

Memorandum for Planning Commission THRU Staff Liaison Andrew Rivers <Andrew.Rivera@austintexas.gov>

Subject: Title VI Northeast Austin Project Connect Disparate Impacts—Orange/Blue Lines Federal Register Deadline: 23Jun2021

1. **Statutory Authority:** Title VI of the Civil Rights Act of 1964 "is a Federal statute and provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (FTA C 4702.1B, 2012, Ch. I-7). See Environmental Justice, Ch. I-6. Capital Metropolitan Transportation Authority's ("Capital Metro") \$7.1B Project Connect/rail is contingent on 45% Federal funding. June 3, 2018 Cap Remap discriminatory 52 route changes undergird Project Connect and helped kill Hinojosa's Downtown tunnel bill (HB 3893). Blacks and Community First! Village wait 60 minutes for the bus as South/West/Central Austin whites enjoy 6 minutes.

2. **Submit Formal Comment:** Capital Metro used North Lamar Transit Center ("NLTC") minority data to secure a \$900K Equitable Transit-Oriented Development Grant, but north of US 183 Project Connect Orange Line rail is 24-30 years in \*TxDOT's right-of-way.<sup>1</sup>

- **Orange Line:** <https://www.federalregister.gov/documents/2021/05/24/2021-10865/preparation-of-an-environmental-impact-statement-for-the-capital-metro-orange-line-project-in-austin> [\*Texas Department of Transportation ("TxDOT")]
- **Blue Line:** <https://www.federalregister.gov/documents/2021/05/24/2021-10866/preparation-of-an-environmental-impact-statement-for-the-capital-metro-blue-line-project-in-austin#open-comment>

**January 28, 2019 Capital Metro Chair/lawyer Wade Cooper admitted Disparate Impacts. February 25, 2019 Boardroom named Rosa Parks!**

*"It is also undeniable that individuals may have seen, in particular areas, changes that did not help those individuals and maybe disadvantaged those individuals. . . . We hear the pain and challenge, particularly, with respect to the Eastside community."*

**August 7, 2020 FTA funding requires "implementing the least discriminatory alternative," but Cooper maintains Black inequities.**

Title VI FHWA Transit Precedent  
In Reply Refer To: HCR-1  
JUN 26 2013 DOT #2012-0020

Dayton Blacks v. Beavercreek, OH

RESOLUTION  
OF THE  
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY  
BOARD OF DIRECTORS

STATE OF TEXAS  
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2020-1297)

Funding and Commitment Resolution for Project Connect

**Denying Blacks equal access  
on federally-funded roadways  
run by TxDOT violates Title VI!**

Actors falsely conflate  
Ridership (white riders)  
with coverage (lifeline)

Cap Remap maintains  
the racist status quo:  
Infrequent, Unreliable,  
Disconnected Northeast Buses!

WHEREAS, Project Connect is a vision for how we move people today and plan for tomorrow, and will create an integrated transit system that eases traffic, brings jobs to our region, improves the environment and better connects people so everyone in our community can thrive; **June 10, 2020 AI-2020-1273 (p. 48); August 7, 2020 (p. 52)**

WHEREAS, the existing local and regional bus network and MetroAccess service are the backbone of the transit system that will provide equitable connections to all members of the community to meet their essential needs and to connect to the high capacity transit network, and the service hours to make that local service successful should be maintained; **August 7, 2020 Project Connect Resolution ID# AI-2020-1297 (p. 34)**

**Before 2018, 35-min Peak  
"New" Route 339 was a restored  
number from ServicePlan2020  
Worsened: 60 min all day only  
for Blacks, but fooled the FTA!**

Desired minimum frequency			
RED FLAG			
Weekday			
Route type	Peak	Midday	Night
Radial	30	60	60
Crosstown	30	60	60
Limited	20	30	Based on demand
Feeder	30	60	Based on demand
Express/Flyer	20	-	-
MetroRail	40	60	-
UT Shuttle	20	20	40



<sup>1</sup> Mobility Committee (2021, May 15). Item 4: e-TOD Orange/Blue Lines (56:04: S. Mukherjee, Capital Metro): <https://austintx.new.swagit.com/videos/118706>

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3. **History:** "Austin is Most Economically Segregated Metro Area."<sup>2</sup> A "minority-majority" area, North Lamar is known as "the City's immigrant gateway having a large share of foreign-born immigrants, especially those from Latin America."<sup>3</sup> Interstate 35 ("I-35"), formerly East Avenue, divides the City of Austin. Historically, Whites live West; 1928 City Plan relegated Blacks to East Austin for services (e.g., water), now gentrified. Hispanics live South and North is mixed (Blacks, Hispanics, Asians). US 183 is the new divide.

a. Research: **Joseph, Z. C. (2009, Summer).** "I-35 Divide" Conundrum: Can a True Community-University Partnership Grant Austin's Gifted/Talented K-12 African-American Males Access to College? *Harvard Journal of African American Public Policy*, XV, 9-35. Retrieved from <https://www.semanticscholar.org/paper/%22I-35-Divide%22-Conundrum%3A-Can-a-True-Partnership-to-Joseph/aa81e5e69a8f975f561f2c943b7502b764d6cb3a>

b. Homeless Problem: In 2017, "Black or African American [was] overrepresented in the local homeless population. Although the Black population makes up 8% of the total Travis County population, 42% of the homeless population identify as Black" (p. 17). CAN Dashboard noted in 2019, "Black or African American are overrepresented in the local homeless population. Although the Black population makes up 8% of the total Travis County population, 42% of the homeless population identify as Black" (p. 7).

c. Racialized Routes: Capital Metro denies job access, running the Craigwood bus (Route 339) with 3 less hours, twice the wait as before June 3, 2018. Most egregious discriminatory routes: #335 runs empty Mueller to MoPac: 15 minutes; #7 runs 6-minute headway. Thus, Blacks wait 10 times longer than whites and Southeast Dove Springs Hispanics. In 2018, Capital Metro's bus network (Connections 2025, 10-year Service Plan) was rebranded Cap Remap for major service changes when 52 routes changed. July 27, 2020 Planners unilaterally eliminated MetroRapid-Parmer (Samsung to Apple) with no discourse, again denying job access. Project Connect is the overlay for Cap Remap, functioning as designed for the target audience, at the expense of Northeast Blacks.

**339** Tuscany: **60 min** [Black route starts late, less runtime = fewer jobs options]

**Eastbound, Weekday: Blacks earn less, fewer opportunities by design** 😞

Norwood Transit Center - E	Crystal Brook/Loyola	Tannehill/Webberville
	<b>2</b>	<b>3</b>
6:10a	6:25a	6:52a
7:10a	7:25a	7:52a
8:10a	8:25a	8:52a
9:10a	9:22a	9:44a
10:10a	10:22a	10:44a

**7** Duval / Dove Springs: **Pandemic: 6-10 min** (4:36 AM Early start = more economic earning power)

**Northbound, Weekday [Route 7 leaves MetroRail-Crestview/Easy Wind (whites) to Dove Springs (Hispanics)]**

Bluff Springs/William Cannon	William Cannon/ Meadow Lake	Mabel Davis Park	Riverside/ Newning	Trinity/8th	San Jacinto/Dean Keeton	Duval/45th	6413 Airport Blvd	[MetroRail-Crestview] Easy Wind/ St Johns	6402 Airport Blvd
	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
4:36a	4:41a	4:57a	5:12a	5:20a	5:28a	5:37a	5:48a	5:52a	5:57a
5:06a	5:11a	5:27a	5:42a	5:50a	5:58a	6:07a	6:18a	6:22a	6:27a
5:37a	5:42a	5:58a	6:12a	6:20a	6:28a	6:36a	6:47a	6:51a	--
5:47a	5:52a	6:08a	6:22a	6:30a	6:38a	6:46a	6:57a	7:01a	--
5:57a	6:02a	6:18a	6:32a	6:40a	6:48a	6:56a	7:07a	7:11a	--

<sup>2</sup> Badger, E. (2015). Study: Austin is most economically segregated metro area [Texas Tribune]. Retrieved from <https://www.texastribune.org/2015/02/23/austin-most-economically-segregated-metro-area/>

<sup>3</sup> ATXN (2010, May 27). Items 86-89: North Lamar Combined Neighborhood Plan [Majority-minority: Clip 03:20]. Retrieved from <http://austintx.swagit.com/play/10052011-704/30/>

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**“You have figured out how to circumvent Title VI: “Say one thing; do another; document what is said to fool the Feds.”**

~Zenobia C. Joseph, March 11, 2020 Capital Metro Public Hearing

4. **New Redlining:** 80% area median income (“AMI”) is the new redlining. West of Loop 1/MoPac, the Mayor’s Strike Fund (Austin Housing Conservancy) is 80% AMI but Blacks earn \$42K, Hispanics: \$50K (US Census Bureau, US Dept. of Treasury, 2020). By design, they earn too little to live west. “The three buildings under the Austin Housing Conservancy today are for those making approximately 80 percent of the median income[.]”<sup>4</sup> Housing Authority of the City of Austin (“HACA”) high-opportunity deals (3 of 3) are 80% AMI exclusionary: SOCO II, Vega Multifamily (HACA June 18, 2020, p. 7) and Highland Village (December 17, 2020).

