



**Agenda - Final revised**  
**Capital Metropolitan**  
**Transportation Authority**  
**Board of Directors**

2910 East 5th Street  
Austin, TX 78702

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**Monday, June 27, 2022**

**12:00 PM**

**Rosa Parks Boardroom**

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**I. Call to Order**

**II. Oath of Office**

**III. Public Comment:**

**IV. Advisory Committee Updates:**

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

**V. Board Committee Updates:**

1. Operations, Planning and Safety Committee

**VI. Consent Items:**

1. Approval of minutes from the May 23, 2022 public hearing and May 23, 2022 board meeting.
2. Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Swiftly, Inc. for Mobile On Time Performance Expansion software system for a base period of sixteen (16) months with one (1) one-year option period in a total amount not to exceed \$493,728.
3. Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Verizon DIR (State of Texas Department of Information Resources) for Mobile On Time Performance Expansion cellular communications and device management for a base period of twenty-four (24) months in a total amount not to exceed \$438,952.
4. Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Connected Solutions Group, LLC for Mobile On Time Performance Expansion Tablet Hardware for a base period of three (3) months in a total amount not to exceed \$279,440.

5. Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with TD Industries for the replacement of the parking lot light fixtures at the Lakeline Park & Ride in an amount not to exceed \$219,714.

**VII. Action Items:**

1. Approval of a resolution authorizing the President & CEO, or their designee, to implement the August 2022 Service Changes.
2. Approval of the Proposed Amendment to the CapMetro Bylaws
3. Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Krauthamer and Associates for Executive Recruiting Services in an amount not to exceed \$600,000 for two base years and two one-year options.
4. Approval of a resolution confirming new board member Matt Harriss' appointment to the Finance, Audit and Administration Committee for the remainder of 2022 and naming him as Chair of the Committee.
5. Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the sale of approximately 0.0138 acres of Capital Metro property located at Interstate 35 and the Tech Ridge Park and Ride in Travis County, Texas, for a TxDOT highway construction project, for a not to exceed amount of \$11,382.
6. Approval of a resolution authorizing the President & CEO, or their designee, to vacate the easement commonly referred to as the McKalla or J.J. Pickle rail spur, between Capital Metro railroad right of way and Burnet Road in Austin, Texas, and to take all additional actions necessary or advisable to vacate the easement, including without limitation, negotiating and executing any other documents necessary or advisable, allowing for the reversion to the Grantor pursuant to certain Quitclaim Deeds.
7. Approval of a resolution authorizing all acts and proceedings done or initiated by the Capital Metropolitan Transportation Authority, its employees, agents and attorneys for the acquisition of the fee simple title interest in a 0.8285-acre parcel of land located at 10612 Delta Drive, Austin, Texas, through purchase or by the process of eminent domain for the public purpose of the development and construction of the McKalla Station for Capital Metro's MetroRail Red Line regional rail service.

**VIII. Discussion Items:**

1. Public Safety Program Update
2. Public Transportation Agency Safety Plan (PTASP) Update

**IX. Reports:**

1. President & CEO Monthly Update

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

Section 551.072 for Deliberation regarding Real Estate matters: Deliberation regarding Real Property matters related to: the property acquisition needed to support the McKalla MetroRail Station Project; and the value of the McKalla Rail Spur Easement.

Section 551.074 for Personnel Matters for discussion of President & CEO search process.

**XI. Memos:**

Memos for information only -- will not be discussed at meeting.

1. Fare & Customer Payment Systems Project Update (June 15, 2022)
2. Austin Transit Partnership Board Appointment Process (June 16, 2022)
3. May and June Board Meetings Staff Follow Up (June 24, 2022)

**XII. Items for Future Discussion:**

**XIII. Adjournment**

**ADA Compliance**

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*BOARD OF DIRECTORS: Jeffrey Travillion, Chair; Ann Kitchen, Vice Chair; Leslie Pool, Secretary; Becki Ross, Eric Stratton, Wade Cooper, Pio Renteria and Matt Harriss.*

*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, June 8<sup>th</sup>, 2022

6:00 PM

*Meeting called to order at 6:03 PM*

#### Attendees:

**CapMetro Employees:** Dottie Watkins, Peter Breton, Kevin Conlan, Roberto Gonzalez, Andrew Murphy, Emmanuel Toutin, Edna Parra,

**Committee Members:** Betsy Greenberg, David Foster, David Shapiro, Ephraim Taylor

**Guests:** Ruven Brooks

#### Welcome / Introductions / Call to Order

*Chair Ephraim Taylor*

#### CapMetro Update & Moving Forward

*Dottie Watkins, Interim CEO*

**Dottie Watkins** thanks the committee for the work being done, and reaffirms the importance of providing reliable service and connecting with customers to move towards providing better service.

#### Public Communications

#### CMTA Fiscal Year 2023 Proposed Budget

*Emmanuel Toutin; Manager, Budget and Financial Planning*

**Emmanuel Toutin** outlines the calendar and explains that the sales tax growth and job growth of the Austin-Round Rock MSA is encouraging. Revenues from fares will have fare capping and Equifare built in. Federal grants and freight railroad revenues are also taken into account. Expenses for the budget are based on August service plan changes, include the average annualized pay increase for employees, new position requests by the senior management team, and the strategic plan initiatives considered in the budget preparation. The cost of fuel remains stable over the next fiscal year estimated at \$2.40/gal.

**David Foster** asks about current ridership projections, and **CapMetro Staff** explain that the planning department is actively working on ridership projections, and that detailed numbers should be available around August.

**David Foster** requests that - when the detailed numbers are available - there is a presentation to the committee on how CapMetro's ridership compares to other transit agencies post-COVID.

#### E-Fleet Buses

*Andrew Murphy; Director, Vehicle Maintenance*

**Andrew Murphy** outlines the new electric buses on order. There are 66 total, which will be delivered around December of 2022 to July of 2023. All buses are 40ft, with a seating capacity of 32, and with many new features and additions. There are 26 New Flyer and 40 Proterra buses, which range in capacity from 466kWh to 675kWh, equating to a range of approximately 174mi to 252mi. He also outlines the many new features of the buses.

**Betsy Greenberg** asks how long a bus takes to charge, and **Andrew Murphy** explains the various situations and factors that may affect the time that a bus takes to charge.

**David Foster** inquires into how CapMetro solicits input from the bus operators in order to adjust the features of the bus, and **Andrew Murphy** outlines the various vectors in which CapMetro collects feedback, such as safety departments, joint health and safety committees, surveys, and others.

**David Foster** asks about how CapMetro takes into account other transit agencies' choices when going through the procurement process, as well as how well the operator barriers work and how safe they are for the operators. **Andrew Murphy** explains what they look at specifically.

**Ephraim Taylor** raises the issue of the life of the batteries on the bus. **Andrew Murphy** outlines the warranty that CapMetro has bought for the buses as well as the possible options to take when the batteries degrade to the point that they will need to be replaced.

**Ruven Brooks** asks if there are any plans to obtain 60ft electric buses, and also asks if CapMetro is working with the design team for the interior seating for Project Connect's light rail. **Andrew Murphy** explains that 60ft buses are in the contract, but they are coming later and are not paid for yet. He also explains that at this point in time, CapMetro is not helping design the interior seating for light rail at the moment, but that they will help in the future if needed.

## **August Service**

*Roberto Gonzalez; Director, Service Planning*

**Roberto Gonzalez** outlines the process of changing service and the level of service compared to pre-COVID. The main proposed service changes adjust some route schedules in minor ways, adjust UT and other school routes to reflect the needs increasing for the Fall semester, streamline some routes that go through downtown, and maintain service levels. The Board is scheduled to make a decision as a part of the June Board meeting and the changes are expected to be implemented on August 14<sup>th</sup>.

**Betsy Greenberg** asks if there are any plans to bring back the E-Bus services, and **Roberto Gonzalez** explains that there is no target date, and that the e-bus service may have outlived their usefulness in comparison to Night Owls or late-night MetroRapid services, as the demand to restart the service is low.

**Ephraim Taylor** inquires about increasing frequency to existing routes that got cut during pandemic. **Roberto Gonzalez** outlines why some route's frequencies were cut and the challenges of increasing the frequency of those routes.

**Ruven Brooks** expresses their appreciation for the proposed replacements of the 233 and 237 with a PickUp service to increase frequency.

**Betsy Greenberg** raises the issue of the buses bunching up, especially with the MetroRapid lines, and suggests maybe reallocating some. **Roberto Gonzalez** explains that sometimes CapMetro has to adjust service to meet demand, including taking some resources out of MetroRapid to cover infrequent routes. However, due to the structure of UT and downtown, it is difficult to prevent bunching at all times.

**Approval of the minutes** - Quorum not met – approval via email expected.

**Meeting adjourned at 7:37 PM.**



# 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, June 1, 2022

5:30 PM

*Meeting called to order at 5:32 PM*

#### Attendees:

**CapMetro Employees:** Chad Ballentine, Peter Breton, Kevin Conlan, Suzie Edrington, Roberto Gonzalez, Julie Lampkin, Andrew Murphy, Andrew Skabowski, Johnathan Tanzer, Emmanuel Toutin, Edna Parra, Dottie Watkins, Belinda Wilson

**Committee Members:** Estrella Barrera, Andrew Bernet, Glenda Born, Audrea Diaz, Otmar Foehner, Mike Gorse, Paul Hunt, John McNabb

**Public:** Awais Azhar, Johnathan Jones

#### Welcome / Introductions / Call to Order

*Chair Paul Hunt*

#### CapMetro Update & Moving Forward

*Dottie Watkins, Interim CEO*

**Dottie Watkins:** Thanked the committee for the work being done and reaffirmed the importance of providing accessible fixed bus services and reliable MetroAccess service.

#### Public Communications

**Audrea Diaz** raised an issue where the call center staff incorrectly stated the final time to book MetroAccess rides. Since the fixed-route Night Owl lines qualify for the 3/4ths boundary, that should guide MetroAccess service for some riders during later hours.

**Paul Hunt** requested a presentation on qualifying services that work with paratransit, and which do not.

Reminded members to always file complaints for similar issues.

**CapMetro Staff** confirmed that boundaries are separated by time of day, and that Night Owl services qualify for the 3/4ths boundary. Commuter and light rail services do not qualify under the 3/4ths of a mile policy and Staff will investigate the issue. CapMetro is pushing to formalize the training regimen for call center staff, and they are also looking to replace the current booking system software, which should help staff overall and help those that use paratransit to book trips more easily. Staff will also come back with a description of how paratransit hours match over to fixed-route services.

**Glenda Born** shares that the Greyhound Bus Station has moved, as it is no longer at 916 E Koenig Ln, but at 363 Shady Ln. She asks staff to make sure that the call center staff knows this.

**CapMetro Staff** will have a road supervisor go out to that location and do a site evaluation and update the location file. The station is a part of the East Side Bus Plaza (ESBP), and Staff shares some of the history of the ESBP, and that Capitol Area Rural Transit System (CARTS) welcomed Greyhound to move their stop to that location. They explain why the change was sudden, outlined the current CapMetro service to ESBP, the pros of Greyhound moving the station, and that CapMetro is updating services to reflect the change.

**Paul Hunt** recounts a recent positive experience with MetroAccess, shares that he heard that time changes were still occurring, and that he is still getting on-board violations.

**Chad Ballentine** promises to look into the time-changes and asks Chair Hunt to expand on the on-board violations. **Suzie Edrington** adds that she heard about the on-board violations and thinks that it was a dispatcher

that made a mistake when trying to optimize trips. Roberto Gonzalez has been re-training the call-center staff on that topic.

### **Community Advisory Committee Recruitment**

*Awais Azhar, Community Advisory Committee Chair*

**Awais Azhar** explains that the Access Advisory Committee has a permanent seat on the Community Advisory Committee (CAC), and the seat is unfilled, which means that the CAC is looking for a replacement from the Access Committee. The CAC focuses on looking at the anti-displacement efforts and other equity efforts of Project Connect. The CAC must follow the Texas Open Meetings Act, which requires a quorum to meet. Currently absences from the Access committee and the Customer Service Advisory Committee (CSAC) which impacts ability for CAC to meet quorum.

### **CMTA Fiscal Year 2023 Proposed Budget**

*Kevin Conlan, Deputy Chief Financial Officer*

**Kevin Conlan** outlines the calendar and explains that the sales tax growth and job growth of the Austin-Round Rock MSA is encouraging. Revenues from fares will have fare capping and Equifare built in. Federal grants and freight railroad revenues are also taken into account. Expenses for the budget are based on August service plan changes, include the average annualized pay increase for employees, new position requests by the senior management team, and the strategic plan initiatives considered in the budget preparation. The cost of fuel remains stable over the next fiscal year estimated at \$2.40/gal.

**Glenda Born** asks for clarification on fuel prices and why they are so low compared to current prices.

**Kevin Conlan** explains spot pricing and how CapMetro participates in future positions when the market is favorable and for budget stability. During the pandemic, fuel prices dropped, and CapMetro bought futures which stabilized the price they pay at a lower rate than the current price.

### **E-Fleet Buses**

*Andrew Murphy; Director, Vehicle Maintenance*

**Andrew Murphy** outlines the new electric buses on order. There are 66 total, which will be delivered around December of 2022 to July of 2023. All buses are 40ft, with a seating capacity of 32, and with many new features and additions. There are 26 New Flyer and 40 Proterra buses, which range in capacity from 466kWh to 675kWh, equating to a range of approximately 174mi to 252mi. He also outlines the many new features of the buses.

**Paul Hunt** asks about the range of the buses, and how that may degrade over time.

**Andrew Murphy** explains that – as a last resort – buses can be switched out on-route, but that most buses can currently run 40% of the blocks, and the longer-range buses that are coming can run about 80% of the blocks. CapMetro has purchased extended warranties on the batteries that allows them to file a claim and have the batteries replaced on any bus which drops under 80% of its original capacity.

**Glenda Born** asks about reliability during power outages and if renewables would help.

**Andrew Murphy** explains that CapMetro participates in Austin Energy's Green Choice program, and that CapMetro is working with Austin Energy to get rated as a priority customer during power outages. CapMetro is also looking into joining agreements with Austin Energy or other energy suppliers to ensure electricity availability, as well as making plans to ensure that they are prepared if a minor or major event that impairs electric bus service occurs. He also explains other measures that CapMetro is taking to ensure consistent and reliable service.

**Glenda Born** also asks about the difference in weights between diesel and electric buses, and **Andrew Murphy** outlines the difference in efficiency and cost-to-operate between diesel and electric buses, and how the weight of the bus may affect those metrics.

**Mike Gorse** raises a concern about how much or how little noise an electric bus may make, and how that may affect accessibility and safety.

**Andrew Murphy** asks for input, especially from the committee and the visually impaired members, and explains that there is no current standard for noise making on electric buses.

**Mike Gorse, Andrew Skabowski, Glenda Born, Peter Breton, and Otmar Foehner** speak about the possibilities, pros, and cons of noise making as well as the potential legislation that may require a standard for CapMetro and others to follow.

**Glenda Born** asks for clarification on whether the new buses have sensors to prevent passengers from becoming trapped or hit by the doors, and **Andrew Murphy** outlines the technology used for that purpose and adds that it will be used on all new buses.

### **August Service**

*Roberto Gonzalez; Director, Service Planning*

**Roberto Gonzalez** outlines the process of changing service and the level of service compared to pre-COVID. The main proposed service changes adjust some route schedules in minor ways, adjust UT and other school routes to reflect the needs increasing for the Fall semester, streamline some routes that go through downtown, and maintain service levels. The Board is scheduled to make a decision as a part of the June Board meeting and the changes are expected to be implemented on August 14<sup>th</sup>.

**Audrea Diaz** asks when the E-Bus will come back into service, and what data CapMetro is looking at to make that decision.

**Roberto Gonzalez** says that nighttime MetroRapid service would come back before the E-Bus, and that they are looking at ridership, community conditions, and staffing availability to inform future changes.

**Audrea Diaz** asks for CapMetro Staff to make the MetroAccess compatibility with Night Owl service times more readily available, and **Roberto Gonzalez** says that CapMetro is working to train the call center staff on the topic.

### **MetroBike**

*Chad Ballentine; VP, Demand Response & Innovative Mobility*

**Chad Ballentine** reports that CapMetro will, pending the City of Austin passing their side of the interlocal agreement, bring the MetroBike project in-house and absorb all the staff from Bike Share of Austin and aim to improve the maintenance and operations of the program. They are also looking to transition the fleet of bikes to completely electric, expand the footprint of the program, and are exploring accessibility options.

**Approval of the minutes** - Motion to approve by Estrella Barrera / 2<sup>nd</sup> by John McNabb. Passed with majority – 1 opposed.

**Meeting adjourned at 7:41 PM**



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-449

**Agenda Date:** 6/27/2022

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Approval of minutes from the May 23, 2022 public hearing and May 23, 2022 board meeting.



**Minutes**  
**Capital Metropolitan**  
**Transportation Authority**  
**Board of Directors**

2910 East 5th Street  
Austin, TX 78702

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**Monday, May 23, 2022**

**11:30 AM**

**Rosa Parks Boardroom**

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**Public Hearing on McKalla Station Land Acquisition**

**I. Call to Order**

11:33 a.m. Meeting Called to Order

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

**II. Purpose of Hearing:**

1. **Land Acquisition to Support McKalla MetroRail Station Project - Eminent Domain Authority** - This is a public hearing to receive public comment regarding Capital Metropolitan Transportation Authority's proposed acquisition of a fee simple interest in land located at 10612 Delta Drive, Austin, Texas (Reserve Strip Kramer Lane Industrial Park TCAD #258256), for the McKalla Rail Station Project by exercising its powers of eminent domain under Transportation Code 451.058(c) for the purpose of expanding Capital Metropolitan Transportation Authority's Transit System.

**III. Public Comment:**

Zenobia Joseph provided public comment.

**V. Adjournment**

11:45 a.m. Meeting Adjourned

**ADA Compliance**



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

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**Minutes**  
**Capital Metropolitan**  
**Transportation Authority**  
**Board of Directors**

2910 East 5th Street  
Austin, TX 78702

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**Monday, May 23, 2022**

**12:00 PM**

**Rosa Parks Boardroom**

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**I. Call to Order**

12:17 p.m. Meeting Called to Order

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

**II. Public Comment:**

Pedro Hernandez, Jr. and Zenobia Joseph provided public comment.

**III. Recognition:**

The Board recognized mechanic Manny Velasquez, who performed CPR on a coworker who was suffering a medical issue.

**IV. Advisory Committee Updates:**

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

**V. Board Committee Updates:**

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

**VI. Consent Items:**

A motion was made by Vice Chair Kitchen, seconded by Board Member Renteria, to approve the Consent Agenda. The motion carried by the following vote:

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

1. Approval of minutes from the April 25, 2022 board meeting.

2. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with World Wide Technology to replace network infrastructure technology in an amount not to exceed \$684,945.
3. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an Interlocal Agreement with the City of Austin for the reimbursement of construction of bus stops along nine mobility corridors, in an amount not to exceed \$1 million.
4. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with TDIndustries to provide heating, ventilation, and air conditioning (HVAC) repair, maintenance, renewal, and replacement services for all Capital Metro public and operational properties and buildings for a term of one (1) year with a not-to-exceed allowance of \$950,000.

(The final item on the Consent Agenda was reconsidered later in the meeting as it was noted that the Chair failed to read the entire motion. With Board Member Renteria off the dais, reconsideration was seconded by Board Member Pool and item passed 6-0.)

## VII. Action Items:

1. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an amended and restated Interlocal Agreement between Capital Metro and the City of Austin to improve, expand and electrify the MetroBike program through joint funding contributions from both parties for an additional period of up to 10 years with a not to exceed amount as specified in the Interlocal Agreement. The MetroBike program shall be operated directly by CapMetro with funding contributions for operations and capital contributed by the City as outlined in the Interlocal Agreement.

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

2. Approval of a resolution authorizing the President & CEO, or his designee, to negotiate and execute an Interlocal Agreement (ILA) with the City of Austin for MetroRail Projects Utilities & Urban Trail Betterments for an amount not to exceed \$750,337.

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

3. Approval of a resolution authorizing the President & CEO, or his designee, to negotiate and execute an Interlocal Agreement (ILA) between Capital Metro and the City of Austin (City) for the reimbursement of project costs for the implementation of four Project Connect MetroRapid Lines and associated City transit and mobility projects for an initial term in an amount not to exceed \$2,140,000 and three one-year renewal periods in an amount not to exceed \$3,450,000, for a total not to exceed amount of \$5,590,000.

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

4. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute amendments to Interlocal Agreements (ILAs) with the Cities of Manor, Lago Vista, Jonestown, Point Venture, and San Leanna for the FY2022 Build Central Texas Program.

A motion was made by Board Member Ross, 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

5. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with 22nd Century Technologies for temporary staffing services for a two-year base period and three (3), one-year options for a cumulative amount not to exceed \$14,945,765.

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

6. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract modification with AECOM Technical Services, Inc. in the amount of \$7,000,000 for Orange Line Engineering Design Services including a contingency for any future work needed to complete the Environmental and Preliminary Engineering phase of the program. The contract terms remain consist with the existing contract for a base period of one year with one option period of two years plus one option period of one year.

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

7. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract modification with HNTB Technical Services, Inc. in the amount of \$6,000,000 for Blue Line Engineering Design Services including a contingency for any future work needed to complete the Environmental and Preliminary Engineering phase of the program. The contract terms remain consist with the existing contract for a base period of eleven months with two option periods of one year.

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 appointing an Interim President and CEO.

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, and Renteria

**Away:** Ross

#### **VIII. Discussion Items:**

1. Discussion of the Proposed Amendment to the CapMetro Bylaws
2. FY2023 Proposed Budget Calendar
3. Operations Update

#### **IX. Reports:**

1. President & CEO Monthly Update

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

Into Executive Session: 3:32 p.m.

Out of Executive Session: 4:41 p.m.

Section 551.072 for Deliberation regarding Real Estate matters regarding property acquisition needed to support the McKalla MetroRail Station Project and discussion of McKalla Rail Spur Easement

Section 551.074 for Personnel Matters for discussion of President & CEO search process and naming an Interim President & CEO.

#### **XI. Items for Future Discussion:**

#### **XII. Adjournment**

4:45 p.m. Meeting Adjourned

**ADA Compliance**

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Board of Directors

Item #: AI-2021-268

Agenda Date: 6/27/2022

**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Swiftly, Inc. for Mobile On Time Performance Expansion software system for a base period of sixteen (16) months with one (1) one-year option period in a total amount not to exceed \$493,728.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget

**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:** The software system for the mobile on time performance expansion will improve both internal and external customer service excellence by implementing the latest technology to improve operational performance with CapMetro fixed route services. The software system meets the culture of innovation through an operator tablet application to inform the operator on their on time route performance, manage the vehicle assignment to a specific route, and provide additional vehicle location data. These features improve the operation of fixed route service and also will improve the customer information systems that use the real-time vehicle data to report when the bus will be at a stop.

**BUSINESS CASE:** Starting in fiscal year 2021, CapMetro piloted the Swiftly Mobile On time Performance (OTP) system on 20 vehicles. The purpose of this pilot was to help improve operational performance in three areas:

correct vehicle assignment, improved GPS reporting, support operators to improve on-time performance. Since the launch of the pilot program, the headway adherence went from 3% to 5% on the MetroRapid routes. The bunching of MetroRapid routes (headway based) has also decreased by 39%. The countdown of the actual departure time has improved the OTP. One major factor in improving OTP, is controlling the amount of operating ahead of schedule. This technology assists the Operator with a visual queue on when to actually leave the time point. This improved accuracy on when to depart the time point has increased the OTP.

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

EXECUTIVE SUMMARY: This contract is one of three Board agenda items for the Mobile On Time Performance Expansion to the CapMetro fixed route fleet. Swiftly will be providing the software application for the operator tablets. This contract will be for the remainder of the current Swiftly contract plus an option for an additional year of maintenance and support to align with other capital projects to improve our operational systems for fixed route services.

DBE/SBE PARTICIPATION: No goal was set as this is a sole source procurement.

**PROCUREMENT:**

On May 19, 2022, a Request for Proposal Sole Source was issued and advertised.

The proposal from Swiftly, Inc. was received by the due date of June 18, 2022, prior to 3:00 p.m. The proposal was reviewed in all aspects of pricing and technical approach.

The proposal from Swiftly, Inc. was determined to be the best value to the Authority, price, and other factors considered. The contract is a fixed price for the Base Period of sixteen (16) months, and one (1) Option Year.

Description	Total Award
Base Period One (August 2022 to November 2022) - Licensing costs	\$66,303
Base Period Two (December 2022 to November 2023) - Licensing costs	\$208,500
Option Period One (December 2023 to November 2024) - Licensing costs	\$218,925
<b>Not to Exceed Total</b>	<b>\$493,728</b>

RESPONSIBLE DEPARTMENT: Information Technology



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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2021-268**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to provide internal and external customer service excellence with CapMetro fixed route bus service.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or their designee, is authorized to finalize and execute a contract with Swiftly, Inc. for Mobile On Time Performance Expansion software system for a base period of sixteen (16) months with one (1) one-year option period in a total amount not to exceed \$493,728.

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

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

Board of Directors

Item #: AI-2021-269

Agenda Date: 6/27/2022

**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Verizon DIR (State of Texas Department of Information Resources) for Mobile On Time Performance Expansion cellular communications and device management for a base period of twenty-four (24) months in a total amount not to exceed \$438,952.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget

**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:** The cellular data and mobile device management services provided by Verizon for the mobile on time performance expansion will improve both internal and external customer service excellence by implementing the latest technology to improve operational performance with CapMetro fixed route services. Cellular data will be used for the Swiftly software system to meet the culture of innovation through an operator tablet application to inform the operator on their on time route performance, manage the vehicle assignment to a specific route, and provide additional vehicle location data. These features improve the operation of fixed route service and also will improve the customer information systems that use the real-time vehicle data to report when the bus will be at a stop.

**BUSINESS CASE:** Starting in fiscal year 2021, CapMetro piloted the Swiftly Mobile On time Performance (OTP) system on 20 vehicles. The purpose of this pilot was to help improve operational performance in three areas: correct vehicle assignment, improved GPS reporting, support operators to improve on-time performance. Since the launch of the pilot program, the headway adherence went from 3% to 5% on the MetroRapid routes. The bunching of MetroRapid routes (headway based) has also decreased by 39%. The countdown of the actual departure time has improved the OTP. One major factor in improving OTP, is controlling the amount of operating ahead of schedule. This technology assists the Operator with a visual queue on when to actually leave the time point. This improved accuracy on when to depart the time point has increased the OTP.

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

**EXECUTIVE SUMMARY:** This contract is one of three Board agenda items for the Mobile On Time Performance Expansion to the CapMetro fixed route fleet. Verizon will be providing the cellular data and mobile device management to support the software application for the operator tablets. This contract will provide service for twenty-four (24) months and is aligned with other capital projects to improve our operational systems for fixed route services.

**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-TELE-CTSA-003 held by Verizon Wireless for Hardware, Software and Services for Wireless, Voice and Data Circuits.

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 term is twenty-four (24) months from Notice to Proceed. The following is the not to exceed amount for Verizon Wireless services:

Description	Verizon Wireless
Mobile On Time Performance Expansion Cellular Services and Device Management	\$438,952

**RESPONSIBLE DEPARTMENT:** Information Technology

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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2021-269**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to provide internal and external customer service excellence with CapMetro fixed route bus service

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or their designee, is authorized to finalize and execute a contract with Verizon DIR (State of Texas Department of Information Resources) for Mobile On Time Performance Expansion cellular communications and device management for a base period of twenty-four (24) months in a total amount not to exceed \$438,952.

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

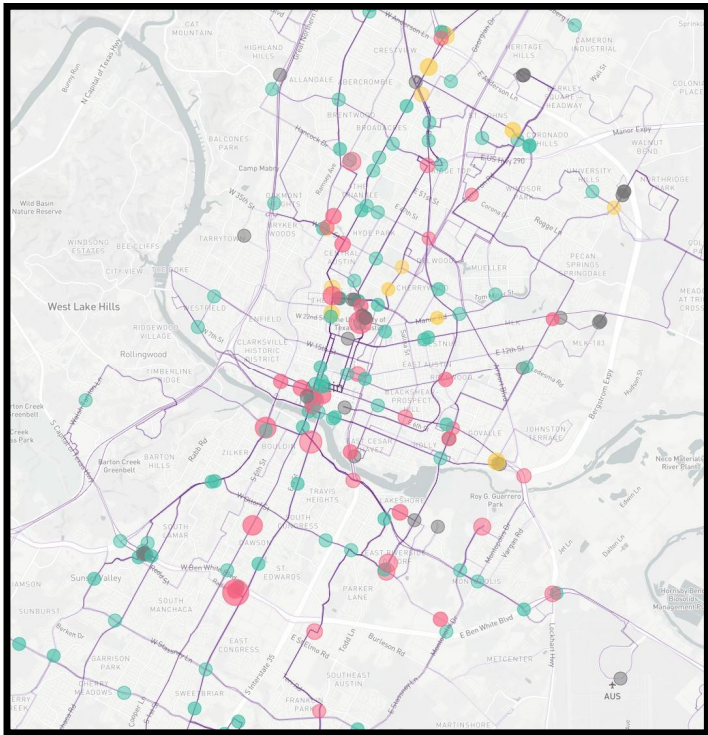
\_\_\_\_\_  
**Secretary of the Board  
Leslie Pool**

CapMetro

# Mobile On Time Performance System Expansion

June 13, 2022

# Mobile On Time Performance



# Objectives

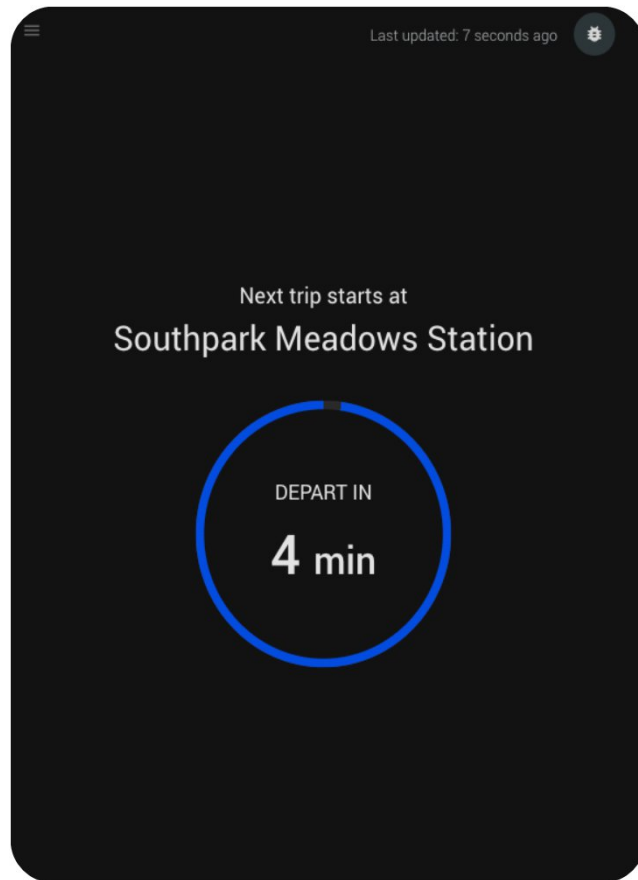
Improve operational performance in three areas:

- Correct vehicle assignment
- Improved GPS reporting
- Support operators to improve on-time performance (OTP)
- Provide alerts for customers.

Since the launch of the pilot program:

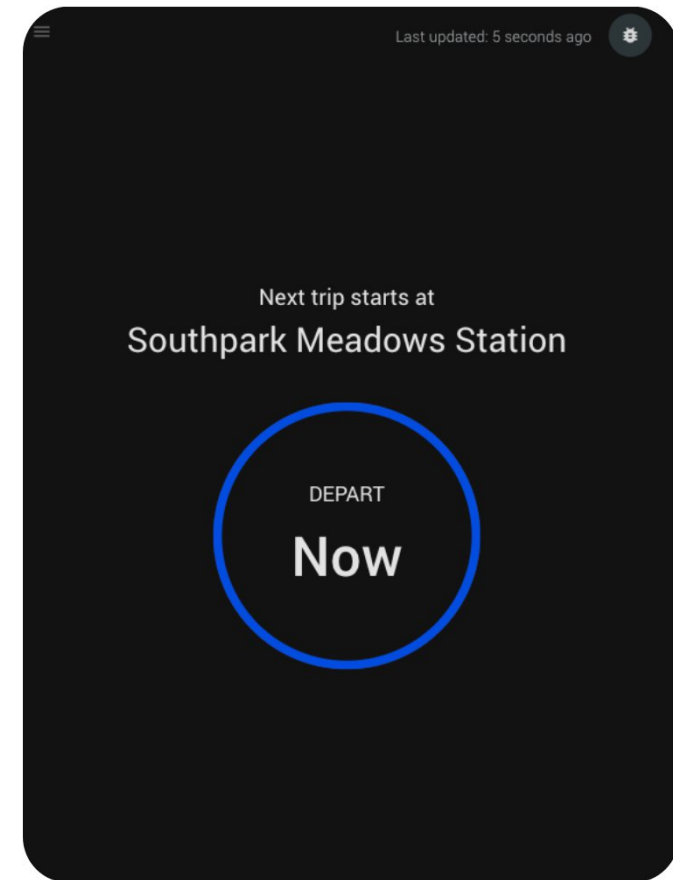
- The headway adherence went from 3% to 5% on the MetroRapid routes.
- The bunching of MetroRapid routes (headway based) has decreased by 39%.
- The main factor that we have control of that impacts the OTP is operating ahead of schedule. The countdown of the actual departure time has improved the OTP. This technology assists the Operator with a visual queue on when to leave the time point. This improved accuracy on when to depart the time point has increased the OTP.

## Operator view example: Countdown



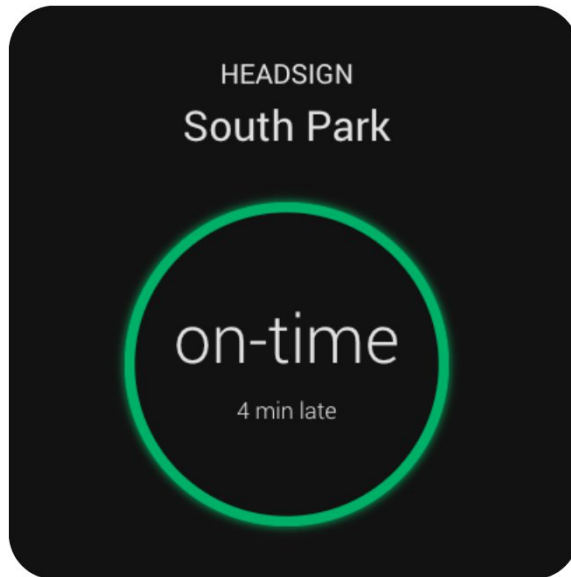
After an Operator signs in, they'll see a friendly **countdown** indicating when to leave the **first stop** of the trip.

They'll also see this screen during a **layover** between trips OR a **timepoint** where they're supposed to hold until scheduled departure time.



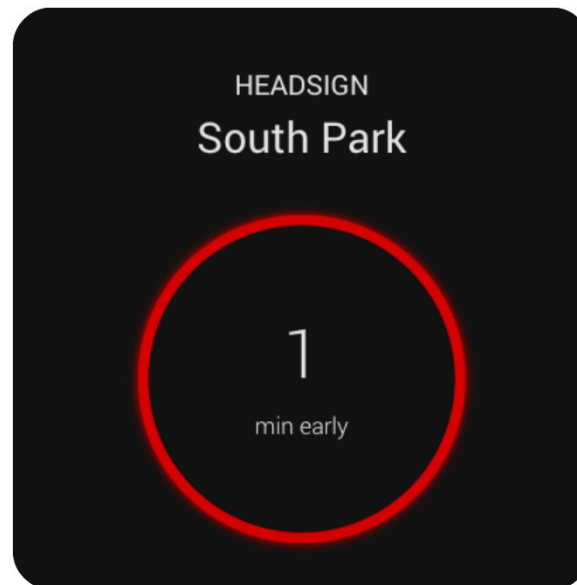


## Operator view example: real-time schedule adherence



### **On-Time**

They're currently within our on-time window.



### **Early**

They should find opportunities to slow slightly so that over time, they get closer to on-time.



### **Late**

They should prioritize safety.

# Contracts

Action Item	Contract	Purpose	Term	Amount
3	Swiftly, Inc	Expansion of licenses for Mobile On Time Performance Tablet App	2 Years Base 1 Year Option	\$493,728
4	Verizon Service (Texas DIR)	Tablet cellular service & mobile device management	24 months	\$438,952
5	Connected Solutions Group, LLC (NCPA)	Tablet hardware and staging services	3 months	\$279,440

CapMetro

Thank you!

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Board of Directors

Item #: AI-2022-444

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Connected Solutions Group, LLC for Mobile On Time Performance Expansion Tablet Hardware for a base period of three (3) months in a total amount not to exceed \$279,440.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget

**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:** The tablet hardware for the mobile on time performance expansion will improve both internal and external customer service excellence by implementing the latest technology to improve operational performance with CapMetro fixed route services. The tablet hardware will be used for the software system to meet the culture of innovation through an operator tablet application to inform the operator on their on time route performance, manage the vehicle assignment to a specific route, and provide additional vehicle location data. These features improve the operation of fixed route service and also will improve the customer information systems that use the real-time vehicle data to report when the bus will be at a stop.

**BUSINESS CASE:** Starting in fiscal year 2021, CapMetro piloted the Swiftly Mobile On time Performance (OTP)

system on 20 vehicles. The purpose of this pilot was to help improve operational performance in three areas: correct vehicle assignment, improved GPS reporting, support operators to improve on-time performance. Since the launch of the pilot program, the headway adherence went from 3% to 5% on the MetroRapid routes. The bunching of MetroRapid routes (headway based) has also decreased by 39%. The countdown of the actual departure time has improved the OTP. One major factor in improving OTP, is controlling the amount of operating ahead of schedule. This technology assists the Operator with a visual queue on when to actually leave the time point. This improved accuracy on when to depart the time point has increased the OTP.

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

**EXECUTIVE SUMMARY:** This contract is one of three Board agenda items for the Mobile On Time Performance Expansion to the CapMetro fixed route fleet. Connected Solutions Group, LLC. will be providing the tablet hardware that will be used for software application.

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

**PROCUREMENT:** CapMetro will utilize the National Cooperative Purchasing Alliance (NCPA) contract #01-97 held by TD Synnex, for Advanced Technology Solutions. Connected Solutions Group, LLC. is an authorized reseller under the TD Synnex NCPA Contract.

NCPA 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 NCPA contracts satisfy otherwise applicable competitive bidding requirements.

The pricing for the Mobile On Time Performance Expansion Tablet Hardware was determined to be fair & reasonable by NCPA's organization during its solicitation and award process. Additionally, a request for pricing was submitted to three cooperative vendors who resell the required tablets and Connected Solutions Group, LLC. Provided the lowest responsive and responsible quote.

The following is the not to exceed amount provided by Connected Solutions Group, LLC.:

Description	Total Not to Exceed Amount
Mobile On Time Performance Expansion Tablets	\$279,440.00

**RESPONSIBLE DEPARTMENT:** Information Technology

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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-444**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to provide internal and external customer service excellence with CapMetro fixed route bus service.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or their designee, is authorized to finalize and execute a contract with Connected Solutions Group, LLC for Mobile On Time Performance Expansion Tablet Hardware for a base period of three (3) months in a total amount not to exceed \$279,440.

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

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

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Board of Directors

Item #: AI-2022-450

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with TD Industries for the replacement of the parking lot light fixtures at the Lakeline Park & Ride in an amount not to exceed \$219,714.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget.

**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:** Replacement of the Lakeline Park & Ride exterior light fixtures will enhance the customer experience, enhance safety and energy efficiency, and mitigate current maintenance issues.

**BUSINESS CASE:** Capital Metro is continuing to replace end of life light fixtures at its facilities and replace them with LED lights in an effort to reduce electric usage, cost and maintenance, as well as to improve reliability. The replacement of the Lakeline Park & Ride light fixtures is in line with the state of good repair program. The funding for this contract is included in the FY 2022 capital budget.

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

**EXECUTIVE SUMMARY:** The existing Lakeline Park & Ride parking lot lighting was installed when the facility was constructed in 2002. As part of the agency's commitment to sustainability and in line with the state of good repair program, Capital Metro is replacing the existing light fixtures with new LED technology which will reduce maintenance and operational costs and improve the customer experience Capital Metro's customers and employees.

**DBE/SBE PARTICIPATION:** Due to the nature of the solicitation a SBE goal was not established at this time.

**PROCUREMENT:** Capital Metro will utilize the OMNIA Partners Cooperative Contract No. R200403, held by TD Industries for HVAC, Plumbing, Electrical and Refrigeration Products and Services, to replace parking lot lighting at Lakeline Park & Ride.

OMNIA Partners 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 OMNIA Partners contracts satisfy otherwise applicable competitive bidding requirements. Pricing to replace the parking lot lighting at Lakeline Park & Ride was determined to be fair and reasonable by the OMNIA Partners cooperative during its solicitation and award process.

The following is TD Industries Lump Sum pricing using their OMNIA Partners Contract:

ITEM #	DESCRIPTION	LUMP SUM AMOUNT
1	Replace Parking Lot Lighting at Lakeline Park & Ride	\$219,713.42

The contract is fixed price.

**RESPONSIBLE DEPARTMENT:** Facilities Maintenance Department



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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-450**

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to provide facility improvements in accordance with sustainability goals and to maintain a safe environment for our Customers and Employees, and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to replace the Lakeline Parking Lot Light fixtures with more energy efficient LED fixtures as part of the agency's state of good repair program.

NOW, THEREFORE, BE IT RESOLVED that the Capital Metropolitan Transportation Authority Board of Directors authorizes the Interim President & CEO, or their designee, to finalize and execute a contract with TD Industries for the replacement of the parking lot light fixtures at the Lakeline Park & Ride in an amount not to exceed \$219,714.

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

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

Board of Directors

Item #: AI-2022-447

Agenda Date: 6/27/2022

**SUBJECT:**

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

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget

**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:**

- |   |  |  |
|---|--|--|
| <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, and
- 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 June 13, 2022. However, based on public outreach, one item related to the combining of certain routes will be delayed until the January 2023 service change.

EXECUTIVE SUMMARY: The August 2022 service changes continue the COVID service levels established with the September 2021 service change and carried forward into January and June 2022. Minor schedule adjustments are proposed, with continued suspension of some services.

Staff recommends the following minor changes for final approval at the June board meeting:

- Minor Schedule Adjustments - To address continued changes in the community, select routes will receive minor adjustments to their schedules in order to address needs anticipated due to increased traffic and ridership.
- School Service Adjustments - The normal transition of UT routes and select trips on mainline routes back to school service levels.
- Continued Service Suspension - Express routes 981 and 987, as well as all E-bus service, will remain suspended.

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-2022-447**

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 August 2022 Service Changes will continue to rebuild ridership while minimizing impacts on current customers; and

WHEREAS, an equity analysis, required under the Federal Transit Administration's (FTA) Title VI policy was not required.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or their designee, is authorized to implement August 2022 Service Changes described in the attached document beginning Sunday, August 14, 2022.

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

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

**CapMetro**

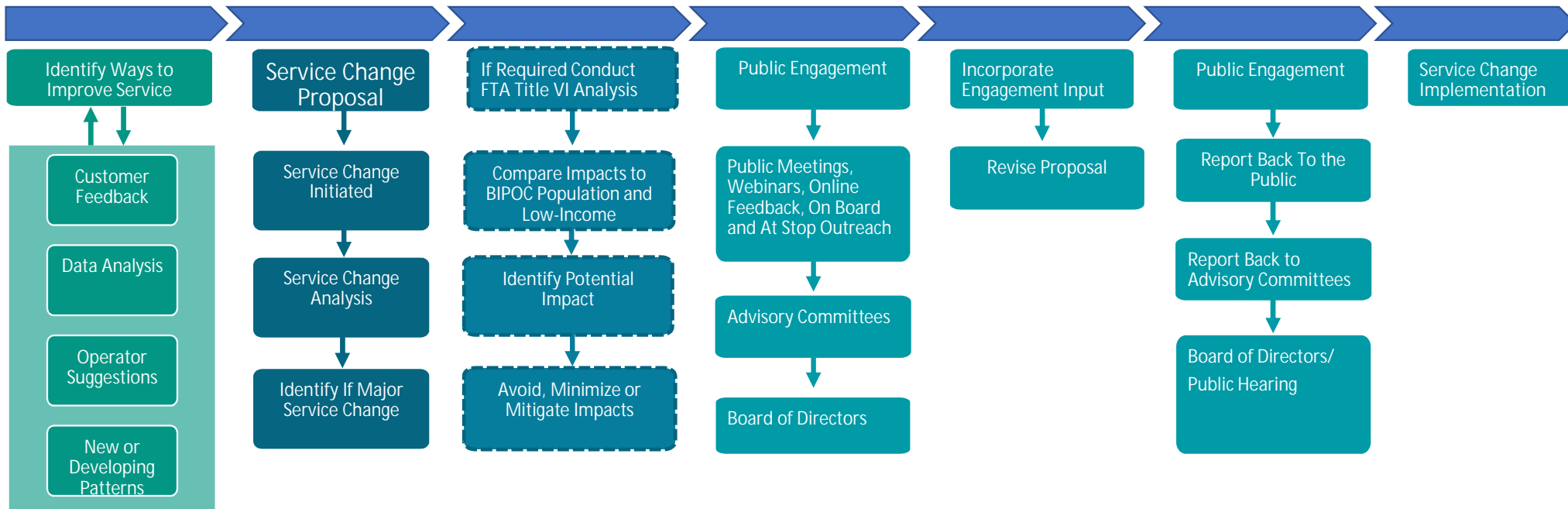
# Proposed August 2022 Service Change

*June 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 January, Summer, and August to correspond with changing customer needs and patterns

# Service Change Process & Regulatory Framework



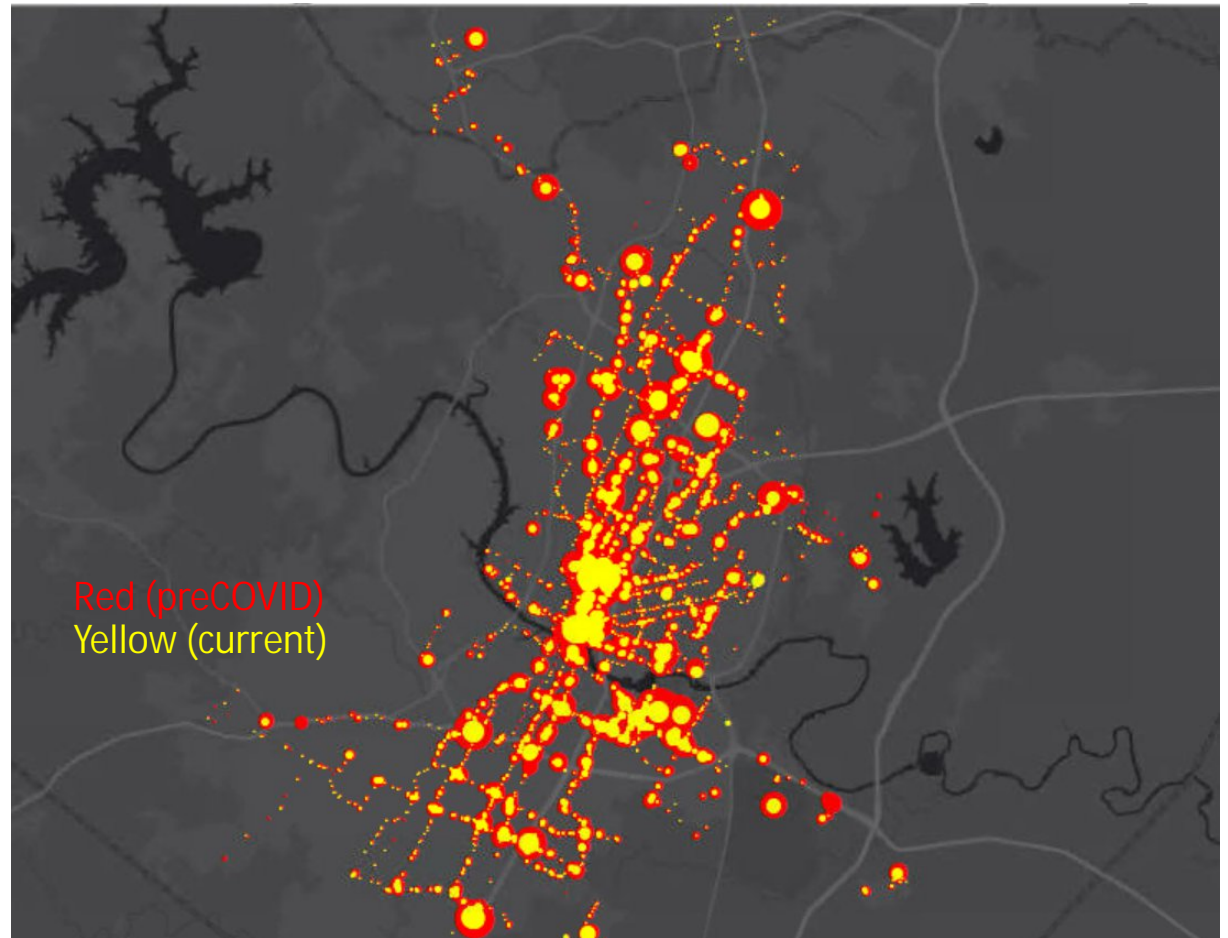
## Conceptual Framework

Note: We monitor Ridership and Customer Care Reports daily

# Ridership

System at 65% of preCovid

- MetroBus at 70%
  - *(UT was at 45% prior end of Spring)*
- MetroExpress/Flyer at ~15%
- MetroRail at ~50%
- MetroRapid at ~55%





# May 2022 Service Changes

## Minor Adjustments of Service

- Adjust Running Times – Minor adjustments to schedules as needed

## Summer Service Levels

- UT Routes - Levels adjusted for Summer semester
- Select Routes – Select trips for school needs suspended (to return in fall)

## Maintained Service Levels

- MetroRail – regular service levels
- MetroRapid – regular service levels (except late night Thur-Sat)
- MetroExpress & Flyers – Continued reduced service levels
- E-Bus – Continued suspension of service



# Anticipated Labor Resources

- Currently available operators less than pre-COVID levels
  - Slow addition of staff coupled with normal attrition
  - Market conditions impacting hiring
  - Nation-wide challenging impacting entire industry
  - Capital Metro continues to actively recruit, hire and train new operators and vehicle maintenance team members to deliver service.
- Need additional operators and mechanics to rebuild service
- August service changes will maintain current levels to ensure delivery with available and projected operators
- Monitor daily needs and strategically address as additional resources become available

# August 2022 Service Changes - Proposed

## Minor Adjustments

- Adjust Running Times – Minor adjustments to schedules as ridership and travel conditions change

## School Related Services

- UT Routes - Levels adjusted for Fall semester
- Select Routes – Select trips for school needs return

## Maintain Service Levels

- MetroRail – regular service levels
- MetroRapid – regular service levels (except late night Thur-Sat)
- MetroExpress & Flyers – Continued reduced service levels and monitor ridership for select needs
- E-Bus – Continued suspension of service



## Proposed August 2022 Service Changes – Other Notes

- Title VI analysis *not* required due to minor nature of changes, per Board-adopted thresholds
- Public outreach ongoing during the month of June
  - Public Hearing not required due to minor nature of changes (however, public forums to solicit input are always part of the process)

# Looking Forward

## Winter 2023

- Minor changes to address changing conditions
- Combine select single operating routes ending in downtown
- We will plan for more service as staffing constraints improve

## Next Major Change – mid 2023

- MetroRapid Expo and PV and other adjustments to network
- Introduction of proposed new PickUp service in Northeast Austin (replacing Routes 233 and 237)
- Improvements to Route 339 Walnut Creek (frequency to 30 minutes)



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

CapMetro

9

CapMetro

Thank you!

**To:** Capital Metro Board of Directors  
**From:** Sharmila Mukherjee, EVP, Planning and Development  
**Date:** June 21, 2022  
**Subject:** June Board Meeting – August 2022 Service Changes

Staff is presenting the following summary recommendations for the proposed August 2022 Service Changes. Several changes and adjustments are proposed for the system as Capital Metro continues to respond to improving community conditions while also accounting for current and future labor force availability. These changes would not meet the major service change<sup>1</sup> threshold, and thus a public hearing is not required. The public will be able to comment as part of various public outreach efforts and at the June board meeting when the board takes action on this item.

The following is a high-level summary of proposed that were identified through data analysis, customer feedback and operator input.

- **Minor Schedule Adjustments** – To address continued changes in the community, select routes will receive minor adjustments to their schedules in order to address needs anticipated due to increased traffic and ridership.
- **School Service Adjustments** – The normal transition of UT routes and select trips on mainline routes back to school service levels.
- **Continued Service Suspension** – Express routes 981 and 987, as well as all E-bus service, will remain suspended.

These changes are intended to provide a high-quality customer experience by improving on-time performance and customer satisfaction. Based on public outreach, one item related to the combining of certain routes has been delayed until the January 2023 service change.

The proposed service changes are in accordance with the FY 2022 budget. If approved, the changes would be implemented on August 21, 2022. The following appendices describe the specifics of our recommendations:

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<sup>1</sup> Board Policy “Title VI Major Service Change Policy OOD-103” defines a major service change as the establishment of new bus routes, a substantial geographical alteration on a given route of more than 25% of its route miles, the elimination of any bus service, or a major modification which causes a 25% or greater change in the number of daily service hours provided.

## Appendix A – August 2022 Service Changes

The following changes become effective August 21, 2022.

### *Minor Adjustments*

Services	Concept	Service Levels	MetroAccess
<u>Minor Schedule Adjustments (Increased traffic and ridership)</u>	Minor Schedule Adjustments to Select Periods to Address Overcrowding	All Days	No Impact

### *School Service Adjustments*

Services	Concept	Service Levels	MetroAccess
School Timed Trips - Restore (4, 7, 10, 17)	Select trips timed for school loads added.	Weekdays	No Impact
UT Routes – Fall Semester Level (640, 621, 642, 656, 661, 663, 670, 671, 672, 680)	Select University routes to operate on regular Fall service levels.	Weekdays, Sundays	No Impact



## **Appendix B – Public Input Process**

Capital Metro staff solicited direct feedback from new and existing customers during the course of outreach before and after implementation of January 2022 Service Changes. Input was also solicited from advisory committees and bus operators. A series of public feedback opportunities were held during the month of May and June and will include an opportunity at the June Monthly Board Meeting at Capital Metro’s Main Administration Building. Feedback will be considered for incorporation into final recommendations.

Board of Directors

Item #: AI-2022-425

Agenda Date: 6/27/2022

**SUBJECT:**

Approval of the Proposed Amendment to the CapMetro Bylaws

**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:** The CapMetro Bylaws provide the governing principles and requirements of CapMetro for efficient operation of the agency and compliance with State law.

**BUSINESS CASE:** The proposed amendment to the Bylaws will codify current practices and incorporate best practices.

**COMMITTEE RECOMMENDATION:** This item was presented to the Operations, Planning and Safety Committee on May 11, 2022. (This item was not presented to the Finance, Audit and Administration Committee on May 11, 2022, as no meeting was held on that day.) In accordance with Article 10 of the Bylaws, all recommended amendments to the Bylaws were presented to the CapMetro Board of Directors (“Board”) for discussion at the May 23, 2022 Board meeting and approval at the June 27, 2022 Board meeting.

EXECUTIVE SUMMARY: Pursuant to Section 451.517 of the Transportation Code, power is granted to the Board to adopt rules, regulations, and such bylaws as it may deem necessary. Accordingly, the Board adopted Bylaws for the governance of CapMetro. Such Bylaws conform to the requirements of State law and provide the framework for CapMetro's governance.

The Bylaws were last amended in December 2017. The proposed amendment would conform the Bylaws to existing CapMetro Board practices and to reflect the addition of best practices for governance. The content has also been reformatted for easier reference.

An amendment to the Bylaws requires an affirmative vote of two-thirds of the appointed and qualified members of the Board. As required by the Bylaws, the proposed amendment was presented for discussion at the May 23, 2022 Board meeting and is submitted for approval at the June 27, 2022 Board meeting.

Other than the addition of relevant statutory references and formatting, the proposed more substantive changes to the Bylaws are as follows:

- Article 2 - As a "housekeeping" best practice, addition of Principal Office, Additional Offices, Domicile and Service of Process sections.
- Section 3.3.8 - Although no substantive change to the language, clarification in the *caption* that CapMetro will defend Board members (rather than indemnify which is legally prohibited).
- Section 5.3 - Although no substantive change to any content, for ease of reference, identification of the three types of statutory meetings which can be called by the Board - regular, special and emergency. Special meetings were referenced in the Bylaws previously, but have been moved to this section for ease of reference.
- Section 5.8 - Addition of section related to 7-day advance meeting materials.

A copy of the December 2017 Bylaws is attached for reference. In addition, the proposed Bylaws amendment is attached in both redlined and clean versions. Please note that the modification requested by a member of the Operations, Planning and Safety Committee has been incorporated into the proposed Bylaws amendment, specifically, the reincorporation of the procedural provision related to removal of Board officers (new Bylaws Section 4.3). No additional comments to the Bylaws have been submitted.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: N/A

RESPONSIBLE DEPARTMENT: Legal

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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-425**

WHEREAS, the Board may by resolution adopt rules and bylaws for the conduct of Board meetings in accordance with Section 451.517 of the Texas Transportation Code; and

WHEREAS, in accordance with Article 10 of the Bylaws, the Board may amend such bylaws at any regular meeting of the Board by a two-thirds vote of the Board members, provided that the amendment has been submitted in writing at the previous regular meeting of the Board; and

WHEREAS, the Board has followed the required process and desires to amend the Bylaws as set forth in the proposed Bylaws amendment attached hereto in both redlined and clean versions.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the attached proposed Bylaws are hereby adopted to supersede and replace the Bylaws adopted in December 2017.

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

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

# Capital Metropolitan Transportation Authority

## Bylaws of the Board of Directors

Approved Dec. 18, 2017

## **Article 1 – The Authority**

**Section 1.1. Creation.** Pursuant to the provisions of Article 1118x, Texas Revised Civil Statutes, as amended and recodified as Chapter 451 of the Texas Transportation Code (“Code”), and pursuant to a favorable vote of the qualified voters in a confirmation and tax election held January 19, 1985, a metropolitan rapid transit authority, is created and exists in the City of Austin, Texas, constituting the environs of the “principal city” as defined herein, and any other such areas that may subsequently vote to join the Authority. The Authority is a political subdivision of the state of Texas. Pursuant to Section 451.107 of the Code, power is granted to the Authority’s Board of Directors to adopt rules and regulations and such bylaws as it may deem necessary.

**Section 1.2. Name.** The name of the Authority shall be the Capital Metropolitan Transportation Authority (“Authority”).

**Section 1.3. Purpose and General Powers.** The purpose of the Authority shall be to plan, develop and operate public transportation services within the territory of the Authority and to exercise any other powers and duties as allowed or specified in the Code, and other applicable state and federal law. The Authority shall constitute a political entity and corporate body, exercising public and essential governmental functions, having the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Code.

**Section 1.4. Territory.** The territory of the Authority shall constitute the corporate limits of the City of Austin, being the principal city; the corporate limits of the following incorporated municipalities within Travis County: Lago Vista, Point Venture, San Leanna, Manor and Jonestown; the following incorporated municipalities located within Williamson County: Leander; a portion of Commissioner’s Precinct Number 1 of unincorporated Williamson County known as Anderson Mill; and Commissioner’s Precinct Number 2 of unincorporated Travis County; and any other town or county area wherein the voters elect to become a part of the Authority pursuant to Sec. 451.552 of the Code.

## **Article 2 – The Board of Directors**

**Section 2.1. Governing Body.** The governing body of the Authority shall be the Board of Directors (“Board”). The responsibility for the management, control and operation of the Authority and its properties is vested in the Board.

