



# Agenda - Final revised

## Capital Metropolitan Transportation Authority

### Board of Directors

2910 East 5th Street  
Austin, TX 78702

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**Monday, April 25, 2022**

**9:00 AM**

**Rosa Parks Boardroom**

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This meeting will be livestreamed at [www.capmetrotx.legistar.com](http://www.capmetrotx.legistar.com)

Items with an \* have been added or revised.

**I. Call to Order:**

**II. Public Comment:**

**III. Advisory Committee Updates:**

1. Customer Satisfaction Advisory Committee (CSAC)
2. Access Advisory Committee
3. Public Service Advisory Committee (PSAC)

**IV. Board Committee Updates:**

1. Operations, Planning and Safety Committee
2. Austin Transit Partnership Update

**V. Consent Items:**

1. Approval of minutes from the March 28, 2022 public hearing and board meeting.
2. Approval of a resolution affirming the Charter Statement for the Operations, Planning and Safety Committee.
3. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with GTS Technology Solutions, Inc. for passenger WiFi technology in an amount not to exceed \$258,326.
4. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an amendment to the Interlocal Agreement (ILA) with the Capital Area Rural Transportation System (CARTS) to clarify ongoing maintenance responsibilities and contribute \$78,834 for additional improvements to the Eastside Bus Plaza (EBP) located at East Cesar Chavez Street and Shady Lane.

5. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Diligent for a Governance, Risk, and Compliance system for a base period of 1 year and 3 option years in an amount not to exceed \$1,537,786.
6. Approval of a resolution authorizing the President & CEO, or his designee, to modify the KPMG, LLC contract # 200611 for Enterprise Resource Planning (ERP) Consulting services, increasing the previous Board authorized amount by \$593,980, plus a contingency amount of \$750,000, for the addition of two technical resources to work on integrations, security and workflows within the Oracle Enterprise Resource Planning (ERP) system for a new not-to-exceed amount of \$4,384,356.
7. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Jay-Reese Contractors, Inc. for the McKalla Station Advance Culvert Construction Project for \$3,271,035, plus \$490,656 (15% contingency) for a total not to exceed amount of \$3,761,691.

## **VI. Action Items:**

1. Approval of a resolution authorizing the President & CEO, or his designee, to implement the June 2022 Service Changes.
2. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a Design-Build contract with Modern Railway Systems, Inc. for Positive Train Control (PTC) Optimization, Engineering, Construction and Support Services in an amount not to exceed \$6,000,000.
3. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an agreement regarding Lakeline Park and Ride Improvements (the "Agreement") with Sabot-Lakeline, LLC (Sabot), under which CapMetro will grant licenses to Sabot to improve, maintain and share use of the Lakeline Park and Ride driveway and install related amenities, with the construction of such improvements and amenities being at Sabot's sole cost and expense.
- \*4. Approval of an Amended and Restated Certificate of Formation of the Austin Transit Partnership Local Government Corporation ("ATP"), a Joint Local Government Corporation.
- \*5. Approval of a Resolution Affirming Capital Metro's Commitments and Requirements Related to the Project Connect High-Capacity Transit Expansion Program.

## **VII. Report:**

1. President & CEO Monthly Update

## **VIII. Executive Session of Chapter 551 of the Texas Government Code:**

Section 551.071 for Consultation with an Attorney related to an Amended and Restated Certificate of Formation of Austin Transit Partnership, a Joint Local Government Corporation

Section 551.074 for Personnel Matters related to the Duties of the Capital Metro President & CEO

**IX. Items for Future Discussion:**

**X. 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: Jeffrey Travillion, Chair; Ann Kitchen, Vice Chair; Leslie Pool, Secretary; Terry Mitchell; Becki Ross; Eric Stratton, Wade Cooper 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.*



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2021-189

**Agenda Date:** 3/28/2022

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Customer Satisfaction Advisory Committee (CSAC)

## **Capital Metropolitan Transportation Authority**

### **Customer Satisfaction Advisory Committee (CSAC)**

**Wednesday, April 13<sup>th</sup>, 2022**

**6:00 PM**

#### ***Virtual Presentation***

#### **Attendees:**

CapMetro Employees: Randy Clarke, Sam Sargent, Catherine Walker, Martin Kareithi, Edna Parra, JoAnne Ortiz, Cynthia Lucas, Samantha Alexander, Nadia Barrera-Ramirez, Jacqueline Evans

Committee Members: Besty Greenberg, David Foster, David Shapiro, Fangda Lu, Ruven Brooks, Ephraim Taylor

**6:00 PM**

#### **Welcome / Introductions / Call to Order**

*Ephraim Taylor, CSAC Chair*

**Randy Clarke:** Welcomed and thanked the committee for their work. Spoke about the labor shortage and the future potential fare programs.

#### **Public Communications**

**Ruven Brooks:** On Monday I attended the Campo meeting and Cynthia Long, the chairman of Campo told us that on Williamson County Road projects they were seeing a 20% increase in costs.

**Ephraim Taylor:** I've started riding the bus more with my family, and I've noticed increasing bus cancellations. A cancelled bus is not immediately obvious, so it makes trip planning difficult, and waiting longer at stations is tiresome for some folks.

**David Shapiro:** If someone uses Google Maps for routing, will it show live bus data? If a bus is offline, does GMaps reflect that?

**JoAnne Ortiz:** There are issues with live tracking, but yes, the map can show you live bus locations, though it isn't always reliable, especially if something occurs mid-route.

**Cynthia Lucas:** A problem that we face is mass communication – discussed potential solutions.

## **Stroller Policy – Overview**

*Martin Kareithi, Systemwide Accessibility*

**Martin Kareithi:** CapMetro along with various other transit agencies are taking a new look at existing Stroller Policies and the impact it has on caregivers and persons tending to young stroller bound children. The current policy as it stands says “Strollers must be folded up and the child must be restrained either on the caregiver's lap or the seat beside them. The stroller then must be secured under the supervision of the owner so as not to impede traffic or block any seats from any passenger. We are taking another look at that stroller policy, knowing that that may have. Some impacts, particularly on individuals who have use and who have need of use of the wheelchair securement and their priority seating area. So, we want to make sure that first and foremost we see the need to ensure that individuals, particularly in wheelchairs as well as under other individuals with disabilities, have the same access that they've always maintained to that area. But then how can we do a better job to provide some equitable opportunities?

**David Foster:** What are other transit agencies in the country and the rest of the world doing?

**Martin Kareithi:** NYMTA is in the same spot we are, they are seeking input from their communities, San Francisco's BART has an existing stroller policy. They allow people to board with the full, unfolded stroller. They've allocated space for people with strollers to harbor them for the journey. They use the same securement as a wheelchair, so if a person is sitting in a wheelchair boards, the stroller bound customer must give up their seat to the wheelchair bound individual. Dallas' DART also has an open stroller policy on vehicles when space allows.

**Besty Greenberg:** It seems reasonable to allow the open stroller, though with a [collapsible] stroller you can fold it. If people are going to take the bus, they can be aware to use a collapsible stroller. Though if a person in a wheelchair comes along, the stroller should get folded or taken out of the way. Another point, maybe if we encourage stroller use so more kids are being exposed to the transit system at an early age, they'll grow up to continue using mass transit.

**Ephraim Taylor:** Discussed soft carrier to transport children - another option for people to use on the bus, that doesn't expend too much space on the bus.

## **Transit Speed and Reliability Program Update**

*Nadia Barrera-Ramirez, Cross Agency Programs Transit + Mobility*

### **Agenda:**

1. Transit Speed and Reliability Program Background
2. Bus Stop Optimization
3. Multi-Modal Accommodations at Bus Stops
4. Rubberized Platform Pilot Update
5. Guadalupe at Cesar Chavez

### **Transit Speed & Reliability Program: Background**

- 2015 –
  - CapMetro staff meet bi-monthly with the Austin Transportation Department (ATD) as the Transit Priority Working Group (TPWG)
- 2018 –
  - Interlocal agreement signed between CapMetro and ATD for construction of transit priority and safety projects within the right of way.
- 2020 –
  - Annual Report published, outlining TPWG accomplishments Safety and Mobility Bond includes \$22m for Transit Enhancements
- 2022 –
  - Initiate Transit Enhancement Report

### **Bus Stop Optimization**

- Coordination with multiple programs with similar goals
  - Vision Zero
  - Corridor Program
  - Active Transportation & Street Design
  - Safe Routes to School
  - Bus Stop Maintenance
- Prioritize pedestrian crossings at signalized or enhanced crossing
- Prioritize far-side bus stops.
- Meet Service Guidelines and Standards for stop spacing

### **Rubberized Bus Pad Pilot: Background**

- Pre-Covid 2/2020
  - 13 routes
  - PM Peak: 24-33 buses/hour, or one bus every 2minutes.
  - Average weekday riders: 900 on/420 off = 1,320 total
- September 2020
  - 7 routes (no Night Owls, and only 1 Express)
  - PM Peak: 9 buses/hour, or one bus every 7minutes.
  - Average weekday riders: 100 on/70 off = 170 total
- Heavy peak delay approaching Dean Keeton
  - Buses travel <4 MPH during PM peak with almost a thousand passengers onboard
- Bus stop positioned before the intersection (“near-side”) caused delay for all modes
- Very high pedestrian activity
- Heavy right-turns, northbound vehicles heading to I-35

### **Rubberized Bus Pad Pilot: Approach**

- Partnership between Capital Metro and Austin Transportation Department in January 2021
- Consolidated and relocated the bus stops to the “far-side” of the intersection
- Installed a modular, rubberized platform (Zicla) on Guadalupe at 26th Street:

- Test effectiveness of far-side placement
- Quickly improve accessibility at bus stops
- Resolve conflicts between bikes and buses
- Modular product can be broken down and re-applied at another location after the test

### **Rubberized Bus Pad Pilot: Consolidation + Relocation**

- Consolidated and moved the bus stops to the “far-side” of the intersection to:
  - Improve safety
  - Alleviate right-hook crashes
  - Mitigate traffic congestion
  - Remove bus stop delay for right turners
  - Incorporate best practice for bus operations
  - Improve travel times
  - Retain convenient access to U.T.

### **Pilot Findings: Bus On time Performance**

- No noticeable change in overall On-Time Performance (OTP) for buses
- Changes varied from 25% slower to 15% faster at timepoints adjacent to the project
- Results may reflect changes in travel patterns from the pandemic

### **Pilot Findings: Crashes**

- About a 50% reduction in bus crashes at Guadalupe and Dean Keeton
  - 2018 – 2020: 4 bus-related crashes/year
  - 2021: Only 2 bus-related crashes
  - Any bus crash reduces bus reliability as a report from a supervisor is required before the operator can continue service.
- About a 25% reduction in general-purpose minor severity crashes at this intersection
  - 2018 – 2020: 8 minor crashes/year
  - 2021: Only 6 minor crashes
- While the pilot project occurred during the pandemic, the reduction in crashes is significant, especially in this heavy pedestrian corridor.

**David Foster:** Did you account for less traffic because of the pandemic?

**Nadia Barrera-Ramirez:** We did not, crashes went up during the pandemic. Due to less traffic and higher speeds.

**Besty Greenberg:** Keep collecting the data to build a larger data set. The numbers seem inconclusive and follow the trend of natural traffic variation year over year, instead of an overarching trend in the data.

### **Red Line – Name Background + History**



*Cynthia Lucas, Director of Marketing*

*Sam Sargent, Director of Government Affairs*

- The Red Line was referred to as the starter line prior to 1997. It was the line considered for light rail and streetcar through a series of studies that began in the 1980s. The Starter Line almost made it to a Board of Directors vote in 1993. In December 1994 The Austin Transportation Study (now Campo) adopted a 25-year plan that included, among many features, 52 miles of light rail.
- That adoption later led to a study in 1997 that included four potential light rail lines:
  - Red Line – Using the Austin Northwestern tracks from Leander to Airport Blvd then east through East Austin
  - Green Line – Running down Lamar to Guadalupe, to Colorado then down Congress Avenue to Slaughter lane (Like the current 801)
  - Orange Line – from downtown using the 4th street tracks to Pleasant Valley, Riverside and the airport.
  - Blue Line- Connecting north/south using the MoPac tracks.
- After the failed referendum of 2000, Capital Metro continued its studies and looked at a starter line that used only the Austin Northwestern tracks. The Red Line name was used since it had been applied to the Austin Northwestern segment in the 1997 study.
- The use of colors to denote lines is a popular application in transit.

**Betsy Greenberg:** Understands the sentiment of changing the name. Liked the idea of keeping it “red” but changing the name to another shade of red like, Scarlett, Crimson or Ruby. Discussed that the name change might not lead to real change in systemic racism.

**Sam Sargent:** I’ll make mention that LA’s Line B is still red on their system map, they just changed the name of the line.

**Ruven Brooks:** Discussed the accessibility of the color red and color-blindness.

**David Foster:** Who are the groups of people who are faulting the agency on this matter?

**Sam Sargent:** Community members and action groups like PUMA (People United for Mobility Action) have brought up the issue.

**David Foster:** Talked about engagement and the knowledge of redlining.

**Sam Sargent:** Let the committee know that we are discussing it with community members to make sure that we are taking appropriate action and outreach

**Ephraim Taylor:** I appreciate the seriousness CapMetro is taking with this issue, there’s a lot that goes into branding, marketing, wayfinding so balancing all that and keeping the public contented is a huge endeavor.

## **Potential Fare Programs**

*Edna Parra, Community Engagement Manager*

*Catherine Walker, EVP, Chief Finance and Risk Officer*

## **Agenda:**

1. Fare Strategy Review
2. Update on Account Based Fare Payment System
3. Title VI Analysis & Equity In Action
4. Next Steps & Considerations

## **Fare Strategy Review**

- Desire to make fares more equitable for our community:
- Our lowest income riders are often those who purchase Single Ride passes versus Day or Month passes.
- Our lowest income riders are often those who also depend on our services versus other means of transportation.
- The goal of our fare strategy is to provide progressive fare capping while supporting an equitable means-based fare structure.
- To accomplish our goal, we will be launching

## **Technology Roll Out**

- Virtual smart cards in a new CapMetro App, with an alternative physical smart card:
  - Accommodates all customers with or without a smart phone.
  - Money can be loaded by using a credit card connected to their account or using at a retail network location (250+locations).
  - Initial distribution of physical cards through street teams, community engagement events, and CapMetro Transit Store.
- Customer beta testing in Summer 2022 to assess usability and gather direct customer feedback.

## **Branding and Research**

- CapMetro studied other transit agencies and found a best practice to provide a brand name on the account-based system.
- Good timing to introduce a new brand name with brand refresh in process.
- We conducted surveys and focus groups to gain community input on how to market and brand the new technology platform:
  - Four focus groups were conducted with both English and Spanish language participants, customers & non-customers
  - Online survey sample with 350 adults (ages 18+) responding; the ethnicity of the sample was like the Austin area based on the Census Bureau's (2018) American Community Survey. Results have an error of +/- 4% at a 90% confidence level. The survey was conducted by Dynata; 23% were recent transit customers.
- Based on focus group feedback, the agency is moving forward with the name "Amp" for the account-based fare system.
- Amp name carries many potential creative applications to tie in with music, our investment in electric vehicles, and get our community energized on the value of transit.
- CapMetro will use Amp name to describe and promote the account-based system.
- Customers will use their Amp accounts to pay for fares within the CapMetro App or by using their Amp account smart card.

## Considerations for Potencial Fare Structure

- This new technology can be used to support the agency’s values, which are also shared with the Project Connect program.
- Staff has begun analyzing the benefits of fare capping and introduction of a new Equitable fare category called “Equifare”. These types of programs are already being used by peer transit agencies.
- As fare fee adjustments are considered, these two programs would protect affordability of passes for low-income customers.

## Overview of Fare Types

- Standard
    - The full rate for a transit pass.
  - Reduced
    - 50% off full rate transit pass.
    - Eligible for customers who verify their status in the following groups:
      - Seniors 65 and older\*
      - Medicare card holders\*
      - Active-duty military personnel
      - Riders with disabilities\*
- \*50% rate required by FTA for these categories
- Apply online, at Transit Store, by mail.
  - Status is valid for 2 years. RFID Card costs \$3.
  - Eligible customers must have the RFID Card with them in order to
  - receive the reduced fare.

