

**AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF AUSTIN AND
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
FOR CREATION OF A LOCAL GOVERNMENT CORPORATION**

This amendment to the interlocal cooperation agreement (the "Agreement") between the City of Austin and Capital Metropolitan Transportation Authority is entered into by the following parties: the City of Austin, a Texas municipal corporation ("City") and Capital Metropolitan Transportation Authority, a corporate and political subdivision of Texas ("Capital Metro").

RECITALS

In August 2020, the parties entered into the Agreement, wherein the parties agreed, upon passage of a tax rate ballot measure, to create a Joint Local Government Corporation to implement a high-capacity transit system, known as the Project Connect System Plan, which will ease traffic, create jobs, improve the environment, and better connect people in our community.

In December 2020, the parties each received applications meeting the requirements of Chapter 431 of the Transportation Code and Chapter 394 of the Local Government, and each party determined it to be wise, expedient, necessary and advisable that a Joint Local Government Corporation, named the Austin Transit Partnership, to be created, and authorized the creation and incorporation of the Austin Transit Partnership.

The purpose of this amendment is to provide for the membership, nominating process, and roles and responsibilities of a Community Advisory Committee to assist in the implementation of the Project Connect System Plan.

AMENDMENT

The parties wish to revise Section 4.7 of the Agreement to read as follows:

4.7 Community Advisory Committee ("Committee"). The Joint LGC shall have a Community Advisory Committee to assist the Board, City Council, and Capital Metro Board in engaging the community and advising on anti-displacement and equity matters related to Project Connect as well as to assist the community and the City Council in the creation and evaluation of neighborhood-level anti-displacement strategies and priorities and the identification of Key Performance Indicators related to equity and displacement and triggers thereof. The recommendations made by the Committee related to displacement mitigation measures or social equity issues that impact historically underserved populations must be considered at a public meeting of the Board, City Council, or the Capital Metro Board, as appropriate in accordance with the recommendations made. As provided in the City Contract with the Voters (Res. No. 20200812-015), the City shall "create with the community, neighborhood-level prevention and mitigation strategies" and shall make "recommendations for funding proposals and implementation of identified strategies." Further, the Joint LGC shall provide funding and "enter into interlocal agreements and/or grant agreements with the City to timely develop and implement anti-displacement strategies."

The City and Capital Metro shall jointly appoint the initial members of Community Advisory Committee by February 28, 2021.

The Advisory Committee shall consist of eleven (11) members:

- The Capital Metro **Access Advisory Committee** and **Customer Satisfaction Advisory Committee** shall each appoint one (1) member to the committee.

- The City of Austin **Urban Transportation Commission, Community Development Commission**, and the **Mayor's Committee for People with Disabilities** shall each appoint one (1) member to the committee.
- Six (6) members from the community shall be selected through a nomination process and jointly appointed by the City and Capital Metro.

The Community Member applicants:

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

The City and Capital Metro shall initiate a widely publicized nomination process for the Community Members in a manner that is accessible and easy to navigate, and that promotes a large, diverse, and qualified applicant pool, reducing barriers to the application process and committee membership, including but not limited to language access, digital access, or providing information to interested community members. This nomination process shall be articulated on a public facing web page and shall allow for community engagement. To the fullest extent possible, the City shall work with community organizations/groups to ensure that historically marginalized communities most impacted by mass-transit are able to engage with the Community Advisory Committee selection process.

A qualified member of the community shall submit an application to the Nominating Committee. The Nominating Committee will consist of the Chairs, or a Committee Member designee of the Chair, of the City Council Housing and Planning Committee, City Council Mobility Committee, City Council Audit and Finance Committee, Capital Metro Finance, Audit and Administration Committee, and Capital Metro Operations, Planning and Safety Committee. After review of the submitted applications, the Nominating Committee shall recommend a slate of six applicants based on their qualifications. The City Council and the Capital Metro Board of Directors shall, upon their joint approval of the slate, jointly appoint the Community Advisory Committee Members as nominated by the Nominating Committee.

The slate of candidates selected by the Nominating Committee shall provide for geographic representation as it relates to the proposed transit plans as well as a diversity of viewpoints. Members shall be selected based on their experience as users of/directly impacted by public transportation and connection to community/neighborhood/labor organizations. The Advisory Committee should be representative of Austin's diverse community with nominations for membership inclusive of women, families with small children, Black people, indigenous people, people of color, people from immigrant and/or undocumented populations, members of the LGBTQI community, students, and workers' rights advocates, among others. A variety of interests and experience should also be considered, including community organizing, household affordability, environment and conservation, green planning and design, housing and transportation, urban planning and architecture, health and human services, accessibility, small, local and minority owned business, mobility justice, and/or other relevant topics as they relate to transit.

Members of the Committee shall serve for a term of two years.

In the event of a vacancy or vacancies in the Committee, the remaining members may nominate an individual or individuals to be considered by the Nominating Committee as part of the Nominating Committee's process to fill the vacancy. The vacancy will be filled in the same manner and with similar requirements as the initial committee members, with approval required by the City Council and Capital

Metro. The term of a member appointed to fill an unexpired term shall expire on the expiration date of the term of the member who he or she was appointed to replace.

The Committee shall adopt bylaws, to be approved by the Board, which must include ethics standards for members. The bylaws must also include a process for members of the Committee have access to or be given reimbursement for transportation, meals, and shall pursue options for providing childcare as necessary to participate in Committee activities.

The Committee is subject to the Open Meetings Act, codified in Chapter 551 of the Government Code.

The Joint Powers Agreement to be established for the Austin Transit Partnership and approved by the City of Austin and Capital Metro Board of Directors will further delineate membership roles and responsibilities of the Committee. The Board, the City of Austin, Capital Metro Board of Directors, and the Community Advisory Committee shall, to the fullest extent possible, engage the community to further delineate the roles and responsibilities of the Committee.

EFFECTIVE DATE

When it is approved by both the City Council and Capital Metro Board, this amendment is effective upon passage.


CAPITAL METROPOLITAN
TRANSPORTATION AUTHORITY

By: 
Signature

Name: Randy Clarke
Printed Name

Title: President & CEO

Date: 5/14/21

Approved as to Form:

CMTA Legal Department

CITY OF AUSTIN

By: 
Signature

Name: SPENCER CRUM
Printed Name

Title: CITY MANAGER

Date: 4/30/2021

Approved as to Form:

COA Law Department KENT SMITH