### **Section 2.2 Powers of the Board.**

2.2.1 The Board shall exercise its responsibility as the governing body of the Authority by adopting all general policies of the Authority, including the adoption of annual capital and operating budgets, the establishment of the goals of the Authority, adoption of a strategic plan, and the selection and performance evaluation of a general manager (President/Chief Executive Officer) and a qualified individual to perform internal auditing services.

2.2.2 Rules and Regulations. The Board may adopt and enforce rules and regulations for such purposes as provided in Section 451.107 of the Code. All rules and regulations established by the Board shall be published and made available for public review in accordance with the Code.

2.2.3 The Board shall adopt and impose reasonable and nondiscriminatory fares and charges for the use of the system and shall have the authority to enforce fares for the use of the system.

2.2.4 In addition to the statutory authority provided to the President/Chief Executive Officer, the Board may delegate certain duties and responsibilities to the President/Chief Executive Officer for the management and operation of Authority.

Section 2.3. Members of the Board of Directors

2.3.1 Oath of Office. The oath of office shall be given to all members of the Board before commencement of duties as a member of the Board.

2.3.2. Duties. Board members shall act collectively on behalf of the Board in the best interest of the Authority and in accordance with the constitutions and laws of the United States of America and the State of Texas and within policies adopted by the Board. No individual Board member is authorized to bind the Authority by their statements or actions.

2.3.3. Membership. The term, criteria for eligibility for membership and appointment process are established in Section 451.5021, Tex. Transp. Code.

2.3.4. Attendance. Each member of the Board is expected to serve faithfully and attend all meetings. A board member may be removed from office for absence, without having been excused by a majority vote of the board, from more than one-half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year.

2.3.5. Removal. Any member may be removed from the Board by a majority vote of the other members of the board because of a ground for removal described by Section 451.510 or by a majority vote of the entity that appointed the member because of a ground for removal described by Section 451.510 of the Code. The person or entity proposing to remove a board member pursuant to Section 451.510 must give the member a written statement of the grounds for removal and the member is entitled to a hearing in accordance with Section 451.511 of the Code.

2.3.6. Vacancies. A member may resign their position on the Board by submitting a written resignation to the Chair or the entity that appointed the member. A resignation is effective upon receipt by the Chair or upon a date specified by the member. All vacancies occurring on the Board shall be filled for the remainder of the term by the same person or entity that made the original appointment for the vacant position.

2.3.7. Conflict and Disclosure of Interest. Members of the Board shall comply with all state laws and the Capital Metro Code of Conduct regarding conflicts of interest and disclosure of interests, including but not limited to, Chapter 171, Local Government Code. Members with a potential conflict of interest under the law or Code of Conduct or whose personal interests may create an appearance of a conflict of interest are required to file an affidavit with the Board Secretary or his/her designee and must not vote or participate in the Board's discussion of the matter. A member's personal interests may create an appearance of a conflict of interest if it would appear to a reasonable person that the member's personal interests were inconsistent with the public's interest or the decision would directly or indirectly benefit the member greater than the benefit to the general public.

A member may identify a potential conflict of interest of a fellow member to the Chair or Vice Chair for discussion by the Board.

2.3.8. Indemnification. Each Board Member shall be defended by the Authority against any action, suit or proceeding arising from an act or omission alleged to have been committed by the Board Member within the scope of the individual's official capacity to the full extent allowed by applicable law.

**Article 3 – Officers of the Board**

Section 3.1. Election of Officers. The members of the Board shall elect from among their number a Chairperson, a Vice Chairperson, and a Secretary. Such officer of the Board shall be elected annually, generally at the first regular January meeting of the Board for the terms to expire at the first regular meeting of the Board in the succeeding year.

Section 3.2. Vacancy. The members of the Board shall fill any vacancy in any office of the Board by election, such appointment to continue until the expiration of the current term of the office which becomes vacant.

Section 3.3. Removal. An officer of the Board may be removed as an officer by a vote of a majority of all appointed and qualified members of the Board.

Section 3.4. Powers and Duties of Board Officers.

3.4.1. The Chairperson shall preside at all meetings of the Board; shall determine by inspection and investigation if orders and resolutions promulgated by the Board are being carried into effect, and may report from time to time his or her findings to the Board; may sign and execute for and on behalf of the Authority contracts of insurance, bonds, deeds, mortgages, debentures, contracts or any other instruments or documents of whatever nature that the Board has authorized him or her to execute; with the assistance of the President/Chief Executive Officer, shall establish the proposed agenda for each meeting of the Board; shall recommend the Chairperson, members and tenure of all Board committees, provided such appointments are made with the concurrence of the members of the Board; shall perform all duties prescribed for the Chairperson by these bylaws or assigned from time to time by the Board.

3.4.2. The Vice Chairperson shall preside at any meeting of the Board when the Chairperson is absent and shall perform the duties of the Chairperson in case of the absence, disability or disqualification of the Chairperson or when requested to perform such duties by the Chairperson, and shall perform such other duties as may from time to time be assigned to him or her by the Chairperson of the Board. The Vice Chairperson shall serve as the Ethics Officer for the Board receiving and responding to potential ethics concerns raised by members of the Board or the President/CEO.

3.4.3. The Secretary shall certify ~~keep~~ the permanent records of all proceedings and transactions of the Authority, including resolutions. In the absence of the Secretary, the Chairperson or Vice Chairperson may certify records of the Authority. The Secretary shall keep the minutes of all official meetings of the Board, and see that notices are duly given in accordance with the provisions of these bylaws or as may be required by law or delegate such responsibility to the Board support staff. The Secretary shall perform the duties of the Chairperson in case of the absence, disability or disqualification of the Chairperson and Vice Chairperson.

Section 3.5. Appointment of Board Members to outside boards or organizations. The Chairperson shall approve any requests for members of the Board to represent Capital Metro in an official capacity on local, state or national transit-related committees, boards, organizations or associations.

## **Article 4 – Meetings**

Section 4.1. Open Meetings. The Board shall be subject to and comply with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.

Section 4.2. Closed Session. Closed sessions may be held by the Board in compliance with the provisions of the Texas Open Meetings Act. Members shall protect the confidentiality of all communications and information discussed or presented during closed session and not reveal, divulge, or disclose communications or information unless required by law.



Section 4.3. Establishment of Place, Date and Time. Regular meetings of the Board shall be held at least monthly at a date, time and place designated by the Board by resolution.

Section 4.4. Quorum. A majority of all appointed and qualified the members of the Board shall constitute a quorum of the Board for the purpose of conducting its business and exercising its powers, except as otherwise specified in these bylaws. If a quorum is not present at any meeting of the Board, a majority of the Board members present at any meeting may adjourn the meeting to another time and place provided that all members of the Board are notified in writing of the change in the time and place of the meeting, and the meeting is posted in compliance with the Texas Open Meetings Act. Temporary absence from the meeting room that results in less than a quorum present in the room does not halt a meeting but a vote may not be taken.

Section 4.5. Public Involvement. Subject to requirements prescribed by the Board, any citizen may address the Board at a meeting.

Section 4.6. Decorum. The Board may establish guidelines reasonably necessary to maintain order and protect health and safety. The Chair shall assure that order and decorum are maintained in the meetings.

Section 4.7. Public Hearings. Public hearings shall be held by the Board before the adoption of the annual budget and as such other hearings are deemed appropriate or necessary by the Board, at such times and places as set by the Board. Copies of the budget, and other items being considered at the public hearing shall be made available for public review according to the provisions of the Code and policies set by the Board.

## **Article 5 – Conduct of Business**

Section 5.1. Meeting Procedures. All meetings of the Board and Board committees shall be conducted in compliance with the rules contained in the current version of **Robert’s Rules of Order Newly Revised** to the extent that said rules are not inconsistent with these bylaws and any procedures or policies the Board may adopt.

Section 5.2. Request to call a meeting or add an agenda item. Special meetings of the Board should be called by the Chairperson of the Board and shall be called by the Chairperson upon the written request of two members of the Board or the President/Chief Executive Officer. Additional items shall be placed on the Board agenda upon the request of two members of the Board to the Chairperson.

Section 5.3. Consideration of Consent Agenda Items. The Board may consider and approve routine, noncontroversial items on a consent agenda. The Board shall adopt items on the Consent Agenda by a single vote. Any Board member may remove an item from the Consent Agenda for discussion and consideration on the Action Item Agenda by request to the Chair at any time prior to the vote to approve the Consent Agenda.

Section 5.4. Voting. All action of the Board is taken by a vote and each member of the Board is expected to vote.

5.4.1. On any question presented, the number of members present shall be recorded by the Board Secretary or Board support staff. Provided that a quorum is present, action may be taken by the

Board upon a vote of a majority of the Board members present, unless the act of a greater number shall be required by law.

5.4.2. All votes shall be taken by voice vote unless a request for a roll call vote is made by two members of the Board prior to a vote being initiated or the Chair is unclear of the results of a voice vote.

5.4.3 No vote by proxy shall be permitted for any vote of the Board or for any Board committee.

Section 5.5. Minutes. The minutes shall consist primarily of a record of the actions taken. They shall not be a full transcript of the meeting but must give a true reflection of the matters discussed and the views of the participants related to any action taken.

## **Article 6 – Committees of the Board**

Section 6.1. Board Committees. The Board may from time to time establish Board committees made up of members of the Board with specific duties, terms and responsibilities.

Section 6.1.1. Membership on Board Committees. The Chairperson shall nominate the Committee Chairperson and members of the Board committees annually, subject to confirmation by the Board. The Committee shall elect a Committee Vice Chairperson from among 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.

6.1.2. Role of Board Committees. The Board may refer any matter to the Board Committee for consideration. The Board Committee shall study and make recommendations for action to the full Board of Directors. The Board Committee shall have no power to bind the Authority with its decisions or recommendations.

6.1.3. Charter Statement. The Board Committee shall adopt a Charter Statement that will be reviewed periodically which identifies the Committee's areas of responsibility and oversight.

6.1.4. Meetings. The Board Committee shall meet as needed to conduct its business.

Section 6.2. Ad Hoc Committees or Task Forces. The Board from time to time may establish ad hoc committees or task forces made up of members of the Board and/or members of the community to study and make recommendations on matters of interest to the Authority. The Board shall determine at the time of establishment the membership and roles and responsibilities of the Ad Hoc Committee or Task Force.

## **Article 7 - Citizen Advisory Committees**

Section 7.1. Creation. The Board shall from time to time establish citizen advisory committees or taskforces that may include citizen members. The citizen advisory committees shall have a structure, duties and responsibilities as may be determined by the Board and in accordance with Section 451.109, Tex. Transp. Code. The citizen advisory committees may study and make recommendations to the Board but shall not have any power to bind the Authority or direct staff. Elected officials and candidates may not serve on advisory committees.

## **Article 8 – Business Administration**

Section 8.1. Fiscal Year. The fiscal year of the Authority shall begin and end on such dates as the Board at any time shall determine by resolution. However, the fiscal year shall not be changed more than once in a five-year period. The fiscal year shall begin on the first day of October and end on the last day of September of the subsequent year.

Section 8.2. Budget. Prior to the commencement of a fiscal year, the Board shall adopt an annual budget in a format and with such detail as determined by the Board. Before the Board adopts its annual budget, it shall conduct a public hearing and shall make the proposed annual budget available to the public at least fourteen days prior to the hearing. The Authority may not make operating expenditures in excess of the total amount specified for operating expenditures for a fiscal year unless the Board amends the operating budget by resolution after public notice and hearing.

Section 8.3. Capital Improvement Plan. The Board shall adopt a five-year plan for capital improvement projects. The Board shall hold a public meeting on a proposed capital improvement plan before adopting it and must make the plan available to the public for review and comment. The Board shall annually reevaluate, and if necessary, amend the plan to ensure compliance with Section 451.132 of the Code.

Section 8.4. Annual Financial Audit. The Board each year shall have prepared an audit of its affairs in accordance with generally accepted auditing standards by an independent certified public accountant or a firm of independent certified public accountants, which shall be open to public inspection. Such auditors shall have no personal interest directly or indirectly in the fiscal affairs of the Authority and shall be experienced and qualified in accounting and auditing of public bodies. It is provided, however, that the Authority's auditors may not undertake consulting services for the Authority in addition to their duties in connection with the annual audit without the prior consent of the Board to ensure the services do not create a potential conflict of interest and/or improper influence on the annual audit.

Section 8.5. Investment Authority. The Board shall have all necessary investment authority in accordance with the Public Funds Investment Act, Section 2256, Texas Government Code.

Section 8.6. Policies. The Board shall adopt all policies necessary and useful for the conduct of its business in accordance with state and federal law and regulations, including for the competition and award of contracts. The Board shall review and amend as necessary each of its policies at least every five years.

## **Article 9 – Modification of Bylaws**

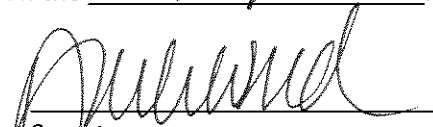
These Bylaws can be amended at any regular meeting of the Board by a two-thirds vote of all the appointed and qualified members of the Board, provided that the amendment has been submitted in writing at the previous regular meeting of the Board.

## **Article 10 – Interpretation of the Bylaws**

These bylaws are designed solely to facilitate the handling by the Board of Directors of its own business, and the Board of Directors retains the right to interpret these rules. No action taken by this board shall be deemed invalid because of any conflict with these rules, so long as the action taken is in accordance with any applicable law.

**Certificate by Secretary.** The undersigned, being the Secretary of the Capital Metropolitan Transportation Authority, certifies that these bylaws were duly adopted by the Board of the Authority effective as of January 8, 2010 and shall supersede all past Bylaws or amended Bylaws of the Authority.

IN WITNESS WHEREOF, I have signed this certification on the 1/8/10.

  
Secretary



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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

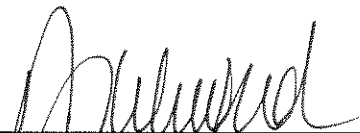
**RESOLUTION (ID # AI-2017-600)  
Revisions to Board of Directors Bylaws**

WHEREAS, the Board may by resolution adopt rules and bylaws for the conduct of Board meetings in accordance with Section 451.517 of the Texas Transportation Code; and

WHEREAS, the Board may amend such bylaws at any regular meeting of the Board by a two-thirds vote of the Board members, provided that the amendment has been submitted in writing at the previous regular meeting of the Board; and

WHEREAS, the Board has followed the required process and desires to amend the Bylaws.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the attached Bylaws are hereby adopted as amended to supercede and replace the Bylaws adopted on March 23, 2009.

  
\_\_\_\_\_  
**Secretary of the Board  
Juli Word**

Date: 1/20/19

Attachment: Resolution-AI-2017-600 (CMTA-2017-112 : Board Bylaws Revisions)

**AMENDED AND RESTATED BYLAWS**  
**OF**  
**CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY**

(Amended and Restated as of June 27, 2022)

**ARTICLE 1 - ~~The Authority~~ CREATION, NAME, PURPOSE AND TERRITORY**

*Section 1.1. Creation.* Pursuant to the provisions of Article 1118x, Texas Revised Civil Statutes, as amended and recodified as Chapter 451 of the Texas Transportation Code ("Code"), and pursuant to a favorable vote of the qualified voters in a confirmation and tax election held January 19, 1985, a metropolitan rapid transit authority, is created and exists in the City of Austin, Texas, constituting the environs of the "principal city" as defined herein, and any other such areas that may subsequently vote to join the Authority Capital Metropolitan Transportation Authority (the "Authority"). The Authority is a political subdivision of the state of Texas. Pursuant to Section 451.~~514~~07 of the Code, power is granted to the Authority's Board of Directors ("Board") to adopt rules and regulations and such bylaws as it may deem necessary.

*Section 1.2. Name.* The name of ~~the Authority~~the metropolitan rapid transit authority shall be the Capital Metropolitan Transportation Authority (the "Authority" or "CapMetro").

*Section 1.3. Purpose and General Powers.* The purpose of the Authority shall be to plan, develop and operate public transportation services within the territory of the Authority and to exercise any other powers and duties as allowed or specified in the Code, and other applicable state and federal law. The Authority shall constitute a political entity and corporate body, exercising public and essential governmental functions, having the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Code.

*Section 1.4. Territory.* The territory of the Authority shall constitute the corporate limits of the City of Austin, being the principal city; the corporate limits of the following incorporated municipalities within Travis County: Lago Vista, Point Venture, San Leanna, Manor and Jonestown; the following incorporated municipalities located within Williamson County: Leander; a portion of Commissioner's Precinct Number 1 of unincorporated Williamson County known as Anderson Mill; and Commissioner's Precinct Number 2 of unincorporated Travis County; and any other town or county area wherein the voters elect to become a part of the Authority pursuant to Sec. 451.552 of the Code.

**ARTICLE 2 – OFFICES, DOMICILE AND SERVICE**

*Section 2.1. Principal Office.* The principal office of the Authority shall be located at 2910 East 5th Street, Austin Texas, 78702, or at such other location within the Authority's service area as the Board may direct.

*Section 2.2. Additional Offices.* The Authority also may have offices at such other places as the Board from time to time may determine or as the activities of the Authority may require.

*Section 2.3. Domicile.* The domicile of the Authority is Travis County, Texas.

Section 2.4. Service of Process. The Authority may be served through its President and Chief Executive Officer (“CEO”) or any other person designated by the President and CEO.

### **ARTICLE 3 – THE BOARD OF DIRECTORS**

Section 3.1. Governing Body. The governing body of the Authority shall be the Board of Directors (“Board”). The responsibility for the management, control and operation of the Authority and its properties is vested in the Board.

Section 3.2 Powers of the Board.

3.2.1 General Powers. The Board shall exercise its responsibility as the governing body of the Authority by adopting all general policies of the Authority, including the adoption of annual capital and operating budgets, the establishment of the goals of the Authority, adoption of a strategic plan, and the selection and performance evaluation of a general manager (President ~~and~~ ~~CEO~~ ~~Chief Executive Officer~~) and a qualified individual to perform internal auditing services.

3.2.2 Rules and Regulations. The Board may adopt and enforce rules and regulations for such purposes as provided in Section 451.107 of the Code. All rules and regulations established by the Board shall be published and made available for public review in accordance with the Code.

3.2.3 Fares. The Board shall adopt and impose reasonable and nondiscriminatory fares and charges for the use of the system as provided in Section 451.061 of the Code and shall have the authority to enforce fares for the use of the system as provided in Section 451.0611 of the Code.

3.2.4 Delegation to the CEO. In addition to the statutory authority provided to the President ~~and~~ ~~CEO~~ ~~Chief Executive Officer~~, the Board may delegate certain duties and responsibilities to the President ~~and~~ ~~CEO~~ ~~Chief Executive Officer~~ for the management and operation of the Authority.

Section 3.3. Members of the Board of Directors.

3.3.1 Oath of Office. The oath of office shall be given to all members of the Board before commencement of duties as a member of the Board.

3.3.2. Duties. Board members shall act collectively on behalf of the Board in the best interest of the Authority and in accordance with the constitutions and laws of the United States of America and the State of Texas and within policies adopted by the Board. No individual Board member is authorized to bind the Authority by their statements or actions.

3.3.3. Membership. The term, criteria for eligibility for membership, and appointment process are established in Section 451.5021 and other applicable sections of the Code, ~~Tex. Transp. Code~~.

3.3.4. Attendance. Each member of the Board is expected to serve faithfully and attend all meetings. A ~~B~~board member may be removed from office for absence, without having been excused by a majority vote of the ~~b~~Board, from more than one-half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year.

3.3.5. *Removal.* Any member may be removed from the Board by a majority vote of the other members of the board because of a ground for removal described by Section 451.510 of the Code or by a majority vote of the entity that appointed the member because of a ground for removal described by Section 451.510 of the Code. The person or entity proposing to remove a ~~b~~Board member pursuant to Section 451.510 must give the Board member a written statement of the grounds for removal and the Board member is entitled to a hearing in accordance with Section 451.511 of the Code.

3.3.6. *Resignations; Vacancies.* A member may resign their position on the Board by submitting a written resignation to the Chair or the entity that appointed the member. A resignation is effective upon receipt by the Chair or upon a date specified by the member. All vacancies occurring on the Board shall be filled for the remainder of the term by the same person or entity that made the original appointment for the vacant position in accordance with Section 451.504 of the Code.

3.3.7. *Conflict and Disclosure of Interest.* ~~Members of the~~ Board members shall comply with all state laws and the Capital Metro Code of ~~E~~Conduct Ethics regarding conflicts of interest and disclosure of interests, including but not limited to, Chapters 171 and 176, Local Government Code. Board Mmembers with a potential conflict of interest under the law or Code of Conduct Ethics or whose personal interests may create an appearance of a conflict of interest are required to file an affidavit with the Board Secretary or ~~his/her~~their designee and must not vote or participate in the Board's discussion of the matter. A Board member's personal interests may create an appearance of a conflict of interest if it would appear to a reasonable person that the member's personal interests were inconsistent with the public's ~~interest~~interest, or the decision would directly or indirectly benefit the member greater than the benefit to the ~~general~~public. A Board member may identify a potential conflict of interest of a fellow Board member to the Chair or Vice Chair for discussion by the Board.

3.3.8. *Indemnification*~~Defense of Board Members.~~ Each Board ~~m~~Member shall be defended by the Authority against any action, suit or proceeding arising from an act or omission alleged to have been committed by the Board ~~m~~Member within the scope of the individual's official capacity to the full extent allowed by applicable law.

## **ARTICLE 4 - OFFICERS OF THE BOARD**

*Section 4.1. Election of Officers.* The members of the Board shall elect from among their number a Chair~~person~~, a Vice Chair~~person~~, and a Secretary in accordance with Section 451.520 of the Code. Such officer of the Board shall be elected annually, generally at the first regular January meeting of the Board for the terms to expire at the first regular meeting of the Board in the succeeding year.

*Section 4.2. Vacancy.* The members of the Board shall fill any vacancy in any office of the Board by election, such appointment to continue until the expiration of the current term of the office which becomes vacant.

*Section 4.3. Removal.* An officer of the Board may be removed as an officer by a vote of a majority of all appointed and qualified members of the Board.

*Section 4.4. Powers and Duties of Board Officers.*

4.4.1. *Chair.* The Chair~~person~~ shall preside at all meetings of the Board; shall determine by inspection and investigation if orders and resolutions promulgated by the Board are being carried into effect, and may report from time to time ~~his or her~~their findings to the Board; may sign and execute for and on behalf of the Authority contracts of insurance, bonds, deeds, mortgages, debentures, contracts or any other instruments or documents of whatever nature that the Board has authorized him or her to execute; with the assistance of the President and CEO/Chief Executive Officer, shall establish the proposed



agenda for each meeting of the Board; shall recommend the Chairperson, members and tenure of all Board committees, provided such appointments are made with the concurrence of the members of the Board; shall perform all duties prescribed for or incident to the office of the Chairperson by these Bylaws or assigned from time to time by the Board.

4.4.2. Vice Chair. The Vice Chairperson shall preside at any meeting of the Board when the Chairperson is absent and shall perform the duties of the Chairperson in case of the absence, disability or disqualification of the Chairperson or when requested to perform such duties by the Chairperson, and shall perform such other duties as may from time to time be assigned to ~~him or her~~them by the Chairperson or ~~by~~ the Board. The Vice Chairperson shall serve as the Ethics Officer for the Board receiving and responding to potential ethics concerns raised by members of the Board or the President ~~and~~ CEO.

4.4.3. Secretary. The Secretary shall certify the permanent records of all proceedings and transactions of the Authority, including resolutions. In the absence of the Secretary, the Chairperson or Vice Chairperson may certify records of the Authority. The Secretary shall keep the minutes of all official meetings of the Board, and see that notices are duly given in accordance with the provisions of these Bylaws ~~or as may be required by law~~and Section 451.520(c) and other applicable law or delegate such responsibility to the Board support staff. The Secretary shall perform the duties of the Chairperson in case of the absence, disability or disqualification of the Chairperson and Vice Chairperson.

Section 4.5. Appointment of Board Members to ~~O~~outside ~~B~~boards or ~~O~~rganizations. The Chairperson shall approve any requests for members of the Board to represent Capital Metro in an official capacity on local, state or national transit-related committees, boards, organizations or associations. This section shall not apply to the appointment of members of the Board to the Austin Transit Partnership Board of Directors, the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board, or other governmental bodies, which shall require a majority vote by the Board. At the direction of the Board, this section shall not apply to the appointment of members of the Board to other organizations.

## **ARTICLE 5 - MEETINGS**

Section 5.1. Open Meetings. The Board shall be subject to and comply with Chapter 551 of the Texas Government Code, the Texas Open Meetings Act.

Section 5.2. Closed Session. Closed sessions may be held by the Board in compliance with the provisions of the Texas Open Meetings Act. Members shall protect the confidentiality of all communications and information discussed or presented during closed session and not reveal, divulge, or disclose communications or information unless required by law.

Section 5.3. Meetings.

5.3.1. Regular Meetings; Establishment of Place, Date and Time. In accordance with Section 451.514 of the Code, ~~R~~regular meetings of the Board shall be held at least monthly. Regular meetings will be held at a date, time and place designated by the Board by resolution.

5.3.2. Special Meetings. Special meetings of the Board may be called by the Chair or the President and CEO in accordance with Section 451.514(b) of the Code and shall be called by the Chair upon the written request of two members of the Board.

5.3.3. Emergency Meetings. In cases of urgent public necessity requiring immediate action because of imminent threat to public health and safety or because of a reasonably unforeseeable situation, the Chair may call an emergency meeting in accordance with State law. As the situation allows, all members of the

Board will be given verbal or written notice of the Emergency meeting.

Section 5.4. Quorum. A majority of all appointed and qualified ~~the~~ members of the Board shall constitute a quorum of the Board for the purpose of conducting its business and exercising its powers, except as otherwise specified in these ~~b~~Bylaws. If a quorum is not present at any meeting of the Board, a majority of the Board members present at any meeting may adjourn the meeting to another time and place provided that all members of the Board are notified in writing of the change in the time and place of the meeting, and the meeting is posted in compliance with the Texas Open Meetings Act. Temporary absence from the physical or virtual meeting room that results in less than a quorum present in the room does not halt a meeting, but a vote may not be taken.

Section 5.5. Public Involvement. Subject to requirements prescribed by the Board, any citizen-person may address the Board at a meeting.

Section 5.6. Decorum. The Board may establish guidelines reasonably necessary to maintain order and protect health and safety. The Chair shall assure that order and decorum are maintained in the meetings.

Section 5.7. Public Hearings. Public hearings shall be held by the Board before the adoption of the annual budget and as such other hearings are deemed appropriate or necessary by the Board, at such times and places as set by the Board. Copies of the budget, and other items being considered at the public hearing shall be made available for public review according to the provisions of the Code and policies set by the Board.

Section 5.8 Meeting Materials. To assist with public transparency of matters brought before the Board, Authority staff shall post meeting agendas in accordance with the Texas Opening Meetings Act and back-up materials, to the extent available and possible, for Board members and the public to view no later than seven (7) days before the Board meeting; and in those limited occasions when it is not possible to finalize meeting materials seven (7) days in advance of the Board meeting, the meeting materials will be posted as soon as reasonably possible prior to the Board meeting.

## **ARTICLE 6 - CONDUCT OF BUSINESS**

Section 6.1. Meeting Procedures. All meetings of the Board and Board committees ~~shall~~may be conducted in compliance with the rules contained in the current version of Robert's Rules of Order Newly Revised to the extent that said rules are not inconsistent with these bylaws and any procedures or policies the Board may adopt.

Section 6.2. ~~Request to call a meeting or add~~Addition of an Agenda Item. ~~Special meetings of the Board should be called by the Chairperson of the Board and shall be called by the Chairperson upon the written request of two members of the Board or the President/Chief Executive Officer.~~ Additional items shall be placed on the Board agenda upon the request of two members of the Board to the Chairperson.

Section 6.3. Consideration of Consent Agenda Items. The Board may consider and approve routine, noncontroversial items on a consent agenda. The Board shall adopt items on the Consent Agenda by a single vote. Any Board member may remove an item from the Consent Agenda for discussion and consideration on the Action Item Agenda by request to the Chair at any time prior to the vote to approve the Consent Agenda.

Section 6.4. Voting. All action of the Board is taken by a vote and each member of the Board is expected to vote.

6.4.1. On any question presented, the number of members present shall be recorded by the Board Secretary or Board support staff. Provided that a quorum is present, action may be taken by the Board upon a vote of a majority of the Board members present, unless the act of a greater number shall be required by law or these Bylaws.

6.4.2. All votes shall be taken by voice vote unless a request for a roll call vote is made by two members of the Board prior to a vote being initiated or the Chair is unclear of the results of a voice vote.

6.4.3. No vote by proxy shall be permitted for any vote of the Board or for any Board committee.

Section 6.5. Minutes. The minutes shall consist primarily of a record of the actions taken. They shall not be a full transcript of the meeting but must give a true reflection of the matters discussed and the views of the participants related to any action taken.

**ARTICLE 7 - COMMITTEES OF THE BOARD**

Section 7.1. Board Committees. The Board may from time to time establish Board committees made up of members of the Board with specific duties, terms and responsibilities.

7.1.1. Membership on Board Committees. The Chairperson shall nominate the Committee Chairperson and members of the Board committees annually, subject to confirmation by the Board. The Committee shall may elect a Committee Vice Chairperson from among 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.

7.1.2. Role of Board Committees. The Board may refer any matters to one or more the Board Committees for consideration. ~~The Board Committees~~ shall study and make recommendations for action to the full Board ~~of Directors~~. ~~The Board Committees~~ shall have no power to bind the Authority with its decisions or recommendations.

7.1.3. Charter Statement. ~~The Board Committees~~ shall adopt a Charter Statement that will be reviewed periodically at least annually which identifies the Committees's areas of responsibility and oversight.

7.1.4. Meetings. ~~The Board Committees~~ shall meet as needed to conduct theirs business.

Section 7.2. Ad Hoc Committees or Task Forces. The Board from time to time may establish ad hoc committees or task forces made up of members of the Board and/or members of the community to study and make recommendations on matters of interest to the Authority. The Board shall determine at the time of establishment the membership and roles and responsibilities of such ~~the~~ Ad Hoc Committee or Task Force.

**ARTICLE 8 - ~~Citizen~~ ADVISORY COMMITTEES**

Section 8.1. Creation. The Board shall from time to time establish ~~citizen~~ advisory committees or taskforces that may include ~~citizen resident~~ members of the general public community in or around the Authority's service area. The ~~citizen~~ advisory committees shall have a structure, duties and responsibilities as may be determined by the Board and in accordance with Section 451.109 of the, Tex. Transp. Code. The ~~citizen~~ advisory committees may study and make recommendations to the Board but shall not have any power to bind the Authority or direct staff. Elected officials and candidates may not serve on advisory committees.

## **ARTICLE 9 - BUSINESS ADMINISTRATION**

*Section 9.1. Fiscal Year.* The fiscal year of the Authority shall begin and end on such dates as the Board at any time shall determine by resolution. However, the fiscal year shall not be changed more than once in a five-year period. The [Authority](#) fiscal year shall begin on the first day of October and end on the last day of September of the subsequent year.

*Section 9.2. Budget.* Prior to the commencement of a fiscal year, the Board shall adopt an annual budget in a format and with such detail as determined by the Board. Before the Board adopts its annual budget, it shall conduct a public hearing and shall make the proposed annual budget available to the public at least fourteen [\(14\)](#) days prior to the hearing. The Authority may not make operating expenditures in excess of the total amount specified for operating expenditures for a fiscal year unless the Board amends the operating budget by resolution after public notice and hearing [in accordance with Section 451.103 of the Code.](#)

*Section 9.3. Capital Improvement Plan.* The Board shall adopt a five-year plan for capital improvement projects. The Board shall hold a public meeting on a proposed capital improvement plan before adopting it and must make the plan available to the public for review and comment. The Board shall annually reevaluate, and if necessary, amend the plan to ensure compliance with Section 451.132 of the Code.

*Section 9.4. Annual Financial Audit.* [In accordance with Section 451.451 of the Code,](#) the Board each year shall have prepared an audit of its affairs in accordance with generally accepted auditing standards by an independent certified public accountant or a firm of independent certified public accountants, which shall be open to public inspection. Such auditors shall have no personal interest directly or indirectly in the fiscal affairs of the Authority and shall be experienced and qualified in accounting and auditing of public bodies. It is provided, however, that the Authority's auditors may not undertake consulting services for the Authority in addition to their duties in connection with the annual audit without the prior consent of the Board to ensure the services do not create a potential conflict of interest and/or improper influence on the annual audit.

*Section 9.5. Investment Authority.* The Board shall have all necessary investment authority in accordance with the Public Funds Investment Act, Section 2256, Texas Government Code.

*Section 9.6. Policies.* The Board shall adopt all policies necessary and useful for the conduct of its business in accordance with state and federal law and regulations, including for the competition and award of contracts. The Board shall review and amend as necessary each of its policies at least every five years.

## **ARTICLE 10 - MODIFICATION OF BYLAWS**

These Bylaws can be amended at any regular meeting of the Board by a two-thirds vote of all the appointed and qualified members of the Board, provided that the amendment has been submitted in writing at the previous regular meeting of the Board.

## **ARTICLE 11 - INTERPRETATION OF THE BYLAWS**

These [B](#)ylaws are designed solely to facilitate the handling by the Board of Directors of its own business, and the Board of Directors retains the right to interpret these rules. No action taken by this board shall be deemed invalid because of any conflict with these rules, so long as the action taken is in accordance with any applicable law.

**CERTIFICATE BY SECRETARY**

The undersigned, being the Secretary of the Capital Metropolitan Transportation Authority Board of Directors, certifies that these ~~b~~Bylaws were duly adopted by the Board of the Authority effective as of June 27, 2022, and shall supersede all past Bylaws or amended Bylaws of the Authority.

IN WITNESS WHEREOF, I have signed this certification on the \_\_\_\_\_.

\_\_\_\_\_  
Secretary of the Board of Directors

**AMENDED AND RESTATED BYLAWS**  
**OF**  
**CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY**  
**(Amended and Restated as of June 27, 2022)**

**ARTICLE 1 - CREATION, NAME, PURPOSE AND TERRITORY**

*Section 1.1. Creation.* Pursuant to the provisions of Article 1118x, Texas Revised Civil Statutes, as amended and recodified as Chapter 451 of the Texas Transportation Code ("Code"), and pursuant to a favorable vote of the qualified voters in a confirmation and tax election held January 19, 1985, a metropolitan rapid transit authority, is created and exists in the City of Austin, Texas, constituting the environs of the "principal city" as defined herein, and any other such areas that may subsequently vote to join the Capital Metropolitan Transportation Authority (the "Authority"). The Authority is a political subdivision of the state of Texas. Pursuant to Section 451.517 of the Code, power is granted to the Authority's Board of Directors ("Board") to adopt rules and regulations and such bylaws as it may deem necessary.

*Section 1.2. Name.* The name of the metropolitan rapid transit authority shall be the Capital Metropolitan Transportation Authority (the "Authority" or "CapMetro").

*Section 1.3. Purpose and General Powers.* The purpose of the Authority shall be to plan, develop and operate public transportation services within the territory of the Authority and to exercise any other powers and duties as allowed or specified in the Code, and other applicable state and federal law. The Authority shall constitute a political entity and corporate body, exercising public and essential governmental functions, having the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Code.

*Section 1.4. Territory.* The territory of the Authority shall constitute the corporate limits of the City of Austin, being the principal city; the corporate limits of the following incorporated municipalities within Travis County: Lago Vista, Point Venture, San Leanna, Manor and Jonestown; the following incorporated municipalities located within Williamson County: Leander; a portion of Commissioner's Precinct Number 1 of unincorporated Williamson County known as Anderson Mill; and Commissioner's Precinct Number 2 of unincorporated Travis County; and any other town or county area wherein the voters elect to become a part of the Authority pursuant to Sec. 451.552 of the Code.

**ARTICLE 2 – OFFICES, DOMICILE AND SERVICE**

*Section 2.1. Principal Office.* The principal office of the Authority shall be located at 2910 East 5th Street, Austin Texas, 78702, or at such other location within the Authority's service area as the Board may direct.

*Section 2.2. Additional Offices.* The Authority also may have offices at such other places as the Board from time to time may determine or as the activities of the Authority may require.

*Section 2.3. Domicile.* The domicile of the Authority is Travis County, Texas.

*Section 2.4. Service of Process.* The Authority may be served through its President and Chief Executive Officer ("CEO") or any other person designated by the President and CEO.

## ARTICLE 3 – THE BOARD OF DIRECTORS

Section 3.1. Governing Body. The governing body of the Authority shall be the Board of Directors ("Board"). The responsibility for the management, control and operation of the Authority and its properties is vested in the Board.

### Section 3.2 Powers of the Board.

3.2.1 General Powers. The Board shall exercise its responsibility as the governing body of the Authority by adopting all general policies of the Authority, including the adoption of annual capital and operating budgets, the establishment of the goals of the Authority, adoption of a strategic plan, and the selection and performance evaluation of a general manager (President and CEO) and a qualified individual to perform internal auditing services.

3.2.2 Rules and Regulations. The Board may adopt and enforce rules and regulations for such purposes as provided in Section 451.107 of the Code. All rules and regulations established by the Board shall be published and made available for public review in accordance with the Code.

3.2.3 Fares. The Board shall adopt and impose reasonable and nondiscriminatory fares and charges for the use of the system as provided in Section 451.061 of the Code and shall have the authority to enforce fares for the use of the system as provided in Section 451.0611 of the Code.

3.2.4 Delegation to the CEO. In addition to the statutory authority provided to the President and CEO, the Board may delegate certain duties and responsibilities to the President and CEO for the management and operation of the Authority.

### Section 3.3. Members of the Board of Directors.

3.3.1 Oath of Office. The oath of office shall be given to all members of the Board before commencement of duties as a member of the Board.

3.3.2. Duties. Board members shall act collectively on behalf of the Board in the best interest of the Authority and in accordance with the constitutions and laws of the United States of America and the State of Texas and within policies adopted by the Board. No individual Board member is authorized to bind the Authority by their statements or actions.

3.3.3. Membership. The term, criteria for eligibility for membership, and appointment process are established in Section 451.5021 and other applicable sections of the Code.

3.3.4. Attendance. Each member of the Board is expected to serve faithfully and attend all meetings. A Board member may be removed from office for absence, without having been excused by a majority vote of the Board, from more than one-half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year.

3.3.5. Removal. Any member may be removed from the Board by a majority vote of the other members of the board because of a ground for removal described by Section 451.510 of the Code or by a majority vote of the entity that appointed the member because of a ground for removal described by Section 451.510 of the Code. The person or entity proposing to remove a Board member pursuant to Section 451.510 must give the Board member a written statement of the grounds for removal and the Board member is entitled to a hearing in accordance with Section 451.511 of the Code.

3.3.6. *Resignations; Vacancies.* A member may resign their position on the Board by submitting a written resignation to the Chair or the entity that appointed the member. A resignation is effective upon receipt by the Chair or upon a date specified by the member. All vacancies occurring on the Board shall be filled for the remainder of the term by the same person or entity that made the original appointment for the vacant position in accordance with Section 451.504 of the Code.

3.3.7. *Conflict and Disclosure of Interest.* Board members shall comply with all state laws and the CapMetro Code of Ethics regarding conflicts of interest and disclosure of interests, including but not limited to, Chapters 171 and 176, Local Government Code. Board members with a potential conflict of interest under the law or Code of Ethics or whose personal interests may create an appearance of a conflict of interest are required to file an affidavit with the Board Secretary or their designee and must not vote or participate in the Board's discussion of the matter. A Board member's personal interests may create an appearance of a conflict of interest if it would appear to a reasonable person that the member's personal interests were inconsistent with the public's interest, or the decision would directly or indirectly benefit the member greater than the benefit to the general public. A Board member may identify a potential conflict of interest of a fellow Board member to the Chair or Vice Chair for discussion by the Board.

3.3.8. *Defense of Board Members.* Each Board member shall be defended by the Authority against any action, suit or proceeding arising from an act or omission alleged to have been committed by the Board member within the scope of the individual's official capacity to the full extent allowed by applicable law.

**ARTICLE 4 - OFFICERS OF THE BOARD**

*Section 4.1. Election of Officers.* The members of the Board shall elect from among their number a Chair, a Vice Chair, and a Secretary in accordance with Section 451.520 of the Code. Such officer of the Board shall be elected annually, generally at the first regular January meeting of the Board for the terms to expire at the first regular meeting of the Board in the succeeding year.

*Section 4.2. Vacancy.* The members of the Board shall fill any vacancy in any office of the Board by election, such appointment to continue until the expiration of the current term of the office which becomes vacant.

*Section 4.3. Removal.* An officer of the Board may be removed as an officer by a vote of a majority of all appointed and qualified members of the Board.

*Section 4.4. Powers and Duties of Board Officers.*

*4.4.1. Chair.* The Chair shall preside at all meetings of the Board; shall determine by inspection and investigation if orders and resolutions promulgated by the Board are being carried into effect, and may report from time to time their findings to the Board; may sign and execute for and on behalf of the Authority contracts of insurance, bonds, deeds, mortgages, debentures, contracts or any other instruments or documents of whatever nature that the Board has authorized him or her to execute; with the assistance of the President and CEO, shall establish the proposed agenda for each meeting of the Board; shall recommend the Chair, members and tenure of all Board committees, provided such appointments are made with the concurrence of the members of the Board; shall perform all duties prescribed for or incident to the office of the Chair by these Bylaws or assigned from time to time by the Board.

*4.4.2. Vice Chair.* The Vice Chair shall preside at any meeting of the Board when the Chair is absent and shall perform the duties of the Chair in case of the absence, disability or disqualification of the Chair or when requested to perform such duties by the Chair, and shall perform such other duties as may from time to time be assigned to them by the Chair or by the Board. The Vice Chair shall serve as the Ethics Officer for the Board receiving and responding to potential ethics concerns raised by members of the Board or the President and CEO.



4.4.3. Secretary. The Secretary shall certify the permanent records of all proceedings and transactions of the Authority, including resolutions. In the absence of the Secretary, the Chair or Vice Chair may certify records of the Authority. The Secretary shall keep the minutes of all official meetings of the Board, and see that notices are duly given in accordance with the provisions of these Bylaws and Section 451.520(c) and other applicable law or delegate such responsibility to the Board support staff. The Secretary shall perform the duties of the Chair in case of the absence, disability or disqualification of the Chair and Vice Chair.

Section 4.5. Appointment of Board Members to Outside Boards or Organizations. The Chair shall approve any requests for members of the Board to represent CapMetro in an official capacity on local, state or national transit-related committees, boards, organizations or associations. This section shall not apply to the appointment of members of the Board to the Austin Transit Partnership Board of Directors, the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board, or other governmental bodies, which shall require a majority vote by the Board. At the direction of the Board, this section shall not apply to the appointment of members of the Board to other organizations.

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Section 6.3. Consideration of Consent Agenda Items. The Board may consider and approve routine, noncontroversial items on a consent agenda. The Board shall adopt items on the Consent Agenda by a single vote. Any Board member may remove an item from the Consent Agenda for discussion and consideration on the Action Item Agenda by request to the Chair at any time prior to the vote to approve the Consent Agenda.

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*7.1.2. Role of Board Committees.* The Board may refer any matters to one or more Board Committees for consideration. Board Committees shall study and make recommendations for action to the full Board. Board Committees shall have no power to bind the Authority with its decisions or recommendations.

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*Section 9.2. Budget.* Prior to the commencement of a fiscal year, the Board shall adopt an annual budget in a format and with such detail as determined by the Board. Before the Board adopts its annual budget, it shall conduct a public hearing and shall make the proposed annual budget available to the public at least fourteen (14) days prior to the hearing. The Authority may not make operating expenditures in excess of the total amount specified for operating expenditures for a fiscal year unless the Board amends the operating budget by resolution after public notice and hearing in accordance with Section 451.103 of the Code.

*Section 9.3. Capital Improvement Plan.* The Board shall adopt a five-year plan for capital improvement projects. The Board shall hold a public meeting on a proposed capital improvement plan before adopting it and must make the plan available to the public for review and comment. The Board shall annually reevaluate, and if necessary, amend the plan to ensure compliance with Section 451.132 of the Code.

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These Bylaws are designed solely to facilitate the handling by the Board of Directors of its own business, and the Board of Directors retains the right to interpret these rules. No action taken by this board shall be deemed invalid because of any conflict with these rules, so long as the action taken is in accordance with any applicable law.

#### **CERTIFICATE BY SECRETARY**

The undersigned, being the Secretary of the Capital Metropolitan Transportation Authority Board of Directors, certifies that these Bylaws were duly adopted by the Board of the Authority effective as of June 27, 2022, and shall supersede all past Bylaws or amended Bylaws of the Authority.

IN WITNESS WHEREOF, I have signed this certification on the \_\_\_\_\_.

\_\_\_\_\_  
Secretary of the Board of Directors

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Board of Directors

Item #: AI-2022-466

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with Krauthamer and Associates for Executive Recruiting Services in an amount not to exceed \$600,000 for two base years and two one-year options.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Operating Budget

**STRATEGIC PLAN:**

**Strategic Goal Alignment:**

- 1. Customer
- 2. Community
- 3. Workforce
- 4. Organizational Effectiveness

**Strategic Objectives:**

- 1.1 Safe & Reliable Service
- 1.2 High Quality Customer Experience
- 1.3 Accessible System
- 2.1 Support Sustainable Regional Growth
- 2.2 Become a Carbon Neutral Agency
- 2.3 Responsive to Community and Customer Needs
- 2.4 Regional Leader in Transit Planning
- 3.1 Diversity of Staff
- 3.2 Employer of Choice
- 3.3 Expand Highly Skilled Workforce
- 4.1 Fiscally Responsible and Transparent
- 4.2 Culture of Safety
- 4.3 State of Good Repair

**EXPLANATION OF STRATEGIC ALIGNMENT:** This action supports organizational development and expansion of a highly skilled workforce by providing the services of an experienced executive recruiting firm to assist CapMetro with filling key staff positions.

**BUSINESS CASE:** CapMetro currently has vacancies for executive level positions, including the President & CEO, Vice President of Government Affairs and Vice President of Bus Operations and Maintenance. These needs will continue in the future. Current competition in the market for highly skilled talent to fill such roles requires the services of an experienced executive recruiting firm to identify such candidates. The recommended contractor has extensive experience in executive recruiting specific to the transit industry.

**COMMITTEE RECOMMENDATION:** This item will be presented to the full board for approval on June 27, 2022.

**EXECUTIVE SUMMARY:** Due to the urgency of the need to fill these positions, CapMetro identified a cooperative procurement resource that allows an expedited contract with Krauthamer & Associates (K&A). K&A has 50 years of experience recruiting at all levels of an organization and has a deep commitment to the industry's continued success, recognizing that one of the key factors that will ensure this success is the identification, recruitment and retention of a strong generation of leaders who are quickly ascending to senior management positions and who can lead the nation's transit agencies in the future. In doing so, K&A is actively involved in APTA, the Eno Foundation, COMTO, Latinos in Transit and WTS committees in succession planning and is working on Blue Ribbon panels to address workforce development issues plaguing the industry. As a firm, K&A has recruited the past three CEOs of APTA and through these recruitments, has built trusted relationships with nearly every transit agency in the country. K&A is committed to Capital Metro and all of its clients to recruit a diverse slate of candidates for search assignments. Under this contract, CapMetro will pay a flat fee per position whereby the vendor develops marketing material used to recruit for the position, screens candidates based on the position profile, conducts background checks, and provides candidates to the agency. The proposed contract amount is a not to exceed amount and will not be expended unless executive recruitment assignments are given to K&A.

**DBE/SBE PARTICIPATION:** No subcontracting opportunities were identified for this contract. However, K&A is committed to the inclusion and success of women and minorities in the workforce and has a proven track record of employing and mentoring women and minorities in their company.

**PROCUREMENT:** The contract will utilize the Mid-Atlantic Purchasing Team (MAPT) Cooperative Contract No. CHRTA211131 awarded to Krauthamer & Associates by the Washington Metropolitan Area Transit Authority (WMATA), for Executive Recruitment Services.

MAPT cooperative contracts are made available to use by Capital Metro via Title 7, Intergovernmental Relations Chapter 791, Interlocal Cooperation Contracts and The Texas Interlocal Cooperation Act.

Purchases made using the contract available through the MAPT cooperative satisfy otherwise applicable bidding requirements. Pricing for Executive Recruitment Services was determined to be fair & reasonable by the WMATA and the MAPT cooperative during its solicitation and award process.

The contract base term is two (2) years from Notice to Proceed, with two, one (1) year option terms. The following are not to exceed amounts for base and option years:

Item #	Description	Not to Exceed
1	Base Term - Not to Exceed Amount for Recruiting Services	\$400,000.00
2	Option Year 1 - Not to Exceed Amount for Recruiting Services	\$100,000.00
3	Option Year 2 - Not to Exceed Amount for Recruiting Services	\$100,000.00

<b>Grand Total Not to Exceed Amount for Base and Options (Items 1 - 3):</b>	<b>\$600,000.00</b>
---	---------------------

RESPONSIBLE DEPARTMENT: People and Culture

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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-466**

WHEREAS, The Capital Metro Board of Directors and management endeavor to expeditiously fill key leadership positions and recognize the need for executive recruitment services to accomplish this goal.

NOW, THEREFORE, BE IT RESOLVED that the Capital Metro Board of Directors authorizes the President & CEO, or their designee, to finalize and execute a contract with Krauthamer and Associates for Executive Recruiting Services in an amount not to exceed \$600,000 for two (2) base years and two (2) one-year options.

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

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



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Board of Directors

Item #: AI-2022-453

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution confirming new board member Matt Harriss' appointment to the Finance, Audit and Administration Committee for the remainder of 2022 and naming him as Chair of the Committee.

**FISCAL IMPACT:**

This action has no fiscal impact.

**STRATEGIC PLAN:**

Strategic Goal Alignment:

- 1. Customer
- 2. Community
- 3. Workforce
- 4. Organizational Effectiveness

Strategic Objectives:

- 1.1 Safe & Reliable Service
- 1.2 High Quality Customer Experience
- 1.3 Accessible System
- 2.1 Support Sustainable Regional Growth
- 2.2 Become a Carbon Neutral Agency
- 2.3 Responsive to Community and Customer Needs
- 2.4 Regional Leader in Transit Planning
- 3.1 Diversity of Staff
- 3.2 Employer of Choice
- 3.3 Expand Highly Skilled Workforce
- 4.1 Fiscally Responsible and Transparent
- 4.2 Culture of Safety
- 4.3 State of Good Repair

**EXPLANATION OF STRATEGIC ALIGNMENT:** Does not apply.

**BUSINESS CASE:** Does not apply.

**COMMITTEE RECOMMENDATION:** This item will be presented to the full board on June 27, 2022.

**EXECUTIVE SUMMARY:** In accordance with the Capital Metropolitan Transportation Authority Board of Directors Bylaws the board desires to formalize the appointment of a member to replace Terry Mitchell as a member of Board's Finance, Audit and Administration Committee. Mr. Mitchell also served as the Committee's Chair, so a new Chair must also be appointed. The Board of Directors Bylaws require that the Chairperson recommend members of the board committees, subject to the concurrence of the members of the board.

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-2022-453**

WHEREAS, the Board of Directors desires to formalize the appointment of a new member to the Finance, Audit and Administration Committee in accordance with the Board Bylaws; and

WHEREAS, the Chairperson of the Board recommends Matt Harriss as a member to serve on the Finance, Audit and Administration Committee for the remainder of the 2022 Calendar Year; and

WHEREAS, the Chairperson of the Board also recommends that Mr. Harriss serve as the Chair of the Finance, Audit and Administration Committee for the remainder of the 2022 Calendar Year;

NOW, THEREFORE, BE IT RESOLVED that the Capital Metropolitan Transportation Authority Board of Directors hereby approves the appointment of Matt Harriss as a member and names him as Chair of the Finance, Audit and Administration Committee for the remainder of the 2022 Calendar Year.

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

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

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Board of Directors

Item #: AI-2022-468

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to finalize and execute a contract with the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), for the sale of approximately 0.0138 acres of Capital Metro property located at Interstate 35 and the Tech Ridge Park and Ride in Travis County, Texas, for a TxDOT highway construction project, for a not to exceed amount of \$11,382.

**FISCAL IMPACT:**

This action generates revenue from the sale of property.

**STRATEGIC PLAN:**

**Strategic Goal Alignment:**

1. Customer       2. Community  
 3. Workforce       4. Organizational Effectiveness

**Strategic Objectives:**

- 1.1 Safe & Reliable Service       1.2 High Quality Customer Experience       1.3 Accessible System  
 2.1 Support Sustainable Regional Growth       2.2 Become a Carbon Neutral Agency  
 2.3 Responsive to Community and Customer Needs       2.4 Regional Leader in Transit Planning  
 3.1 Diversity of Staff       3.2 Employer of Choice       3.3 Expand Highly Skilled Workforce  
 4.1 Fiscally Responsible and Transparent       4.2 Culture of Safety       4.3 State of Good Repair

**EXPLANATION OF STRATEGIC ALIGNMENT:** The State of Texas, acting by and through TxDOT, has requested the purchase of a small piece of the Capital Metro Tech Ridge Park & Ride Interstate 35 frontage to accommodate TxDOT's upcoming I-35 highway expansion project. This sale supports the agency's ongoing partnership with TxDOT in improving central Texas mobility goals.

**BUSINESS CASE:** The State of Texas, through TxDOT, has eminent domain authority to condemn this Capital Metro property and has notified Capital Metro that if Capital Metro does not accept this offer, TxDOT will need to proceed with condemnation of this property. This small property section accommodates TxDOT's I-35 highway expansion project but maintains direct highway access to the Tech Ridge Park & Ride Facility. Capital Metro is able to recognize revenue from the sale of the property.

COMMITTEE RECOMMENDATION: This agenda item is being presented to the full board on June 27, 2022.

EXECUTIVE SUMMARY: On February 17, 2022, Capital Metro was approached by TxDOT, on behalf of the State of Texas, to purchase the approximately 0.0138 acres (roughly a 10-foot wide by 60-foot-long strip of land) owned by Capital Metro for TxDOT's possession and use for the expansion of Interstate 35. If Capital Metro does not sell this land to TxDOT voluntarily, then TxDOT has notified Capital Metro that it will initiate eminent domain proceedings on behalf of the State of Texas to acquire this land. Capital Metro does not currently utilize this narrow property strip which was originally acquired to provide for a future alternate connection between I-35 and the Tech Ridge Park & Ride. With this sale, Capital Metro will continue to maintain the future connection to I-35. As part of the sale, Capital Metro would waive, release, and relinquish all access rights to this parcel. Staff has determined that this small parcel currently owned by Capital Metro will not inhibit future transportation services. TxDOT, through its appraisal, has valued Capital Metro's property at \$11,382. Capital Metro's real estate team reviewed the TxDOT appraisal and concurs with the appraisal as fair market value. Staff recommends Board adoption of the appraisal as fair market value.

Pursuant to Section 272.001(b)(5) of the Texas Local Government Code, Capital Metro is excepted from the Section 272.001(a) of the Texas Local Government Code's notice and bidding requirements for the sale of land as this parcel of land is a real property interest which is to be conveyed to a governmental entity that has the power of eminent domain.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply

RESPONSIBLE DEPARTMENT: Real Estate

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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

**AI-2022-468**

WHEREAS, the Capital Metropolitan Transportation Authority (“Capital Metro”) Board of Directors and Capital Metro management recognize the need to support Texas Department of Transportation regional mobility improvements projects;

WHEREAS, the Capital Metro Board of Directors and Capital Metro management recognize the disposition of approximately 0.0138 acres of Capital Metro property located at Interstate 35 and the Tech Ridge Park and Ride in Travis County, Texas (the “Property”), for a not-to-exceed amount of \$11,382, will not interfere with current or future transportation operations;

WHEREAS, the State of Texas, acting by and through the Texas Department of Transportation (“TxDOT”), has notified Capital Metro that it will acquire the Property by eminent domain for its highway expansion project if Capital Metro does not sell the Property voluntarily; and

WHEREAS, TxDOT has appraised the Property at a fair market value of \$11,382, and Capital Metro real estate team reviewed the TxDOT appraisal and agrees with this valuation.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metro Board of Directors hereby adopts the TxDOT appraisal as fair market value for the sale of the Property; and

BE IT FURTHER RESOLVED by the Capital Metro Board of Directors that the President & CEO, or their designee, is authorized to finalize and execute a contract with the State of Texas, acting by and through TxDOT, for the sale of the Property for a not-to-exceed amount of \$11,382.

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

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

**CapMetro**

**TxDOT**

**Tech Ridge Park & Ride  
Minor Land Acquisition**

June 27, 2022 Board of Directors

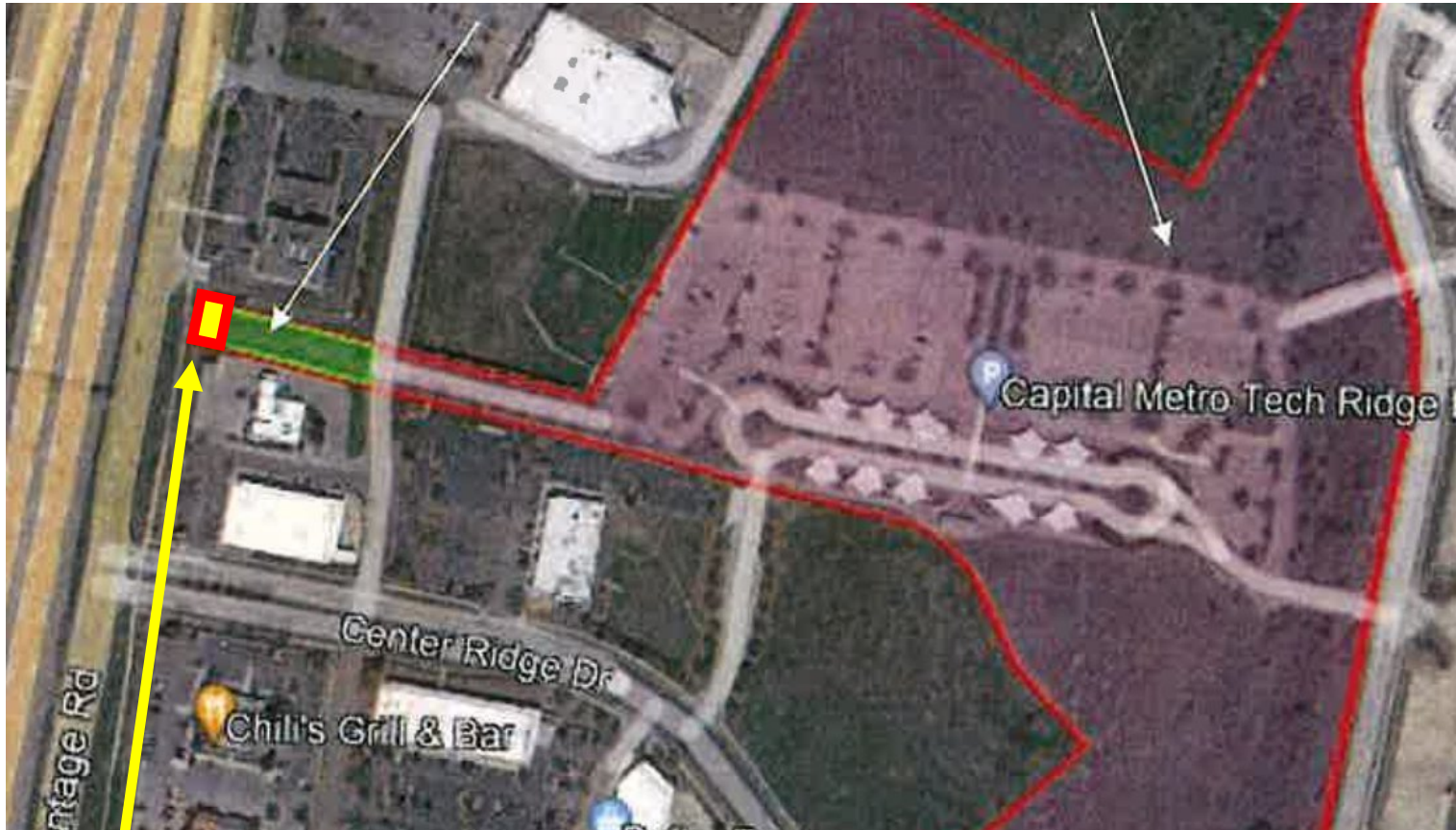
# Tech Ridge Park & Ride / Interstate 35



Approximately 60 feet in length by 10 feet wide



# Tech Ridge Park & Ride / Interstate 35



Approximately 60 feet in length by 10 feet wide

CapMetro

Thank you!



**POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES  
WITH ADDITIONAL PAYMENT OF INDEPENDENT CONSIDERATION**

<b>STATE OF TEXAS</b>	§	ROW CSJ: 0015-13-406
	§	Parcel ID: 85 (P00001081)
<b>COUNTY OF TRAVIS</b>	§	Project No.: N/A

This Possession and Use Agreement For Transportation Purposes (the "Agreement") between the State of Texas, acting by and through the Texas Department of Transportation (the "State") , and **Capital Metropolitan Transportation Authority** (the "Grantor" whether one or more), grants to the State, its contractors, agents and all others deemed necessary by the State, an irrevocable right to possession and use of the Grantor's property for the purpose of constructing a portion of Highway No. **IH 35** (the "Highway Construction Project"). The property subject to this Agreement is described more fully in field notes and plat map (attached as "Exhibit A") and made a part of this Agreement by reference (the "Property").

1. For the consideration paid by the State which is set forth in Paragraphs 2 and 3 below, the receipt and sufficiency of which is acknowledged, the Grantor grants, bargains, sells and conveys to the State of Texas the right of entry and exclusive possession and use of the Property for the purpose of constructing a highway and appurtenances thereto and the right to remove any improvements. Authorized activities include surveying, inspection, environmental studies, archeological studies, clearing, demolition, construction of permanent improvements, relocating, replacing, and improving existing utility facilities, locating new utility facilities, and other work required to be performed in connection with the Highway Construction Project. This Agreement will extend to the State, its contractors and assigns, owners of any existing utilities on the Property and those which may be lawfully permitted on the Property by the State in the future, and all others deemed necessary by the State for the purpose of the Highway Construction Project. This grant will allow the construction, relocation, replacement, repair, improvement, operation and maintenance of utilities on the Property.
2. In full consideration for this irrevocable grant of possession and use and other Grantor covenants, warranties, and obligations under this Agreement, the State will tender to the Grantor the sum of **Zero and 00/100 Dollars (\$0.00)**. The Grantor agrees that this sum represents adequate and full compensation for the possession and use of the Property. The State will be entitled to take possession and use of the Property upon tender of payment. The parties agree that the sum tendered represents 0 percent of the State's approved value, which assumes no adverse environmental conditions affecting the value of the Property. The approved value is the State's determination of the just compensation owed to the Grantor for the real property interest to be acquired by the State in the Property, encumbered with the improvements thereon, if any, and damages to the remainder, if any, save and except all oil, gas and sulphur. The parties agree that the sum tendered to Grantor will be deducted from any final settlement amount, Special Commissioners' award or court judgment. In the event the amount of the final settlement or judgment for acquisition of the Property is less than the amount the State has paid for the possession and use of the Property, then the Grantor agrees that the original amount tendered represents an overpayment for the difference and, upon written notice from the State, the Grantor will promptly refund the overpayment to the State.

3. As additional consideration, the State will tender to the Grantor the sum of **Three Thousand and 00/100 Dollars (\$3,000.00)**, the receipt and sufficiency of which is acknowledged. The parties agree that the sum tendered under this Paragraph 3:
  - (i) is independent consideration for the possession and use of Grantor's Property and represents no part of the State's compensation to be paid for the anticipated purchase of the Property; and
  - (ii) will not be refunded to the State upon any acquisition of the Property by the State.
4. The effective date of this Agreement will be the date on which payment pursuant to Paragraphs 2 and 3 above was tendered to the Grantor by the State, or disbursed to the Grantor by a title company acting as escrow agent for the transaction, (the "Effective Date").
5. The Grantor warrants and represents that the title to the Property is free and clear of all liens and encumbrances or that proper releases will be executed for the Property prior to funds being disbursed under this Agreement. The Grantor further warrants that no other person or entity owns an interest in the fee title to the Property and further agrees to indemnify the State from all unreleased or undisclosed liens, claims or encumbrances affecting the Property.
6. The parties agree that the valuation date for determining the amount of just compensation for the real property interest proposed to be acquired by the State in the Property, for negotiation or eminent domain proceeding purposes, will be the Effective Date of this Agreement.
7. This Agreement is made with the understanding that the State will continue to proceed with acquisition of a real property interest in the Property. The Grantor reserves all rights of compensation for the title and interest in and to the Property which the Grantor holds as of the time immediately prior to the Effective Date of this Agreement. This Agreement shall in no way prejudice the Grantor's rights to receive full and just compensation as allowed by law for all of the Grantor's interests in and to the Property to be acquired by the State, encumbered with the improvements thereon, if any, and damages, if any, to the remainder of the Grantor's interest in any larger tract of which the Property is a part (the "Remainder"), if any; all as the Property exists on the Effective Date of this Agreement. The State's removal or construction of improvements on the Property shall in no way affect the fair market value of the Property in determining compensation due to the Grantor in the eminent domain proceedings. There will be no project impact upon the appraised value of the Property. This grant will not prejudice the Grantor's rights to any relocation benefits for which Grantor may be eligible.
8. In the event the State institutes or has instituted eminent domain proceedings, the State will not be liable to the Grantor for interest upon any award or judgment as a result of such proceedings for any period of time prior to the date of the award. Payment of any interest may be deferred by the State until entry of judgment.
9. The purpose of this Agreement is to allow the State to proceed with its Highway Construction Project without delay and to allow the Grantor to have the use at this time of a percentage of the estimated compensation for the State's acquisition of a real property interest in the Property. The Grantor expressly acknowledges that the proposed Highway Construction Project is for a valid public use and voluntarily waives any right the Grantor has or may have, known or unknown, to contest the jurisdiction of the court in any condemnation proceeding for acquisition of the Property related to the Highway Construction Project, based upon claims that the condemning authority has no authority to

acquire the Property through eminent domain, has no valid public use for the Property, or that acquisition of the Property is not necessary for the public use.

10. The Grantor reserves all of the oil, gas and sulphur in and under the land herein conveyed but waives all right of ingress and egress to the surface for the purpose of exploring, developing, mining or drilling. The extraction of oil, gas and minerals may not affect the geological stability of the surface. Nothing in this reservation will affect the title and rights of the State to take and use all other minerals and materials thereon, and thereunder.
11. The undersigned Grantor agrees to pay as they become due, all ad valorem property taxes and special assessments assessed against Property, including prorated taxes for the year in which the State takes possession under this agreement.
12. Notwithstanding the acquisition of right of possession to the Property by the State in a condemnation proceeding by depositing the Special Commissioners' award into the registry of the court, less any amounts tendered to the Grantor pursuant to Paragraph 2 above, this Agreement shall continue to remain in effect until the State acquires title to the Property either by negotiation, settlement, or final court judgment.
13. This Agreement will also extend to and bind the heirs, devisees, executors, administrators, legal representatives, successors in interest and assigns of the parties.
14. It is agreed the State will record this document.
15. Other conditions: N/A

To have and to hold the Agreement herein described and conveyed, together with all the rights and appurtenances belonging to the State of Texas and its assigns forever, for the purposes and subject to the limitations set forth above.

EXECUTED on the date(s) of acknowledgment indicated below.

**GRANTOR: Capital Metropolitan Transportation Authority**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

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Corporate Acknowledgment

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, by \_\_\_\_\_, of Capital Metropolitan Transportation Authority, on behalf of said entity.

The acknowledging person personally appeared by:

physically appearing before me.

appearing by an interactive two-way audio and video communication that meets the requirements for online notarization under Texas Government Code, Chapter 406, Subchapter C.

\_\_\_\_\_  
Notary Public's Signature

**THE STATE OF TEXAS**

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_  
David Harrah, Right of Way Manager

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



**EXHIBIT A**

**County:** Travis  
**Highway:** IH 35  
**Limits:** FM 1825 to US 290  
**CCSJ:** 0015-13-389  
**RCSJ:** 0015-13-406  
**Project No.** R00002754

**PROPERTY DESCRIPTION FOR PARCEL P00001081**

BEING a 0.0138 of one acre (600 square foot) parcel of land situated in the T.C. Collins Survey No. 61, Abstract No. 201, in Travis County, Texas, being a portion of Lot 5, Block "A", Parmer Center North Subdivision, a subdivision of record in Document No. 200300185, Official Public Records, Travis County, Texas, said Lot 5 conveyed to Capital Metropolitan Transportation Authority (74.5%) by Special Warranty Deed dated September 15, 2003, as recorded in Document No. 2003222786, Official Public Records, Travis County, Texas, and to Capital Metropolitan Transportation Authority (25.5%) by Special Warranty Deed dated September 15, 2003, as recorded in Document No. 2003222787, Official Public Records, Travis County, Texas, save and except 0.3982 of one acre described in Document No. 2009061545, Official Public Records, Travis County, Texas; said 0.0138 of one acre (600 square foot) parcel of land being more particularly described by metes and bounds as follows:

COMMENCING at a cotton spindle in asphalt found in the south line of said Lot 5 and said Capital Metropolitan Transportation Authority, being at the northeast corner of Lot 2, Block "A", in said Parmer Center North Subdivision, said Lot 2 conveyed to Austin Telco Federal Credit Union by Special Warranty Deed, as recorded in Document No. 2009204922, Official Public Records, Travis County, Texas;

THENCE, North 78°50'20" West, along the south line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the north line of said Lot 2 and said Austin Telco Federal Credit Union tract, a distance of 272.35 feet to a 5/8-inch iron rod with TEXAS DEPARTMENT OF TRANSPORTATION aluminum cap set in the proposed east right-of-way line of IH 35, for the POINT OF BEGINNING, being 184.81 feet left of Engineer's Baseline Station 2678+24.00, and having Surface Coordinates of N=10,127,181.38; E=3,135,693.97;

**EXHIBIT A**

- 1) **THENCE, North 78°50'20" West**, continuing along the south line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the north line of said Lot 2 and said Austin Telco Federal Credit Union tract, a distance of **10.01 feet** to a 1/2-inch iron rod with "BURY AND PARTNERS" cap found at the southwest corner of said Lot 5 and said Capital Metropolitan Transportation Authority tract, being at the northwest corner of said Lot 2 and said Austin Telco Federal Credit Union tract, and being in the existing east right-of-way line of IH 35 (varying width);
- 2) **THENCE, North 07°58'28" East**, along the west line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the existing east right-of-way line of IH 35, a distance of **60.00 feet** to a TxDOT Type II monument found at the northwest corner of said Lot 5 and said Capital Metropolitan Transportation Authority tract, being in the south line of Lot 3, Block "A", Resubdivision of Lot 2A Block "A" Amendment of Lot 2 and Lot 3 Block "A" Scofield Ranch Retail Subdivision, a subdivision of record in Document No. 200100334, Official Public Records, Travis County, Texas, said Lot 3 conveyed to HD Development Properties, L.P. by Special Warranty Deed, as recorded in Document No. 2005069869, Official Public Records, Travis County, Texas;
- 3) **THENCE, South 78°49'27" East**, along the north line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the south line of said Lot 3 and said HD Development Properties tract, a distance of **10.01 feet** to a 5/8-inch iron rod with TxDOT aluminum cap set in the proposed east right-of-way line of IH 35, being 184.80 feet left of Engineer's Baseline Station 2677+64.00;
- 4) **THENCE, South 07°58'28" West**, along the proposed east right-of-way line of IH 35, crossing said Lot 5 and said Capital Metropolitan Transportation Authority tract, a distance of **60.00 feet** to the POINT OF BEGINNING and containing 0.0138 of one acre (600 square feet) of land within these metes and bounds.

The bearings and coordinates are based on the Texas Coordinate System, Central Zone (4203), North American Datum of 1983, 2011 Adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a surface adjustment factor of 1.00011.

Access is permitted to the highway facility from the abutting remainder property.



**EXHIBIT A**

A parcel plat of even date was prepared in conjunction with this property description.

**STATE OF TEXAS**     §  
                                  §  
**COUNTY OF TRAVIS** §

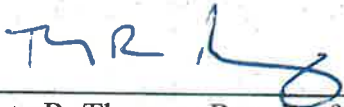
**KNOW ALL MEN BY THESE PRESENTS:**

That I, Troy R. Thomas, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 8th day of October, 2021 A.D.

**SURVEYED BY:**

**McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591  
TBPELS Survey Firm# 10095500



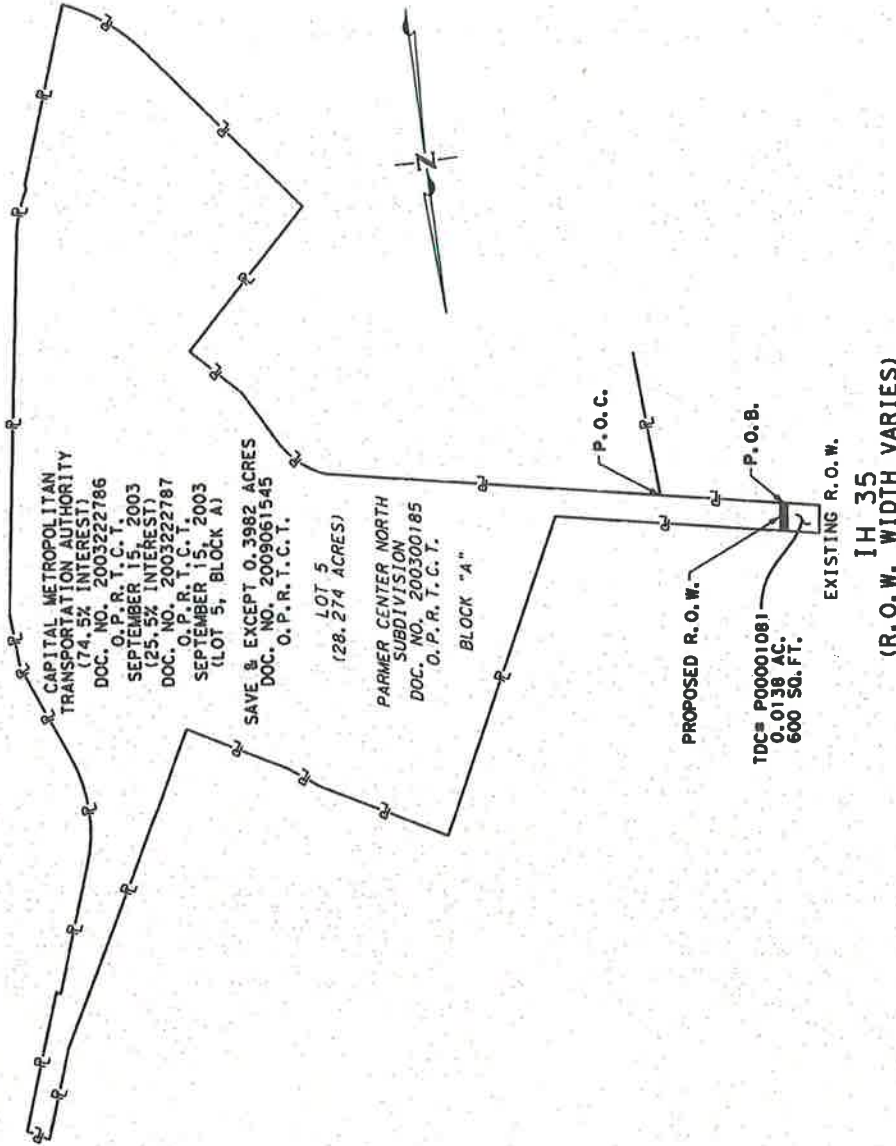
10/8/2021

Troy R. Thomas, Reg. Professional Land Surveyor No. 6130  
M:\TxDOT Division~IH35~SH 45 to FM 1825\Description\Parcel 85



NOTES:

1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET.
2. COORDINATES AND DISTANCES ARE DISPLAYED IN SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00011.
3. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY COMMUNITY NATIONAL TITLE LLC AS GE#200302140W EFFECTIVE ON MARCH 31, 2020 AND ISSUED ON APRIL 14, 2020.
4. FIELD SURVEYING WAS PERFORMED FROM JULY 2020 THROUGH AUGUST 2021.
5. ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE ABUTTING REMAINDER PROPERTY.
6. RIGHT OF ENTRY WAS GRANTED BY THE LANDOWNER AT THE TIME OF SURVEY.
7. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.



PROPERTY INSET  
NOT TO SCALE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

*Troy R. Thomas*  
TROY R. THOMAS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6130

10/8/2021  
DATE

REGISTERED PROFESSIONAL LAND SURVEYOR

REVISIONS

CALCULATED	ACQUISITION	REMAINING LT
27,876 AC. 1,214,270 SQ. FT.	0.0138 AC. 600 SQ. FT.	27,862 AC. 1,213,670 SQ. FT.



Texas Department of Transportation

McGRAY & McGRAY  
LAND SURVEYORS, INC.  
TBPELS SURVEY FIRM # 10095500  
3301 HANCOCK DRIVE #6  
AUSTIN, TEXAS 78731  
(512) 451-8591  
www.mcgray.com

PARCEL PLAT SHOWING  
TDC# P00001081  
IH 35 (FM 1825 TO US 290)  
TRAVIS COUNTY, TEXAS  
C.C.S.J.: 0015-13-389  
R.C.S.J.: 0015-13-406

DATE: OCTOBER 2021 SCALE: N.T.S.

**T.C. COLLINS SURVEY NO. 61,  
ABSTRACT NO. 201**

RESUBDIVISION OF LOT 24, BLOCK A  
AMENDMENT OF LOT 2 AND LOT 3, BLOCK A  
SCOFFIELD RANCH RETAIL SUBDIVISION  
DOC. NO. 200100334  
O.P.R.T.C.T.

BLOCK "A"

HD DEVELOPMENT  
PROPERTIES, L.P.  
DOC. NO. 2005059869  
O.P.R.T.C.T.  
JANUARY 1, 2005  
(1.942 ACRES)

LOT 3

LOT 5  
(28.274 ACRES)

(S78°51'36"E 573.20')

P.O.C.  
COTTON  
SPINDLE

CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY  
(74.5% INTEREST)  
DOC. NO. 2003222786  
O.P.R.T.C.T.  
SEPTEMBER 15, 2003  
(25.5% INTEREST)  
DOC. NO. 2003222787  
O.P.R.T.C.T.  
SEPTEMBER 15, 2003  
(LOT 5, BLOCK A)

PARMER CENTER NORTH SUBDIVISION  
DOC. NO. 200300185  
O.P.R.T.C.T.

BLOCK "A"

AUSTIN TELCO FEDERAL  
CREDIT UNION  
DOC. NO. 2009204922  
O.P.R.T.C.T.  
DECEMBER 10, 2009  
LOT 2  
(0.840 ACRES)

WATER LINE EASEMENT  
DOC. NO. 2002202891  
O.P.R.T.C.T.  
(0.129 ACRE)

10' ELECTRIC AND  
TELECOMMUNICATIONS EASEMENT  
DOC. NO. 200300185  
O.P.R.T.C.T.

10' ELECTRIC  
UTILITY EASEMENT  
DOC. NO. 2002216620  
O.P.R.T.C.T.

STA. 2677+64.00  
184.80' LT

SEE  
DETAIL  
"A"

PROPOSED  
L4  
R.O.W.  
(L2)

TXDOT TYPE II  
MONUMENT

1/2" IRON ROD  
W/ "BURY AND  
PARTNERS" CAP  
DOC. NO. 2002177988  
O.P.R.T.C.T.  
(0.200 AC.)

EXISTING R.O.W.

EXISTING R.O.W.

TDC# P00001081  
0.0138 AC.  
600 SQ. FT.

STATE OF TEXAS  
VOL. 1061, PG. 496-97  
D.R.T.C.T.  
(30.401 ACRES)

ENGINEER'S BASELINE 507°58'44"W 16,485.72' 2680+00

IH 35  
(R.O.W. WIDTH VARIES)

STATE OF TEXAS  
VOL. 1061, PG. 496-97  
D.R.T.C.T.  
(30.401 ACRES)

ENGINEER'S BASELINE 507°58'44"W 16,485.72' 2680+00



SCALE 1" = 50'

LINE	BEARING	DISTANCE
L1	N78°50'20"W	10.01'
(L2)	(N07°58'38"E)	(60.10')
L3	S78°49'27"E	10.01'
L4	S07°58'28"W	60.00'

**LEGEND**

- MONUMENT FOUND (AS INDICATED)
- TXDOT TYPE I MONUMENT, CONCRETE POST FOUND
- TXDOT TYPE II BRONZE DISK SET IN CONCRETE (UNLESS NOTED)
- 5/8" IRON ROD W/ TXDOT ALUMINUM CAP SET (UNLESS NOTED)
- (XXX) RECORD INFORMATION
- PROPERTY LINE (OWNERSHIP DIVISION)
- DEED LINE (OWNERSHIP IN COMMON)
- ACCESS DENIAL LINE (A.D.L.)
- DISTANCE NOT TO SCALE

**LEGEND**

- EASEMENT LINE (AS NOTED)
- TXDOT CONNECT PARCEL #
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- N.T.S. NOT TO SCALE
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

**Texas Department of Transportation**

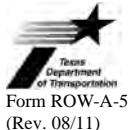
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DATE: OCTOBER 2021 SCALE: 1" = 50'

PAGE 5 OF 5





REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: 900 Center Ridge Drive, Austin, TX 78753
Property Owner: Capital Metropolitan Transportation Authority
Address of Property Owner: 2910 E. 5th Street, Austin, TX 787024
Occupant's Name: OAS Site
Whole: [ ] Partial: [x] Acquisition

District: Austin
Parcel: 85 (P00001081)
ROW CSJ: 0015-13-406
Federal Project No: N/A
Highway: IH-35 County: Travis

Purpose of the Appraisal

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulphur. If this acquisition is of less than the whole property, then any special benefits and /or damages to the remainder property must be included in accordance with the laws of Texas.

Market Value

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

Certificate of Appraiser

I hereby certify:

That it is my opinion the compensation for the acquisition (not including the off-premise sign structure (aka Outdoor Advertising Sign, Billboard sign) of the herein described property is \$11,382 as of November 12, 2021, based upon my independent appraisal and the exercise of my professional judgment;

That on 08/30/2021 and November 12, 2021, I personally inspected in the field the property herein appraised; that I attempted to afford the property owner the opportunity to accompany me at the time of the inspection; that the inspection was conducted unaccompanied;

That the comparables relied upon in making said appraisal was as represented by the photographs contained in the appraisal report and were inspected October 14, 2021 and other dates;

That I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the Texas Department of Transportation or officials of the Federal Highway Administration until authorized by State officials to do so, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified to such findings;

That my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82nd Regular Legislative Session and finds as follows:

- 1. Is there a denial of direct access on this parcel? No
2. If so, is the denial of direct access material? N/A
3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of \$0.

I certify to the best of my knowledge and belief:

That the statements of fact contained in this report are true and correct;

That the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;

That I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right of way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement for which such property is to be acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration within the reasonable control of the owner, has been disregarded in estimating the compensation for the property.

William C. Boone IV

Appraiser Signature - W. Cameron Boone, IV, MAI, R/W-AC
TX-1338682-G
Certification Number
November 15, 2021
Date

To the best of my knowledge, the value does not include any items which are not compensable under State law.
[Signature]
1/4/2022
Reviewing Appraiser Date



## Appendices

- A. Certification, Limiting Conditions & Assumptions, Appraiser Qualifications
- B. Definitions
- C. Project Information
- D. Subject Information
- E. Correspondence

## General Information & Scope of Work

### IDENTIFICATION OF SUBJECT AND PROJECT

The Subject Whole property is legally described as All of Lot 5, Block A, Parmer Center North Subdivision, a resubdivision of the replat of Block B Parmer Center Section II, a subdivision in Travis County, Texas. The property is situated in the T.C. Collins Survey No. 61, Abstract No. 201, in Travis County, Texas. The Whole Property contains approximately 27.876 acres of land or 1,214,270 square feet.

The acquisition is legally described as BEING a 0.0138 of one acre (600 square foot) parcel of land situated in the T.C. Collins Survey No. 61, Abstract No. 201, in Travis County, Texas, being a portion of Lot 5, Block "A", Parmer Center North Subdivision, a subdivision of record in Document No. 200300185, Official Public Records, Travis County, Texas.

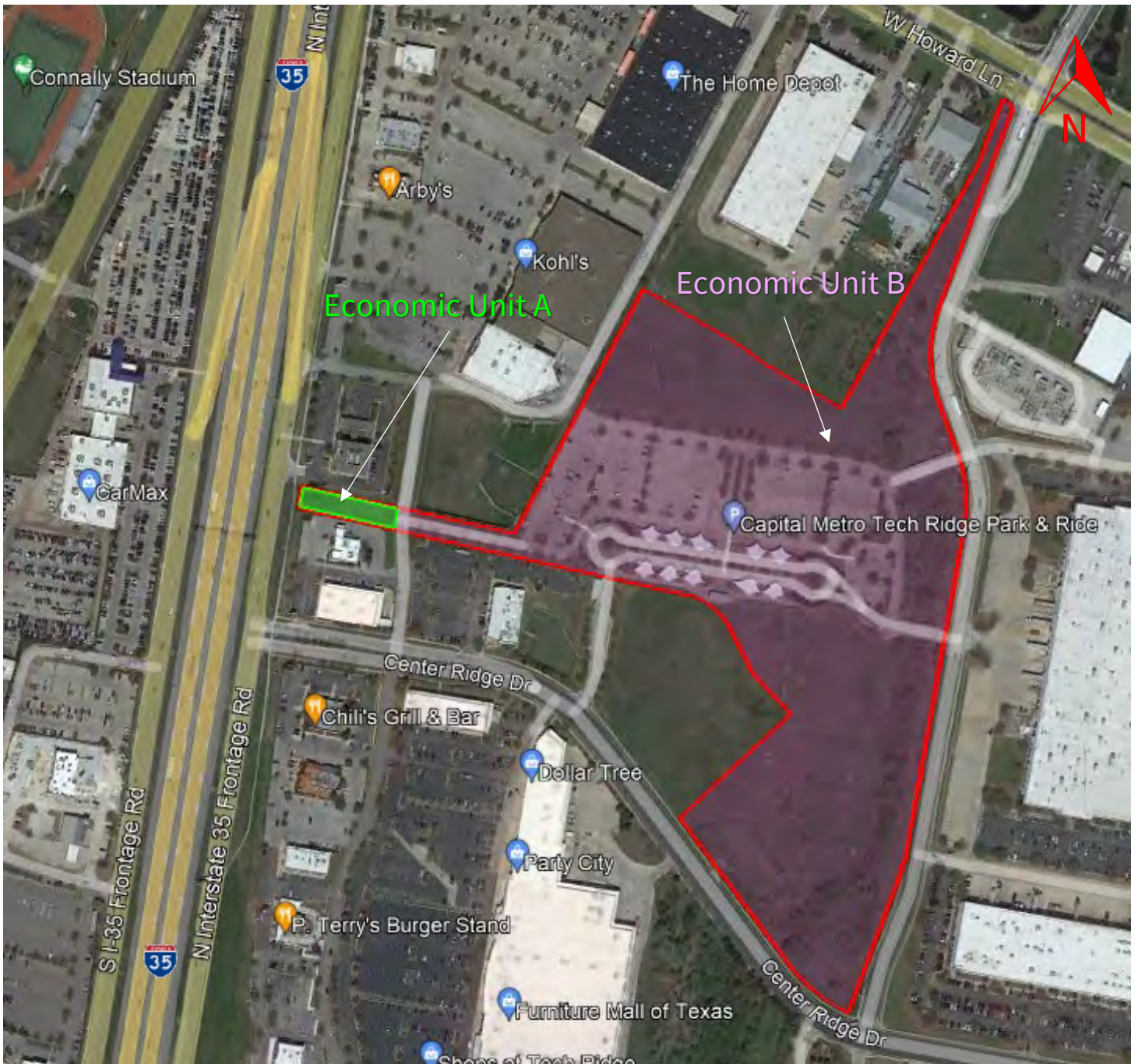
Because Mouse Lane bisects the property and for the purpose of this appraisal the whole property has been partitioned into two economic units.

Economic Unit A is a 14,910 square foot or 0.3423-acre piece of land from which the acquisition will be acquired. This economic unit contains the outdoor advertising sign.

Economic Unit B is the remaining 1,199,360 SF or 27.5335-acre parcel of land east of Mouse Lane. Because Economic Unit B is not affected by the acquisition, this portion of the property has not been valued.

As of the date of value, November 15, 2021, Economic Unit A is improved with a 14' x 48', illuminated, double-faced outdoor advertising sign located near the west line of the property. The sign is not impacted by the acquisition. Because the sign encumbers a large portion of Economic Unit A, the highest and best use of Economic Unit A is for a sign site.

## Subject Aerial



This aerial map identifies the subject property outlined in red. The green and purple fill are representative of Economic Unit A and Economic Unit B, respectively.



## Salient Facts

### CURRENT OWNERSHIP AND SALES HISTORY

The *Uniform Standards of Professional Appraisal Practice (USPAP)* requires full disclosure of any sales or property transfers within the previous three years of the date of value. Furthermore, the Texas Department of Transportation (TxDOT) managed projects, such as the one involving this property, requires like disclosure for five years prior to the date of value.

According to the title report provided to the appraiser and public information available, the property transferred in two separate conveyances for an undisclosed amount of money: 74.5% from TR EL, LTD, a Texas limited partnership to Capital Metropolitan Transportation Authority, recorded under Special Warranty Deed - Document No. 2003222786, and 25.5% from Target Corporation, A Minnesota Corporation to Capital Metropolitan Transportation Authority, recorded under Special Warranty Deed - Document No. 2003222787. Both transactions occurred on September 15, 2003.

At present, there is an outdoor advertising sign on a portion of the property. The ground lease for this sign is between Reagan National Advertising of Austin, Inc. and the owner of record.

To the best of our knowledge, no other sale or transfer of ownership had occurred within the past five years of the date of value of the appraisal. The property was not subject to an agreement of sale or option to buy and was not listed for sale as of the retrospective date of value.

### REAL ESTATE TAX ASSESSMENT

Real estate tax assessments are estimated by jurisdiction on a county basis for the subject. The property is located in Travis County. Real estate taxes in this state and this jurisdiction represent ad valorem taxes, meaning a tax applied in proportion to value. The real estate taxes for an individual property may be determined by dividing the assessed value for a property by 100, then multiplying by the composite rate. Real estate taxes are due January 31<sup>st</sup> of each year and are considered delinquent on February 1<sup>st</sup>. Assessed values are established as of January 1<sup>st</sup> each year but are usually published between February and May. The tax rates for the year are usually set in October. The property tax identification number, 2021 assessed value of the property, and 2021 overall tax rate are as follows:

<b>Travis CAD Property Tax ID Number(s)</b>	<b>548530</b>
<b>Land Assessment</b>	\$9,471,441
<b>Building Assessment</b>	\$25,984
<b>Total Assessment</b>	\$9,497,425
<b>Total Tax Rate/\$100 of Assessed Value</b>	2.546265%
<b>Indicated Tax Liability</b>	\$ 241,829.61

As noted, the Travis County Appraisal District assessed value differs from the estimate of market value contained within this appraisal report. It should be noted that appraisal districts value properties using a mass valuation appraisal technique. In doing so, specific properties are grouped by their size, condition and location and compared to a common set of comparable properties. While some adjustments are contemplated, specific adjustments for characteristics unique to certain properties are not considered. In a real estate appraisal of a single asset as is conducted within this report, appraisal methodology dictates that the property is specifically considered and adjusted to the market and comparable using accepted methodologies. The specific nature of the appraisal assignments for compensation in an eminent domain matter necessitates specific valuation of the Subject Property. The valuation conducted by the Travis County Appraisal District is for taxation purposes and does not consider all of the potential characteristics of a property that result in differentiation in value. For this reason, it is unlikely that the assessed value reported by the Travis County Appraisal District will mirror the estimate of market value as determined within this appraisal report. Additionally, it should be noted that while the assessed value of the property is included for information purposes, absolutely no reliance is placed upon the values determined through mass appraisal techniques. The estimate of value and corresponding estimate of compensation included within this report are specific to the property as dictated by appropriate appraisal techniques.



**INSPECTION INFORMATION, EFFECTIVE DATE AND DATE OF REPORT**

The appraiser attempted to contact the property owner via certified mail. The appraisers were unable to contact the property owner and thus performed the property inspection from the existing right-of-way. The property was last inspected on November 12, 2021.

**IDENTIFICATION OF THE CLIENT**

The client of this appraisal report is TxDOT. The intended users of this report are TxDOT, ORC Utility & and Infrastructure Land Services, LLC and their assigns.

**PRIOR SERVICES**

W. Cameron Boone, IV, MAI, R/W-AC, David R. Dominy, MAI, CRE, FRICS, and Richard W. Scholtz, R/W-AC have not performed services in connection with the Subject Property within the three-year period immediately preceding acceptance of this assignment.

**INTENDED USERS AND INTENDED USE**

The only intended user of this report is the client and its employees/agents. This report may also be used by an outside entity hired by the client to assist in the assignment. The intended use of this appraisal is to assist the client in their determination of adequate compensation due to the property owner, in compliance with the Texas Constitution, Article 1, Section 17, to be paid for the acquisition of Real Property interest for a public purpose as described herein. Others may receive a copy of this report due to legal requirements of disclosure, but the report is not intended for any other use or user (i.e. mortgage lending, tax assessment, etc.).

**OBJECTIVE OF THE ASSIGNMENT**

The objective of the assignment is to develop an opinion of real property compensation due to the property owner, which includes the Retrospective Market Value of the Fee Simple interest of the Part to be Acquired, plus any applicable damages to the remainder property. In some assignments, the Market Value of permanent or temporary easement interest(s) are required. “Market Value” and “Fee Simple” are defined and cited in the addenda of this report. “Retrospective Market Value” is defined as “a value opinion effective as of a specified historical date.<sup>1</sup>”

**APPRAISAL REPORT OPTION**

This is an appraisal report that complies with the reporting requirements set forth under Standards Rule 2-2(a) of the *Uniform Standards of Professional Appraisal Practice (USPAP)*. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended use of the appraisal as noted herein.

**DEFINITION OF MARKET VALUE**

Market Value is defined by *City of Austin v. Cannizzo*, 267 S.W. 2d 808 (Tex 1954) as being:

“The price the property would bring when offered for sale by one who desires to sell, but is not obliged to sell, and is bought by one who desires to buy, but is under no necessity of buying, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is, or in all reasonable probability, will become available within the reasonable future.”

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<sup>1</sup> *The Dictionary of Real Estate*, Sixth Edition. Chicago: Appraisal Institute, 2015

### EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL ASSUMPTIONS

The following conclusions are subject to the following extraordinary assumptions that may affect the assignment results. An extraordinary assumption is uncertain information accepted as fact. If the assumption is found to be false as of the effective date of the appraisal, we reserve the right to modify our value conclusions.

1. In this analysis, we have assumed no extraordinary assumptions.

The value conclusions are based on the following hypothetical conditions that may affect the assignment results. A hypothetical condition is a condition contrary to a fact known by the appraiser on the effective date of the appraisal but is supposed for the purpose of analysis, relating to a specific assignment.

1. The appraisal of the remainder property assumes that the proposed public or private improvements are in place as of the date of valuation.

### SUPPLEMENTAL STANDARDS

This report is intended to comply with the *Uniform Standards of Professional Appraisal Practice (USPAP)*. Supplemental standards or other criteria for appraisals are described in the *Code of Federal Regulations (CFR), Title 49 – Transportation, Section 24.103*. Because the estimate of real property compensation in this report may be paid with federal funds, the basic appraisal requirements for Federal and Federally-assisted programs and projects may apply from the CFR, Title 49 part 24.

### JURISDICTIONAL EXCEPTIONS

The Jurisdictional Exception Rule provides for severability preserving the balance of the Uniform Standards of Professional Appraisal Practice (USPAP). If one or more parts of USPAP are “contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction.” According to USPAP, “A law means a body of rules with binding legal force established by controlling governmental authority.” This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the adherence to USPAP.

The appraisal of the Whole Property considered all factors willing, knowledgeable buyers and sellers would consider in negotiating the purchase price of the property, except the influence of the proposed roadway improvements, as required by Standards Rule 1-4(f). This exception was made under the Jurisdictional Exception provision of USPAP. It is the appraisers’ understanding that enhancement caused by the public project is not to be considered as a matter of law. In addition, the appraisal of the Remainder considered all factors a willing, knowledgeable buyers and sellers would consider in negotiating the purchase of the property including the use to which the Part to be Acquired is to be put to use and the effects of the condemnation but excluded the effects of all non-compensable elements. Such exclusion is permitted under the Jurisdictional Exception provision of USPAP. Furthermore, the appraisal of the Remainder assumed that the proposed roadway improvements were complete as of the effective date of valuation. This assumption is also permissible under the Jurisdictional Exception of USPAP.

## HYPOTHETICAL CONDITIONS

In the State of Texas, appraisal reports prepared for eminent domain purposes may recognize one or more hypothetical conditions. A hypothetical condition is “that which is contrary to what exists but is supposed for the purpose of analysis.” For example, the appraisal of a remainder property assumes that the proposed public or private improvements were complete as of the effective date of valuation, when in fact it is known that they are not.

The use of hypothetical conditions derived from public policy and case law does not result in a process that is limited or renders the results no longer credible. In this analysis, no other hypothetical condition is invoked.

## CASE LAW AND LEGISLATIVE PRECEDENTS

For right-of-way projects in the State of Texas, there are also several cases that may establish compensable and non-compensable elements resulting from a project. For example, regarding the compensation for landscaping, the Texas Supreme Court stated in the case of *White vs. Natural Gas* that “in eminent domain proceedings our courts have consistently held that the landowner cannot recover for damage to crops, loss of trees, ornamental shrubs, etc., as separate items. These features can be taken into consideration in determining compensation only insofar as they affect the market value of the land, as land.<sup>2</sup>”

A necessary component of right-of-way appraisal is the exclusion of project influence. Project influence is any decrease or increase in the market value of real property caused by the project for which the property is to be acquired, or by the likelihood that the property would be acquired for the project. (See 49 CFR 24.103—Code of Federal Regulation (CFR), Title 49 (Transportation), Chapter A, Part 24, Subpart B, Section 24.103). The US Department of Transportation also utilizes this same rule and directs local public agencies to do the same (USDOT, Federal Highway Administration, Real Estate Acquisition Guide for Local Public Agencies, Section 24.103 “Criteria for Appraisals” 2(b)). Furthermore, Texas case law also requires project influence to be excluded. See *City of Fort Worth v. Corbin*, Texas Supreme Court (504 S.W.2d 828. Texas, 1974) and *City of El Paso v. Coffin* (88 S.W. 502. Texas, 1905).

As pertaining to so-called “community damages”, Subsection (d), Section 21.042, of Title 4 the Texas Property Code states:

(d) In estimating injury or benefit under Subsection (c), the special commissioners shall consider an injury or benefit that is peculiar to the property owner and that relates to the property owner's ownership, use, or enjoyment of the particular parcel of real property, including a material impairment of direct access on or off the remaining property that affects the market value of the remaining property, but they may not consider an injury or benefit that the property owner experiences in common with the general community, including circuity of travel and diversion of traffic. In this subsection, "direct access" means ingress and egress on or off a public road, street, or highway at a location where the remaining property adjoins that road, street, or highway.

## EXPOSURE TIME

The estimated exposure time for the Subject Property is approximately one year.

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<sup>2</sup> *White v. Natural Gas Pipeline Company of America*, 444 S.W.2d 298, 301 (Tex. 1969)

**ANALYSIS OVERVIEW/SCOPE OF WORK**

To perform this assignment, we took the following steps to gather, confirm, and analyze relevant data:

- Physically inspected the Subject Property and the surrounding market area. The inspection of the property is limited to those things readily observable without the use of special testing or equipment.
- Collected factual information about the property and the surrounding market and confirmed the information with various sources.
- Performed a highest and best use analysis of the Subject site as vacant and as improved when applicable.
- Gathered market information on comparable land sales as well as construction costs and depreciation estimates on improvements and site improvements. When possible, the comparable sale information was confirmed with at least one of the parties to the transaction.
- Analyzed market information and developed indications of value under the necessary approaches to value for a credible assignment result. The market information was analyzed for an appraisal of the Whole Property, the Part to be Acquired and the value of the Remainder Before and Remainder After the acquisition.
  - The Subject Property is valued as an Outdoor Advertising Sign (OAS) site.
  - The appraisal of real estate typically employs three traditional valuation methods: the Sales Comparison Approach, the Cost Approach, and the Income Approach. For the purpose of this analysis, the Sales Comparison Approach for land, the Cost Approach and the Sales Comparison Approach – As Improved are not utilized. The value of the Subject Economic Unit A is developed by way of a sign site valuation utilizing the Income Approach. The highest and best use of Economic Unit A is as a sign site.
- Partitioned the Whole Property value opinion between the Part to be Acquired and the Remainder Before the Acquisition. The Part to be Acquired and Remainder Before estimates are prorated allocations of the Whole Property.
- Performed a highest and best use analysis on the Acquisition Parcel.
- Performed a highest and best use analysis on the Remainder After with consideration to the impact on the remainder property as a result of the proposed acquisition. If necessary, the cost to cure and restore the functional utility of the Remainder After was estimated.
- Derived an estimate of the total compensation due to the owner of the property as the result of a proposed acquisition by summation of the Part to be Acquired and any damages. The damages, if any, were calculated based on the difference in the value opinion for the Remainder Before and Remainder After.
- Prepared an appraisal report summarizing our analyses, opinions and conclusions. In this analysis, the appraiser has relied upon the Income Approach to value. The Sales Comparison Approach – As Improved and Cost Approach have not been utilized to value the subject.

This analysis is based on a partial acquisition in which the owner will continue to have ownership in the remaining property.

**PERSONAL PROPERTY AND TRADE FIXTURES**

The estimate of compensation in this report is for real property interest, or real estate which includes the physical land and improvements attached to the land. This report does not include a value estimate for personal property or trade fixtures unless represented otherwise in this report. According to the *Code of Federal Regulations (CFR), Title 49 – Transportation, Section 24.103(a)(1)*, “The appraisal report should identify the items considered in the appraisal to be real property, as well as those identified as personal property”. The real property or real estate is described in other sections of this report, or the *Description and Analysis of the Land* and in the *Description and Analysis of the Improvements*, if applicable.

There was no personal property noted on the subject other than the outdoor advertising sign that is the property of the ground lessee, Reagan Outdoor Advertising.

SUBJECT AERIAL



The red outline is the whole property. The green fill is Economic Unit A. The purple fill is Economic Unit B.



**PHOTOGRAPHS OF SUBJECT PROPERTY**  
**Include Each Major Improvement**

Parcel No.: 85

Date Taken: August 30, 2021

1. Point from which taken: IH 35 ROW

Local Address: 900 Center Ridge Drive, Austin, TX

Taken By: W. Cameron Boone, IV, MAI, R/W-AC

Looking: North along northbound frontage road



2. Point from which taken: IH 35 ROW

Looking: South along northbound frontage road





**PHOTOGRAPHS OF SUBJECT PROPERTY**  
**Include Each Major Improvement**

Parcel No.: 85

Date Taken: August 30, 2021

3. Point from which taken: Southerly adjacent property

Local Address: 900 Center Ridge Drive, Austin, TX

Taken By: W. Cameron Boone, IV, MAI, R/W-AC

Looking: North along proposed acquisition



4. Point from which taken: North adjacent property

Looking: South along proposed acquisition





**PHOTOGRAPHS OF SUBJECT PROPERTY**  
**Include Each Major Improvement**

Parcel No.: 85

Date Taken: August 30, 2021

5. Point from which taken: Adjacent to the SWC of Subject site

Local Address: 900 Center Ridge Drive, Austin, TX

Taken By: W. Cameron Boone, IV, MAI, R/W-AC

Looking: Northeast at sign (sign is not in the acquisition)



6. Point from which taken: Mouse Lane right-of-way

Looking: West





## Market Area Analysis

### Austin MSA Area Demographics

The subject is located in the Austin-Round Rock, TX Metropolitan Statistical Area, hereinafter called the Austin MSA, as defined by the U.S. Office of Management and Budget. The Austin MSA is 4,224 square miles in size, and ranks #27 in population out of the nation’s 382 metropolitan areas.

### Population

The Austin MSA has an estimated 2021 population of 2,356,867, which represents an average annual 2.9% increase over the 2010 census amount of 1,716,289. Austin MSA added an average of 58,234 residents per year over the 2010 - 2021 period, and its annual growth rate is greater than that of the State of Texas.

### Population Trends

Area	Population			Compound Ann. % Chng	
	2010 Census	2021 Est.	2026 Est.	2010 - 2021	2021 - 2026
1 mi. radius	5,834	7,288	7,787	2.0%	1.3%
3 mi. radius	104,933	137,963	149,655	2.5%	1.6%
5 mi. radius	232,704	291,221	314,338	2.1%	1.5%
Travis County	1,024,266	1,336,453	1,485,793	2.4%	2.1%
Austin MSA	1,716,289	2,356,867	2,674,940	2.9%	2.6%
Texas	25,145,561	29,969,514	32,346,738	1.6%	1.5%
United States	308,745,538	333,934,112	345,887,495	0.7%	0.7%

Source: Esri 2021. Compiled by JLL Valuation & Advisory Services, LLC.

Looking forward, the Austin MSA’s population is projected to sharply increase at a 2.6% annual rate from 2021 - 2026, equivalent to the addition of an average of 63,615 residents per year. The Austin MSA growth rate is expected to exceed that of Texas, which is projected to be 1.5%.

### Conclusion

The Austin MSA's economy will benefit from a rapidly growing population base, and higher income and education levels. The Austin MSA saw an increase in the number of jobs in the past 10 years and has maintained a lower unemployment than Texas during the past decade. Furthermore, the Austin MSA is influenced positively from having both a higher rate of GDP growth in the past nine years and a higher level of GDP per capita than Texas overall. We project that the Austin MSA’s economy will improve and employment will grow, strengthening the demand for real estate overall.

## Surrounding Area Analysis

### Boundaries

The subject is located in the northern area of Austin along the IH 35 corridor. The boundaries for this project are from FM 1825 to US Highway 290. Due to the built-out nature of the area, market sales and/or rent data outside the immediate neighborhood may be used for analysis purposes.

A snapshot of the surrounding area demographics, including population, households, and income data, is displayed in the following table.

### Surrounding Area Demographics

	1 mi. radius	3 mi. radius	5 mi. radius	Travis County	Austin MSA	Texas	United States
<b>Population</b>							
2010	5,834	104,933	232,704	1,024,266	1,716,289	25,145,561	308,745,538
2021	7,288	137,963	291,221	1,336,453	2,356,867	29,969,514	333,934,112
2026	7,787	149,655	314,338	1,485,793	2,674,940	32,346,738	345,887,495
Compound Chg 2010 - 2021	2.04%	2.52%	2.06%	2.45%	2.93%	1.61%	0.72%
Compound Chg 2021 - 2026	1.33%	1.64%	1.54%	2.14%	2.56%	1.54%	0.71%
Density	2,322	4,881	3,709	1,350	558	115	95
<b>Households</b>							
2010	2,985	42,773	94,635	404,467	650,459	8,922,933	116,716,292
2021	3,833	56,389	118,062	528,236	894,088	10,615,809	126,470,675
2026	4,095	61,068	127,268	587,563	1,014,882	11,454,078	131,047,364
Compound Chg 2010 - 2021	2.30%	2.54%	2.03%	2.46%	2.93%	1.59%	0.73%
Compound Chg 2021 - 2026	1.33%	1.61%	1.51%	2.15%	2.57%	1.53%	0.71%
<b>Other Demographics</b>							
Med. Household Income	\$73,388	\$69,671	\$69,029	\$83,370	\$81,998	\$63,524	\$64,730
Avg. Household Size	1.9	2.4	2.5	2.5	2.6	2.8	2.6
College Graduate %	42.9%	44.2%	42.9%	51.7%	46.0%	31.3%	33.6%
Median Age	34	34	33	34	35	35	39
Owner Occupied %	36%	42%	43%	54%	61%	63%	65%
Renter Occupied %	64%	58%	57%	46%	39%	37%	35%
Med. Home Value	\$253,611	\$238,954	\$244,793	\$369,321	\$319,822	\$224,879	\$264,021

Source: Esri 2021. Compiled by JLL Valuation & Advisory Services, LLC.

As illustrated above, the current population within a three-mile radius of the subject is 137,963, and the average household size is 2.4. Population in the area has risen relatively rapidly since the 2010 census, and this trend is expected to continue in the ensuing five years. The pace of population growth within a three-mile radius is projected to be less than that of the Austin MSA overall.

Median household income is \$69,671, which is considerably lower than the household income for the Austin MSA as a whole. The populace within a three-mile radius has less formal college education than residents in the Austin MSA, and median home values in the area are also substantially lower.

The following table presents a summary of the convenience of walking and biking to amenities in the neighborhood around the subject property, as well as its accessibility to public transportation.

**Walk, Bike, and Transit Information**

Metric	Rating (0-100)	Description
Walk Score	57	Somewhat Walkable
Bike Score	59	Bikeable
Transit Score	45	Some Transit
Mass Transit	Mi. from Subj.	Location
Nearest Bus Stop	0.3	12416 Lamar/Parmer

Summary: 8 nearby routes: 8 bus, no rail/other

Source: Walkscore.com, updated 06/14/2021. Compiled by JLL Valuation & Advisory Services, LLC.

**Land Use**

In the immediate vicinity of the subject property, land uses along this major corridor include single tenant, multi-tenant and service oriented commercial uses, office, hotel/motels, multi-family residential, restaurants, fueling stations, etc. The area has a full spectrum of uses serving the Austin area.

**Demand Generators**

Major employers in the area included University of Texas at Austin, Dell Inc., Seton Healthcare Network, Wal-Mart Stores, Inc. and St. David’s Healthcare. IH 35 is one of the major north/south corridors through Austin with good supporting retail and entertainment services. The area has a mix of older and newer facilities. Finally, the subject has above average area linkages providing access to many job centers and surrounding development.

**Access and Linkages**

As indicated, IH 35 is a major freeway through Austin and is a major north/south Interstate Highway through Texas. It runs between Laredo near the Mexican border to Red River near Gainesville where it crosses into Oklahoma. It passes through San Antonio, Austin, Waco and then through Dallas and Fort Worth. In the Austin area, crossroads along the TXDOT project include US 183, Rundberg Lane, Braker Lane, Tech Ridge Boulevard, Parmer Lane, Howard Lane, Wells Branch Parkway, Grand Avenue Parkway and Toll road 45.

**Safety and Support Services**

Police and Fire Stations are located in proximity to the TXDOT project along IH 35. The neighborhood is located in the Austin Independent School District. The school district has 125 schools consisting of elementary, middle, high, early college, academy, magnet, alternative and community schools.

**Outlook and Conclusion**

The subject’s area has experienced recent employment growth and construction activity has been strong contributing to our conclusion that the subject’s area is in the growth stage of its life cycle.

**DESCRIPTION AND ANALYSIS OF THE LAND**

The following description is based on our inspection of the property as well as information provided by TXDOT. This included a review of the survey plan dated October 8, 2021 and prepared by McGray & McGray Land Surveyors, Inc. of Austin, Texas. A copy of the field notes and survey is located in the addenda of this report.

**PHYSICAL FEATURES**

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<b>Land Area</b>	Economic Unit A contains 0.3423 acres (14,910 SF) of land. The field notes indicate the total acquisition is 0.0138 acre (600 SF).
<b>Configuration</b>	Rectangular
<b>Topography</b>	Generally level
<b>Drainage</b>	Assumed adequate

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<b>Flood Plain</b>	
<b>Community Panel #</b>	48453C0270J, effective August 18, 2014.
<b>*Flood Zone</b>	The Subject is situated within Zone X (unshaded), outside of the 100-year Floodplain.
<b>Flood Insurance</b>	Not required in Zone X.

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**Environmental Hazards**

An environmental assessment report was not provided for review and environmental issues are beyond our scope of expertise. As we were unable to inspect the property, we assume the Subject is not adversely affected by environmental hazards.

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**Ground Stability**

A soil report was not provided for review; however, based on my inspection of the property and observation of development on nearby sites, we assume that the Subject is not affected by any adverse soil conditions that would restrict it from being developed to its highest and best use.

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**UTILITIES**

Utility	Provider
Water	City of Austin
Sewer	City of Austin
Electricity	Various retail providers
Natural Gas	Texas Gas Service
Local Telephone	Various providers

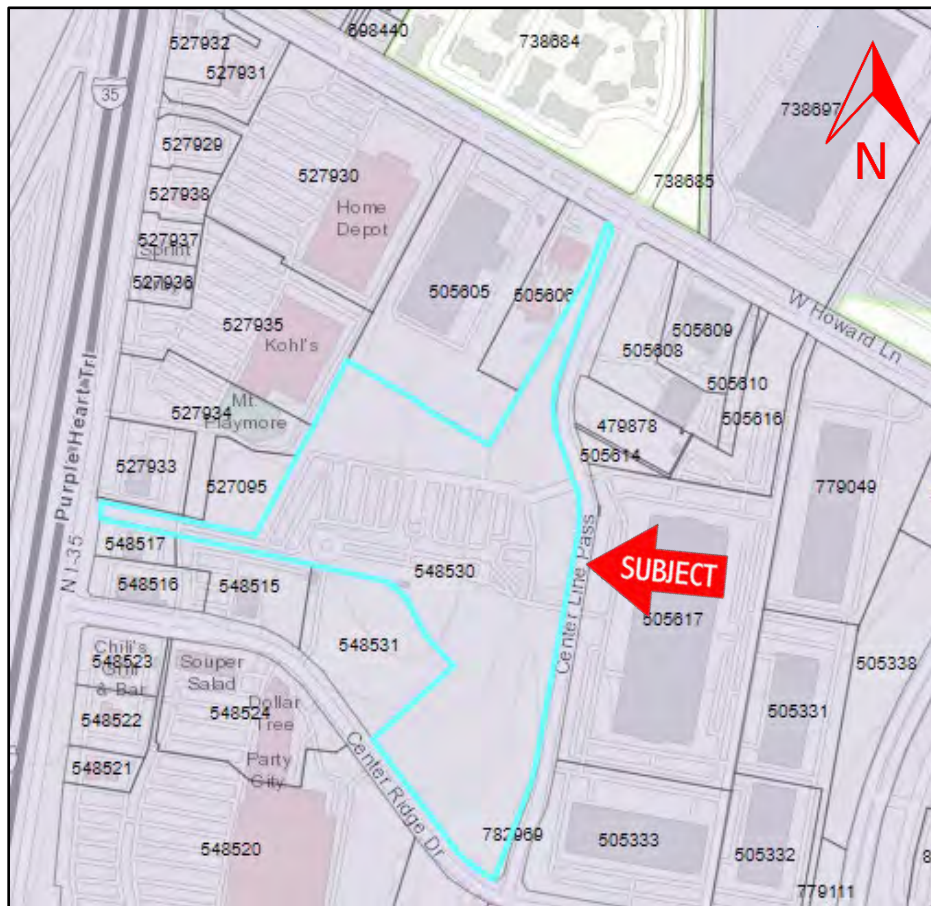
**STREETS, ACCESS, FRONTAGE**

<b>Street</b>	North Bound IH 35 Service Road	Mouse Lane
<b>Frontage Feet</b>	Approximately 60 FF	Approximately 60 FF
<b>Paving</b>	Asphalt	Asphalt
<b>Curbs/Gutters</b>	Yes	Yes
<b>Sidewalks</b>	Yes	No
<b>Lanes</b>	two lanes, one way	Two lanes, two way
<b>Direction of Traffic</b>	North/South	North/South
<b>Condition</b>	Average	Average
<b>Traffic Levels</b>	High	Light
<b>Signals/Traffic Control</b>	No	No
<b>Access</b>	Adequate	Adequate
<b>Visibility</b>	Adequate	Adequate
<b>Driveways</b>	None	None

**SUMMARY OF LAND DESCRIPTION**

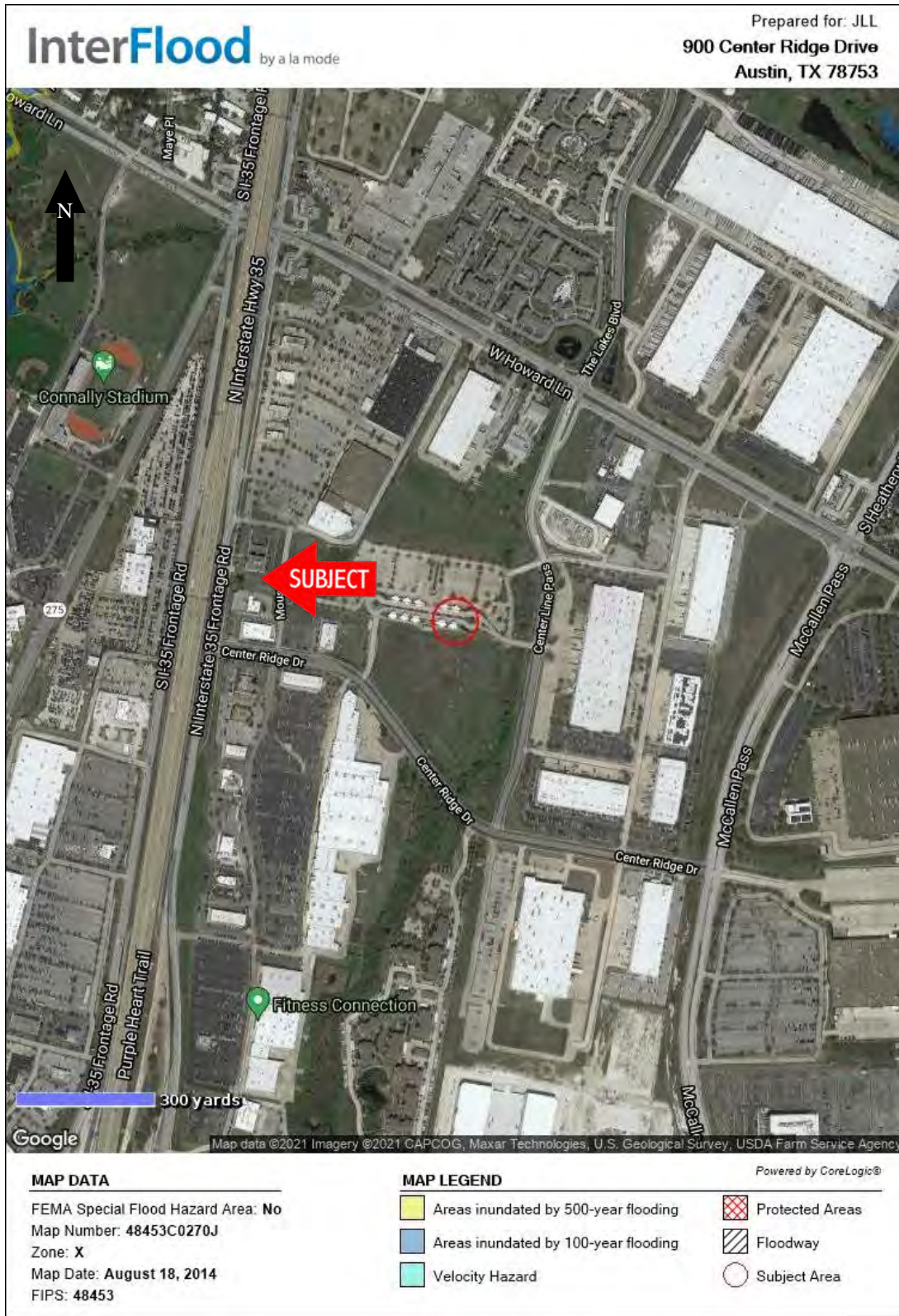
The Subject is rectangular in shape, generally level in topography and has frontage along North Bound IH 35 Service Road and Mouse Lane. The subject does not have a driveway to either the northbound frontage road of IH 35 Service Road or to Mouse Lane. The Subject Property has public water and sewer. According to the current flood maps, the Subject is situated outside the 100-year Floodplain in Zone X (unshaded) which is not a designated flood hazard area. The subject’s size and shape limits its development potential in the market.