## Proposed New Fare Type & Eligibility

		CURRENT FARE TYPES		PROPOSED*
	Pass Type	Standard	Reduced	Equifare
Local Bus	Single Ride	\$1.25	\$0.60	\$1.00
	Day Pass	\$2.50	\$1.25	\$2.00
	Month Pass	\$41.25	\$20.60	\$33.00
Commuter Bus + Rail (incl. Local Bus)	Single Ride	\$3.50	\$1.75	\$3.00
	Day Pass	\$7.00	\$3.50	\$6.00
	Month Pass	\$96.25	\$48.10	\$77.00

## EQUIFARE ELIGIBILITY REQUIREMENTS:

Household income less than 200% of Federal Poverty Level or proof of enrollment in one of these programs\*:

- Medicaid Program
- Supplemental Nutrition Assistance Program (SNAP)

- Children's Health Insurance Program (CHIP)
- Telephone Lifeline Program
- Travis County Comprehensive Energy Assistance Program (CEAP)
- Medical Access Program (MAP)
- Supplemental Security Income (SSI)
- Veterans Affairs Supportive Housing (VASH)

\* Same eligibility requirements used for City of Austin Customer Assistance Program utility discounts.

### **Benefits of an Account Based System**

- Amp Cards
  - When a CapMetro customer uses an Amp smart card or virtual card, they can pay for transit passes using the stored value on the card.
  - This also protects the stored value in case the card or phone is lost or stolen.
- Discounted Fare Benefits
  - When a customer registers their Amp card, they will be able to use benefits of discount programs after they have completed the qualification process (i.e., Reduced Fare or Equifare categories).
  - Customers currently using an RFID card for the Reduced fare will use the Amp smart card or virtual card.
- Fare Capping
  - Fare capping would be available on every Amp card, with or without a registered account.
  - With fare capping, customers using an Amp card or account never pay more than the total cost of a Day Pass in a calendar day, or the total cost of a Monthly Pass in a calendar month.

### **Similar Programs at Peer Transit Agencies**

- TriMet Qualifications for Honored Citizen Fare
  - Enrolled in Oregon Health Plan, SNAP or TANF, or if you meet the income requirements (making less than double the federal poverty level)
  - Have a verifiable mental or physical disability
  - Age 65 or older or on Medicare

Source: <https://trimet.org/fares/honoredcitizen.htm>

- DART's Qualifications for Discount GoPass
  - Children's Health Insurance Program (CHIP)
  - Comprehensive Energy Assistance Program (CEAP)
  - DHA Housing Solutions for North Texas
  - Housing Choice Vouchers - Section 8
  - Medicaid
  - Medicare
  - Parkland Financial Assistance
  - Special Supplemental Nutrition Program for Women, Infants and Children (WIC)
  - Supplemental Nutrition Assistance Program (SNAP)
  - Texas Temporary Assistance for Needy Families (TANF)

Source: <https://dartaccess.dart.org/dtappass>

### **Extensive Community Engagement**

- Community-based organizations, community leaders, and local agencies will be necessary for successfully implementing fare technology and the new Equifare program.
- Staff will be working with non-profits and agencies that provide housing, healthcare, education and unhoused services to educate and sign up their clients in person, including organizations like Foundation Communities, Austin Area Urban League, Casa Marianella, ECHO, and many others.

### **What is Title VI Equity Analysis?**

- Only one component in CapMetro's approach to equity.
- Foundation in Title VI of the Civil Rights Act of 1964
  - Prohibits discrimination on the basis of race, color, or national origin
  - CapMetro must ensure that it provides its service without discrimination on the basis of race, color, or national origin.
- Legally required by Federal Transit Administration Title VI Circular 4702.1B
  - Applies to transit providers that have greater than 50 fixed-route vehicles in peak service.
  - Requires agencies to conduct equity analyses on service or fare changes that meet the agency's definition of Major Service Change.
  - Looks for impacts of a service or fare change that may be borne disproportionately by minority or low-income populations.

### **Title VI Analysis Underway**

- Required when there's any potential changes to fare structures.
- Four Nines Technology is conducting a Fare Equity Analysis for all the potential changes to CapMetro's fare products, prices, media distribution and other associated elements to determine whether the changes will result in discriminatory impacts to minority or low-income populations.
- The results of the analysis will be shared publicly before CapMetro staff proposes fare structure changes for Board approval.

### **Equity Review and Additional Engagement**

- Gathering input from Board Advisory Committees and DEI Advisory Group in April and May.
- Conducting Virtual Meetings
- Meeting with staff at COA, Travis County and partner cities to gain input on the process for verifying customer eligibility for Equifare program.
- Direct engagement with customers on transit, and activations and monthly "Meet CapMetro" events.
- Begin discussions with social service organizations on how to engage their clients in the enrollment process.
- Explore database integrations for online eligibility verification to potentially reduce the manual process.

### **Advancing Our Fare Strategy**

- Our transit system expansion plan, Project Connect assumes fare structure changes, with the cost of fares changing along with ridership increases needed to support the program funding model.
- The Equifare rate ensures that as fares adjust over the years that costs for transit passes remains affordable for our low-income customers.
- Our proposed phased approach to a new Fare Structure would prioritize affordability and allow time for adoption of the technology and processing eligibility for Equifare.

**Besty Greenberg:** Did you consider a higher discount? I feel like if Medicare recipients get 50% off, Medicaid recipients need more.

**Catherine Walker:** We considered how the discount would work out on the fare system. If it's 50% then the fare might land on an awkward amount like \$0.89 and that would make it difficult to make change at the farebox. We wanted to create a fare that was easy to understand.

**David Foster:** I'm nervous about people abusing the system, say, higher income earners getting the discount could spell disaster to people to need reduced fares

Edna Parra: There would be a process for enrollment and eligibility that Catherine has more information about.

Catherine Walker: We would collect relevant data, but we would keep data collection to a minimum, because we don't want to harbor much of people's personal data. We would also potentially conduct audits throughout the year for those customers that are enrolled in Equifare to minimize the small chance of abuse of the program.

**Approval of the minutes**



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2021-190

**Agenda Date:** 3/28/2022

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Access Advisory Committee

## Capital Metropolitan Transportation Authority

### Access Advisory Committee

Wednesday, April 6<sup>th</sup>, 2022

5:30 PM

#### Virtual Presentation

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 512-910-8291,,376363580#](#) United States, Austin

Phone Conference ID: 376 363 580#

[Find a local number](#) | [Reset PIN](#)

Attendees:

CapMetro Employees: Edna Parra, Suzie Edrington, Chad Ballentine, Martin Kareithi, Brian Booth, Nadia Barrera-Ramirez, Jaqueline Evans, Kathrine Walker Tevin Lionel

Committee Members: Otmar Foehner, Paul Hunt, Andrew Bernet, Adrea Diaz, Chris Prentice, Estrella Barrera, Glenda Born, John McNabb, Mike Gorse

5:30 PM

#### Welcome / Introductions / Call to Order

*Paul Hunt*

#### Public Communications

**Glenda Born:** Informed the committee about an accident impeding the route of a MetroAccess shuttle, route 516 if I remember correctly, and dispatch potentially ending the call with the operator.

**Suzie Edrington:** The proper procedure in this case would be that dispatch then alerts all other operators on the road of the situation area and to avoid it. CapMetro will look into the incident.

**Audrea Diaz:** Wanted to know if the Night Owl would be able to pick someone up from past 2 AM. I wanted to be sure that putting in a reservation for that time frame would work like last time I did so?

**Julie Lampkin:** CapMetro would check the Night Owl service from your location and the place you want to go, the usual end of the Night Owl service is 2 AM.

**Audrea Diaz:** It would also be great if all the reservation, booking and trip planning were in the same place or page – that would make the process easier.

**Paul Hunt:** I've been receiving some issues with operators about service animal's documentation. They should ask the right questions and not official documentation of my service animal.

**Julie Lampkin:** Your need for a service animal is already marked on your account, you should not be receiving questions about the validity of your dog, and we will investigate the procedures.

**Chad Ballentine:** Will look into re-training being done to keep all operators up to date on policy and procedures.

#### Stroller Policy – Overview

*Martin Kareithi, Systemwide Accessibility*

**Martin Kareithi:** CapMetro along with various other transit agencies are taking a new look at existing Stroller Policies and the impact it has on caregivers and persons tending to young stroller bound children. The current policy as it stands says "Strollers must be folded up and the child must be restrained either on the caregiver's lap or the seat beside them. The stroller then must be secured under the supervision of the owner so as not to impede traffic or block any seats from any passenger. We are taking another look at that stroller policy, knowing that that may have. Some impacts, particularly on individuals who have use and who have need of use of the wheelchair securement and their priority seating area. So, we want to make sure



that first and foremost we see the need to ensure that individuals, particularly in wheelchairs as well as under other individuals with disabilities, have the same access that they've always maintained to that area. But then how can we do a better job to provide some equitable opportunities?

**Mike Gorse:** I remember 15 years ago, in Boston, on their transit service, there were announcements for riders with strollers to share the space with other users of the accessibility spots.

**Martin Kareithi:** Other transit agencies like DART and BART have addressed their stroller policy recently, due to their being a significant hardship on parents / caregivers / guardians to secure a child and a stroller all while the bus is ready to get going with potentially limited space on board.

**Glenda Born:** What are the safety considerations for a child in a stroller versus a child in a parent's lap. How can you secure the stroller if you are holding a child? IS it safer to harbor a child in a stroller during a ride or not?

**Martin Kareithi:** Contemporary strollers are much harder to collapse so that poses a problem for caregivers who need to quickly construct and deconstruct them when interacting with the bus. Our new policy proposal mentions that you can keep the child in the stroller, with the brakes on and holding the stroller the whole time to secure its placement.

**Paul Hunt:** There are other alternatives to a stroller, like a harness and such.

**Martin Kareithi:** There are alternatives to a stroller that individuals could consider, but it's not our job to impede those people who feel the need to use a stroller. The point is to be accessible to our customers.

**Martin Kareithi:** Regarding shopping carts, those would be another issue and level of consideration.

**Glanda Born:** Could there be a designated spot for people with strollers?

**Martin Kareithi:** The accessible spot could be used for such a purpose, but a person in a wheelchair would still take priority over an able-bodied parent. Though, with the purchase of our electric buses, there is more space available on the interior, we could possibly retrofit an area to be a designated stroller / parent with child area.

**Paul Hunt:** Is there such thing as a stroller securement area?

**Martin Kareithi:** In San Francisco, they have been experimenting with a specific space on the bus, specifically for strollers to go, just how much space is being allocated to the strollers.

**Mike Gorse:** If someone with a stroller is taking up the space of a disabled person, what would be the procedure?

**Martin Kareithi:** The person with a stroller would need to evacuate the accessibility seat and give it up to a disabled person. Appropriate training would need to take place for staff.

### **Transit Speed and Reliability Program Update**

*Nadia Barrera-Ramirez, Cross Agency Programs Transit + Mobility*

#### **Agenda:**

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- 2022 –
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## **Bus Stop Optimization**

- Coordination with multiple programs with similar goals
  - Vision Zero
  - Corridor Program
  - Active Transportation & Street Design
  - Safe Routes to School
  - Bus Stop Maintenance
- Prioritize pedestrian crossings at signalized or enhanced crossing
- Prioritize far-side bus stops.
- Meet Service Guidelines and Standards for stop spacing

## **Rubberized Bus Pad Pilot: Background**

- Pre-Covid 2/2020
  - 13 routes
  - PM Peak: 24-33 buses/hour, or one bus every 2minutes.
  - Average weekday riders:  
900 on/420 off = 1,320 total
- September 2020
  - 7 routes (no Night Owls, and only 1 Express)
  - PM Peak: 9 buses/hour, or one bus every 7minutes.
  - Average weekday riders:  
100 on/70 off = 170 total
- Heavy peak delay approaching Dean Keeton
  - Buses travel <4 MPH during PM peak with almost a thousand passengers onboard
- Bus stop positioned before the intersection (“near-side”) caused delay for all modes
- Very high pedestrian activity
- Heavy right-turns, northbound vehicles heading to I-35

## **Rubberized Bus Pad Pilot: Approach**

- Partnership between Capital Metro and Austin Transportation Department in January 2021
- Consolidated and relocated the bus stops to the “far-side” of the intersection
- Installed a modular, rubberized platform (Zicla) on Guadalupe at 26th Street:
  - Test effectiveness of far-side placement
  - Quickly improve accessibility at bus stops
  - Resolve conflicts between bikes and buses

- Modular product can be broken down and re-applied at another location after the test

### **Rubberized Bus Pad Pilot: Consolidation + Relocation**

- Consolidated and moved the bus stops to the “far-side” of the intersection to:
  - Improve safety
  - Alleviate right-hook crashes
  - Mitigate traffic congestion
  - Remove bus stop delay for right turners
  - Incorporate best practice for bus operations
  - Improve travel times
  - Retain convenient access to U.T.

### **Pilot Findings: Bus On time Performance**

- No noticeable change in overall On-Time Performance (OTP) for buses
- Changes varied from 25% slower to 15% faster at timepoints adjacent to the project
- Results may reflect changes in travel patterns from the pandemic

### **Pilot Findings: Crashes**

- About a 50% reduction in bus crashes at Guadalupe and Dean Keeton
  - 2018 – 2020: 4 bus-related crashes/year
  - 2021: Only 2 bus-related crashes
  - Any bus crash reduces bus reliability as a report from a supervisor is required before the operator can continue service.
- About a 25% reduction in general-purpose minor severity crashes at this intersection
  - 2018 – 2020: 8 minor crashes/year
  - 2021: Only 6 minor crashes
- While the pilot project occurred during the pandemic, the reduction in crashes is significant, especially in this heavy pedestrian corridor.

**Glenda Born:** So this is more about reducing crashes which in turn would reduce potential for time / money wasted investigating the crash on location.

**Nadia Barrera - Ramirez:** That’s right, there's a lot that goes into on time arrival and crash mitigation, but we work to save our customer time.

**Estrella Barrera:** Safety is of higher importance than just network speed, so I appreciate this effort going into reducing crashes and protecting the community.

**Paul Hunt:** The floating bus stop seems dangerous - it seems difficult to get over to the floating station, so I’ll have to see how they work

**Nadia Barrera – Ramirez:** It is a learning experience for all of us to see what works and what doesn’t. We also need to work on communication to inform the public on how to use the stations in the safest way possible.

**Mike Gorse:** Are you trying to move some of the old legacy stops that are for instance near side when you're able to do that or is that part of the process?

**Nadia Barrera – Ramirez:** Yes, that is part of the process and the only I would say there are some exceptions. For example, if there is a busier stop on the far side, and we are going the other direction we may keep one near side because it facilitates the transfer if that makes sense. So, you're having a bus stop on the corners on the two sides of the corner as opposed to having one far side. So, people must cross the street.

## **Potential Fare Programs**

*Brian Carter, EVP, Chief Experience and Engagement Officer*

*Katherine Walker, EVP, Chief Finance and Risk Officer*

*Jacqueline Evans, Director of Diversity, Equity, and Inclusion*

### **Agenda:**

1. Fare Strategy Review
2. Update on Account Based Fare Payment System
3. Title VI Analysis & Equity In Action
4. Next Steps & Considerations

### **Fare Strategy Review**

- Desire to make fares more equitable for our community:
- Our lowest income riders are often those who purchase Single Ride passes versus Day or Month passes.
- Our lowest income riders are often those who also depend on our services versus other means of transportation.
- The goal of our fare strategy is to provide progressive fare capping while supporting an equitable means-based fare structure.
- To accomplish our goal, we will be launching

### **Technology Roll Out**

- Virtual smart cards in a new CapMetro App, with an alternative physical smart card:
  - Accommodates all customers with or without a smart phone.
  - Money can be loaded by using a credit card connected to their account or using at a retail network location (250+locations).
  - Initial distribution of physical cards through street teams, community engagement events, and CapMetro Transit Store.
- Customer beta testing in Summer 2022 to assess usability and gather direct customer feedback.

### **Branding and Research**

- CapMetro studied other transit agencies and found a best practice to provide a brand name on the account-based system.
- Good timing to introduce a new brand name with brand refresh in process.
- We conducted surveys and focus groups to gain community input on how to market and brand the new technology platform:
  - Four focus groups were conducted with both English and Spanish language participants, customers & non-customers
  - Online survey sample with 350 adults (ages 18+) responding; the ethnicity of the sample was like the Austin area based on the Census Bureau's (2018) American Community Survey. Results have an error of +/- 4% at a 90% confidence level. The survey was conducted by Dynata; 23% were recent transit customers.
- Based on focus group feedback, the agency is moving forward with the name "Amp" for the account-based fare system.
- Amp name carries many potential creative applications to tie in with music, our investment in electric vehicles, and get our community energized on the value of transit.
- CapMetro will use Amp name to describe and promote the account-based system.
- Customers will use their Amp accounts to pay for fares within the CapMetro App or by using their Amp account smart card.