February 17, 2017: CAMPO [Item 12](#). Regional... Plan. I noted NLTC eliminations (7:03): <https://austintx.new.swagit.com/videos/45172>

January 28, 2019: Capital Metro Chair Wade Cooper acknowledged disparate impacts at the board meeting saying, **“It is also undeniable that individuals may have seen, in particular areas, changes that did not help those individuals and maybe disadvantaged those individuals. . . . We hear the pain and challenge, particularly, with respect to the Eastside community.”**

Title VI advocates testified. Cooper spoke after my remarks. Clip 38:00 [\[video\]: https://austintx.new.swagit.com/videos/45338](#)

**October 17, 2019 Blue Line/Riverside rezoned:** <https://www.austintexas.gov/department/city-council/2019/20191017-reg.htm>

October 23, 2019: Uprooted. “Austin City Council’s vote to rezone 1,308 affordable apartment units gave the greenlight for the **largest tenant displacement project along the East Riverside corridor — and one of the largest in Austin’s history!**” (Way et al.): <https://news.utexas.edu/2019/10/23/halting-displacement-on-the-east-riverside-corridor-must-become-city-priority/>

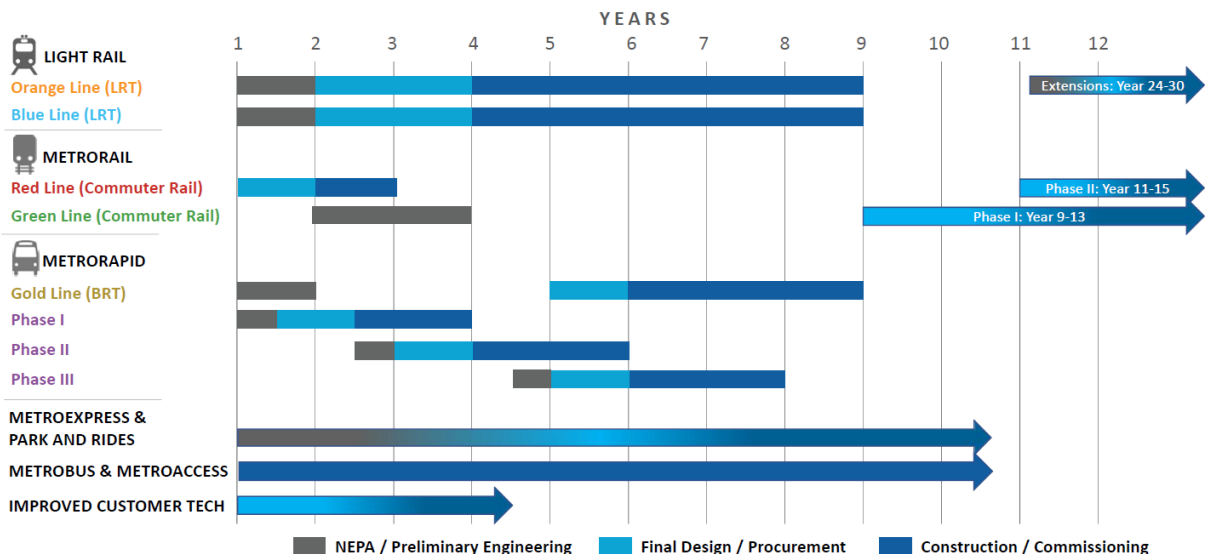
**March 9, 2020 Joint Work Session: Project Connect Orange Line** rail north of US 183 in TxDOT’s right-of-way is **24-30 years** for minorities (e.g., Hispanics, Blacks), essentially, never (p. 29): <https://www.austintexas.gov/edims/document.cfm?id=337093>

December 17, 2020 **New Redlining: Gold/Red Line** ACC-Highland Village affordable units are 80% AMI, \$54,700. Blacks earn \$42K; Hispanics earn \$50K (CDBG, 2020). Austin Pathways CEO Mike Gerber told HACA’s Board, **“The landowners and the interests that are in and around the area (uhm) did not wanna serve deeper affordability, un-unfortunately, I think.”**<sup>5</sup> In 2019, Travis County Commissioners Court \$469K and Austin City Council’s \$1M+ loan helped relocate Workforce Solutions away from Highland.

**\$305.021, Govt. Code, False Communication:** April 6, 2021 Hinojosa misrepresented HB 3893 facts. April 14, 2021 Eckhardt did, too. April 6, 2021 Rep. Hinojosa falsely said, **“We did have a bond election in Austin where voters approved funding for this”** (2:44:39). April 14, 2021 SB 1838 Companion, Sen. Eckhardt replied to Perry: **“Of the Project Connect bond that just recently passed?”** (20:15). Cooper testified for HB 3893 and SB 1838 but did not disclose **“permanent”** ad valorem tax increase. Falsity helped kill tunnel bills!

- November 3, 2020: Prop A was a permanent ad valorem tax rate increase, not a \$7.1B Project Connect “bond election.”

## RECOMMENDED PROGRAM SEQUENCE



Notes:

1. Based on 3/9/2020 funding recommendation
2. Years based on federal NEPA and funding approvals



projectconnect

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<sup>4</sup> Jones, L. (2019, February 19). Austin conservancy wants to lower the roof on city’s increasing rents. *culturemap Austin*.

<https://austin.culturemap.com/news/city-life/02-19-19-austin-housing-conservancy-aims-to-lower-rents/>

<sup>5</sup> HACA (2020, December 15). ACC-Highland (3:04:05). <https://www.hacanet.org/wp-content/uploads/2020/12/December-2020-Board-Meeting.mp3>

5. **Blue Line Transit/Affordable Housing Gentrification:** Since 2012, Travis County Commissioners Court affordable housing exceeded ¾-mile “as the crow flies” which denies taxpayers with a disability who rely on MetroAccess from living in East Austin developments. Presidium’s July 14, 2020 “innovative affordable housing” workforce proposal was exclusionary, too—just 9 months after Austin City Council rezoned the Blue Line—replacing low-income residents with high-income earners as predicted in 2018 by law professor Heather Way and colleagues. Council ignored the 2018 *Uprooted* report. At least three-fourths of Presidium’s proposed units were 80% AMI to 140% AMI (\$95,650). August 7, 2020 Council approved \$300M anti-displacement—misleading voters into believing \$7.1B Project Connect plan included \$300M though contingent on 45% Federal funding which is not guaranteed. Presidium listed 40 units (only 7 two-bedroom) at 60% AMI out of 353, excluding families from Blue Line rail/high-frequency transit. See Appendix A: July 14, 2020 Travis County Corporation Memorandum noting the area median family income and total units.

## **TCHFC Item 1 - 2ND REVISION**



### **Travis County Commissioners Court Travis County Housing Finance Corporation Agenda Request**

**Meeting Date:** July 14, 2020

**Prepared By/Phone Number:**

Andrea Shields, Managing Director/512-854-9116

**Elected/Appointed Official or Department Head:**

Jessica Rio, County Executive, Planning and Budget

**Commissioners Court Sponsor(s):**

Commissioner Gómez

**Agenda Language:**

Consider and take appropriate action to:

(A) Approve the Corporation’s participation in two developments known as The Element Apartments, located at 1500 Royal Crest Drive, and Edison Apartments, located at 4711 E Riverside Drive, both in Austin, Texas, in the capacities of sole member of the general partner of the apartment complex owner, sole member of the ground lessor, and co-developer and

(B) Authorize the Corporation’s officers and managing director to execute and deliver any and all documents necessary to accomplish such participation.

**Press Inquiries:**

Hector Nieto, PIO@traviscountytexas.gov or (512) 854-8740

**Background/Summary of Request and Attachments:**

The Element is located at 1500 Royal Crest Drive. The property was built in 1969, purchased by Presidium in late 2012 and renovated. The property has a total of 286 studio, one- and two-bedroom units with approximately 72 units restricted for families with incomes at or below 60% of the Area Median Income (“AMI”), 148 units restricted to families earning at or below 80% of

**AGENDA REQUEST & BACKUP MATERIALS DEADLINE:** Agenda requests and backup materials must be submitted in PDF format via email to [agenda@traviscountytexas.gov](mailto:agenda@traviscountytexas.gov) by 12 noon on Tuesday in order to be considered for inclusion in the following week’s voting session.

AMI and 38 units restricted to families earning at or below 120% of AMI. The property will also offer 28 units at market rate.

Edison is located at 4711 East Riverside Drive. The property was built in 2019 and has a total of 353 studio, one- and two-bedroom units with approximately 40 units restricted for families with incomes at or below 60% of the Area Median Income ("AMI"), 60 units restricted to families earning at or below 80% of AMI, 109 units restricted to families earning at or below 120% of AMI and 109 units at or below 140% of AMI. The property will also offer 35 units at market rate.

The projects are non-bond, non-tax credit transaction. TCHFC would not be involved in the financing, similar to the Cypress Real Estate Soco Dwell project. Wholly owned subsidiaries of TCHFC will act as the General Partner and the General Contractor.

Both sites have passed the courtesy fair housing screen by the County's CDBG office.

#### Staff Recommendations:

Staff recommends approval.

#### Issues and Opportunities:

See attached backup.

#### Fiscal Impact and Source of Funding:

No fiscal impact to Travis County.

#### Required Authorizations:

Andrea Shields, Managing Director/854-9116; Diana Ramirez, Director, Economic Development and Strategic Investments/854-9694; Jessica Rio, County Executive, Planning and Budget/854-4455

Out of 65 two-bedroom units, Presidium proposed only 7 are 60% AMI (\$41K salary).

<b>Total</b>		<b>353</b>	
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The units at the property will have rent and income restrictions of 60%, 80%, 120% and 140% of the Area Median Income. The following table shows household sizes and their respective maximum incomes as of 2020 in order to be eligible to live at the property. Please note, these incomes are subject to change annually per HUD.

Travis County 2020 Household Income Limits				
Number of People in Household	60% AMI	80% AMI	120% AMI	140% AMI
1	40,980	54,640	81,960	95,620
2	46,860	62,480	93,760	109,340
3	52,680	70,240	105,360	122,920
4	58,560	78,080	117,102	136,640

The following table displays the breakdown of the proposed income limits, unit types, number of units and rent per AMI.

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**Oct 23, 2019: Blue Line gentrification plans came to fruition 9 months after Council rezoned Riverside!**  
**Halting Displacement on the East Riverside Corridor Must Become City Priority**  
*By: Heather Way, Elizabeth Mueller & Jake Wegmann*

The Austin City Council's vote to rezone 1,308 affordable apartment units gave the **greenlight for the largest tenant displacement project along the East Riverside corridor** — and **one of the largest in Austin's history**.

The 92-acre development, dubbed the Domain on Riverside, will demolish the current affordable housing to make way for high-end homes, office buildings and a hotel. Such a large project is likely to accelerate additional redevelopment in the area, furthering the transformation of the corridor into one in which few low-income households remain.