TAX MAP





FIRM (FEMA) MAP



**DESCRIPTION AND ANALYSIS OF THE IMPROVEMENTS**

The Subject property is improved with a 14' x 48' double faced, illuminated outdoor advertising sign. This sign is considered to be the personal property of Reagan National Advertising of Austin, Inc. Because the sign is outside of the acquisition area, it is not valued herein.



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**ZONING**

The Subject is zoned CS-CO, General Commercial Services district by the City of Austin. This district is appropriate for professional office use, retail stores and service establishments to residents of the City of Austin.

Minimum lot size is 5,750 square feet with a minimum lot width of 50 feet. Maximum lot coverage is 95% with an impervious cover of 95%. Maximum height is 60 feet. Front and side setbacks are 10 feet with no rear yard setback noted.

A variety of land uses are allowed in this zoning district. These include such uses as bed and breakfasts facilities, automobile repair and sales, convenience stores, general retail sales, hotel/motel, medical offices, professional services, professional offices and restaurants.

In addition, the zoning has a CO designation. This is a conditional overlay combining district. The purpose of this district is to modify use and site development regulations to address the specific circumstances presented to the site.

A determination of compliance with all zoning regulations would require an extensive evaluation of existing conditions and a thorough knowledge of all aspects of the city's ordinances, as well as fire, electrical, plumbing and safety codes that are usually incorporated by reference into most cities' ordinances. Local municipalities have no process available to investigate and render a judgement regarding full compliance with all applicable standards for existing properties. The appraiser is not in a capacity to give an opinion about the property's overall compliance with zoning regulations as of the effective date. As no issues of non-conformity are readily apparent to the appraiser, it is assumed the Subject meets current zoning regulations.

We are not aware of any land use regulations other than zoning that would affect the property, nor are we aware of any moratoria on development.

A determination of compliance with all zoning regulations would require an extensive evaluation of existing conditions and a thorough knowledge of all aspects of the city ordinances, as well as fire, electrical, plumbing and safety codes that are usually incorporated by reference into most cities' ordinances. Local municipalities have no process available to investigate and render a judgment regarding full compliance with all applicable standards for existing properties. The appraiser is not in a capacity to give an opinion about the property's overall compliance with zoning regulations as of the effective date. As no issues of nonconformity are readily apparent to the appraiser, it is assumed the subject meets current zoning regulation.

**OTHER LEGAL AND REGULATORY CONSTRAINTS**

We have reviewed a preliminary title report prepared by Chicago Title Insurance Company and dated August 9, 2021. Our valuation assumes no adverse impacts from easements, encroachments, or restrictions, and further assumes that the subject has clear and marketable title.

**EXCERPTS FROM THE REPORT ARE INCLUDED ON THE FOLLOWING:**

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
  - a. **Rights of parties in possession.**
  - b. **Rights of tenants, as tenants only, under unrecorded leases or rental agreements.**
  - c. **Rights of public, the State of Texas and the municipality in and to that portion of subject property, if any, lying within the boundaries of any roadway, public or private.**
  - d. **Any visible and apparent easements on or across the property herein described, which are not shown of record.**
  - e. **All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.**
  - f. **Easements and building setback lines as set forth in Plat of PARMER CENTER NORTH SUBDIVISION, recorded in Instrument No. 200300185, Plat Records, Travis County, Texas.**
  - g. **Open Drainage Ditch or Enclosed Storm Sewer Easement as shown in instrument from John E. Simmons, Trustee to City of Austin, dated May 21, 1985 and filed in Volume 9315, Page 375, Deed Records of Travis County, Texas.**
  - h. **Easement as shown in instrument from John E. Simmons, Trustee to City of Austin, dated February 20, 1986 and filed in Volume 9643, Page 121, Deed Records of Travis County, Texas.**
  - i. **Electric Line Easement and Right of Way as shown in instrument from Jerald Winetroub, Trueee of the Simmons Liquidating Trust to City of Austin, dated May 4, 1992 and filed in Volume 11689, Page 375, Deed Records of Travis County, Texas.**
  - j. **Terms and provisions of Joint Use and Access Easement Agreement by and between Federal Deposit Insurance Corporation and Centerline Properties, Inc. dated January 21, 1993, filed January 28, 1993, recorded in Volume 11861, Page 1830, Deed Records, Travis County, Texas.**
  - k. **Easement as shown in instrument from Jerry R. Reed to Harriel Limited, dated March 8, 1996 and filed in Volume 12648, Page 1, Deed Records of Travis County, Texas.**
  - l. **Terms and provisions of Memorandum Agreement by and between Centerstate 99, Ltd; Austex Enterprises No. 1, L.P.; State Street Bank and Trust Company of connecticut National Association, Trustee of the DCC 1998 Facilities Trust; Dell USA LP and Heritage Title Company of Austin, Inc. dated September 27, 1999, recorded in Instrument No. 1999114960, Official Public Records, Travis County, Texas.**
  - m. **Drainage Easement as shown in instrument from Austex Enterprises No. 1, L.P. to City of Austin, dated March 12, 2001 and filed in Instrument No. 2001038029, Official Public Records of Travis County, Texas.**
  - n. **Terms and provisions of Subdivision Construction Agreements by and between Austex Enterprises No. 1**



- L.P. and City of Austin, Texas, recorded in Instrument No(s). 2001039106; 2001039132; 2002163863; and 2002163864; Official Public Records, Travis County, Texas; and amended in Instrument No(s). 2002163865 and 20022163866, Official Public Records of Travis County, Texas; as affected by Assignment and Assumption of Subdivision Construction Agreements filed in Instrument No(s). 2002163867; 2002163868; 2002163869 and 2002163870, Official Public Records of Travis County, Texas.
- o. Terms and provisions of Traffic Phasing Agreement and Restrictive Covenant by and between Austex Enterprises No. 1 I, L.P. and City of Austin dated March 11, 2002, recorded in Instrument No. 2002071222, Official Public Records, Travis County, Texas.
  - p. Limited of Access reserved in Deed to Travis County filed in Instrument No. 2002161326, Official Public Records of Travis County, Texas.
  - q. Drainage Easement as shown in instrument from Austex Enterprises No. 1, L.P to City of Austin, dated August 27, 2002 and filed in Instrument No. 2002163861, Official Public Records of Travis County, Texas.
  - r. Drainage Easement as shown in instrument from TR EL, Ltd to City of Austin, dated October 4, 2002 and filed in Instrument No. 2002192664, Official Public Records of Travis County, Texas.
  - s. Drainage Easement as shown in instrument from DDR DB Tech Ventures LP and TR EL Ltd to City of Austin, dated October 4, 2002 and filed in Instrument No. 2002192665, Official Public Records of Travis County, Texas.
  - t. Water Line Easement as shown in instrument from TR EL, Ltd to City of Austin, Texas, dated October 23, 2002 and filed in Instrument No. 2002202892, Official Public Records of Travis County, Texas.
  - u. Easement as shown in instrument from DBR DB Tech Ventures, LP; Target Corporation and TR EI, Ltd. to City of Austin, dated October 23, 2002 and filed in Instrument No. 2002216620, Official Public Records of Travis County, Texas.
  - v. Terms and provisions of Reciprocal Access Easement Agreement by and between DDR DB Tech Ventures, LP, Howard 2001, Ltd and TruWest Credit Union dated September 11, 2003, recorded in Instrument No. 2003219237, Official Public Records, Travis County, Texas.
  - w. Terms, conditions and provisions of the Restrictive Covenant Regarding Unified Development and Maintenance of Drainage Facilities dated January 12, 2005 executed by Capital Metropolitan Transportation Authority and filed in Instrument No. 2005054438, Official Public Records of Travis County, Texas.
  - x. Terms and provisions of Memorandum of Lease Agreement by and between Reagan National Advertising of Austin, Inc. and Capital Metropolitan Transportation Authority dated September 12, 2007, recorded in Instrument No. 2007181567, Official Public Records, Travis County, Texas.
  - y. Aerial Electric Transmission Easement as shown in instrument from Capital Metropolitan Transportation Authority to The City of Austin, dated June 5, 2014 and filed in Instrument No. 2014082529, Official Public Records of Travis County, Texas.
  - z. Electric Transmission and Distribution Easement as shown in instrument from Capital Metropolitan Transportation Authority to The City of Austin, dated June 5, 2014 and filed in Instrument No. 2014082530, Official Public Records of Travis County, Texas.
  - aa. Mineral reservation as shown in instrument from W.H. Chenault and Lillian H. Chenault, husband and wife to J.A. Hall, dated February 14, 1944 and recorded in Volume 734, Page 286, Deed Records of Travis County, Texas. Said mineral interest has not been researched since the date of said instrument.

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**Encroachments**

We were not provided a survey of the whole property and an inspection of the site revealed no apparent encroachments. It is assumed that the property is free and clear of encroachments.

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**Other Land Use Regulations; Development Moratoriums**

We are not aware of any other land use regulations that would affect the Whole Property, nor are we aware of any moratoriums on development.

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**Environmental Hazards**

An environmental assessment report was not provided for review and environmental issues are beyond the appraiser's scope of expertise. An inspection of the site did not reveal any obvious signs of contaminants on or near the property; therefore, we assume the property is not adversely affected by the environmental hazards.

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**PROPERTY VALUATION SUMMARY**

Whole:  Part to be Acquired:  Remainder After:

**HIGHEST AND BEST USE ANALYSIS:** (The *Highest and Best Use* analysis should consider the reasonably probable and legal use of vacant land or improved property considering legally permissible, physically possible, financially feasible, and maximally productive. Use separate page, numbered accordingly, as necessary.) Please refer to the following pages.

**VALUATION APPROACHES:** See Attached page.

Sales Comparison Approach (Land Only).....\$	Not Applicable
Cost Approach .....	Not Applicable
Sales Comparison Approach (As-Improved) .....	Not Applicable
Income Approach (Sign site valuation).....\$	282,857

Reconciliation of Approaches to Value: Based on the analyses and conclusions for the valuation of the Whole Property, it is our opinion that a market value of \$282,857 is appropriate for the Subject Property.

Contributory Value of Improvements (Itemized)	
<b>Total Contributory Value of Improvements</b>	<b>\$ 0</b>

Sign Site Value .....	\$ 282,857
<b>Reconciled Final Value*</b> .....	<b>\$282,857</b>

The highest and best use of Economic Unit A is as a sign site. The capitalized value of the sign site, if leased in the open market, based on the appraiser’s analysis of the market, would exceed the value of the land put to any other alternate use. Consequently, the land value is commensurate with the Sign Site Value. As indicated, the billboard itself is not impacted by the acquisition and has not been valued herein.

Each approach developed follows this page and is sequenced as shown below.

Land Value, Pg. 3.3	Cost Approach, pg 3.4	Sales Comparison Approach, pg 3.5	Income Approach, pg 3.6	Off-Premise Sign Structure (OAS), N/Ap;
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## Highest and Best Use Analyses – Whole Property

Before an opinion of value can be developed, there must be a determination of the highest and best use of the property. The highest and best use must be:

- Legally Permissible: What uses are permitted by zoning and other legal restrictions?
- Physically Possible: To what use is the site physically adaptable?
- Financially Feasible: Which possible and permissible use will produce any net return to the owner of the site?
- Maximally Productive: Among the feasible uses which use will produce the highest net return, (i.e., the highest present worth)?

### Legally Permissible

The Subject Property is located within The City of Austin which incorporates zoning as a land planning tool. The Subject Property is zoned CS-CO, commercial services. Allowable land uses include bed and breakfasts facilities, automobile repair and sales, convenience stores, general retail sales, hotel/motel, medical offices, professional services, professional offices and restaurants.

In addition, the zoning has a CO designation. This is a conditional overlay combining district. The purpose of this district is to modify use and site development regulations to address the specific circumstances presented to the site.

To our knowledge, there are no legal restrictions such as easements or deed restrictions that would effectively limit the use of the property.

### Physically Possible

Many physical characteristics of a site can affect the uses to which it can be developed. These characteristics can include size, location, shape, road frontage, topography, easements, utility availability, and flood plain. The subject Economic Unit A is approximately 14,910 square feet or 0.3423 acres. The property had frontage along the east line of the northbound frontage road to IH 35. Public water and sewer are available to the site. According to the Federal Emergency Agency Flood Rate Maps for this area, the Subject is in Flood Zone X (outside the 100-year Floodplain). Due to its long and narrow shape and small size, the site does not have sufficient physical characteristics to support most types of development. Use of the site for outdoor advertising is physically possible.

### Financially Feasible

The uses that are physically possible and legally permissible must be analyzed further to determine those that are likely to produce some income or return greater than the combined income needed to satisfy operating expenses, financial expenses, and capital amortization. Surrounding property uses consist predominantly of a variety of commercial uses and multi-family buses. All uses that are expected to produce a positive return are regarded as financially feasible. From a financially feasible perspective, the highest and best use at the present time is for outdoor advertising to benefit from vehicular traffic along IH-35.

### Maximally Productive

Considering all reasonably probable development scenarios and potential values that could be created versus the cost of development of each, we conclude that the highest and best use of the property is for outdoor advertising. The maximally productive use of the Subject Property is considered to be the same.

### Conclusion –As Vacant

After consideration of the legally permissible, physically possible, financially feasible, and maximally productive uses, the highest and best use for the Subject Property is for outdoor advertising.

### As Improved

The property is improved with a 14' x 48' outdoor advertising display. The billboard contributes value above that of the site as vacant. As such, the existing use is considered to be the highest and best use.

## Valuation Methodology

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Three basic approaches may be applicable and utilized, then reconciled to arrive at an estimate of market value. An approach to value is included or eliminated based on its applicability to the property type being valued and the information available. The reliability of each approach depends on the availability and comparability of market data as well as the motivation and thinking of purchasers. Applicable approaches and whether or not they were utilized are summarized below:

### Cost Approach

The Cost Approach is based on the proposition that an informed purchaser would pay no more for the subject than the cost to produce a substitute property with equivalent utility. In the Cost Approach, the appraiser forms an opinion of the cost of all improvements, depreciation from physical, functional and external causes. The land value, entrepreneurial profit and depreciated improvement costs are then added, resulting in indication of value.

### Sales Comparison Approach

The Sales Comparison Approach compares sales of similar properties with the subject property. Each comparable sale is adjusted for its inferior or superior characteristics. The values derived from the adjusted comparable sales form a range of value for the subject. A gross income multiplier and / or effective gross income multiplier may also be analyzed. By process of correlation and analysis, a final indicated value is derived.

### Income Approach

In the Income Capitalization Approach the income-producing capacity of a property is estimated by using contract rents on existing leases and by estimating market rent from rental activity at competing properties for the vacant space. Deductions are then made for vacancy and collection loss and operating expenses. The resulting net operating income is divided by an overall capitalization rate to derive an opinion of value for the subject property. The capitalization rate represents the relationship between net operating income and value. This method is referred to as Direct Capitalization.

### Applicability of Valuation Approaches

A discussion of the applicability of valuation approaches is required by USPAP.

For the purpose of this analysis, the Income Approach has been utilized to determine the value of the site if it were ground leased in the market. The Sales Comparison Approach – As Improved and the Cost Approach have not been utilized in this valuation.

**SALES COMPARISON APPROACH**    Whole:     Part to be Acquired:     Remainder After:   
 Land:     Improved:

**VALUATION GRID**

**Representative Comparable Sales**

	<b>Subject</b>	<b>Comp. No. 1</b>	<b>Comp. No. 2</b>	<b>Comp. No. 3</b>
<b>Grantor</b>				
<b>Grantee</b>				
<b>Date of Sale</b>				
<b>Unit Price</b>				
<b>Relative Location</b>				
<b>Financing</b>				
<b>Conditions of Sale</b>				
<b>Market Conditions</b>				
<b>Adjusted for Condition</b>				
<b>Physical Characteristics</b>				
<b>Location</b>				
<b>Size</b>				
<b>Shape</b>				
<b>Access/Frontage</b>				
<b>Utilities</b>				
<b>Floodplain</b>				
<b>Zoning</b>				
<b>Net Adjustment</b>				
<b>Adjusted</b>				
<b>Estimated Unit Value</b>				

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map; use separate page, numbered accordingly, as necessary.*):

Fee land: ..... SF X \$/SF = ..... \$

**Estimated Value by Sales Comparison Approach: ..... Not Applicable**

The value of the site as leased for outdoor advertising purposes is the highest and best use of the Whole Property. Consequently, the Sales Comparison Approach is not applicable.



**COST APPROACH** Whole:

Part to be Acquired:

Remainder After:

Estimated Replacement/ Reproduction Cost					
Improvement	Number of Units	\$ per Unit	Cost New	Depreciation	Value
Contributory Value of the Buildings					\$0
Accessory Improvements					
Contributory Value of the Accessory Improvements					\$0
Site Improvements					
Contributory Value of the Site Improvements					\$0
Contributory Value of all Improvements					\$0
Land					
Fee land					\$0
<b>Estimated Value by Cost Approach</b>					<b>\$0</b>

Furnish sources of cost data and support for depreciation factors (physical, functional, and economic. Use separate page, numbered accordingly, as necessary.):

The value of the site as leased for outdoor advertising purposes is the highest and best use of the Whole Property. Consequently, the Cost Approach is not applicable.

**Estimated Value by Sales Comparison Approach: ..... Not Applicable**

**SALES COMPARISON APPROACH**

Whole:  Part to be Acquired:  Remainder After:   
 Land:  Improved:

**VALUATION GRID**

**Representative Comparable Sales**

	<b>Subject</b>	<b>Comp. No. 1</b>	<b>Comp. No. 2</b>	<b>Comp. No. 3</b>	<b>Comp. No. 4</b>
<b>Grantor</b>					
<b>Grantee</b>					
<b>Date of Sale</b>					
<b>Sales Price</b>					
<b>Unit Price</b>					
<b>Relative Location</b>					
<b>Financing</b>					
<b>Conditions of Sale</b>					
<b>Expenditures at Sale</b>					
<b>Market Conditions</b>					
<b>Adjusted for Conditions</b>					
<b>Location/Access</b>					
<b>Land to Building Ratio</b>					
<b>Net Adjustment</b>					
	<b>Adjusted</b>				
<b>Indicated Unit Value</b>	<b>N/A</b>				

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map*; use separate page, numbered accordingly, as necessary).

As indicated, the Sales Comparison Approach – As Improved is not applicable.

**Estimated Value by Sales Comparison Approach: .....Not Applicable**

**INCOME APPROACH**    Whole:                       Part to be Acquired:                       Remainder After:

**SIGN SITE VALUATION**

Potential Gross Income					\$	20,000
Vacancy					\$	0
Reimbursements					\$	0
Effective Gross Income					\$	20,000
Expenses						
Management/Administrative (1% of EGI)					(\$200)	
Total Expenses.....					\$	(200)
Net Operating Income (NOI) .....					\$	19,800
Income Capitalized @		%	NOI ÷ Capitalization Rate = Value			7.00%
<b>Estimated Value by Income Approach</b>					\$	<b>282,857</b>

Furnish supporting information/data, justification of gross income estimates, expenses, method of capitalization and capitalization rate (*Attach Comparable Rental Data Supplement and Map. Use separate page, numbered accordingly, as necessary.*):

Please refer to the discussion on the following pages.

The property is improved with a double faced illuminated 14' x 48' billboard. The double face has exposure from both south-bound and north-bound traffic along IH-35. TXDOT traffic counts as of the date of the report indicate that approximately 165,000 vehicles per day traverse IH-35 near the subject.

In many circumstances, the annual ground rent paid to the landowner is based on a percentage of advertising income, or face rent. Depending on the structure of the lease, the ground rent will typically range between 25% - 30% of the advertising income (face rent), less the sales commissions.

In order to determine market rent for the subject sign site, the appraiser analyzed ground rents for off-premise advertising billboards located in the Austin market area. Ground lease information is oftentimes very difficult to obtain. Consequently, the appraiser had to use data from other neighborhoods or older leases.

The following array details comparable sign site ground leases.

<b>Comparable Sign Site Leases</b>									
No.	Location/Address	Lessee	Lessor	Face Size	Lease Period	Annual Ground Rent (Est. 2021)	Approx. Traffic Count (VPD)	Median Household Income (3-mile)	Comments
1	1433 N IH 35, San Marcos	Lamar	CSW San Marco LLC	14' x 48'	7/24/2019 - 12/15/2029	\$ 14,000	134,718	\$ 36,000	Lease began 12/15/2019 with a termination date of 12/15/2029. The lease rate is flat for the entire term.
2	5115 N. Lamar, Austin	Regan Outdoor Advertising	JTRED	14' x 48'	11/14/2013 - 11/13/2023	\$ 12,000	15,523	\$ 66,601	Billboard is visible from east/west traffic along W 51st Street; limited visibility to south-bound traffic on N Lamar Blvd.
3	15879 N IH 35, Selma	Clear Channel	Edmund Beck	14' x 48'	7/13/2013 - 11/1/2024	\$ 18,000	151,230	\$ 74,000	Lease consists of a 10-year renewal to lease first signed on 7/13/2003. Amendment signed 7/15/2013 (effective 1/1/2014). The rental rate is \$15,000/yr. for years 1 - 3, \$16,000/yr. for years 4 - 6, and \$18,000/yr. for years 7 - 10.
4	16008 N Evans Rd, Selma	Clear Channel	Edmund Beck	14' x 48'	6/13/2013 - 6/13/2023	\$ 12,000	151,230	\$ 74,000	The lease was renewed on 7/1/2013 for 10 years with Clear Channel for \$10,000/yr. commencing on 1/1/2013, bumping to \$11,000/yr. in year 4 and 12,000/yr. in year 7.
5	807 <sup>1/2</sup> Camino La Costa, Austin	National Media Co.	Sam Mansoor	14' x 48'	11/9/2012 - 11/1/2037	\$ 19,000	197,720	\$ 63,264	Monopole double sided 14' x 48', Tri face on south face.
6	904 Research Blvd, Austin	National Media Co.	John Bryan	12' x 40'	8/20/2010 - 8/20/2020	\$ 19,000	136,000	\$ 67,235	Multi-pole single sided 12' x 40'.
Sub	900 Center Ridge Dr, Austin	Regan Outdoor Advertising	Capital Metro	14' x 48'	Not Available	\$ 20,000	165,000	\$ 70,000	

A map detailing the sign site comparable locations is provided on the following page.



**Adjustment Process**

As indicated, the subject is located north of downtown Austin along IH-35. Median household income within a 3-mile radius is \$70,000 and the sign has exposure to approximately 165,000 vehicles per day.

All comparables have been adjusted upward due to improving market conditions.

Comparable 1 is located in San Marcos along IH 35. It is exposed to a similar traffic count as the Subject though visibility of the sign is considered inferior to the Subject. An overall upward adjustment to the stated ground lease rent of this comparable is applied. Comparable 2 is located in Austin has been adjusted upward for location and vehicle count. Comparables 3 and 4 are located in Selma, Texas. Comparable 3 is similar to the Subject regarding traffic count and visibility while Comparable 4 is inferior to the Subject regarding visibility. The ground lease rate for Comparable 3 was not adjusted for these factors while Comparable 4 was adjusted upward regarding these factors. Comparables 5 and 6 are located in Austin with similar traffic counts and visibility as the Subject. These comparables were not adjusted.

Based on the subject’s location and visibility, our analysis of the market, and the comparable rents presented herein (and supporting rents in other Texas metropolitan areas contained within our work file), the appraisers have reconciled an annual ground rent of \$20,000 to be appropriate for the subject site as of the effective date of value.

**Direct Capitalization Process**

To derive the net operating income, the appraisers deducted 1% of the annual ground rent for administrative expenses. The derived net operating income is \$19,800.

To estimate an applicable ground rent capitalization rate for the subject, in addition to analyzing listings and sales in other market areas (information contained within the appraiser’s work file), the appraisers have surveyed various sources, including the realtyrates.com investor survey, located below.

RealtyRates.com INVESTOR SURVEY - 3rd Quarter 2021*						
LAND LEASES						
Property Type	Capitalization Rates			Discount Rates		
	Min.	Max.	Avg.	Min.	Max.	Avg.
Apartments	2.30%	9.58%	6.11%	4.90%	10.08%	7.11%
Golf	2.34%	14.94%	8.57%	4.94%	15.44%	9.57%
Health Care/Senior Housing	2.34%	10.12%	6.71%	4.94%	10.62%	7.71%
Industrial	2.34%	9.48%	6.46%	4.94%	9.98%	7.46%
Lodging	2.34%	14.22%	7.00%	4.94%	14.72%	8.00%
Mobile Home/RV Park	2.11%	12.02%	7.27%	4.71%	12.52%	8.27%
Office	2.32%	9.34%	6.13%	4.92%	9.84%	7.13%
Restaurant	3.25%	14.62%	8.15%	5.85%	15.12%	9.15%
Retail	2.34%	10.54%	6.64%	4.94%	11.04%	7.64%
Self-Storage	2.32%	9.79%	7.53%	4.92%	10.29%	8.53%
Special Purpose	3.04%	16.26%	8.57%	6.10%	17.64%	8.81%
All Properties	2.11%	16.26%	7.19%	4.71%	15.44%	8.06%

\*2nd Quarter 2021 Data

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Based on the above survey, our analysis of the market, and supporting documentation contained within our work file, a capitalization rate of 7.00% is supportable for the subject property. Thus, the net operating income was capitalized at 7.00%, resulting in a market value of **\$282,857**.

## Reconciliation and Conclusion of Value

Reconciliation involves the analysis of alternative value indications to determine a final value conclusion. The value indicated by the traditional approaches is as follows:

<b>Sales Comparison Approach (Land Only)</b>	<b>Not Applicable</b>
<b>Cost Approach</b>	<b>Not Applicable</b>
<b>Sales Comparison Approach - Improved</b>	<b>Not Applicable</b>
<b>Income Capitalization Approach</b>	<b>\$282,857</b>

### SALES COMPARISON APPROACH – AS VACANT

The Sales Comparison Approach – As Vacant is most reliable in an active market when a number of similar properties have recently sold. In this case, the highest and best use of the property is as a sign site. Therefore, the traditional Sales Comparison Approach technique to determine the value of the land has not been utilized. The capitalized value of the sign site, if leased in the open market, based on the appraiser’s analysis of the market, would exceed the value of the land put to any other alternate use.

### COST APPROACH

The Cost Approach, particularly for newer construction, well-documented cost and well supported land value estimates, is a solid indicator of real property value. The Cost Approach is particularly useful in eminent domain appraisal because it requires a breakdown of land and improvement values and provides a vehicle by which to itemize costs to cure. Because the existing outdoor advertising sign is not impacted by the acquisition, this approach has not been applied.

### SALES COMPARISON APPROACH – AS IMPROVED

The Sales Comparison approach is a direct approach to valuing real property through analysis of actual sales under prevailing market conditions. Because the existing outdoor advertising sign is not impacted by the acquisition, this approach has not been applied.

### INCOME APPROACH

The Income Approach is typically employed in an appraisal of income-producing property. The Income Approach has been utilized to value the sign site ground lease.

### CONCLUSION OF VALUE

Based on the analyses and conclusions in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed herein, it is my opinion that the market value of the fee simple estate of the Whole Property, as of the date of appraisal is:

**\$282,857**

**PART TO BE ACQUIRED**

**Highest and Best Use** (Use separate page, numbered accordingly, as necessary): See page 4.4

Contributory Value of Improvements (Itemized)			
		\$	0
		\$	
Total Contributory Value of Improvements		\$	0
Fee land**		\$	11,382
<b>TOTAL VALUE AS A UNIT</b>		<b>\$</b>	<b>11,382</b>

\*\*As indicated, the highest and best use of the property is as a sign site. Therefore, the traditional Sales Comparison Approach technique to determine the value of the land has not been utilized. The capitalized value of the sign site constitutes the value of the sign site. It is assumed that the entirety of the whole property site is subject to the sign site ground lease. The pro-rata portion of Economic Unit A is 4.024% (600 SF out of 14,910 SF). When this pro-rata percentage is applied against the sign site value of \$282,857, the value of the part to be acquired is calculated at \$11,382.

**REMAINDER BEFORE THE ACQUISITION**

Contributory Value of Improvements (Itemized)			
		\$	0
		\$	0
Total Contributory Value of Improvements		\$	0
Fee Land**		\$	271,475
<b>TOTAL VALUE AS A UNIT</b>		<b>\$</b>	<b>271,475</b>

\*\* The pro-rata portion of the whole property site within the proposed acquisition was allocated in the Part to be Acquired. Therefore, the remaining 14,310 square feet or 95.98 % of the ground leased land (\$271,475) is located on the remainder of Economic Unit A.



## **Part To Be Acquired and Remainder Before**

The part to be acquired may be valued in two different manners in Texas. If the part to be acquired can be considered an individual economic entity, then it is valued as a separate parcel. On the other hand, if the part to be acquired cannot be considered an individual economic entity, then its value contribution to the entire parcel is used. In this instance, the property is valued as part of the whole property.

The value of the remainder before the acquisition is found by subtracting the value of the part to be acquired from the value of the whole property. The remaining property before the acquisition is sometimes referred to as the “residual.”

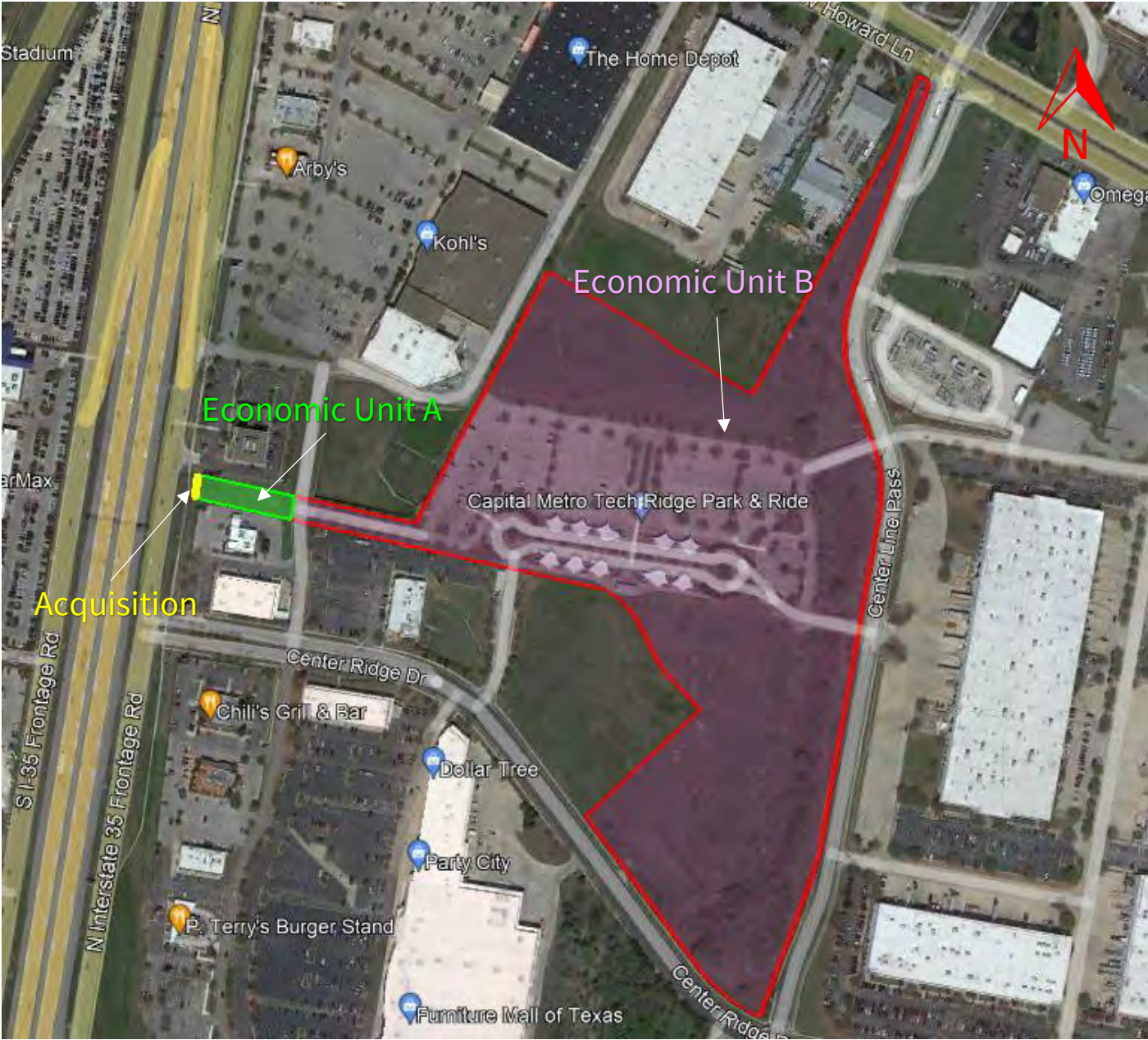
## **Property Description – Part to Be Acquired**

The part to be acquired is rectangular in shape and consists of 0.0138-acres or 600 square feet of land.

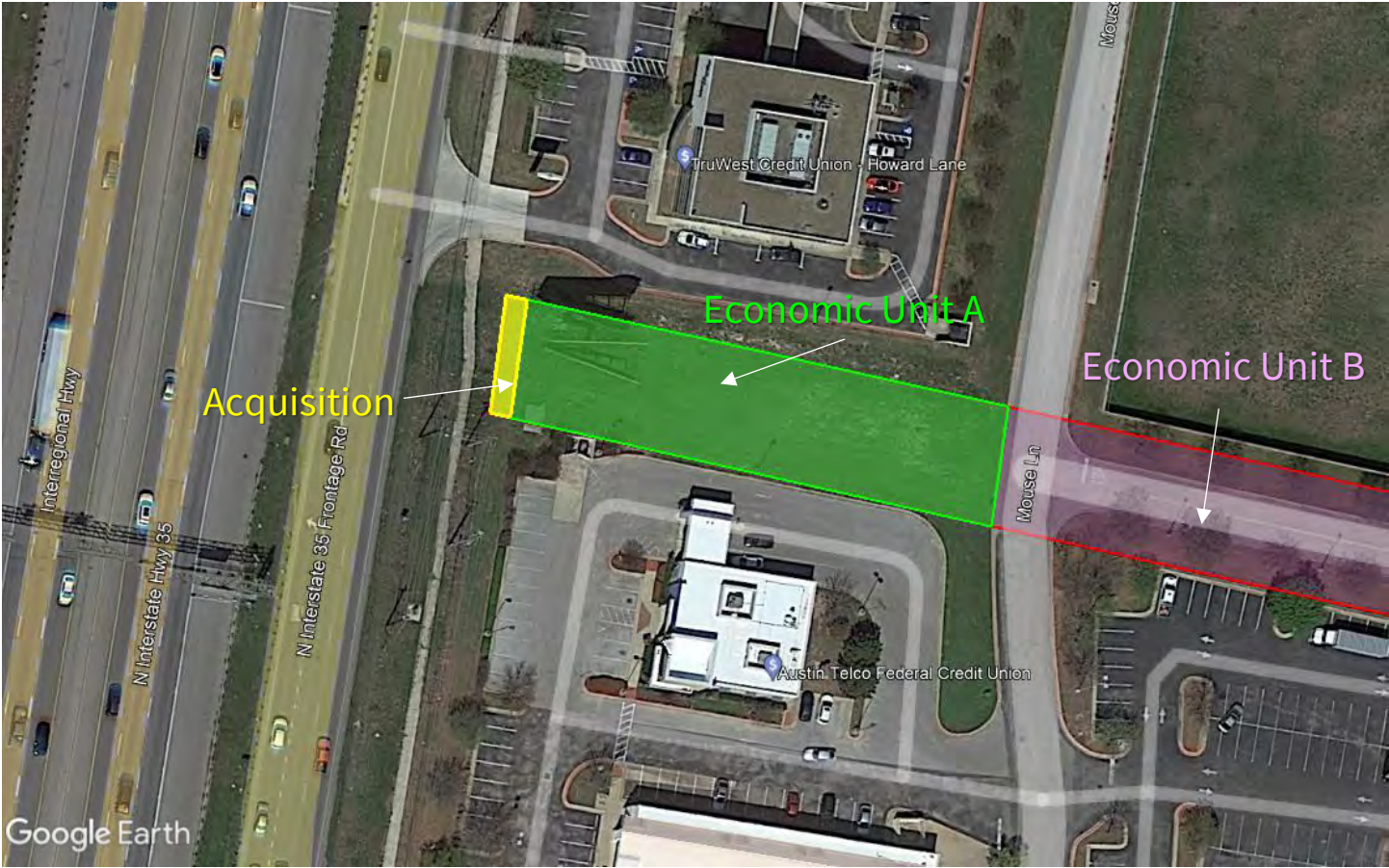
The outdoor advertising sign is not located within the proposed acquisition.

The acquisition maps, located in the Addenda of this report, and aerials of the Acquisition, found on the following page, provide illustrations of the part to be acquired.

Aerial Photograph of Acquisition







The green fill is Economic Unit A. The yellow fill is the acquisition. The fill for Economic Unit B is purple.

## Highest And Best Use – Part to Be Acquired

The configuration and most likely use of the Acquisition Parcel is such that it cannot be considered an economic unit unto itself. Therefore, the highest and best use of the Acquisition Parcel is considered to be used in conjunction with the Subject Property.

### Land Value – Parts to be Acquired

It is the appraiser’s opinion that the comparable land sales used to estimate the market value for the whole Subject Property would be applicable to the parts to be acquired. In this case, the proposed acquisition area for the fee acquisition has been previously described. The value of the part to be acquired is calculated as follows:

	Size of Acquisition Parcel		Market Value of Land		Concluded Land Value of Acquisition Parcel
<b>Fee land:</b>	<b>600 SF</b>	<b>@</b>	<b>\$11,860*</b>	<b>=</b>	<b>\$11,860</b>
	<b>TOTAL</b>				<b>\$11,860</b>

The total Part to be Acquired can be summarized as follows:

Improvements in Acquisition		Sign Site (portion)*		Total – Part to be Acquired
\$0	+	\$11,860	=	\$11,860

*\* As indicated, the highest and best use of the property is as a sign site. Therefore, the traditional Sales Comparison Approach technique to determine the value of the land has not been utilized. The capitalized value of the sign site constitutes the value of the sign site. It is assumed that the entirety of the whole property site is subject to the sign site ground lease. The pro-rata portion of the whole property site within the proposed acquisition (600 SF or 4.024% out of 14,910 square feet is \$282,857 - \$11,382) has been allocated in the Part to be Acquired.*

### Remainder Before

The value of the whole property less the value of the part to be acquired indicates a residual value or remainder before value as follows:

Parcel 85	
<b>Whole Property Value*</b>	<b>\$282,857</b>
<b>Less: Part To Be Acquired*</b>	<b>\$11,382</b>
<b>Equals: Remainder Before Value</b>	<b>\$271,475</b>

*\*not including sign site structure*

**PROPERTY VALUATION SUMMARY**

Whole:  Part to be Acquired:  Remainder After:

**HIGHEST AND BEST USE ANALYSIS:** (The *Highest and Best Use* analysis should consider the reasonably probable and legal use of vacant land or improved property considering legally permissible, physically possible, financially feasible, and maximally productive. Use separate page, numbered accordingly, as necessary.) Please refer to the following pages.

**VALUATION APPROACHES:** See Attached page.

Sales Comparison Approach (Land Only).....\$	Not Applicable
Cost Approach .....	Not Applicable
Sales Comparison Approach (As Improved).....\$	Not Applicable
Income Approach (Sign site valuation).....\$	\$271,475

Reconciliation of Approaches to Value: Based on the analyses and conclusions for the valuation of the Whole Property, it is our opinion that a market value of \$271,475 is appropriate for the Subject Property.

Contributory Value of Improvements (Itemized)	
<b>Total Contributory Value of Improvements</b>	<b>\$ 0</b>

Sign Site Value .....	\$	282,857
Less:.....	\$	<u>11,382</u>
<b>Reconciled Final Value*</b> .....	<b>\$</b>	<b>271,475</b>

The highest and best use of the remainder property is as a sign site. The capitalized value of the sign site, if leased in the open market, based on the appraiser’s analysis of the market, would exceed the value of the land put to any other alternate use. Consequently, the land value is commensurate with the Sign Site Value. In order to account for the loss of land in the Part Acquired, the pro-rata value of land acquired has been deducted herein.

Each approach developed follows this page and is sequenced as shown below.

Land Value pg 5.4	Cost Approach pg 5.5	Sales Comparison Approach pg 5.6	Income Approach pg 5.7
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## Remainder After

The value of the remainder after the acquisition is an estimate of the market value taking into consideration the effect that the proposed right-of-way will have on the remainder. This valuation is based upon a new site analysis, highest and best use analysis, as well as the employment of the three approaches to value.

Damages or benefits to the remainder are found by subtracting the value of the remainder after the acquisition from the value of the remainder before the acquisition. If positive, damages exist. Likewise, if the figure is negative, benefits are present (enhancement).

The Remainder of Economic Unit A contains 0.3285 acres or 14,310 square feet.

The outdoor advertising sign will be located outside of the new right of way and will not be affected.

Because of the remainder's small size and shape, it would not be viable as an independent economic unit in the market. As such, the highest and best use is as a sign site.

## Highest and Best Use Analyses – Remainder Property

Before an opinion of value can be developed, there must be a determination of the highest and best use of the property. The highest and best use must be:

- Legally Permissible: What uses are permitted by zoning and other legal restrictions?
- Physically Possible: To what use is the site physically adaptable?
- Financially Feasible: Which possible and permissible use will produce any net return to the owner of the site?
- Maximally Productive: Among the feasible uses which use will produce the highest net return, (i.e., the highest present worth)?

### Legally Permissible

The Subject Remainder Property is located within The City of Austin which incorporates zoning as a land planning tool. The remainder is zoned CS-CO, commercial services. Allowable land uses include bed and breakfasts facilities, automobile repair and sales, convenience stores, general retail sales, hotel/motel, medical offices, professional services, professional offices and restaurants.

In addition, the zoning has a CO designation. This is a conditional overlay combining district. The purpose of this district is to modify use and site development regulations to address the specific circumstances presented to the site.

To our knowledge, there are no legal restrictions such as easements or deed restrictions that would effectively limit the use of the property.

### Physically Possible

Many physical characteristics of a site can affect the uses to which it can be developed. These characteristics can include size, location, shape, road frontage, topography, easements, utility availability, and flood plain. The Subject Remainder Property is 0.3285 acres with frontage along the east line of the northbound frontage road to IH 35. Although the site does not currently have a driveway, it is assumed that the City of Austin would permit a driveway if the landowner went through the necessary permitting process. Public water and sewer are available to the site. According to the Federal Emergency Agency Flood Rate Maps for this area, the Subject is in Flood Zone X (outside the 100-year Floodplain). Due to its long and narrow shape and small size, the site does not have sufficient physical characteristics to support most types of development. Use of the site for outdoor advertising is physically possible.

### Financially Feasible

The uses that are physically possible and legally permissible must be analyzed further to determine those that are likely to produce some income or return greater than the combined income needed to satisfy operating expenses, financial expenses, and capital amortization. Surrounding property uses consist predominantly of a variety of commercial uses and multi-family buses. All uses that are expected to produce a positive return are regarded as financially feasible. From a financially feasible perspective, the highest and best use of the remainder at the present time is for outdoor advertising to benefit from vehicular traffic along IH-35.

### Maximally Productive

Considering all reasonably probable development scenarios and potential values that could be created versus the cost of development of each, we conclude that the highest and best use of the remainder property is for outdoor advertising. The maximally productive use of the remainder property is considered to be the same.

### Conclusion –As Vacant

After consideration of the legally permissible, physically possible, financially feasible, and maximally productive uses, the highest and best use for the Subject Property is for outdoor advertising.

**As Improved**

The property is improved with a 14' x 48' outdoor advertising display. The billboard contributes value above that of the site as vacant. As such, the existing use is considered to be the highest and best use.



**SALES COMPARISON APPROACH**    Whole:     Part to be Acquired:     Remainder After:   
 Land:     Improved:

**VALUATION GRID**

**Representative Comparable Sales**

	<b>Subject</b>	<b>Comp. No. 1</b>	<b>Comp. No. 2</b>	<b>Comp. No. 3</b>
<b>Grantor</b>				
<b>Grantee</b>				
<b>Date of Sale</b>				
<b>Unit Price</b>				
<b>Relative Location</b>				
<b>Financing</b>				
<b>Conditions of Sale</b>				
<b>Market Conditions</b>				
<b>Adjusted for Condition</b>				
<b>Physical Characteristics</b>				
<b>Location</b>				
<b>Size</b>				
<b>Shape</b>				
<b>Access/Frontage</b>				
<b>Utilities</b>				
<b>Floodplain</b>				
<b>Zoning</b>				
<b>Net Adjustment</b>				
<b>Adjusted</b>				
<b>Estimated Unit Value</b>				

Explanation of Adjustments with Reconciliation (*Attach Comparable Data Supplement and Map; use separate page, numbered accordingly, as necessary.*):

Fee land: ..... SF X \$/SF = ..... \$

**Estimated Value by Sales Comparison Approach: ..... Not Applicable**

The value of the site as leased for outdoor advertising purposes is the highest and best use of the Whole Property. Consequently, the Sales Comparison Approach is not applicable.

**COST APPROACH**

Whole:

Part to be Acquired:

Remainder After:

Estimated Replacement/ Reproduction Cost					
Improvement	Number of Units	\$ per Unit	Cost New	Depreciation	Value
Contributory Value of the Buildings					\$0
Accessory Improvements					
Contributory Value of the Accessory Improvements					\$0
Site Improvements					
Contributory Value of the Site Improvements					\$0
Contributory Value of all Improvements					\$0
Land					
Fee land					\$0
<b>Estimated Value by Cost Approach</b>					<b>\$0</b>

Furnish sources of cost data and support for depreciation factors (physical, functional, and economic. Use separate page, numbered accordingly, as necessary.):

The value of the site as leased for outdoor advertising purposes is the highest and best use of the Whole Property. Consequently, the Cost Approach is not applicable.

**Estimated Value by Cost Approach: ..... Not Applicable**

Whole:  Part to be Acquired:  Remainder After:

**SALES COMPARISON APPROACH**

Land:  Improved:

**VALUATION GRID**

**Representative Comparable Sales**

	Subject	Comp. No. 1	Comp. No. 2	Comp. No. 3	Comp. No. 4
Grantor					
Grantee					
Date of Sale					
Sales Price					
Unit Price					
Relative Location					
Financing					
Conditions of Sale					
Expenditures at Sale					
Market Conditions					
Adjusted for Conditions					
Location/Access					
Land to Building Ratio					
Net Adjustment					
	<b>Adjusted</b>				
<b>Indicated Unit Value</b>	<b>N/A</b>				

Explanation of Adjustments with Reconciliation (Attach Comparable Data Supplement and Map; use separate page, numbered accordingly, as necessary).

The value of the site as leased for outdoor advertising purposes is the highest and best use of the Whole Property. Consequently, the Sales Comparison Approach – As Improved is not applicable.

**Estimated Value by Sales Comparison Approach: .....Not Applicable**

**INCOME APPROACH**    Whole:                       Part to be Acquired:                       Remainder After:

**SIGN SITE VALUATION**

Potential Gross Income					\$	20,000
Vacancy					\$	0
Reimbursements					\$	0
Effective Gross Income					\$	20,000
Expenses						
Management/Administrative (1% of EGI)					(\$200)	
Total Expenses.....					\$	<u>(200)</u>
Net Operating Income (NOI) .....					\$	19,800
Income Capitalized @		%	NOI ÷ Capitalization Rate = Value			7.00%
<b>Estimated Value by Income Approach</b>					\$	<b>282,857</b>

Because of the acquisition, the remainder site will be 600 square feet smaller. It is noted that the remainder property will still be able to function as a sign site because the sign structure will not encroach on the remainder land. In addition, no diminution in the ground rent is considered applicable as a result of the acquisition. In order to account for the loss of land in the Part Acquired, the pro-rata value of land acquired (\$11,382) has been deducted herein.

**Estimated Value by Income Approach:** ..... **\$282,857**  
 Less:..... **\$11,382**  
**Reconciled Final Value\*** ..... **\$271,475**

## Reconciliation and Conclusion of Value

**VALUATION APPROACHES:** See Attached page.

Sales Comparison Approach (Land Only).....\$	Not Applicable
Cost Approach .....	Not Applicable
Sales Comparison Approach (As Improved).....\$	Not Applicable
Income Approach (Sign site valuation).....\$	\$271,475

Reconciliation of Approaches to Value: Based on the analyses and conclusions for the valuation of the Whole Property, it is our opinion that a market value of \$271,475 is appropriate for the Subject Property.

Contributory Value of Improvements (Itemized)	
Total Contributory Value of Improvements	\$ 0

**Reconciled Final Value\*** ..... **\$271,475**

**SALES COMPARISON APPROACH – AS VACANT**

The Sales Comparison Approach – As Vacant is most reliable in an active market when a number of similar properties have recently sold. In this case, the highest and best use of the property is as a sign site. Therefore, the traditional Sales Comparison Approach technique to determine the value of the land has not been utilized. The capitalized value of the sign site, if leased in the open market, based on the appraiser’s analysis of the market, would exceed the value of the land put to any other alternate use.

**COST APPROACH**

The Cost Approach, particularly for newer construction, well-documented cost and well supported land value estimates, is a solid indicator of real property value. The Cost Approach is particularly useful in eminent domain appraisal because it requires a breakdown of land and improvement values and provides a vehicle by which to itemize costs to cure. Because the existing outdoor advertising sign is not impacted by the acquisition, this approach has not been applied.

**SALES COMPARISON APPROACH – AS IMPROVED**

The Sales Comparison approach is a direct approach to valuing real property through analysis of actual sales under prevailing market conditions. Because the existing outdoor advertising sign is not impacted by the acquisition, this approach has not been applied.

**INCOME APPROACH**

The Income Approach is typically employed in an appraisal of income-producing property. The Income Approach has been utilized to value the sign site ground lease.

**CONCLUSION OF VALUE**

Based on the analyses and conclusions in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed herein, it is my opinion that the market value of the fee simple estate of the Whole Property, as of the date of appraisal is:

**\$271,475**

EXPLANATION OF DAMAGES (if any): Because of the acquisition, the remainder site will be 600 square feet smaller. It is noted that the remainder property will still be able to function as a sign site because the sign structure will not encroach on the remainder land. In this analysis, the value of the remainder after the acquisition is the same as the value before the acquisition, thus, there are no damages to the remainder.

**COMPENSATION SUMMARY**

WHOLE PROPERTY:

The market value of the whole property is.....\$ 282,857

PART TO BE ACQUIRED:

Considered as severed land, the fee simple title to the part being acquired for highway purposes (less oil, gas and sulphur and subject to existing easements, if any, which are not to be extinguished) is.....\$ 11,382

REMAINING PROPERTY:

The value of the remainder immediately before the taking is.....\$ 271,475  
 Considering the uses to which the part taken is to be subjected to, the market value of the remainder immediately after the acquisition is.....\$ 271,475

NET DAMAGES OR ENHANCEMENTS, if any.....\$ 0

ACCESS:

The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of.....\$ 0

Cost to Cure .....\$ 0

**TOTAL COMPENSATION\*** .....\$ 11,382

**ADDENDUM A**  
**Certification**  
**Qualifications of Appraiser(s)**  
**Limiting Conditions & Assumptions**

# Certification

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We certify that, to the best of our knowledge and belief:

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the *Code of Professional Ethics and Standards of Professional Appraisal Practice* of the Appraisal Institute.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
9. W. Cameron Boone, IV, MAI, R/W-AC made a personal inspection of the property that is the subject of this report from the right-of-way and adjacent property on 8/30/2021 and other dates. David R. Dominy, MAI, CRE, FRICS and Richard Scholtz, R/W-AC inspected the subject property on other dates.
10. We have not performed any services in connection with the Subject Property within the three-year period immediately preceding acceptance of this assignment, either as an appraiser or in any other capacity.
11. Significant real property appraisal assistance, consisting of participating in the property inspection, conducting research on the subject, competitive markets and comparable data, all under the appropriate supervision, was provided by James H. Symington, MAI, who has not signed this certification.
12. This appraisal is not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
13. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.
14. It is our opinion that the subject does not include any enhancement in value as a result of any natural, cultural, recreational or scientific influences retrospective or prospective.
15. We have experience in appraising properties similar to the subject and are in compliance with the Competency Rule of *USPAP*.



16. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
17. As of the date of this report, David R. Dominy, MAI, CRE, FRICS, W. Cameron Boone, IV, MAI, and Richard Scholtz, R/W-AC have completed the continuing education program of the Texas Appraiser Licensing and Certification Board and the Appraisal Institute.

*William C. Boone IV*

Appraiser Signature – W. Cameron Boone, IV, MAI, R/W-AC  
Senior Vice President  
TX-1338682-G  
Certification Number

*David R. Dominy*

Appraiser Signature – David R. Dominy, MAI, CRE, FRICS  
Managing Director  
TX-1321542-G  
Certification Number

*Richard W. Scholtz*

Appraiser Signature – Richard W. Scholtz, R/W-AC  
Senior Vice President  
TX-1330073-G  
Certification Number

## W. Cameron Boone, IV, MAI, R/W-AC

### Senior Vice President

#### Current Responsibilities

Cameron Boone is a Senior Vice President with JLL Valuation & Advisory Services. His experience includes expert witness testimony and appraisal and consulting analysis of real property for a variety of purposes, including infrastructure projects, litigation, eminent domain, estate tax planning, and lending.

Cameron's experience spans a variety of property types including unimproved vacant land, single family residential, multi-family residential, industrial, commercial, retail, office, subdivisions and master planned communities, mixed use development, self-storage, shopping malls, television studios, agriculture and ranch land, mineral rights, conservation easements, timber land, hotels, recreational land, solar farms, right of way corridors, conservancies, and more.

#### Experience

Prior to joining JLL, Cameron was a Valuation Services Director for Colliers International Valuation & Advisory Services.

While a student, he served as an intern for United States Senator Kay Bailey Hutchison in Washington, D.C. and NASA's Johnson Space Center in Houston, Texas.

Mr. Boone has been a guest lecturer at CLE International and co-authored "Revisiting the Valuation of Timberland – Terminology, Methods, and Case Studies" in the Appraisal Journal (Summer, 2011).

#### Education and Affiliations

Bachelor of Arts, Baylor University  
Appraisal Institute, Member (MAI)  
Appraisal Institute Houston Chapter – Board of Directors (2019 – present)  
Appraisal Institute Houston Chapter - Secretary/Treasurer (2021)  
Member: International Right of Way Association  
UASFLA: Yellow Book Certified  
CCIM: CI 101 Financial Analysis for Commercial Investment Real Estate

#### Contact

T: +1-713-243-3379  
E: cameron.boone@am.jll.com



### *Certified General Real Estate Appraiser:*

- Alabama
- Florida
- Louisiana
- Mississippi
- New Mexico
- Oklahoma
- Pennsylvania
- Texas
- Wisconsin

## David R. Dominy, MAI, CRE, FRICS

**Managing Director**  
**National Practice Lead – Infrastructure**  
**Valuation Advisory, U.S.**

### Current responsibilities

David Dominy serves as the Managing Director of JLL Houston's Valuation and Advisory Services (VAS) business. In this role, Mr. Dominy is responsible for guiding the overall performance of the Houston practice, building the market presence and driving revenue to the business line.

In addition to leading JLL Houston's VAS efforts, Mr. Dominy assists in targeting, recruiting and retaining valuation team members nationally.

### Experience

Prior to joining JLL in late 2016, Mr. Dominy served as Senior Managing Director at Integra Realty Resources (IRR) in Houston.

Mr. Dominy has successfully completed numerous real estate related courses and seminars sponsored by the Appraisal Institute, accredited universities and other institutions.

He is currently certified by the Appraisal Institute's voluntary program of continuing education for its designated members, and has been a guest lecturer at Rice University, CLE International, the Harris County Eminent Domain Seminar, the Harris County Appraisal District and the Texas Association of Assessment Officers.

### Education and affiliations

Baylor University, Bachelor of Business Administration  
Appraisal Institute (MAI), Member and Former President - Houston Chapter  
Counselor of Real Estate (CRE), Former Chairman - Houston Chapter  
Royal Institute of Chartered Surveyors, Fellow (FRICS)  
International Right of Way Association (IRWA), Member  
City Council Member, Spring Valley, Texas  
Yellowstone Academy, Board Member  
On Track Ministries, Board Member  
C Club Houston, Former President  
Houston Realty Business Coalition, Former President  
Baylor College of Medicine, Board Member  
Baylor University Hankamer School of Business, Past Advisory Board Member

### Contact

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[1] U.S. property valuation and tax consulting services are performed by JLL Valuation & Advisory Services, LLC, a wholly owned indirect subsidiary of Jones Lang LaSalle Incorporated.

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### Certified General Real Estate Appraiser:

- Alabama
- Arizona
- Arkansas
- Colorado
- Georgia
- Illinois
- Kansas
- Louisiana
- Michigan
- Minnesota
- Mississippi
- New Mexico
- Ohio
- Oklahoma
- Pennsylvania
- South Carolina
- Tennessee
- Texas
- Virginia
- Wisconsin



# Richard Scholtz, R/W-AC

## Senior Vice President Valuation Advisory, U.S.

### Current responsibilities

Richard Scholtz serves as a Senior Vice President of JLL Valuation Advisory in the United States. In this role, he is focused on conducting appraisals and consulting assignments. Mr. Scholtz has been actively engaged in real estate valuation and consulting since 1998.

### Experience

Prior to joining JLL in late 2016, Mr. Scholtz was with a national valuation firm, where he most recently served as a Senior Analyst in the Austin office. During his tenure with the firm, he developed appraisal and consulting expertise concentrated in specialized assignments involving corridor valuation and multi-parcel eminent domain projects throughout Texas. Analysis on valuations have been performed on various properties including, but not limited to, single and multi-tenant industrial buildings, low rise office buildings, mixed-used facilities, absolute net leased properties, ranches and vacant land. Clients served include private and institutional lenders, private and public utilities and public agencies. Assignments have been performed for condemnation purposes, financing and due diligence support. Valuations and market studies have been performed on proposed and existing structures.

### Education and affiliations

RWA: Member – International Ethics Committee  
IRWA: Chapter 74 Treasurer  
IRWA: Right of Way – Appraisal Certified (R/W-AC)  
Appraisal Institute – Candidate for Designation  
Certified General Real Estate Appraiser in Texas  
Certified General Real Estate Appraiser in Arizona  
General Certified Appraiser in New Mexico  
BS, Texas A&M University, College Station, Texas 1998

### Contact

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richard.scholtz@am.jll.com



*Certified General Real Estate Appraiser:*

- Texas
- Arizona
- New Mexico

[1] U.S. property valuation and tax consulting services are performed by JLL Valuation & Advisory Services, LLC, a wholly owned indirect subsidiary of Jones Lang LaSalle Incorporated.

## Limiting Conditions and Assumptions

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1. All reports and work product we deliver to you (collectively called “report”) represent an opinion of value, based on historical information and forecasts of market conditions. Actual results may vary from those forecast in the report. There is no guaranty or warranty that the opinion of value reflects the actual value of the property.
2. The conclusions stated in our report apply only as of the effective date of the appraisal, and no representation is made as to the effect of subsequent events. Assessed values may change significantly and unexpectedly over short periods. We are not liable for any conclusions in the report that may be different if there are subsequent changes in value. We are not liable for loss relating to reliance upon our report more than three months after its date.
3. There may be differences between projected and actual results because events and circumstances frequently do not occur as predicted, and those differences may be material. We are not liable for any loss arising from these differences.
4. We are not obligated to predict future political, economic or social trends. We assume no responsibility for economic factors that may affect or alter the opinions in the report if the economic factors were not present as of the date of the letter of transmittal accompanying the report.
5. The report reflects an appraisal of the property free of any liens or encumbrances unless otherwise stated.
6. We assume responsible ownership and competent property management.
7. The appraisal process requires information from a wide variety of sources. We have assumed that all information furnished by others is correct and complete, up to date and can be relied upon, but no warranty is given for its accuracy. We do not accept responsibility for erroneous information provided by others. We assume that no information that has a material effect on our appraisal has been withheld.
8. We assume the following, unless informed to the contrary in writing: Each property has a good and marketable title. All documentation is satisfactorily drawn and that there are no encumbrances, restrictions, easements or other adverse title conditions, which would have a material effect on the value of the interest under consideration. There is no material litigation pending involving the property. All information provided by the Client, or its agents, is correct, up to date and can be relied upon. We are not responsible for considerations requiring expertise in other fields, including but not limited to: legal descriptions, interpretation of legal documents and other legal matters, geologic considerations such as soils and seismic stability, engineering, or environmental and toxic contaminants. We recommend that you engage suitable consultants to advise you on these matters.
9. We assume that all engineering studies are correct. The plot plans and illustrative material in the report are included only to help the reader visualize the property.
10. We assume that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. We are not responsible for such conditions or for obtaining the engineering studies that may be required to discover them.

