by such a contractor.
- (C) CAC members serve for a term of two years beginning July 1st on the year of appointment. In the event of a vacancy or vacancies in the CAC, the remaining members may nominate an individual or individuals to be considered by the Nominating Committee as part of the Nominating Committee's process to fill the vacancy. The vacancy will be filled in the same manner and with similar requirements as the initial committee members, with approval required by the City Council and Capital Metro. The term of a member appointed to fill an unexpired term shall expire on the expiration date of the term of the member being filled.
- (D) An individual CAC member may not act in an official capacity except through the action of CAC.
- (E) A CAC member who is absent for three consecutive regular meetings or one-third of all regular meetings in a "rolling" twelve-month timeframe automatically vacates the member's positions subject to the holdover provisions in Section 2-1-27 of the City Code; however, at the discretion of CAC, extenuating circumstances on a case-by-case basis, may be considered. This provision does not apply to an absence due to illness or injury of the member, an illness or injury of a member's immediate family, active military service, or the birth or adoption of the member's child for 90 days after the event. A CAC member must notify the City and ATP staff liaison of the reason for the absence not later than the date of the next regular meeting of CAC. Failure to notify the liaison before the next regular meeting will result in an unexcused absence.
- (F) At each meeting, each CAC member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.
- (G) All members shall abide by the ATP Ethics, Conflicts, and Nondisclosure Policy, as amended.
- (H) A member who seeks to resign from CAC shall submit a written resignation to the chair, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty-day notice, so a replacement is secured.
- (I) To the extent any member needs access to or to be provided with reimbursement for transportation or meals, or requires options for childcare necessary to participate in Committee activities, they shall contact the City staff liaison for accommodations.

ARTICLE 4. OFFICERS.

(A) The officers of CAC shall consist of a chair, a vice chair, and a secretary.

- (B) Officers shall be elected annually by a majority vote of CAC at the first regular meeting after July 1st. In the event a current officer becomes ineligible to serve as an officer, CAC may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning July 1st and ending June 30th. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of CAC for more than two consecutive one-year terms. A person who has served as an officer in a designated position of CAC for two consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. CAC, at its discretion, may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized CAC members.
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The Chair shall preside at CAC meetings, and represent CAC at ceremonial functions.
- (B) The Chair and vice chair will appoint all committees and approve each final meeting agenda.
- (C) In the absence of the chair, the Vice-Chair shall perform all duties of the chair. In the absence of the Chair and Vice-Chair, the Secretary shall perform all duties of the chair.

(D) The Secretary shall ensure that the integrity of the minutes are kept. (The Secretary shall monitor the timely completion of meeting summaries of the board's meetings.

ARTICLE 6. AGENDAS.

- (A) Two or more CAC members may place an item on the agenda by oral request at a meeting of the CAC, or written request to the officers, and board liaison, at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the officers shall approve each final meeting agenda.
- (B) CAC liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

- (A) CAC meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) CAC meetings shall be governed by Robert's Rules of Order, or some other parliamentary procedure adopted by the CAC.
- (C) CAC may not conduct a closed meeting without the approval of the city attorney.
- (D) CAC shall meet monthly or when it is legally required to meet, in order to comply with a legal deadline. In November of each year, CAC shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.

- 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41
- (E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. CAC may not call a meeting in addition to its regularly scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline, or a deadline established by Council.
 - (F) A majority of members constitutes a quorum.
 - (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.

(H) To be effective, CAC action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

(I) If only a quorum is present at a meeting, a board action is adopted by an affirmative vote of two-thirds of the quorum. If more than a quorum is present at a meeting, CAC action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

- (J) The chair has the same voting privilege as any other member.
- (K) CAC shall allow citizens to address it on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.
- (L) The staff liaison, shall prepare the minutes from each meeting. The minutes of each CAC meeting must include the vote of each member on each item before CAC and indicate whether a member is absent or failed to vote on an item.
- (M) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The Housing and Planning Department shall retain all CAC documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (N) The chair shall adjourn a meeting not later than 10 p.m., unless CAC votes to continue the meeting.

(O) Each person and CAC member attending a meeting should observe decorum pursuant to Section 2-1-48 of the City Code.

(P) A member of the public may not address CAC at a meeting on an item posted as a briefing.

(Q) CAC will be supported by ATP and the City staff liaisons.

(R) CAC may appoint delegates to attend ATP Technical Advisory Committee meetings on behalf of the CAC.

(S) CAC meetings shall be recorded and held in locations publicly accessible or virtually, as determined by the CAC.

ARTICLE 8. SUBCOMMITTEES / WORKING GROUPS.

COMMITTEES

(A) The Project Connect Community Advisory Committee, CAC, will have no subcommittees, unless approved in accordance with subsection (B).

(B) A subcommittee may be established at the discretion of CAC by an affirmative vote. A subcommittee cannot meet until its creation is approved by the City Council, ATP Board, and Capital Metro Board. Each subcommittee shall consist of at least three CAC members appointed by the chair. A City staff member shall be assigned to each subcommittee by the director of the City's Housing and Planning Department.

(C) CAC chair shall appoint a member as the subcommittee chair, with the member's consent.

- (D) A majority of the total number of appointed subcommittee members constitutes a quorum.
- (E) Each subcommittee shall meet on a regularly scheduled basis at least quarterly.
- (F) Each subcommittee shall make an annual report to CAC at the January CAC meeting.

(G) Subcommittee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(H) At each subcommittee meeting, subcommittee members shall sign a no conflict-of-interest statement as it related to any item on the subcommittee meeting agenda or identify each agenda item where he/she has a conflict of interest.