## Considerations for Potencial Fare Structure

- This new technology can be used to support the agency's values, which are also shared with the Project Connect program.
- Staff has begun analyzing the benefits of fare capping and introduction of a new Equitable fare category called "Equifare". These types of programs are already being used by peer transit agencies.
- As fare fee adjustments are considered, these two programs would protect affordability of passes for low-income customers.

## Overview of Fare Types

- Standard
  - The full rate for a transit pass.
- Reduced
  - 50% off full rate transit pass.
  - Eligible for customers who verify their status in the following groups:
    - Seniors 65 and older\*
    - Medicare card holders\*
    - Active-duty military personnel
    - Riders with disabilities\*
  - \*50% rate required by FTA for these categories
  - Apply online, at Transit Store, by mail.
  - Status is valid for 2 years. RFID Card costs \$3.
  - Eligible customers must have the RFID Card with them in order to
  - receive the reduced fare.

## Proposed New Fare Type & Eligibility

		CURRENT FARE TYPES		PROPOSED*
	Pass Type	Standard	Reduced	Equifare
Local Bus	Single Ride	\$1.25	\$0.60	\$1.00
	Day Pass	\$2.50	\$1.25	\$2.00
	Month Pass	\$41.25	\$20.60	\$33.00
Commuter Bus + Rail (incl. Local Bus)	Single Ride	\$3.50	\$1.75	\$3.00
	Day Pass	\$7.00	\$3.50	\$6.00
	Month Pass	\$96.25	\$48.10	\$77.00

## EQUIFARE ELIGIBILITY REQUIREMENTS:

Household income less than 200% of Federal Poverty Level or proof of enrollment in one of these programs\*:

- Medicaid Program
- Supplemental Nutrition Assistance Program (SNAP)
- Children's Health Insurance Program (CHIP)
- Telephone Lifeline Program
- Travis County Comprehensive Energy
- Assistance Program (CEAP)
- Medical Access Program (MAP)
- Supplemental Security Income (SSI)
- Veterans Affairs Supportive Housing (VASH)

\* Same eligibility requirements used for City of Austin Customer Assistance Program utility discounts.

### **Benefits of an Account Based System**

- Amp Cards
  - When a CapMetro customer uses an Amp smart card or virtual card, they can pay for transit passes using the stored value on the card.
  - This also protects the stored value in case the card or phone is lost or stolen.
- Discounted Fare Benefits
  - When a customer registers their Amp card, they will be able to use benefits of discount programs after they have completed the qualification process (i.e., Reduced Fare or Equifare categories).
  - Customers currently using an RFID card for the Reduced fare will use the Amp smart card or virtual card.
- Fare Capping
  - Fare capping would be available on every Amp card, with or without a registered account.
  - With fare capping, customers using an Amp card or account never pay more than the total cost of a Day Pass in a calendar day, or the total cost of a Monthly Pass in a calendar month.

### **Similar Programs at Peer Transit Agencies**

- TriMet Qualifications for Honored Citizen Fare
  - Enrolled in Oregon Health Plan, SNAP or TANF, or if you meet the income requirements (making less than double the federal poverty level)
  - Have a verifiable mental or physical disability
  - Age 65 or older or on Medicare

Source: <https://trimet.org/fares/honoredcitizen.htm>

- DART's Qualifications for Discount GoPass
  - Children's Health Insurance Program (CHIP)
  - Comprehensive Energy Assistance Program (CEAP)
  - DHA Housing Solutions for North Texas
  - Housing Choice Vouchers - Section 8
  - Medicaid
  - Medicare
  - Parkland Financial Assistance
  - Special Supplemental Nutrition Program for Women, Infants and Children (WIC)
  - Supplemental Nutrition Assistance Program (SNAP)
  - Texas Temporary Assistance for Needy Families (TANF)

Source: <https://dartaccess.dart.org/dtappass>

### **Extensive Community Engagement**

- Community-based organizations, community leaders, and local agencies will be necessary for successfully implementing fare technology and the new Equifare program.
- Staff will be working with non-profits and agencies that provide housing, healthcare, education and unhoused services to educate and sign up their clients in person, including organizations like Foundation Communities, Austin Area Urban League, Casa Marianella, ECHO, and many others.

### **What is Title VI Equity Analysis?**

- Only one component in CapMetro's approach to equity.

- Foundation in Title VI of the Civil Rights Act of 1964
  - Prohibits discrimination on the basis of race, color, or national origin
  - CapMetro must ensure that it provides its service without discrimination on the basis of race, color, or national origin.
- Legally required by Federal Transit Administration Title VI Circular 4702.1B
  - Applies to transit providers that have greater than 50 fixed-route vehicles in peak service.
  - Requires agencies to conduct equity analyses on service or fare changes that meet the agency's definition of Major Service Change.
  - Looks for impacts of a service or fare change that may be borne disproportionately by minority or low-income populations.

### **Title VI Analysis Underway**

- Required when there's any potential changes to fare structures.
- Four Nines Technology is conducting a Fare Equity Analysis for all the potential changes to CapMetro's fare products, prices, media distribution and other associated elements to determine whether the changes will result in discriminatory impacts to minority or low-income populations.
- The results of the analysis will be shared publicly before CapMetro staff proposes fare structure changes for Board approval.

### **Equity Review and Additional Engagement**

- Gathering input from Board Advisory Committees and DEI Advisory Group in April and May.
- Conducting Virtual Meetings
- Meeting with staff at COA, Travis County and partner cities to gain input on the process for verifying customer eligibility for Equifare program.
- Direct engagement with customers on transit, and activations and monthly "Meet CapMetro" events.
- Begin discussions with social service organizations on how to engage their clients in the enrollment process.
- Explore database integrations for online eligibility verification to potentially reduce the manual process.

### **Advancing Our Fare Strategy**

- Our transit system expansion plan, Project Connect assumes fare structure changes, with the cost of fares changing along with ridership increases needed to support the program funding model.
- The Equifare rate ensures that as fares adjust over the years that costs for transit passes remains affordable for our low-income customers.
- Our proposed phased approach to a new Fare Structure would prioritize affordability and allow time for adoption of the technology and processing eligibility for Equifare.

**John McNabb:** Is there going to be a price rise? Or would the people paying the Equifare rate, would they end up being charged more for less frequent usage?

**Catherine Walker:** Using an account-based system, we're more easily able to track customer usage and what tier they would fall under, since it is all tied to their individual account. So, some people would continue to qualify for just the reduced price, while others qualify for the Equifare rate. If a person qualifies for both, they will receive the lower fare.

**Glenda Born:** So if a person buys a monthly pass, would there be a point where they are using the metro more than what the card is worth, what would happen?

**Catherine Walker:** Since they already paid for a monthly pass, it would work for the whole month, regardless of usage.



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-329

**Agenda Date:** 1/24/2022

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Public Service Advisory Committee (PSAC)



## **Capital Metropolitan Transportation Authority**

### **Public Safety Advisory Committee**

**April 1, 2022**

**Noon – 1:30 PM**

### **Meeting Minutes**

#### **Call to Order**

*Edna Parra, Community Outreach and Engagement Manager*

#### **Welcome & Agenda Overview**

*Gardner Tabon, EVP & Chief Safety Officer*

#### **Appointment of Officers**

*Edna Parra, Community Outreach and Engagement Manager*

#### *Officers Appointed:*

*Chair: Adam Powell*

*Vice-Chair: Stephen Foster*

*Will follow up with Adam Powell on monthly board updates.*

#### **Public Safety Charter**

*Edna Parra, Community Outreach and Engagement Manager*

#### **Public Safety Program – Timeline & Milestones**

*Gardner Tabon, EVP & Chief Safety Officer*

*Darryl Jamail, Sr. Director of Public safety & Emergency Management*

#### ***Public Safety Ambassadors are now operational, helping customers and operators as first-deployed team***

- **Now**
  - Hiring of Police Chief
  - Drafting of long-range financial plan for transit police
  - Identification of TCOLE requirements for Police operations
- **Beginning Mid-2022**
  - Drafting of policies
  - Establishing organization chart
  - Establishing facilities and securing equipment
  - Hiring of senior-level police
- **2023 and On**
  - TCOLE Certification
  - Modification of CapMetro's agreement with Austin Police Department
  - Officers on system for police-specific public safety needs & more.

**Sept. 2021 – Feb. 2022:** Community & stakeholder feedback on transit police leadership traits & characteristics.

**Jan. 28 - March 25:** Job posting available on CapMetro.org/Jobs & recruitment ongoing.

**March 7 - March 25:** Initial screening of applicants completed by EVP Gardner Tabon, Darryl Jamail and Wanda Dunham.

**April 12 - April 13:** Offsite leadership assessment of candidates by panel of police chiefs driven by feedback on leadership traits and characteristics.

**April 18 - April 22:** Interview of candidate pool with members of CapMetro Senior Management/Executive Teams and DEI Director.

**April 25 - April 29:** Meeting between top candidates, BOD Chair, BOD Vice Chair and Chair of OPS Committee Final candidate identified by EVP Gardner Tabon.

**April 29:** Name of final candidate forwarded to People & Culture and contingency offer extended to candidate.

**June 7:** Police Chief onboarded

**Gardner Tabon:** Had about 20 candidates from across the country; thank you to Hutson-Tillitson for their support.

**PSAC Member:** What number of candidates are moving on with, from the initial screening? Are you narrowing down from that number?

**Wanda Dunham:** We narrowed down our candidate pool after the screening, down to the top 5 candidates.

#### **Update on Hiring Process for Chief of Police**

*Wanda Dunham, Public Safety Consultant for CapMetro*

#### **Public Safety Community Intervention Specialists**

*Darryl Jamail, Sr. Director of Public safety & Emergency Management*

#### **The first intervention specialists are now hired:**

- Took some time to develop the program because it's new, especially in the transit safety department.
- Program Mission: substance abuse, mental health, housing – work with partners and get resources to community members.
- This year they have conducted 30 engagements for referrals, resources and
- Working hard to plug in with partner agencies.
- Overview of where the program is, we will be presenting at several panels to share this information across the industry.
- Carlos Silva and Holly Winge introduced themselves and highlighted some of their programs and initiatives as Community Intervention Specialists.

## Public Safety Ambassadors – Update

*Brian Robinson, Public Safety*

- **Finished the first graduation of the first class of Public Ambassadors**
  - De-escalation, referrals, establishing Meet & Greets for customers and police officers. Also, do security assessments throughout the system.
- **Training – First 8 ambassadors did 5 weeks of training; some of the training includes:**
  - Dispatch radio
  - Mental Health/First Aid
  - Railway protection
  - Transportation security training
  - Role Playing
  - Transit Nomenclature
  - Hour of operations: currently, they are running a day shift but plan to move 24/7 when they hire more staff; they will be anywhere there is CapMetro property or services, CapMetro will respond
- **SXSX Overview -**
  - *Ambassadors at Plaza, Republic Square Park*
  - *Meet and Greet customers*
  - *Good feedback from customers; glad for security and engagement*

**PSAC Member:** What is the shift time for the Ambassadors?

**Brian Robinson:** Currently they are on a day shift, when we have more resources, we plan on expanding the teams and shift times.

**PSAC Member:** Are they broken down into regions, or are they city-wide?

**Brian Robinson:** They are city-wide. Currently, anywhere there's CapMetro property, they will respond in that area.

**PSAC Member:** I think it's great having the Ambassadors, this way issues can be resolved more humane and don't need to escalate to involve the police.

**Brian Robinson:** We've been able to already make an impact with just our 8 Ambassadors. We've had such great success so far

## Committee Discussion – Policies & Trainings

*Gardner Tabon, EVP & Chief Safety Officer*

- **TCOLE Requirements:**
  - Must document the need for a police department
  - Must identify / articulate funding sources
  - Must identify / obtain physical resources for officers
  - Must establish facilities (evidence room, dispatch area, public area)
  - Must adopt policies
    - Use of force
    - Vehicle pursuit

- Domestic Abuse Protocols
  - Response to missing persons
  - Supervision of part-time officers
  - Impartial Policing
  - Evidence Collection
  - Eyewitness Identification
- Must establish Administrative Structure (Org Chart)
- Must obtain liability insurance
- Must also submit:
  - Documentation of the governing body authorizing creation
  - Resolution
  - Minutes of meeting approving formation
- Other policies we want prior to starting the service
  - Police Ethics
  - General Conduct
  - Bodycam Policy Discipline Matix
  - Search and Seizure
  - Special Investigation
  - Control Devices
  - Overtime Policy
  - Admirative Investigations

#### **Transit Police Training**

- TCOLE requirement for training
  - Minimum of 40 hours every 2-year training unit (09/01/2021 - 08/31/2023)
- Other training we intend to require
  - TSA transit security specific training
  - De-escalation training
  - Crisis intervention
  - Diversity, Inclusion and belonging
  - Unconscious bias
  - Transit – specific customer service training

**PSAC Member:** Is there a lactation policy for nursing mothers?

**Gardner Tabon:** Yes, it would be the same as the standard CapMetro lactation policy.

**PSAC Member:** What is the policy on medical cannabis?

**Gardner Tabon:** Anything that impairs the ability of an officer, contractor, or any employee otherwise is prohibited from use.

**PSAC Member:** It would be beneficial if the ambassadors can also take on a first responder role with the administration of Narcan or other Rehabilitation drugs.

**Gardner Tabon:** That is not something we are currently pursuing at this moment, but this is something other agencies are deploying to prevent crisis.

**PSAC Member:** If we were to select a police chief from another state, how long would it take for them to be certified in Texas?

**Darryl Jamail:** That's up to the discretion of the agency, they would first pass the certification from the licensing body, but then the agency would be the one to determine how long it takes for the chief to begin their role.

**PSAC Member:** Are these training administered internally by CapMetro?

**Gardner Tabon:** Yes, the training will be done internally, with external training being utilized for areas we don't have expertise in.

***Closing:***

***Alignment Tours***



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-414

**Agenda Date:** 4/25/2022

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Approval of minutes from the March 28, 2022 public hearing and board meeting.



# Minutes

## Capital Metropolitan Transportation Authority

### Board of Directors

2910 East 5th Street  
Austin, TX 78702

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Monday, March 28, 2022

11:30 AM

Travis County Building  
700 Lavaca Street, Austin, TX 78701

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### Public Hearing on FY 2022 Operating & Capital Budget Amendment

#### I. Call to Order

11:35 a.m. Meeting Called to Order

<b>Present:</b>	Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross
<b>Absent:</b>	Mitchell

#### II. Discussion Item:

1. Public Hearing for Fiscal Year 2022 Operating and Capital Budget Amendment

#### III. Public Comment:

Edwin Bautista, Leander City Manager Rick Beverlin, Zenobia Joseph, and Isaiah Smith provided public comments.

#### IV. Items for Future Discussion:

#### V. Adjournment

12:01 p.m. Meeting Adjourned

### 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: Jeffrey Travillion, Chair; Ann Kitchen, Vice Chair; Leslie Pool, Secretary; Terry Mitchell; Becki Ross; Eric Stratton, Wade Cooper 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.*

# Minutes

## Capital Metropolitan Transportation Authority

### Board of Directors

2910 East 5th Street  
Austin, TX 78702

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Monday, March 28, 2022

12:00 PM

Travis County Building  
700 Lavaca Street, Austin, TX 78701

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#### I. Call to Order

12:27 p.m. Meeting Called to Order

<b>Present:</b>	Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross
<b>Absent:</b>	Mitchell

#### II. Public Comment:

Charlesetta Milligan, Ben Alford, and Zenobia Joseph provided public comments.

#### III. Advisory Committee Updates:

1. Customer Satisfaction Advisory Committee (CSAC)
2. Access Advisory Committee

#### IV. Board Committee Update:

1. Austin Transit Partnership Update

#### VI. Action Items:

1. Approval of Minutes from the February 28, 2022 board meeting.
2. Approval of an amendment to the Fiscal Year 2022 Operating Budget in the amount of \$29,713,087 and Capital Budget in the amount of \$11,494,000.

A motion was made by Vice Chair Kitchen, seconded by Board Member Ross, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

3. Approval of a resolution authorizing the President & CEO, or his designee, to implement the FY 2023 Strategic Plan.

A motion was made by Board Member Stratton, seconded by Vice Chair Kitchen, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross



4. Approval of a CapMetro Board resolution in support of the City of Austin's 2022 RAISE grant application for funding to support the combined Bergstrom Spur Urban Trail / South Pleasant Valley Road extension projects.