At the Riverside Domain project, the developers pledged to include at least 400 affordable homes among the 4,700 new planned housing units, but the affordable units will still have rents higher than what many current residents can afford.

And the developer's pledge to provide such units is not guaranteed, since the commitment is contingent on future market conditions. <https://news.utexas.edu/2019/10/23/halting-displacement-on-the-east-riverside-corridor-must-become-city-priority/>



November 19, 2020 Mobility Committee Meeting. The Equity Office noted the Uprooted report in its "Work to Date." Like Austin City Council, citing *Uprooted* is akin to wordsmithing documents with "equity." Council failed to heed the rezoning advice shared by Way et al. Yet, both staff and Council repeatedly refer to *Uprooted* as an equity smokescreen. Advocates predicted, "The property management group Presidium and Nimes Real Estate are building a luxury, mixed-use development in east Austin." Defend Our Hoodz opposed "the Domain on Riverside" which "will tear down Town Lake, Ballpark North, and Quad East, West and South apartments and displace over 4,000 residents — many of which are students, immigrants and working class families" per Presidium's Travis County proposal 9 months later. See Appendix B: Equity slides: <https://www.youtube.com/watch?v=xt3ufxUnXxs>

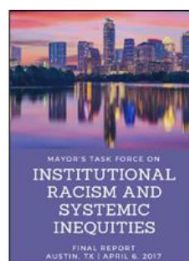
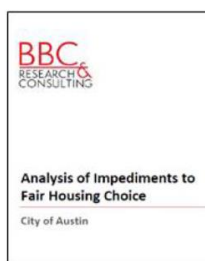
The following table displays the breakdown of the proposed income limits, unit types, number of units and rent per AMI.

Proposed Income Limits and Unit Mix				
AMI	Unit Type	Sq. Ft. Range	# of Units	Proposed Rent
60%	Studio	440	29	\$890
60%	1 Bedroom	542-700	26	\$975
60%	2 Bedroom	720	17	\$1105
80%	Studio	500	1	\$1025
80%	1 Bedroom	542-700	88	\$1080
80%	2 Bedroom	720-1026	59	\$1337
120%	1 Bedroom	657-790	23	\$1091
120%	2 Bedroom	960-1026	15	\$1410
Market	1 Bedroom	542-840	7	\$1202
Market	2 Bedroom	960-1026	21	\$1421
Total			286	

## Work to Date

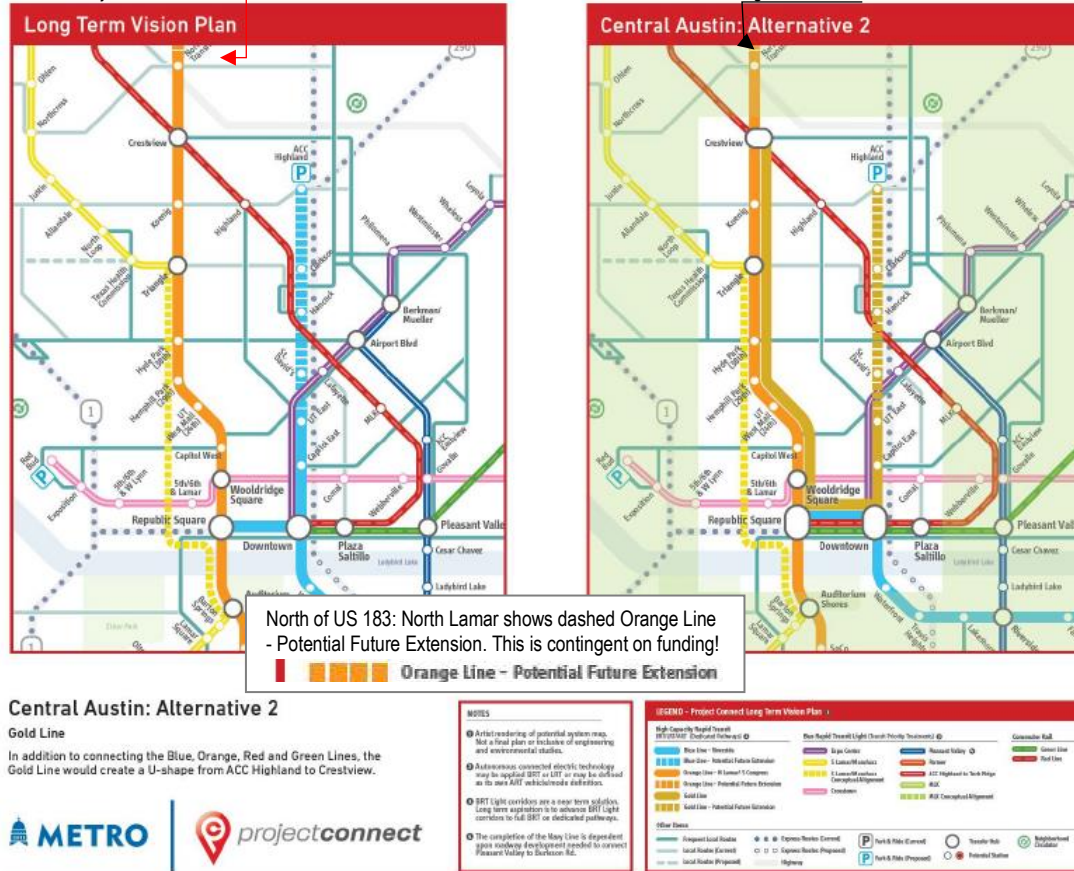


### Anti-displacement Recommendations Reviewed

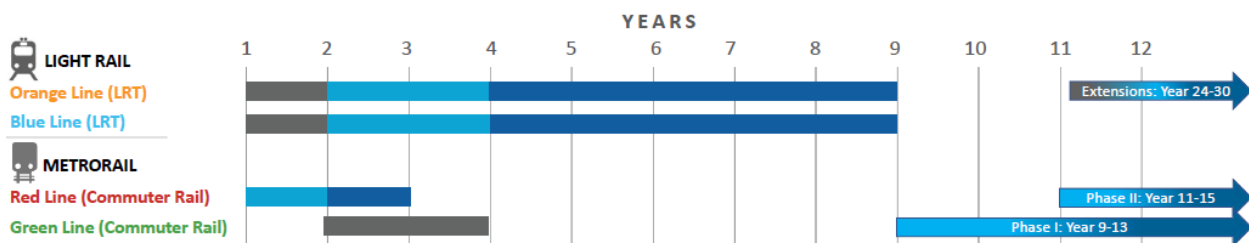


6. **Orange Line Long-Term Vision:** December 17, 2018 Capital Metro approved **Project Connect long-term map which cuts off North Lamar Transit Center ("NLTC")**—oldest minority hub, built in 1985. Short-Range Planning Manager Roberto Gonzalez unilaterally moved 2 of 3 routes from NLTC (#300, 383) 1 mile south to MetroRail-Crestview, forcing minorities into traffic exceeding 20,000 vehicles per day, causing them to wait at least twice as long with Blacks waiting 10 times longer. June 15, 2016 Consultant Russ Chisholm told Capital Metro that **"when you need to transfer that means that activity (that wait time) has to happen twice."**<sup>6</sup> Instead, Northeast transfers were made more difficult. Project Connect \$7.1B funds south of North Lamar Blvd to Stassney (below), not the "northernmost and southernmost area" in \*Texas Department of Transportation's right-of-way. North of US 183 rail is 24-30 years (March 9, 2020 excerpt below). In 2016, 7 of 9 routes were initially unilaterally eliminated. See CAMPO Item 12: Presentation/Update 2045 Regional Active Transportation Plan.

My Title VI NLTC Testimony opposed disparate impacts (Clip 7:10): <https://austintx.new.swagit.com/videos/45172>  
Phase 1 Project Connect: South of US 183, North Lamar is included. KAZI ad was misleading: North Lamar Transit Center excluded/cut off!



## RECOMMENDED PROGRAM SEQUENCE



Note: **"The Green Line would likely have to be locally-funded as well. It doesn't meet Federal standards for density levels."** Deputy Project Manager Joe Clemens told Travis County Commissioners Court June 20, 2017.<sup>7</sup> Routes 233-Colony Park and 339 FM 969/Craigwood Blacks wait 60 minutes for the bus—four times longer than 27 Eanes Independent School District ("ISD") whites on #30-Walsh Tarlton outside the service area in Chair Cooper's old neighborhood which violates *Texas Transportation Code*, §451.609, *Effect of Withdrawal*.

<sup>6</sup> Capital Metro (2016, June 15). Special Board Meeting [Clip 1:03:30]. <http://capmetrotx.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1629&Format=Agenda>

<sup>7</sup> Travis County Commissioners Court (2017, June 20). Item 23: Project Connect. <http://traviscountytx.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1730&Format=Minutes>

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a. D1 Natasha Harper-Madison eTOD Falsity: NLTC will maintain existing 801-MetroRapid, no new service. The \$900K Equitable Transit-Oriented Development Grant aims to mitigate anti-displacement, in theory, where rail is 24-30 years? Actors used NLTC minorities (e.g., ridership, Section 8) to justify rail for whites. Capital Metro and the City of Austin must coordinate with TxDOT. See June 10, 2021 Agenda #93: NLTC is not a “northern segment” (p. 5). <https://www.austintexas.gov/edims/document.cfm?id=361703>

## Orange Line Extension - North


### » PROGRAM COORDINATION BETWEEN CITY OF AUSTIN, TEXAS DEPARTMENT OF TRANSPORTATION AND CAPITAL METRO

The Orange Line extension provides customers with more frequent service, or shorter times waiting for a bus or train, and providing overlapping services with the Blue and Gold Line.


The System Plan includes light rail for the entire Orange Line. Until future funding is secured and construction is complete, the northernmost and southernmost segments of the line will be serviced by enhanced MetroRapid.