WORKING GROUPS

- (A) CAC can determine the size of a working group but the number of CAC members serving on the working group cannot equal or exceed a quorum of CAC.
- (B) A working group may be established at the discretion of the chair. CAC chair shall appoint members to the working group, with the members' consent.
- (C) A working group may designate a chair, with the member's consent, but it is not required to do so.
- (D) Quorum requirements do not apply to working groups
- (E) Staff support may be provided for working groups
- (F) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act)

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order, or some other parliamentary rules adopted by CAC, shall govern CAC in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which CAC or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

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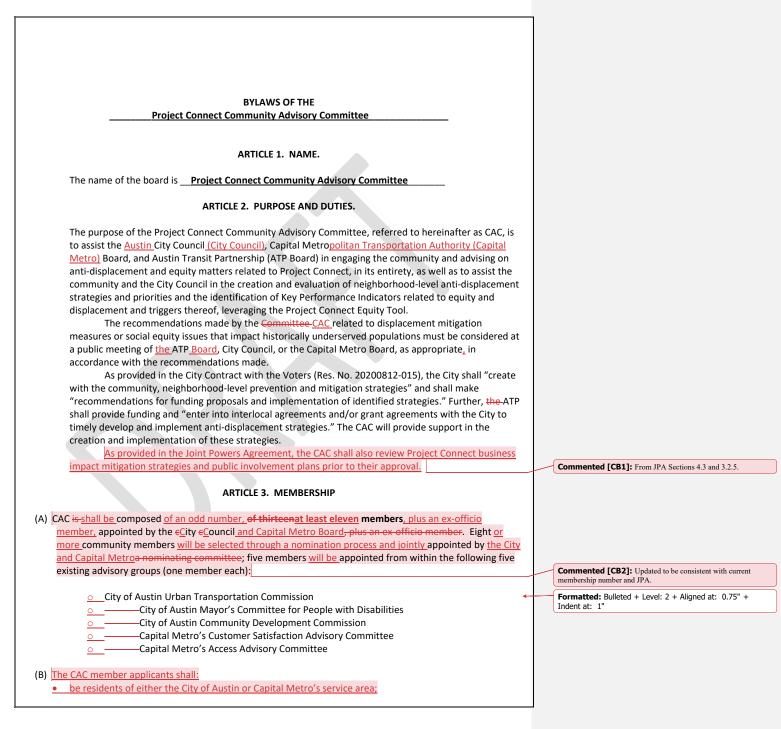
An amendment of these bylaws may be made at any properly called meeting by CAC, with the approval by a super majority (two-thirds) of CAC members. A bylaws amendment is not effective unless approved by the City Council, ATP Board, and Capital Metro Board.

These bylaws were approved by the Project Connect Community Advisory Committee at their meeting held

on _____.

(Signature of Executive or Staff Liaison)

(Insert – Title -- Executive or Staff Liaison)



 have interests and experience that will assist the CAC in developing recommendations on community engagement and equity matters related to Project Connect; 	
 not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or 	
who is employed by a person registered or required to register under City Code Chapter 4-8;	
 not be an employee of the City of Austin, Capital Metro, or ATP; and 	
 not have a contract for real property, goods or services with the City of Austin, Capital Metro, or ATP, or 	
be employed by such a contractor.	Commented [CB3]: From COA/CMTA ILA Amendment.
(C) CAC members serve for a term of two years beginning July 1 st on the year of appointment. In the event of a	
vacancy or vacancies in the CAC, the remaining members may nominate an individual or individuals to be	
considered by the Nominating Committee as part of the Nominating Committee's process to fill the vacancy. The vacancy will be filled in the same manner and with similar requirements as the initial	
committee members, with approval required by the City Council and Capital Metro. The term of a member	
appointed to fill an unexpired term shall expire on the expiration date of the term of the member being	
filled.	Commented [CB4]: From COA/CMTA ILA Amendment.
mea.	
(CD) An individual CAC member may not act in an official capacity except through the action of CAC.	
(DE) A CAC member who is absent for three consecutive regular meetings or one-third of all regular meetings in	
a "rolling" twelve-month timeframe automatically vacates the member's positions subject to the holdover	
provisions in Section 2-1-27 of the City Code; however, at the discretion of CAC, extenuating circumstances	
on a case-by-case basis, may be considered. This provision does not apply to an absence due to illness or	
injury of the member, an illness or injury of a member's immediate family, active military service, or the	
birth or adoption of the member's child for 90 days after the event. A CAC member must notify the City	
and ATP staff liaison of the reason for the absence not later than the date of the next regular meeting of	
CAC. Failure to notify the liaison before the next regular meeting will result in an unexcused absence.	
(EF) At each meeting, each CAC member shall sign an attendance sheet which indicates that the member does	
not have a conflict of interest with any item on that agenda or identifies each agenda item on which the	
member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent	
and his/her votes are not counted.	
(G) All members shall abide by the ATP Ethics, Conflicts, and Nondisclosure Policy, as amended.	Commented [CB5]: COA/CMTA ILA Amendment requires the bylaws to include ethics standards for members.
	Cymrs to monde canos standards for monocist
(HF) A member who seeks to resign from CAC shall submit a written resignation to the chair, the staff liaison, or	
the city clerk's office. If possible, the resignation should allow for a thirty-day notice, so a replacement is	
secured.	
(I) To the extent any member needs access to or to be provided with reimbursement for transportation or marks or requires entires for children accesses to participate in Committee activities, they shall contract	
meals, or requires options for childcare necessary to participate in Committee activities, they shall contact	
the City staff liaison for accommodations.	Commented [CB6]: City requirement from COA/CMTA ILA
	Amendment.
	Amendment.
ARTICLE 4. OFFICERS.	Amendment.
ARTICLE 4. OFFICERS.	Amendment.
ARTICLE 4. OFFICERS. (A) The officers of CAC shall consist of a chair, a vice chair, and a secretary.	Amendment.
	Amendment.
	Amendment.

- (B) Officers shall be elected annually by a majority vote of CAC at the first regular meeting after July 1st. In the event a current officer becomes ineligible to serve as an officer, CAC may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning July 1st and ending June 30th. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of CAC for more than two consecutive one-year terms. A person who has served as an officer in a designated position of CAC for two consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. CAC, at its discretion, may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized CAC members.

(D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

(A) The Chair shall preside at CAC meetings, and represent CAC at ceremonial functions.

(B) The Chair and vice chair will appoint all committees and approve each final meeting agenda.

(C) In the absence of the chair, the Vice-Chair shall perform all duties of the chair. In the absence of the Chair and Vice-Chair, the Secretary shall perform all duties of the chair.

(D) The Secretary shall ensure that the integrity of the minutes are kept. (The Secretary shall monitor the timely completion of meeting summaries of the board's meetings.) A brief description of the new officers' duties to be included here.