A motion was made by Vice Chair Kitchen, seconded by Board Member Renteria, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

5. Approval of the Capital Metro Sustainability Vision Policy Statement.

A motion was made by Board Member Renteria, seconded by Vice Chair Kitchen, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

6. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an Interlocal Agreement (ILA) with the City of Leander for the FY2022 Build Central Texas Program and funding for transit supportive infrastructure.

A motion was made by Board Member Ross, seconded by Vice Chair Kitchen, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

7. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with New Flyer Industries (NFI) Parts Inc. for the purchase of 418 heavy duty driver barriers in an amount not to exceed \$2,564,741.

A motion was made by Vice Chair Kitchen, seconded by Board Member Cooper, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

8. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Creative Bus Sales, Inc., utilizing the State of Oklahoma Contract SW0797C, to purchase six (6) Pickup vehicles in an amount not to exceed \$922,500 for the purpose of expanding Pickup into new zones.

A motion was made by Secretary of the Board Pool, seconded by Board Member Renteria, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

9. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with the State of Texas Department of Information Resources Shared Technology Services for licensing and implementation services for a Salesforce Customer Relationship Management system for a base period of one (1) year in an amount not to exceed \$1,965,363.

A motion was made by Board Member Stratton, seconded by Board Member Ross, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

10. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Dell Marketing, LP for a Planview Project Portfolio Management (PPM) system and implementation services for a base period of one (1) year with two (2) one-year option periods in an amount not to exceed \$841,197.

A re-vote was taken on this item to correct a problem with the contract amount when the initial vote was taken. Posted materials were correct but there was an error in the Chair's meeting script which caused him to read the wrong contract amount.

A motion was made by Vice Chair Kitchen, seconded by Board Member Ross, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

11. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Parkeon Inc, (dba Flowbird) for Ticket Vending Machines (TVM) for a base period of one (1) year with five (5) one-year option periods in an amount not to exceed \$1,974,198.

A motion was made by Vice Chair Kitchen, seconded by Secretary of the Board Pool, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

12. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Luminator, Inc for ePaper Dynamic Message Signs (DMS) for a base period of one (1) year with five (5) one-year option periods in an amount not to exceed \$3,233,471.

A motion was made by Board Member Stratton, seconded by Secretary of the Board Pool, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

13. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with AT&T for telecommunication services for four (4) years in an amount not to exceed \$740,260.

A motion was made by Secretary of the Board Pool, seconded by Board Member Cooper, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

14. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a settlement agreement with Watco Companies, L.L.C., Austin Western Railroad, L.L.C, and Herzog Transit Services, Inc. in connection with damages resulting from a train derailment that occurred on September 22, 2018 in the amount of \$425,000 from Capital Metro and other compensation from the parties.

A motion was made by Board Member Cooper, seconded by Board Member Stratton, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

15. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an amendment to extend the term of the Interlocal Agreement (ILA) with the University of Texas for Regional Bus Rapid Transit Services until April 15, 2027.

A motion was made by Vice Chair Kitchen, seconded by Board Member Renteria, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

16. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Stacy and Witbeck, Inc. for the Design-Build of the McKalla Station Project for \$14,464,300 and \$2,169,645 (15%) contingency for a total not to exceed amount of \$16,633,945.

A motion was made by Secretary of the Board Pool, seconded by Board Member Stratton, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

17. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Hill International for Construction Management Services for the McKalla Rail Station Project for \$1,809,061 plus \$180,906 (10% contingency) for a total not to exceed amount of \$1,989,967. The term of the contract shall be twenty-one (21) months from the Notice to Proceed.

A motion was made by Secretary of the Board Pool, seconded by Board Member Stratton, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

18. Approval of the Project Connect Community Advisory Committee (CAC) bylaws.

A motion was made by Vice Chair Kitchen, seconded by Board Member Stratton, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

19. Approval of Updates to the Board of Directors Advisory Committees Policy.

Vice Chair Kitchen put forward a minor change to the policy related to eligibility of elected officials to serve which was incorporated into the policy.

A motion was made by Vice Chair Kitchen, seconded by Board Member Stratton, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

20. Approval of a resolution directing staff on the publishing of full Board meeting agendas and backup materials.

A motion was made by Secretary of the Board Pool, seconded by Board Member Ross, that this Resolution be adopted. The motion carried by the following vote:

**Aye:** Travillion, Kitchen, Pool, Cooper, Stratton, Renteria, and Ross

**VII. Discussion Item:**

1. Fare Strategy Presentation

**VIII. Report:**

1. President & CEO Monthly Update

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

Section 551.074 for Personnel matters regarding discussion of President & CEO FY 2022 Performance Goals.

Into Executive Session: 3:45 p.m.

Out of Executive Session: 5:07 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](mailto:ed.easton@capmetro.org) if you need more information.*

*BOARD OF DIRECTORS: Jeffrey Travillion, Chair; Ann Kitchen, Vice Chair; Leslie Pool, Secretary; Terry Mitchell; Becki Ross; Eric Stratton, Wade Cooper 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.*

Board of Directors

Item #: AI-2022-353

Agenda Date: 4/25/2022

**SUBJECT:**

Approval of a resolution affirming the Charter Statement for the Operations, Planning and Safety Committee.

**FISCAL IMPACT:**

This action has no fiscal impact.

**STRATEGIC PLAN:**

**Strategic Goal Alignment:**

- ☒ 1. Internal/External Customer Service Excellence    ☐ 2. Stakeholder Engagement  
☐ 3. Financial and Environmental Sustainability    ☐ 4. Staff Development    ☐ 5. Agency Growth Management

**Strategic Objectives:**

- ☐ 1.1 Safety & Risk    ☒ 1.2 Continuous improvement    ☐ 1.3 Dynamic Change  
☐ 1.4 Culture of Innovation    ☐ 2.1 Be an Employer of Choice    ☐ 2.2 Organization Development  
☐ 2.3 Organization Culture    ☐ 3.1 Resource optimization    ☐ 3.2 Safety Culture  
☐ 3.3 Environmental Leadership    ☐ 4.1 Educate & Call to Action    ☐ 4.2 Build Partnerships  
☐ 4.3 Value of Transit    ☐ 4.4 Project Connect

**EXPLANATION OF STRATEGIC ALIGNMENT:** Capital Metro's two board committees assist the Board of Directors in providing strong governance and play a key advisory role to the full board. Their expertise and in-depth look at issues before the board is vital to our long-term strategic planning.

**BUSINESS CASE:** Does not apply.

**COMMITTEE RECOMMENDATION:** N/A

**EXECUTIVE SUMMARY:** In 2010, each of the committees of the Board of Directors adopted Committee Charter Statements defining their areas of responsibility. A periodic review of these charters was requested by the Board upon adoption and allows the committees to ensure that the charters still meet the needs and parameters of each committee. This charter was last reviewed by the board in October 2020. After a careful review, one change is recommended to Section IV, Meetings, of the Charter, to require

CapMetro staff to post meeting agendas and back up material for Board members and the public to view no later than seven (7) calendars days before the committee meeting. No other changes to the charter document are recommended at this time.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Board of Directors

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-353**

WHEREAS, the Board of Directors has established committees made up of members of the Board to consider specified areas of interest to the Authority; and

WHEREAS, the Board of Directors has adopted Committee Charter Statements that define the roles and responsibilities of each of these committees; and

WHEREAS, the Board of Directors desires to review the Committee Charter Statement to ensure that it reflects current roles and responsibilities.

NOW, THEREFORE, BE IT RESOLVED that the Capital Metropolitan Transportation Authority Board of Directors hereby affirms the Committee Charter Statement for the Operations, Planning and Safety Committee, with one change to Section IV, Meetings, of the Charter, to require CapMetro staff to post meeting agendas and back up material for Board members and the public to view no later than seven (7) calendars days before the committee meeting.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

**CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS  
OPERATIONS, PLANNING AND SAFETY COMMITTEE CHARTER**

**I. PURPOSE AND AUTHORITY**

The Operations, Planning and Safety Committee (the “OPS Committee”) has been established by the Capital Metropolitan Transportation Authority (“Capital Metro”) Board of Directors (the “Board”) to review and make recommendations to the full Board on policies and practices related to the efficient, safe, and reliable operation of the Capital Metro system and effective short and long-range planning for a sustainable Capital Metro.

The OPS Committee serves as an advisory committee to the Board which has the legal responsibility to make decisions and policies for Capital Metro.

**II. RESPONSIBILITIES**

The OPS Committee shall be responsible for:

- Overseeing short-range service planning and modification;
- Developing and making recommendations to the Board on long-range system planning and coordinating with external partners on regional planning initiatives;
- Reviewing and making recommendations to the Board on route standards and service standards;
- Monitoring performance indicators for service and operations, including but not limited to ridership, customer service and satisfaction, passenger and employee safety and security standards, and facility and vehicle maintenance;
- Making recommendations to the Board on system safety and security initiatives and plans to enhance organizational focus on safety and security and comply with applicable federal, state and local laws and regulations;
- Making recommendations to the Board on vehicle purchase and fleet management plans and other capital purchases related to operations;
- Overseeing facility and capital project design and construction programs;
- Recommending to the Board policies and processes designed to provide for effective and efficient IT governance;
- Reviewing and making recommendations to the Board on land use related to Capital Metro and property acquisition and disposal;
- Ensuring compliance with Title VI requirements;
- Overseeing the implementation of system start-ups; and
- Ensuring that all Capital Metro services operate effectively as an integrated transit system.

**III. MEMBERSHIP**

The OPS Committee shall consist of four (4) members of the Board. The Chairperson of the Board will nominate the OPS Committee Chairperson and members annually, subject to confirmation by the Board. The OPS Committee shall elect a Committee Vice Chairperson from its members at its first meeting of the year to perform the duties of the Chairperson in case of the absence, disability or disqualification of the Committee Chairperson.



#### **IV. MEETINGS**

The OPS Committee will meet at least four (4) times a year, with authority to convene additional meetings, as circumstances require. All meetings will be conducted in accordance with the Texas Open Meetings Act, as applicable. Committee members are expected to attend each meeting. The OPS Committee may direct members of management, auditors, or others to attend meetings and provide pertinent information, as necessary.

The OPS Committee shall take up and consider any other items as directed by the Chairperson of the Board.

**CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS  
OPERATIONS, PLANNING AND SAFETY COMMITTEE CHARTER**

**I. PURPOSE AND AUTHORITY**

The Operations, Planning and Safety Committee (the “OPS Committee”) has been established by the Capital Metropolitan Transportation Authority (“Capital Metro”) Board of Directors (the “Board”) to review and make recommendations to the full Board on policies and practices related to the efficient, safe, and reliable operation of the Capital Metro system and effective short and long-range planning for a sustainable Capital Metro.

The OPS Committee serves as an advisory committee to the Board which has the legal responsibility to make decisions and policies for Capital Metro.

**II. RESPONSIBILITIES**

The OPS Committee shall be responsible for:

- Overseeing short-range service planning and modification;
- Developing and making recommendations to the Board on long-range system planning and coordinating with external partners on regional planning initiatives;
- Reviewing and making recommendations to the Board on route standards and service standards;
- Monitoring performance indicators for service and operations, including but not limited to ridership, customer service and satisfaction, passenger and employee safety and security standards, and facility and vehicle maintenance;
- Making recommendations to the Board on system safety and security initiatives and plans to enhance organizational focus on safety and security and comply with applicable federal, state and local laws and regulations;
- Making recommendations to the Board on vehicle purchase and fleet management plans and other capital purchases related to operations;
- Overseeing facility and capital project design and construction programs;
- Recommending to the Board policies and processes designed to provide for effective and efficient IT governance;
- Reviewing and making recommendations to the Board on land use related to Capital Metro and property acquisition and disposal;
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The OPS Committee shall take up and consider any other items as directed by the Chairperson of the Board.

Board of Directors

Item #: AI-2021-273

Agenda Date: 4/25/2022

## SUBJECT:

Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with GTS Technology Solutions, Inc. for passenger WiFi technology in an amount not to exceed \$258,326.

## FISCAL IMPACT:

Funding for this action is available in the FY2022 Capital Budget

## STRATEGIC PLAN:

### Strategic Goal Alignment:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input checked="" type="checkbox"/> 3. Financial and Environmental Sustainability    | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

### Strategic Objectives:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> 1.1 Safety & Risk            | <input checked="" type="checkbox"/> 1.2 Continuous improvement | <input type="checkbox"/> 1.3 Dynamic Change           |
| <input type="checkbox"/> 1.4 Culture of Innovation    | <input type="checkbox"/> 2.1 Be an Employer of Choice          | <input type="checkbox"/> 2.2 Organization Development |
| <input type="checkbox"/> 2.3 Organization Culture     | <input checked="" type="checkbox"/> 3.1 Resource optimization  | <input type="checkbox"/> 3.2 Safety Culture           |
| <input type="checkbox"/> 3.3 Environmental Leadership | <input type="checkbox"/> 4.1 Educate & Call to Action          | <input type="checkbox"/> 4.2 Build Partnerships       |
| <input type="checkbox"/> 4.3 Value of Transit         | <input type="checkbox"/> 4.4 Project Connect                   |   |

**EXPLANATION OF STRATEGIC ALIGNMENT:** Maintaining and acquiring WiFi technology in a state of good repair ensures stable and reliable systems for passengers using internet connectivity onboard vehicles. This helps to provide customer service excellence and allows for staff to better manage equipment when technology is updated.

**BUSINESS CASE:** Capital Metro offers passenger WiFi on MetroExpress, MetroRapid, and MetroRail services that have limited stops and passengers are onboard for a longer period of time compared to MetroBus routes that have frequent stops. The WiFi service is widely used and offers passengers free internet access. The WiFi is shared among all passengers and is not intended to be used for passengers needing streaming services but instead for light internet use such as website browsing, email, and viewing short video clips. The technology being implemented will provide 4G LTE service and will allow us to support more robust 5G services when that

becomes available. The lifecycle of this equipment is 5 years and will cover 55 MetroRapid vehicles.

COMMITTEE RECOMMENDATION: This item was presented and recommended for approval by the Operations, Planning and Safety Committee on April 13, 2022.

EXECUTIVE SUMMARY: This contract will provide for the acquisition of WiFi technology to replace similar equipment that is past its useful life to provide passengers with reliable and stable internet access onboard 55 MetroRapid vehicles. The technology installed will support 5G service once that becomes available.

DBE/SBE PARTICIPATION: No SBE goal is assigned to this procurement due to no subcontracting opportunity

PROCUREMENT: The Authority will utilize the Department of Information Resources (DIR) Contract No. DIR-CPO-4751 and DIR Contract No. DIR-CPO-4754 held by GTS Technology Solutions, Inc. to resell Communication Hardware, Licensing/ Support, and Installation Services.

DIR awarded contracts are made available for use by Capital Metro via Title 7, Intergovernmental Relations Chapter 791, Interlocal Cooperation Contracts and The Texas Interlocal Cooperation Act. Purchases made using DIR contracts satisfy otherwise applicable competitive bidding requirements. Texas Government Code, Section 2054.0565 (b) states that DIR Contracts meet competitive requirements for all governmental entities.

The term of the contract is one (1) year from Notice to Proceed. The following is GTS Technology Solutions not to exceed lump sum amount for the contract:

Description	Lump Sum Amount
Provide Routers, Antennas, Licensing/ Support, and Installation Services for Passenger WiFi Technology	\$258,326

The contract is fixed price.

RESPONSIBLE DEPARTMENT: Information Technology

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2021-273**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to provide adequate state of good repair for the passenger WiFi technology; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to provide continued passenger WiFi to passengers.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute a contract with GTS Technology Solutions, Inc. for passenger WiFi technology in an amount not to exceed \$258,326.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

Board of Directors

Item #: AI-2022-342

Agenda Date: 4/25/2022

## SUBJECT:

Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an amendment to the Interlocal Agreement (ILA) with the Capital Area Rural Transportation System (CARTS) to clarify ongoing maintenance responsibilities and contribute \$78,834 for additional improvements to the Eastside Bus Plaza (EBP) located at East Cesar Chavez Street and Shady Lane.