 Up to 5 minute frequency of MetroRapid service to align with connections to Orange Line and Blue Lines

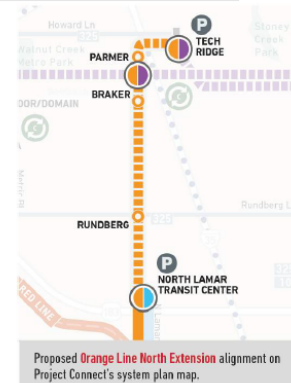
- Relocate 6 MetroRapid stops
- Install 1 MetroRapid stop
- Install 7 MetroBus stops
- Relocate 24 MetroBus stops

 New planned pedestrian bridge to allow people to safely cross Lamar where the roadway crosses beneath 183.

 3 planned intersection improvements at Braker, Rundberg, and Parmer for all modes of transportation

 Coordinate with City of Austin and TxDOT for potential traffic signal improvements with enhanced technology to promote vehicular and transit efficiency, and pedestrian and bicyclist safety

- 3 new signals
- 2 new pedestrian hybrid beacons (PHBs) – pedestrian-activated warning devices which help pedestrians safely cross major roadways where there isn't a traffic signal.
- 13 upgraded signals



CapMetro would complete NEPA for LRT on both sections to have a federal record of decision, a major milestone in project development. This allows the agency to be ready to finalize design and have a shortened implementation schedule when future funding is available.



METRO

projectconnect

July 27, 2020 Capital Metro/Austin City Council Project Connect Meeting (p. 23)

b. **ATP Uses Minorities: White Privilege! In fact, I don't think, if you-if you leave that segment out, you'll actually have enough ridership to convince the FTA to fund the rest of the system.** So I realize this represents a difficult political situation. You have to deal with a state of Texas agency, but there are strong both **equity and ridership reasons** to include that segment as soon as possible.” ~Ruven Brooks (December 17, 2018): <https://austintx.new.swagit.com/videos/45337>

## ATP Board Meeting – June 19 Agenda

- CALL TO ORDER & PUBLIC COMMENT
- DISCUSSION ITEMS
  1. Project Connect Orange Line Alignment Review
- EXECUTIVE DIRECTOR'S REPORT

**Correct Meeting Date: June 16, 2021**

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AUSTIN  
TRANSIT  
PARTNERSHIP

## Orange Line Extensions - North

**Lie: 801  
No new investment**

- Initial Investment Begins / Ends at North Lamar Transit Center.
- Future Extension would continue to Tech Ridge
- Until the future extension is complete, the Orange Line Extensions will be served by enhanced MetroRapid.
- Current federal review process (NEPA) includes the Orange Line Extensions to expedite design and implementation once funding is secured.



c. **December 17, 2018 Capital Metro Meeting.** Ruven Brooks (33:01-34:52): White Privilege Orange Line Extension Anecdote.

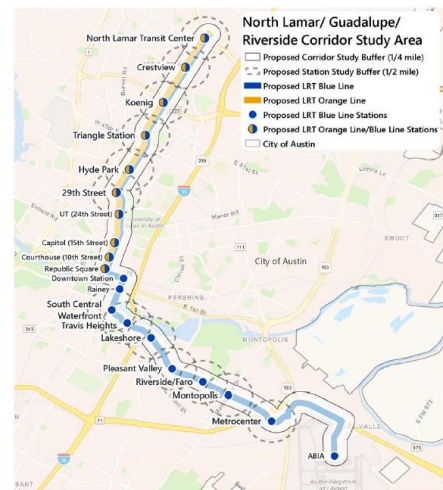
"I wanna focus in on a very smallpart of the map. One that I think's Important. The original Orange Line concept went all the way up to \*Tech Line [sic] Park and Ride. The current version of the map shows the area from (uh) 183 up to Tech Line, along North Lamar as being the future phase. I understand why it's a future phase. That's because that road isn't really North Lamar in the eyes of Texas Department of Transportation. It's Texas 275. And it probably isn't a good idea for Project Connect to go tell TxDOT what to do, at least not on the map. Let me urge you, however, to begin negotiations as soon as possible with TxDOT to include that corridor. And I'm a data-driven kinda guy. And there are two pieces of data that are relevant: One is that area [between] along North Lamar is, basically, the western termination of the Eastern Crescent, the c-shaped area which is supporting increasing concentrations of low-income people and, in particular, the area around **Rundberg and Lamar** has one of the **highest concentrations of people below the poverty line in all of Austin**. So that's an equity reason for considering that area. Let me add just a plain ole ridership reason: **3 out of 5 of the most frequently used stops on the 801 southbound are in that segment**. In fact, I don't think, if you-if you leave that segment out, **you'll actually have enough ridership to convince the FTA to fund the rest of the system**. So I realize this represents a difficult political situation. You have to deal with a state of Texas agency, but there are strong both equity and ridership reasons to include that segment as soon as possible." <https://austintx.new.swagit.com/videos/45337>

d. April 15, 2021 Austin Mobility Committee Item 4: Capital Metro Strategic Planner Sharmila Mukherjee briefed eTOD, noting the \$900K excluded Downtown. South of North Lamar Transit Center ("NLTC") to Downtown serves MetroRail-Crestview white choice riders to The Triangle, The University of Texas at Austin, Hyde Park (Developed 1889-1924 by Col. Monroe Shippe "exclusively for white people." Downtown developers paid a fee in lieu of affordable housing. Including NLTC in the \$900K eTOD Study will mislead FTA to get Project Connect 45% Federal funding. NLTC requires TxDOT (state approval) like failed tunnel bills.<sup>8</sup>

100 WHEREAS Capital Metro was awarded a \$900,000 grant from the Federal  
101 Transit Administration (FTA) to complete an Equitable Transit Oriented  
102 Development (eTOD) study along the entire Blue Line and the northern segment of  
103 the Orange Line portions of the Project Connect Orange and Blue Lines ("eTOD  
104 Study") in order to support transit-oriented development and anti-displacement  
105 efforts for Project Connect; and  
106 WHEREAS, CapMetro intends to apply for additional grant opportunities  
107 from the Federal Transit Administration (FTA) to complete Equitable Transit  
108 Oriented Development (eTOD) studies for the southern section of the Orange Line,  
109 and potentially other sections of Project Connect rail, commuter, and MetroRapid  
110 corridors; and

## Equitable Transit Oriented Development (ETOD)

- FTA Awarded Capital Metro **\$900k** for the Pilot Program for TOD Planning
- Capital Metro will be leading in collaboration with City of Austin Housing and Planning, Equity Office, Transportation Department, and Austin Transit Partnership
- Focus on the 12-mile North Lamar/Guadalupe/Riverside Corridor with **13 stations along the Blue Line and Orange Line**
- Emphasis on defining ETOD opportunities through **equity framework** and **meaningful public participation**, especially in communities at high risk for displacement



<sup>8</sup> Mobility Committee (2021, May 15). Item 4: e-TOD Orange/Blue Lines (56:04: S. Mukherjee, Capital Metro): <https://austintx.new.swagit.com/videos/118706>

7. **August 7, 2020 Capital Metro/City of Austin Interlocal Agreement:** In part, “renters . . . will bear the costs of implementing Project Connect.” Propaganda/ballot language said “expand access for essential workers,” but commuters benefit—not “us all.”

### III. Action Items

1. Approval of an interlocal agreement for creation of a joint local government corporation with the City of Austin to implement Project Connect.

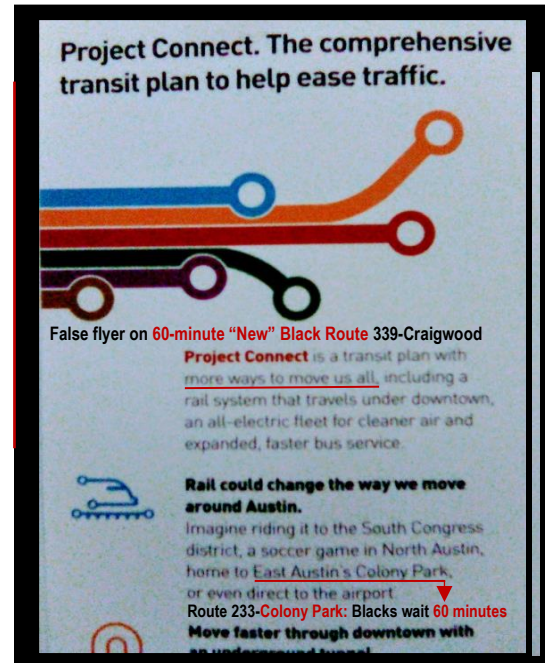
The City Council and the Capital Metro Board have recognized that though the Project Connect System Plan will benefit all persons visiting, living, and working in Austin, as well as our local businesses, it is the residents, homeowners, renters, and businesses within the City's taxing jurisdiction that will bear the costs of implementing Project Connect, except for parts contributed through Federal transit programs and other non-tax related funding sources;

## Transit tax draws attack from the left

By Daniel Van Oudenaren October 2, 2020 3:05 PM [excerpts]



*Zenobia Joseph speaks to reporters at the September 30 press conference.*



“Project Connect will expand services for white commuters coming from the suburbs,” said Zenobia Joseph, a Northeast Austin resident. “The people who need the service the most will not benefit.”

As evidence for that claim, she cited a 2015 [Origin and Destination Survey](#) that found that 70 percent of rail riders were white compared to only 36 percent of bus riders. Blacks accounted for only 6 percent of rail riders in that survey compared to 20 percent of bus riders.

In the meantime, the tax increase, coupled with rising property values, would accelerate the displacement of low-income and middle-income Black and Hispanic families—a process widely referred to as gentrification. . . .

### Inadequate bus service

Several speakers at the event called into question Project Connect's emphasis on rail rather than bus service, complaining that current bus routes are inadequate and too infrequent.

Joseph said, “Oh, they get on the **Black radio station (KAZI FM 88.7)** and they tell us, ‘more frequency,’ we should get excited about **15 new circulator buses**. Well, let me tell you about those circulators: **they only have \$1.5 million out of \$7.1 billion for neighborhood circulators**. And where do they take you? A half a mile to maybe two or three (miles) down the road, for you to wait a second time.”

Joseph was referring to the investment plan approved at a July 27 CapMetro meeting, which includes **just \$1.5 million for circulators, or 0.02 percent of Project Connect's “initial investment” phase**.