11. We assume that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in the report. We have not made or requested any environmental impact studies in conjunction with the report. We reserve the right to revise or rescind any opinion of value that is based upon any subsequent environmental impact studies. If any environmental impact statement is required by law, the report assumes that such statement will be favorable and will be approved by the appropriate regulatory bodies.
12. Unless otherwise stated in the report, you should assume that we did not observe any hazardous materials on the property. We have no knowledge of the existence of such materials on or in the property; however, we are not qualified to detect such substances, and we are not providing environmental services. The presence of substances such as asbestos, urea-formaldehyde foam insulation and other potentially hazardous materials may affect the value of the property. Our report assumes that there is no such material on or in the property that would cause a loss in value. We do not assume responsibility for such conditions or for any expertise or engineering knowledge required to discover them. We encourage you to retain an expert in this field, if desired. We are not responsible for any such environmental conditions that exist or for any engineering or testing that might be required to discover whether such conditions exist. We are not experts in the field of environmental conditions, and the report is not an environmental assessment of the property.
13. We may have reviewed available flood maps and may have noted in the report whether the property is generally located within or out of an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property. Any opinion of value we include in our report assumes that floodplain and/or wetlands interpretations are accurate.
14. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether it is in compliance with the ADA. We claim no expertise in ADA issues, and render no opinion regarding compliance of the property with ADA regulations.
15. We assume that the property conforms to all applicable zoning and use regulations and restrictions unless we have identified, described and considered a non-conformity in the report.
16. We assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in the report is based.
17. We assume that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
18. We have not made any investigation of the financial standing of actual or prospective tenants unless specifically noted in the report. Where properties are valued with the benefit of leasing, we assume, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the leases, all rent and other amounts payable under the leases have been paid when due, and that there are no undisclosed breaches of the leases.

19. We did not conduct a formal survey of the property and assume no responsibility for any survey matters. The Client has supplied the spatial data, including sketches and/or surveys included in the report, and we assume that data is correct, up to date and can be relied upon.
20. Unless otherwise stated, the opinion of value included in our report excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier. We have made no allowance for any plant, machinery or equipment unless they form an integral part of the building and would normally be included in a sale of the building. We do not normally carry out or commission investigations into the capacity or condition of services being provided to the property. We assume that the services, and any associated controls or software, are in working order and free from defect. We also assume that the services are of sufficient capacity to meet current and future needs.
21. In the case of property where construction work is in progress, such as refurbishment or repairs, or where developments are in progress, we have relied upon cost information supplied to us by the Client or its appointed experts or upon industry accepted cost guides. In the case of property where construction work is in progress, or has recently been completed, we do not make allowance for any liability already incurred, but not yet discharged, in respect of completed work, or obligations in favor of contractors, subcontractors or any members of the professional or design team. We assume the satisfactory completion of construction, repairs or alterations in a workmanlike manner.
22. Any allocation in the report of value between the land and the improvements applies only under the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
23. The report is confidential to the party to whom it is addressed and those other intended users specified in the report for the specific purpose to which it refers. Use of the report for any other purpose or use by any party not identified as an intended user of the report without our prior written consent is prohibited, and we accept no responsibility for any use of the report in violation of the terms of this Agreement.
24. We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in writing.
25. Neither the whole report, nor any part, nor reference thereto, may be published in any manner without our prior written approval.
26. We may rely on, and will not verify, the accuracy and sufficiency of documents, information and assumptions provided to it by the Client or others. We will not verify documents, information and assumptions derived from industry sources or that JLL or its affiliates have prepared in the regular course of business. We are not liable for any deficiency in the report arising from the inaccuracy or insufficiency of such information, documents and assumptions. However, our report will be based on our professional evaluation of all such available sources of information.
27. Unless expressly advised to the contrary, we assume that appropriate insurance coverage is and will continue to be available on commercially acceptable terms.
28. We assume that no material changes in any applicable federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated.

## **ADDENDUM B**

### **Definitions**



## DEFINITIONS

In most cases, the following definitions have been extracted, solely or in combination, from definitions and descriptions printed in:

- The Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute, Chicago, Illinois, 2010 (Dictionary).
- The Appraisal of Real Estate, Thirteenth Edition, Appraisal Institute, Chicago, Illinois, 2008 (Thirteenth Edition).
- Marshall Valuation Service, Marshall & Swift, Los Angeles, California, (MVS).
- Standard Method for Measuring Floor Area in Office Complexes, Building Owners and Managers Association International, Washington, DC, 1996 (BOMA Standard).

### Accrued Depreciation

The difference between the reproduction or replacement cost of the improvements on the effective date of the appraisal and the market value of the improvements on the same date. (*Dictionary*)

### Class of Office Building (*Dictionary*)

For the purposes of comparison, office space is grouped into three classes. These classes represent a subjective quality rating of buildings, which indicates the competitive ability of each building to attract similar types of tenants. Combinations of factors such as rent, building finishes, system standards and efficiency, building amenities, location/accessibility, and market perception are used as relative measures. (Note that national cost estimating services may classify office buildings differently than local markets.)

Class A office buildings are the most prestigious office buildings competing for the premier office users, with rents above average for the area. Buildings have high-quality standard finishes, state-of-the-art systems, exceptional accessibility, and a definite market presence.

Class B office buildings compete for a wide range of users, with rents in the average range for the area. Building finishes are fair to good for the area and systems are adequate, but the buildings do not compete with Class A buildings at the same price.

Class C office buildings compete for tenants requiring functional space at rents below the average for the area.

### Deferred Maintenance

Curable, physical deterioration that should be corrected immediately, although work has not commenced; denotes the need for immediate expenditures, but does not necessarily suggest inadequate maintenance in the past. (*Dictionary*)

### Discounted Cash Flow (DCF) Analysis

The procedure in which a discount rate is applied to a set of projected income streams and a reversion. The analyst specifies the quantity, variability, timing, and duration of the income streams as well as the quantity and timing of the reversion and discounts each to its present value at a specified yield rate. DCF analysis can be applied with any yield capitalization technique and may be performed on either a lease-by-lease or aggregate basis. (*Dictionary*)

### Disposition Value

The most probable price that a specified interest in real property is likely to bring under all of the following conditions:

1. Consummation of a sale will occur within a limited future marketing period specified by the client.
2. The actual market conditions currently prevailing are those to which the appraised property interest is subject.
3. The buyer and seller is each acting prudently and knowledgeably.
4. The seller is under compulsion to sell.

5. The buyer is typically motivated.
6. Both parties are acting in what they consider their best interests.
7. An adequate marketing effort will be made in the limited time allowed for the completion of a sale.
8. Payment will be made in cash in U.S. dollars or in terms of financial arrangements comparable thereto.
9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

This definition can also be modified to provide for valuation with specified financing terms. See also distress sale; forced price; liquidation value; market value. (*Dictionary*)

#### **Easement**

The right to use another's land for a stated purpose. (*Dictionary*)

#### **Effective Date**

The date at which the analyses, opinions, and advice in an appraisal, review, or consulting service apply. (*Dictionary*)

#### **Entrepreneurial Incentive**

The amount that an entrepreneur expects or wants to receive as compensation for providing coordination and expertise and assuming the risks associated with the development of a project. Entrepreneurial incentive is an amount anticipated, prior to development, whereas entrepreneurial profit is an amount earned, estimated after completion. (*Thirteenth Edition*)

#### **Entrepreneurial Profit**

A market-derived figure that represents the amount an entrepreneur receives for his or her contribution to a project and risk; the difference between the total cost of a property (cost of development) and its market value (property value after completion), which represents the entrepreneur's compensation for the risk and expertise associated with development. (*Dictionary*)

#### **Excess Land; Surplus Land (*Dictionary*)**

**Excess Land:** In regard to an improved site, the land not needed to serve or support the existing improvement. In regard to a vacant site or a site considered as though vacant, the land not needed to accommodate the site's primary highest and best use. Such land may be separated from the larger site and have its own highest and best use, or it may allow for future expansion of the existing or anticipated improvement.

**Surplus Land:** Land not necessary to support the highest and best use of the existing improvement but, because of physical limitations, building placement, or neighborhood norms, cannot be sold off separately. Such land may or may not contribute positively to value and may or may not accommodate future expansion of an existing or anticipated improvement.

#### **Exposure Time**

The time a property remains on the market. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. Exposure time is different for various types of real estate and value ranges and under various market conditions. (*Dictionary*)

### **Fee Simple Estate**

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (*Dictionary*)

### **Floor Area Ratio (FAR)**

The relationship between the above-ground floor area of a building, as described by the building code, and the area of the plot on which it stands; in planning and zoning, often expressed as a decimal, e.g., a ratio of 2.0 indicates that the permissible floor area of a building is twice the total land area. (*Dictionary*)

### **Gross Building Area (GBA)**

The total floor area of a building, including below-grade space but excluding unenclosed areas, measured from the exterior of the walls. Gross building area for office buildings is computed by measuring to the outside finished surface of permanent outer building walls without any deductions. All enclosed floors of the building including basements, mechanical equipment floors, penthouses, and the like are included in the measurement. Parking spaces and parking garages are excluded. (*Dictionary*)

### **Highest and Best Use**

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. (*Dictionary*)

### **Insurable Value**

Value used by insurance companies as the basis for insurance. Often considered to be replacement or reproduction cost plus allowances for debris removal or demolition less deterioration and noninsurable items. Sometimes cash value or market value, but often entirely a cost concept. (*MVS*)

### **Larger Parcel**

In governmental land acquisitions, the tract or tracts of land that are under the beneficial control of a single individual or entity and have the same, or an integrated, highest and best use. Elements for consideration by the appraiser in making a determination in this regard are contiguity, or proximity, as it bears on the highest and best use. In most states, unity of ownership, contiguity, and unity of use are the three conditions that establish the larger parcel for the consideration of severance damages. In federal and some state cases, however, contiguity is sometimes subordinated to unitary use. (*Dictionary*)

### **Leased Fee Interest**

An ownership interest held by a landlord with the rights of use and occupancy conveyed by lease to others. The rights of the lessor (the leased fee owner) and the lessee are specified by contract terms contained within the lease. (*Dictionary*)

### **Leasehold Interest**

The interest held by the lessee (the tenant or renter) through a lease transferring the rights of use and occupancy for a stated term under certain conditions. (*Dictionary*)

### **Lease Type**

**Gross Lease:** A lease in which the landlord receives stipulated rent and is obligated to pay all or most of the property's operating expenses and real estate taxes. (*Dictionary*)

**Modified Gross Lease:** A lease in which certain types of expenses are paid by the landlord and other types are paid by the tenants. The meaning of the term "modified gross lease" varies from market to market; therefore the analyst should identify the specific expense responsibilities of the owner and tenant whenever the term is used. (*Thirteenth Edition*) The modified gross lease type is intended to include leases that are sometimes called net, single net, double net, partial net, and semi-gross.

**Net Lease:** A lease in which the tenant pays most but not all of the operating expenses of a property, and the landlord is responsible for some expenses. Sometimes called single net or double net lease. The net lease category is intended to

include leases that do not meet the definition of a triple net or absolute net lease. Whenever the term net lease is used, an analyst should identify the specific expense responsibilities of the tenant and owner.

**Triple Net Lease:** A net lease under which the lessee assumes all expenses of operating a property, including both fixed and variable expenses and any common area maintenance that might apply, but the landlord is responsible for structural repairs. Also called net net net or NNN lease. (Dictionary)

**Absolute Net Lease:** A lease in which the tenant pays all expenses including structural maintenance and repairs; usually a long-term lease to a credit tenant. (Dictionary)

### **Liquidation Value**

The most probable price that a specified interest in real property is likely to bring under all of the following conditions:

1. Consummation of a sale will occur within a severely limited future marketing period specified by the client.
2. The actual market conditions currently prevailing are those to which the appraised property interest is subject.
3. The buyer is acting prudently and knowledgeably.
4. The seller is under extreme compulsion to sell.
5. The buyer is typically motivated.
6. The buyer is acting in what he or she considers his or her best interest.
7. A limited marketing effort and time will be allowed for the completion of a sale.
8. Payment will be made in cash in U.S. dollars or in terms of financial arrangements comparable thereto.
9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

This definition can be modified to provide for valuation with specified financing terms. (Dictionary)

### **Market Rent**

The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the typical lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs). (Thirteenth Edition)

### **Market Value**

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- buyer and seller are typically motivated;
- both parties are well informed or well advised, and acting in what they consider their best interests;
- a reasonable time is allowed for exposure in the open market;
- payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and

- the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: Office of the Comptroller of the Currency under 12CFR, Part 34, Subpart C-Appraisals, 34.42 Definition (f).

The previous definition is used in support of City of Austin v. Cannizzo, 267 S.W. 2d 808, 815 (Texas 1954), which defines market value as:

...the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future

### **Marketing Time**

The time it takes an interest in real property to sell on the market subsequent to the date of an appraisal. Reasonable marketing time is an estimate of the amount of time it might take to sell an interest in real property at its estimated market value during the period immediately after the effective date of the appraisal; the anticipated time required to expose the property to a pool of prospective purchasers and to allow appropriate time for negotiation, the exercise of due diligence, and the consummation of a sale at a price supportable by concurrent market conditions. (*Dictionary*)

### **Partial Taking**

The taking of part of any real property interest for public use under the power of eminent domain; requires the payment of compensation. (*Dictionary*)

### **Rentable Area (RA)**

The amount of space on which rent is based. Under the *BOMA Standard*, rentable area equals usable area plus common areas such as lobbies, corridors, washrooms, and mechanical rooms; however, rentable area specifically excludes vertical penetrations such as elevator shafts, stairs, pipe shafts and their enclosing walls. (*BOMA Standard*)

### **Replacement Cost**

The estimated cost to construct, at current prices as of the effective appraisal date, a building with utility equivalent to the building being appraised, using modern materials and current standards, design and layout. (*Dictionary*)

### **Reproduction Cost**

The estimated cost to construct, at current prices as of the effective date of the appraisal, an exact duplicate or replica of the building being appraised, using the same materials, construction standards, design, layout, and quality of workmanship and embodying all the deficiencies, superadequacies, and obsolescence of the subject building. (*Dictionary*)

### **Stabilized Occupancy**

Occupancy at that point in time when abnormalities in supply and demand or any additional transitory conditions cease to exist and the existing conditions are those expected to continue over the economic life of the property; the optimum range of long-term occupancy which an income-producing real estate project is expected to achieve under competent management, after exposure for leasing in the open market for a reasonable period of time at terms and conditions comparable to competitive offerings. (*Dictionary*)

### **Usable Area**

The actual occupied area, calculated by measuring the area enclosed by: the finished surface of the office side of corridor and other permanent walls; the inside finished surface of the permanent outer building wall or a major vertical penetration; and the center of partitions that separate the area being measured from adjoining usable areas. No deductions shall be made for columns and projections necessary to the building. Usable area does not include mechanical rooms, janitorial rooms, restrooms, upper level floor lobbies, and any major vertical penetrations of a multi-tenant floor. (*BOMA EER and BOMA Standard*)

**Value After the Taking**

In condemnation, the market value of the remainder parcel in the partial taking. (*Dictionary*)

**Value Before the Taking**

In eminent domain, the market value of the whole property prior to the taking. (*Dictionary*)

**Zoning**

Public regulation of the use of private land through application of police power; accomplished by establishing districts or areas with uniform requirements relating to lot coverage, setbacks, type of improvement, permitted activities, signage, structure height, minimum lot area, density, landscaping, and other aspects of land use and development. Zoning regulations are established by enactment of a local (city, town, or county) zoning ordinance. (*Dictionary*)

**ADDENDUM C**  
**Project/Survey Maps and Legal Descriptions**

**EXHIBIT A**

**County:** Travis  
**Highway:** IH 35  
**Limits:** FM 1825 to US 290  
**CCSJ:** 0015-13-389  
**RCSJ:** 0015-13-406  
**Project No.** R00002754

**PROPERTY DESCRIPTION FOR PARCEL P00001081**

BEING a 0.0138 of one acre (600 square foot) parcel of land situated in the T.C. Collins Survey No. 61, Abstract No. 201, in Travis County, Texas, being a portion of Lot 5, Block "A", Parmer Center North Subdivision, a subdivision of record in Document No. 200300185, Official Public Records, Travis County, Texas, said Lot 5 conveyed to Capital Metropolitan Transportation Authority (74.5%) by Special Warranty Deed dated September 15, 2003, as recorded in Document No. 2003222786, Official Public Records, Travis County, Texas, and to Capital Metropolitan Transportation Authority (25.5%) by Special Warranty Deed dated September 15, 2003, as recorded in Document No. 2003222787, Official Public Records, Travis County, Texas, save and except 0.3982 of one acre described in Document No. 2009061545, Official Public Records, Travis County, Texas; said 0.0138 of one acre (600 square foot) parcel of land being more particularly described by metes and bounds as follows:

COMMENCING at a cotton spindle in asphalt found in the south line of said Lot 5 and said Capital Metropolitan Transportation Authority, being at the northeast corner of Lot 2, Block "A", in said Parmer Center North Subdivision, said Lot 2 conveyed to Austin Telco Federal Credit Union by Special Warranty Deed, as recorded in Document No. 2009204922, Official Public Records, Travis County, Texas;

THENCE, North 78°50'20" West, along the south line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the north line of said Lot 2 and said Austin Telco Federal Credit Union tract, a distance of 272.35 feet to a 5/8-inch iron rod with TEXAS DEPARTMENT OF TRANSPORTATION aluminum cap set in the proposed east right-of-way line of IH 35, for the POINT OF BEGINNING, being 184.81 feet left of Engineer's Baseline Station 2678+24.00, and having Surface Coordinates of N=10,127,181.38, E=3,135,693.97;



**EXHIBIT A**

- 1) THENCE, **North 78°50'20" West**, continuing along the south line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the north line of said Lot 2 and said Austin Telco Federal Credit Union tract, a distance of **10.01 feet** to a 1/2-inch iron rod with "BURY AND PARTNERS" cap found at the southwest corner of said Lot 5 and said Capital Metropolitan Transportation Authority tract, being at the northwest corner of said Lot 2 and said Austin Telco Federal Credit Union tract, and being in the existing east right-of-way line of IH 35 (varying width);
- 2) THENCE, **North 07°58'28" East**, along the west line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the existing east right-of-way line of IH 35, a distance of **60.00 feet** to a TxDOT Type II monument found at the northwest corner of said Lot 5 and said Capital Metropolitan Transportation Authority tract, being in the south line of Lot 3, Block "A", Resubdivision of Lot 2A Block "A" Amendment of Lot 2 and Lot 3 Block "A" Scofield Ranch Retail Subdivision, a subdivision of record in Document No. 200100334, Official Public Records, Travis County, Texas, said Lot 3 conveyed to HD Development Properties, L.P. by Special Warranty Deed, as recorded in Document No. 2005069869, Official Public Records, Travis County, Texas;
- 3) THENCE, **South 78°49'27" East**, along the north line of said Lot 5 and said Capital Metropolitan Transportation Authority tract and the south line of said Lot 3 and said HD Development Properties tract, a distance of **10.01 feet** to a 5/8-inch iron rod with TxDOT aluminum cap set in the proposed east right-of-way line of IH 35, being 184.80 feet left of Engineer's Baseline Station 2677+64.00;
- 4) THENCE, **South 07°58'28" West**, along the proposed east right-of-way line of IH 35, crossing said Lot 5 and said Capital Metropolitan Transportation Authority tract, a distance of **60.00 feet** to the POINT OF BEGINNING and containing 0.0138 of one acre (600 square feet) of land within these metes and bounds.

The bearings and coordinates are based on the Texas Coordinate System, Central Zone (4203), North American Datum of 1983, 2011 Adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a surface adjustment factor of 1.00011.

Access is permitted to the highway facility from the abutting remainder property.

**EXHIBIT A**

A parcel plat of even date was prepared in conjunction with this property description.

STATE OF TEXAS       §  
                                  §       **KNOW ALL MEN BY THESE PRESENTS:**  
COUNTY OF TRAVIS   §

That I, Troy R. Thomas, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 8th day of October, 2021 A.D.

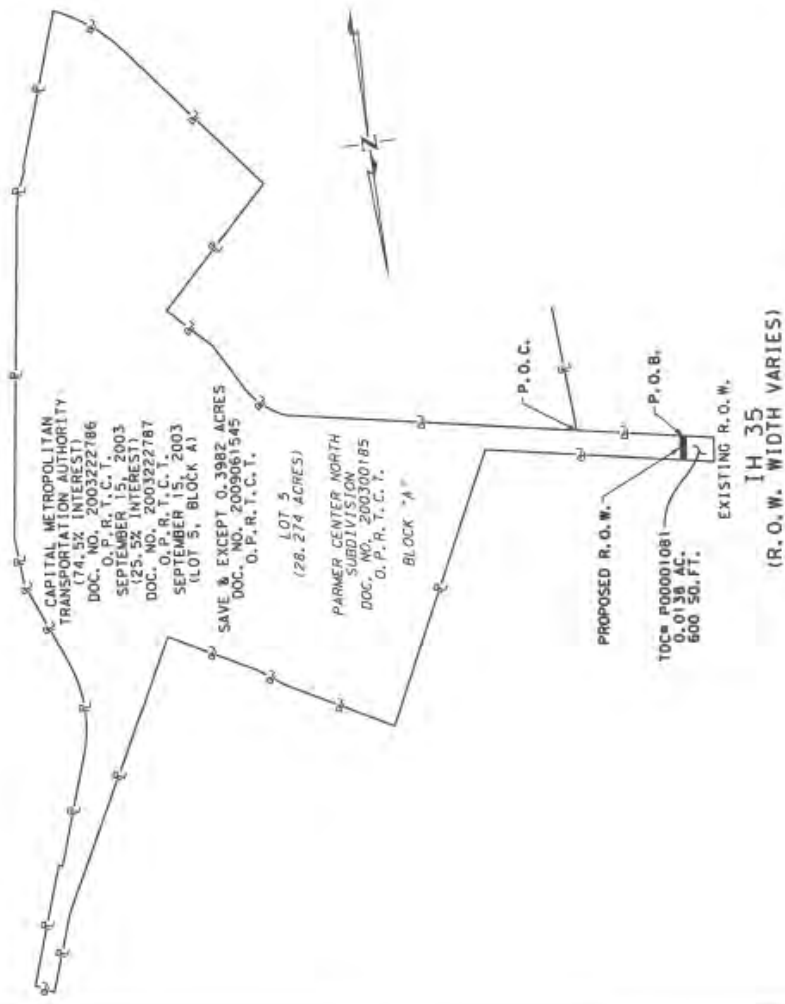
SURVEYED BY:

**McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591  
TBPELS Survey Firm# 10095500

        10/8/2021  
\_\_\_\_\_  
Troy R. Thomas, Reg. Professional Land Surveyor No. 6130  
M:\Tx\DOT Division-IH35-SH 45 to FM 1825\Description\Parcel 85



- NOTES:
1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM, 1983, ADJUSTED TO THE SURVEY FEET. MEASUREMENTS ARE IN U.S. SURVEY FEET.
  2. COORDINATES AND DISTANCES ARE DISPLAYED IN SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.000111.
  3. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY COMMUNITY NATIONAL TITLE, LLC AS GP20030214 FROM EFFECTIVE ON MARCH 31, 2020 AND ISSUED ON APRIL 14, 2020.
  4. FIELD SURVEYING WAS PERFORMED FROM JULY 2020 THROUGH AUGUST 2021.
  5. ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE ABUTTING REMAINDER PROPERTY.
  6. RIGHT OF ENTRY WAS GRANTED BY THE LANDOWNER AT THE TIME OF SURVEY.
  7. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.



PROPERTY INSET  
NOT TO SCALE

I, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

*T.R.T.*

TROY R. THOMAS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6130

10/8/2021 DATE

REVISIONS		
CALCULATED	ACQUISITION	REMAINING LT
27,876 AC. 1,214,270 SQ. FT.	0,0138 AC. 600 SQ. FT.	27,862 AC. 1,213,670 SQ. FT.

**Texas Department of Transportation**

**McGRAY & McGRAY**  
**LAND SURVEYORS, INC.**  
TBPELS SURVEY FIRM # 10095500  
3301 HANCOCK DRIVE #6  
AUSTIN, TEXAS 78731  
(512) 451-8591  
www.mcgray.com

**PARCEL PLAT SHOWING**  
TDC# P00001081  
IH 35 (FM 1825 TO US 290)  
TRAVIS COUNTY, TEXAS  
C.C.S.J.: 0015-13-389  
R.C.S.J.: 0015-13-406

DATE: OCTOBER 2021 SCALE: N.T.S.





**CLOSURE REPORT**  
**Parcel P00001081 (600 Square Feet)**  
County: Travis  
Highway: IH 35  
Limits: FM 1825 to US 290  
CCSJ: 0015-13-389  
RCSJ: 0015-13-406  
Project No. R00002754

**Point of Commencement**

Northing: 10127128.6616'  
Easting: 3135961.1690'

Side 1: Line

Direction: N78°50'20.00"W Distance: 272.3500'

**Point of Beginning**

Northing: 10127181.3800'  
Easting: 3135693.9700'

Side 1: Line

Direction: N78°50'20.00"W Distance: 10.0100'

Northing: 10127183.3176'

Easting: 3135684.1493'

Side 2: Line

Direction: N07°58'28.00"E Distance: 60.0000'

Northing: 10127242.7374'

Easting: 3135692.4732'

Side 3: Line

Direction: S78°49'27.00"E Distance: 10.0100'

Northing: 10127240.7973'

Easting: 3135702.2934'

Side 4: Line

Direction: S07°58'28.00"W Distance: 60.0000'

Northing: 10127181.3775'

Easting: 3135693.9695'

**Closure Summary**

Precision, 1 part in: 54438.3811'  
Error distance: 0.0026'  
Error direction: S11°10'06.51"W  
Area: 0.0138 Ac.  
Square area: 599.64984  
Perimeter: 140.0200'

**ADDENDUM D**  
**Property Information**

## Travis CAD

Property Search > 548530 CAPITAL METROPOLITAN for Year  
2021

Tax Year:

### Property

#### Account

Property ID:	548530	Legal Description:	LOT 5 BLK A LESS 0.3982 ACR PARMER CENTER NORTH SUBD
Geographic ID:	0262260115	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	900 CENTER RIDGE DR TX 78753	Mapsco:	
Neighborhood:	EXEMPT PPTY W/ SQ FT	Map ID:	025921
Neighborhood CD:	00EXE		

#### Owner

Name:	CAPITAL METROPOLITAN	Owner ID:	154189
Mailing Address:	TRANSPORTATION AUTHORITY 2910 E 5TH ST AUSTIN , TX 78702-4817	% Ownership:	100.0000000000%
		Exemptions:	EX-XV

### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$25,984	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$9,471,441	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$9,497,425	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$9,497,425	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$9,497,425	

### Taxing Jurisdiction

Owner: CAPITAL METROPOLITAN

propaccess.traviscad.org/clientdb/Property.aspx?cid=1&prop\_id=548530

1/2

% Ownership: 100.0000000000%

Total Value: \$9,497,425

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
02	CITY OF AUSTIN	0.533500	\$9,497,425	\$0	\$0.00
03	TRAVIS COUNTY	0.374359	\$9,497,425	\$0	\$0.00
0A	TRAVIS CENTRAL APP DIST	0.000000	\$9,497,425	\$0	\$0.00
19	PFLUGERVILLE ISD	1.422300	\$9,497,425	\$0	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$9,497,425	\$0	\$0.00
68	AUSTIN COMM COLL DIST	0.105800	\$9,497,425	\$0	\$0.00
76	NE TRAVIS CO ROAD DIST NO 2	0.000000	\$9,023,853	\$0	\$0.00
Total Tax Rate:		2.546265			
				Taxes w/Current Exemptions:	\$0.00
				Taxes w/o Exemptions:	\$241,829.61

### Improvement / Building

Improvement #1:	Detail Only	State Code:	F3 Living Area:	1.0 sqft	Value:	\$25,984
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
1ST	1st Floor	D35 - 1		2014	1.0	
611	TERRACE	CA - *		2014	816.0	
501	CANOPY	A - *		2014	816.0	
541	FENCE COMM LF	C6 - *		2014	134.0	

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	27.8762	1214287.27	0.00	0.00	\$9,471,441	\$0

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2022	N/A	N/A	N/A	N/A	N/A	N/A
2021	\$25,984	\$9,471,441	0	9,497,425	\$0	\$9,497,425
2020	\$26,084	\$9,471,441	0	9,497,525	\$0	\$9,497,525
2019	\$26,084	\$7,892,867	0	7,918,951	\$0	\$7,918,951
2018	\$25,308	\$7,892,867	0	7,918,175	\$0	\$7,918,175
2017	\$258	\$7,892,867	0	7,893,125	\$0	\$7,893,125

Questions Please Call (512) 834-9317

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Board of Directors

Item #: AI-2022-470

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution authorizing the President & CEO, or their designee, to vacate the easement commonly referred to as the McKalla or J.J. Pickle rail spur, between Capital Metro railroad right of way and Burnet Road in Austin, Texas, and to take all additional actions necessary or advisable to vacate the easement, including without limitation, negotiating and executing any other documents necessary or advisable, allowing for the reversion to the Grantor pursuant to certain Quitclaim Deeds.

**FISCAL IMPACT:**

This action has no fiscal impact.

**STRATEGIC PLAN:**

**Strategic Goal Alignment:**

- 1. Customer
- 2. Community
- 3. Workforce
- 4. Organizational Effectiveness

**Strategic Objectives:**

- 1.1 Safe & Reliable Service
- 1.2 High Quality Customer Experience
- 1.3 Accessible System
- 2.1 Support Sustainable Regional Growth
- 2.2 Become a Carbon Neutral Agency
- 2.3 Responsive to Community and Customer Needs
- 2.4 Regional Leader in Transit Planning
- 3.1 Diversity of Staff
- 3.2 Employer of Choice
- 3.3 Expand Highly Skilled Workforce
- 4.1 Fiscally Responsible and Transparent
- 4.2 Culture of Safety
- 4.3 State of Good Repair

**EXPLANATION OF STRATEGIC ALIGNMENT:** The McKalla/J.J. Pickle rail spur right-of-way is an easement which was originally established to serve the J.J. Pickle Research Center by providing freight rail access. The need for rail access to this campus no longer exists and Capital Metro can relieve itself of ongoing right-of-way maintenance by vacating the easement.

**BUSINESS CASE:** The referenced rail spur easement is more particularly described in two rail right-of-way instruments, herein referred to as the Tisdale Rail Easement (approximately six hundred forty-seven (647) feet long by fifty (50) feet wide) and the Shults Rail Easement (approximately two thousand eighteen (2018) feet long by fifty (50) feet wide) (collectively, the McKalla Rail Spur Easement), and may subject the Authority to ongoing liability and maintenance if it is not vacated.

COMMITTEE RECOMMENDATION: This agenda item will be presented to the full board on June 27, 2022.

EXECUTIVE SUMMARY: Section 451.054(d) of the Texas Transportation Code permits an authority to dispose of property that is inconsistent with the operation and maintenance of the authority or is surplus and not needed for the requirements of the authority. Capital Metro has determined that the McKalla Rail Spur Easement is no longer needed to provide freight or commuter rail service to any entity now or in the future. Because it is considered a surplus property and in order to eliminate the maintenance burden and liability associated with the McKalla Rail Spur Easement, Capital Metro is proposing to vacate or abandon the McKalla Rail Spur Easement by reversion to the Grantors pursuant to the certain instruments recorded in the Travis County Real Property Records Vol. 1031, Page 465, et seq. (Quitclaim Deed from the City of Austin, Texas, to Capital Metro, including subject rail right-of-way easements), Vol. 688, Pages 510-511 (identifying the Tisdale Rail Easement), and Vol. 688, Pages 512-513 (identifying the Shults Rail Easement).

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply

RESPONSIBLE DEPARTMENT: Real Estate

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

**STATE OF TEXAS  
COUNTY OF TRAVIS**

***AI-2022-470***

WHEREAS, Section 451.053 of the Texas Transportation Code provides that the board of a metropolitan transportation authority is responsible for the control of an authority and its property; and

WHEREAS, Section 451.054(d) of the Texas Transportation Code permits an authority to dispose of property that is inconsistent with the operation and maintenance of the authority or is surplus and not needed for the requirements of the authority; and

WHEREAS, the Capital Metropolitan Transportation Authority (“Authority”) Board of Directors is the governing body of the Authority; and

WHEREAS, the Authority owns two rail right-of-way easements in, on, over, under, through and across strip of land located in the tract of land in the John Applegate Survey, Abstract No. 29, in Austin, Travis County, Texas, as more particularly described on the attached Exhibits A and B (collectively, the “McKalla Rail Spur Easement”) originally deeded in one conveyance by D. Tisdale, D.D. Tisdale, A.M. Vaughan, and A.A. Tisdale to the Texas and New Orleans Railroad Company and subsequently deeded to the City of Austin, Texas and then to the Authority (“Tisdale Rail Easement”) and in another conveyance by Casper Shults and Addie Shults to the Texas New Orleans Railroad Company and subsequently deeded to the City of Austin and then to the Authority (“Shults Rail Easement”); and

WHEREAS, the Board determined that ownership of the McKalla Rail Spur Easement was no longer necessary for the operation of the Authority and that the spur track be abandoned; and

WHEREAS, the Authority determined that the McKalla Rail Spur Easement should be declared as surplus as the Authority no longer plans to use it for rail and that the McKalla Rail Spur Easement should be vacated, thereby allowing for immediate reversion to the Grantors pursuant to the certain instruments recorded in the Travis County Real Property Records Vol. 1031, Page 465, et seq. (Quitclaim Deed from the City of Austin, Texas, to Capital Metro, including rail right-of-way easements), Vol. 688, Pages 510-511 (identifying the Tisdale Rail Easement), and Vol. 688, Pages 512-513

(identifying the Shults Rail Easement); and

WHEREAS, the Capital Metro Board of Directors and Capital Metro management recognize the vacation of the Easement will not interfere with current or future operations.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or their designee, is authorized to vacate the McKalla Rail Spur Easement (also known as the J.J. Pickle rail spur), between Capital Metro railroad right-of-way and Burnet Road in Austin, Texas, particularly described on the attached Exhibits A and B, and to take all additional actions necessary or advisable to vacate the McKalla Rail Spur Easement, including without limitation, negotiating and executing any other documents necessary or advisable, allowing for the reversion to the Grantors pursuant to the above-referenced real property instruments (including those identifying the Tisdale Rail Easement and the Shults Rail Easement).

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

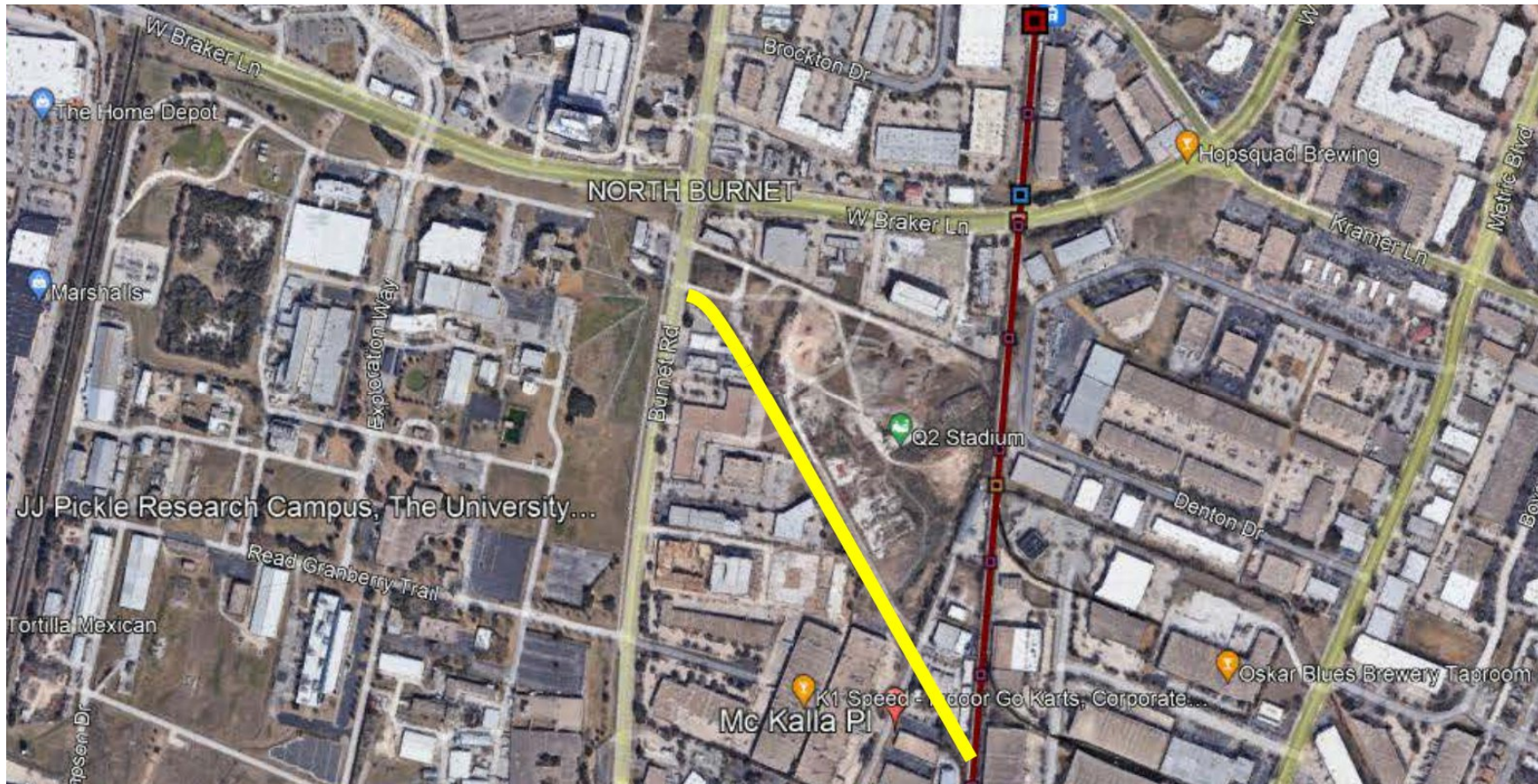
\_\_\_\_\_  
Secretary of the Board  
Leslie Pool

**CapMetro**

# **McKalla / J. J. Pickle Rail Spur Vacation**

June 27, 2022 Board of Directors

# McKalla Rail Spur



Approximately 2665 feet in length by 50 feet wide

CapMetro

Thank you!



according to the map or plat of said Subdivision of record in Volume Four (4), page five (5) of the Travis County Plat Records, to which map or plat and the record thereof reference is made for better description.

It is distinctly understood by and between the parties hereto that the taxes for the year 1941 are to be assumed by the grantee herein.

To have and to hold the said premises, together with all rights, hereditaments and appurtenances thereto belonging, unto the said grantee above named, his heirs and assigns forever. And I do hereby bind myself, my heirs, executors and administrators to warrant and forever defend the title to the said property unto the said grantee above named, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Executed on this the 20 day of December, A.D. 1941.

M. E. Chernosky

55¢ U.S. Int. Rev. Stamps Can.

THE STATE OF TEXAS #

COUNTY OF TRAVIS. # BEFORE ME, the undersigned authority, on this day personally

appeared M. E. Chernosky, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, on this the 20th day of December, A.D. 1941.

Grace C. Tramp

(Notary Seal)

Notary Public, Travis County, Texas.

Filed for record Jan 22, 1942 at 12:30 P.M.-- Recorded Jan 26, 1942 at 9:50 A.M.

0 - - - - - 0

THE STATE OF TEXAS #

COUNTY OF TRAVIS. # KNOW ALL MEN BY THESE PRESENTS:

That we, D. Tisdale, D. D. Tisdale and A. M. Vaughan of Travis County, Texas, and A. A. Tisdale of Orleans Parish, State of Louisiana, being all the heirs at law of Mrs. Ada J. Tisdale, deceased, for and in consideration of the sum of Three Hundred Seventy five Dollars \$375.00 to us in hand paid by the Texas and New Orleans Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of Texas, the receipt of which is hereby acknowledged, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said Texas and New Orleans Railroad Company, a right of way for a railroad spur track, upon and across that certain tract or parcel of land, lying and being situated in Travis County, Texas, being a portion of the tract of land in the John Applegate Survey, Abstract No. 29, described in deed to Mrs. Ada J. Tisdale, dated April 16th, 1928, recorded in Volume 418, page 173 deed records of Travis County and being more particularly described as follows, to-wit:

A strip of land approximately six hundred forty seven feet (647') in length, and having a width of fifty feet (50') that is to say twenty five feet (25') wide on each side of a center line, said center line being the center line of a proposed railroad spur track now staked on the ground and beginning at the intersection of said center line with the west right of way line of Texas and New Orleans Railroad Company's Austin-Llano Branch, said intersection being twenty five feet (25') westerly at right angles, from the center line of the main track of said branch, at Station 489/83, and said intersection being at Engineer's Station 1/95 of said proposed spur; thence northwesterly along said center line which follows a curve to the left, having a radius of seven hundred sixty four

TRAVIS COUNTY, TEXAS  
VOL. 688  
PAGE 510

MAY 23 2018

Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

Dana DeBeauvoir, County Clerk  
By Deputy:



T. PEREZ



and 5/10 feet (764.5') a distance of two hundred forty seven (247') feet to the end of said curve;

Thence Northwestarly, along said center line, tangent to said curve, four hundred feet (400') to the intersection of said center line with the west line of the John Applegate Survey and the east line of the James Rogers Survey, said intersection being North 30° East, approximately seven hundred feet (700') from the common corner of the Geo. W. Davis, Jas. P. Wallace, James Rogers and John Applegate Surveys, said strip of land containing seventy-four one-hundredths (0.74) of an acre, more or less.

In event said spur track should be abandoned and permanently removed the right of way hereby conveyed shall revert to the Grantors, their heirs, and assigns, without further act or deed on the part of the Grantee herein.

Grantee shall not be obligated to fence said right of way, however adequate cattle guards shall be installed by Grantee at the intersection of said track with all existing fences and a wagon crossing shall be installed across said track by Grantee, at its expense at a location, which is mutually satisfactory.

To have and to hold, the above described right of way, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Texas and New Orleans Railroad Company, its successors and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend, all and singular, the said right of way unto the said Texas and New Orleans Railroad Company, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Witness our signatures this 19th day of January, A.D. 1942.

D. Tisdale  
D. D. Tisdale  
A. M. Vaughan  
A. A. Tisdale

MAY 23 2018

I, Dana DeBeauvoir, County Clerk, Travis County Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on



Dana DeBeauvoir, County Clerk  
By Deputy

T. PEREZ

55¢ U.S. Int. Rev. Stamps Can.

THE STATE OF TEXAS, #

COUNTY OF TRAVIS. # BEFORE ME, L. E. Moursund, a Notary Public, within and for Travis County, Texas, on this day personally appeared D. Tisdale, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 19th day of January, A.D. 1942.

L. E. Moursund

(Notary Seal)

Notary Public in and for Travis County, Texas.

THE STATE OF TEXAS, #

COUNTY OF TRAVIS. # BEFORE ME, L. E. Moursund, a Notary Public, within and for Travis County, Texas, on this day personally appeared D. D. Tisdale, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 19th day of January, A.D. 1942.

L. E. Moursund

(Notary Seal)

Notary Public, in and for Travis County, Texas.

THE STATE OF TEXAS #

COUNTY OF TRAVIS. # BEFORE ME, L. E. Moursund, a Notary Public within and for Travis County, Texas, on this day personally appeared A. M. Vaughan, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he



executed the same for the purposes and consideration therein expressed.  
Given under my hand and seal of office, this the 19th day of January, A.D. 1942.

L. E. Moursund

(Notary Seal)

Notary Public in and for Travis County, Texas.

THE STATE OF LOUISIANA #

PARISH OF ORLEANS #

BEFORE ME, Jno. C. Moulin, a Notary Public, within and for the Parish of Orleans, Louisiana, on this day personally appeared A. A. Tisdale, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 20th day of January, A.D. 1942.

Jno. C. Moulin, Not. Pub.

(Notary Seal)

Notary Public in and for Orleans Parish, Louisiana.

Filed for record Jan 22, 1942 at 8:00 A.M. - Recorded Jan 26, 1942 at 10:50 A.M.

0 - - - - - 0

THE STATE OF TEXAS #

COUNTY OF TRAVIS. #

KNOW ALL MEN BY THESE PRESENTS:

That we, Casper Shults and wife, Addie Shults, of the County of Travis, in the State aforesaid, for and in consideration of the sum of Two Thousand and no/100 Dollars \$2000.00) to us in hand paid by the Texas and New Orleans Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of Texas, the receipt of which is hereby acknowledged, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said Texas and New Orleans Railroad Company, a right of way for a railroad spur track upon and across that certain tract or parcel of land lying and being situated in Travis County, Texas, being a portion of the tract of land in the James Rogers Survey, described in deed to us from Mrs. P. A. Holman, dated August 12, 1930, recorded in Volume 459, page 25, Deed records of Travis County, and being particularly described as follows:

A strip of land approximately two thousand eighteen feet ( 2018' ) in length, having a width of fifty feet ( 50' ) that is to say twenty five feet ( 25' ) wide on each side of the center line of a railroad spur track now staked on the ground, and beginning at the intersection of said center line with the east line of the James Rogers Survey, which line is also the west line of the John Applegate Survey, said intersection being approximately seven hundred feet ( 700' ) North 30°/from the common corner of the Geo W. Davis, Jas. P. Wallace, James Rogers and John Applegate Surveys;

Thence North 20° West, along said center line, sixteen hundred, forty four and 7/ 10 feet (1644.7') to the beginning of a curve to the left;

Thence northwesterly, along said center line, which follows a curve to the left having a radius of five hundred seventy three and 7/10 feet (573.10') a distance of three hundred seventy-three and 3/10 feet (373.3') to intersection with the east line of the Upper Georgetown Road, said intersection being approximately one thousand nine hundred seventy five feet (1975') northerly from the intersection of said line of said road with the common line of the James Rogers and James P. Wallace Surveys, said strip of land containing two and thirty two one-hundredths (2.32) acres, more or less.

In event said spur track should be abandoned and permanently removed, the right of way hereby conveyed shall revert to the Grantors, their heirs and assigns without further act or deed on the part of the Grantee herein.

Grantee shall not be obligated to fence said right of way at this time, but will do so at

TRAVIS COUNTY, TEXAS

VOL. PAGE 688 512

MAY 23 2018

Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

Dana DeBeauvoir, County Clerk

By Deputy:



T. PEREZ



executed the same for the purposes and consideration therein expressed.  
Given under my hand and seal of office, this the 19th day of January, A.D. 1942.

L. E. Moursund

(Notary Seal)

Notary Public in and for Travis County, Texas.

THE STATE OF LOUISIANA #

PARISH OF ORLEANS #

BEFORE ME, Jno. C. Moulin, a Notary Public, within and for the Parish of Orleans, Louisiana, on this day personally appeared A. A. Tisdale, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 20th day of January, A.D. 1942.

Jno. C. Moulin, Not. Pub.

(Notary Seal)

Notary Public in and for Orleans Parish, Louisiana.

Filed for record Jan 22, 1942 at 8:00 A.M. - Recorded Jan 26, 1942 at 10:50 A.M.

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THE STATE OF TEXAS #

COUNTY OF TRAVIS. # KNOW ALL MEN BY THESE PRESENTS:

That we, Casper Shults and wife, Addie Shults, of the County of Travis, in the State aforesaid, for and in consideration of the sum of Two Thousand and no/100 Dollars (\$2000.00) to us in hand paid by the Texas and New Orleans Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of Texas, the receipt of which is hereby acknowledged, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said Texas and New Orleans Railroad Company, a right of way for a railroad spur track upon and across that certain tract or parcel of land lying and being situated in Travis County, Texas, being a portion of the tract of land in the James Rogers Survey, described in deed to us from Mrs. P. A. Holman, dated August 12, 1930, recorded in Volume 459, page 25, Deed records of Travis County, and being particularly described as follows:

A strip of land approximately two thousand eighteen feet (2018') in length, having a width of fifty feet (50') that is to say twenty five feet (25') wide on each side of the center line of a railroad spur track now staked on the ground, and beginning at the intersection of said center line with the east line of the James Rogers Survey, which line is also the west line of the John Applegate Survey, said intersection being approximately seven hundred feet (700') North 30°/East from the common corner of the Geo. W. Davis, Jas. P. Wallace, James Rogers and John Applegate Surveys;

Thence North 20° West, along said center line, sixteen hundred, forty four and 7/10 feet (1644.7') to the beginning of a curve to the left;

Thence northwesterly, along said center line, which follows a curve to the left having a radius of five hundred seventy three and 7/10 feet (573.10') a distance of three hundred seventy-three and 3/10 feet (373.3') to intersection with the east line of the Upper Georgetown Road, said intersection being approximately one thousand nine hundred seventy five feet (1975') northerly from the intersection of said line of said road with the common line of the James Rogers and James P. Wallace Surveys, said strip of land containing two and thirty two one-hundredths (2.32) acres, more or less.

In event said spur track should be abandoned and permanently removed, the right of way hereby conveyed shall revert to the Grantors, their heirs and assigns without further act or deed on the part of the Grantee herein.

Grantee shall not be obligated to fence said right of way at this time, but will do so at

TRAVIS COUNTY, TEXAS  
VOL. 688 PAGE 512  
MAY 23 2018  
Dana DeBeauvoir, County Clerk  
By Deputy: T. PEREZ  
I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on



a later date, if deemed desirable by Grantor and Grantee, however adequate cattle guards shall be installed by Grantee at the intersection of said track with all existing fences and a wagon crossing shall be installed and maintained across said track by Grantee, at its expense at a location, which is mutually satisfactory.

To have and to hold, the above described right of way, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Texas and New Orleans Railroad Company, its successors and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend, all and singular, the said right of way unto the said Texas and New Orleans Railroad Company, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness our hands, at Austin, Texas, this 19th day of January, 1942.

Casper Shults

Addie Shults

\$2.20 U.S. Int. Rev. Stamp Can.

THE STATE OF TEXAS, #

COUNTY OF TRAVIS. # BEFORE ME, Douglas W. Sandberg, a Notary Public, within and for Travis County, on this day personally appeared Casper Shults, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 19th day of January, A.D. 1942.

Douglas W. Sandberg

(Notary Seal)

Notary Public in and for Travis County, Texas.

THE STATE OF TEXAS, #

COUNTY OF TRAVIS. # BEFORE ME, Douglas W. Sandberg, a Notary Public within and for Travis County, Texas, on this day personally appeared Addie Shults, wife of Casper Shults known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Addie Shults, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this the 19th day of January, A.D. 1942.

Douglas W. Sandberg

(Notary Seal)

Notary Public in and for Travis County, Texas.

Filed for record Jan 22, 1942 at 8:00 A.M.-- Recorded Jan 26, 1942 at 11:25 A.M.

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THE STATE OF TEXAS #

COUNTY OF TRAVIS. # WHEREAS, on the 12th day of August, A.D. 1930, Mrs. P. A. Holman and W. O. Holman conveyed to Casper Shults, and wife, Addie Shults, a tract of land containing 69 acres out of the James Rogers Survey, Abstract No. 659, County of Travis, State of Texas and in said deed reserved a vendors lien to secure the payment of one note of even date with said deed executed by said Casper Shults, and wife, Addie Shults, said note being payable in annual installments of Two Hundred Thirty three & 33/100 Dollars (\$233.33) each, beginning January 1st, 1932 and bear interest at the rate of seven per cent (7%) per annum, reference being hereby made to said deed and the record thereof for full description of said property and said note, and

Whereas, said Mrs. P. A. Holman has since died and by her Will bequeathed all of her property including said note, to Willis O. Holman, of Travis County, Texas, and

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Board of Directors

Item #: AI-2022-471

Agenda Date: 6/27/2022

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**SUBJECT:**

Approval of a resolution authorizing all acts and proceedings done or initiated by the Capital Metropolitan Transportation Authority, its employees, agents and attorneys for the acquisition of the fee simple title interest in a 0.8285-acre parcel of land located at 10612 Delta Drive, Austin, Texas, through purchase or by the process of eminent domain for the public purpose of the development and construction of the McKalla Station for Capital Metro’s MetroRail Red Line regional rail service.

**FISCAL IMPACT:**

Funding for this action is available in the FY2022 Capital Budget

**STRATEGIC PLAN:**

**Strategic Goal Alignment:**

- 1. Customer
- 2. Community
- 3. Workforce
- 4. Organizational Effectiveness

**Strategic Objectives:**

- 1.1 Safe & Reliable Service
- 1.2 High Quality Customer Experience
- 1.3 Accessible System
- 2.1 Support Sustainable Regional Growth
- 2.2 Become a Carbon Neutral Agency
- 2.3 Responsive to Community and Customer Needs
- 2.4 Regional Leader in Transit Planning
- 3.1 Diversity of Staff
- 3.2 Employer of Choice
- 3.3 Expand Highly Skilled Workforce
- 4.1 Fiscally Responsible and Transparent
- 4.2 Culture of Safety
- 4.3 State of Good Repair

**EXPLANATION OF STRATEGIC ALIGNMENT:** Need for improved connectivity and increased platform capacity for higher ridership to housing, employment and activities in the North Burnet area and for connection to bicycle and pedestrian paths and space for future MetroBike expansion by developing and constructing the McKalla Station as a new regional rail transit station as part of the Project Connect System Plan.

**BUSINESS CASE:** Need to acquire a fee simple title interest in the referenced property (more commonly known as the “Sundby Tract”), through purchase or eminent domain, to advance and achieve the public use of the development and construction of the McKalla Station. Funding for this acquisition is available in the FY2022 Capital Budget.

COMMITTEE RECOMMENDATION: This item will be presented to the full board on June 27, 2022.

EXECUTIVE SUMMARY: Capital Metro needs to acquire a fee simple title interest in the Sundby Tract in order to develop and construct the McKalla Station. Capital Metro has been in ongoing discussions with the property owner and has received no response by the May 20, 2022 deadline for Capital Metro’s final offer. Capital Metro has complied with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (the “Uniform Act”) in the event that it may be a grantee of federal funds to acquire real property. In accordance with the Uniform Act, Capital Metro’s final offer was approved by the Federal Transit Administration (FTA). At this time and unless and until federal funding is granted to Capital Metro for the acquisition of this land, local funds will be expended to acquire the Sundby Tract.

Since Capital Metro has been unable to acquire the Sundby Tract by negotiation and voluntary purchase, Capital Metro management is requesting that the Capital Metro Board approve the exercise of Capital Metro’s power of eminent domain, under Texas Transportation Code Section 451.058(c), and authorize the initiation of condemnation proceedings to acquire these rights in furtherance of the public use and development of the McKalla Station.

With regard to the market value of the Sundby Tract, the FTA must review and concur in real property appraisals in accordance with the requirements of the Uniform Act (such process being known as “FTA Concurrence”), and Capital Metro must establish market value of real property to be purchased or condemned and also must receive FTA Concurrence prior to making an offer or filing for condemnation on the property, all in accordance with the requirements of the Uniform Act. Capital Metro has received, and may continue to receive, FTA Concurrence on the Sundby Tract.

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-2022-471**

WHEREAS, Capital Metropolitan Transportation Authority has undertaken the improvement of its public MetroRail Red Line regional rail service that operates from downtown Austin through Central and Northwest Austin as well as the city of Leander to provide higher frequency service and increased mobility and transit options for the North Burnet neighborhood and surrounding portions of its service area, and said improvements include adding the Broadmoor and McKalla Stations; and

WHEREAS, there is a need to provide improved connectivity and increased platform capacity for higher ridership to housing, employment and activities in the North Burnet area, including, but not limited to events at the Q2 Stadium near Delta Drive on the MetroRail Red Line between Braker Lane and Rutland Drive, and provide connection to bicycle and pedestrian paths and space for future MetroBike expansion by developing and constructing the McKalla Station as a new regional rail transit station as part of the Project Connect System Plan (the "Project"); and

WHEREAS, Capital Metropolitan Transportation Authority has determined that the acquisition of a fee simple title interest in a 0.8285-acre parcel of land located at 10612 Delta Drive, Austin, Texas and more particularly described and shown in Exhibit "A," being attached hereto and incorporated herein for all purposes (the "Property"), is necessary to advance and achieve the public use of the development and construction of the McKalla Station; and

WHEREAS, Capital Metropolitan Transportation Authority is unable to acquire said real property interest by negotiation and/or further negotiations have become futile, and therefore Capital Metropolitan Transportation Authority is compelled to exercise its power of eminent domain, under Texas Transportation Code Section 451.058(c), and is hereby authorized to initiate and institute condemnation proceedings to acquire these rights; and

WHEREAS, as part of the acquisition of such property rights, it may be necessary for Capital Metropolitan Transportation Authority or one of its agents or contractors to enter upon the property to investigate and survey the needed property interest so that they may be defined and described with specificity for inclusion in any easement or deed, or, if necessary, as part of any filing to institute proceedings in eminent domain to acquire the necessary property rights; and



WHEREAS, Capital Metropolitan Transportation Authority may be a grantee of federal funds from the Federal Transit Administration (the "FTA") to acquire real property, including the Property, for the Project and, as such, will comply with the requirements in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (the "Uniform Act"); and

WHEREAS, the FTA must review and concur in real property appraisals in accordance with the requirements of the Uniform Act (such process being known as "FTA Concurrence"), and Capital Metropolitan Transportation Authority must establish market value of real property to be purchased or condemned and also must receive FTA Concurrence prior to making an offer or filing for condemnation on the property, all in accordance with the requirements of the Uniform Act; and Capital Metropolitan Transportation Authority has received, and may continue to receive, FTA Concurrence on this Property.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metro Board of Directors:

SECTION 1. The statements and findings set forth in the recitals of this resolution, including the Exhibit referenced herein, are true and correct and they are hereby incorporated as part of this Resolution.

SECTION 2. Public use and necessity require the acquisition of a fee simple title interest to the Property either through purchase or by the process of eminent domain for the public purpose of the development and construction of Capital Metropolitan Transportation Authority's McKalla Station to provide improved connectivity, increased platform capacity for higher ridership to housing, employment and activities in the North Burnet area, including, but not limited to events at the Q2 Stadium near Delta Drive on the MetroRail Red Line between Braker Lane and Rutland Drive and provide connection to bicycle and pedestrian paths.

SECTION 3. The determination of necessity to exercise the power of eminent domain in this matter is made according to reason and judgment with due regard and consideration of the relevant facts, circumstances, and alternatives, the knowledge of which exist at this time. The Board of Directors further finds that the public purpose to be served in and addressed by this resolution is paramount to any private or public uses that may exist and that there is no feasible and prudent alternative to the use or taking of such land and the Project includes all reasonable planning to minimize harm resulting from the use or taking.

SECTION 4. The Board of Directors, having held a public hearing on May 23, 2022, regarding its intent to acquire the Property in accordance with Texas Transportation Code Section 451.059(b), hereby authorizes the initiation of eminent domain proceedings to negotiate and acquire the Property, if the Property cannot be otherwise secured for the public necessity herein established, up to the market value amount established through FTA Concurrence, whether to date or in the future. All acts and proceedings done or initiated by the employees, agents, and attorneys of Capital Metropolitan Transportation Authority for the acquisition of such property interests and rights for the reasons described herein are hereby authorized, ratified, approved,

confirmed, validated and declared to be valid in all respects as of the respective dates of such acts and proceedings, with and in regard to the grantors from whom such rights are being purchased or acquired.