## FISCAL IMPACT:

Funding for this action is available in the FY2022 Capital Budget

## STRATEGIC PLAN:

### Strategic Goal Alignment:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input type="checkbox"/> 3. Financial and Environmental Sustainability               | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

### Strategic Objectives:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1.1 Safety & Risk            | <input checked="" type="checkbox"/> 1.2 Continuous improvement | <input type="checkbox"/> 1.3 Dynamic Change                |
| <input type="checkbox"/> 1.4 Culture of Innovation    | <input type="checkbox"/> 2.1 Be an Employer of Choice          | <input type="checkbox"/> 2.2 Organization Development      |
| <input type="checkbox"/> 2.3 Organization Culture     | <input type="checkbox"/> 3.1 Resource optimization             | <input type="checkbox"/> 3.2 Safety Culture                |
| <input type="checkbox"/> 3.3 Environmental Leadership | <input type="checkbox"/> 4.1 Educate & Call to Action          | <input checked="" type="checkbox"/> 4.2 Build Partnerships |
| <input type="checkbox"/> 4.3 Value of Transit         | <input type="checkbox"/> 4.4 Project Connect                   |  |

**EXPLANATION OF STRATEGIC ALIGNMENT:** These improvements completed under this amended agreement will better serve customers and provide an improved transit experience.

**BUSINESS CASE:** This agreement supports improved customer information and customer amenities at the CARTS Eastside Bus Plaza, a partnership project between Capital Metro and CARTS.

**COMMITTEE RECOMMENDATION:** This agenda item was presented and is recommended for approval by the Operations, Planning and Safety Committee on April 13, 2022.

**EXECUTIVE SUMMARY:** In 2019, the Capital Metro Board approved an Interlocal Agreement with CARTS to jointly develop and operate the CARTS Eastside Bus Plaza, which opened in 2021. During the development of that site,

additional improvements to the southwest corner of the site were identified and determined to be mutually beneficial customer improvements including lighting, landscaping and a clock tower. Under this agreement, Capital Metro will contribute \$78,834 for those improvements. The agreement is also being updated to allow for a mechanism for addressing future maintenance needs that were not originally contemplated in the agreement.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Capital Projects



**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-342**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and management endeavor to continue the partnership with the Capital Area Rural Transportation System; and

WHEREAS, Capital Metro desires to provide a high quality customer experience through improved transit facilities and operations.

NOW, THEREFORE, BE IT RESOLVED that the Capital Metropolitan Transportation Authority Board of Directors authorizes the President & CEO, or his designee, to finalize and execute an amendment to the Interlocal Agreement (ILA) with the Capital Area Rural Transportation System (CARTS) to clarify ongoing maintenance responsibilities and contribute \$78,834 for additional improvements to the Eastside Bus Plaza (EBP) located at East Cesar Chavez Street and Shady Lane.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

**AMENDMENT ONE  
TO THE  
EASTSIDE BUS PLAZA INTERLOCAL COOPERATION AGREEMENT  
BY AND BETWEEN  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
AND  
CAPITAL AREA RURAL TRANSPORTATION SYSTEM**

This Amendment One (this “Amendment”) to the Interlocal Cooperation Agreement is made by and between Capital Metropolitan Transportation Authority, a political subdivision of the State of Texas organized under Chapter 451 of the Texas Transportation Code (“Capital Metro”) and the Capital Area Rural Transportation System, political subdivision of the State of Texas organized under Chapter 458 of the Texas Transportation Code (“CARTS”). Capital Metro and CARTS are referred to in this Amendment One individually as a “Party” and collectively as the “Parties”.

**RECITALS**

- A. Capital Metro and CARTS entered into that certain Interlocal Cooperative Agreement dated effective September 9, 2019 (the “Agreement”), for the development, operation, and maintenance of the Eastside Bus Plaza (the “EBP”).
- B. The Parties presently desire to amend the Agreement to provide for additional funding and maintenance obligations related to the EBP as described herein.
- C. The Parties intend to conform the Agreement, as amended hereby, in all respects with the Interlocal Cooperation Act, Texas Government Code Chapter 791.

**AGREEMENT**

- 1. **Financial Contribution.**
  - a. Capital Metro will provide additional funding for the southwest corner identity improvements (tower, walls, landscaping, LED Clock/DMS, etc.) for the EBP in an amount not to exceed Seventy-Eight Thousand Eight Hundred Thirty-Three Dollars and 77/100 (\$78,833.77).
  - b. Capital Metro will provide its funding to CARTS no later than thirty (30) days after the delivery of an acceptable invoice to Capital Metro.
  - c. Any additional funding will require the prior written approval of Capital Metro.
- 2. **Additional Maintenance.** In addition to the maintenance responsibilities contemplated in Section 6 of the Agreement, additional unforeseen maintenance needs for the EBP may be identified, in which case the Parties may mutually agree, through their designated representatives, on the performance of those tasks in a manner that distributes the maintenance burden, including associated costs, between the Parties proportional to the amount of services being operated by each Party at the EBP.
- 3. **Entire Agreement.** The terms of this Amendment are in addition to, and construed together with, the terms of the Agreement. In the event of conflict in any language in the Agreement and this Amendment, the language in this Amendment will control.

4. **Capitalized Terms.** Capitalized items used in this Amendment and not otherwise defined have the meanings assigned to them in the Agreement.

**IN WITNESS WHEREOF**, this Amendment has been signed by an authorized representative of each Party, to be effective as of the last signature date below.

**CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY**

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Signature Date \_\_\_\_\_

**CAPITAL AREA RURAL TRANSPORTATION  
SYSTEM**

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Signature Date \_\_\_\_\_

Board of Directors

Item #: AI-2022-354

Agenda Date: 4/25/2022

## SUBJECT:

Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Diligent for a Governance, Risk, and Compliance system for a base period of 1 year and 3 option years in an amount not to exceed \$1,537,786.

## FISCAL IMPACT:

Funding for this action is available in the FY2022 Capital Budget

## STRATEGIC PLAN:

### Strategic Goal Alignment:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input checked="" type="checkbox"/> 3. Financial and Environmental Sustainability    | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

### Strategic Objectives:

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> 1.1 Safety & Risk         | <input checked="" type="checkbox"/> 1.2 Continuous improvement | <input type="checkbox"/> 1.3 Dynamic Change            |
| <input checked="" type="checkbox"/> 1.4 Culture of Innovation | <input type="checkbox"/> 2.1 Be an Employer of Choice          | <input type="checkbox"/> 2.2 Organization Development  |
| <input type="checkbox"/> 2.3 Organization Culture             | <input checked="" type="checkbox"/> 3.1 Resource optimization  | <input checked="" type="checkbox"/> 3.2 Safety Culture |
| <input type="checkbox"/> 3.3 Environmental Leadership         | <input type="checkbox"/> 4.1 Educate & Call to Action          | <input type="checkbox"/> 4.2 Build Partnerships        |
| <input checked="" type="checkbox"/> 4.3 Value of Transit      | <input type="checkbox"/> 4.4 Project Connect                   |  |

**EXPLANATION OF STRATEGIC ALIGNMENT:** A robust Governance, Risk, and Compliance system (GRC) will allow Capital Metro to centralize management of all information used to track and monitor performance activities such as risk plans, internal audits, safety management plans, and contract performance management. Customer service excellence and financial sustainability will be achieved by having this centralized to achieve streamlined, efficient, and scalable management allowing Capital Metro to gain deeper insight and take actions based on quantifiable data.

**BUSINESS CASE:** The Internal Audit department uses a small system to track audits and store relevant information. This system is past its useful life and will need to be replaced. At the same time, many departments receive audit/compliance reports and conduct compliance management and safety management

that are carried out manually using spreadsheets. The current system used by Internal Audit is only good for internal audits with limited functionality. Acquisition of a tool that serves multiple departments and documents the compliance program would significantly benefit Capital Metro and reduce risk. An FTA Quadrennial Performance Audit report issued in January 2021 recommended that Capital Metro explore implementing a system to drive consistency across all compliance activities that occur in Bus, Rail, and Demand Response related to their respective service provider contracts. This GRC will allow Capital Metro to achieve a more comprehensive view of all risk and compliance activities, streamline workflows, safety management, and analyze data to reduce risk, and also provide reports to enable data driven decisions. At the same time, the system will be scalable to address current and future business growth needs.

**COMMITTEE RECOMMENDATION:** This item was presented and recommended for approval by the Operations, Planning and Safety Committee on April 13, 2022.

**EXECUTIVE SUMMARY:** Capital Metro will be implementing a GRC system to achieve a more comprehensive view of all risk and compliance activities, streamline workflows, and analyze data to reduce risk, and provide reports to enable data driven decisions. Performance activities such as risk plans, internal audits, safety management plans, and contract performance management are essential to effectively manage the agency and comply with the recommendations received in the 2021 Quadrennial Performance Audit report. To help ensure that Capital Metro procures a best-fit system that meets the current and future business needs of the entire agency and to ensure that it is implemented most effectively, Capital Metro will be procuring the HighBond GRC system and implementation services from Diligent. The system will address all Capital Metro current needs and provide an excellent platform for growth. The implementation services will examine our business needs and deliver a fully functional system to include migration of data, training, organizational adoption, as well as ongoing managed services for maintenance and support.

**DBE/SBE PARTICIPATION:** Does not apply.

**PROCUREMENT:** The Authority will utilize the Department of Information Resources (DIR) Contract No. DIR-TSO-4313 held by ACL Services Ltd., for Audit Management Solutions, providing Enterprise Risk, Governance Risk, Performance, and Compliance Management Software and Service.

DIR awarded contracts are made available for use by Capital Metro via Title 7, Intergovernmental Relations Chapter 791, Interlocal Cooperation Contracts and The Texas Interlocal Cooperation Act. Purchases made using DIR contracts satisfy otherwise applicable competitive bidding requirements. Texas Government Code, Section 2054.0565 (b) states that DIR Contracts meet competitive requirements for all governmental entities.

#### 7.5.a

The Contract base term is one (1) year with three (3) one-year options for renewal. The following are not to

exceed amounts provided by ACL Services Ltd. for base and option years:

Description	Pricing
Base Year – HighBond GRC Software Licensing and Implementation Services	\$500,782.25
Option Year 1 - HighBond GRC Software Licensing Renewal	\$328,946.36
Option Year 2 - HighBond GRC Software Licensing Renewal	\$345,393.68
Option Year 3 - HighBond GRC Software Licensing Renewal	\$362,663.37
Grand Total for Base and Option Years:	\$1,537,785.66

The contract is fixed price.

RESPONSIBLE DEPARTMENT: Information Technology

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-354**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to implement a Governance, Risk, and Compliance System; and

WHEREAS the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to procure and implement a best-fit Governance, Risk, and Compliance System that will provide improved features for risk management, contract compliance management and other key performance tracking activities that will meet current and future business growth.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute a contract with Diligent for a Governance, Risk, and Compliance system for a base period of 1 year and 3 option years in an amount not to exceed \$1,537,786.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**



# Governance Risk and Compliance Tool Overview



# GRC Tool Overview



## Summary

A Governance Risk and Compliance tool helps organizations ensure they are meeting internal and external compliance and risk standards.

### Compliance Tool

### Risk Remediation Tool

### Dashboard and Reporting Tool

#### Operations

Automate critical QA activities for vendor contract compliance, such as SLAs and preventative maintenance.

Improve the efficacy of our internal controls by moving from manual processes to more automation.

Monitor metrics such as KPIs, SLAs, incentive and disincentive payments as per the contract.

#### Safety

Can use pre-configured regulatory and controls or customize per the agency's needs.

Identify, assess, mitigate, and manage hazards and associated risks, for safer operating and workplace environments.

Streamline the collection of sensitive and timely data to continuously analyze, monitor and improve.

#### Internal Audit

Manage audit engagements, to create, plan, scope and conduct internal audits across business functions.

Consolidate all audit findings and associated recommendations across audits as well as FTA requirements against remediation efforts.

Create one-click reports to keep stakeholders informed.

#### Technology

Create an end-to-end IT risk and compliance management program to prevent, identify and mitigate risks.

Manage threats and vulnerabilities to enhance risk resilience both internally and from third-party incidence.

Automate data in real-time, from fraud detection to asset tracking.

# GRC Tool Benefits



## Why HighBond

HighBond is an enterprise governance software platform that meets the current and future needs of CapMetro. Teams across Internal Audit, Safety, Procurement, Risk, Finance, and Technology who will use the system were part of the selection process.



### Strengthens Existing Processes

Tool enables teams to identify, monitor and manage risks and continuously evolve processes in order to improve compliance and meet the agency's goals.



### Transparent Reporting

Reporting to improve visibility across the organization, with the ability to set-up "one-click" reports and dashboards.



### Advanced Analytics

Real time integrated analytics are built into the system, allowing team members to identify and assess risk in real time.



### Data Security

Data is stored in the secured cloud and will be kept confidential, so that only those with password access will be able to gain access.

CapMetro

Thank you!

Board of Directors

Item #: AI-2022-398

Agenda Date: 4/25/2022

## SUBJECT:

Approval of a resolution authorizing the President & CEO, or his designee, to modify the KPMG, LLC contract # 200611 for Enterprise Resource Planning (ERP) Consulting services, increasing the previous Board authorized amount by \$593,980, plus a contingency amount of \$750,000, for the addition of two technical resources to work on integrations, security and workflows within the Oracle Enterprise Resource Planning (ERP) system for a new not-to-exceed amount of \$4,384,356.

## FISCAL IMPACT:

Funding for this action is available in the FY2022 Capital Budget

## STRATEGIC PLAN:

### Strategic Goal Alignment:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1. Internal/External Customer Service Excellence         | <input type="checkbox"/> 2. Stakeholder Engagement       |  |
| <input checked="" type="checkbox"/> 3. Financial and Environmental Sustainability | <input checked="" type="checkbox"/> 4. Staff Development | <input type="checkbox"/> 5. Agency Growth Management |

### Strategic Objectives:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 1.1 Safety & Risk            | <input type="checkbox"/> 1.2 Continuous improvement           | <input type="checkbox"/> 1.3 Dynamic Change           |
| <input type="checkbox"/> 1.4 Culture of Innovation    | <input type="checkbox"/> 2.1 Be an Employer of Choice         | <input type="checkbox"/> 2.2 Organization Development |
| <input type="checkbox"/> 2.3 Organization Culture     | <input checked="" type="checkbox"/> 3.1 Resource optimization | <input type="checkbox"/> 3.2 Safety Culture           |
| <input type="checkbox"/> 3.3 Environmental Leadership | <input type="checkbox"/> 4.1 Educate & Call to Action         | <input type="checkbox"/> 4.2 Build Partnerships       |
| <input type="checkbox"/> 4.3 Value of Transit         | <input type="checkbox"/> 4.4 Project Connect                  |   |

**EXPLANATION OF STRATEGIC ALIGNMENT:** Our current financial management system is no longer actively maintained by the vendor and mainstream support for the system ended in October 2021. Capital Metro is implementing a new ERP system with Oracle facilitated by KPMG. As part of the State of Good Repair program, it is imperative to replace these mission-critical systems that are at the end of their useful life.

**BUSINESS CASE:** Capital Metro currently uses Microsoft Dynamics AX 2012 as the financial management system for the Authority, and UltiPro for human capital management and payroll. The systems are at the end of their useful life and do not satisfy current business needs for integrating mission-critical business data,

budget management, grant management, project accounting, reporting, business intelligence, payroll, employee benefits, recruiting, onboarding and human capital management. Capital Metro is implementing a new ERP system with Oracle facilitated by KPMG. Due to the increased integration needs between the ERP system and existing systems such as banking services, fare payment systems, p-card, data warehouse, asset management and other key systems, as well as ensuring that role-based security and workflows are implemented correctly, a need has been identified for two technical resources.

COMMITTEE RECOMMENDATION: This item was presented and recommended for approval by the Finance, Audit and Administration Committee on April 13, 2022.

EXECUTIVE SUMMARY: Capital Metro is implementing a new ERP system to replace the out-of-lifecycle financial management, human capital management, and payroll systems. To help ensure that Capital Metro procures a best-fit system that meets the current and future business needs of the agency and to ensure that it is implemented most effectively, Capital Metro is seeking to add two technical resources to work on integrations, security and workflows within the new ERP system.

DBE/SBE PARTICIPATION: No SBE goal is assigned to this contract due to limited subcontracting availability.

PROCUREMENT: On July 20, 2020, following authorization by the Capital Metro Board of Directors, KPMG, LLP was awarded contract #200611 for Enterprise Resource Planning (ERP) Consulting services for a total not to exceed amount of \$2,381,291. On November 22, 2021, the Capital Metro Board of Directors authorized a contract modification to increase the original Board authorized amount by \$259,085, plus a contingency amount of \$250,000, for a new not-to-exceed amount of \$3,040,376. Modifications to the contract within the Procurement Policy of up to \$150,000 above the board award have been made to cover additional technical resources above the modified contract amount. This proposed modification will increase the total not-to-exceed amount by an additional \$593,980, plus a contingency amount of \$750,000, bringing the new not-to-exceed amount to \$4,384,356.