“Black people today in Craigwood and Colony Park wait 60 minutes for the bus,” she added, referring to two East Austin neighborhoods.

Under Prop. A, that area would be serviced by a new Green Line commuter rail station connecting to downtown, according to Project Connect's [system map](#).<sup>9</sup> [“Green Line . . . doesn't meet Federal standards for density” (Clemens, 2017).]

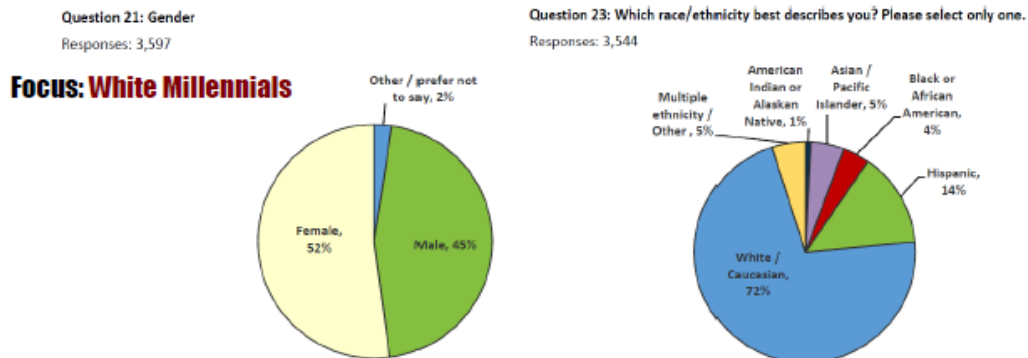
<sup>9</sup> Van Oudenaren, D. (2020, October 2). Transit tax draws attack from the left. <https://theaustindog.org/transit-tax-draws-attack-from-the-left/>

***“There’s an old maxim in (uh) transportation called DAD (Decide, Advocate, and Defend) (uh) and do it all before the public’s involved (uhm) and that’s gotta stop. . . . We expect public input processes to be meaningful.”<sup>10</sup>***

~Former U.S. Transportation Secretary Anthony Foxx

8. **Target Audience:** “We’ve heard from a few folks that just don’t like that the service is there,” Capital Metro Director of Service Planning Roberto Gonzalez told the *Austin Monitor* about MetroRail-Crestview. “They may not have understood that when that place was built, it was built under the TOD design principles. Maybe they just didn’t even expect us to be there[.]” Yet, he unilaterally eliminated Northeast routes to create frequency for whites, Austin Community College, and Dove Springs Hispanics under guise of Title VI compliance. February 27, 2017 Connections 2025 Resolution, rebranded Cap Remap, said “staff will monitor corridors that were not identified for service.”<sup>11</sup> There was, however, no analysis/monitoring of 2014 Project Connect North Corridor Locally-Preferred Alternative FM 734/Parmer East-West growth by major employers: Samsung to Apple (East Village 425 acres; 5,500 apartment units; 3 HEBs), Tech Ridge to Howard affordable housing or Dessau (74% minorities) to ACC-Highland Gold Line.

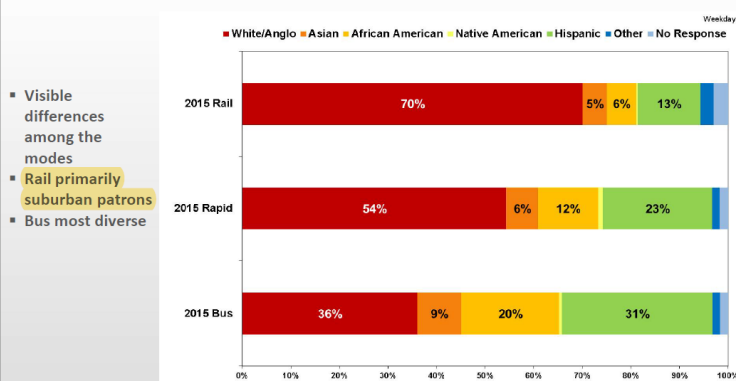
December 14, 2015-March 13, 2016 - about 5,000 surveys (partial results below): 72% white, 52% female (25-35), majority had access to two vehicles, earned \$100K, and 94% had some college (≈27% graduate degree). Capital Metro then created its new bus network saying “the people” wanted to walk ½-mile to a frequent bus. November 16, 2016 I first testified against Title VI disparate impacts. October 24, 2017 Chair/lawyer Wade Cooper relied on AURA urbanists, third party data not publicly available, asserting minorities [Southeast Hispanics, not Northeast Blacks] had access to the 15-minute network, ignoring safety—more transfers north of US 183 on roadways exceeding 20,000 vehicles per day (“vpd”) due to Gonzalez’ unilateral northeast-west eliminations—walk to a main corridor from home, wait at neighborhood stops, and wait-time before transferring to a frequent bus.



#### ABSTRACT

This Community Survey Summary provides an overview of survey responses received as part of Capital Metro’s Connections 2025 transit study. The survey, posted online via SurveyMonkey.com, was available between Dec. 21, 2015, and Mar. 13, 2016, and was publicized via the project website, emails, online and print ads, at stop outreach, partner cross-promotion and public meetings/events. The survey included a range of questions designed to capture respondents’ travel patterns, demographic information, priorities, and opinions on transit in Central Texas.

### Ethnicity Bus, Rapid, Rail 2015



#### January 25, 2016: Item III. Public Comment

Anthony Walker (Black driver, 24-years). Urban Rail reflections: “Capital Metro Board, in general, is not respecting the City of Austin ... taxpayers. As leaders, ya’ll got to do a better job.” Stop protecting the rail. Pflugerville and Cedar Park “voted CapMetro out of the service area, but “you’re catering” to them. (Clip 06:50-12:20)

Item IX: **Origins and Destination Study: Chart (left)** shows 70% of MetroRail riders are white. 24-hour ticket = \$7 vs. Bus = \$2.50. Rail is nearly three times more, too costly for Black transit-dependent “essential workers” to enjoy. Video: <https://austintx.new.swagit.com/videos/45288>

###

#### July 25, 2016: Item III. Public Comment (12:32)

Susan Pantell, PhD: “The survey had about 5,000[.]; . . . survey responses were (uhm) slanted toward (uhm) white people and also higher income than the bus ridership. I’m concerned ... [consultant’s] service study ... will be biased.”

Video: <https://austintx.new.swagit.com/videos/45296>

<sup>10</sup> seeprogress (2016, December 15). *Secretary Foxx discusses a transportation plan for the 21st century* [Video 27:10]. <https://www.youtube.com/watch?v=QqtJgWaU0zM&t=655s>

<sup>11</sup> Capital Metro (2017, February 27). Regular board meeting: Connections 2025 resolution [p. 49]. <http://capmetrotx.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1656&Inline=True>

9. **Housing Discrimination:** “Inclusive Communities Project (ICP) sued the Texas Department of Housing and Community Development over the siting of most Low Income Housing Tax Credit properties in predominately black communities in Texas.” In *Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc.*, 576 U.S. 519 (2015), Justice Anthony Kennedy delivered the Court’s 5-4 decision, which “held that disparate impact claims are cognizable under the Fair Housing Act.”<sup>12</sup> Zoning/Platting recent votes fail to affirmatively further fair housing: Urbana (558 units); Northwind Apts, I-35N/Yager (330 units).



## Social Determinants of Health

- Access to health care
- Access to resources
- Education
- Employment
- Environment
- Income/Poverty
- Insurance Coverage
- Housing
- Racism/Discrimination
- Segregation
- Transportation



**Figure 3. Affordable Housing (LIHTC) Units Approved through RONO by Travis County during PY19**

RONO/LIHTC Affordable Housing Data for LIHTC property developments that were recommended by CDBG and/or by TCCC during PY19

Property Name	Developer	Partner	Property Address	Census tract/block group	Precinct/ Comm	Approx. distance to nearest bus stop**	Target Population	Total # of units being built	# set aside for Property Managers	Total Affordable (LIHTC) units	% units at ≤30% MFI	% units at >30% & up to 60% MFI	% units ≤60% MFI	% units ≤80% MFI	% units at >80% MFI
1 Old Manor Rd Senior	Elmington Capital	TCHFC	Old Manor Rd, Austin, TX 78724; TCAD Parcel: 0226310914	22.02 / 3	1 / Travillion	1.3 miles	elderly	208	0	208	0%	100%	100%	100%	0%
2 Yager Flats*	Elmington Capital	SHFC	4818 E Yager Ln, Manor, TX 78653	18.42 / 1	1 / Travillion	3.2 miles	general	300	0	300	5%	80%	85%	100%	0%
3 Spring Villas*	AMTEX	TCHFC	7430 Bluff Springs Rd, Austin, TX 78744	24.27 / 3	4 / Gomez	0.4 miles	general	304	2	302	0%	99%	99%	99%	0%
4 Meadow Apartments*	AMTEX	TCHFC	14.28 AC. Colton Rd, Austin ETJ, Austin, Texas	24.32 / 1	4 / Gomez	2 miles	general	288	0	288	5%	95%	100%	100%	0%
5 Capitol View Flats	Elmington Capital	TCHFC	9002 Capitol View Rd, Austin, TX 78747	24.26 / 1	4 / Gomez	0.7 miles	general	324	0	324	0%	100%	100%	100%	0%
6 Grand Station	Pedcor Investments, LLC	TCHFC	16000 Bratton Ln, Austin, TX, 78728	18.5 / 4	2 / Shea	0.9 miles	general	216	0	216	0%	100%	100%	100%	0%
7 Crystal Bend Apartments*	AMTEX	TCHFC	2313 and 2405 Crystal Bend Dr, Pflugerville, TX 78660	18.42 / 1	2 / Shea	3 miles	general	390	2	388	5%	94%	99%	99%	0%
8 The Residences at Howard Lane*	NRP Lone Star Development LLC	TCHFC	NW corner of E Howard Ln & Harris Branch Pky and 1.5 ac S of Howard Ln	18.42 / 1	2 / Shea and 1 / Travillion	4 miles	general	300	0	300	10%	60%	70%	100%	0%
9 Kingswood (FM 812/COTA)*	LDG Development	HACA	13411 FM 812, Del Valle, TX 78617	24.36 / 1	4 / Gomez	5 miles	general	328	0	328	3%	86%	89%	100%	0%
<b>TOTALS</b>								<b>2,658</b>		<b>2,654</b>	<b>3%</b>	<b>90%</b>	<b>93%</b>	<b>100%</b>	<b>0%</b>

\*Properties that are located within a federally-designated Opportunity Zone.