SECTION 5. Severability: If any provision, section subsection, sentence, clause, or phrase of this Resolution, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Resolution shall not be affected thereby, it being the intent of the Board of Directors in adopting this Resolution that no portion hereof, or provisions, or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Resolution are declared to be severable for that purpose.

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

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

CapMetro

# McKalla Red Line Station Land Acquisition

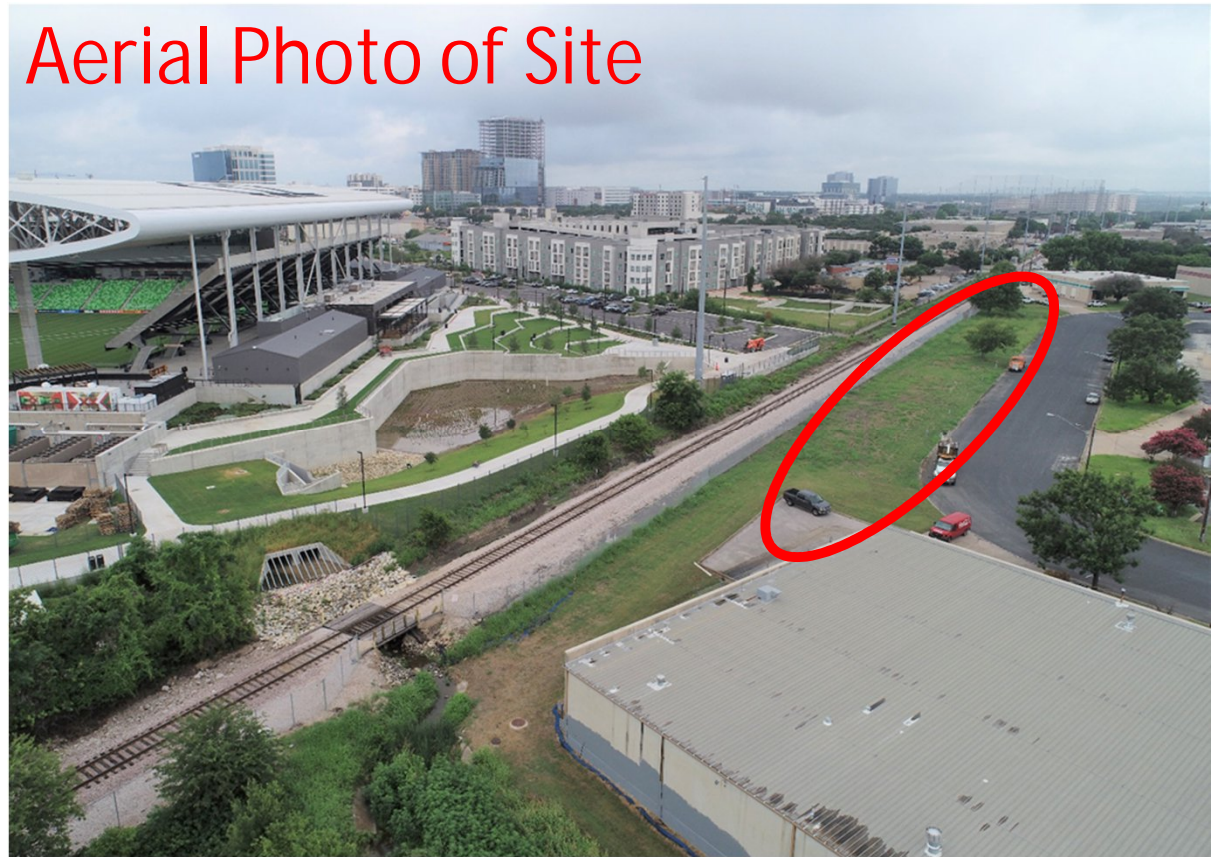
June 27, 2022

# McKalla Red Line Station

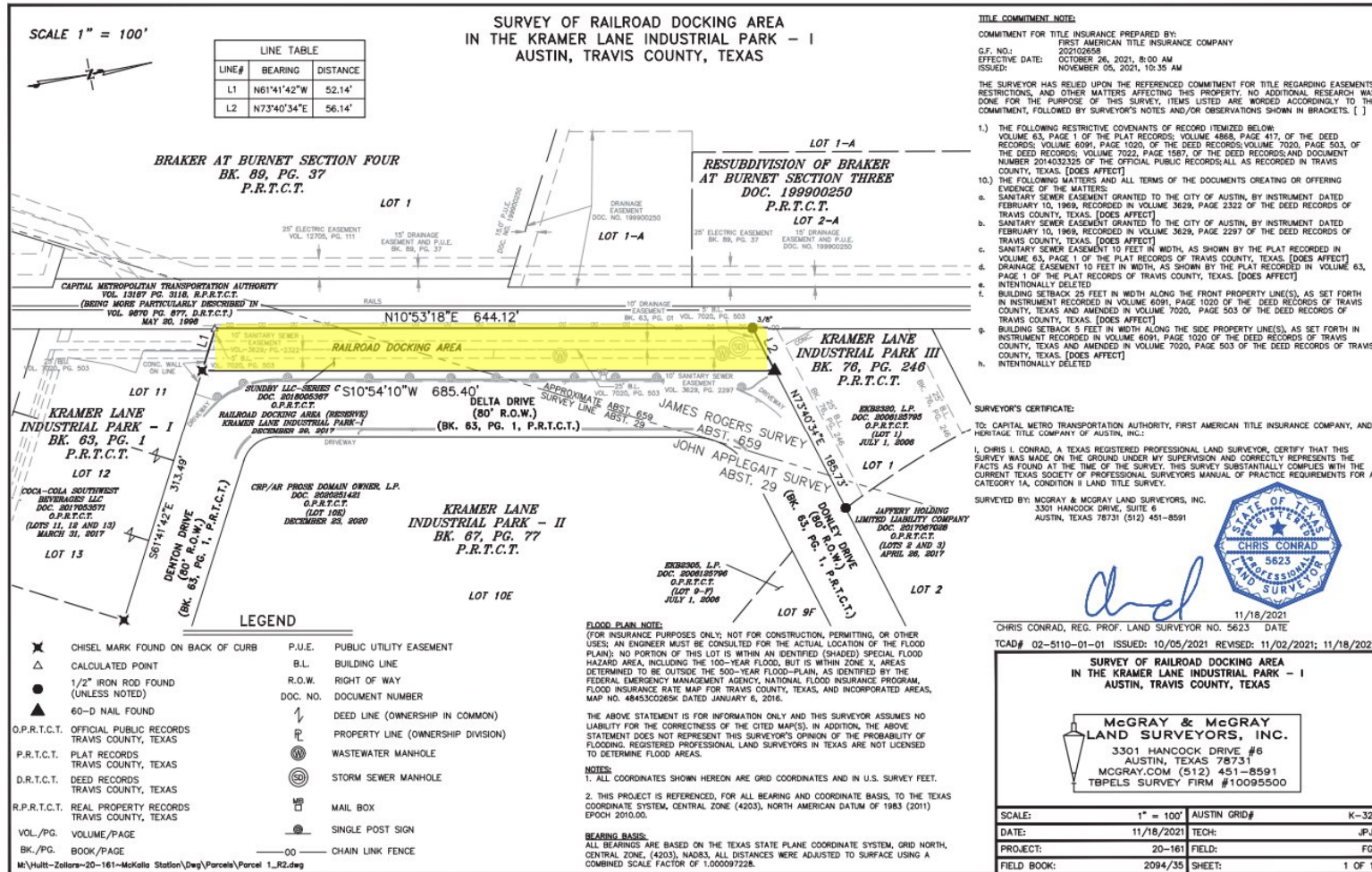
## Sundby Tract:

- 10612 Delta Drive, Austin, Texas.
- 0.8285 acres
- Legal: 54.30 FT AV X 664.60 FT AV  
RESERVE STRIP KRAMER LANE  
INDUSTRIAL PARK I
- Final Offer to Landowner:
  - May 20, 2022 response deadline
  - No response to date
- Final Offer approved by Federal Transit Administration
- Following federal "Uniform Act" for land acquisition when future federal funding may be leveraged
- Funding Source: Local Funds

## Aerial Photo of Site



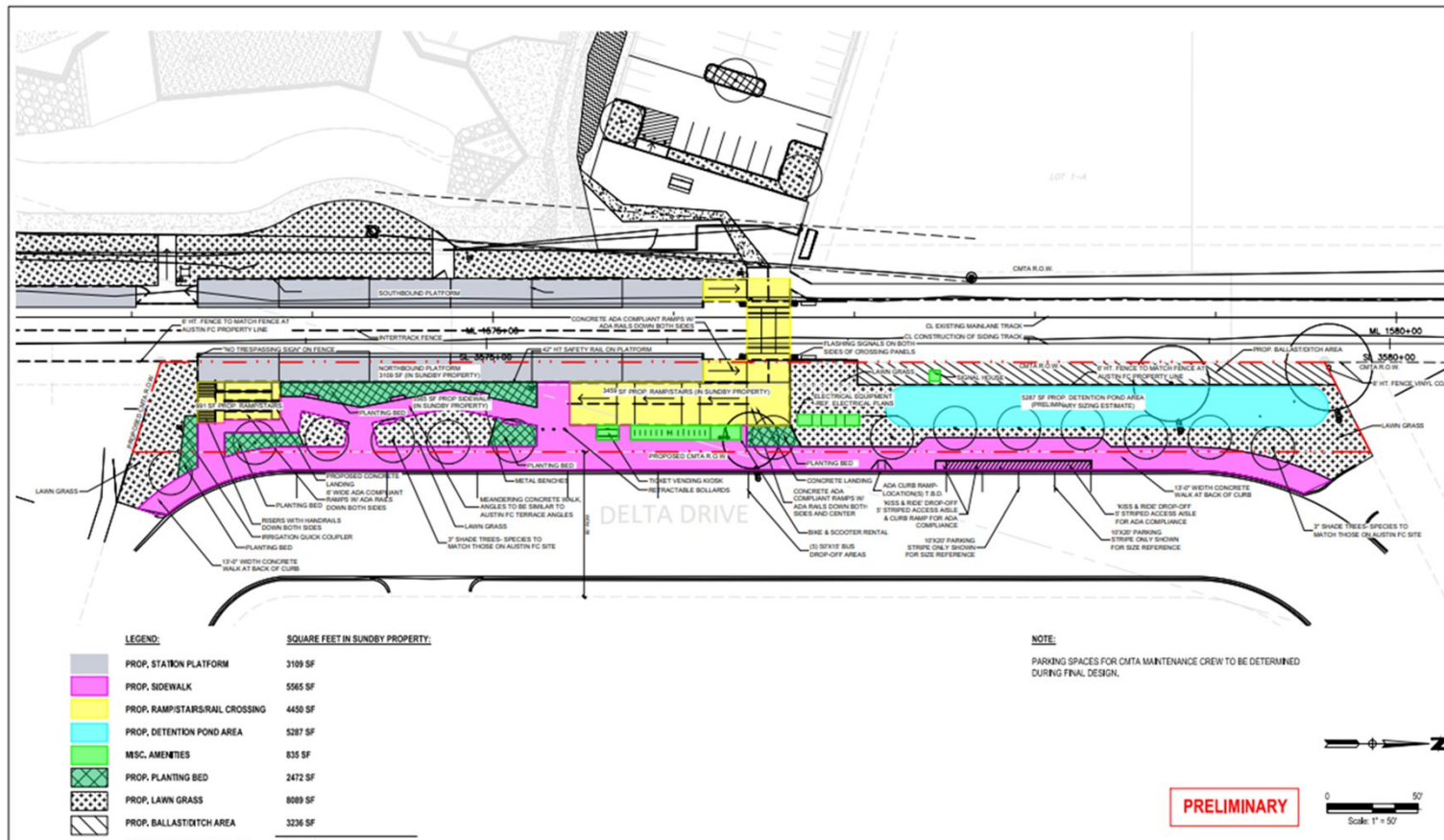
# McKalla Red Line Station – Sundby Tract



10612 Delta Dr., Austin, TX 78758, more particularly described as  
**Railroad Docking Area (reserve), KRAMER LANE INDUSTRIAL PARK-I,  
 Plat No. 63/1, being a portion as described in Volume 5910, Page 1201, of the  
 Deed Records of Travis County, Texas (parcel number: 02-5110-0101-0090)**



# McKalla Red Line Station

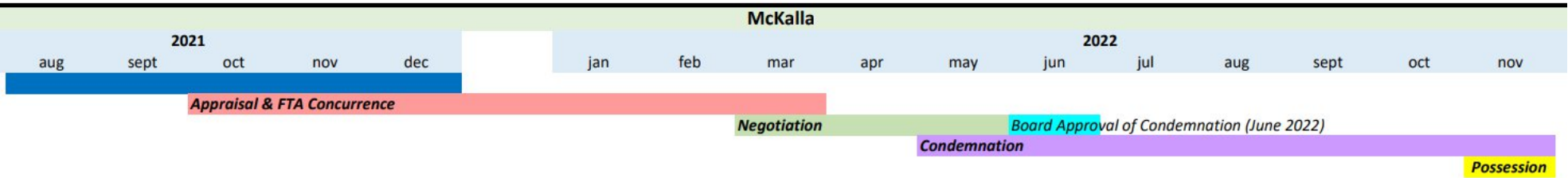




# McKalla Land Acquisition Eminent Domain

- Land Acquisition to Support McKalla MetroRail Station Project
  - - Eminent Domain Authority
  - - Capital Metropolitan Transportation Authority's proposed acquisition of a fee simple interest in land located at:
    - 10612 Delta Drive, Austin, Texas
      - (Reserve Strip Kramer Lane Industrial Park TCAD #258256)
    - for the McKalla Rail Station Project by exercising its powers of eminent domain under Transportation Code 451.058(c)
    - for the purpose of expanding Capital Metropolitan Transportation Authority's Transit System.

# McKalla Land Acquisition Eminent Domain



Board Eminent Domain Public Hearing: May 23, 2022

# McKalla Land Acquisition Eminent Domain

4. Condemnation						
RES	ED Package submitted to CMTA	5	5/20/22	5/27/22	Projected	
CMTA	Publish Notice of Public Hearing	14	4/29/22	5/19/22	Actual	
CMTA	CMTA Public Hearing as Required by Transportation Code 451	30	5/20/22	6/19/22	Projected	
CMTA	CMTA Board Approval of ED Package	1	6/27/22	6/27/22	Projected	
LGL	CMTA Attorney Preparation of Lawsuit	25	6/27/22	7/22/22	Projected	
RES	CMTA Attorney E-Files Petition; Consultant Records Lis Pendens	3	7/23/22	7/27/22	Projected	
RES	Commissioners Appointed & Strike Period	30	7/23/22	8/22/22	Projected	
RES	Hearing Scheduling / Commissioners Sign / Notices Served / Pre-Hearing	60	8/23/22	10/17/22	Projected	
RES	Hearing Held & Award Filed with Court	1	10/17/22	10/18/22	Projected	
RES	ED Summary & Award Payment Submitted to CMTA	3	10/21/22	10/24/22	Projected	
CMTA	CMTA Review & Approval of Award Payment	5	10/25/22	11/1/22	Projected	
CMTA	CMTA Received Payment	15	11/1/22	11/16/22	Projected	
RES	Notice of Deposit / Date of Acquisition Photos	3	11/17/22	11/20/22	Projected	
	<b>Possession of Property</b>	<b>1</b>	<b>11/20/22</b>	<b>11/20/22</b>	<b>Projected</b>	

CapMetro

Thank you!





# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-402

**Agenda Date:** 6/27/2022

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Public Safety Program Update



**CapMetro**

# Public Safety Program Update

June 2022

# Agenda

- Public Safety Program – Timeline & Milestones
  - Transit Police Chief Hiring – status update
  - Transit Police Department Draft Long-Range Financial Plan
  - Community Intervention Update
  - Public Safety Ambassador Update
- Public Safety Advisory Committee Activities
  - Appointment of Officers

# Comprehensive Program Process

[Public Safety Ambassadors](#) on service today, helping customers and operators as first-deployed team

[Community Intervention Specialists](#) on service today, helping those in need, customers and operators as focused team for those needing additional intervention and connections to other social services



# Hiring of Chief Administrator – Transit Police

- Mr. Eric Robins
  - Former Sugar Land, TX chief of police
  - 30 years of law enforcement experience
  - Texas Commission on Law Enforcement Certified
  - Accredited police agency with Commission on Accreditation for Law Enforcement Agencies (CALEA)
  - Manager/Assessor- CALEA
  - Begins August 1, 2022



## Year 1 (FY '23) Budget Assumptions

- Budget assumptions for the FY '23 budget include funding necessary to support procurement and certification activities, in anticipation of a late 2023/early 2024 TCOLE certification:
  - Transit Police Department administrators
  - Public Safety Dispatchers' transition from Public Safety & Emergency Management to the Transit Police Department
  - Facility (temporary)
  - Training
  - Recruitment campaign
  - Vehicles
  - IT equipment
  - Uniforms/related equipment
  - Insurance

# Community Intervention Specialists

- October 13 – April 25, 2022
  - Outreach Encounters (this includes any type of attempt, successful or not, to engage with an individual) - 454
  - Refused - Individual located and declined social service offer – 32
  - Unable to Locate - CIS staff attempts initial engagement; individual is not able to be located. No communication was established – 77
  - Engaged – Individual located and in communication with CIS staff. CIS identifies needs and offers services. – 345
  - Number of Referrals - CIS staff makes social service referral and navigates individual to resources to address identified need – 103
  - Coordinated Assessments: 16



## Public Safety Ambassadors in Action

- 1,397 Employee Contacts (Engaging with operators, Cap Metro employees and stakeholders on vehicles and at facilities to address Security and Safety issues on the system)
- 2,314 Customer Contacts (Engaging /communicating with customers or visitors to provide assistance with system navigation and other customer service-related issues)

# Public Safety Advisory Committee Update

- Appointed Chair and Vice Chair
  - PSAC Committee meeting #2 – April 1
    - Adam Powell – Chair
    - Stephen Foster – Vice Chair
- Public Safety Advisory Committee Charter established
- Next Meeting: June 29

CapMetro

Thank you!



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-457

**Agenda Date:** 6/27/2022

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Public Transportation Agency Safety Plan (PTASP) Update

# Public Transportation Agency Safety Plan

CMTA Board Meeting

Monday, June 27, 2022

# To Whom Does The PTASP Apply?

- Recipients or sub-recipients of financial assistance under 49 USC § 5307 that operate a public transportation system
- Large bus operators (operating more than 100 vehicles in peak revenue service)
- Rail transit agencies
- Small bus operators



# PTASP Effective

- Effective July 2019
- Implementation required July 2020
- Notice of Enforcement Discretion extended deadline to December 2020
- Notice of Enforcement Discretion extended deadline to July 2021
- Capital Metro PTASP authorized for use May 2020, certified by September 2020

# PTASP | General Requirements

- Each plan must include, at a minimum:
  - Approval by the agency's Accountable Executive and Board of Directors (or equivalent)
  - Designation of a Chief Safety Officer
  - Establishment and documented processes of the agency's Safety Management Systems
  - Employee Safety Reporting System Program
  - Safety-related performance targets based on measures established in FTA's National Public Transportation Safety Plan
  - Process and timeline for conducting an annual review and update of the plan

# What is Safety Management Systems?

- Safety Management Systems (SMS) is a formal, top-down, organization-wide approach to managing safety risks and assuring the effectiveness of safety risk mitigations. SMS helps a transit agency focus its safety management efforts by ensuring that:
  - Senior management has access to the information necessary to strategically allocate resources based on the unique safety priorities of the specific transit agency
  - Lines of safety decision-making accountability are established throughout the organization to support the resolution of safety concerns and thus promote a proactive safety culture
  - Transit agencies address organizational factors that may lead to safety breakdowns, identify system-wide trends in safety, and manage hazards before they result in accidents or incidents

# SMS Principles



# Safety Management Policy

Six crucial elements of a safety policy statement:

1. Signed by the highest executive in the agency, and board of directors.
2. Clear statement about the provision of resources for the management of safety necessary for service delivery.
3. Safety reporting procedures.
4. Conditions under which exemptions from disciplinary action would be applicable.
5. Unacceptable operational behaviors.
6. Communication, with visible endorsement, throughout the transit agency.

# Safety Risk Management

- Identify hazards
- Assess hazards and associated risks
- Mitigate hazards, reduce risk



# Safety Assurance

- Monitor and measure safety performance
- Management of change
- Continuous improvement

# Safety Promotion

- Comprehensive safety training program
- Safety communication

# What's New?

11



**METRO**

## Changes to PTASP | Bipartisan Infrastructure Law

- By or before July 31, 2022, establish a Safety Committee that consists of an equal number of frontline employee representatives and management representatives and be convened using a joint labor management process
- Safety Committee will be responsible for the identifying, recommending, and analyzing the effectiveness of risk-based mitigations or strategies to reduce consequences identified in the agency's safety risk assessment
- Develop, and add to the PTASP, a risk reduction program for transit operations to improve safety by reducing the number and rates of accidents, injuries, and assaults on transit workers based on data submitted the National Transit Database (NTD)
- Set risk reduction performance targets using a 3-year rolling average of the data submitted to the NTD
- Require maintenance personnel to meet the existing safety training requirements and safety, operations, and maintenance personnel to complete de-escalation training
- By no later than December 31, 2022, the safety committee must approve a PTASP that is compliant with new Bipartisan Infrastructure Law requirements
- The Bipartisan Infrastructure Law also requires the safety committee to approve the PTASP and any updates to the PTASP before the board of directors approves it
- The Bipartisan Infrastructure Law also requires the agency's board of directors to approve the PTASP



**METRO**

**THANK YOU!**



# 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





# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-463

**Agenda Date:** 6/27/2022

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Fare & Customer Payment Systems Project Update (June 15, 2022)

TO: CapMetro Board of Directors  
From: Catherine Walker, EVP, Chief Financial and Risk Officer  
Date: June 15, 2022  
Subject: Update on CapMetro Fare & Customer Payment Systems Project

This memo aims to provide the CapMetro Board with an update on the ongoing work to build on our customer fare payment systems and our fare structure and policy. Additionally, this memo provides information regarding our long-term strategy on fare policy, especially related to Project Connect's system expansion.

As you'll recall, we are currently in the middle of an extensive community engagement process regarding these topics. Our Community Engagement team is meeting with a broad array of community members, stakeholders, organizations, as well as internal front-line staff about fare capping, Equifare, and the new CapMetro AMP account-based system. If there is a suggestion on an organization or community leader that we should meet with, please let me know.

We intend to bring these items back to the Board for your consideration during the July 2022 Board meeting. During that meeting, the Board would conduct a public hearing and consider two action items: one resolution to update CapMetro's *fare policy* to implement fare capping and one resolution to update CapMetro's *fare structure* to create the new Equifare fare category.

Throughout this project, CapMetro staff have centered around equity as they consider who may be impacted by changes to our fare payment systems or fare structure and policy. We recognize that not everyone in our service area has the same resources to access our system, and, at times, communities can heavily rely on CapMetro to access jobs and opportunities.

To inform this process, staff have completed a Title VI Equity Analysis of the recommended changes as required by Federal Law and CapMetro policy. *We are proud to report the final draft of the Title VI Equity Analysis determined that there is no disparate impact or disproportionate burden in the proposed changes to the customer payment system, fare policy, or fare structure.*

You will notice in the Title VI Equity Analysis that public engagement is left as draft. Public engagement is ongoing through the Board action, and the final Title VI Equity Analysis will include an engagement summary, including comments made during the public hearing. Community engagement began in March of 2022, and the team is working hard to ensure we meet with the community leaders, as well as all CapMetro customers and community partners, by promoting opportunities to provide feedback at in-person events and virtual public meetings. Assuming the Board does take action in July on fares, this engagement and education will continue in order to prepare our customers and the community for the new fare policy and structure to be active in early 2023.

The Title VI Equity Analysis is attached here for your reference and will be posted online by Friday, June 17, and shared as part of our ongoing community engagement moving forward.

## Long-term CapMetro fare considerations

During the May Board meeting, a public speaker brought up a topic we have heard from the community before – how will CapMetro commuter rail and light rail fares be defined in the fare structure and policy. Attached is the letter the speaker referenced and Board Members requested. While, in this example, they may have confused existing commuter rail with future light rail fares, CapMetro recognizes the difference between the fares for commuter rail/MetroExpress and local service and the impact this has on customers. We are continuing to review future options and programs to identify an approach that makes sense for the agency and the community.

As the regional core becomes more expensive, CapMetro customers may commute farther between home and work. This means some of our communities who rely on transit the most may increasingly need access to our commuter services. However, commuter service also costs significantly more to operate than local service. The current fare structure reflects CapMetro’s consideration of operations costs while setting fares.

Under CapMetro’s current fare structure, this is how a commuter fare compares to a local fare:

	Local Fares	Commuter Fares
Single Ride	\$1.25	\$3.50
Single Ride, Reduced Fare	\$0.60	\$1.75
Day Pass	\$2.50	\$7.00
Day Pass, Reduced Fare	\$1.25	\$3.50
7-Day Pass	\$11.25	\$27.50
31-Day Pass	\$41.25	\$96.25
31-Day Pass, Reduced Fare	\$20.60	\$48.10

It is important to note that customers who pay for a commuter pass (single day, 7 day or 31 day) receive local service included in their commuter pass at no additional cost. In other words, a customer who rides the MetroRail in on a day pass, does not need to then purchase a separate local fare at an additional cost in order to use local service for their last-mile connection.

CapMetro does not currently offer light rail service but is beginning to make assumptions about fares in our long-range planning for the Project Connect Orange and Blue Lines. *For modeling purposes, the staff’s current assumptions are that light rail fares will be the same as local service, and we are noting this assumption publicly as fare-related engagement continues.* We see this as an equity approach and a similar strategy that peer transit systems are moving towards because of the similarities in services provided. However, fare pricing and structure are policy decisions for the CapMetro Board to make; a future CapMetro Board can choose to make their own decision regarding fare pricing and structure when they consider this topic.

As an additional reminder, the Project Connect Integrated Financial Model from 2020 contemplated fare increases as a component of the Project Connect partners’ ability to fund the transit investment. CapMetro is not proposing a fare increase at this time. As the Project Connect transit system expansion progresses, we will continue this conversation with the community, the Board, and our partners at the Austin Transit Partnership.

Our proposed fare programs that would implement Equifare and Fare Capping will help with the fare disparities and reduce the burden on our customers who need the most support. Due to fare

capping, for example, no customer will spend more than \$96.25 per month for CapMetro service under the current fare structure, regardless of whether they take local service, commuter service or mix the two throughout the month and customers who qualify for equifare would not spend more than \$77 per month under the current fare structure. We will continue to discuss what makes sense for commuter service fares in the future with the community and the Board.

Please let Ed Easton know if you would like to discuss the fare and customer payment project and the corresponding Title VI Equity Analysis or our long-term ideas about light rail and commuter fares. We would be happy to answer any questions you have via briefing or email.

Attachments:

1. Title VI Equity Analysis
2. Letter from PODER RE: Light Rail(commuter) versus Local Fares



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Fare Structure Study  
Title VI Fare Equity Analysis

Final Draft: June 10, 2022

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Prepared by Four Nines Technologies



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# 1 Introduction

Title VI of the Civil Rights Act of 1964 (“Title VI”) ensures that “no person in the United States shall, on the basis 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.” Capital Metropolitan Transportation Authority (“CapMetro”) has committed to the Federal Transit Administration (FTA) Title VI objectives set forth in Circular 4702.1B, ensuring that FTA-assisted benefits and related services are made available and are equitably distributed without regard to race, color, or national origin.

This analysis of the proposed fare changes as part of the launch of CapMetro’s Amp customer payment system, including the introduction of fare capping and a low-income discount category (“Equifare”) was prepared in conformity with the guidelines laid out in Chapter IV and Appendix K of FTA Circular 4702.1B, Fare Equity Analysis.

The Fare Equity Analysis described herein assesses whether the proposed fare changes for fixed-route services would result in either Disparate Impacts on minority customers or a Disproportionate Burden on low-income customers. The proposed fare changes being presented by CapMetro are the basis of this Fare Equity Analysis. The analysis does not consider changes to Pickup, MetroAccess, MetroBike, and MetroRideshare services.

The Average Fare Analysis and Retail Access Analysis conducted as part of this Fare Equity Analysis found that the proposed fare changes would not result in a Disparate Impact on minority customers or Disproportionate Burden on low-income customers. Given that there were no findings of Disparate Impact or Disproportionate Burden, no mitigations are needed to proceed with the implementation of the proposed fare changes and new Amp customer payment system.



## 2 Overview of Proposed Fare Changes

CapMetro has undertaken a Fare Structure Study to prepare for the full launch of its new customer payment system (“Amp”) and to develop a fare strategy to guide CapMetro as it builds out Project Connect. The Fare Structure Study was guided by the 2010 Fare Policy approved by the CapMetro Board of Directors in December 2010.

The key objectives of the Fare Structure Study include:

- Providing data to help inform a fare strategy;
- Reviewing the current state of CapMetro’s fare structure, policies, pricing, products, programs, and technologies;
- Evaluating alternative fare approaches to the current state; and
- Preparing for implementation of Amp.

Prior to the commencement of the Fare Structure Study, CapMetro identified six key components to their Fare Strategy: equity, ridership, programs, technology, responsiveness, and fare structure. The Fare Structure Study was conducted in seven tasks, which included project initiation, a current state analysis including peer benchmarking, a review of fare structure approaches, analysis of fare alternatives including fare modeling, formation of recommendations, completion of a Title VI Fare Equity Analysis of the proposed recommendations including public outreach on the recommendations, and adoption of the fare structure changes.

The proposed fare changes include the implementation of the new Amp customer payment system that enables customers to use a smartphone or a smart card to pay their fare. The system introduces new opportunities for CapMetro to restructure fares to promote equity by leveraging the fare capping capabilities of the new Amp customer payment system and introducing a new low-income discount category (“Equifare”) that provides a 15-20% discount on the Standard Fare (non-discounted) for customers in households at or below 200% of the federal poverty guidelines. In addition to introducing Equifare for income-eligible customers, fare capping increases the affordability of fares by capping the amount that a customer pays on a daily or monthly basis at the equivalent Day or 31-Day Pass price. Additional policy changes are discussed further in Section 6. Fare Change Proposal.

The following tables summarize the proposed fare changes.

**Table 1: CapMetro App**

	Existing	Proposed
<b>Fare Structure</b>	<ul style="list-style-type: none"> <li>- Day (24-hour), 7-Day, and 31-Day rolling period passes on the CapMetro App, including joint passes with MetroBike</li> </ul>	<ul style="list-style-type: none"> <li>- Introduction of stored value with daily (service day) and calendar monthly fare capping (at current Day and 31-Day Pass pricing)</li> <li>- Elimination of Single Ride tickets and 7-Day and 31-Day Passes in the upgraded CapMetro App</li> <li>- Elimination of MetroBike joint passes</li> <li>- The rolling Day Pass valid for 24 hours becomes Day Pass valid for the service day</li> </ul>
<b>Stored Value Load</b>	<ul style="list-style-type: none"> <li>- Customers can load value through the CapMetro App or at Vanilla Direct cash reload locations (also known as cash-to-mobile network)</li> </ul>	<ul style="list-style-type: none"> <li>- In addition to current locations, customers can load value through the Customer Web Portal and at the Transit Store</li> <li>- No minimum load through the Customer Web</li> </ul>

	Existing	Proposed
	<ul style="list-style-type: none"> <li>Minimum load set by the Vanilla Direct cash reload locations, ranging from \$1 to \$5. No minimum load for loads through the CapMetro App</li> </ul>	Portal. Minimum load at the Transit Store is \$1
<b>Pass Purchase (App)</b>	<ul style="list-style-type: none"> <li>Customers can purchase a Day Pass (24-hour), 7-Day, and 31-Day passes, as well as joint passes with MetroBike, in the CapMetro App</li> <li>There is no minimum load at any location for pass purchases</li> </ul>	<ul style="list-style-type: none"> <li>Customers can purchase a Day Pass (service day) in the CapMetro App</li> <li>There is no minimum load at any location for pass purchases</li> </ul>
<b>Pass Purchase (Hard Passes)</b>	<ul style="list-style-type: none"> <li>Customers can purchase a Day Pass (24-hour), 7-Day, and 31-Day passes at Transit Store and HEB select stores</li> <li>Passes are in a rolling basis</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<b>Account Registration</b>	<ul style="list-style-type: none"> <li>Unregistered mobile account not available</li> <li>Account registration requires first and last name, email, password, and phone number (optional). Alternatively, sign in with Apple, Facebook, or Google</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<b>Fee and Access</b>	<ul style="list-style-type: none"> <li>No fee for the app</li> <li>Available from the Google Play and Apple App Store</li> <li>Data charges may apply</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<b>Negative Balance</b>	<ul style="list-style-type: none"> <li>Not available</li> </ul>	<ul style="list-style-type: none"> <li>Up to one ride negative. Amount varies by service type (Local vs. Commuter) and rider category (Standard Fare vs. Reduced Fare vs. Equifare)</li> </ul>

Table 2: Amp Smart Card Policies

	Proposed
<b>Fare Structure</b>	<ul style="list-style-type: none"> <li>Introduction of stored value</li> <li>Daily (service day) and calendar monthly fare capping (at current day and 31-Day Pass pricing)</li> </ul>
<b>Stored Value Load</b>	<ul style="list-style-type: none"> <li>Customers can load value through the CapMetro App, at Vanilla Direct cash reload locations, through the Customer Web Portal, and at the Transit Store</li> <li>Minimum load set by the Vanilla Direct cash reload locations, ranging from \$1 to \$5. No minimum load for loads through the CapMetro App or through the Customer Web Portal. Minimum load at the Transit Store \$1</li> </ul>
<b>Pass Purchase</b>	<ul style="list-style-type: none"> <li>Customers can purchase a Day Pass (service day) to use with their smart card</li> <li>There is no minimum load at any location for pass purchases</li> </ul>
<b>Account Registration</b>	<ul style="list-style-type: none"> <li>No registration required. Customer can load money and benefit from fare capping without registering the account</li> <li>Account registration required for Reduced Fare and Equifare customers with entitlement to pay the discounted fare on the account</li> <li>Account registration requires first and last name, email, password, and phone number (optional)</li> </ul>

	Proposed
<b>Fee and Access</b>	<ul style="list-style-type: none"> <li>- Each customer must have their own smart card</li> <li>- Free initial card, initial and/or replacement cards may have a fee in the future (and would be subject to a separate Fare Equity Analysis)</li> <li>- Cards distributed at the Transit Store and by mail through the Customer Web Portal and by calling the Transit Store (at launch, marketing efforts to be planned to distribute cards to promote adoption)</li> <li>- Smart cards ordered through the Customer Web Portal will not be subject to the \$2.00 shipping fee applied to all other online orders that must be paid with a credit or debit card</li> <li>- Smart cards ordered by calling the Transit Store are not subject to any shipping fees and do not require a credit or debit card to order</li> </ul>
<b>Negative Balance</b>	<ul style="list-style-type: none"> <li>- Up to one ride negative. Amount varies by service type (Local vs. Commuter) and rider category (Standard Fare vs. Reduced Fare vs. Equifare)</li> </ul>

**Table 3: Equifare (Low-Income Fare Category)**

	Proposed
<b>Pricing / Discount</b>	<ul style="list-style-type: none"> <li>- Introduction of discounted fare for eligible low-income customers enrolled in Equifare (15-20% discount off the Standard Fare Single Ride and daily and monthly fare caps)</li> </ul>
<b>Eligibility</b>	<ul style="list-style-type: none"> <li>- Up to 200% of federal poverty guidelines</li> <li>- Eligibility valid for 2 years from enrollment</li> </ul>
<b>Application Process</b>	<ul style="list-style-type: none"> <li>- Customer must complete an application and provide proof of income or documentation showing proof of enrollment in an accepted public assistance program upon request, or self-certification that applicant is eligible for Equifare and able to provide documentation upon request during auditing process (applicants will also have option to submit documentation at time of application)</li> <li>- Applications will be accepted online and at the Transit Store on weekdays between 8:30 am and 4:30 pm, as well as at community engagement events.</li> <li>- Applicants will be required to provide: first and last name, phone number or email address, date of birth, address, and photo ID or proof of identity</li> </ul>
<b>Access to Discounted Fare</b>	<ul style="list-style-type: none"> <li>- Requires use of the upgraded CapMetro App or Amp smart card with Equifare entitlement on their account to receive the discount. Entitlement will be set up on account by CapMetro staff</li> <li>- Equifare discount only available on the Amp smart card or upgraded CapMetro App—no Equifare discounts given for other fare media such as cash</li> <li>- No separate ID required for these customers; eligibility is electronically enforced</li> </ul>

Additional fare structure changes were explored as part of the Fare Structure Study and deferred, in particular base fare adjustments to align with the average fare assumptions in Project Connect fare revenue forecasts. At this time, CapMetro decided to focus on financial relief to help in the rebuilding of ridership post-pandemic. CapMetro may implement base fare adjustments and other fare structure changes, including discontinuation of legacy fare media and products, as part of the full fare restructuring anticipated for implementation in an upcoming year that will be subject to a separate Fare Equity Analysis.

## 3 Title VI Policies

Title VI of the Civil Rights Act of 1964, Section 601 states:

No persons in the United States 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.

It is CapMetro's objective to avoid, minimize, or mitigate disproportionately high and adverse impacts on minority and low-income populations. As a recipient of financial assistance from the Federal Transit Administration (FTA), CapMetro is required to comply with Title VI of the Civil Rights Act of 1964 and its own Title VI Program adopted in accordance with same by evaluating major service and fare changes at the planning and programming stages to determine whether those changes have discriminatory impacts, including Disparate Impacts on minority populations and/or Disproportionate Burdens on low-income populations.

According to the Federal Department of Transportation, equity in the provision of transit service is described as "providing equal levels of service to minority and non-minority residents of the urbanized area. Levels of service, in turn, are defined in terms of capital allocation and accessibility." <sup>1</sup> The metrics of discrimination that could be monitored for disparate treatment include fare structures that could consistently cause minority-group customers to bear a higher fare burden than the overall riding public, access to specialized fare media, or methods of communication to populations with Limited English Proficiency. However, a Title VI Equity Analysis should not replace good program planning, which should be an on-going process that considers equity among other factors when designing fare changes, service changes, or discretionary policies and programs.

In June 2021, CapMetro's Board of Directors adopted a set of new Title VI Policies in accordance with FTA Circular 4702.1B, Title VI Requirements and Guidelines for FTA Recipients. CapMetro maintained their 2% threshold for determining a Disparate Impact or Disproportionate Burden of a fare modification as established in CapMetro's Disparate Impact Policy and Disproportionate Burden Policy. Accordingly, if the ratio of the impact on minority to non-minority populations or low-income to non-low-income populations is more than 2%, then the proposed change would be determined to pose a potential Disparate Impact or Disproportionate Burden.

### 3.1 Disparate Impact and Disproportionate Burden Policies

The Federal Transit Administration (FTA) requires that transit agencies assess whether a proposed fare change or major service change would have a "Disparate Impact" on minority populations, or "Disproportionate Burden" on low-income populations, under Title VI of the Civil Rights Act of 1964, Title 49 C.F.R. Section 21.5(b)(2) and (b)(7), and Appendix C to Title 49 C.F.R. part 21. Pursuant to FTA Circular 4702.1B, FTA requires fixed-route public transit agencies to clearly establish, with input through a public engagement process, threshold definitions for measuring Disparate Impacts and Disproportionate Burdens.

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<sup>1</sup> Transit Cooperative Research Program, Legal Research Digest: "The Impact of Civil Rights Litigation Under Title VI and Related Laws on Transit Decision Making", TCRP Project J-5, Washington, D.C. June 1997

To comply with the requirements of FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients, CapMetro sought public comment on its proposed Major Service Change, Disparate Impact and Disproportionate Burden policies. These three policies were consolidated into one policy, named “Title VI Policies.” CapMetro conducted several public meetings (April 30, 2021, May 3, 2021, May 10, 2021, and May 19, 2021) via Zoom to accommodate COVID protocols. A public hearing was held on May 12, 2021, to solicit public testimony on the proposed changes to the policies. The public meetings were held at different times of the day to provide the fullest opportunity for public engagement. CapMetro advertised these meetings on its website, and social media channels. CapMetro also welcomed public comments via telephone, e-mail, and online through its website comment portal and social media channels. Additionally, CapMetro posted its Proposed Title VI Policies online throughout the public notice and comment phase.

The Board of Directors adopted the CapMetro Title VI Policies that includes its Major Service Change Policy, Disparate Impact Policy, and Disproportionate Burden Policy on June 28, 2021. The adopted policies are included in **Appendix A**. The policies are to be used by CapMetro for analysis of proposed fare changes and major service changes.

The Disparate Impact and Disproportionate Burden policies establish threshold standards for evaluating the equity impacts and the distribution of adverse effects and benefits caused by any fare change or major service change. These thresholds enable CapMetro to determine whether minority and low-income customers would be disproportionately impacted by the adverse effects of the proposed changes or whether non-minority and/or non-low-income customers would disproportionately benefit by the proposed changes. These thresholds are based on the cumulative impact of the proposed service or fare change.

**Disparate Impact on Minority Populations:** Service or fare changes are determined to have a Disparate Impact on minority populations if the adverse impacts experienced by minority riders is greater than 2% when compared to the adverse impacts experienced by non-minority populations. Additionally, if benefits associated with service or fare changes accrue to non-minority populations greater than 2% when compared to minority populations, then this change will be determined to have a Disparate Impact.

**Disproportionate Burden on Low-Income Populations:** Service or fare changes are determined to have a Disproportionate Burden on low-income populations if the adverse impacts experienced by low-income riders is greater than 2% when compared to the adverse impacts experienced by non-low-income populations. Additionally, if benefits associated with service or fare changes accrue to non-low-income populations greater than 2% when compared to low-income populations, then this change will be determined to have a Disproportionate Burden.

### 3.1.1 Fare Changes

CapMetro defines a fare change as any increase or decrease of fares, whether applicable to the entire transit system, or on certain transit modes, or by fare payment type or fare media. The definition of fare change does not include instances where all passengers ride free such as “Ozone Action Days”, or temporary fare reductions that are mitigating measures for other activities such as construction, or promotional fare reductions, so long as the temporary fare reduction or promotional reduction does not last longer than six months.

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Prior to adopting a fare change, CapMetro must conduct a fare equity analysis and analyze specific elements of the proposed structure, along with the recommended pricing schema, to determine whether the changes would result in impacts that exceed the threshold established by the policies.

### 3.1.2 Adverse Effects

For the fare equity analysis, adverse effects include an increase in cost or a reduction in accessibility of fare media. Meanwhile, benefits include a decrease in cost, increase in discounts for certain fare types or customer populations, or increase in accessibility of fare media. The analysis contained within this report uses CapMetro's adopted thresholds for determining Disparate Impacts and Disproportionate Burdens.

## 4 Fare Equity Analysis Methodology

For proposed changes that would increase or decrease the fares on the entire system, or on certain transit modes, or by fare payment type or fare media, CapMetro shall analyze any available information generated from passenger surveys indicating whether minority and/or low-income customers are disproportionately more likely to use the mode of service, payment type, or payment media that would be subject to the fare change.

The typical measure of Disparate Impact or Disproportionate Burden involves a comparison between the proportion of persons in the protected class (i.e., minority or low-income populations) who are adversely affected by the service or fare change and the proportion of persons not in the protected class (i.e., non-minority or non-low-income) who are adversely affected.<sup>2</sup>

Based on the Federal Guidance and the CapMetro Title VI Policies, CapMetro shall—

- (i) Determine the number and percent of users of each fare media being changed;
- (ii) Review fares before the change and after the change;
- (iii) Compare the differences for each particular fare media between minority users and overall users;  
and
- (iv) Compare the differences for each particular fare media between low-income users and overall users.<sup>3</sup>

A fare equity analysis compares the existing fare to proposed changes and calculates the absolute change as well as the percent change. Utilizing the Disparate Impact and Disproportionate Burden Threshold, a determination will be made as to whether the fare change will result in adverse effects that are disproportionately borne by the minority or low-income populations, respectively. The thresholds are also used to assess whether the proposed changes disproportionately benefit non-minority or non-low-income populations.

The Fare Equity Analysis in this report consists of two components:

- **Average Fare Analysis** that assesses the effects of the proposed fare changes on the average fare paid per boarding to determine whether minority or low-income customers are disproportionately adversely impacted by the changes or whether non-minority or non-low-income customers disproportionately benefit from the changes.
- **Retail Access Analysis** that assesses the population's proximity to the Amp retail network to determine whether minority or low-income populations have similar access compared to non-minority or non-low-income populations.

### 4.1 Average Fare Analysis

The Four Nines Fare Model, which was calibrated by using Fiscal Year 2019 (FY 2019) CapMetro ridership data, fare product sales, passenger survey data, and estimated average fare per boarding, has been used for the Average Fare Analysis. While the Four Nines Fare Model projects ridership and revenue changes with the application of

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<sup>2</sup> Federal Circular: C4702.1B Chap IV-10

<sup>3</sup> Federal Circular C4702.1B Chap. IV-19



fare elasticities and changes in the average fare per boarding due to pricing changes, the Average Fare Analysis does not assume ridership changes due to application of fare elasticities. Further, the Average Fare Analysis is based on FY 2019 data, and therefore does not reflect the decrease in ridership due to the ongoing COVID pandemic. The only changes considered are those associated with the changes in the average fare per boarding due to pricing changes. In addition to ignoring changes associated with application of elasticities, several additional modifications were made to the Four Nines Fare Model ridership and revenue data. Ridership and revenue associated with Pickup, MetroAccess, MetroBike, and MetroRideshare services were excluded as they are not subject to current Title VI evaluation requirements. Non-fare related revenue adjustments (e.g., Accounts Payable Discounts, Retail Outlet Sales Discounts, etc.) were also excluded.

#### 4.1.1 Data

For customer demographic data, Four Nines used the 2015 Origin and Destination Survey (2015 OD Survey), as it provides the most current and comprehensive information on items related to customer demographics and fare payment. The 2015 OD Survey contains information collected by Creative Consumer Research, a contractor hired by the CapMetro Planning Department, whose research surveyors conducted 21,153 surveys for CapMetro's rail and fixed-route bus systems.

In early 2020, CapMetro began collecting surveys for the 2020 Origin and Destination Survey (2020 OD Survey), but the survey was interrupted and ultimately stopped due to COVID. The 2020 OD Survey collected approximately 13,821 survey responses prior to interruption, but the results were not used for the current Title VI analysis due to concerns that they may not accurately reflect the systemwide demographics of customers as the survey sampling plan was never completed due to the COVID interruption.

#### 4.1.2 Assumptions

The 2015 OD survey, while comprehensive with a significant number of survey responses, does have some limitations. Low response rates for some fare products, and the absence of some fare payment options on the survey posed several challenges. The Average Fare Analysis attempts to address the limitation of the data by using demographics for similar fare payment types.

A number of key assumptions were also made regarding customer migration to the Amp customer payment system, participation in the Equifare discount program, and the impact of fare capping on customers.

The following demographic assumptions were used in the Average Fare Analysis:

- Demographics for the Commuter 7-Day Pass were aggregated with the demographics for the Commuter 31-Day Pass, due to too few survey responses.
- Demographics for all Commuter, Reduced Fare products were aggregated with the demographics for the Local, Reduced Fare products, due to too few survey responses. For example, for Reduced Fare Day Pass demographics, responses for Commuter and Local services were combined.
- The survey did not allow respondents to indicate whether they were using a Discount Pass Program (DPP) or Transit Empowerment Fund (TEF) product. For these products, it was assumed that all customers were

low-income, and assumed the ethnicity demographics were the same as those of the underlying fare product (e.g., Local, Standard Fare, Day Pass).

- Demographics for the Kids Ride Free program were assumed to have the same demographics as Child and Student rider category survey respondents but excluded surveys where the respondent stated that they used a University of Texas, Austin ID, other Student Pass, or Business Pass product. Kids Ride Free launched in June 2018 after the 2015 OD Survey was conducted.
- Demographics for the Other Free Fares were assumed to have the same demographics as those respondents that reported their fare payment method as a free ride or received a free fare as a CapMetro employee dependent.
- Demographics for Special Event Single Ride were assumed to have the same demographics as the systemwide average.
- The survey did not allow respondents to indicate whether they were using a MetroWorks Business pass product. For these products, customers were assumed to have the same demographics as those of the underlying fare product (e.g., Local, Standard Fare, 31-Day Pass).
- Demographics for MetroWorks Government, City of Austin pass program, Travis County pass program, and CAMPO passes were assumed to have the same demographics as Business Pass (COA, ACC, Travis County) survey respondents.
- Demographics for Austin Community College and St. Edward's University higher education programs were assumed to have the same demographics as Student Pass/Semester Pass/Green Pass survey respondents.

Amp customer payment system migration assumptions considered the current share of product purchases by sales channel for Fiscal Year 2021, as this data reflects recent increased migration and adoption of the CapMetro App. Each combination of service type, rider category and fare product and their likelihood of migration to Amp were considered individually. The following assumptions related to the migration of customers to the Amp customer payment system were used in the Average Fare Analysis:

- Of customers already using the CapMetro App, 100% are assumed to migrate to the Amp customer payment system.
- Of customers purchasing fares online or from the Transit Store, 50% are assumed to migrate to the Amp customer payment system.
- Of customers purchasing fares at the farebox, from ticket vending machines, and from H-E-B, 25% are assumed to migrate to the Amp customer payment system.

Depending on the service type, rider category and fare product, the range of Amp adoption assumptions range from 28% to 88%, with an average adoption rate of 44% of boardings.

Equifare low-income discount program participation assumptions considered the planned program enrollment process, the applicant self-certification process, customer privacy preferences, and the experience of other transit agencies that have implemented low-income discount programs. Additionally, the Equifare discount will only be available using an Amp smart card or upgraded CapMetro App, so consideration was given to the ability of customers to migrate to Amp. For each combination of service type, rider category and fare product, total Standard Fare boardings based on income-eligibility were estimated based on output from the 2015 OD Survey and the Four Nines Fare Model. The results suggest that up to 72% of Standard Fare customer boardings would

be eligible for Equifare based on household size and income. For each of these income-eligible customers, it was assumed that 25% of customer boardings would participate in the Equifare program. This participation assumption attempts to reflect the fact that some customers are unlikely to realize that they qualify for the program, may not have appropriate documentation to prove their eligibility, or may choose not to enroll in the program due to personal privacy concerns or other reasons. While it is unclear what level of Equifare participation may occur, for the Average Fare Analysis, it is most conservative to assume a smaller Equifare participation by income-eligible Standard Fare customers; as Equifare participation increases, low-income customers will benefit to a greater degree compared to non-low-income customers.

Fare capping assumptions used in the Average Fare Analysis considered the migration of customers to the Amp customer payment system, the usage rate of different fare products and their likelihood of reaching a fare cap, and the approximate change in average fare that those customers might experience. Use of the Amp customer payment system is required in order to receive fare capping benefits. A detailed fare capping analysis was undertaken for CapMetro in February 2020 and formed the basis for some of the change in average fare assumptions. The fare capping impacts on the average fare range from -8% to -32%, depending on the service type, rider category and fare product.

The following assumptions related to fare capping were used in the Average Fare Analysis:

- As noted earlier in this section, Amp customer payment system adoption assumptions were applied to each unique combination of service type, rider category and fare product based on recent fare product sales by channel.
- For each customer segment, the number of customers that would benefit from fare capping was estimated based on pass utilization data and 2015 OD Survey data. For 7-Day Pass and 31-Day Pass customers, detailed ridership data by unique pass was analyzed to understand how many customers would not reach the monthly fare cap and would therefore pay less than the current 31-Day Pass price. For 7-Day Pass customers, the analysis assumed the purchase of four, 7-Day Passes throughout the month.
- For Single Ride and Day Pass customers, survey data from the 2015 OD Survey was used to determine what share of customers traveled 3-4 days per week or more. These customers were assumed to reach or exceed the daily fare cap and would benefit from fare capping. As part of the Average Fare Analysis, boardings made by customers traveling 3-4 days per week or more were separated from those made by customers traveling fewer than 3 days per week to reflect which customers would reach the fare cap and which customers would not reach the fare cap.
- The change in average fare for each of customer segments was based on revenue loss estimates from the February 2020 fare capping analysis undertaken for CapMetro. The percent change in fare revenue for each customer segment in the earlier analysis was applied in the Average Fare Analysis as a percentage change to the average fare.

## 4.2 Retail Access Analysis

The proposed fare changes include the implementation of the new Amp customer payment system that enables customers to use an Amp smart card or upgraded CapMetro App to pay their fare. Customers must have means to load value to their Amp accounts. In addition to the ability to load value using credit or debit card through the new upgraded CapMetro App or online through the Customer Web Portal, the new Amp system will leverage CapMetro's existing cash-to-mobile reload network for the CapMetro App to enable customers to load cash to their Amp accounts (note: credit and debit cards are not accepted at these reload locations). Customers will also have the ability to obtain an Amp smart card and load value to their Amp accounts at the Transit Store, using cash as well as credit and debit cards. This cash reload network will be important not only for Standard Fare and Reduced Rare Amp customers but all Equifare customers, as fare capping and the discounted fare for Equifare are available exclusively through the Amp system.

The proposed changes will not impact cash customers, customers purchasing passes at the Transit Store, H-E-B, and by mail through the Customer Web Portal, or customers receiving passes through organizations participating in MetroWorks, Discount Pass Program, or Transit Empowerment Fund. Cash customers will continue to have the option to pay the Single Ride fare or purchase a Day Pass onboard the bus at the farebox or at a ticket vending machine. Passes sold at the Transit Store, H-E-B, and by mail through the Customer Web Portal will eventually be discontinued but are not proposed to be discontinued at this time. Rolling 7-Day and 31-Day Passes sold through these channels will remain rolling 7-Day and 31-Day Passes, while rolling Day Passes valid for 24 hours will become Day Passes valid until the end of the service day. The transition to service Day Passes is to align with fare capping and to minimize confusion among customers. Should CapMetro decide to eliminate those fare payment methods, a Fare Equity Analysis would be needed prior to implementing the change.

Customers using the new Amp customer payment system will need to load value to their accounts using a credit or debit card through the upgraded CapMetro App or the Customer Web Portal or seek a reload location to purchase a pass or add value using cash to their Amp accounts. To mitigate the need to have a credit or debit card to load value, the new Amp customer payment system will leverage the current cash-to-mobile network for the CapMetro App. The network enables everyone, including those who do not have access to a credit or debit card to load value through the app or online, to have access to the benefits of the new Amp system, including benefits of fare capping. However, it is worth noting that at the onset of implementation, the cash reload network will not distribute fare media, except at the Transit Store and by mail through the Customer Web Portal or by calling the Transit Store. Customers using the new Amp system will need to use their own compatible smartphone or obtain a smart card by calling or visiting the Transit Store to load value to their accounts. The Transit Store is open weekdays from 8 am to 5 pm. CapMetro will distribute Amp smart cards for free; Amp smart cards ordered through the Customer Web Portal will not be subject to the \$2.00 shipping fee applied to all other online orders that must be paid with a credit or debit card. Smart cards ordered by calling the Transit Store are not subject to any shipping fees and do not require a credit or debit card to order.

To determine whether equity issues related to the Amp reload network will arise, a Geographic Information System (GIS) map-based analysis was completed to assess minority and low-income populations' access to the existing cash-to-mobile reload network and the Transit Store. The new customer payment system will use the InComm Vanilla Direct network, which includes more than 280 potential reload locations, including 7-Eleven, Walgreens, CVS Pharmacy, Family Dollar, Dollar General, Walmart and more. Of these more than 280 reload

locations, 165 reload locations are within a half mile of a fixed-route stop. With the launch of the Amp customer payment system, customers may also visit the Transit Store to load value on their mobile account. While InComm Vanilla Direct outlets accept only cash to load funds, customers at the Transit Store will be able to load funds with cash as well as credit and debit cards.

The Retail Access Analysis was conducted by mapping the locations of the existing cash-to-mobile reload locations and the Transit Store, which were overlaid on the minority and low-income populations to compare the percentages of minority and low-income populations with access to the network compared to the access of non-minority and non-low-income populations. The same mapping exercise was conducted to determine a base population with access to CapMetro fixed-route stops. Access to reload locations was defined as a quarter-mile buffer around a reload location, and access to the service area was defined as a half-mile buffer around a fixed-route stop.

The following are the steps undertaken in determining population within a half-mile of a CapMetro fixed-route stop:

1. Mapped individual CapMetro fixed-route stops, and created a half-mile buffer around the fixed-route stops.
2. Census block groups where the block group boundary intersected with the half-mile buffer around a fixed-route stop were selected. The populations in these block groups are deemed to have access to a fixed-route stop and serve as the base service population.
3. In the selected Census block groups, identified the total overall, minority, non-minority, low-income, and non-low-income populations.

The following are the steps undertaken in determining population within a quarter-mile of the existing cash-to-mobile reload network and the Transit Store:

1. Mapped individual existing cash-to-mobile reload locations and the Transit Store and identified locations within a half-mile of a fixed-route stop. While InComm Vanilla Direct has several outlets that are further than a half-mile from a fixed-route stop, the Retail Access Analysis focuses on only the outlets within a half-mile as a proxy for access to the service area.
2. For the reload locations within a half-mile of a fixed-route stop and the Transit Store, created a quarter-mile buffer around the locations.
3. Census block groups where the block group boundary intersected with the quarter-mile reload location buffer were selected. The populations in these block groups are deemed to have access to a reload location.
4. In the selected Census block groups, identified the total overall, minority, non-minority, low-income, and non-low-income populations to determine the percentage of each population's access to the reload network.
5. Compared the difference (percentage points) in the percentage of minority populations with access to the reload network to the percentage of non-minority populations with access. Compared the similar percentage points for low-income and non-low-income populations.
6. Created maps using Census block group level data from the American Community Survey (ACS) for the service area. For purposes of map creation, Census block groups were considered "minority Census block

groups” when the percentage of minority population is greater than the systemwide average of 52.6%. Census block groups were considered “low-income Census block groups” when the percentage of low-income population is greater than the systemwide average of 16.7%.

### 4.2.1 Data

The Retail Access Analysis uses the American Community Survey (ACS) 2019 5-year dataset tables B03002 (Hispanic or Latino Origin by Race) and C17002 (Ratio of Income to Poverty Level in last 12 months) from the U.S. Census Bureau to assess minority and low-income status. ACS data was used at the block group level. It should be noted that the block groups within the CapMetro service area can be very large. However, the data represents the finest granularity available, as required by the Title VI Circular C4702.1B. **Appendix B** includes the listing of block groups used in the Retail Access Analysis.

The analysis also used existing cash-to-mobile reload locations, the Transit Store location, and fixed-route stop locations to identify block groups with access to these reload locations and to the CapMetro service area.

### 4.2.2 Assumptions

For the purpose of the Retail Access Analysis, minority populations are those not identified as “White Alone, Not Hispanic or Latino” from the ACS 2019 5-year dataset table B03002; and low-income populations are those deemed low-income by CapMetro’s low-income definition. CapMetro defines low-income populations as those whose household income is at or below 125% of the U.S. Department of Health and Human Services (HHS) Poverty Guidelines. Populations at or below 125% of the Federal Poverty Level were identified using the ACS 2019 5-year dataset table C17002.

## 5 System Ridership Demographics Overview

The following provides an overview of CapMetro’s systemwide ridership taken from the 2015 OD Survey conducted by Creative Consumer Research which is the most recent onboard survey with the detailed information needed for the Fare Equity Analysis.

These demographic statistics were considered in the development of the proposed fare changes in order to minimize or avoid the potential for changes to result in Disparate Impacts on minority customers or a Disproportionate Burden on low-income customers.

### 5.1 Ethnicity Assumptions

For purposes of the Fare Equity Analysis, minority populations are those who have not identified themselves as only “White/Anglo” on the 2015 OD Survey. While the survey allowed individuals to indicate “Mixed Race”, those responding as only “White/Anglo” are listed as non-minority. Mixed ethnicity was categorized as “minority.” Our analysis did not include those who refused to respond to the ethnicity question. The ethnicity categories in the survey include:

1. African American
2. Hispanic/Latino
3. Asian
4. Native American
5. White/Anglo
6. Mixed Race

### 5.2 Income Assumptions

For purposes of the Disproportionate Burden Policy, CapMetro defines low-income populations as those whose household income is at or below 125% of the U.S. Department of Health and Human Services (HHS) Poverty Guidelines.