Description	Amount
Base Term	\$1,049,611
Option Periods 2 and 3	\$1,331,680
Modifications through October 1, 2021	\$150,000
<b>Subtotal: July 2020 Board Award</b>	<b>\$2,531,291</b>
Modification Amount	\$259,085
Contingency Amount	\$250,000
<b>Subtotal: November 2021 Board Award</b>	<b>\$3,040,376</b>
Proposed Modification	\$593,980
Contingency Amount	\$750,000

Final Not-to-Exceed Amount: April 2022	\$4,384,356
--	-------------

RESPONSIBLE DEPARTMENT: Information Technology

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-398**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to procure and implement a best-fit Enterprise Resource Planning (ERP) system that will provide improved functionality to meet current and future business growth with the required staffing to support a successful and seamless transition.

WHEREAS, a system has been selected that will meet the current and future needs in this area; and

WHEREAS, the requirement for the two technical resources to work on integrations, security and workflows of the new system has been identified as a component that will contribute to the success of implementation of the new system.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to modify the KPMG, LLC contract # 200611 for Enterprise Resource Planning (ERP) Consulting services, increasing the previous Board authorized amount by \$593,980, plus a contingency amount of \$750,000, for the addition of two technical resources to work on integrations, security and workflows within the Oracle Enterprise Resource Planning (ERP) system for a new not-to-exceed amount of \$4,384,356.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

Board of Directors

Item #: AI-2022-400

Agenda Date: 4/25/2022

## SUBJECT:

Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Jay-Reese Contractors, Inc. for the McKalla Station Advance Culvert Construction Project for \$3,271,035, plus \$490,656 (15% contingency) for a total not to exceed amount of \$3,761,691.

## FISCAL IMPACT:

Funding for this action is available in the FY2022 Capital Budget

## STRATEGIC PLAN:

### Strategic Goal Alignment:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input type="checkbox"/> 3. Financial and Environmental Sustainability               | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

### Strategic Objectives:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 1.1 Safety & Risk               | <input type="checkbox"/> 1.2 Continuous improvement     | <input type="checkbox"/> 1.3 Dynamic Change                |
| <input type="checkbox"/> 1.4 Culture of Innovation       | <input type="checkbox"/> 2.1 Be an Employer of Choice   | <input type="checkbox"/> 2.2 Organization Development      |
| <input type="checkbox"/> 2.3 Organization Culture        | <input type="checkbox"/> 3.1 Resource optimization      | <input type="checkbox"/> 3.2 Safety Culture                |
| <input type="checkbox"/> 3.3 Environmental Leadership    | <input type="checkbox"/> 4.1 Educate & Call to Action   | <input checked="" type="checkbox"/> 4.2 Build Partnerships |
| <input checked="" type="checkbox"/> 4.3 Value of Transit | <input checked="" type="checkbox"/> 4.4 Project Connect |  |

**EXPLANATION OF STRATEGIC ALIGNMENT:** The McKalla rail station will serve as a key transit option for the greater community and stadium visitors and serve as an expanded daily service for the MetroRail Red Line. This station will ultimately replace Kramer Station when completed.

**BUSINESS CASE:** The project is an essential part of addressing the transportation and mobility needs of the Austin community, thereby increasing people's access to jobs, services and entertainment in a reliable, safe, and convenient manner. The station is anticipated to provide access from other transportation modes, such as travel by foot, bicycle, active transit modes, other public transit, or car. Large residential areas exist to the east of the proposed station, and major commercial, retail, and university areas are in the vicinity. The funding for this project is included in the FY 2022 capital budget and the five-year capital improvement plan.



COMMITTEE RECOMMENDATION: This item was presented and recommended for approval by the Operations, Planning and Safety Committee on April 13, 2022.

EXECUTIVE SUMMARY: This contract is for McKalla Station Advanced Culvert Construction Project which is a part of the overall Double Track and Drainage Improvement Project. This sub-project was separated out to advance the underground culvert work before the overall double track work above ground is initiated. The project will include demolishing an existing bridge at MP 65.97 and replacing with four precast box culverts across the tracks and laying precast box culverts in parallel to the track on the Q2 stadium side. The project will total 1570 Linear Feet of precast concrete culverts and associated inlets, junction boxes, and stormwater manholes as per requirements, design criteria and technical specifications provided in the solicitation documents.

**DBE/SBE PARTICIPATION:**

The DBE goal is 15%. The prime contractor will exceed the goal utilizing the following DBE subcontractors:

DBE Subcontractors	Race/Gender	Services/Products	DBE Responsiveness
<b>KLP Commercial</b> Manor, TX	Native American/ Female	Precast Box Culverts	26.01%
<b>J Arbor Contracting</b> Manor, TX	Hispanic/ Female	Supply and Install Erosion Control	1.28%
<b>JAG Trucking</b> Georgetown, TX	Hispanic/ Male	Hauling Services	0.76%
<b>Alpha Ready Mix</b> Hutto, TX	Hispanic/ Female	Concrete Supplier	0.61%
			<b>28.66%</b>

PROCUREMENT: On February 21, 2022, an Invitation for Bids was issued and formerly advertised. By the closing date of March 23, 2022, three (3) bids were received from the following bidders:

Bidder	Total Amount
Jay-Reese Contractors, Inc.	\$ 3,271,035.00
Herzog Contracting, Inc.	\$ 4,235,916.50
MA Smith Contracting Co.	\$ 4,728,088.00

Jay-Reese Contractors, Inc. was the lowest, responsive, responsible bidder and submitted all the required documents with their bid, which was received prior to the established date and time for the receipt of bids. Jay-Reese has performed previous contracts for CapMetro including the Construction of Downtown Multimodal Station. A financial analysis was conducted revealing no financial concerns reflecting that the firm has the adequate financial resources and capacity to conduct the work. Jay-Reese Contractors is not debarred on the Federal or State Debarred vendor lists. The price was determined to be fair and reasonable based on adequate competition. The contract is a fixed, unit price contract. The period of performance is 165 calendar days from notice to proceed.

RESPONSIBLE DEPARTMENT: Capital Construction & Facilities Management

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-400**

WHEREAS, The Capital Metropolitan Transportation Authority Board of Directors and Capital Metro Management endeavor to provide the best customer experience and to better serve Central Texas residents; and

WHEREAS, The Capital Metropolitan Transportation Authority Board of Directors and Capital Metro Management recognize the need to award a contract for McKalla Station Advance Culvert Construction Project to initiate the construction of the new rail station.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute a contract with Jay-Reese Contractors, Inc. for the McKalla Station Advance Culvert Construction Project for \$3,271,035, plus \$490,656 (15% contingency) for a total not to exceed amount of \$3,761,691.

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

**Date:** \_\_\_\_\_



# Project Connect McKalla Rail Station

CapMetro Board of Directors – April 2022



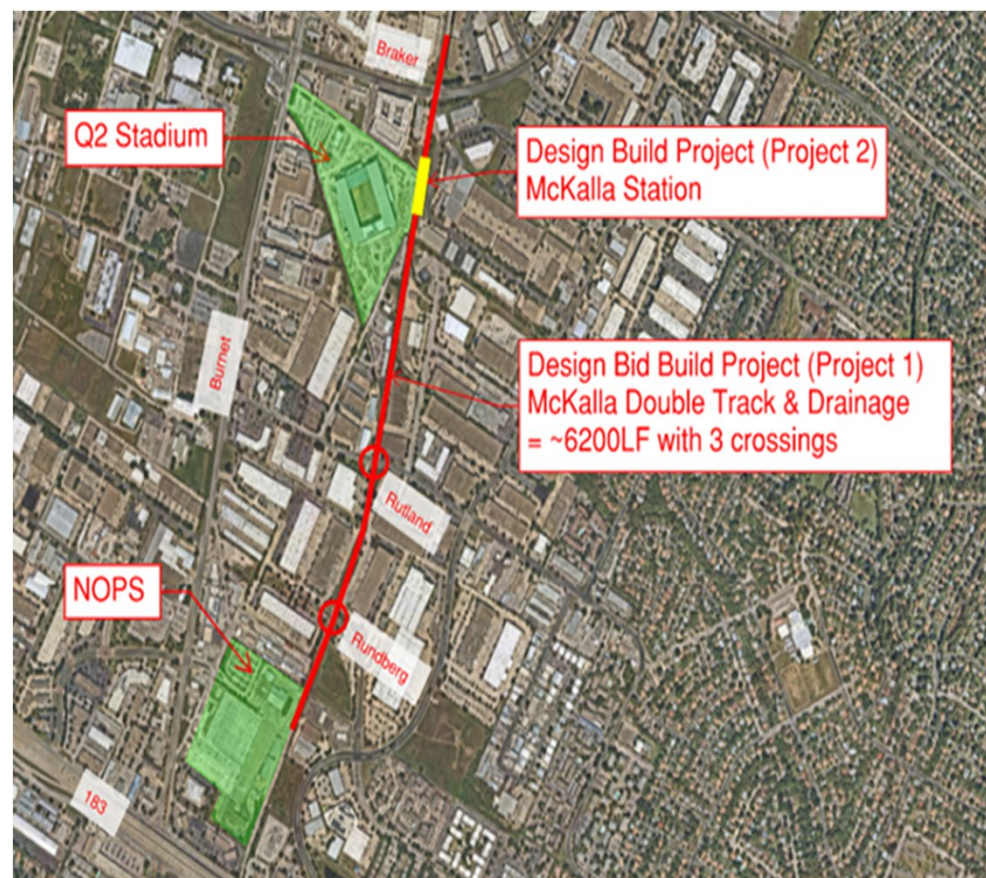
## McKalla MetroRail Station – Project Description

Project 1: Double tracking, drainage, signals, PTC modification, railroad crossings, shared use path

Project 2: Station, canopies, customer amenities

Real Estate Needs:

- East side of rail right-of-way (CapMetro)
- Shared use path easement (City of Austin)



## CapMetro Board of Directors Actions related to construction of McKalla Station

March 2022

- Contract methodology and construction management services for Project 1

April 2022

- Construction contract for culvert work (part of Project 1)

May 2022

- Interlocal Agreement with the City of Austin for betterments (wastewater line upgrades & shared-use path cost sharing)

August 2022

- Contract award for Project 2

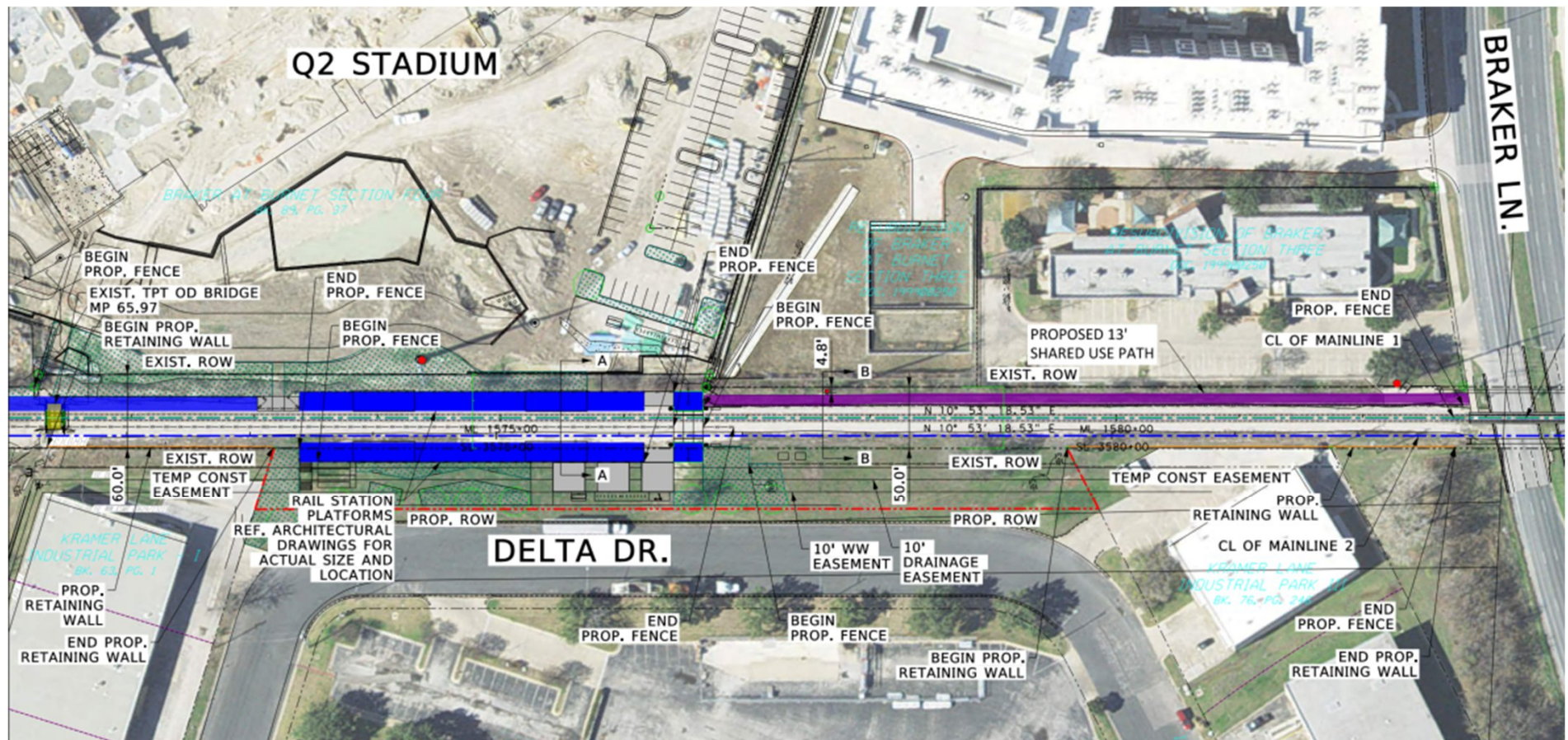
Potential Future Needs

- Land acquisition of property east of rail right of way (pending property owner agreement)
- Q2 Stadium Plaza Construction Modifications
- Temporary construction easements





# McKalla MetroRail Station



Shared Use Path for Bikes and Pedestrians (purple)

4





McKalla Station Rendering







Thanks for joining us.  
Visit [ProjectConnect.com](https://ProjectConnect.com) for more information.



Board of Directors

Item #: AI-2022-405

Agenda Date: 4/25/2022

**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or his designee, to implement the June 2022 Service Changes.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Operating Budget

**STRATEGIC PLAN:**

Strategic Goal Alignment:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input type="checkbox"/> 3. Financial and Environmental Sustainability               | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

Strategic Objectives:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1.1 Safety & Risk            | <input checked="" type="checkbox"/> 1.2 Continuous improvement | <input checked="" type="checkbox"/> 1.3 Dynamic Change |
| <input type="checkbox"/> 1.4 Culture of Innovation    | <input type="checkbox"/> 2.1 Be an Employer of Choice          | <input type="checkbox"/> 2.2 Organization Development  |
| <input type="checkbox"/> 2.3 Organization Culture     | <input type="checkbox"/> 3.1 Resource optimization             | <input type="checkbox"/> 3.2 Safety Culture            |
| <input type="checkbox"/> 3.3 Environmental Leadership | <input type="checkbox"/> 4.1 Educate & Call to Action          | <input type="checkbox"/> 4.2 Build Partnerships        |
| <input type="checkbox"/> 4.3 Value of Transit         | <input type="checkbox"/> 4.4 Project Connect                   |  |

**EXPLANATION OF STRATEGIC ALIGNMENT:** Service Changes are in accordance with Capital Metro's Service Standards. These changes are designed to meet Goals 1-4 in Capital Metro's Strategic Plan:

- 1). Deliver the best possible customer experience,
- 2). Demonstrate Regional Leadership,
- 3). Demonstrate the value of public transportation in a dynamic community,
- 4). Continue to improve organizational practices and develop staff.

**BUSINESS CASE:** These changes are intended to improve the overall customer experience with a focus on on-time performance through the minor modification of select services.

**COMMITTEE RECOMMENDATION:** This item was presented and recommended for approval by the Operations, Planning and Safety Committee on April 13, 2022.