\*\*Distances to the nearest bus stop are approximate and reflect service at the time of the fair housing analysis.

### Acronyms

TCHFC Travis County Housing Finance Corporation  
SHFC Strategic Housing Finance Corporation of Travis County  
HACA Housing Authority of the City of Austin

<sup>12</sup> See Footnote 10. SCOTUSBlog.com, June 26, 2015. [https://en.wikipedia.org/wiki/Texas\\_Department\\_of\\_Housing\\_and\\_Community\\_Affairs\\_v.\\_Inclusive\\_Communities\\_Project,\\_Inc.](https://en.wikipedia.org/wiki/Texas_Department_of_Housing_and_Community_Affairs_v._Inclusive_Communities_Project,_Inc.)

June 22, 2021

Subject: Title VI Northeast Austin Project Connect Disparate Impacts—Orange/Blue Lines Federal Register Deadline: 23Jun2021 13

10. **Opaque Homeless Summit Plan:** June 3, 2018 Cap Remap eliminated 240-Rutland. Why did staff prioritize Espero-Rutland? May 3, 2021 KXAN reported 51 permanent supportive housing units. How did that total increase to 101 out of 171 units, no bus? The area north of US 183 where Espero will be located was called “high-opportunity” in the LIHTC application with no fixed-route.

## City of Austin to convert Candlewood Suites hotel to homeless housing despite lawsuit to stop it

by: [Jala Washington](#) Posted: May 3, 2021 / 06:36 PM CDT / Updated: May 3, 2021 / 10:14 PM CDT

### Current PSH Unit Pipeline (Capital Development)

*\*Limited to units with capital commitment on part of AHFC; additional 50 Scattered Site PSH Units in Process*

Project	Sponsor(s) & Service Providers	# PSH Units	AHFC Capital Commitment	Other Funding	Earliest Occupancy Date
Espero at Rutland	Caritas of Austin/Vecino Group	51	\$2.5M <i>(pro-rated for PSH only)</i>	AHFC Vouchers (51) APH Services, HACA Vouchers	September 2022
PSH Conversion: Texas Bungalows	City of Austin & Integral Care	60	\$6.5M	APH Services & Operations, 50 HACA Project-Based Vouchers	August 2021
Hotel Conversion: Candlewood Suites	City of Austin & Caritas of Austin	80	\$9.75M	APH Services & Operations	August 2021
<b>TOTALS</b>		<b>191</b>	<b>\$18.65M</b>		
<i>Other known projects in feasibility stage: Approximately 300 units</i>					

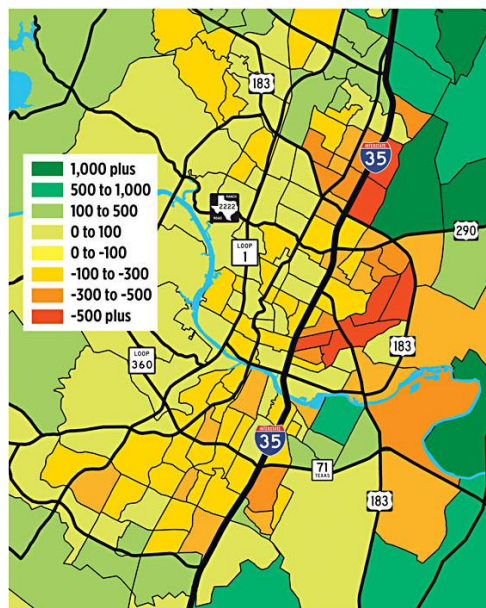
## We're Still Here

Assessing the continuing black Austin experience

BY [KAHRON SPEARMAN](#), FRI., JAN. 8, 2016

US 183 is the line of demarcation between the haves (whites) and the have-nots (minorities, Blacks). North/East of US 183 (green) Project Connect eliminated MetroRapid-Parmer (Samsung to Apple). Black neighborhoods (Craigwood, Colony Park) routes south of US 290, Colony Park (60 minutes). South/West/Central Austin whites and Dove Springs Hispanics enjoy 6- to 15-minute routes. Absence of equitable bus service violates Title VI and creates pockets of poverty, diminishing Black quality of life and job access. Cap Remap (frequent buses) and Project Connect overlay excluded Northeast, but propaganda said “more ways to move us all.”

### AUSTIN AFRICAN AMERICAN POPULATION GROWTH AND DECLINE: 2000 TO 2010



Source: City of Austin/Data sources: Census 2000 SF1; Census 2010 Redistricting File

June 22, 2021

Subject: Title VI Northeast Austin Project Connect Disparate Impacts—Orange/Blue Lines Federal Register Deadline: 23Jun2021 14

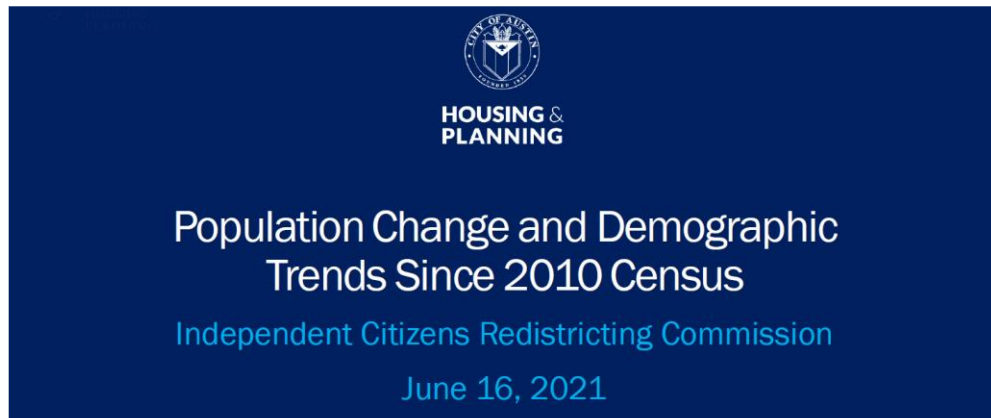
11. **Orange Line Disparate Impacts:** "The **Federal Highway Administration (FHWA)** defines a project of regional significance as 'a transportation project that is on a facility which serves regional transportation needs.'" Source: CAMPO 2019-2022 Transportation Improvement Program (June 14, 2021 Packet, p. 121). North Austin map shows concentrations of Blacks waiting 60 minutes for the bus while South/West/Central whites and Dove Springs Hispanics enjoy Route 7-MetroRail-Crestview 6-minute headway. The June 16, 2021 Austin Housing and Planning demographic slide mirrors the map on previous page showing Austin's Black residents. Taxation without transportation: Samsung (upper right) to Apple. Education disparities exist by race, too.

Austin Median HHI	Black	Hispanic/Latinx	Asian	LGBT
\$67,462	\$42,422	\$50,332	\$87,597	Above Median

Source: United States Census Bureau and U.S. Department of the Treasury

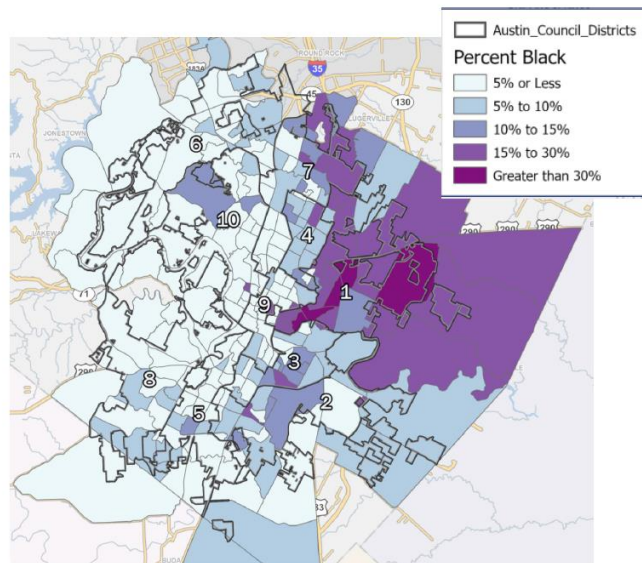
Austin Avg Edu %	Black	Hispanic/Latinx	Asian	LGBT
50.4%	27.5%	24.4%	76.1%	Above Avg

Source: United States Census Bureau and Pew Research Center



HOUSING & PLANNING

## Percent Black, 2019



Source: U.S. Census Bureau, American Community Survey 2019 5-Year Estimates

25

12. **Closing:** Request board members submit comments in your individual capacity to the Federal Transit Administration Orange/Blue Lines Federal Register to compel Capital Metro to "reanalyze . . . and implement the least discriminatory alternative." All taxpayers will fund Project Connect and deserve an equitable system in practice beyond resolutions falsely noting transit equity. Thanks for your time and consideration. Point of contact is the undersigned.

Very respectfully,

*Zenobia C. Joseph*

Zenobia C. Joseph

## **Appendix A**

### **Presidium's Proposed 60%-140% AMI East Riverside Workforce "Innovative Affordable Housing" (excerpt)**

### **TCHFC Item 1 - 2ND REVISION**



#### **Travis County Commissioners Court**

#### **Travis County Housing Finance Corporation Agenda Request**

**Meeting Date:** July 14, 2020

**Prepared By/Phone Number:**

Andrea Shields, Managing Director/512-854-9116

**Elected/Appointed Official or Department Head:**

Jessica Rio, County Executive, Planning and Budget

**Commissioners Court Sponsor(s):**

Commissioner Gómez

**Agenda Language:**

Consider and take appropriate action to:

(A) Approve the Corporation's participation in two developments known as The Element Apartments, located at 1500 Royal Crest Drive, and Edison Apartments, located at 4711 E Riverside Drive, both in Austin, Texas, in the capacities of sole member of the general partner of the apartment complex owner, sole member of the ground lessor, and co-developer and

(B) Authorize the Corporation's officers and managing director to execute and deliver any and all documents necessary to accomplish such participation.

