

RESOLUTION

WHEREAS, the Capital Metropolitan Transit Authority (“CapMetro”) and the City of Austin (“City”) in accordance with Chapter 431 of the Texas Transportation Code, Chapter 394 of the Texas Local Government Code, and through an interlocal agreement, created the joint local government corporation called the Austin Transit Partnership Local Government Corporation (“ATP”) to 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’s Articles of Incorporation, Article XVII provides the process for amending the Articles of Incorporation, including changes to Board composition; and

WHEREAS, Council desires to coordinate with CapMetro to amend the ATP Articles of Incorporation to add two additional director positions and to address transparency in the application, nomination, and selection process; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Pursuant to Article XVII of the Austin Transit Partnership Articles of Incorporation, the City Council adopts the following recommended amendments to Article VI:

All powers of the Corporation shall be vested in a Board of Directors consisting of seven persons... two of whom shall be Community At-Large Directors.

Community At-Large Directors shall be community members and not a member of the respective body that appoints them.

The Nominating Committee process and criteria for selection shall be made publicly available at time that the Nominating Committee publishes a solicitation for applications. The Nominating Committee must seek feedback from the Community Advisory Committee on the criteria for selection, before the criteria are finalized. All applications shall be made publicly available once they are submitted, and any preliminary selection, including for interviews, or elimination of applications by the Nominating Committee shall also be made public as soon as the Nominating Committee makes a decision. Nominations by the Nominating Committee must be made public for at least two weeks in advance of the joint approval of nominees by the City Council and Capital Metro Board. The Nominating Committee may recommend more than one nominee to the City Council and Capital Metro Board for further deliberation and appointment.

The two Community At-Large Directors shall be selected through an application and appointment process. The application and appointment process and selection criteria must include feedback from the Community Advisory Committee before it is finalized. All applications shall be made publicly available once they are submitted, and any preliminary selection, including for interviews, or elimination of applications shall also be made public as soon as the decision is made. The names of appointees must be made public for at least two weeks in advance of the joint approval by the City Council and Capital Metro Board.

BE IT FURTHER RESOLVED:

The City Manager is directed to consult with the Community Advisory Committee (CAC) to establish eligibility criteria for Community At-Large Directors and return to City Council with recommendations by the end of February 2023. The CAC may also provide feedback on the application and appointment process for the Community At-Large Directors. The City Manager shall also collaborate with the CAC to consult with Transit Forward, Chamber of Commerce, the ATX Mobility Coalition Capital Metro, ATP and other community stakeholders as appropriate to develop these recommendations. Applications and appointments for the Community At-Large Directors to the ATP board shall not be solicited or considered prior to the joint adoption of eligibility criteria by the City Council and the Capital Metro Board of Directors. The CAC shall consider eligibility criteria such as the following, when making recommendations:

- Experience engaging with transit riders and advocates locally
- Working actively at the time of application on transit related work or having a track record of actively engaging in transit advocacy in the community
- Deep understanding of transit equity and a proven commitment to working towards it
- Experience as a core transit rider.

BE IT FURTHER RESOLVED:

These changes to the Articles of Incorporation, as well as any others that Council, CapMetro, and ATP choose to make during the next 12 months, should be finalized and filed with the Secretary of State's Office as one amendment so as to efficiently and holistically amend the Articles.

ADOPTED: _____, 2022 **ATTEST:** _____

Myrna Rios
City Clerk

DRAFT