ARTICLE 6. AGENDAS.

- (A) Two or more CAC members may place an item on the agenda by oral request at a meeting of the CAC, or written request to the officers, and board liaison, at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the officers shall approve each final meeting agenda.
- (B) CAC liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

(A) CAC meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(B) CAC meetings shall be governed by Robert's Rules of Order, or some other parliamentary procedure adopted by the CAC.

(C) CAC may not conduct a closed meeting without the approval of the city attorney.

(D) CAC shall meet monthly or when it is legally required to meet, in order to comply with a legal deadline. In November of each year, CAC shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.		
(E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. CAC may not call a meeting in addition to its regularly scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline, or a deadline established by Council.		
(F) Seven <u>A majority of</u> members constitute <u>s</u> a quorum.		Commented [CB7]: Changed to be consistent with updated membership number.
(G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.		·
(H) To be effective, CAC action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.		
(I) If only a quorum is present at a meeting, a board action is adopted by an affirmative vote of two-thirds of the quorum. If more than a quorum is present at a meeting, CAC action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.		
(J) The chair has the same voting privilege as any other member.		
(K) CAC shall allow citizens to address it on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.		
(L) The staff liaison, shall prepare the minutes from each meeting. The minutes of each CAC meeting must include the vote of each member on each item before CAC and indicate whether a member is absent or failed to vote on an item.		
(M) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The Housing and Planning Department shall retain all CAC documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).		
(N) The chair shall adjourn a meeting not later than 10 p.m., unless CAC votes to continue the meeting.		
(O) Each person and CAC member attending a meeting should observe decorum pursuant to Section 2- <u>1-48 of</u> the City Code.	-(Formatted: Font: (Default) Calibri, 11 pt
(P) A member of the public may not address CAC at a meeting on an item posted as a briefing.		
(Q) CAC will be supported by ATP and the City staff liaisons.		Commented [CB8]: From JPA Section 3.2.7.
(R) CAC may appoint delegates to attend ATP Technical Advisory Committee meetings on behalf of the CAC.		Commented [CB9]: From JPA Section 3.2.7.
(S) CAC meetings shall be recorded and held in locations publicly accessible or virtually, as determined by the	-	Formatted: Indent: Left: 0", First line: 0"
CAC.		Commented [CB10]: From JPA Section 3.2.7.

ARTICLE 8. SUBCOMMITTEES / WORKING GROUPS.

COMMITTEES

(A) The Project Connect Community Advisory Committee, CAC, will have no <u>sub</u>committees, <u>unless approved in</u> <u>accordance with subsection (B)</u>.

(B) <u>A sub</u>C_committee may be established at the discretion of CAC by an affirmative vote. A <u>sub</u>committee cannot meet until its creation is approved by the <u>City</u> Council <u>Audit and Finance Committee</u>, <u>ATP Board</u>, <u>and</u> <u>Capital Metro Board</u>. Each <u>sub</u>committee shall consist of at least three CAC members appointed by the chair. A <u>City</u> staff member shall be assigned to each <u>sub</u>committee by the director of the <u>City's</u> Housing and Planning Department.

- (C) CAC chair shall appoint a member as the subcommittee chair, with the member's consent.
- (D) A majority of the total number of appointed <u>sub</u>committee members constitutes a quorum.
- (E) Each subcommittee shall meet on a regularly scheduled basis at least quarterly.
- (F) Each subcommittee shall make an annual report to CAC at the January CAC meeting.

(G) <u>Sub</u>Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

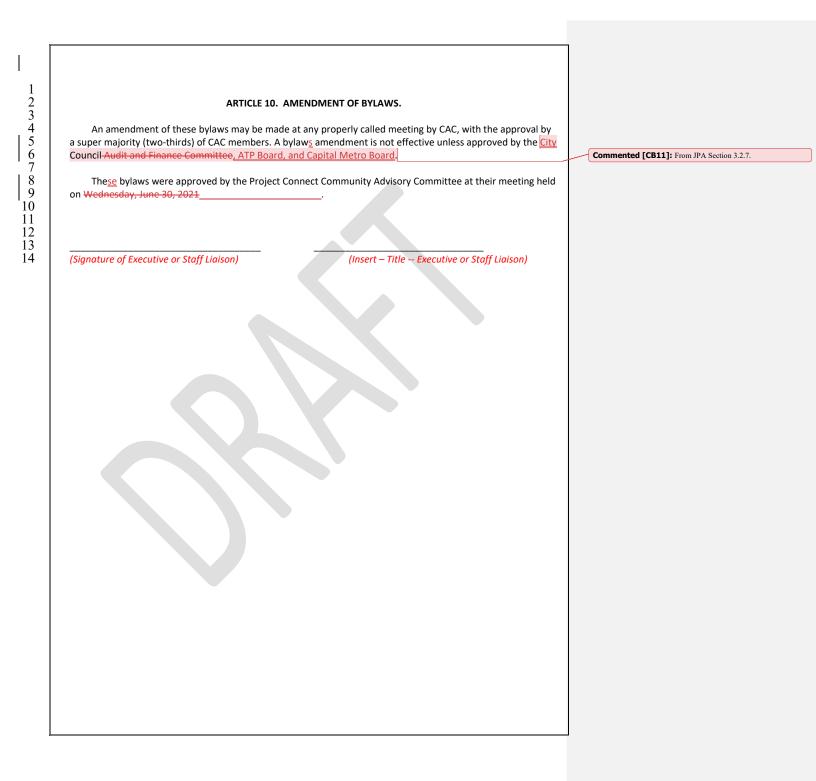
(H) At each <u>sub</u>committee meeting, <u>sub</u>committee members shall sign a no conflict-of-interest statement as it related to any item on the <u>sub</u>committee meeting agenda or identify each agenda item where he/she has a conflict of interest.

WORKING GROUPS

- (A) CAC can determine the size of a working group but the number of CAC members serving on the working group cannot equal or exceed a quorum of CAC.
- (B) A working group may be established at the discretion of the chair. CAC chair shall appoint members to the working group, with the members' consent.
- (C) A working group may designate a chair, with the member's consent, but it is not required to do so.
- (D) Quorum requirements do not apply to working groups
- (E) Staff support may be provided for working groups
- (F) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act)

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order<u>, or some other parliamentary rules</u> adopted by CAC, shall govern CAC in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which CAC or city council may adopt.