**Press Inquiries:**

Hector Nieto, PIO@traviscountytx.gov or (512) 854-8740

**Background/Summary of Request and Attachments:**

The Element is located at 1500 Royal Crest Drive. The property was built in 1969, purchased by Presidium in late 2012 and renovated. The property has a total of 286 studio, one- and two-bedroom units with approximately 72 units restricted for families with incomes at or below 60% of the Area Median Income ("AMI"), 148 units restricted to families earning at or below 80% of

**AGENDA REQUEST & BACKUP MATERIALS DEADLINE:** Agenda requests and backup materials must be submitted in PDF format via email to [agenda@traviscountytx.gov](mailto:agenda@traviscountytx.gov) by 12 noon on Tuesday in order to be considered for inclusion in the following week's voting session.

*Revised 17-12-05*



**MEMO**

To: Board of Directors

From: Andrea Shields, Managing Director

Date: July 14, 2020

Re: Edison – Multifamily Development with GP Interest with Presidium

**Introduction**

Presidium has applied to the Housing Finance Corporation ("HFC") for a multifamily housing development located at 4711 East Riverside Drive in Austin, Travis County, Texas. Presidium has requested that the HFC act in its approved capacity of General Partner (GP) on this project. Presidium has utilized and sourced conventional debt and equity financing on this project; therefore, TCHFC will not be issuing bonds, nor will there be 4% tax credits involved. The agenda item for July 14, 2020, will allow representatives of Presidium the opportunity to address the Board to provide information on the project and request approval to move forward on the transaction. Edison will be the first Presidium transaction for the HFC. Please note, this is one of two proposed projects Presidium will present today.

Edison is located at 4711 East Riverside Drive. The property was built in 2019 and has a total of 353 studio, one- and two-bedroom units with approximately 40 units restricted for families with incomes at or below 60% of the Area Median Income ("AMI"), approximately 60 units restricted to families earning at or below 80% of AMI and approximately 109 units restricted to families earning at or below 120% of AMI and approximately 109 units restricted to families earning at or below 140% AMI. The property will also offer approximately 35 units at market rate.

The Board will have adequate time to review the materials on the project and receive answers to any additional questions. This memo and the appended backup materials are intended to provide the most relevant information on these items for consideration. Should the Board require any other information, please do not hesitate to request it, and we will be happy to provide it.

Please note that this site has passed the Travis County CDBG office's fair housing screen.

**About the Developer**

Presidium is a Texas based real estate developer, owner and operator with a 17-year operating history. Founded in 2002 and headquartered in Dallas, Texas, the firm acquires both debt and equity value-add assets of any class. To successfully harvest its investments the firm relies upon an experienced and talented group of professionals in its special servicing, asset management and property management divisions. The firm has invested in, developed and managed real estate assets across a wide spectrum of product types in Texas, Florida, and Maine. Presidium currently has approximately \$3 billion in assets under management. Presidium will also be involved in an affordable multifamily development to be located in the Velocity Crossing PID.

**Information on the General Partnership Structure and Fees**

Presidium has requested that the HFC act in its approved capacity as the sole member of a to-be-formed limited liability company that will serve as the general partner, allowing the project to be eligible for a property tax exemption. In October of 2014 the board approved the concept of the HFC participating in tax credit and/or multifamily bond transactions in this manner pending approval of the individual transactions by the Board on a case-by-case basis. In exchange for serving as sole member of the general partnership, the HFC will receive additional input and control over the project. There are additional fees as well which the HFC can utilize to provide affordable, decent, safe, and sanitary workforce housing to the residents of Travis County. This structure is common in Texas and has been used successfully in numerous transactions. In April of 2019 the board authorized the HFC to participate in this same manner on conventionally financed projects (non-bond, non-tax credit) as long as the Board approves the proposed affordability thresholds on a project by project basis.

**Details on Edison**

**Location:** The property is located at 4711 East Riverside Drive, Austin, Texas 78741 in Precinct Four. The property is located within the city limits of Austin. Maps of the site are included in the backup.

**Total Costs:** \$ 71,400,000

**Construction Completion:** Constructed and completed in 2019.

**Site:** The site totals 9.1 acres. The property is not located in a flood plain according to FEMA's Flood Map. Maps of the site are included in the backup.

**Structures:** The property includes 353 units in four-story apartment buildings.

**Units:** The property offers studio, one- and two-bedroom floor plans. The mix of units and the respective square footages are listed in the following table.

Current Unit Details			
Unit Type	Sq. Ft.	# of Units	Current Rent Ranges
Studio	358 – 496	9	\$1200 - \$1249
Studio	500 – 584	88	\$1249 - \$1415
Studio	606 – 652	6	\$1299 - \$1440
Studio	740	1	\$1349
1 BR/1 BA	714 - 771	175	\$1499 - \$1924
1 BR/1 BA	934 - 957	6	\$1650 - \$1896
1 BR/1 BA	1057	1	\$2115
1 BR/1 BA	1230	1	\$2090
1 BR/1 BA	1351	1	\$2150
2 BR/2 BA	1040 - 1083	54	\$1800 - \$2327
2 BR/2 BA	1192 - 1217	5	\$2125 - \$2290
2 BR/2 BA	1303 – 1383	3	\$2025 - \$2740
2 BR/2 BA	1425 - 1439	3	\$2200 - \$2275
<b>Total</b>		<b>353</b>	

The units at the property will have rent and income restrictions of 60%, 80%, 120% and 140% of the Area Median Income. The following table shows household sizes and their respective maximum incomes as of 2020 in order to be eligible to live at the property. Please note, these incomes are subject to change annually per HUD.

Travis County 2020 Household Income Limits				
Number of People in Household	60% AMI	80% AMI	120% AMI	140% AMI
1	40,980	54,640	81,960	95,620
2	46,860	62,480	93,760	109,340
3	52,680	70,240	105,360	122,920
4	58,560	78,080	117,102	136,640

The following table displays the breakdown of the proposed income limits, unit types, number of units and rent per AMI.

Proposed Income Limits and Unit Mix				
AMI	Unit Type	Sq. Ft. Range	# of Units	Proposed Rents
60%	Studio	491-523	31	\$995
60%	1 Bedroom	740	2	\$995
60%	2 Bedroom	1070-1079	7	\$1136
80%	Studio	506-740	58	\$1321
80%	1 Bedroom	741-743	2	\$1321
120%	Studio	489-652	14	\$1493
120%	1 Bedroom	714-771	75	\$1511
120%	2 Bedroom	1040-1303	20	\$2051
140%	1 Bedroom	714-957	89	\$1602
140%	2 Bedroom	1070-1217	20	\$2155
Market	1 Bedroom	738-1351	17	\$1861
Market	2 Bedroom	1071-1439	18	\$2296
	<b>Total</b>		<b>353</b>	

Amenities: *Units:* 9'ceilings, fully equipped all electric kitchen with dishwasher, refrigerator, and microwave, pantry, ceiling fans, patios/balconies, walk-in closets, wood flooring, granite countertops, tile backsplash, kitchen islands, mini blinds and washer/dryer.

*Property:* resort-style pool, covered outdoor living area, outdoor grilling and dining areas, rooftop lounge, clubhouse, state-of-the-art fitness center, business center, elevators and parking garage.

Public

Transport: Property is located off of East Riverside Drive within walking distance of Capital Metro bus service. Tenants have access to Capital Metro's High Frequency Network which operates 14 routes every 15 minutes, 7 days a week.

### Backup

These items are included in the backup for review and consideration.

- \*Location and Flood Plain Maps
- \*Site Map
- \*Floor Plans
- \*Presidium Presentation
- \*Presidium Resume and Portfolio

cc: Jessica Rio, County Executive, PBO  
Diana Ramirez, Manager, EDSI  
Cliff Blount, Naman Howell Smith & Lee  
Chris Sayers, Naman Howell Smith & Lee  
Ryan Bowen, Chapman & Cutler

## Appendix B



**Racist Reality:** Northeast Blacks wait 60 minutes for the bus on “New” Route 339-Tuscany, yet Equity Officer Brion Oaks remains silent about transit disparate impacts. Blacks wait 10 times longer than MetroRail-Crestview, UT-Austin whites, and Dove Springs Hispanics. Creating an “Equity Assessment Tool” perpetuates the status quo and does nothing to center racial equity. 😞

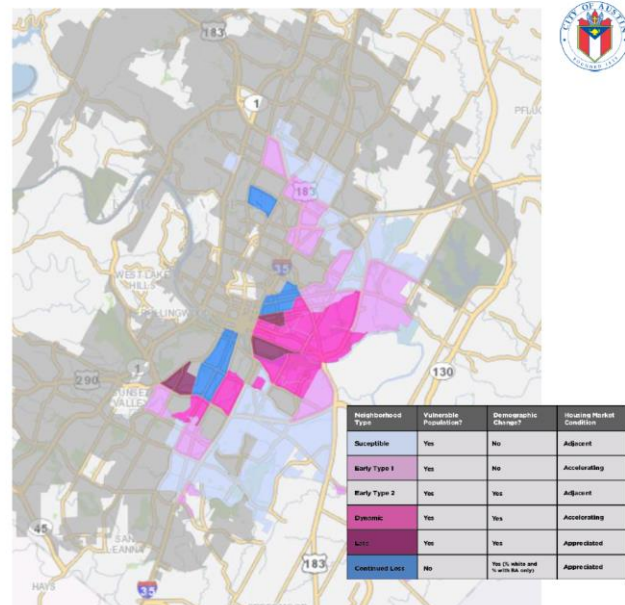
## Creation & Implementation of an Equity Assessment Tool

City of Austin: Equity Office, Innovation Office, Resilience, Housing and Planning Department, Transportation Department