Because the 2015 OD Survey, which was conducted between February and May 2015, asked respondents for their total annual household income, we used the 2014 Poverty Guideline to determine which populations would be considered low-income. Table 4 provides the 2014 U.S. HHS Poverty Guidelines and the corresponding CapMetro low-income definitions by household size. Because the 2015 OD Survey asked both household income and household size, we were able to use household size and income to categorize each individual survey respondent accurately using U.S. HHS Poverty Guidelines. Table 5 presents the income categories used in the 2015 OD Survey. Our analysis did not include those who refused to respond to both the household income and household size questions, since they could not be properly categorized.



**Table 4: 2014 HHS Poverty Guidelines**

Persons in Family/Household	Poverty Guideline	125% of Poverty Guideline
1	\$11,670	\$14,588
2	\$15,730	\$19,663
3	\$19,790	\$24,738
4	\$23,850	\$29,813
5	\$27,910	\$34,888
6	\$31,970	\$39,963
7	\$36,030	\$45,038
8	\$40,090	\$50,113
For families/households with more than 8 persons:	Add \$4,060 for each additional person	Add \$5,075 for each additional person

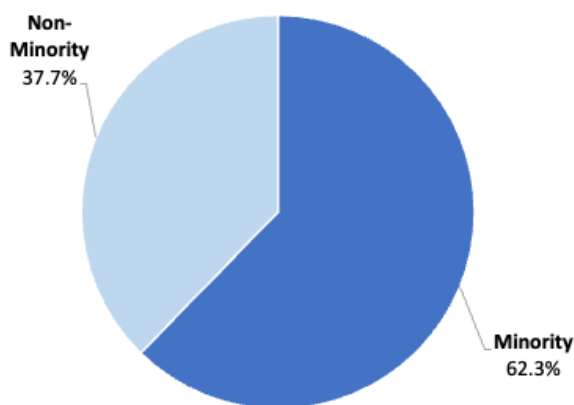
**Table 5: 2015 OD Survey Household Income Categories**

2015 OD Survey Income Categories	
Less than \$4,999	\$30,000 - \$39,999
\$5,000 - \$9,999	\$40,000 - \$59,999
\$10,000 - \$14,999	\$60,000 - \$69,999
\$15,000 - \$19,999	\$70,000 - \$79,999
\$20,000 - \$24,999	\$80,000 - \$100,000
\$25,000 - \$29,999	Over \$100,000

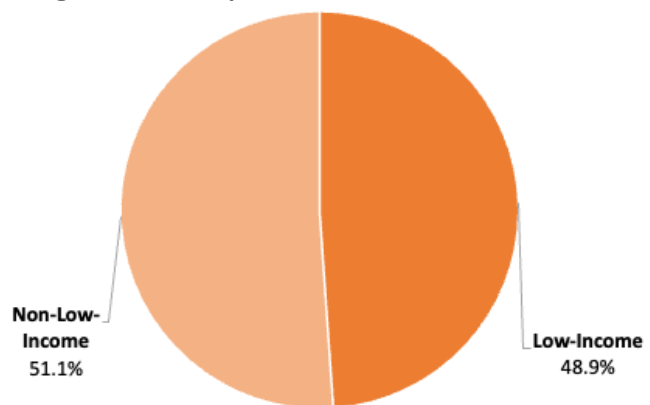
## 5.3 Ridership Demographics

Figures 1 and 2 provide an overview of systemwide fixed-route ridership by minority and income status for those who responded to ethnicity and income related questions, excluding those who refused to respond. For purposes of the analysis, minority status is characterized as anyone who responded to anything other than only “White/Anglo.” Low-income status was determined through a cross tabulation of income by household size, matching the income to 125% of the federal poverty guidelines, as discussed above. The proportion of low-income customers is notable - about half of CapMetro's customers are considered to be low income.

**Figure 1: Ridership Ethnicity**



**Figure 2: Ridership Income**



\* Percentages above exclude the 1.6% of weighted respondents that refused to respond to the ethnicity questions and the 29.5% of weighted respondents that refused to respond to both the household income and household size questions.

To support the Fare Equity Analysis, we performed cross-tabulations of the 2015 OD Survey data for those who responded to ethnicity and income questions to develop a breakdown of demographics by fare payment type. We reviewed the relationship between fare payment type and ethnicity and income as we recognize that various fare changes may impact some protected groups more than others. Table 6 presents the fare payment type by minority and income status, while Table 7 presents the percentage of minority and low-income ridership by fare payment type.

**Table 6: Fare Payment Type by Minority and Income Status**

Fare Payment Type	Overall	Percent Minority	Percent Non-Minority	Percent Low-Income	Percent Non-Low-Income
Single Ride (cash)	13.3%	13.2%	13.5%	12.7%	12.9%
Single Ride reduced fare (cash)	0.7%	0.6%	0.8%	0.6%	0.6%
Day Pass (cash)	28.5%	30.3%	25.8%	29.0%	28.1%
Day Pass reduced fare (cash)	1.7%	1.9%	1.3%	1.9%	0.9%
7-Day pass	4.6%	4.4%	4.8%	4.2%	5.4%
31-Day pass	19.2%	19.4%	18.5%	18.1%	22.3%
31-Day pass reduced fare	4.0%	3.9%	4.3%	4.3%	3.4%
Stored value card	0.2%	0.1%	0.3%	0.1%	0.3%
UT ID	21.2%	19.9%	23.3%	23.6%	18.7%
Student pass, semester pass, green pass	0.6%	0.6%	0.7%	0.6%	0.5%
Business pass (COA, ACC, Travis County)	2.6%	2.3%	3.0%	1.9%	3.2%
MetroAccess monthly pass	0.4%	0.3%	0.6%	0.2%	0.8%
Employee dependent	0.3%	0.3%	0.3%	0.1%	0.6%
Free	2.5%	2.5%	2.5%	2.4%	2.0%
Other	0.3%	0.3%	0.4%	0.2%	0.5%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Source: 2015 OD Survey

**Table 7: Percentage of Minority and Low-Income Ridership by Fare Payment Type**

Fare Payment Type	Percent Minority	Percent Non-Minority	Total	Percent Low-Income	Percent Non-Low-Income	Total
Single Ride (cash)	61.9%	38.1%	100.0%	48.6%	51.4%	100.0%
Single Ride reduced fare (cash)	57.0%	43.0%	100.0%	50.3%	49.7%	100.0%
Day Pass (cash)	66.0%	34.0%	100.0%	49.8%	50.2%	100.0%
Day Pass reduced fare (cash)	70.2%	29.8%	100.0%	67.2%	32.8%	100.0%
7-Day pass	60.4%	39.6%	100.0%	42.6%	57.4%	100.0%
31-Day pass	63.4%	36.6%	100.0%	43.7%	56.3%	100.0%
31-Day pass reduced fare	59.8%	40.2%	100.0%	55.3%	44.7%	100.0%
Stored value card	41.0%	59.0%	100.0%	15.7%	84.3%	100.0%
UT ID	58.7%	41.3%	100.0%	54.7%	45.3%	100.0%
Student pass, semester pass, green pass	56.2%	43.8%	100.0%	54.3%	45.7%	100.0%
Business pass (COA, ACC, Travis County)	56.6%	43.4%	100.0%	35.9%	64.1%	100.0%
MetroAccess monthly pass	46.5%	53.5%	100.0%	22.1%	77.9%	100.0%
Employee dependent	64.3%	35.7%	100.0%	15.6%	84.4%	100.0%
Free	62.2%	37.8%	100.0%	53.9%	46.1%	100.0%
All other	52.2%	47.8%	100.0%	28.5%	71.5%	100.0%
<b>Total</b>	<b>62.3%</b>	<b>37.7%</b>	<b>100.0%</b>	<b>48.9%</b>	<b>51.1%</b>	<b>100.0%</b>

Source: 2015 OD Survey

## 6 Fare Change Proposal

CapMetro has undertaken a Fare Structure Study to prepare for the full launch of its new customer payment system (Amp) and to develop a fare strategy to guide CapMetro as it builds out Project Connect. The Fare Structure Study was guided by the 2010 Fare Policy approved by the CapMetro Board of Directors in December 2010.

The proposed fare changes include the implementation of the new Amp customer payment system that enables customers to use a smartphone or a smart card to pay their fare. The system introduces new opportunities for CapMetro to restructure fares in order to promote equity by leveraging the fare capping capabilities of the new Amp customer payment system and introducing a new low-income discount category (Equifare).

Proposed fare changes to be implemented in 2022 include:

- Introduction of the new Amp customer payment system that enables customers to use an Amp smart card or new upgraded CapMetro App to pay fares.
- Introduction of calendar-based daily and monthly fare capping for customers using the new customer payment system. Fare capping increases the affordability of fares by capping the amount that a customer pays on a daily or monthly basis at the equivalent Day or 31-Day Pass price.
- Streamlining of the fare products within the new upgraded CapMetro App to offer stored value with fare capping for frequent customers and Day Passes for infrequent customers, discontinuing Single Ride, 7-Day Passes, 31-Day Passes, and joint MetroBike Passes in the upgraded CapMetro App. The reduction in fare product options will make the selection process easier for customers, while providing customers with the “best fare” through fare capping.
- Introduction of a new low-income discount category (Equifare) that provides a 15-20% discount on the Standard Fare for customers in households at or below 200% of the federal poverty guidelines. Equifare customers must use an Amp smart card or new upgraded CapMetro App to pay the discounted fare.
- Transition of Day Passes valid for rolling 24 hours available for pre-purchase through the new upgraded CapMetro App to Day Passes expiring at the end of the service day (3:59:59 am) to align with daily service-day fare capping. Service day Day Passes will also be available for customers using an Amp smart card.

As with the CapMetro App today, Reduced Fare customers (and new Equifare customers) will need to obtain an entitlement on their account to pay the discounted fare using Amp. Equifare eligibility will be electronically enforced and not require use of proof of eligibility. For Reduced Fare customers, a Reduced Fare ID (RFID) or proof of eligibility (e.g., driver’s license with date of birth) may be required upon request.

The proposed changes will not impact cash customers, customers purchasing passes at the Transit Store, H-E-B, and by mail through the Customer Web Portal, or customers receiving passes through organizations participating in MetroWorks, Discount Pass Program, or Transit Empowerment Fund. Cash customers will continue to have the option to pay the Single Ride fare or purchase a Day Pass onboard the bus at the farebox or at a ticket vending machine. Passes sold at the Transit Store, H-E-B, and by mail through the Customer Web Portal will eventually be discontinued, but are not proposed to be discontinued at this time. Should CapMetro decide to eliminate those fare payment methods, a Fare Equity Analysis would be needed prior to implementing the change.

Additional fare structure changes were explored as part of the Fare Structure Study and deferred, in particular base fare adjustments to align with the average fare assumptions in Project Connect fare revenue forecasts. At this time, CapMetro decided to focus on financial relief to help in the rebuilding of ridership post-pandemic.

CapMetro may implement base fare adjustments and other fare structure changes, including discontinuation of legacy fare media and products such as passes sold at H-E-B, as part of the full fare restructuring anticipated for implementation in an upcoming year that will be subject to a separate Fare Equity Analysis.

## 6.1 Payment and Media Changes

Table 8 summarizes the proposed fare pricing changes by fare payment type. With the exception of introducing the new Equifare low-income discount fare category, there are no proposed fare pricing changes. The proposed fare changes do not impact any of CapMetro’s existing pass programs, including MetroWorks, Discount Pass Program, Transit Empowerment Fund, student or employer program interlocal agreements and contracts.

The Amp system will enable CapMetro to introduce fare capping, which offers customers the best fare based on their trip-making behavior. Unlike 7-Day and 31-Day Passes, customers do not need to purchase a pass upfront. With fare capping, customers can pay as they go and have their fares capped on a daily or monthly basis such that they do not exceed the price of a comparable Day or 31-Day Pass. This removes financial barriers for customers who may not be able to pay for a 7-Day or 31-Day Pass upfront as well as increases convenience for customers by providing them the best fare without needing to determine whether to purchase a pass upfront.

Fares paid will accrue towards the applicable fare cap. The following will be the business rules for accommodating fare capping with CapMetro’s multiple service types:

- Local fares paid would count towards both Local and Commuter fare caps
- Commuter fares paid would count towards only the Commuter fare cap
- Once the Local fare cap is achieved, a customer would ride free on Local services and continue to pay Commuter fare until the Commuter fare cap is achieved
- Once the Commuter fare cap is achieved, a customer would ride free on both Local and Commuter services

Table 8 identifies the existing and proposed fare pricing and availability of fare payment type. The fare payment types in blue are new payment methods available (i.e., daily and monthly fare capping and introduction of Equifare). It is also worth noting that the 24-hour rolling Day Pass purchased in the CapMetro App will transition to a Day Pass valid for the service day (i.e., 4:00:00 am through 3:59:59 am). No price changes to existing fare payment types are anticipated.

**Table 8: Fare Pricing and Payment Type Availability - Proposed Changes**

Existing Fare Payment Type	Existing Price	Proposed Fare Payment Type	Proposed Price
<b>Standard Fare - Local Service</b>			
Single Ride	\$1.25	Single Ride	no change
Day Pass (24-hour rolling)	\$2.50	Day Pass (24-hour rolling)	no change
Day Pass (24-hour rolling)	\$2.50	Day Pass (service day, Amp only)	no change
		Daily Fare Capping (service day)	no change
7-Day Pass (rolling)	\$11.25	7-Day Pass (rolling)	no change
31-Day Pass (rolling)	\$41.25	31-Day Pass (rolling)	no change
		Monthly Fare Capping (calendar)	no change
<b>Standard Fare - Commuter Service</b>			
Single Ride	\$3.50	Single Ride	no change

Existing Fare Payment Type	Existing Price	Proposed Fare Payment Type	Proposed Price
Day Pass (24-hour rolling)	\$7.00	Day Pass (24-hour rolling)	no change
Day Pass (24-hour rolling)	\$7.00	Day Pass (service day, Amp only)	no change
Upcharge		Daily Fare Capping (service day)	no change
7-Day Pass (rolling)	\$27.50	7-Day Pass (rolling)	no change
31-Day Pass (rolling)	\$96.25	31-Day Pass (rolling)	no change
		Monthly Fare Capping (calendar)	no change
<b>Reduced Fare - Local Service</b>			
Single Ride	\$0.60	Single Ride	no change
Day Pass (24-hour rolling)	\$1.25	Day Pass (24-hour rolling)	no change
Day Pass (24-hour rolling)	\$1.25	Day Pass (service day, Amp only)	no change
31-Day Pass (rolling)		Daily Fare Capping (service day)	no change
31-Day Pass (rolling)	\$20.60	31-Day Pass (rolling)	no change
		Monthly Fare Capping (calendar)	no change
<b>Reduced Fare - Commuter Service</b>			
Single Ride	\$1.75	Single Ride	no change
Day Pass (24-hour rolling)	\$3.50	Day Pass (service day, Amp only)	no change
Day Pass (24-hour rolling)	\$3.50	Day Pass (pre-purchased)	no change
31-Day Pass (rolling)		Daily Fare Capping (service day)	no change
31-Day Pass (rolling)	\$48.10	31-Day Pass (rolling)	no change
		Monthly Fare Capping (calendar)	no change
<b>Equifare Fare - Local Service</b>			
not available		Single Ride (Amp smart card or app only)	\$1.00
		Daily Fare Capping (service day)	\$2.00
		Monthly Fare Capping (calendar)	\$33.00
<b>Equifare Fare - Commuter Service</b>			
not available		Single Ride (Amp smart card or app only)	\$3.00
		Daily Fare Capping (service day)	\$6.00
		Monthly Fare Capping (calendar)	\$77.00

As part of the implementation of Amp, CapMetro will be enabling electronic validation and acceptance of the Amp smart card and the new upgraded CapMetro App fare payments on Pickup. As today, fares on Pickup will align with the Local fares and use the same pricing structure. These demand response services are not currently subject to a fare equity analysis under FTA Circular 4702.1B, which only requires service and fare equity analyses for changes to fixed-route services.

No fare changes are proposed to MetroAccess, as MetroAccess is not part of the customer payment system at this time. Similarly, no changes are planned at this time for MetroBike. Joint CapMetro and MetroBike passes will be

discontinued in the upgraded CapMetro App. Fares and the fare structure for MetroAccess and MetroBike will be revised as part of the full fare restructuring anticipated for implementation in an upcoming year.

## 6.2 Media Distribution Changes

The new customer payment system (Amp) and the proposed fare changes impact the fare payment types available and how they are distributed, including the type of fare media. Table 9 identifies the proposed electronic fare media policy changes. Table 10 identifies the proposed changes to fare product availability and distribution.

Customers using the new Amp system will need to use their own compatible smartphone or obtain an Amp smart card. In addition to distribution of Amp smart cards in person at the Transit Store, by mail by calling the Transit Store, and by mail through the Customer Web Portal, at launch, CapMetro will distribute physical cards through street teams and at community engagement events. The Vanilla Direct cash reload network will not distribute Amp smart cards.

The proposed changes will not impact cash customers, customers purchasing passes at the Transit Store, H-E-B, and by mail through the Customer Web Portal, or customers receiving passes through organizations participating in MetroWorks, Discount Pass Program, or Transit Empowerment Fund. Cash customers will continue to have the option to pay the Single Ride fare or purchase a Day Pass onboard the bus at the farebox or at a ticket vending machine. Should CapMetro decide to eliminate those fare payment methods, a Fare Equity Analysis would be needed prior to implementing the change.

The proposed fare changes also do not impact any existing student or employer program interlocal agreements and contracts.

**Table 9: Electronic Fare Media Policies - Proposed Changes**

Policy	Existing	Proposed
<b>CapMetro App</b>		
<b>App Cost</b>	<ul style="list-style-type: none"> <li>– No cost for CapMetro App</li> <li>– Available from the Google Play and Apple App Store</li> <li>– Data charges may apply</li> </ul>	<ul style="list-style-type: none"> <li>– No change</li> </ul>
<b>Account Registration</b>	<ul style="list-style-type: none"> <li>– Unregistered mobile account not available</li> <li>– Account registration requires first and last name, email, password, and phone number (optional). Alternatively, sign in with Apple, Facebook, or Google</li> <li>– RFID has additional requirements for enrollment but is not maintained in Bytemark system</li> </ul>	<ul style="list-style-type: none"> <li>– No change</li> <li>– Equifare will have additional requirements for enrollment but will not be maintained in Bytemark system</li> </ul>
<b>Stored Value Load</b>	<ul style="list-style-type: none"> <li>– Customers can load value through the CapMetro App or at Vanilla Direct cash reload locations (also known as cash-to-mobile network)</li> <li>– Minimum load set by the Vanilla Direct cash reload locations, ranging from \$1 to \$5. No minimum load for loads through the CapMetro App</li> </ul>	<ul style="list-style-type: none"> <li>– In addition to current locations, customers can load value through the Customer Web Portal and at the Transit Store</li> <li>– No through the Customer Web Portal. Minimum load at the Transit Store \$1</li> </ul>

Policy	Existing	Proposed
<b>Pass Purchase</b>	<ul style="list-style-type: none"> <li>– Customers can purchase a Day Pass (24-hour), 7-Day, and 31-Day passes, as well as joint passes with MetroBike, in the CapMetro App</li> <li>– There is no minimum load at any location for pass purchases</li> </ul>	<ul style="list-style-type: none"> <li>– Customers can purchase a Day Pass (service day) in the CapMetro App</li> <li>– There is no minimum load at any location for pass purchases</li> </ul>
<b>Balance Protection</b>	<ul style="list-style-type: none"> <li>– Available for customers with registered account</li> </ul>	<ul style="list-style-type: none"> <li>– No change</li> </ul>
<b>Multiple Rider Fares</b>	<ul style="list-style-type: none"> <li>– Each customer must have their own mobile ticket</li> <li>– Multiple tickets can be presented on a single smartphone in the CapMetro App</li> </ul>	<ul style="list-style-type: none"> <li>– Multiple customers can travel using the same smartphone by presenting multiple QR codes in the new upgraded CapMetro App. Fares for customers using stored value are capped separately for the different QR codes associated with separate fare media wallets</li> <li>– For Reduced Fare and Equifare customers using the new upgraded CapMetro App, only one fare would be at the discounted fare. Additional fares would be at the Standard Fare pricing</li> </ul>
<b>Fare Passes</b>	<ul style="list-style-type: none"> <li>– Products available: Single Ride tickets, Day (24-hour), 7-Day, and 31-Day rolling period passes, and joint MetroBike day and 31-Day passes</li> </ul>	<ul style="list-style-type: none"> <li>– Products available: Day Pass (service day)</li> </ul>
<b>Fare Capping</b>	<ul style="list-style-type: none"> <li>– Not available</li> </ul>	<ul style="list-style-type: none"> <li>– Fares for customers will be capped on a daily (service day) and calendar monthly basis</li> </ul>
<b>Autoload</b>	<ul style="list-style-type: none"> <li>– Autoload of value available based on dollar threshold that requires second step to purchase ticket/pass</li> </ul>	<ul style="list-style-type: none"> <li>– Autoload of value available based on dollar threshold or on weekly or monthly basis</li> </ul>
<b>Negative Balance</b>	<ul style="list-style-type: none"> <li>– Not available</li> </ul>	<ul style="list-style-type: none"> <li>– Up to one ride negative. Amount varies by service type (Local vs. Commuter) and rider category (Standard Fare vs. Reduced Fare vs. Equifare)</li> </ul>
<b>Amp Smart Card</b>		
<b>Smart Card Fee and Access</b>	<ul style="list-style-type: none"> <li>– Not available</li> </ul>	<ul style="list-style-type: none"> <li>– Free initial card, initial and/or replacement cards may have a fee in the future (and would be subject to a separate Fare Equity Analysis)</li> <li>– Distributed at the Transit Store and by mail through the Customer Web Portal and by calling the Transit Store (at launch, marketing efforts to be planned to distribute cards to promote adoption)</li> <li>– The Transit Store is open weekdays from 8 am to 5 pm</li> <li>– Smart cards ordered through the Customer Web Portal will not be subject to the \$2.00 shipping fee will be applied to all other online orders that must be paid with a credit or debit card</li> <li>– Smart cards ordered by calling the Transit Store are not subject to any shipping fees and do not require a credit or debit card to order</li> <li>– No minimum load required for new Amp smart cards</li> </ul>
<b>Account Registration</b>	<ul style="list-style-type: none"> <li>– Not available</li> </ul>	<ul style="list-style-type: none"> <li>– No registration required. Customer can load money and benefit from fare capping without</li> </ul>



Policy	Existing	Proposed
		registering the account – Account registration requires first and last name, email, password, and phone number (optional) – Equifare and RFID will have additional requirements for enrollment but will not be maintained in Bytemark system
<b>Stored Value Load</b>	– Not available	– Customers can load value through the CapMetro App, at Vanilla Direct cash reload locations, through the Customer Web Portal, and at the Transit Store – Minimum load set by the Vanilla Direct cash reload locations, ranging from \$1 to \$5. No minimum load for loads through the CapMetro App or through the Customer Web Portal. Minimum load at the Transit Store \$1
<b>Pass Purchase</b>	– Not available	– Customers can purchase a Day Pass (service day) to use with their smart card – There is no minimum load at any location for pass purchases
<b>Balance Protection</b>	– Not available	– Available for customers with registered account
<b>Multiple Rider Fares</b>	– Not available	– Each customer must have their own smart card
<b>Fare Capping</b>	– Not available	– Fares for customers will be capped on a daily (service day) and calendar monthly basis
<b>Autoload</b>	– Not available	– Autoload of value available based on dollar threshold or on weekly or monthly basis – Available for customers with registered account and saved payment method
<b>Negative Balance</b>	– Not available	– Up to one ride negative. Amount varies by service type (Local vs. Commuter) and rider category (Standard Fare vs. Reduced Fare vs. Equifare)

**Table 10: Fare Distribution - Proposed Changes**

Fare Payment Type	Existing	Proposed
<b>Standard Fare and Reduced Fare</b>		
<b>Cash Single Ride</b>		
Onboard	✓	✓
<b>Single Ride Tickets</b>		
TVM	✓	✓
CapMetro App	✓	No longer available for purchase
<b>Day Pass</b>		
Onboard/Transit Store/TVM	✓	✓
CapMetro App	✓	✓
<b>7-Day Pass</b>		
Existing Retail Outlets/Transit Store/By Mail	✓	✓
CapMetro App	✓	No longer available for purchase
<b>31-Day Pass</b>		
Existing Retail Outlets/Transit Store/By Mail	✓	✓
CapMetro App	✓	No longer available for purchase
<b>\$20/\$40 Stored Value Card</b>		
Transit Store	✓	✓
<b>Stored Value Cash Reload*</b>		
Vanilla Direct Cash Reload Locations	✓	✓
Transit Store		✓
<b>New Customer Payment System (Upgraded CapMetro App or New Smart Card)</b>		
<b>Stored Value with Daily and Monthly Fare Capping</b>		
Upgraded CapMetro App/Customer Web Portal		✓
Vanilla Direct Cash Reload Locations/Transit Store		✓
<b>Low-Income Fare (Equifare)</b>		
<b>Cash Single Ride</b>	Equifare not available	Equifare available only with Amp smart card or new upgraded CapMetro App
<b>Single Ride Tickets</b>		
<b>Day Pass</b>		
<b>7-Day Pass</b>		
<b>31-Day Pass</b>		
<b>Stored Value Cash Reload*</b>		
Vanilla Direct Cash Reload Locations		✓
Transit Store		✓
<b>New Customer Payment System (Upgraded CapMetro App or New Smart Card)</b>		
<b>Stored Value with Daily and Monthly Fare Capping</b>		
Upgraded CapMetro App/Customer Web Portal		✓
Vanilla Direct Cash Reload Locations/Transit Store		✓

Abbreviation: TVM = Ticket Vending Machine

\*Stored Value only available in CapMetro App (current and upgraded) and Amp smart cards

Fare payment and inspection will not change onboard fixed-route bus services except for the introduction and acceptance of reusable Amp smart cards. Equifare customers will not be provided proof of eligibility and thus will not be required to provide proof of eligibility upon request.

Fare payment and inspection will change on MetroRail. Table 11 summarizes the proposed changes.

**Table 11: Electronic Fare Media Policies - Proposed Changes**

Policy	Existing	Proposed
<b>Fare Payment and Fare Inspection on MetroRail</b>		
<b>Fare Payment and Inspection</b>	<ul style="list-style-type: none"> <li>- Customer must pre-purchase fare or pass offboard at TVM, Transit Store, H-E-B, Customer Web Portal, or through the CapMetro App</li> <li>- Legacy plastic stored value cards accepted at TVMs</li> <li>- Electronic inspection by MetroRail conductors</li> <li>- Rolling passes are activated upon first use</li> </ul>	<ul style="list-style-type: none"> <li>- Customer must pre-purchase fare or pass offboard at TVM, Transit Store, Retail Outlet, Customer Web Portal or have stored value deducted from Amp/new mobile app account by MetroRail conductors using a Mobile Point of Sale handheld device</li> <li>- Legacy plastic stored value cards accepted at TVMs</li> <li>- Electronic inspection by MetroRail conductors, excluding magnetic stripe tickets</li> <li>- Rolling passes on legacy smart cards are activated upon first use</li> <li>- Visual inspection of magstripe media by MetroRail conductors; no ability to activate upon first use (customer must activate on bus prior to use)</li> </ul>

### 6.2.1 New Amp Customer Payment System Media

Customers using the new Amp customer payment system will be able to use the upgraded CapMetro App on a compatible smartphone or obtain an Amp smart card to pay their fare using funds in their electronic fare media wallet. Smart cards will be available in person at the Transit Store and via mail by calling the Transit Store at no charge. The Transit Store is open weekdays from 8 am to 5 pm. Smart cards ordered by calling the Transit Store are not subject to any shipping fees and do not require a credit or debit card to order. Customers can also order Amp smart cards through the Customer Web Portal. These cards will not be subject to the \$2.00 shipping fee applied to all other online orders that must be paid with a credit or debit card. For customers using Amp smart cards, each customer must have their own smart card to pay their fare. For customers using the upgraded CapMetro App, multiple customers can travel using the same smartphone by presenting multiple QR codes in the app. Fares for customers using stored value are capped separately for the different QR codes. The QR codes are associated with separate fare media wallets. The system will allow customers using the new Amp system to ride with insufficient funds up to one ride negative. The amount a customer can “go negative” varies by service type (Local vs. Commuter) and rider category (Standard Fare vs. Reduced Fare vs. Equifare).

Customers paying their fares using the new Amp customer payment system will have their fares capped on a daily (service day) and calendar monthly basis. Customers must use the same fare media for fare capping. Customers who use a combination of fare media (e.g., a smartphone and a smart card) for different boardings will have fares capped separately for each fare media. Customers cannot interchangeably use a smartphone and a smart card to earn towards a fare cap: loaded funds and fare capping progress are associated with the specific fare medium. While loaded funds can be migrated by the customer between fare media (e.g., a customer decides to start using their smartphone rather than a smart card), fare capping progress cannot be migrated. At a customer’s request, CapMetro Customer Service may make an adjustment to account funds or associated passes to make a customer whole if the customer migrates fare media (e.g., if a customer is only one tap away from reaching the monthly fare cap and replaces their smartphone, CapMetro Customer Service could opt to issue the customer a pass to

ride free for the remainder of the month because the customer's fare cap progress was reset when they replaced their phone).

Customers using the upgraded CapMetro App will be required to register and set up an account, which requires an email, password, and first and last name (providing a phone number is optional). Customers can alternatively sign in with Apple, Facebook, or Google. Customers using an Amp smart card will have the option to register and set up an account. A mailing address is only required for ordering physical media through the Customer Web Portal. Credit and debit card information is optional for both CapMetro App and Amp smart card users but is required to load funds electronically through the upgraded CapMetro App or the Customer Web Portal. Customers can also use Apple Pay and Google Pay in the CapMetro App. Customers who register their fare media receive balance protection in the event that a customer's smartphone or smart card is lost or stolen, unlike paper passes that have no balance protection if lost or stolen. CapMetro may charge for new and/or replacement smart cards in the future, and the fee would be subject to a separate Fare Equity Analysis prior to implementation.

In addition to being able to load value through the CapMetro App or Customer Web Portal, customers will have the option to load cash to their accounts at CapMetro's existing cash-to-mobile reload locations, provided by InComm Vanilla Direct. Customers must use cash to load value to CapMetro accounts at InComm Vanilla Direct reload locations, as these locations do not accept credit or debit cards to load value and also have a \$1.00 to \$5.00 minimum load that is set by the location. The Vanilla Direct reload network is set by contract, and CapMetro does not have direct control of the list of participating reload locations or minimum load requirements. With implementation of the new customer payment system, customers will also be able to load cash to their accounts at the Transit Store. At the onset of implementation, no smart cards will be distributed at legacy retail outlets (i.e., H-E-B) or InComm Vanilla Direct reload locations with the exception of the Transit Store. Value loaded will be available within minutes for use on fixed-route services.

### 6.2.2 Existing CapMetro App

At the launch of the new Amp customer payment system, customers with the existing CapMetro App will be able to continue riding using the existing CapMetro App and previously purchased mobile tickets. Customers will also have the option to migrate any previously unactivated purchased tickets and unused funds to the upgraded CapMetro App. At a set date, CapMetro will start discontinuing the existing CapMetro App by preventing customers from buying new tickets in the existing app. Sometime after that, CapMetro will fully sunset the existing CapMetro App by unpublishing it from the app stores and preventing any new downloads of the app. Customers will not lose anything previously purchased.

### 6.2.3 Other Existing Fare Media

At launch of the new Amp customer payment system, there will be no changes to other existing fare payment types, policies, or media including:

- Day, 7-Day, and 31-Day Passes and \$20 and \$40 Stored Value Cards issued on magnetic stripe tickets and contactless smart cards available at H-E-B, and the Transit Store, as well as through the Customer Web Portal (note that media and products available by H-E-B retail outlet may vary by location);
- Day Passes available for purchase at time of use (farebox and ticket vending machines);
- Change cards issued from ticket vending machines for cash overpayment;

- Existing proof of eligibility and ID card processes and formats (including MetroAccess IDs, RFIDs, and K-12 Cards);
- MetroWorks, Discount Pass Program and Transit Empowerment Fund, and student or employer program interlocal agreements and contracts, including discounts, media, or pricing available.

Changes to these media, their distribution, and their pricing will be evaluated and implemented at a later date as the new Amp customer payment system is implemented and as part of the full fare restructuring planned for implementation in an upcoming year.

The only exception is the transition of the rolling 24-hour Day Passes purchased in the CapMetro App to service day (i.e., Day Passes will be valid 4:00:00 am through 3:59:59 am).

### 6.3 Discount Fare Eligibility

The proposed fare changes include the introduction of a new low-income discount fare category (Equifare). Table 12 summarizes the proposed changes for the introduction of Equifare.

**Table 12: Introduction of Equifare - Proposed Changes**

Product	Proposed
<b>Low-Income Fare Eligibility Verification and Payment Process</b>	<ul style="list-style-type: none"> <li>– Discount: introduction of discounted fare for eligible low-income customers enrolled in Equifare (15-20% discount off the Standard Fare Single Ride and daily and monthly fare caps)</li> <li>– Eligibility: up to 200% of federal poverty guidelines with proof of income or documentation providing proof of assistance from accepted program upon request</li> <li>– Requires application and self-certification that applicant is eligible for Equifare and able to provide documentation upon request during auditing process (applicants will also have option to submit documentation at time of application)</li> <li>– Requires use of the upgraded CapMetro App or Amp smart card with Equifare entitlement on their account to receive the discount. Entitlement will be set up on account by CapMetro staff</li> <li>– Equifare discount only available on the Amp smart card or upgraded CapMetro App—no Equifare discounts given for other fare media such as cash</li> <li>– No separate ID required for these customers; eligibility is electronically enforced</li> <li>– Eligibility valid for 2 years</li> </ul>

No changes are proposed for Reduced Fare eligibility, proof of eligibility requirements (e.g., photo RFIDs), or the Reduced Fare discount of 50%. Reduced Fare customers would continue to need to provide proof of eligibility upon request. As today, to pay the Reduced Fare through the CapMetro App, Reduced Fare customers must have an entitlement set up on their account by CapMetro staff. For the new Amp customer payment system, an entitlement would need to be set up on the Amp account in order for a Reduced Fare customer to pay the Reduced Fare with the Amp smart card or upgraded CapMetro App.

#### 6.3.1 Low-Income Fare Eligibility Verification and Payment Process

CapMetro is proposing adding a new low-income discount fare category for customers with household incomes under 200% of federal poverty guidelines. Based on the 2015 OD Survey, 72% of Standard Fare customer boardings would be eligible for Equifare based on household size and income.

The new fare category (branded “Equifare”) will only be available to customers using the new customer payment system (Equifare customers will not be able to pay the discounted fare with cash on board the vehicle or at a ticket

vending machine). In order to access this new discount, customers must meet eligibility requirements and submit an application and register with CapMetro. Program details are being finalized, including where and how individuals are able to register for the Equifare program, which assistance programs are accepted for proof of eligibility, the income verification process for individuals not able to provide proof of eligibility for another program, and documentation accepted for proof of income eligibility and identity. At a minimum, proof of enrollment in the following programs will be accepted:

- 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)

The same eligibility requirements above are used for City of Austin Customer Assistance Program utility discounts.

Applicants will also be able to self-certify that they qualify for Equifare. CapMetro will reserve the right to audit applications and request proof of documentation. If an individual does not provide proof of income, the Equifare entitlement may be terminated.

Applications will be accepted online and at the Transit Store on weekdays between 8:30 am and 4:30 pm, as well as at community engagement events. Applicants will be required to provide:

- First and last name
- Phone number or email address
- Date of birth
- Address (can be of an organization providing the customer with assistance; does not need to be in CapMetro service area)
- Photo ID or proof of identify (e.g., voter registration card, utility bill, benefit assistance letters, letter from social service agency that individual participating in a program)

Low-income fare customers using the new customer payment system that are eligible to pay the Equifare rate must obtain an entitlement on their account to pay the discounted fare. Accounts for Equifare customers will be registered to the individual eligible to pay the discounted fare and associated with the customer's Equifare CapMetro account. The entitlement on the account will be set up by CapMetro staff. Equifare customers using the new customer payment system will not need to show proof of eligibility for discounted fare at time of boarding as the entitlement is assigned to their account and is associated with their fare payment media.

For Reduced Fare and Equifare customers using the new upgraded CapMetro App, only one fare will be at the discounted fare. Additional fares would be at the Standard Fare pricing.

## 7 Fare Proposal Outreach

The following is a summary of themes across the feedback received:

*[This section will be completed once all public input is reviewed, and the CapMetro's Board of Directors has been made aware and considered this equity analysis.]*

### 7.1 Public Outreach Overview

### 7.2 Summary of Public Comments

### 7.3 Changes to Proposal

### 7.4 Board Adopted Fare Change

*[This section will be completed upon Board adoption.]*



## 8 Average Fare Analysis Findings

The Average Fare Analysis uncovered no Title VI equity concerns using CapMetro’s Board adopted Title VI Policies. While changes to some fare payment types would result in a greater percentage change for some populations, the systemwide change resulted in less than one percent difference between minority and non-minority customers and between low-income and non-low-income customers, which was within the 2% policy threshold. In fact, the proposed fare changes are expected to benefit minority customers to a greater degree than non-minority customers, albeit only by a small percentage on a systemwide basis. The proposed fare changes are expected to benefit low-income customers to a lesser degree than non-low-income customers, but the difference in benefits between low-income and non-low-income customers does not exceed 2% on a systemwide basis. As such, no mitigations are recommended to proceed with the implementation of the proposed fare changes based on the Average Fare Analysis.

The Average Fare Analysis provides a robust overview of the proposed fare changes. **Appendix C** provides the detailed tables (Tables C-1 and C-2) that provide the average fare change by minority/non-minority and low-income/non-low-income status and by specific fare payment method (and when applicable by frequency of travel). The tables include the absolute and percentage change between existing and proposed fares, and the proportion of minority and low-income customers that would be affected by each fare change.

The Average Fare Analysis is focused primarily on the impacts of the introduction of fare capping and the introduction of the Equifare low-income discount. Based on analysis of detailed transaction-level data, the benefits from fare capping were estimated by service type, rider category and fare product and applied to the Average Fare Analysis. Equifare impacts were estimated based on the share of income eligible customers that are anticipated to participate in the program and the anticipated reduction in average fare.

It should be noted that individuals with a household income of under 200% of the federal poverty guidelines will be eligible for Equifare. This exceeds the low-income threshold of 125% of the federal poverty guidelines established in CapMetro’s Title VI Policies. As such, there are individuals in the Average Fare Analysis that would be classified as non-low-income but would qualify for the Equifare discount.

Table 13 shows the changes between existing and proposed average fares per boarding. Systemwide, the average fare for all customers will decrease from \$0.71 to \$0.67 (6% decrease).

**Table 13: Change in Average Fare by Fare Product**

Fare Product	Average Fare per Boarding		Change in Average Fare	
	Existing	Proposed	Absolute	Percentage
<b>Local, Standard Fare</b>				
Single Ride -> Non-Amp, Single Ride	\$1.25	\$1.25	\$0.00	0%
Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$1.25	\$1.25	\$0.00	0%
Single Ride -> Amp, <3-4 Days/Wk, Single Ride, Equifare	\$1.25	\$1.00	-\$0.25	-20%
Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$1.25	\$1.03	-\$0.23	-18%
Single Ride -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$1.25	\$0.82	-\$0.43	-34%
Day Pass -> Non-Amp, Day Pass	\$0.58	\$0.58	\$0.00	0%
Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$0.58	\$0.58	\$0.00	0%
Day Pass -> Amp, <3-4 Days/Wk, Daily Capping, Equifare	\$0.58	\$0.46	-\$0.12	-20%
Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$0.58	\$0.45	-\$0.13	-22%
Day Pass -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$0.58	\$0.36	-\$0.22	-38%
7-Day Pass -> Non-Amp, 7-Day Pass	\$0.56	\$0.56	\$0.00	0%
7-Day Pass -> Amp, Capping	\$0.56	\$0.52	-\$0.05	-8%
7-Day Pass -> Amp, Capping, Equifare	\$0.56	\$0.41	-\$0.15	-26%
31-Day Pass -> Non-Amp, 31-Day Pass	\$0.69	\$0.69	\$0.00	0%
31-Day Pass -> Amp, Capping	\$0.69	\$0.58	-\$0.11	-16%
31-Day Pass -> Amp, Capping, Equifare	\$0.69	\$0.46	-\$0.22	-33%
DPP/TEF, Day Pass	\$0.24	\$0.24	\$0.00	0%
DPP/TEF, 7-Day Pass	\$0.24	\$0.24	\$0.00	0%
DPP/TEF, 31-Day Pass	\$0.29	\$0.29	\$0.00	0%
Special Event Single Ride	\$3.06	\$3.06	\$0.00	0%
MW Business, Day Pass	\$0.68	\$0.68	\$0.00	0%
MW Business, 7-Day Pass	\$0.66	\$0.66	\$0.00	0%
MW Business, 31-Day Pass	\$0.66	\$0.66	\$0.00	0%
MW Government, 31-Day Pass	\$0.57	\$0.57	\$0.00	0%
<b>Local, Reduced Fare</b>				
Single Ride -> Non-Amp, Single Ride	\$0.60	\$0.60	\$0.00	0%
Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$0.60	\$0.60	\$0.00	0%
Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$0.60	\$0.52	-\$0.08	-14%
Day Pass -> Non-Amp, Day Pass	\$0.29	\$0.29	\$0.00	0%
Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$0.29	\$0.29	\$0.00	0%
Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$0.29	\$0.22	-\$0.06	-22%
31-Day Pass -> Non-Amp, 31-Day Pass	\$0.29	\$0.29	\$0.00	0%
31-Day Pass -> Amp, Capping	\$0.29	\$0.26	-\$0.04	-13%
DPP, Day Pass	\$0.24	\$0.24	\$0.00	0%
DPP, 31-Day Pass	\$0.25	\$0.25	\$0.00	0%
MW Business, 31-Day Pass	\$0.35	\$0.35	\$0.00	0%
<b>Commuter, Standard Fare</b>				
Single Ride -> Non-Amp, Single Ride	\$3.50	\$3.50	\$0.00	0%
Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$3.50	\$3.50	\$0.00	0%
Single Ride -> Amp, <3-4 Days/Wk, Single Ride, Equifare	\$3.50	\$3.00	-\$0.50	-14%
Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$3.50	\$2.52	-\$0.98	-28%
Single Ride -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$3.50	\$2.16	-\$1.34	-38%
Day Pass -> Non-Amp, Day Pass	\$3.07	\$3.07	\$0.00	0%
Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$3.07	\$3.07	\$0.00	0%
Day Pass -> Amp, <3-4 Days/Wk, Daily Capping, Equifare	\$3.07	\$2.63	-\$0.44	-14%
Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$3.07	\$2.09	-\$0.98	-32%
Day Pass -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$3.07	\$1.79	-\$1.28	-42%
7-Day Pass -> Non-Amp, 7-Day Pass	\$1.87	\$1.87	\$0.00	0%
7-Day Pass -> Amp, Capping	\$1.87	\$1.63	-\$0.24	-13%

Fare Product	Average Fare per Boarding		Change in Average Fare	
	Existing	Proposed	Absolute	Percentage
7-Day Pass -> Amp, Capping, Equifare	\$1.87	\$1.30	-\$0.57	-30%
31-Day Pass -> Non-Amp, 31-Day Pass	\$3.15	\$3.15	\$0.00	0%
31-Day Pass -> Amp, Capping	\$3.15	\$2.48	-\$0.67	-21%
31-Day Pass -> Amp, Capping, Equifare	\$3.15	\$1.98	-\$1.17	-37%
DPP/TEF, Day Pass	\$1.28	\$1.28	\$0.00	0%
DPP/TEF, 7-Day Pass	\$0.78	\$0.78	\$0.00	0%
DPP/TEF, 31-Day Pass	\$1.31	\$1.31	\$0.00	0%
MW Business, Day Pass	\$3.38	\$3.38	\$0.00	0%
MW Business, 31-Day Pass	\$3.36	\$3.36	\$0.00	0%
MW Government, 31-Day Pass	\$2.94	\$2.94	\$0.00	0%
<b>Commuter, Reduced Fare</b>				
Single Ride -> Non-Amp, Single Ride	\$1.75	\$1.75	\$0.00	0%
Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$1.75	\$1.75	\$0.00	0%
Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$1.75	\$1.37	-\$0.39	-22%
Day Pass -> Non-Amp, Day Pass	\$1.69	\$1.69	\$0.00	0%
Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$1.69	\$1.69	\$0.00	0%
Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$1.69	\$1.18	-\$0.51	-30%
31-Day Pass -> Non-Amp, 31-Day Pass	\$1.17	\$1.17	\$0.00	0%
31-Day Pass -> Amp, Capping	\$1.17	\$0.95	-\$0.22	-19%
DPP, 31-Day Pass	\$0.97	\$0.97	\$0.00	0%
MW Business, 31-Day Pass	\$1.56	\$1.56	\$0.00	0%
<b>Pass Programs &amp; Free Fares</b>				
Higher Ed Pass Programs, UT Austin	\$0.98	\$0.98	\$0.00	0%
Higher Ed Pass Programs, ACC & SEU	\$0.82	\$0.82	\$0.00	0%
All Government Pass Programs	\$1.16	\$1.16	\$0.00	0%
MetroAccess Monthly Pass on Fixed Route	\$0.00	\$0.00	\$0.00	0%
Kids Ride Free	\$0.00	\$0.00	\$0.00	0%
Other Free Fares	\$0.00	\$0.00	\$0.00	0%

Single Ride and Day Pass customers who travel 3-4 days per week or more, and who migrate to the Amp customer payment system are one subset of customers who are likely to benefit from fare capping. 7-Day Pass and 31-Day Pass customers that do not travel enough to reach the pass breakeven point (33 Single Rides for Local and 27.5 Single Rides for Commuter), and who migrate to the Amp customer payment system, are also likely to benefit from fare capping. Changes in the average fare related to capping range from -8% to -32%, depending on the customer segment.

Standard Fare customers purchasing Single Ride, Day Pass, 7-Day Pass and 31-Day Pass products, and who migrate to the Amp customer payment system, and with a household income at or below 200% of federal poverty guidelines may also benefit from the low-income discount category (Equifare) that provides a 15-20% discount on the Standard Fare. These Standard Fare customers who enroll in the Equifare program and migrate to the Amp customer payment system will benefit from both fare capping and the Equifare discount.

The Average Fare Analysis made assumptions regarding the share of customers that would be likely to migrate to the Amp customer payment system and would participate in the Equifare program as documented in Section 4.1.2. Amp customer payment system migration considered the current share of customers by service type, rider category, fare product and sales channel. Equifare participation was assumed to be 25% of income-eligible, Standard Fare customer boardings within each service type, rider category and fare product. For the Average Fare

Analysis, it is most conservative to assume a smaller Equifare participation by income-eligible Standard Fare customers, since as Equifare participation increases, both minority and low-income customers will benefit to a greater degree compared to non-minority and non-low-income customers.

Table 14 provides the systemwide analysis comparing the average fare for minority customers to non-minority customers. Table C-1 provides the detailed analysis by fare payment type. For minority customers, the average fare would decrease from \$0.64 to \$0.61, a 5.76% decrease. For non-minority customers, the average fare would decrease from \$0.81 to \$0.77, a 5.62% decrease. The percentage point difference between the percentage change for minority customers and non-minority customers is -0.14%, indicating that while both groups would experience a decrease in their average fare, minority customers are expected to benefit slightly more than non-minority customers as a result of the proposed fare changes. Applying this difference in average fare changes to CapMetro’s Disparate Impact threshold, the fare changes would not represent a Disparate Impact on minority customers as the proposed fare changes would result in a greater benefit to minority customers.

**Table 14: Average Fare for Minority Customers**

	Minority Customers			Non-Minority Customers		
	Number of Boardings	Existing Fare Revenue	Proposed Fare Revenue	Number of Boardings	Existing Fare Revenue	Proposed Fare Revenue
<b>Total</b>	<b>17,974,456</b>	<b>\$11,580,219</b>	<b>\$10,912,808</b>	<b>10,550,657</b>	<b>\$8,575,643</b>	<b>\$8,093,542</b>
<b>Average Fare</b>		<b>\$0.64</b>	<b>\$0.61</b>	<b>Average Fare</b>	<b>\$0.81</b>	<b>\$0.77</b>
<b>% Change in Average Fare</b>			<b>-5.76%</b>	<b>% Change in Average Fare</b>		<b>-5.62%</b>
<b>Difference between Protected and Non-Protected</b>			<b>-0.14%</b>			

Table 15 presents the systemwide analysis comparing the average fare for low-income customers to non-low-income customers. Table C-2 provides the detailed analysis by fare payment type. For low-income customers, the average fare would decrease from \$0.59 to \$0.56, a 5.21% decrease. For non-low-income customers, the average fare would decrease from \$0.86 to \$0.80, a 6.15% decrease. As previously noted, individuals with a household income up to 200% of the federal poverty guidelines would be eligible for Equifare, which exceeds the low-income threshold of 125% of the federal poverty guidelines established in CapMetro’s Title VI Policies. As such, there are individuals in the Average Fare Analysis that would be classified as non-low-income but may benefit from the Equifare discount. The percentage point difference between the percentage change for low-income customers and non-low-income customers is 0.94%, indicating that while both groups would experience a decrease in their average fare, non-low-income customers are expected to benefit slightly more than low-income customers as a result of the proposed fare changes. Applying this difference in average fare changes to CapMetro’s Disproportionate Burden threshold, the fare changes would not represent a Disproportionate Burden on low-income customers as the percentage point difference in percentage change in average fare from the proposed fare changes does not exceed CapMetro’s 2% threshold.

**Table 15: Average Fare for Low-Income Customers**

	Low-Income Customers			Non-Low-Income Customers		
	Number of Boardings	Existing Fare Revenue	Proposed Fare Revenue	Number of Boardings	Existing Fare Revenue	Proposed Fare Revenue
<b>Total</b>	<b>16,099,948</b>	<b>\$9,513,463</b>	<b>\$9,018,106</b>	<b>12,425,165</b>	<b>\$10,642,399</b>	<b>\$9,988,244</b>
<b>Average Fare</b>		<b>\$0.59</b>	<b>\$0.56</b>	<b>Average Fare</b>	<b>\$0.86</b>	<b>\$0.80</b>
<b>% Change in Average Fare</b>			<b>-5.21%</b>	<b>% Change in Average Fare</b>		<b>-6.15%</b>
<b>Difference between Protected and Non-Protected</b>			<b>0.94%</b>			

## 9 Retail Access Analysis Findings

The Retail Access Analysis revealed no Title VI equity concerns using CapMetro’s Board adopted Title VI Policies. In fact, the proposed reload locations are expected to benefit minority and low-income customers to a greater degree than non-minority and non-low-income customers. Because the Retail Access Analysis did not find that the proposed reload network for the Amp customer payment system would result in a Disparate Impact on minority customers or Disproportionate Burden on low-income customers, no mitigations are needed relating to the implementation of the proposed reload network for the new Amp customer payment system.

The proposed fare changes and new Amp customer payment system include the implementation of a customer payment system that enables customers to use a smartphone or a smart card to pay their fare. As such, in order to benefit from the new customer payment system, a customer using cash would need to access a cash reload location to reload value on their Amp account. As previously noted, the new customer payment system will use the InComm Vanilla Direct network, which includes more than 280 potential reload locations (165 reload locations within a half-mile of a fixed-route stop), including 7-Eleven, Walgreens, CVS Pharmacy, Family Dollar, Dollar General, Walmart, and the Transit Store to provide customers using cash an opportunity to load value on their Amp accounts.

To determine whether access to the new customer payment system would result in adverse effects for different populations, the Retail Access Analysis assessed the percentage of minority, non-minority, low-income, non-low-income, and overall population within half-mile buffer of a CapMetro fixed-route stop and within a quarter-mile of the cash reload network that would enable customers to load cash to their Amp account. As shown in Table 16, the analysis indicates that a greater proportion of minority and low-income populations have access to the reload network compared to non-minority and non-low-income populations.

**Table 16: Retail Access Analysis Results**

Population Characteristics	Total Population within 1/2 Mile of a Fixed-Route Stop	Total Population within 1/4 Mile of Amp Cash Reload Location	% of Population within 1/4 Mile of Amp Cash Reload Location	Difference between Protected and Non-Protected
Minority	580,190	389,383	67.11%	6.03%
Non-Minority	523,772	319,922	61.08%	
Low-Income (<125% of FPL)	184,144	132,936	72.19%	9.53%
Non-Low-Income (>125% of FPL)	919,818	576,369	62.66%	
<b>Overall</b>	<b>1,103,962</b>	<b>709,305</b>	<b>64.25%</b>	<b>n/a</b>

Abbreviation: FPL = Federal Poverty Level

Figure 3 (Basemap) shows the service area population and the populations with access to reload locations. The block groups shaded gray are block groups that intersect with the half-mile buffer around a fixed-route stop and are within the service area but do not have access to the reload locations. The block groups shaded blue are block groups that intersect with the quarter-mile buffer around a reload location and represent populations with access to a reload location. The total population with access to a reload location, represented by the blue block groups,

equals 709,305 people. The total service population for the purposes of this analysis, represented by the gray and blue block groups, equals 1,103,962 people.

Figure 4 (Minority Population Analysis by Block Groups) shows the minority and non-minority populations of the block groups with access to a reload location. The block groups shaded dark green consist of predominantly minority populations while the block groups shaded light green consist of predominantly non-minority populations. Minority populations are considered to be predominant if they make up more than 52.6% of the block group population, the systemwide average minority population of the total block group service population. Figure 5 (Low-Income Population Analysis by Block Groups) shows the low-income and non-low-income populations of the block groups with access to a reload location. The block groups shaded dark blue consist of predominantly low-income populations while the block groups shaded light blue consist of predominantly non-low-income populations. Low-income populations are considered to be predominant if they make up more than 16.7% of the block group population, the systemwide average minority population of the total block group service population.

CapMetro's Disparate Impact threshold of 2% is based upon the adverse effects (defined above in Section 3.1.2) that are experienced by minority populations compared to those experienced by non-minority populations. The Disparate Impact threshold also includes benefits that accrue to non-minority populations at a greater percentage than to minority populations. Because the results of the Retail Access Analysis found that a greater proportion of minority populations have access to the reload network than non-minority populations, there is no finding of Disparate Impact on minority populations as there would be no adverse effects and the benefits would accrue more to the minority populations. Similarly, because there is a greater proportion of low-income populations that have access to the reload network compared to non-low-income populations, there is no finding of Disproportionate Burden.

Because the Retail Access Analysis did not find that the proposed reload network for the Amp customer payment system would result in a Disparate Impact on minority customers or Disproportionate Burden on low-income customers, no mitigations are needed to proceed with the implementation of the proposed reload network for the new Amp customer payment system.

While not a finding of either Disparate Impact or Disproportionate Burden, the analysis identified areas within the service area that could benefit from greater access to the cash reload network within the core CapMetro service area. As CapMetro explores improving access to reload locations, CapMetro should consider these areas first for improvement.

This Retail Access Analysis is limited to the vendors that allow customers to load value to their Amp accounts and does not include vendors who distribute other CapMetro fare products. Currently, CapMetro has contracts with H-E-B to distribute existing CapMetro fare media. CapMetro's contract with Randalls was not renewed. As private companies, these vendors make the determination as to whether to continue their relationship with CapMetro. As such, CapMetro has no control over the business decisions of the existing vendors. Given Randalls has decided to discontinue the distribution of CapMetro fare products, it is recommended that CapMetro review the GIS maps when seeking other potential vendors to ensure that the locations of new vendors would serve the needs of the minority and low-income populations.