ACTION ITEM 3:

Adoption of Technical Advisory Committee Charter Amendments





Subject: Adoption of amendments to the Charter Statements for each of the following Technical Advisory Committees of the Austin Transit Partnership: (i) the Engineering, Architecture and Construction Committee ("EAC"); (ii) the Planning, Sustainability, Equity & DBE Advisory Committee ("PSEC"); and (iii) the Finance and Risk Committee ("FAR").

Fiscal Impact: Does not apply.

Business Case: Does not apply.

Executive Summary: Amendments are necessary to the Technical Advisory Committee ("TAC") Charters for the purposes of: removing the requirement for the TACs to appoint officers; correcting the qualifications for PSEC members; updating the staff liaisons; updating the number of FAR committee members; updating the duties and meeting frequency of the FAR; a requirement of Board liaisons to report to the ATP Board on the work of the respective TAC; and acknowledging that members of the Community Advisory Committees will be appointed to the TACs as delegates.

Responsible Department: Legal

Procurement Summary: Does not apply.



RESOLUTION OF THE AUSTIN TRANSIT PARTNERSHIP BOARD OF DIRECTORS

STATE OF TEXAS

COUNTY OF TRAVIS

Resolution ID: ATP-2022-001

Adoption of Amendments to the Technical Advisory Committee Charters

WHEREAS, the Austin Transit Partnership ("ATP") is a local government corporation organized jointly by the City of Austin ("City") and Capital Metropolitan Transportation Authority ("Capital Metro") pursuant to Chapter 431, Subchapter D of the Texas Transportation Code, as amended; and

WHEREAS, the ATP Board of Directors has created three technical advisory committees to advise the Board with respect to the implementation of the Project Connect Program in the fields of (i) engineering and architecture (Engineering, Architecture and Construction Committee), (ii) planning, sustainability, equity and DBE (Planning, Sustainability, Equity & DBE Advisory Committee), and (iii) finance and risk (Finance and Risk Committee); and

WHEREAS, the ATP Technical Advisory Committee Charters are in need of for purposes of: removing the requirement for the TACs to appoint Officers; correcting the qualifications for PSEC members; updating the staff liaisons; updating the number of FAR committee members; updating the duties and meeting frequency of the FAR; a requirement of board liaisons to report to the ATP Board; and acknowledging that Community Advisory Committees will be appointed to the TACs as delegates.

NOW, THEREFORE, BE IT RESOLVED that the ATP Board of Directors has reviewed and approved the Technical Advisory Committee Charters, as amended, attached hereto as <u>Exhibit A</u>.

Casey Burack	
Secretary of the Board	

Date: _____

<u>Exhibit A</u>



Engineering, Architecture, Construction

Committee (EAC)

Purpose

To advise the Austin Transit Partnership Board on matters related to technical engineering, architecture and construction issues.

Composition

The EAC will be composed of no less than five (5) and no more than (9) members.

Community Member applicants:

- Shall be residents of either the City of Austin or Capital Metro's service area
- Shall not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8
- Shall not be an employee of the City, Capital Metro, or ATP
- Shall not have a contract for real property, goods or services with the City, Capital Metro, or the Joint LGC, or be employed by such a contractor

Candidates will be selected based on professional and lived experience related to urban planning, design, architecture, engineering and construction.

Other considerations include geographic representation as it relates to the proposed transit plans as well as a diversity of viewpoints.

Terms of Service

Members of the Committee shall serve for a term of at least two (2) years. In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the ATP Board.

Meetings

The EAC will meet once a month, with additional meetings to be scheduled as needed.

Duties

The EAC shall provide input to help inform decisions and actions of the ATP Board and staff regarding the processes associated with engineering, architecture and construction of the Project Connect program.

Board Liaison

• ATP Board Chair Veronica Castro de Barrera

Staff Liaisons

• Chief of Architecture & Urban Design Peter Mullan

Community Advisory Committee Delegate

The Project Connect Community Advisory Committee may appoint one or more delegates to attend and participate in EAC meetings.

Staff Duties

Staff will develop agendas and programming for EAC meetings, follow up and report on action items and facilitate communications with committee members.



Planning, Sustainability, Equity & DBE Advisory

Committee (PSEC)

Purpose

To advise the Austin Transit Partnership Board on matters related to community planning and sustainability, equity involving Disadvantaged Business Enterprises and program equity. Focus on DBE and local business support programs, community planning and engagement, program equity, urban design, accessibility, and environmental programs.

Composition

The PSEC will be composed of no less than five (5) and no more than (9) members.

Community Member applicants:

- Shall be residents of either the City of Austin or Capital Metro's service area
- Shall not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8
- Shall not be an employee of the City, Capital Metro, or ATP
- Shall not have a contract for real property, goods or services with the City, Capital Metro, or the ATP, or be employed by such a contractor

Candidates will be selected based on professional and lived experience related to DBE & local business support programs, community planning & engagement, program equity, urban design, accessibility, and environmental programs. Other considerations include geographic representation as it relates to the proposed transit plans as well as a diversity of viewpoints

Terms of Service

Members of the Committee shall serve for a term of at least two (2) years. In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the ATP Board.

Meetings

The PSEC will meet once a month, with additional meetings to be scheduled as needed.

Duties

The PSEC shall provide input to help inform decisions and actions of the ATP Board and staff regarding DBE & local business support programs, community planning & engagement, program equity, urban design, accessibility, and environmental programs.

Board Liaison

• ATP Board Vice Chair Dr. Colette Pierce Burnette

Staff Liaisons

- Chief of Architecture & Urban Design Peter Mullan
- Director of Community Engagement & Involvement Jackie Nirenberg

Community Advisory Committee Delegate

The Project Connect Community Advisory Committee may appoint one or more delegates to attend and participate in FAR meetings.

Staff Duties

Staff will develop agendas and programming for PSEC meetings, follow up and report on action items and facilitate communications with committee members.



Finance & Risk Advisory Committee (FAR)

Charter

Purpose

To advise the Austin Transit Partnership Board on financial and risk management matters.