EXECUTIVE SUMMARY: The June 2022 service changes continue the COVID service levels established with the September 2021 service change. Minor schedule adjustments are proposed, with continued suspension of some services. Staff recommends the following minor changes for final approval at the April board meeting:

- **Minor Schedule Adjustments** - To improve on-time performance, select routes may receive minor adjustments to their schedules.
- **Summer Service Adjustments** - Normal transition will occur on UT routes, and select trips on mainline routes to summer service levels.
- **Continued Service Suspension** - Express routes 981 and 987, as well as all E-bus service, will remain suspended.
- **MetroRail** - MetroRail on weekdays may receive minor schedule adjustments to ensure more efficient and reliable service. In addition, planned maintenance work is scheduled between July 2<sup>nd</sup> through 10<sup>th</sup>

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Planning and Development

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-405**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management continue to support the recovery of the City of Austin from the COVID-19 crisis; and

WHEREAS, the June 2022 Service Changes will continue to rebuild ridership while minimizing impacts on current customers; and

WHEREAS, no equity analysis or public hearing was required because none of the proposed changes met the major service change threshold.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to implement June 2022 Service Changes described in the attached document beginning Sunday, May 29, 2022.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**



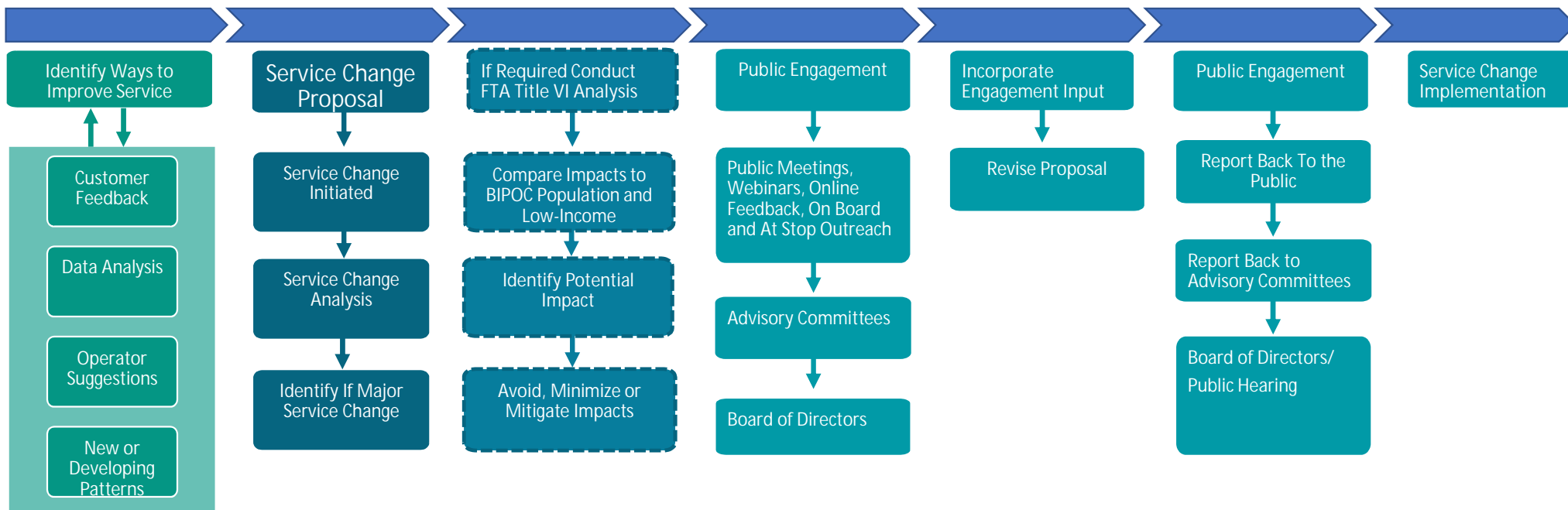
# June 2022 Service Change

*April 25, 2022 Board Meeting*

# Service Change Overview

- Purpose: to Evaluate Current Conditions and make service adjustments
- During a service change process, we:
  - Identify Ways to Improve Service
  - Develop a Service Change Proposal
  - Engage with the Public throughout the Process
- Service changes currently occur every Winter, Spring, and Fall to correspond with changing customer needs and patterns

# Service Change Process & Regulatory Framework



## Conceptual Framework













Note: We monitor Ridership and Customer Care Reports daily


# Service Changes and COVID


- COVID impacted our services with effects on staffing, new health safety protocols, and the large shift in working from home.
- In response to the evolving COVID pandemic, we had to make changes to our service more than 3 times a year.
- Our service had to undergo several changes including adjusting service to meet the needs of our essential workers and ensuring we serve essential destinations (i.e., grocery stores and medical facilities).
- With improving covid conditions we will be returning to the standard process with scheduled Winter, Spring, and Fall service changes.


## COVID-19 Risk-Based Guidelines Chart

Hospitals, nursing homes and congregate facilities including jails and shelters follow APH guidelines—or—the facilities' regulatory policy.

COVID-19 Community Levels	Gatherings		Dining		Shopping	
	Up to date	At risk	Up to date	At risk	Up to date	At risk
Low						
Medium <small>Mask when social distancing is not possible.</small>						
High						

 Places that require vaccines and masks may pose a lower risk.

 Mask optional, continue washing hands and other hygiene precautions. People may choose to mask at any time. Anyone with symptoms, a positive test, or exposure to someone with COVID-19 should wear a mask according to CDC guidance.

 Take prevention measures: wear a mask, wash your hands and social distance following CDC guidelines.

CDC's COVID-19 Community Level recommendations do not change current travel requirements, including the requirement to wear masks on public transportation and indoor in U.S. transportation hubs.

Up to date: A person has received all recommended COVID-19 vaccines and boosters.

At risk: Talk to your doctor to determine whether you are at risk.

Source: <https://covid.cdc.gov/covid-data-tracker/#txtracker-home>



# January 2022 Service Changes

## Minor Adjustments of Service

- Adjusted Running Times – Minor adjustments to schedules due to ridership / travel conditions

## Maintained Service Levels

- MetroRail – Continued reduced service levels
- MetroExpress & Flyers – Continued reduced service levels
- E-Bus – Continued suspension of service



# Overview of Proposed Summer 2022 Service Changes

- Service Adjustments
  - Adjust Running Times – Minor adjustments to schedules to improve on-time performance
  - Summer Service Adjustment – Normal transition on UT routes, and on select route trips to summer service levels
  - Continued Service Suspension – MetroExpress (routes 981 and 987) and E-bus service remain suspended
  - MetroRail – Minor schedule adjustments on Weekdays and/or Saturdays to ensure more efficient and reliable service.
    - In addition, planned maintenance work is scheduled between July 2nd through 10th.
- No Title VI Analysis required
- Operator shortages are experienced by transit agencies nationwide since onset of COVID and all service adjustments are subject to this ongoing impact.
- Capital Metro is actively recruiting, hiring and training new operators and vehicle maintenance team members to deliver more service.

# Looking Forward

- Fall 2022 Service Change
  - Introduction of proposed new PickUp service in Northeast Austin (replacing Route 233)
  - We will plan for more service as staffing constraints improve
    - Some commuter service will remain reduced due to low ridership
- Winter 2023
  - Minor changes to address changing conditions
- Next Major Change – mid 2023
  - MetroRapid Expo and PV and other adjustments to network



Continue to monitor ridership and staffing levels and supplement where we are able

CapMetro

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CapMetro

Thank you!

Board of Directors

Item #: AI-2022-345

Agenda Date: 4/25/2022

**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a Design-Build contract with Modern Railway Systems, Inc. for Positive Train Control (PTC) Optimization, Engineering, Construction and Support Services in an amount not to exceed \$6,000,000.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget and the 5-year Capital Improvement Plan.

**STRATEGIC PLAN:****Strategic Goal Alignment:**

- ☒ 1. Internal/External Customer Service Excellence   ☐ 2. Stakeholder Engagement  
☐ 3. Financial and Environmental Sustainability   ☐ 4. Staff Development   ☐ 5. Agency  
Growth Management

**Strategic Objectives:**

- ☒ 1.1 Safety & Risk   ☒ 1.2 Continuous improvement   ☐ 1.3 Dynamic Change  
☐ 1.4 Culture of Innovation   ☐ 2.1 Be an Employer of Choice   ☐ 2.2 Organization Development  
☐ 2.3 Organization Culture   ☒ 3.1 Resource optimization   ☐ 3.2 Safety Culture  
☐ 3.3 Environmental Leadership   ☐ 4.1 Educate & Call to Action   ☐ 4.2 Build Partnerships  
☒ 4.3 Value of Transit   ☐ 4.4 Project Connect

**EXPLANATION OF STRATEGIC ALIGNMENT:** Modern Railway Systems is the prime contractor who assisted Capital Metro in implementing a PTC system that complies with the federal mandate. They will lend their expertise once again in this Design-Build Contract to enable Capital Metro to optimize its existing PTC system and ensure we are providing our customers with a reliable, safe, and excellent transportation service.

**BUSINESS CASE:** Capital Metro has competitively procured the services of Modern Railway Systems to perform Positive Train Control (PTC) Optimization, Engineering, Construction and Support Services on its railroad. Capital Metro along with our consultants have identified opportunities to optimize its existing PTC system.

**COMMITTEE RECOMMENDATION:** This item was presented and recommended for approval by the Operations, Planning and Safety Committee on April 13, 2022.

**EXECUTIVE SUMMARY:** On August 10, 2020, Capital Metro implemented a Positive Train Control (PTC) system on its regional rail corridor in response to a mandate from Congress via the 2008 Railroad Safety Improvement Act (RSIA). The RSIA required all railroads with regularly scheduled commuter rail passenger service to fully implement a Positive Train Control (PTC) system that increases safety by reducing human errors. Following the implementation of PTC, Capital Metro along with its O&M contractor and consultants have (1) identified opportunities to optimize our PTC technology to mitigate its impact on commuter and freight rail operational efficiency; and (2) identified the need for technical oversight of future construction that may impact the Positive Train Control system. Examples include PTC wayside and/or on-board software optimization and PTC technical oversight for potential double tracking in multiple locations along the Capital Metro PTC protected corridor.

**DBE/SBE PARTICIPATION:**

The DBE goal is 11%. The prime contractor will meet the goal utilizing the following DBE subcontractors:

<b>DBE Subcontractors</b>	<b>Race/Gender</b>	<b>Services/Products</b>	<b>DBE Responsive</b>
<b>HAFCO Services</b> Austin, TX	Hispanic/ Male	Furnish / Install Track Material	1%
<b>Generation Cable Corp</b> Atlanta, GA	White/ Female	Electrical Wire, Cable, Material Supply	2.5%
<b>McAllen Signal and Boring</b> McAllen, TX	Hispanic/ Female	Install Signal System	2.5%
<b>JLM Strategic Talent Partners</b> Long Beach, CA	Black/ Female	Supply- Personnel Staffing, administrative assistance	1.5%
<b>Eagle Barricade</b> McKinney, TX	Black/Female	Traffic Control	.50%
<b>QN Management Solutions</b> Dallas, TX	Asian/Male	Equipment procurement, scheduling, critical path review, time impact analysis	3%
			<b>11%</b>

**PROCUREMENT:** This procurement follows the Design-Build procurement process approved by the Board in 2016 to procure design and construction services. A Request for Qualifications (RFQ) was issued to develop a short list of qualified firms on August 17, 2021. One SOQ submittal was received from Modern Railway Systems (MRS) by the due date of September 17, 2021. Since there was only one proposal, the scope of work and pricing structure were discussed in several meetings with MRS. A Request for Proposal (RFP) was issued to MRS on February 2, 2022, to provide technical and price proposals. MRS submitted a proposal by the due date of March 4, 2022. An award of Indefinite-Quantity, Indefinite-Delivery Task Order contract is recommended to MRS. The term of the contract shall be five base (5) years with one (1) option year from the contract award date for a cumulative not-to exceed total amount of \$6,000,000.

RESPONSIBLE DEPARTMENT: Rail Operations

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**A1-2022-345**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to both optimize the existing PTC technology, and to expand the PTC technology onto the new railroad infrastructure being constructed in the central corridor; and

WHEREAS; the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to provide a safe, efficient, and reliable rail service to our customers; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to finalize and execute a Design-Build contract secured through competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute a Design-Build contract with Modern Railway Systems, Inc. for Optimization, Engineering, Construction and Support Services on Capital Metro's Commuter Rail Corridor in an amount not to exceed \$6,000,000.

\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

**Date:** \_\_\_\_\_



Board of Directors

Item #: AI-2022-403

Agenda Date: 4/25/2022

## SUBJECT:

Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an agreement regarding Lakeline Park and Ride Improvements (the "Agreement") with Sabot-Lakeline, LLC (Sabot), under which CapMetro will grant licenses to Sabot to improve, maintain and share use of the Lakeline Park and Ride driveway and install related amenities, with the construction of such improvements and amenities being at Sabot's sole cost and expense.

## FISCAL IMPACT:

This action has no fiscal impact.

## STRATEGIC PLAN:

### Strategic Goal Alignment:

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input type="checkbox"/> 3. Financial and Environmental Sustainability               | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

### Strategic Objectives:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1.1 Safety & Risk                    | <input checked="" type="checkbox"/> 1.2 Continuous improvement | <input type="checkbox"/> 1.3 Dynamic Change                |
| <input checked="" type="checkbox"/> 1.4 Culture of Innovation | <input type="checkbox"/> 2.1 Be an Employer of Choice          | <input type="checkbox"/> 2.2 Organization Development      |
| <input type="checkbox"/> 2.3 Organization Culture             | <input checked="" type="checkbox"/> 3.1 Resource optimization  | <input type="checkbox"/> 3.2 Safety Culture                |
| <input type="checkbox"/> 3.3 Environmental Leadership         | <input type="checkbox"/> 4.1 Educate & Call to Action          | <input checked="" type="checkbox"/> 4.2 Build Partnerships |
| <input type="checkbox"/> 4.3 Value of Transit                 | <input type="checkbox"/> 4.4 Project Connect                   |  |

**EXPLANATION OF STRATEGIC ALIGNMENT:** Under this Agreement, Sabot, which is developing the property adjacent to Lakeline Park and Ride, will improve the Lakeline Park and Ride driveway in a manner beneficial to operations. It is expected that ridership will increase by an improved facility that supports Sabot's mixed used development adjacent to the Park and Ride.

**BUSINESS CASE:** Under the Agreement, Sabot, the developer of a mixed use development located adjacent to the Lakeline Park and Ride, will improve the Park and Ride driveway and add amenities, at Sabot's sole expense. Sabot have certain maintenance obligations with respect to the improvements. These

improvements are beneficial for CapMetro's operations and, the partnership will support Sabot's new mixed-used development, which, in turn, should increase ridership.

COMMITTEE RECOMMENDATION: This item will be presented to the full board on April 25, 2022.

EXECUTIVE SUMMARY: Sabot is currently developing a mixed-use project adjacent to the Lakeline Park and Ride. Under this Agreement, CapMetro will convey a license to Sabot to improve the Park and Ride driveway, including, but not limited to, constructing a dedicated bus lane, a bike lane with landscaping, parking spaces (for Sabot's exclusive use), and a sidewalk as well as installing picnic table and benches, lighting, an entrance sign, way-finding signage, and a new CapMetro monument sign. The Agreement also provides that CapMetro will convey a long-term maintenance and use license to Sabot, under which Sabot will be responsible for certain maintenance obligations, at Sabot's cost.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: N/A

RESPONSIBLE DEPARTMENT: Planning and Development

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-403**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors is dedicated to pursuing innovative and productive partnerships that will improve CapMetro's mass transit operations to better serve the community; and

WHEREAS, Sabot-Lakeline, LLC ("Sabot") is developing a mixed use development adjacent to CapMetro's Lakeline Park and Ride and desires to improve, at Sabot's sole cost and expense, the driveway at Lakeline Park and Ride in a manner that is beneficial to both parties; and

WHEREAS, CapMetro is willing to enter into an agreement with Sabot under which CapMetro will grant licenses to Sabot for (i) the construction and installation of improvements, including but not limited to, a dedicated bus lane, a bike lane with landscaping, parking and a sidewalk, picnic table and benches, lighting, and signage, at Sabot's sole cost and expense and (ii) Sabot's use and maintenance of such improvements.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and executed an agreement regarding Lakeline Park and Ride Improvements, under which CapMetro will (i) grant to Sabot a license to construct, at Sabot's cost and expense, improvements to Lakeline Park and Ride driveway and (ii) agree to enter into a License and Maintenance Agreement under which Sabot may jointly use the improvements and Sabot will be responsible for certain maintenance obligations, at Sabot's cost.