### 2019 ASMP Chapter 6 – Equity

Action Item #200 | Equity Analysis Zones

Identify a **framework to designate geographic zones**...criteria should consider **race, income, car-ownership, educational attainment, housing tenure, transit availability, language spoken at home, age, disability status**, and other factors to help focus efforts on historically underrepresented and underserved communities



Source: 2018 UT Austin Uprooted Report

**Note: After rezoning the Blue Line/Riverside, Council and staff disingenuously noted the Uprooted Report.**

June 22, 2021

Subject: Title VI Northeast Austin Project Connect Disparate Impacts—Orange/Blue Lines Federal Register Deadline: 23Jun2021 21

## June 23, 2021 Federal Register Deadline for Orange/Blue Lines: Environmental Impact Statement Formal Comments

**Submit Comment:** Public input will inform FTA's decision on whether or not to fund 45% of Capital Metro's \$7.1B light rail system. Equity and anti-displacement language, however, after rezoning is disingenuous and, ideally, should raise a **Federal red flag!**

- **Orange Line:** <https://www.federalregister.gov/documents/2021/05/24/2021-10865/preparation-of-an-environmental-impact-statement-for-the-capital-metro-orange-line-project-in-austin>
- **Blue Line:** <https://www.federalregister.gov/documents/2021/05/24/2021-10866/preparation-of-an-environmental-impact-statement-for-the-capital-metro-blue-line-project-in-austin#open-comment>



### 2020 Proposition A: Project Connect Contract with Voters

#### Capital Metro shall:

- 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 recommendations to Austin Transit Partnership for financing tools and strategies based on the NEPA review

#### Austin Transit Partnership shall:

- develop proposals on an ongoing basis, based on the recommendations from the City and Capital Metro, and provide a budget for approval by City Council and the Capital Metro Board
- enter into interlocal agreements and/or grant agreements with the City to timely develop and implement anti-displacement strategies



### Next Steps

**Direction:** Within six months of voter approval, provide a process for the creation of neighborhood-level strategies with community members and organizations

#### ONGOING

- Coordinate with Project Connect National Environmental Policy Act (NEPA) Process

#### FALL 2020

- Develop Equity Assessment Tool Scope of Work (for Consultant) in Collaboration with Community

#### WINTER 2021

- Contract with entity to lead the process to Co-create the Tool with Community

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### September 2020 Project Connect Resolution

- Resolution No. [20200903-044](#)
  - Work with impacted neighborhoods in the creation of neighborhood-level anti-displacement strategies and priorities
  - Identification and tracking of Key Performance Indicators (KPI) related to equity and displacement
  - Establish KPI triggers that signal the need for a posted Council discussion and public comment on the status of equity and anti-displacement strategies associated with Project Connect

June 22, 2021

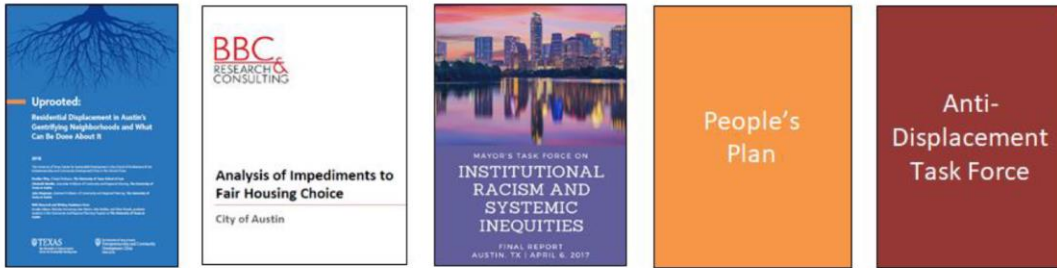
Subject: Title VI Northeast Austin Project Connect Disparate Impacts—Orange/Blue Lines Federal Register Deadline: 23Jun2021 22

**July 27, 2020 Planners unilaterally eliminated MetroRapid-Parmer when reducing Project Connect from \$10B to \$7B.**



## Work to Date

### Anti-displacement Recommendations Reviewed



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**Affordable Housing/Transit Tool:** Top northeast-west black line is misleadingly, showing Parmer/FM 734 affordable housing.

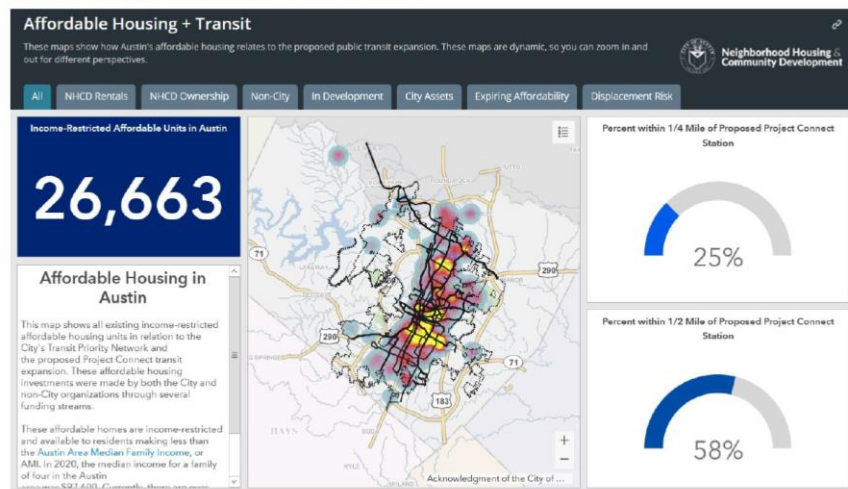


## Work to Date

### Affordable Housing + Transit Affordable Housing Map Series Created

[Affordable Housing + Transit Affordable Housing Map Series](#)

<https://austin.maps.arcgis.com/apps/MapSeries/index.html?appid=b689c16a4db143698166b57a7abb876e>



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**August 7, 2020: Capital Metro/Austin City Council increased anti-displacement to \$300M. Though contingent on Federal funds, actors continue to promote \$300M as though guaranteed—disingenuous after Riverside rezoning.**  
Cooking the Books: Actors falsely state \$900K anti-displacement FTA grant applies to the Orange Line/north of US 183 where rail is 24-30 years. In 2015-2016, NLTC had the second highest ridership when consultant Russ Chisholm revised the 10-year plan. It is, therefore, reasonable to conclude that use of transit-dependent minority data serves to justify rail for whites—albeit misleading.



## 2020 Proposition A: Project Connect

- Provide \$300,000,000 for (1) acquiring real property, and (2) financing tools and other anti-displacement strategies related to the implementation of Project Connect, such as:
  - construction or development of new affordable housing;
  - preservation, repair, and rehabilitation of existing affordable housing;
  - financial assistance for home ownership;
  - home repair;
  - rental subsidies;
  - right-to-return assistance that grants current tenants of affordable housing the option to lease a unit of comparable affordability and size following completion of rehabilitation of affordable housing;
  - or other strategies that build economic mobility opportunities for residents along the transit corridors and increase transit-supportive economic development and ridership

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

This Interlocal Agreement ("Agreement") is entered into between the City of Austin, a Texas (the "City"), and Capital Metropolitan Transportation Authority ("Capital Metro"), a transportation authority and political subdivision for the State of Texas organized under Chapter 451 of the Texas Transportation Code, each a "Party" and collectively referred to within this Agreement as the "Parties".

#### RECITALS

The City and Capital Metro have determined that Austin is unable to meet growing demands for safe, reliable and efficient transportation, and that the lack of a complete transit system results in increased traffic congestion, increased travel time, and limits access to jobs, schools, educational opportunities, hospitals, and healthcare for people in our community;

The City Council and the Capital Metro Board have recognized the benefits of a high capacity transit system and transit-oriented development and determined that implementation of the Project Connect System Plan ("Project Connect") will create an integrated transit system that eases traffic, creates jobs, improves the environment, and better connects people in our community;

The City Council and the Capital Metro Board have recognized that though the Project Connect System Plan will benefit all persons visiting, living, and working in Austin, as well as our local businesses, it is the residents, homeowners, renters, and businesses within the City's taxing jurisdiction that will bear the costs of implementing Project Connect, except for parts contributed through Federal transit programs and other non-tax related funding sources;

To address these growing demands Capital Metro adopted Project Connect by Capital Metro Resolution AI-2020-1273 on June 10, 2020 and the City formally supported Project Connect by City Resolution 20200610-02 on June 10, 2020;

The City and Capital Metro have further determined that Project Connect, which includes \$300 million for transit-supportive anti-displacement strategies related to the implementation of Project Connect, should be funded through a funding and investment strategy approved by the City on July 27, 2020 (Resolution No. 20200727-002), Capital Metro funding sources, and federal grant revenue;

## **Project Connect will segregate Austin for centuries!**

Eliminated MetroRapid-Parmer (Samsung to Apple), denying Blacks access to economic opportunities.

June 3, 2018 Planners eliminated northeast-west connectivity, forcing minorities to wait 30 minutes more to transfer West.



## Environment to Advance Equity

For an equity scorecard or tool to be effective, it needs an environment conducive to receiving and using the data and information it yields, including:

- 1) Centering on the values of and having a shared mandate for racial equity,
- 2) Rebalancing power and decision-making structures, and
- 3) Accountability to those most directly impacted by displacement pressures

**Racist Reality: Northeast Blacks wait 60 minutes for the bus on “New” Route 339-Tuscany, yet Equity Officer Brion Oaks remains silent about transit disparate impacts. Blacks wait 10 times longer than MetroRail-Crestview, UT-Austin whites, and Dove Springs Hispanics. Creating an “Equity Assessment Tool” perpetuates the status quo and does nothing to center racial equity.**



## Next Steps

### SPRING 2021

- Define the process to Implement the use of the Tool with Community

### SUMMER 2021-PROJECT CONNECT COMPLETION

- Implement the Equity Assessment Tool with community
  - Work with impacted neighborhoods in the creation of neighborhood-level anti-displacement strategies and priorities
  - Identification and tracking of Key Performance Indicators (KPI) related to equity and displacement and establishment of KPI triggers

THANK YOU