Composition

The FAR will be composed of no more than seven (7) members.

Community Member applicants:

- Shall be residents of either the City of Austin or Capital Metro's service area
- Shall have interests and experience that will assist the Committee in developing recommendations on community engagement and equity matters related to Project Connect
- Shall not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8
- Shall not be an employee of the City, Capital Metro, or ATP
- Shall not have a contract for real property, goods or services with the City, Capital Metro, or the ATP, or be employed by such a contractor

Candidates will be selected based on professional and lived experience related to finance and/or risk analysis.

Terms of Service

Members of the Committee shall serve for a term of at least two (2) years. In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the ATP Board.

Meetings

The FAR will meet once a quarter, with additional meetings to be scheduled as needed.

Duties



The FAR shall provide advice to help inform decisions and actions of the ATP Board and staff including, but not limited to matters that include: capital management, risk management, budgets, insurance, treasury management, internal audit, procurement, advisory services selection, grants management and real estate related matters.

Reporting

The Board Liaison shall verbally report to the board of directors on the agenda of the FAR meeting and committee recommendations.

Board Liaison

• ATP Board Member Tony Elkins

Staff Liaison

• ATP Budget Analyst Jamie Atkinson

Community Advisory Committee Delegate

The Project Connect Community Advisory Committee may appoint one or more delegates to attend and participate in FAR meetings.

Staff Duties

Staff will develop meeting agendas and programming for FAR meetings, follow up and report on action items and facilitate communications with committee members.



Engineering, Architecture, Construction Committee (EAC)

Draft Charter

Purpose

To advise the Austin Transit Partnership Board on matters related to technical engineering, architecture, and construction issues.

Composition

The EAC will be composed of no less than five (5) and no more than (9) members.

Community Member applicants:

- Shall be residents of either the City of Austin or Capital Metro's service area
- Shall not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8
- Shall not be an employee of the City, Capital Metro, or ATP
- Shall not have a contract for real property, goods or services with the City, Capital Metro, or the Joint LGC, or be employed by such a contractor

Candidates will be selected based on professional and lived experience related to urban planning, design, architecture, engineering, and construction.

Other considerations include geographic representation as it relates to the proposed transit plans as well as a diversity of viewpoints.

Terms of Service

Members of the Committee shall serve for a term of at least two (2) years. In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the ATP Board.

Officers

The EAC will elect a Chair, Vice Chair and Secretary who will serve two (2) years in these rolesand be responsible for the following:



- Chair Shall lead meetings using parliamentary procedure
- Vice Chair Shall lead meetings when Chair is unavailable
- Secretary Shall take meeting minutes and distribute to members with staff assistance

Meetings

The EAC will meet once a month, with additional meetings to be scheduled as needed.

Duties

The EAC shall provide input to help inform decisions and actions of the ATP Board and staff regarding the processes associated with engineering, architecture, and construction of the Project Connect program.

Board Liaison

• ATP Board Chair Veronica Castro de Barrera

Staff Liaisons

- Chief Program Officer Dave Couch
- Deputy Program Officer John Rhone
- Chief of Architecture & Urban Design Peter Mullan

Community Advisory Committee Delegate

The Project Connect Community Advisory Committee may appoint one or more delegates to attend and participate in EAC meetings.

Staff Duties

Staff will develop agendas and programming for EAC meetings, follow up and report on action items and facilitate communications with committee members.



Finance and Risk Advisory Committee (FAR)

Draft Charter

Purpose

To advise the Austin Transit Partnership Board on financial matters and risk analysis.

Composition

The FAR will be composed of no more than seven (7)

members five (5) members.

Community Member applicants:

- Shall be residents of either the City of Austin or Capital Metro's service area
- Shall not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8
- Shall not be an employee of the City, Capital Metro, or ATP
- Shall not have a contract for real property, goods or services with the City, Capital Metro, or the ATP, or be employed by such a contractor

Candidates will be selected based on professional and lived experience related to finance and/ or risk analysis.

Terms of Service

Members of the Committee shall serve for a term of at least two (2) years. In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the ATP Board.

Officers

The FAR will elect a Chair, Vice Chair and Secretary who will serve two (2) years in these roles and be responsible for the following:

- Chair Shall lead meetings using parliamentary procedure
- Secretary Shall take meeting minutes and distribute to members with staff assistance



Meetings

The FAR will meet once a <u>quartermonth</u>, with additional meetings to be scheduled as needed.

Duties

The FAR shall provide input to help inform decisions and actions of the ATP Board and staffregarding the processes associated with processes associated with finance and risk analysis_ including, but not limited to matters that include: capital management, risk management, budgets, insurance, treasury management, internal audit, procurement, advisory services selection, grants management and real estate related matters.

Reporting

The Board Liaison shall verbally report to the Board of Directors on the agenda of the FAR meeting and committee recommendations.

Board Liaison

• ATP Board Member Tony Elkins

Staff Liaison

<u>ATP Budget Analyst Jamie Atkinson Chief Financial Officer Greg Canally</u>

Community Advisory Committee Delegate

The Project Connect Community Advisory Committee may appoint one or more delegates to attend and participate in FAR meetings.

Staff Duties

Staff will develop meeting agendas and programming for FAR meetings, follow up and report on action items and facilitate communications with committee members.



Planning, Sustainability, Equity & DBE Advisory Committee (PSEC)

Draft Charter

Purpose

To advise the Austin Transit Partnership Board on matters related to community planning and sustainability, equity, involving Disadvantaged Business Enterprises and program equity. Focus on DBE and local business support programs, community planning and engagement, program equity, urban design, accessibility, and environmental programs.

Composition

The PSEC will be composed of no less than five (5) and no more than (9) members.

Community Member applicants:

- Shall be residents of either the City of Austin or Capital Metro's service area
- Shall not be a person who is registered or required to register as a lobbyist under City Code Chapter 4-8 or who is employed by a person registered or required to register under City Code Chapter 4-8
- Shall not be an employee of the City, Capital Metro, or ATP
- Shall not have a contract for real property, goods or services with the City, Capital Metro, or the ATP, or be employed by such a contractor

Candidates will be selected based on professional and lived experience related to urbanplanning, design, architecture, engineering and construction related to DBE & local business support programs, community planning & engagement, program equity, urban design, accessibility, and environmental programs.-

Other considerations include geographic representation as it relates to the proposed transit plans as well as a diversity of viewpoints.