**Date:** \_\_\_\_\_

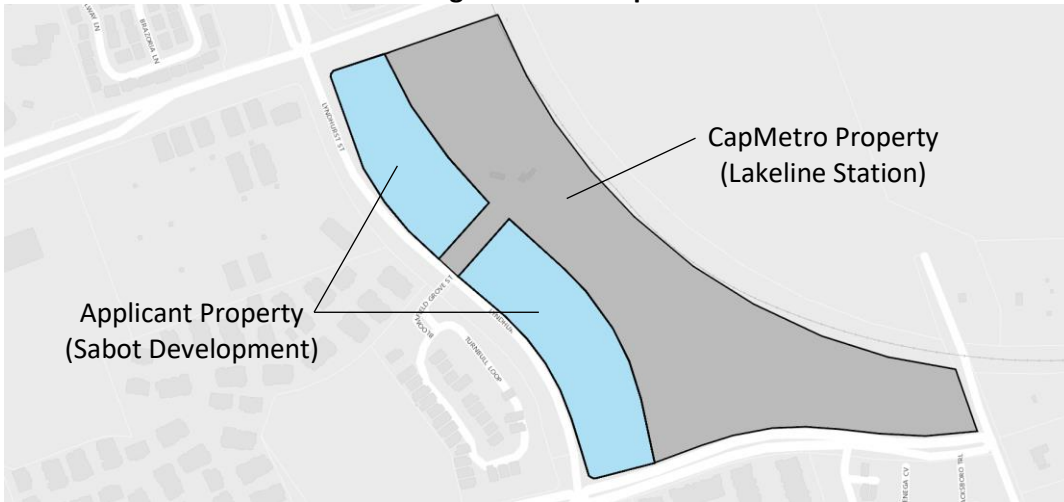
\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

**Figure 1. Multi-Modal Design for License Agreement Area**

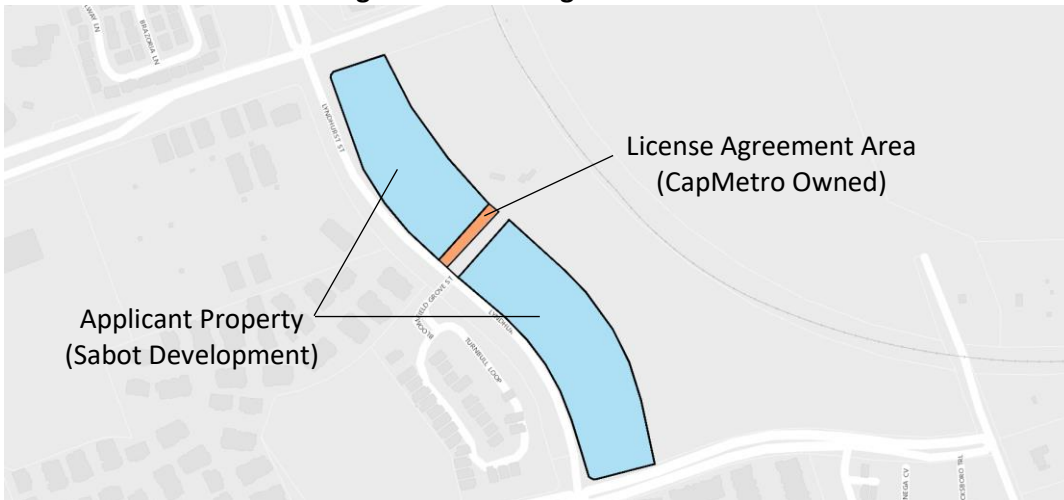




**Figure 2. Site Map**



**Figure 3. License Agreement Area**



**Figure 4. Future Plans (With CapMetro Feedback)**



**Figure 5. Current Unused Bollard Area**



**Figure 6. Activated Multi-Modal Area in Overall Streetscape Design**



**Figure 7. License Agreement Area within Project Design**



Board of Directors

Item #: AI-2022-409

Agenda Date: 4/25/2022

**SUBJECT:**

Approval of an Amended and Restated Certificate of Formation of the Austin Transit Partnership Local Government Corporation ("ATP"), a Joint Local Government Corporation.

**FISCAL IMPACT:**

This action has no fiscal impact.

**STRATEGIC PLAN:**

Strategic Goal Alignment:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1. Internal/External Customer Service Excellence | <input type="checkbox"/> 2. Stakeholder Engagement |  |
| <input type="checkbox"/> 3. Financial and Environmental Sustainability    | <input type="checkbox"/> 4. Staff Development      | <input type="checkbox"/> 5. Agency Growth Management |

Strategic Objectives:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 1.1 Safety & Risk            | <input type="checkbox"/> 1.2 Continuous improvement     | <input type="checkbox"/> 1.3 Dynamic Change           |
| <input type="checkbox"/> 1.4 Culture of Innovation    | <input type="checkbox"/> 2.1 Be an Employer of Choice   | <input type="checkbox"/> 2.2 Organization Development |
| <input type="checkbox"/> 2.3 Organization Culture     | <input type="checkbox"/> 3.1 Resource optimization      | <input type="checkbox"/> 3.2 Safety Culture           |
| <input type="checkbox"/> 3.3 Environmental Leadership | <input type="checkbox"/> 4.1 Educate & Call to Action   | <input type="checkbox"/> 4.2 Build Partnerships       |
| <input type="checkbox"/> 4.3 Value of Transit         | <input checked="" type="checkbox"/> 4.4 Project Connect |   |

**EXPLANATION OF STRATEGIC ALIGNMENT:** The Austin Transit Partnership oversees implementation of the Project Connect System Plan and Locally Preferred Alternative for the Orange, Blue, Gold, Green and MetroRapid Lines as part of the CapMetro transit system.

**BUSINESS CASE:** The ongoing operations of a joint local government corporation with the City of Austin and CapMetro is necessary to carry out the Project Connect System Plan as approved by the voters of the City of Austin on November 3, 2020.

**COMMITTEE RECOMMENDATION:** This resolution will be considered for approval at the meeting of the Capital Metro Board of Directors on April 25, 2022. The City of Austin City Council is expected to consider it for approval on May 5, 2022.

EXECUTIVE SUMMARY: As the ATP was jointly created by the City of Austin and the Capital Metropolitan Transportation Authority ("CapMetro"), to be effective, any amendments of the ATP Certificate of Formation (including Articles of Incorporation) are conditioned upon the additional approval of any such amendments by the City of Austin City Council.

Upon approval by both the CapMetro Board and the Austin City Council, the appropriate paperwork will be filed with the Texas Secretary of State to amend ATP's Articles of Incorporation, at which time the amendment will become effective.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Legal



**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-409**

**WHEREAS**, in accordance with Chapter 431 of the Texas Transportation Code, known as the Texas Transportation Corporation Act (the “Act”), Chapter 394 of the Texas Local Government Code (“Chapter 394”), and an interlocal agreement between the Capital Metropolitan Transportation Authority (“CapMetro”) and the City of Austin (“City”), the joint local government corporation called the Austin Transit Partnership Local Government Corporation (“ATP”) was created to aid CapMetro and the City and act on their behalf to accomplish the governmental purpose of implementing the Project Connect System Plan and Locally Preferred Alternatives for the Orange, Blue, Gold, Green, and MetroRapid Lines; and

**WHEREAS**, ATP executed its Articles of Incorporation (“Articles”) as a public, non-profit corporation on December 18, 2020, and a Certificate of Formation (“Certificate”) for ATP was filed with the Texas Secretary of State on December 22, 2020; and

**WHEREAS**, pursuant to the Act and Chapter 394 and as the sponsoring local governments of ATP, the City Council for the City of Austin and the Board of Directors (“Board”) of CapMetro, in their sole discretion, may approve amendments to the ATP Articles to change the structure, organization, programs, or activities of ATP, including the power to terminate ATP, subject to any limitation on the impairment of contracts; and if so, subject to corresponding approval by the City of Austin City Council, then such amendment to the ATP Articles will be filed with the Texas Secretary of State; and

**WHEREAS**, Article XVII of the ATP Articles provides for the process for amending the ATP Articles; and the CapMetro Board has received a proposed amendment to the ATP Articles (“Amendment”), that is, to amend Article VI of the Articles of Incorporation of Austin Transit Partnership Local Government Corporation as follows:

- (i) Subject to state law, any residency requirements may be waived by a majority vote of the City Council or the Capital Metro Board for their respective Director appointees, or jointly for a joint appointee; and

- (ii) The City Manager or his or her designee from the City Manager's Office and the Chief Executive Officer of Capital Metro or his or her designee from Capital Metro are non-voting, ex-officio Directors of the Corporation; and

**WHEREAS**, the Amendment meets the requirements of the Act and Chapter 394 for such an Articles amendment, desires to approve the proposed amendment to the ATP Articles, and take such other actions with regard to the Amendment and/or the Certificate as CapMetro deems appropriate in furtherance of such amendment; and

**WHEREAS**, Chapter 394 contains references to articles of incorporation; and Section 1.006(1) of the Texas Business Organizations Code ("Code") defines synonymous terms within the Code and other state statutes to the extent not inconsistent with other laws and governing documents and provides that "articles of incorporation" includes "certificate of formation".

**NOW THEREFORE BE IT RESOLVED** by the CapMetro Board that the recitals of facts contained in the preamble of this Resolution are found and declared to be true and correct and are adopted as part of this Resolution for all purposes.

**BE IT FURTHER RESOLVED** that the CapMetro Board approves the proposed Amendment and, only after approval of a corresponding amendment by the City of Austin City Council, the filing of such an amendment with the Secretary of State of the State of Texas in the appropriate form and manner provided by law.

The CapMetro Board authorizes and directs the President & CEO, or his designee, to perform all such acts as may be necessary or desirable in order to carry out the terms and provisions of this Resolution.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Secretary of the Board**  
**Leslie Pool**



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-419

**Agenda Date:** 4/25/2022

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**SUBJECT:**

Approval of a Resolution Affirming Capital Metro's Commitments and Requirements Related to the Project Connect High-Capacity Transit Expansion Program.

**RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS**

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-419**

WHEREAS, in Capital Metro Board Resolution AI-2020-1399 and City of Austin Council Resolution No. 20201218-002, the Capital Metro (“CapMetro”) Board of Directors (“Board”) and its partners, the Austin City Council, recognized the benefits of a high capacity transit system and determined that implementation of the Project Connect System Plan will create an integrated transit system that eases traffic, creates jobs, improves the environment, acquires land for transit-oriented development, and better connects people in our community, and the partners approved several documents to guide the implementation of the System Plan;

WHEREAS, the Austin City Council approved the Contract With the Voters (City Council Resolution No. 20200812-015) which accompanied the election ordinance (Austin Ordinance No. 20200812-009) in support of Project Connect and the Board adopted a corresponding Funding and Commitment Resolution for Project Connect (CapMetro Board Resolution No. AI-2020-1297) which includes the obligation that CapMetro serve as the FTA Project Sponsor and conduct an environmental justice analysis as required under National Environmental Policy Act (“NEPA”) for each eligible project and provide any recommendations to Austin Transit Partnership for financing tools and strategies based on the NEPA review;

WHEREAS, upon passage of a successful referendum to provide funding for the Project Connect program of projects, the Board and Austin City Council approved the creation of the Austin Transit Partnership Local Government Corporation (“ATP”) by resolutions adopted on December 18, 2020 (City Council Resolution No. 20201218-002 and CapMetro Board Resolution AI-2020-1399) as the principal entity responsible for financing, designing, building, implementing and contracting with Capital Metro to operate and maintain assets funded by the Joint LGC;

WHEREAS, upon the creation of ATP, the Board directed the CapMetro President & CEO to serve as the interim Executive Director of ATP in accordance with the ATP Articles of Incorporation. The President & CEO has performed such duties since that time and has exceeded the expectations of the Board by continuing to move the Project Connect transit expansion program forward and pursuing all required actions to ensure federal funding can be secured for the program. The Board appreciates the President & CEO fulfilling these additional responsibilities and thanks him for his service;

WHEREAS, the CapMetro Board of Directors, the City Council, and the Austin Transit Partnership Board of Directors approved a Joint Powers Agreement in November 2021 (CapMetro Board Resolution AI-2021-233; Austin City Council Resolution No. 20211104-063; ATP Board Resolution ATP-2021-028);

WHEREAS, under the Joint Powers Agreement, CapMetro has many responsibilities to ensure the successful implementation of Project Connect, including the following:

- Dedicate the balance of its Capital Expansion [Fund] to the implementation of Project Connect as provided in the Funding and Commitment Resolution;
- Commit all estimated revenues identified in the Estimated Long-Term Contribution as provided in the Funding and Commitment Resolution;
- As the region's designated grant recipient, work with ATP and FTA to meet the requirements for New Starts Capital Investment Grants and other grant opportunities and may serve as FTA Project Sponsor, in partnership with ATP, and if applicable transfer funds received from any grants received through the Capital Investment Grants Program;
- Complete the federally required NEPA Preliminary Engineering process to obtain an FTA Record of Decision for the approved Locally Preferred Alternatives approved for the Orange, Blue and Gold Lines and MetroRapid;
- Complete the MetroRapid and MetroRail program projects and obtain reimbursement from ATP;
- Enter into interlocal agreements with ATP to transfer funding to operate and maintain Project Connect assets;
- Develop an operational readiness program for each project to contract, hire, and train staff and complete other requirements to prepare for revenue service operation;
- Direct or via contract support, perform safety inspections and complete any FTA safety certification or other requirements;
- Continue to operate transit service and provide information to the community and customers about anticipated service changes and service change processes so they may be engaged and informed;

WHEREAS, as the Project Sponsor, Capital Metro is required to ensure the Project Management Plan, which addresses all facets of the project from preliminary engineering through revenue operations, is developed and implemented to the satisfaction of the FTA, and includes numerous topics such as a Safety and Security Management Plan; budgets; labor relations policies, including 13(c) obligations; and procedures for testing the operational system and its components before service begins;

WHEREAS, Capital Metro is the Designated Recipient of federal transit funds for this region and has more than thirty-five years of successful grant acquisition, execution and management;

WHEREAS, the Project Connect Orange and Blue light rail lines, as well as the Expo and Pleasant Valley MetroRapid lines, have been listed in the President's FY2023 annual budget request with CapMetro as the local Project Sponsor and with a federal investment 20 percent higher than what was committed to voters;

WHEREAS, the CapMetro Board desires to acknowledge its commitment to the partnership and fulfill its obligations as provided by the Contract With the Voters, the CapMetro Funding Commitment Resolution, and the Joint Powers Agreement by confirming its responsibilities under such documents and providing clear direction to the President & CEO on the Board's expectations and duties in accordance with these obligations; and

WHEREAS, the CapMetro Board voted to amend and restate the ATP Articles of Incorporation on April 25, 2022, to add the CapMetro President & CEO as an ex officio member of the ATP Board of Directors to ensure a balance of membership on the ATP Board, and the City Council will consider the Amended and Restated Certificate of Formation on May 5, 2022.

NOW, THEREFORE, BE IT RESOLVED that the CapMetro Board of Directors relieves the President & CEO from any duties in his Employment Agreement dated December 15, 2020, related to performing the functions of the ATP Executive Director.

BE IT FURTHER RESOLVED, that upon Austin City Council concurrence of the approved amendments to the ATP Articles of Incorporation, the President & CEO shall serve as an ex officio member of the ATP Board and represent CapMetro to ensure tri-party collaboration and delivery of the program, as was committed to the voters.

BE IT FURTHER RESOLVED, that the CapMetro Board of Directors, in accordance with the above referenced documents, directs the CapMetro President & CEO to do the following:

- As the Project Sponsor on behalf of the partnership, develop a federal strategy to benefit the program and further the partnership to maximize federal revenue sources and the timely receipt of grants
- As the Project Sponsor and Designated Recipient, if applicable, transfer any federal grant funding received for the program from CapMetro to ATP via a subrecipient grant agreement with ATP and ensure all federal oversight requirements are met with respect to the grant funding
- Continue all appropriate tasks to complete NEPA Preliminary Engineering, obtain an FTA Record of Decision, and complete the 30% design and cost estimates
- Take all necessary actions to complete the MetroRapid and MetroRail projects and obtain reimbursement from ATP in accordance with the terms of Interlocal Agreement between CapMetro and ATP for Support Services and Project Implementation (CapMetro Board Resolution No. AI-2021-1425 and ATP Board Resolution No. ATP-2021-004)
- Develop and implement an operational readiness program that meets all requirements of the FTA and ensures CapMetro is prepared to begin revenue service on the Project Connect projects, including acceptance of the assets, systems and vehicles and development of a trained workforce
- Develop and implement the federally required Safety and Security Management Plans and associated procedures and certifications, including safety and security verification processes, construction safety and security management activities and coordination with federal safety and security-related agencies.

\_\_\_\_\_  
**Secretary of the Board**  
**Leslie Pool**

**Date:** \_\_\_\_\_



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-339

**Agenda Date:** 1/24/2022

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President & CEO Monthly Update