

Interlocal Agreements – City of Austin – Capital Metro  
Zoning and Platting Commission Resolution – Final Draft

Whereas the Capital Metropolitan Transit Authority (Capital Metro) and City of Austin Transportation, Development Services, and Planning and Zoning Departments (City) are currently reviewing interlocal agreements regarding transit connectivity and analysis during the City’s land development review processes; and,

Whereas these interlocal agreements could facilitate:

- Transit-related infrastructure, service and connectivity that are equitably designed and incorporated into development and redevelopment plans for mixed use and multifamily projects,
- Transit-related infrastructure, service, and connectivity that are equitably distributed to transit dependent riders, low-income families, people covered by the United States Civil Rights Act of 1964 and Civil Rights Act of 1968 (Fair Housing), and people covered by the Americans with Disabilities Act (ADA),
- The City’s compliance with affirmatively furthering fair housing requirements by providing equitable and affordable transit services for low income families and minorities, and,
- An efficient and environmentally friendly transit network that leverages limited transit resources by fostering partnerships and establishing transit-related commitments between the City, Capital Metro, and developers throughout the development review process; and,

Whereas the City of Austin Strategic Housing Blueprint highlights the critical link between housing affordability and access to affordable transit; and,

Whereas the City and Capital Metro are required to comply with Title VI of the Civil Rights Act, Fair Housing Act, and the ADA; and,

Whereas Capital Metro’s website indicates that: “Compliance with Title VI of the Civil Rights Act of 1964 is a federal mandate for all agencies providing public services. Title VI applies to all aspects of the services provided by Capital Metro, which are required to be provided without regard to race, color or national origin. In addition, agencies must also comply with Executive Order 13166, ‘Improving Access to Services for Persons with Limited English Proficiency.’” and,

Whereas Capital Metro serves both transit-dependent riders who depend primarily on Capital Metro transit services because they have little or no access to other transportation options and choice riders who have access to other transportation options; and,

Whereas concerns have been raised to the Zoning and Platting Commission and other City Boards and Commissions that route changes implemented by Capital Metro through the June 2018 Cap Remap service changes disparately impact some transit dependent riders, riders protected by Title VI of the Civil Rights Act, and riders protected by the ADA; and,

Whereas Capital Metro is required to mitigate disparate impacts by analyzing and considering alternatives that could reduce or eliminate disparate impacts; and,

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Whereas attachment A provides a detailed explanation of the disparate impacts resulting from the concurrent elimination of Route 21 Exposition which was replaced with free RideAustin options to serve West Austin, and the elimination of Minority Route 240 Rutland with no service alternatives, causing transit-dependent riders to walk 0.7 miles to the nearest service, which is a violation of Title VI; Now, Therefore,

Be it Resolved that the Zoning and Platting Commission supports the following recommendations to the Austin City Council and Capital Metro Board of Directors:

1. The following stakeholders should be consulted for input on a template for transit-related interlocal agreements associated with the land development review process: City Equity Office, neighborhoods, developers, Austin-based utility companies, University of Texas, Saint Edwards University, Huston-Tillotson University, Travis County, Central Health, Austin Community College, Austin Independent School District, and other school districts in the City.
2. Transit-related interlocal agreements should be established in conjunction with the Traffic Impact Analysis for multifamily and mixed-use developments as they proceed through the City's development review process to help ensure that transit infrastructure and services are designed, and integrated into the development plans.
3. The City, Capital Metro, and developers should consider using transit-specific service-level agreements to help ensure that equitable, efficient, and scalable transit services are available as multifamily and mixed-use developments are built and occupied by residents and businesses.
4. Transit requirements should not be waived for Safe Mixed-income Accessible Reasonably-priced Transit-oriented (SMART) housing.
5. Austin Energy should coordinate with Capital Metro on electric emission free transit equipment.
6. Within 30 days, Capital Metro should provide the analysis used to identify alternatives for the routes identified in Attachments A-D as were provided for routes 5, 19, 21, 22, 30, 315/333, and 663 by Capital Metro.