Terms of Service

Members of the Committee shall serve for a term of at least two (2) years. In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the ATP Board.



Officers

The PSEC will elect a Chair, Vice Chair and Secretary who will serve two (2) years in theseroles and be responsible for the following:

- Chair Shall lead meetings using parliamentaryprocedures
- Vice Chair Shall lead meetings when Chair is unavailable
- Secretary Shall take meeting minutes and distribute to members with staff assistance

Meetings

The PSEC will meet once a month, with additional meetings to be scheduled as needed.

Duties

The PSEC shall provide input to help inform decisions and actions of the ATP Board and staff regarding on DBE & local business support programs, community planning & engagement, program equity, urban design, accessibility, and environmental programs.

Board Liaison

• ATP Board Vice Chair Dr. Colette Pierce Burnette

Staff Liaisons

- Chief of Architect & Urban Design Peter Mullan
- Director of Community Engagement & Involvement Jackie Nirenberg

Community Advisory Committee Delegate

<u>The Project Connect Community Advisory Committee may appoint one or more delegate to attend and participate in PSEC meetings.</u>

Staff Duties

Staff will develop agendas and programming for PSEC meetings, follow up and report on action items and facilitate communications with committee members.

ACTION ITEM 4:

Approval of resolution awarding a Commercial, Risk and Project Delivery Services Contract to Ernst & Young Infrastructure Advisors, LLC for a four-year term in an amount not to exceed \$17,000,000





SUBJECT: Approval of a resolution authorizing the Austin Transit Partnership ("ATP") Executive Director, or their designee, to execute a contract with Ernst & Young Infrastructure Advisors, LLC for commercial, risk and project delivery services for a period of four years in an amount not to exceed \$17 million.

FISCAL IMPACT: Funding for the first year is available in the approvedFY 2021-22 Approved Budget; funding for the remaining three years of the contract are contingent on future funding.

DBE GOAL: The DBE goal set for the overall contract is 12%. ATP will monitor and report on goal attainment for this contract. In addition, ATP will encourage and work with the vendor to identify additional subcontracting opportunities that may allow the firm to exceed the stated goal.

RESPONSIBLE DEPARTMENT: Finance.

EXECUTIVE SUMMARY: This resolution is for authorization to permit ATP's Executive Director, or their designee, to execute a contract with Ernst & Young Infrastructure Advisors, LLC for commercial, risk and project delivery services in support of Project Connect to include: (i) Project Delivery Methods Advisory Services; (ii) Procurement Advisory Services; (iii) Financial Services; (iv) FTA Support Services; and (v) other Miscellaneous Services. The firm will serve as a key business advisor to ATP in developing the optimal delivery model for the Orange Line and Blue Line and potential future commuter rail services on the Green Line for Project Connect.

Ernst & Young Infrastructure Advisors, LLC was chosen through a competitive request for proposals process. Three firms responded and the recommended firm was the highest evaluated firm based on the following evaluation criteria: (i) Project personnel Qualifications; (ii) Work Plan, or Demonstrated Understanding of Scope & Project Connect; and iii) DBE—Firm Composition/Subcontracting Opportunities/Equity.

The exact amount of the contract will depend on the work performed through the issuance of specific task orders, but the total amount of all such task orders shall not exceed \$17 million for the four-year base contract term. Four (4) one year options will be available, but would be brought back to the Board for approval.



RESOLUTION OF THE AUSTIN TRANSIT PARTNERSHIP BOARD OF DIRECTORS

STATE OF TEXAS

COUNTY OF TRAVIS

Resolution ID: ATP-2022-003 Contract Award for Commercial, Risk and Project Delivery Services

WHEREAS, the Austin Transit Partnership ("ATP") Board of Directors recognizes the need to procure the services of a qualified firm to provide commercial, risk and project delivery services in support of the implementation of Project Connect; and

WHEREAS the ATP Board of Directors desires to ensure industry best practices and standardized organizational practices for the implementation of Project Connect; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ATP that the Executive Director, or their designee, is authorized to execute a contract with Ernst & Young Infrastructure Advisors, LLC for commercial, risk and project delivery services for a period of four years in an amount not to exceed \$17 million.

Date: _____

Casey Burack Secretary of the Board

DISCUSSION ITEMS:

FY2021 Q4 Financial Report



FY21 Fund and Reserve Summary

\$ Million	Budget	Estimated	Actuals*
Balance from Prior Year	\$0.0	\$0.0	\$0.0
Revenue	\$209.7	\$216.0	\$215.7
Expenses	\$96.9	\$72.2	\$45.1
Ending Balance	\$112.8	\$143.8	\$170.6
Reserves			
Reserved for FY22 Anti-Displacement Investme	nts		\$23.0
Reserved for FY22 Project Commitments			\$134.6
Reserved for Future Project Commitments			\$13.0

Total Reserves

*Actuals are prior to year-end close



\$170.6

FY21 Budget to Actual Significant Variances

- Revenue came in \$6 million over budget due primarily to lower-than-expected delinquency rate; rate was increased by City of Austin beyond historic norms as a hedge against pandemic related economic stress
- Expenditures came in \$51.8 million, or 53%, under budget and \$27.1 million under amount estimated at time of budget in August
 - Most significant variance is that the City of Austin did not expend the \$23 million in Transit Supportive Anti-Displacement Funds as anticipated
 - The \$5 million budgeted for capital contingency was not used
 - Spending on the MetroRapid, Red Line and Neighborhood Circulator projects were significantly under budget and estimate





QUESTIONS/COMMENTS?





То:	Austin Transit Partnership Board of Directors
From:	Diane Siler, Budget Director
Date:	January 12, 2022
Subject:	FY21 Preliminary Financial Report as of September 30, 2021

Attached is the Austin Transit Partnership's (ATP) preliminary quarterly financial report through September 30, 2021. Note that all data included in this report is prior to year-end closing and audit entries, since yearend close activities are ongoing. ATP's audited financial statements are expected to be delivered on time in March of 2022 and will include these final adjustments.

As a reminder, the budget approved on January 20, 2021 was for a nine-month period, so the time period elapsed represents the total length of this shortened fiscal year.

As ATP's budget evolves and grows, the content of the quarterly updates will adjust accordingly. If there is additional financial information that you would be interested in receiving, please let me know.

xc: Randy Clarke, Executive Director Greg Canally, Chief Financial Officer/Chief Development Officer



FY21 Preliminary Financial Report as of September 30, 2021



Contents

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0	Appendix B - Operating Budget vs. Actual	7
0	Appendix C - Capital Projects Budget vs. Actual	8

FY21 Preliminary Financial Report as of September 30, 2021

About the Austin Transit Partnership (ATP) and Project Connect

The Austin Transit Partnership (ATP) is an independent local government corporation with the authority and resources to design, construct, and implement Project Connect. Project Connect is a transformative public transit program that will bring many firsts to Austin. The program, adopted by voters in November 2020, is designed to increase connectivity to more neighborhoods in the Austin metro area and will make Austin one of the most equitable, sustainable, and innovative areas of the country.

The FY21 Approved Budget reflects a nine-month startup period from January 1, 2021 through September 30, 2021. Future budgets will comprise a full year and will begin on October 1 and end on September 30. The annual budget includes budgets for revenue, operating expenditures, and capital expenditures. Contained within the operating budget are administrative expenses and transfers to the City of Austin and Capital Metro for project support. Capital expenditures include the light rail, MetroRapid, Red Line, and other transit projects that are part of Project Connect. Also included in the Capital Budget is the Transit-Supportive Anti-Displacement Investment funds. These three budgets described in more detail in the sections that follow. Further information on budget to actual spending comparisons are available in this document's appendices.

Note that as this is a preliminary financial report, all data is prior to year-end accounting entries and any required audit adjustments. Reallocation of operating expenses into capital projects will occur prior to final year close. Final FY21 results will be reported in the audited financial statements, which is expected to be complete in March 2022.

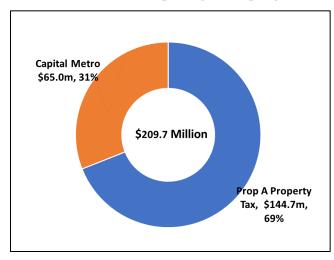
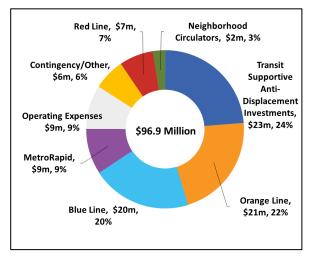


Figure 1: FY21 Approved Revenue Budget by Category

Figure 2: FY21 Approved Expenditure Budget by Category



Revenues

ATP's revenues primarily come from two sources, ATP's share of the City of Austin's ad valorem property tax rate, as approved by the voters with the approval of Proposition A in November 2020, and Capital Metro sales tax revenue. Both ended the fiscal year slightly above budget (Figure 3). Proposition A property tax revenue realized for FY21 was \$4.3 million higher than budgeted due to higher-than-expected new property growth and a lower-than-expected delinquency rate. Due to the pandemic and resulting economic

distress, the property tax delinquency rate was increased beyond historic norms, however collection rates remained stable.

In anticipation of advancing Project Connect, Capital Metro budgeted \$73 million in FY21. Because ATP's operations started mid-year, Capital Metro anticipating spending \$8 million of those funds directly in support of Project Connect during the first 3 months of the fiscal year. The \$66.7 million transferred is the unspent balance of the original \$73 million budget.

Figure 3: Revenues by Source though September 30, 2021 (in millions)

Source	Budget	Estimate	Actual
Proposition A Property Tax	\$144.7	\$149.3	\$149.0
Capital Metro Project Connect Funds	\$65.0	\$66.7	\$66.7
Total	\$209.7	\$216.0	\$215.7

Expenditures

Of the total \$96.9 million annual budget (see Figure 2) a total of \$45.1 million, or 46.5%, was expended through September 30, 2021 (Figure 4). In summary, \$7.3 million was spent on operating expenses, the majority to cover personnel. The remaining \$37.8 million was expended on Project Connect capital projects. The most significant variance is that the City of Austin did not expend the \$23 million in Transit Supportive Anti-Displacement Funds as anticipated. Additionally, the \$5 million budgeted for capital contingency was not used.

Figure 4 also shows the impact of reallocating \$65 million in administrative expenses out of the Operating Budget and into the Capital Budget. ATP as an entity was created with a specific purpose: to oversee and finance the acquisition, construction, equipping, and operations and maintenance for the transit system; and financial the transit-support anti-displacement strategies related to Project Connect. As such, the majority of the costs related to operating ATP, including staff, contracts, facility leases, office supplies, and staff development, are run through an allocation plan and apportioned to those projects for which they support. ATP uses a simplified allocation procedure that is in alignment with the Federal government's Office of Management and Budget guidance. Costs have been allocated to each project based on a proportionate share of the total expenditures incurred by these projects.

Categories	Budget	Estimate	Actuals*	Reallocation	Revised Actuals*
Orange Line	\$20.9	\$19.8	\$16.0	\$2.8	\$18.8
Blue Line	19.7	18.2	15.9	2.8	18.7
MetroRapid	9.1	3.9	3.4	0.5	3.9
Red Line	6.0	3.2	2.3	0.4	2.7
Neighborhood Circulators	2.4	2.6	0.2	0.0	0.2
Operating Expenses	9.5	0.3	7.3	(6.5)	0.8
Transit Supportive Anti-Displacement Investments	23.0	23.0	0.0	0.0	0.0
Contingency/Other	6.3	1.2	0.0	0.0	0.0
Total	\$96.9	\$72.2	\$45.1	\$0.0	\$45.1

Figure 4: Expenditures by Category through September 30, 2021 (in millions)

*Actuals are prior to year-end close

In Fiscal Year 2021, several Project Connect projects reached major milestones in development:

- <u>Light Rail projects</u> The backbone of Project Connect is a light rail system consisting of two primary lines. The Orange Line starts at the North Lamar Transit Center, travels south through downtown and along South Congress Avenue to Stassney Lane. The Blue Line will travel from downtown, through Travis Heights, and east on Riverside Drive to Austin-Bergstrom International Airport.
 - o Completed 15% design plans
 - Initiated the NEPA process to prepare two Environmental Impact Statements (EISs), including data collection and analysis for a wide variety of resource areas and the development of coordination plans
 - Implemented comprehensive public engagement to provide on scoping for NEPA and 15% design plans
 - Obtained FTA approval to enter Project Development phase of the Capital Investment Grants (CIG) program
- <u>MetroRapid</u> Project Connect includes four new MetroRapid routes to enhance frequency. The plan also envisions a zero-emissions bus fleet, and the agency has already completed an electric bus charging yard in North Austin.
 - o Completed 30% design plans and associated cost estimates
 - Completed NEPA clearance with FTA approval of Categorial Exclusion
 - o Ongoing public outreach and coordination with stakeholders
- <u>Red Line Improvements</u> Enhancements on the Red Line are also scheduled, with additional track planned to increase capacity and safety, as well as new stations, including a station at Q2 Stadium that will open in 2023.
 - Completed 30% design for McKalla Station
 - Released Design/Build solicitation for McKalla station
- <u>Neighborhood Circulators</u> On-demand pickup and drop-off service within geographic zones offer connections into the transit system.
 - 3 new pickup zones added to Capital Metro's Neighborhood Circulator program for a total of 10 neighborhoods served

Ending Balance

This report reflects updated current year expenditure and revenue totals, which combined result in ATP accounts projected to end the year \$54.8 million above budgeted levels and \$23.8 million above the estimate provided at time of FY22 budget adoption. As a reminder, ATP had anticipated and budgeted for a surplus of revenues to expenditures in the early stages of Project Connect in order to fund start-up activities and project development prior to receipt of grants or issuances of debt. Of the \$167.6 million in Ending Reserve Balance (Figure 5), \$23 million has been included in the \$65 million in total funds appropriated to reimburse the City for anti-displacement efforts, and an additional \$134.6 million was appropriated for FY22 project and operating expenses incurred by both ATP and Capital Metro.

Figure 5: Fund & Reserve Summary

\$ Million	Budget	Estimate	Actuals*
Revenues	\$209.7	\$216.0	\$215.7
Proposition A Property Tax	144.7	149.3	149.0
Capital Metro Project Connect Funds	65.0	66.7	66.7
Expenses	96.9	72.2	45.1
Operating Expenses	8.7	2.6	7.3
Capital Expenses	65.2	46.6	37.8
Transit Supportive Anti-Displacement Investments	23.0	23.0	0.0
Ending Balance	112.8	143.8	170.6
Reserves			
Reserved for FY22 Anti-Displacement Investments			23.0
Reserved for FY22 Project Commitments			134.6
Reserved for Future Project Commitments			13.0
Total Reserves	\$112.8	\$143.8	\$ 170.6

*Actuals are prior to year-end close

Appendices

- o Appendix A Revenue Budget vs. Actual
- o Appendix B Operating Budget vs. Actual
- Appendix C Capital Projects Budget vs. Actual



Revenue Budget vs. Actual

For the Months Ending September 30, 2021

	YTD Actuals	Approved Budget	Remaining	%
Revenue	Sep-2021	FY-2021	Budget	of Budget
Proposition A Property Tax	148,976,837	144,700,746	(4,276,091)	102.96%
Capital Metro Project Connect Funds	66,749,749	65,000,000	(1,749,749)	102.69%
Parking Spaces for Rent	6,690	0	(6,690)	0.00%
Total	\$215,733,276	\$209,700,746	(\$6,032,530)	102.88%

Note:

Data prior to year-end closing entries.



Operating Budget vs. Actual

For the Months Ending September 30, 2021

Prior to Allocation to Capital Projects

	YTD Actuals	Approved Budget	Remaining	%
Expenses	Sep-2021	FY-2021	Budget	of Budget
Salaries & Wages	2,471,572	1,376,283	(1,095,289)	179.58%
Fringe Benefits	773,535	1,342,885	569,349	57.60%
Services	1,857,741	4,333,903	2,476,162	42.87%
Supplies & Materials	31,204	33,186	1,981	94.03%
Utilities	1,520	1,155	(365)	131.60%
Casualty & Liability	29,673	100,000	70,327	29.67%
Tax Expense	0	10,353	10,353	0.00%
Transfer for CMTA Operations	0	1,441,157	1,441,157	0.00%
Miscellaneous	321,220	1,006,448	685,228	31.92%
Leases & Rentals	1,796,799	1,186,909	(609,890)	151.38%
Total Expenses	\$7,283,265	\$11,779,362	\$4,496,097	61.83%

Note:

Data prior to year-end closing entries.



Capital Projects Budget vs. Actual

For the Months Ending September 30, 2021 Prior to Allocation of Operating Expenses

	YTD Actuals	Approved Budget	Remaining	%
Projects	Sep-2021	FY-2021	Budget	of Budget
Project Connect - Program Management	\$10,459,004	\$13,148,633	\$2,689,629	79.54%
Project Connect - Orange Line	11,254,383	14,602,008	\$3,347,626	77.07%
Project Connect - Blue Line	11,222,338	13,427,100	\$2,204,763	83.58%
MetroRapid Lines	2,386,528	7,664,274	\$5,277,746	31.14%
MLS Rail Station	2,296,130	2,000,000	(\$296,130)	114.81%
Neighborhood Circulators	173,000	224,943	\$51,944	76.91%
Red Line – Lakeline-Leander Siding	0	3,000,000	\$3,000,000	0.00%
Design Project Connect Facilities	0	1,040,000	\$1,040,000	0.00%
Broadmoor Rail Development	0	1,000,000	\$1,000,000	0.00%
Green Line	0	784,329	\$784,329	0.00%
New Entity in Dynamics AX System	0	220,000	\$220,000	0.00%
Transit Supportive Investments	0	23,000,000	\$23,000,000	0.00%
Contingency	0	5,000,000	\$5,000,000	0.00%
Total	\$37,791,382	\$85,111,287	\$47,319,906	44.40%

Note:

Data prior to year-end closing entries.

EXECUTIVE DIRECTOR'S REPORT

Randy Clarke Executive Director Austin Transit Partnership



EXECUTIVE SESSIONS



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THANK YOU!