Figure 3: Retail Access Analysis - Basemap

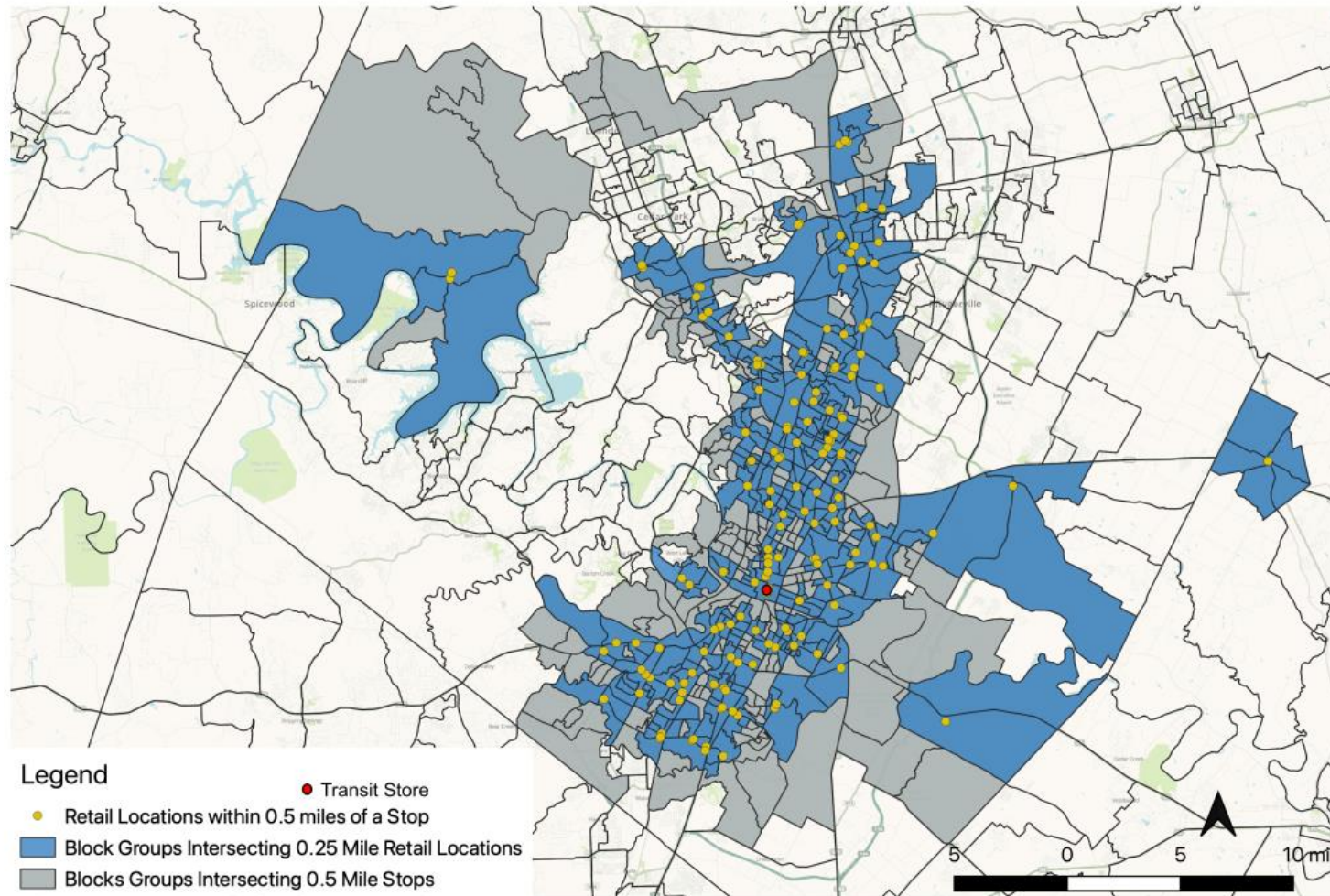


Figure 4: Retail Access Analysis - Minority Population Analysis by Block Groups

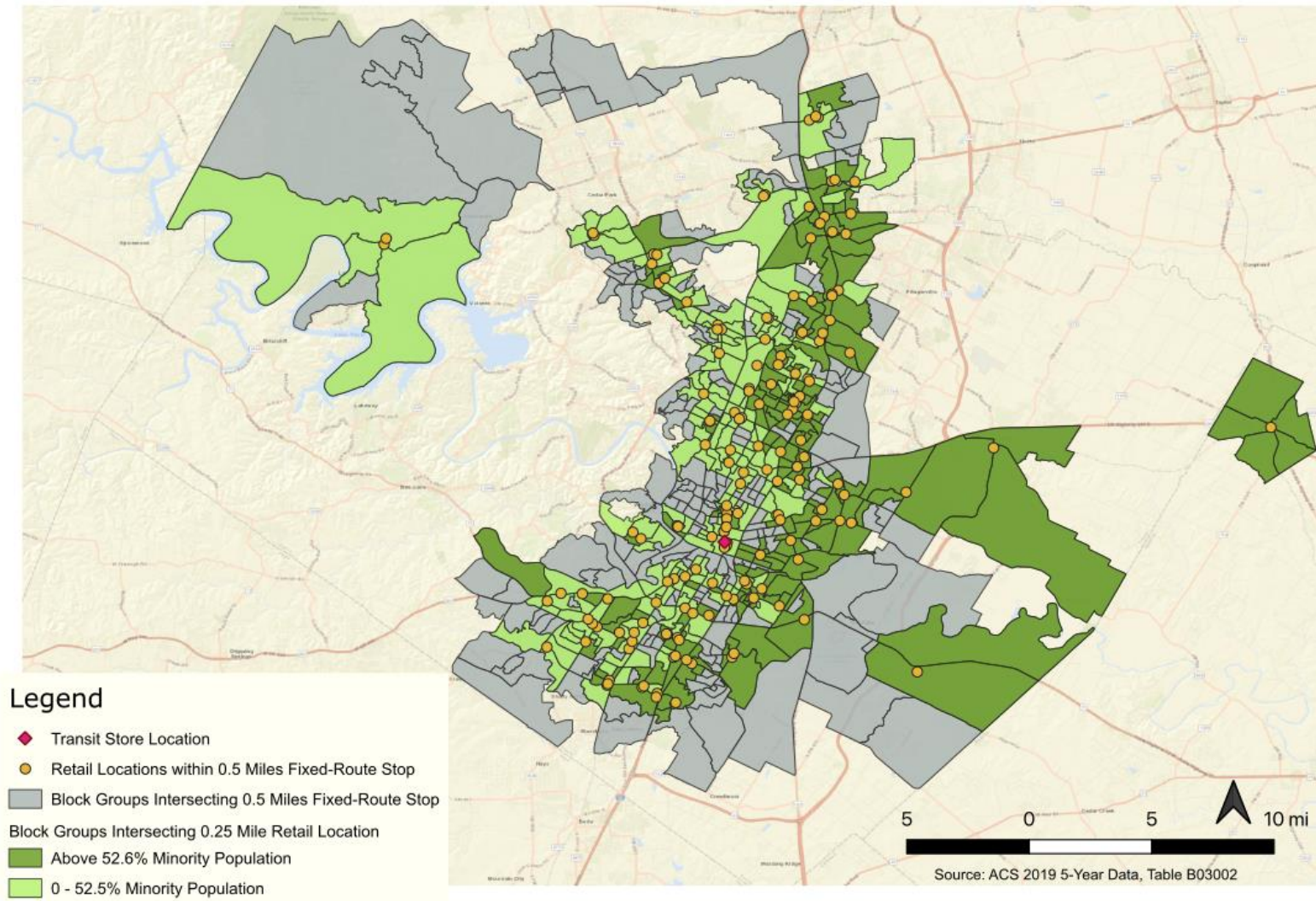
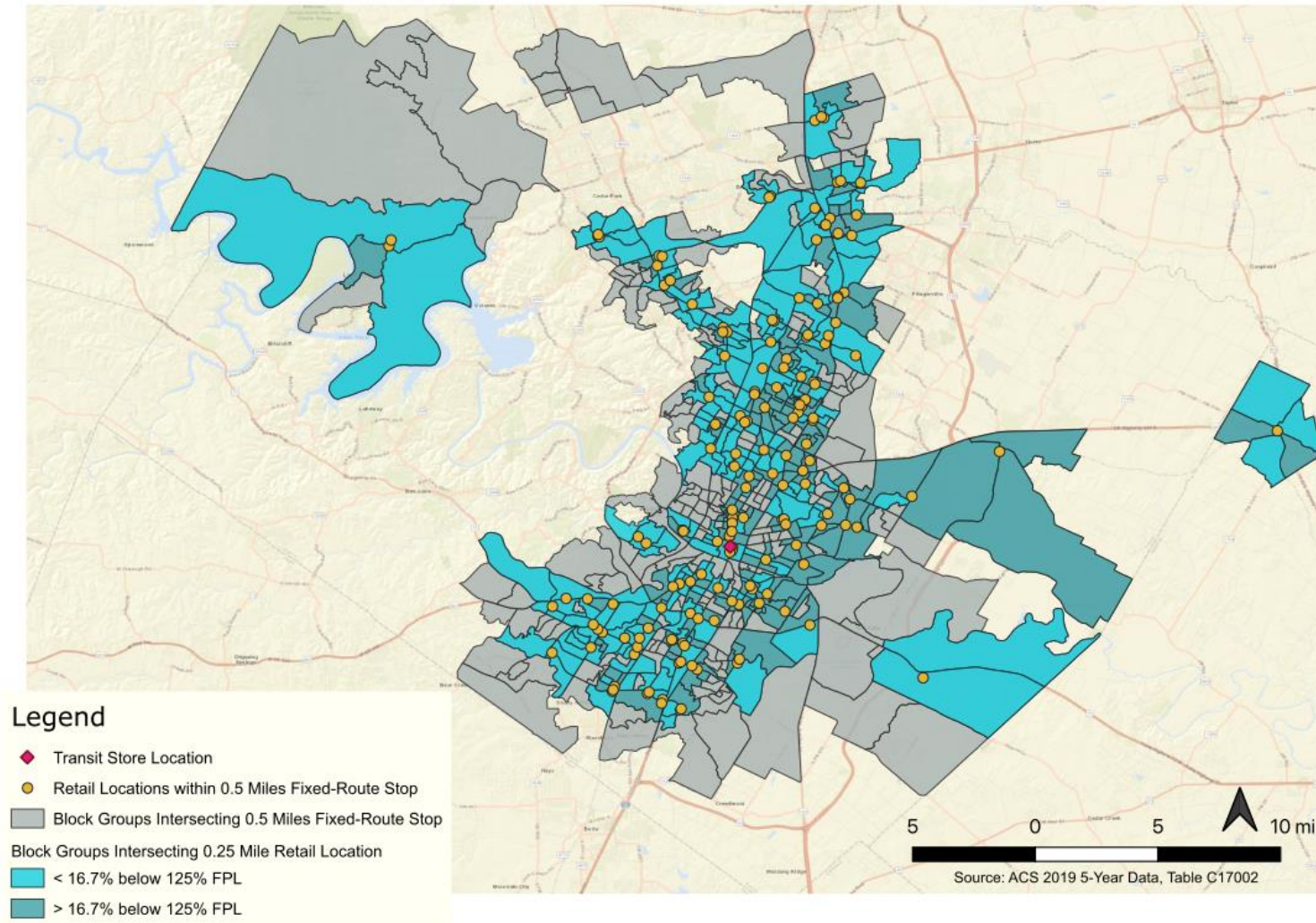




Figure 5: Retail Access Analysis - Low-Income Population Analysis by Block Groups



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## 10 Cumulative Findings and Mitigations

A Fare Equity Analysis should not take the place of thoughtful planning at the earliest stages of project development. Considering the impacts that plans, programs or projects have on minority and low-income communities has been part of the early planning and development process for the Fare Structure Study and the new Amp customer payment system. The needs of CapMetro have been matched with the needs of the low-income and minority communities throughout the study process to develop a balanced fare structure and retail strategy with equitable pricing and access.

The Average Fare Analysis and Retail Access Analysis conducted as part of this Fare Equity Analysis did not find that the proposed fare changes would result in a Disparate Impact on minority customers or a Disproportionate Burden on low-income customers. Given that there were no findings of Disparate Impact or Disproportionate Burden, no mitigations are needed to proceed with implementation of the proposed fare changes and new Amp customer payment system.

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# Appendix A: CapMetro Title VI Policies

	<p><b>TITLE VI POLICIES:</b>                  Major Service Change,                  Disparate Impact,                  Disproportionate Burden</p> <p><b>Mgr., Office of Diversity</b></p>	<p><b>Issued: 6/28/2021</b></p> <p><b>Approved by:</b>                  Board of Directors</p>
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## 1. PURPOSE

Title VI of the Civil Rights Act of 1964 (codified at 42 U.S.C. §2000D et seq.) prohibits discrimination on the basis of race, color, or national origin. As a recipient of federal funds, Capital Metropolitan Transportation Authority (Capital Metro) must ensure that it provides its services without discrimination on the basis of race, color, or national origin.

On October 1, 2012, the Federal Transit Administration (FTA) Title VI Circular 4702.1B became effective, requiring transit providers that have greater than 50 fixed-route vehicles in peak service operating fixed-route service to conduct equity analyses on service or fare changes that meet the agency’s definition of a “Major Service Change”. The purpose of this policy is to define what constitutes a “Major Service Change” and to establish thresholds for determining if service and fare changes would result in either a “Disparate Impact” on minority populations or a “Disproportionate Burden” on low-income populations.

## 2. DEFINITIONS

The following terms and definitions are to address the FTA Title VI Circular 4702.1B (October 1, 2012) and relate to the policies below.

- Adverse Effects/Impacts** - Adverse effects/impacts are defined as impacts that may have negative consequences as a result of a contemplated service or fare change. An adverse effect for service can be defined as a geographical or temporal reduction in service that includes but is not limited to: elimination of a route, rerouting an existing route, or a decrease in frequency or span of service. For fare changes, an adverse effect can include, but is not limited to: increases in average fare, reduction of discounts for passes or groups of riders, or a reduction in access to discounted fare products such as those that may result from the introduction of new fare payment technology or other actions. Capital Metro will consider the degree of adverse effects, and analyze those effects, when planning Major Service Changes and all fare changes.
- Disparate Impact** - A neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where Capital Metro’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.



- **Disproportionate Burden** - A neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires Capital Metro to evaluate alternatives and mitigate burdens where practicable.
- **Emergency Service Adjustment** - Changes to routes, service frequencies, or service spans that may be necessitated by emergency situations (weather or otherwise) or a major catastrophe that severely impairs public health or safety, results in changes in access to public streets or rights-of-way, or restricts the ability to access Capital Metro equipment needed to operate service.
- **Environmental Justice** - The fair distribution of the benefits and/or the burdens associated with Federal programs, policies, and activities, including recipients of Federal funding such as Capital Metro.
- **Equity Analysis** - Analysis of proposed service or fare changes to determine if the burdens and benefits are equally distributed between minority and non-minority populations, and low-income and non-low-income populations.
- **Fare Change** - An increase or decrease in the riders' fare whether applicable to the entire system, or by mode, or by type of fare product or fare media. All fare changes regardless of the magnitude would require a Fare Equity Analysis, not including exceptions.
- **Fixed-Route** - Refers to public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule.
- **Low-Income population** - For purposes of this policy, low-income population is defined as any readily identifiable group of households who are at or below 125% of the United States Department of Health and Human Services Poverty Guidelines.
- **Minority Persons** - Persons who self-identify as being non-white under the United States Census Bureau guidelines. This includes American Indian and Alaskan Native, Asian, Black or African American, Hispanic, Latino or LatinX, and Native Hawaiian or Other Pacific Islander.
- **Minority Population** - Any readily identifiable group of minority persons who live in geographic proximity and if circumstances warrant, geographically dispersed/transient populations (such as migrant workers of Native Americans) who will be similarly affected.
- **Service Adjustment** - Any changes to service, such as reductions or increases to frequency, hours of operation (service span) or routing. Not all service adjustments will be considered Major Service Changes.
- **Title VI** - Title VI of the Civil Rights Act of 1964 (codified at 42 U.S.C. §2000D et seq.) prohibits discrimination on the basis of race, color or national origin by programs and activities receiving federal financial assistance.

### 3. MAJOR SERVICE CHANGE POLICY AND USE

The Major Service Change Policy has been developed in compliance with applicable federal requirements (Title VI of the Civil Rights Act 1964, 49 CFR Section 21 and FTA Circular 4702.1B). All Major Service Changes will be subject to a Service Equity Analysis that includes an analysis of adverse effects, as previously defined, along with any associated positive impacts. Capital Metro shall consider the degree of adverse effects, and analyze those effects, when planning Major Service Changes. Additionally, when changes to service or fares involve improvements, the accrual of benefits should also be analyzed.

Capital Metro will conduct a Title VI Service Equity Analysis whenever there is a Major Service Change, as defined below.

*A Major Service Change is defined as the following:*

1. The establishment of new fixed-route bus route;
2. The elimination of any fixed-route bus or rail route in its entirety;
3. A geographic change on a given transit route of 25% or more of its annual revenue miles;
4. A change of 25% or greater in the number of annual revenue hours provided; or
5. Six months prior to the opening of any new fixed-guideway project (e.g. BRT line or rail line) regardless of whether or not the amount of service being changed meets the requirements above.

*A Major Service Change is not defined as the following:*

- Temporary additions to service lasting less than 12 months;
- Route renumbering with no underlying change;
- Schedule or service adjustments required by a third party that operates or controls the same right-of-way (such as road closure);
- New fixed-route bus or rail "Break in period" prior to the commencement of revenue service, lasting less than 12 months;
- Emergency service adjustments associated with weather or other emergency conditions; or
- Operations that result from circumstances beyond the control of Capital Metro (such as construction).

Capital Metro will conduct a Fare Equity Analysis under Title VI whenever a Fare Equity Analysis is required, as defined below.

*A Fare Equity Analysis is required for the following:*

- a. All fare changes, regardless of the percent of increase or decrease, are subject to a Fare Equity Analysis when contemplating a change; or
- b. For fare changes associated with the opening of a new fixed-guideway project, an equity analysis must be completed six months prior to the commencement of revenue service.

*A Fare Equity Analysis is not required for the following exceptions:*

- a. "Ozone Action Days" or other instances when Capital Metro has declared that all passengers ride free;
- b. Temporary fare reductions that are mitigating measures for other actions. For example, a reduced fare for passengers impacted by the temporary closure of a segment of a rail system for construction; or



- c. Promotional fare reductions. If a promotional or temporary fare reduction (such as response to emergency) lasts longer than six months, then FTA considers the fare reduction permanent and the transit provider must conduct a fare equity analysis.

Capital Metro will also conduct a Service Equity Analysis for changes which, when considered cumulatively over a three-year period, meet the Major Service Change threshold. For Major Service Changes, the Service Equity Analysis will assess the quantity and quality of service provided and populations affected.

Equity Analyses will be based on the most recent passenger survey data for fare analyses, and ridership or census block group data for service changes if ridership survey data is not appropriate for the analysis undertaken.

Each Title VI Equity Analysis will be presented to the Capital Metro Transit Authority Board of Directors for its consideration and the results will be included in the subsequent Capital Metro Title VI Program Update with a record of action taken by the Board.

#### 4. DISPARATE IMPACT POLICY AND USE

The Disparate Impact Policy establishes a threshold that identifies when the adverse effects of a Major Service Change (defined above) as well as any fare changes, are borne disproportionately by minority populations (defined above), discovered through the conduct of a Service or Fare Equity Analysis.

Service and Fare Equity Analyses will compare existing service or fares to the proposed changes being contemplated, and calculate the absolute change as well as the percent change experienced by both minority and non-minority populations or riders.

For Service and Fare Equity Analyses, a Disparate Impact threshold of 2% will be used to determine if minority riders are more adversely affected, or less positively affected by the proposed change.

- 4.1.
  - Service or fare changes are determined to have a Disparate Impact on minority populations if the adverse impacts experienced by minority riders is greater than 2% when compared to the adverse impacts experienced by non-minority populations.
  - Additionally, if benefits associated with service or fare changes accrue to non-minority populations greater than 2% when compared to minority populations, then this change will be determined to have a Disparate Impact.

#### DISPARATE IMPACT MITIGATIONS

Should a proposed Major Service Change and/or Fare Change result in a Disparate Impact, Capital Metro will consider modifying the proposed change to avoid, minimize or mitigate the Disparate Impact of the change. If Capital Metro finds potential Disparate Impacts and then modifies the proposed changes in order to avoid, minimize, or mitigate Disparate Impacts, Capital Metro will reanalyze the proposed changes in order to determine whether the modifications actually removed the potential Disparate Impacts of the changes.

After analyzing proposed mitigations, if a less discriminatory alternative does not exist, Capital Metro may implement the proposed change only if:

- Capital Metro has a substantial legitimate justification for the proposed change; and
- Capital Metro can show that there are no alternatives that would have a less disparate impact on minority riders but would still accomplish Capital Metro's legitimate program goals.

Where disparate impacts are identified, Capital Metro will provide a meaningful opportunity for public comment on any proposed mitigation measures, including the less discriminatory alternatives that may be available.

## **5. DISPROPORTIONATE BURDEN POLICY AND USE**

The Disproportionate Burden Policy establishes a threshold that identifies when the adverse effects of a Major Service Change (defined above) as well as any fare changes are borne disproportionately by low-income populations, discovered through the conduct of a Service or Fare Equity Analysis. While low-income populations are not a protected class under Title VI, there is a recognized overlap in environmental justice principles and the FTA requires transit providers to evaluate proposed service and fare changes to determine whether low-income populations will bear a disproportionate burden of the changes.

Equity Analyses will compare existing service or fares to the proposed changes and calculate the absolute change as well as the percent change experienced by both low-income and non low-income populations or riders.

For Service and Fare Equity Analyses, a Disproportionate Burden threshold of 2% will be used to determine if low-income riders are more adversely affected, or less positively affected, by the proposed change.

- Service or fare changes are determined to have a Disproportionate Burden on low income populations if the adverse impacts experienced by low-income riders is greater than 2% when compared to the adverse impacts experienced by non low-income populations.
- Additionally, if benefits associated with service or fare changes accrue to non low-income populations is greater than 2% when compared to low-income populations, then this change will be determined to have a Disparate Impact.

### **5.1.**

#### **DISPROPORTIONATE BURDEN MITIGATIONS**

Should a proposed Major Service Change and/or Fare Change result in a Disproportionate Burden, Capital Metro will take steps to avoid, minimize or mitigate impacts when practicable. Capital Metro should also describe the alternatives available to low-income riders affected by service changes.



# Appendix B: List of Census Block Groups Used in the Retail Access Analysis

**Table B-1: List of Census Block Groups Used in the Retail Access Analysis**

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
480219502001	2126	308	14.5	non-low-income	1277	849	60.1	39.9	minority	Yes
480219502002	3182	719	22.6	low-income	1921	1261	60.4	39.6	minority	Yes
480219502003	2053	118	5.7	non-low-income	1903	150	92.7	7.3	minority	Yes
480219502004	801	516	64.4	low-income	740	61	92.4	7.6	minority	Yes
480219502005	1211	110	9.1	non-low-income	1035	176	85.5	14.5	minority	Yes
484530001011	812	36	4.4	non-low-income	128	684	15.8	84.2	non-minority	Yes
484530001012	1466	47	3.2	non-low-income	256	1210	17.5	82.5	non-minority	Yes
484530001021	1544	71	4.6	non-low-income	197	1347	12.8	87.2	non-minority	Yes
484530002031	2334	671	28.7	low-income	903	1431	38.7	61.3	non-minority	Yes
484530002041	1237	494	39.9	low-income	389	848	31.5	68.6	non-minority	Yes
484530002051	1477	43	2.9	non-low-income	283	1194	19.2	80.8	non-minority	Yes
484530002052	1905	189	9.9	non-low-income	880	1025	46.2	53.8	non-minority	Yes
484530002053	548	32	5.8	non-low-income	114	434	20.8	79.2	non-minority	Yes
484530002061	1331	98	7.4	non-low-income	175	1156	13.2	86.9	non-minority	Yes
484530002062	784	10	1.3	non-low-income	111	673	14.2	85.8	non-minority	Yes
484530002063	1260	262	20.8	low-income	437	823	34.7	65.3	non-minority	Yes
484530003021	1086	115	10.6	non-low-income	233	853	21.5	78.6	non-minority	Yes
484530003041	1174	247	21.0	low-income	312	862	26.6	73.4	non-minority	Yes
484530003052	948	285	30.1	low-income	200	748	21.1	78.9	non-minority	Yes
484530003053	1617	272	16.8	low-income	443	1174	27.4	72.6	non-minority	Yes
484530003061	6029	775	12.9	non-low-income	2325	3704	38.6	61.4	non-minority	Yes
484530003071	1820	172	9.5	non-low-income	483	1337	26.5	73.5	non-minority	Yes
484530004012	2516	965	38.4	low-income	1019	1497	40.5	59.5	non-minority	Yes
484530004021	1427	247	17.3	low-income	494	933	34.6	65.4	non-minority	Yes
484530004022	1350	483	35.8	low-income	898	452	66.5	33.5	minority	Yes
484530005001	891	408	45.8	low-income	293	598	32.9	67.1	non-minority	Yes
484530005003	963	220	22.8	low-income	119	844	12.4	87.6	non-minority	Yes
484530005004	1213	290	23.9	low-income	146	1067	12.0	88.0	non-minority	Yes
484530006011	1249	505	40.4	low-income	510	739	40.8	59.2	non-minority	Yes
484530006012	9083	61	0.7	non-low-income	4886	4197	53.8	46.2	minority	Yes
484530006031	1056	532	50.4	low-income	395	661	37.4	62.6	non-minority	Yes
484530006032	2478	1852	74.7	low-income	1365	1113	55.1	44.9	minority	Yes
484530006033	1791	1315	73.4	low-income	958	833	53.5	46.5	minority	Yes
484530006034	1217	908	74.6	low-income	445	772	36.6	63.4	non-minority	Yes
484530006035	1712	1215	71.0	low-income	651	1061	38.0	62.0	non-minority	Yes
484530006042	3272	1870	57.2	low-income	1865	1407	57.0	43.0	minority	Yes
484530006043	3002	1551	51.7	low-income	1507	1495	50.2	49.8	non-minority	Yes
484530007001	1388	516	37.2	low-income	657	731	47.3	52.7	non-minority	Yes
484530008011	1794	364	20.3	low-income	1137	657	63.4	36.6	minority	Yes
484530008022	1113	744	66.8	low-income	940	173	84.5	15.5	minority	Yes
484530008041	1138	301	26.4	low-income	749	389	65.8	34.2	minority	Yes
484530009011	797	89	11.2	non-low-income	433	364	54.3	45.7	minority	Yes
484530009012	1807	244	13.5	non-low-income	1075	732	59.5	40.5	minority	Yes
484530009021	1021	302	29.6	low-income	754	267	73.9	26.2	minority	Yes
484530009022	2014	265	13.2	non-low-income	1186	828	58.9	41.1	minority	Yes
484530009023	1004	448	44.6	low-income	679	325	67.6	32.4	minority	Yes
484530009024	1542	481	31.2	low-income	907	635	58.8	41.2	minority	Yes
484530010004	450	48	10.7	non-low-income	249	201	55.3	44.7	minority	Yes
484530010005	589	106	18.0	low-income	340	249	57.7	42.3	minority	Yes

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484530011001	4992	751	15.0	non-low-income	934	4058	18.7	81.3	non-minority	Yes
484530012002	3974	218	5.5	non-low-income	810	3164	20.4	79.6	non-minority	Yes
484530012003	809	57	7.0	non-low-income	191	618	23.6	76.4	non-minority	Yes
484530013032	2438	380	15.6	non-low-income	722	1716	29.6	70.4	non-minority	Yes
484530013041	1444	83	5.7	non-low-income	387	1057	26.8	73.2	non-minority	Yes
484530013042	1363	88	6.5	non-low-income	166	1197	12.2	87.8	non-minority	Yes
484530013043	933	24	2.6	non-low-income	248	685	26.6	73.4	non-minority	Yes
484530013044	853	60	7.0	non-low-income	275	578	32.2	67.8	non-minority	Yes
484530013052	1762	329	18.7	low-income	901	861	51.1	48.9	non-minority	Yes
484530013053	1288	197	15.3	non-low-income	273	1015	21.2	78.8	non-minority	Yes
484530013054	1272	134	10.5	non-low-income	220	1052	17.3	82.7	non-minority	Yes
484530013071	869	131	15.1	non-low-income	332	537	38.2	61.8	non-minority	Yes
484530013072	667	17	2.5	non-low-income	385	282	57.7	42.3	minority	Yes
484530013073	2190	573	26.2	low-income	1002	1188	45.8	54.3	non-minority	Yes
484530013083	1283	208	16.2	non-low-income	321	962	25.0	75.0	non-minority	Yes
484530014012	1302	137	10.5	non-low-income	357	945	27.4	72.6	non-minority	Yes
484530014023	928	128	13.8	non-low-income	253	675	27.3	72.7	non-minority	Yes
484530014031	875	128	14.6	non-low-income	388	487	44.3	55.7	non-minority	Yes
484530014032	928	224	24.1	low-income	331	597	35.7	64.3	non-minority	Yes
484530015011	1333	53	4.0	non-low-income	243	1090	18.2	81.8	non-minority	Yes
484530015012	1764	40	2.3	non-low-income	402	1362	22.8	77.2	non-minority	Yes
484530015013	1093	50	4.6	non-low-income	73	1020	6.7	93.3	non-minority	Yes
484530015014	1392	11	0.8	non-low-income	109	1283	7.8	92.2	non-minority	Yes
484530015031	1488	336	22.6	low-income	628	860	42.2	57.8	non-minority	Yes
484530015032	669	185	27.7	low-income	386	283	57.7	42.3	minority	Yes
484530015033	1331	218	16.4	non-low-income	452	879	34.0	66.0	non-minority	Yes
484530015034	902	113	12.5	non-low-income	347	555	38.5	61.5	non-minority	Yes
484530015041	2527	325	12.9	non-low-income	1203	1324	47.6	52.4	non-minority	Yes
484530015042	826	143	17.3	low-income	98	728	11.9	88.1	non-minority	Yes
484530015043	1522	39	2.6	non-low-income	330	1192	21.7	78.3	non-minority	Yes
484530015051	709	19	2.7	non-low-income	189	520	26.7	73.3	non-minority	Yes
484530015053	1502	63	4.2	non-low-income	245	1257	16.3	83.7	non-minority	Yes
484530015054	1055	48	4.5	non-low-income	106	949	10.1	90.0	non-minority	Yes
484530016021	1435	32	2.2	non-low-income	322	1113	22.4	77.6	non-minority	Yes
484530016022	771	47	6.1	non-low-income	107	664	13.9	86.1	non-minority	Yes
484530016023	1158	306	26.4	low-income	962	196	83.1	16.9	minority	Yes
484530016053	703	50	7.1	non-low-income	45	658	6.4	93.6	non-minority	Yes
484530017054	1693	70	4.1	non-low-income	99	1594	5.9	94.2	non-minority	Yes
484530017061	1062	54	5.1	non-low-income	239	823	22.5	77.5	non-minority	Yes
484530017062	1485	316	21.3	low-income	645	840	43.4	56.6	non-minority	Yes
484530017071	1580	91	5.8	non-low-income	335	1245	21.2	78.8	non-minority	Yes
484530017072	2615	225	8.6	non-low-income	821	1794	31.4	68.6	non-minority	Yes
484530017121	1479	109	7.4	non-low-income	362	1117	24.5	75.5	non-minority	Yes
484530017122	2249	592	26.3	low-income	1243	1006	55.3	44.7	minority	Yes
484530017123	829	192	23.2	low-income	272	557	32.8	67.2	non-minority	Yes
484530017131	1896	171	9.0	non-low-income	981	915	51.7	48.3	non-minority	Yes
484530017132	713	58	8.1	non-low-income	257	456	36.0	64.0	non-minority	Yes
484530017133	1881	139	7.4	non-low-income	625	1256	33.2	66.8	non-minority	Yes
484530017181	1949	568	29.1	low-income	1219	730	62.5	37.5	minority	Yes
484530017182	1650	154	9.3	non-low-income	273	1377	16.6	83.5	non-minority	Yes
484530017183	825	66	8.0	non-low-income	81	744	9.8	90.2	non-minority	Yes
484530017221	532	37	7.0	non-low-income	66	466	12.4	87.6	non-minority	Yes
484530017222	1460	136	9.3	non-low-income	512	948	35.1	64.9	non-minority	Yes
484530017223	1852	242	13.1	non-low-income	609	1243	32.9	67.1	non-minority	Yes
484530017281	1406	126	9.0	non-low-income	762	644	54.2	45.8	minority	Yes

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484530017282	1079	146	13.5	non-low-income	481	598	44.6	55.4	non-minority	Yes
484530017284	2904	306	10.5	non-low-income	1209	1695	41.6	58.4	non-minority	Yes
484530017291	1473	52	3.5	non-low-income	413	1060	28.0	72.0	non-minority	Yes
484530017292	939	194	20.7	low-income	356	583	37.9	62.1	non-minority	Yes
484530017293	2663	300	11.3	non-low-income	1507	1156	56.6	43.4	minority	Yes
484530017371	1463	145	9.9	non-low-income	573	890	39.2	60.8	non-minority	Yes
484530017372	5743	70	1.2	non-low-income	1890	3853	32.9	67.1	non-minority	Yes
484530017381	776	0	0.0	non-low-income	120	656	15.5	84.5	non-minority	Yes
484530017382	1069	50	4.7	non-low-income	371	698	34.7	65.3	non-minority	Yes
484530017401	2514	197	7.8	non-low-income	1013	1501	40.3	59.7	non-minority	Yes
484530017402	2503	85	3.4	non-low-income	839	1664	33.5	66.5	non-minority	Yes
484530017451	1083	69	6.4	non-low-income	114	969	10.5	89.5	non-minority	Yes
484530017452	1180	165	14.0	non-low-income	327	853	27.7	72.3	non-minority	Yes
484530017471	3429	886	25.8	low-income	2459	970	71.7	28.3	minority	Yes
484530017472	943	30	3.2	non-low-income	644	299	68.3	31.7	minority	Yes
484530017473	1718	456	26.5	low-income	559	1159	32.5	67.5	non-minority	Yes
484530017482	3904	336	8.6	non-low-income	1927	1977	49.4	50.6	non-minority	Yes
484530017491	1169	101	8.6	non-low-income	384	785	32.9	67.2	non-minority	Yes
484530017493	2837	655	23.1	low-income	2357	480	83.1	16.9	minority	Yes
484530017494	1891	145	7.7	non-low-income	833	1058	44.1	56.0	non-minority	Yes
484530017501	1252	90	7.2	non-low-income	576	676	46.0	54.0	non-minority	Yes
484530017502	1663	245	14.7	non-low-income	1051	612	63.2	36.8	minority	Yes
484530017503	1934	130	6.7	non-low-income	1041	893	53.8	46.2	minority	Yes
484530017511	647	42	6.5	non-low-income	61	586	9.4	90.6	non-minority	Yes
484530017512	1556	52	3.3	non-low-income	202	1354	13.0	87.0	non-minority	Yes
484530017521	1450	648	44.7	low-income	943	507	65.0	35.0	minority	Yes
484530017523	1155	203	17.6	low-income	606	549	52.5	47.5	non-minority	Yes
484530017531	1255	72	5.7	non-low-income	643	612	51.2	48.8	non-minority	Yes
484530017541	2152	139	6.5	non-low-income	889	1263	41.3	58.7	non-minority	Yes
484530017542	1354	94	6.9	non-low-income	285	1069	21.1	79.0	non-minority	Yes
484530017543	1523	32	2.1	non-low-income	278	1245	18.3	81.8	non-minority	Yes
484530017561	2609	32	1.2	non-low-income	787	1822	30.2	69.8	non-minority	Yes
484530017562	1973	85	4.3	non-low-income	642	1331	32.5	67.5	non-minority	Yes
484530017662	1716	48	2.8	non-low-income	281	1435	16.4	83.6	non-minority	Yes
484530017761	1791	214	11.9	non-low-income	705	1086	39.4	60.6	non-minority	Yes
484530017762	1345	84	6.2	non-low-income	585	760	43.5	56.5	non-minority	Yes
484530017771	4140	257	6.2	non-low-income	2147	1993	51.9	48.1	non-minority	Yes
484530017772	1682	141	8.4	non-low-income	287	1395	17.1	82.9	non-minority	Yes
484530017791	2412	409	17.0	low-income	1031	1381	42.7	57.3	non-minority	Yes
484530017801	3180	205	6.4	non-low-income	545	2635	17.1	82.9	non-minority	Yes
484530018041	2213	1272	57.5	low-income	1509	704	68.2	31.8	minority	Yes
484530018042	1913	120	6.3	non-low-income	1032	881	54.0	46.1	minority	Yes
484530018051	1647	648	39.3	low-income	1292	355	78.5	21.6	minority	Yes
484530018052	2985	1047	35.1	low-income	2206	779	73.9	26.1	minority	Yes
484530018061	1386	209	15.1	non-low-income	1310	76	94.5	5.5	minority	Yes
484530018062	2329	452	19.4	low-income	1940	389	83.3	16.7	minority	Yes
484530018064	1154	628	54.4	low-income	954	200	82.7	17.3	minority	Yes
484530018111	1842	755	41.0	low-income	1535	307	83.3	16.7	minority	Yes
484530018121	1760	397	22.6	low-income	1176	584	66.8	33.2	minority	Yes
484530018122	3445	1618	47.0	low-income	2869	576	83.3	16.7	minority	Yes
484530018123	2684	665	24.8	low-income	2292	392	85.4	14.6	minority	Yes
484530018131	4048	1492	36.9	low-income	3493	555	86.3	13.7	minority	Yes
484530018132	3418	1374	40.2	low-income	2953	465	86.4	13.6	minority	Yes
484530018171	1154	396	34.3	low-income	569	585	49.3	50.7	non-minority	Yes
484530018172	1238	183	14.8	non-low-income	382	856	30.9	69.1	non-minority	Yes

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484530018173	1713	22	1.3	non-low-income	208	1505	12.1	87.9	non-minority	Yes
484530018181	2060	970	47.1	low-income	1655	405	80.3	19.7	minority	Yes
484530018182	3077	1852	60.2	low-income	2199	878	71.5	28.5	minority	Yes
484530018183	1577	341	21.6	low-income	688	889	43.6	56.4	non-minority	Yes
484530018191	3327	1247	37.5	low-income	2460	867	73.9	26.1	minority	Yes
484530018192	945	497	52.6	low-income	821	124	86.9	13.1	minority	Yes
484530018201	2164	771	35.6	low-income	1876	288	86.7	13.3	minority	Yes
484530018202	2486	1341	53.9	low-income	2089	397	84.0	16.0	minority	Yes
484530018203	3063	849	27.7	low-income	2533	530	82.7	17.3	minority	Yes
484530018211	1870	417	22.3	low-income	1171	699	62.6	37.4	minority	Yes
484530018212	1114	149	13.4	non-low-income	447	667	40.1	59.9	non-minority	Yes
484530018213	2610	254	9.7	non-low-income	2218	392	85.0	15.0	minority	Yes
484530018221	2553	624	24.4	low-income	2183	370	85.5	14.5	minority	Yes
484530018222	1466	23	1.6	non-low-income	596	870	40.7	59.4	non-minority	Yes
484530018223	1282	586	45.7	low-income	1231	51	96.0	4.0	minority	Yes
484530018224	1499	1029	68.6	low-income	1318	181	87.9	12.1	minority	Yes
484530018231	4287	1566	36.5	low-income	3841	446	89.6	10.4	minority	Yes
484530018232	1319	164	12.4	non-low-income	1182	137	89.6	10.4	minority	Yes
484530018233	1648	719	43.6	low-income	1533	115	93.0	7.0	minority	Yes
484530018241	728	152	20.9	low-income	364	364	50.0	50.0	non-minority	Yes
484530018261	974	235	24.1	low-income	613	361	62.9	37.1	minority	Yes
484530018262	1814	142	7.8	non-low-income	756	1058	41.7	58.3	non-minority	Yes
484530018281	1904	47	2.5	non-low-income	521	1383	27.4	72.6	non-minority	Yes
484530018291	1042	69	6.6	non-low-income	265	777	25.4	74.6	non-minority	Yes
484530018292	1417	79	5.6	non-low-income	386	1031	27.2	72.8	non-minority	Yes
484530018331	4588	530	11.6	non-low-income	4418	170	96.3	3.7	minority	Yes
484530018333	1637	139	8.5	non-low-income	730	907	44.6	55.4	non-minority	Yes
484530018391	4955	332	6.7	non-low-income	3564	1391	71.9	28.1	minority	Yes
484530018392	5217	432	8.3	non-low-income	4390	827	84.2	15.9	minority	Yes
484530018401	7229	1652	22.9	low-income	5683	1546	78.6	21.4	minority	Yes
484530018403	2508	430	17.1	low-income	1158	1350	46.2	53.8	non-minority	Yes
484530018431	1148	109	9.5	non-low-income	577	571	50.3	49.7	non-minority	Yes
484530018432	1376	28	2.0	non-low-income	795	581	57.8	42.2	minority	Yes
484530018441	1691	427	25.3	low-income	912	779	53.9	46.1	minority	Yes
484530018442	1845	190	10.3	non-low-income	1177	668	63.8	36.2	minority	Yes
484530018443	621	137	22.1	low-income	270	351	43.5	56.5	non-minority	Yes
484530018451	2121	161	7.6	non-low-income	824	1297	38.9	61.2	non-minority	Yes
484530018452	1077	75	7.0	non-low-income	360	717	33.4	66.6	non-minority	Yes
484530018461	1014	50	4.9	non-low-income	204	810	20.1	79.9	non-minority	Yes
484530018462	1512	33	2.2	non-low-income	427	1085	28.2	71.8	non-minority	Yes
484530018472	5693	432	7.6	non-low-income	3264	2429	57.3	42.7	minority	Yes
484530018482	1183	27	2.3	non-low-income	780	403	65.9	34.1	minority	Yes
484530018483	3042	267	8.8	non-low-income	1954	1088	64.2	35.8	minority	Yes
484530018491	3934	359	9.1	non-low-income	1767	2167	44.9	55.1	non-minority	Yes
484530018492	1269	89	7.0	non-low-income	335	934	26.4	73.6	non-minority	Yes
484530018493	1194	407	34.1	low-income	667	527	55.9	44.1	minority	Yes
484530018494	1958	344	17.6	low-income	1263	695	64.5	35.5	minority	Yes
484530018501	878	206	23.5	low-income	427	451	48.6	51.4	non-minority	Yes
484530018503	2017	188	9.3	non-low-income	661	1356	32.8	67.2	non-minority	Yes
484530018513	2686	219	8.2	non-low-income	2045	641	76.1	23.9	minority	Yes
484530018514	2002	446	22.3	low-income	1438	564	71.8	28.2	minority	Yes
484530018532	1509	125	8.3	non-low-income	849	660	56.3	43.7	minority	Yes
484530018571	3263	440	13.5	non-low-income	1727	1536	52.9	47.1	minority	Yes
484530018572	2994	176	5.9	non-low-income	1685	1309	56.3	43.7	minority	Yes
484530018631	2255	828	36.7	low-income	1778	477	78.9	21.2	minority	Yes

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484530018632	1299	285	21.9	low-income	853	446	65.7	34.3	minority	Yes
484530018641	1239	116	9.4	non-low-income	435	804	35.1	64.9	non-minority	Yes
484530018642	1404	239	17.0	low-income	724	680	51.6	48.4	non-minority	Yes
484530019012	2379	468	19.7	low-income	1012	1367	42.5	57.5	non-minority	Yes
484530019013	1850	94	5.1	non-low-income	625	1225	33.8	66.2	non-minority	Yes
484530019082	6060	929	15.3	non-low-income	3358	2702	55.4	44.6	minority	Yes
484530019104	1113	73	6.6	non-low-income	149	964	13.4	86.6	non-minority	Yes
484530019151	2138	233	10.9	non-low-income	712	1426	33.3	66.7	non-minority	Yes
484530019182	707	19	2.7	non-low-income	122	585	17.3	82.7	non-minority	Yes
484530019191	1508	12	0.8	non-low-income	173	1335	11.5	88.5	non-minority	Yes
484530019192	1683	13	0.8	non-low-income	326	1357	19.4	80.6	non-minority	Yes
484530019193	754	0	0.0	non-low-income	477	277	63.3	36.7	minority	Yes
484530020021	2005	127	6.3	non-low-income	866	1139	43.2	56.8	non-minority	Yes
484530020031	1734	265	15.3	non-low-income	762	972	43.9	56.1	non-minority	Yes
484530020032	2441	707	29.0	low-income	1617	824	66.2	33.8	minority	Yes
484530020041	2346	411	17.5	low-income	1059	1287	45.1	54.9	non-minority	Yes
484530020042	386	48	12.4	non-low-income	120	266	31.1	68.9	non-minority	Yes
484530020051	2203	309	14.0	non-low-income	702	1501	31.9	68.1	non-minority	Yes
484530021041	2092	752	35.9	low-income	1241	851	59.3	40.7	minority	Yes
484530021042	1212	83	6.8	non-low-income	294	918	24.3	75.7	non-minority	Yes
484530021051	1740	241	13.9	non-low-income	1140	600	65.5	34.5	minority	Yes
484530021052	2831	1313	46.4	low-income	2349	482	83.0	17.0	minority	Yes
484530021053	519	115	22.2	low-income	144	375	27.8	72.3	non-minority	Yes
484530021061	1089	137	12.6	non-low-income	837	252	76.9	23.1	minority	Yes
484530021063	933	67	7.2	non-low-income	379	554	40.6	59.4	non-minority	Yes
484530021071	1141	76	6.7	non-low-income	764	377	67.0	33.0	minority	Yes
484530021072	1220	145	11.9	non-low-income	785	435	64.3	35.7	minority	Yes
484530021074	1524	424	27.8	low-income	1129	395	74.1	25.9	minority	Yes
484530021081	2770	661	23.9	low-income	2331	439	84.2	15.9	minority	Yes
484530021082	1312	222	16.9	low-income	1103	209	84.1	15.9	minority	Yes
484530021091	1127	301	26.7	low-income	628	499	55.7	44.3	minority	Yes
484530021092	1498	251	16.8	low-income	827	671	55.2	44.8	minority	Yes
484530021093	1618	371	22.9	low-income	1244	374	76.9	23.1	minority	Yes
484530021101	3055	985	32.2	low-income	2350	705	76.9	23.1	minority	Yes
484530021111	2253	1270	56.4	low-income	1815	438	80.6	19.4	minority	Yes
484530021112	1215	260	21.4	low-income	945	270	77.8	22.2	minority	Yes
484530021113	2174	441	20.3	low-income	1386	788	63.8	36.3	minority	Yes
484530021121	1104	564	51.1	low-income	719	385	65.1	34.9	minority	Yes
484530021131	1964	408	20.8	low-income	1265	699	64.4	35.6	minority	Yes
484530021132	705	0	0.0	non-low-income	242	463	34.3	65.7	non-minority	Yes
484530022012	994	339	34.1	low-income	897	97	90.2	9.8	minority	Yes
484530022021	2301	332	14.4	non-low-income	2079	222	90.4	9.7	minority	Yes
484530022023	6111	2927	47.9	low-income	5918	193	96.8	3.2	minority	Yes
484530022081	1374	313	22.8	low-income	940	434	68.4	31.6	minority	Yes
484530022082	1694	402	23.7	low-income	1694	0	100.0	0.0	minority	Yes
484530022091	5061	1122	22.2	low-income	4355	706	86.1	14.0	minority	Yes
484530022101	2263	418	18.5	low-income	1689	574	74.6	25.4	minority	Yes
484530022121	1452	318	21.9	low-income	1278	174	88.0	12.0	minority	Yes
484530023041	874	56	6.4	non-low-income	430	444	49.2	50.8	non-minority	Yes
484530023042	2384	171	7.2	non-low-income	806	1578	33.8	66.2	non-minority	Yes
484530023043	942	335	35.6	low-income	693	249	73.6	26.4	minority	Yes
484530023074	1093	194	17.7	low-income	567	526	51.9	48.1	non-minority	Yes
484530023081	1251	315	25.2	low-income	675	576	54.0	46.0	minority	Yes
484530023082	1061	224	21.1	low-income	389	672	36.7	63.3	non-minority	Yes
484530023084	2257	589	26.1	low-income	1581	676	70.1	30.0	minority	Yes



GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484530023121	1083	411	38.0	low-income	870	213	80.3	19.7	minority	Yes
484530023123	4172	1485	35.6	low-income	2815	1357	67.5	32.5	minority	Yes
484530023132	2329	1060	45.5	low-income	1794	535	77.0	23.0	minority	Yes
484530023141	538	272	50.6	low-income	438	100	81.4	18.6	minority	Yes
484530023142	1917	505	26.3	low-income	983	934	51.3	48.7	non-minority	Yes
484530023143	765	52	6.8	non-low-income	355	410	46.4	53.6	non-minority	Yes
484530023144	2172	774	35.6	low-income	1801	371	82.9	17.1	minority	Yes
484530023151	1504	541	36.0	low-income	1126	378	74.9	25.1	minority	Yes
484530023152	1450	295	20.3	low-income	957	493	66.0	34.0	minority	Yes
484530023161	1444	157	10.9	non-low-income	1020	424	70.6	29.4	minority	Yes
484530023162	1853	632	34.1	low-income	1188	665	64.1	35.9	minority	Yes
484530023163	1290	212	16.4	non-low-income	954	336	74.0	26.1	minority	Yes
484530023171	5233	2741	52.4	low-income	3801	1432	72.6	27.4	minority	Yes
484530023172	1348	844	62.6	low-income	1184	164	87.8	12.2	minority	Yes
484530023181	4848	1183	24.4	low-income	3800	1048	78.4	21.6	minority	Yes
484530023182	2367	668	28.2	low-income	2116	251	89.4	10.6	minority	Yes
484530024021	1160	171	14.7	non-low-income	287	873	24.7	75.3	non-minority	Yes
484530024022	2381	532	22.3	low-income	1590	791	66.8	33.2	minority	Yes
484530024023	1002	446	44.5	low-income	453	549	45.2	54.8	non-minority	Yes
484530024024	3971	593	14.9	non-low-income	2194	1777	55.3	44.8	minority	Yes
484530024031	1210	195	16.1	non-low-income	506	704	41.8	58.2	non-minority	Yes
484530024032	1533	339	22.1	low-income	734	799	47.9	52.1	non-minority	Yes
484530024101	2461	447	18.2	low-income	1375	1086	55.9	44.1	minority	Yes
484530024131	1079	479	44.4	low-income	1065	14	98.7	1.3	minority	Yes
484530024132	2585	1232	47.7	low-income	2063	522	79.8	20.2	minority	Yes
484530024133	1381	233	16.9	low-income	1289	92	93.3	6.7	minority	Yes
484530024191	2668	768	28.8	low-income	2293	375	85.9	14.1	minority	Yes
484530024192	2277	608	26.7	low-income	2039	238	89.6	10.5	minority	Yes
484530024211	6780	1532	22.6	low-income	4056	2724	59.8	40.2	minority	Yes
484530024213	1529	117	7.7	non-low-income	772	757	50.5	49.5	non-minority	Yes
484530024221	2239	168	7.5	non-low-income	750	1489	33.5	66.5	non-minority	Yes
484530024222	1185	68	5.7	non-low-income	848	337	71.6	28.4	minority	Yes
484530024223	2646	51	1.9	non-low-income	1745	901	66.0	34.1	minority	Yes
484530024232	2310	259	11.2	non-low-income	873	1437	37.8	62.2	non-minority	Yes
484530024233	2139	145	6.8	non-low-income	1281	858	59.9	40.1	minority	Yes
484530024241	1023	131	12.8	non-low-income	421	602	41.2	58.9	non-minority	Yes
484530024251	1924	308	16.0	non-low-income	1239	685	64.4	35.6	minority	Yes
484530024252	2418	109	4.5	non-low-income	1611	807	66.6	33.4	minority	Yes
484530024273	2906	830	28.6	low-income	2624	282	90.3	9.7	minority	Yes
484530024274	2042	796	39.0	low-income	1858	184	91.0	9.0	minority	Yes
484530024291	1645	672	40.9	low-income	1108	537	67.4	32.6	minority	Yes
484530024311	2744	760	27.7	low-income	2489	255	90.7	9.3	minority	Yes
484530024312	2915	400	13.7	non-low-income	2286	629	78.4	21.6	minority	Yes
484530024313	4240	470	11.1	non-low-income	3362	878	79.3	20.7	minority	Yes
484530024331	2232	212	9.5	non-low-income	1750	482	78.4	21.6	minority	Yes
484530024332	7226	853	11.8	non-low-income	6404	822	88.6	11.4	minority	Yes
484530025002	1380	37	2.7	non-low-income	437	943	31.7	68.3	non-minority	Yes
484530025004	1728	412	23.8	low-income	689	1039	39.9	60.1	non-minority	Yes
484910203111	5128	509	9.9	non-low-income	2792	2336	54.5	45.6	minority	Yes
484910203161	2109	38	1.8	non-low-income	1006	1103	47.7	52.3	non-minority	Yes
484910203162	3538	324	9.2	non-low-income	1192	2346	33.7	66.3	non-minority	Yes
484910203182	3963	440	11.1	non-low-income	1311	2652	33.1	66.9	non-minority	Yes
484910203223	3057	293	9.6	non-low-income	937	2120	30.7	69.4	non-minority	Yes
484910203262	3034	87	2.9	non-low-income	799	2235	26.3	73.7	non-minority	Yes
484910204032	1101	301	27.3	low-income	526	575	47.8	52.2	non-minority	Yes

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484910204051	948	180	19.0	low-income	732	216	77.2	22.8	minority	Yes
484910204054	2059	167	8.1	non-low-income	1239	820	60.2	39.8	minority	Yes
484910204061	2928	556	19.0	low-income	1119	1809	38.2	61.8	non-minority	Yes
484910204062	3726	430	11.5	non-low-income	1442	2284	38.7	61.3	non-minority	Yes
484910204081	2277	116	5.1	non-low-income	623	1654	27.4	72.6	non-minority	Yes
484910204082	1398	81	5.8	non-low-income	757	641	54.2	45.9	minority	Yes
484910204083	801	49	6.1	non-low-income	203	598	25.3	74.7	non-minority	Yes
484910204102	1953	145	7.4	non-low-income	742	1211	38.0	62.0	non-minority	Yes
484910205031	2725	134	4.9	non-low-income	1126	1599	41.3	58.7	non-minority	Yes
484910205033	1912	38	2.0	non-low-income	813	1099	42.5	57.5	non-minority	Yes
484910205041	2582	338	13.1	non-low-income	1875	707	72.6	27.4	minority	Yes
484910205042	1649	198	12.0	non-low-income	1099	550	66.7	33.4	minority	Yes
484910205043	4495	454	10.1	non-low-income	2717	1778	60.4	39.6	minority	Yes
484910205044	2027	111	5.5	non-low-income	1245	782	61.4	38.6	minority	Yes
484910205052	880	7	0.8	non-low-income	198	682	22.5	77.5	non-minority	Yes
484910205061	2986	201	6.7	non-low-income	1062	1924	35.6	64.4	non-minority	Yes
484910207011	1217	165	13.6	non-low-income	922	295	75.8	24.2	minority	Yes
484910207012	1318	437	33.2	low-income	819	499	62.1	37.9	minority	Yes
484910207031	2491	248	10.0	non-low-income	1637	854	65.7	34.3	minority	Yes
484910207032	2997	582	19.4	low-income	1723	1274	57.5	42.5	minority	Yes
484910207033	2389	890	37.3	low-income	1359	1030	56.9	43.1	minority	Yes
484910207041	2638	252	9.6	non-low-income	1293	1345	49.0	51.0	non-minority	Yes
484910207042	1906	338	17.7	low-income	1116	790	58.6	41.5	minority	Yes
484910207043	1746	505	28.9	low-income	1073	673	61.5	38.6	minority	Yes
484910207072	2421	253	10.5	non-low-income	1688	733	69.7	30.3	minority	Yes
484910215031	2456	536	21.8	low-income	1424	1032	58.0	42.0	minority	Yes
484910215032	2468	159	6.4	non-low-income	1142	1326	46.3	53.7	non-minority	Yes
484910215041	1991	136	6.8	non-low-income	632	1359	31.7	68.3	non-minority	Yes
484910215043	3478	676	19.4	low-income	1906	1572	54.8	45.2	minority	Yes
484910215052	3001	414	13.8	non-low-income	1899	1102	63.3	36.7	minority	Yes
484910215071	5970	561	9.4	non-low-income	2749	3221	46.1	54.0	non-minority	Yes
484910215082	2516	194	7.7	non-low-income	1197	1319	47.6	52.4	non-minority	Yes
484910215083	2529	198	7.8	non-low-income	1254	1275	49.6	50.4	non-minority	Yes
484910205081	4036	214	5.3	non-low-income	2529	1507	62.7	37.3	minority	No
484910204052	1568	173	11.0	non-low-income	546	1022	34.8	65.2	non-minority	No
484910204053	1810	447	24.7	low-income	862	948	47.6	52.4	non-minority	No
484530019011	1961	118	6.0	non-low-income	308	1653	15.7	84.3	non-minority	No
484530024271	1009	309	30.6	low-income	736	273	72.9	27.1	minority	No
484530024302	35	0	0.0	non-low-income	28	7	80.0	20.0	minority	No
484530024301	0	0	0.0	-	0	0	0.0	-	-	No
484530024092	1276	200	15.7	non-low-income	771	505	60.4	39.6	minority	No
484530003042	1953	353	18.1	low-income	400	1553	20.5	79.5	non-minority	No
484530003051	1528	239	15.6	non-low-income	241	1287	15.8	84.2	non-minority	No
484530003025	1071	244	22.8	low-income	232	839	21.7	78.3	non-minority	No
484530015052	1515	151	10.0	non-low-income	299	1216	19.7	80.3	non-minority	No
484530018322	874	61	7.0	non-low-income	196	678	22.4	77.6	non-minority	No
484530018353	3052	665	21.8	low-income	2273	779	74.5	25.5	minority	No
484530017821	1417	53	3.7	non-low-income	803	614	56.7	43.3	minority	No
484530017751	7784	568	7.3	non-low-income	2741	5043	35.2	64.8	non-minority	No
484530017701	7884	178	2.3	non-low-income	2257	5627	28.6	71.4	non-minority	No
484530017703	2548	140	5.5	non-low-income	949	1599	37.2	62.8	non-minority	No
484530024231	1558	161	10.3	non-low-income	686	872	44.0	56.0	non-minority	No
484530018063	2305	321	13.9	non-low-income	1861	444	80.7	19.3	minority	No
484530018342	8501	923	10.9	non-low-income	5051	3450	59.4	40.6	minority	No
484530018352	1353	329	24.3	low-income	916	437	67.7	32.3	minority	No

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484530018321	2137	331	15.5	non-low-income	1315	822	61.5	38.5	minority	No
484530005002	1364	459	33.7	low-income	350	1014	25.7	74.3	non-minority	No
484530021122	2489	1217	48.9	low-income	1853	636	74.5	25.6	minority	No
484530017863	1937	127	6.6	non-low-income	1377	560	71.1	28.9	minority	No
484530017663	8229	278	3.4	non-low-income	2535	5694	30.8	69.2	non-minority	No
484530019111	1615	142	8.8	non-low-income	523	1092	32.4	67.6	non-minority	No
484530024282	6536	401	6.1	non-low-income	3982	2554	60.9	39.1	minority	No
484530017063	1347	10	0.7	non-low-income	227	1120	16.9	83.2	non-minority	No
484530017073	1091	14	1.3	non-low-income	240	851	22.0	78.0	non-minority	No
484530018112	1417	257	18.1	low-income	969	448	68.4	31.6	minority	No
484530021133	1034	115	11.1	non-low-income	397	637	38.4	61.6	non-minority	No
484530022084	2095	356	17.0	low-income	1503	592	71.7	28.3	minority	No
484530022111	3069	540	17.6	low-income	2586	483	84.3	15.7	minority	No
484530016032	1003	9	0.9	non-low-income	148	855	14.8	85.2	non-minority	No
484530016033	537	49	9.1	non-low-income	0	537	0.0	100.0	non-minority	No
484530016034	977	6	0.6	non-low-income	180	797	18.4	81.6	non-minority	No
484530017373	3581	185	5.2	non-low-income	572	3009	16.0	84.0	non-minority	No
484530016043	954	0	0.0	non-low-income	9	945	0.9	99.1	non-minority	No
484530016044	1038	31	3.0	non-low-income	71	967	6.8	93.2	non-minority	No
484530016051	1694	56	3.3	non-low-income	159	1535	9.4	90.6	non-minority	No
484530016052	730	62	8.5	non-low-income	147	583	20.1	79.9	non-minority	No
484530016054	841	76	9.0	non-low-income	59	782	7.0	93.0	non-minority	No
484530017053	840	19	2.3	non-low-income	58	782	6.9	93.1	non-minority	No
484530017811	1357	4	0.3	non-low-income	352	1005	25.9	74.1	non-minority	No
484530017184	1821	41	2.3	non-low-income	127	1694	7.0	93.0	non-minority	No
484530017191	1655	136	8.2	non-low-income	361	1294	21.8	78.2	non-minority	No
484530016041	1337	21	1.6	non-low-income	192	1145	14.4	85.6	non-minority	No
484530016042	678	13	1.9	non-low-income	17	661	2.5	97.5	non-minority	No
484530017572	1561	35	2.2	non-low-income	467	1094	29.9	70.1	non-minority	No
484530017283	1047	56	5.3	non-low-income	373	674	35.6	64.4	non-minority	No
484530001022	1036	23	2.2	non-low-income	35	1001	3.4	96.6	non-minority	No
484530016031	1014	0	0.0	non-low-income	59	955	5.8	94.2	non-minority	No
484530019142	1149	0	0.0	non-low-income	75	1074	6.5	93.5	non-minority	No
484530019143	2450	217	8.9	non-low-income	650	1800	26.5	73.5	non-minority	No
484530024112	2492	1171	47.0	low-income	2347	145	94.2	5.8	minority	No
484530022022	1335	623	46.7	low-income	1294	41	96.9	3.1	minority	No
484530017461	3131	281	9.0	non-low-income	1200	1931	38.3	61.7	non-minority	No
484530017383	1284	32	2.5	non-low-income	400	884	31.2	68.9	non-minority	No
484530017384	2936	266	9.1	non-low-income	893	2043	30.4	69.6	non-minority	No
484530017285	1041	0	0.0	non-low-income	204	837	19.6	80.4	non-minority	No
484530017332	1322	32	2.4	non-low-income	560	762	42.4	57.6	non-minority	No
484530017385	781	0	0.0	non-low-income	183	598	23.4	76.6	non-minority	No
484530017812	1259	75	6.0	non-low-income	409	850	32.5	67.5	non-minority	No
484530013081	510	14	2.7	non-low-income	116	394	22.8	77.3	non-minority	No
484530010002	684	120	17.5	low-income	247	437	36.1	63.9	non-minority	No
484530021123	1833	480	26.2	low-income	1134	699	61.9	38.1	minority	No
484530018502	887	85	9.6	non-low-income	443	444	49.9	50.1	non-minority	No
484910204041	1666	284	17.0	low-income	480	1186	28.8	71.2	non-minority	No
484530004023	884	135	15.3	non-low-income	409	475	46.3	53.7	non-minority	No
484530013082	585	64	10.9	non-low-income	293	292	50.1	49.9	non-minority	No
484530014022	753	23	3.1	non-low-income	112	641	14.9	85.1	non-minority	No
484530002042	1281	43	3.4	non-low-income	246	1035	19.2	80.8	non-minority	No
484530002043	578	69	11.9	non-low-income	153	425	26.5	73.5	non-minority	No
484530008031	1225	119	9.7	non-low-income	549	676	44.8	55.2	non-minority	No
484530008032	793	77	9.7	non-low-income	376	417	47.4	52.6	non-minority	No

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484530008033	923	269	29.1	low-income	250	673	27.1	72.9	non-minority	No
484530008042	1520	581	38.2	low-income	1088	432	71.6	28.4	minority	No
484530017802	1437	311	21.6	low-income	343	1094	23.9	76.1	non-minority	No
484530017793	2585	52	2.0	non-low-income	287	2298	11.1	88.9	non-minority	No
484530017691	2472	289	11.7	non-low-income	768	1704	31.1	68.9	non-minority	No
484530017692	4516	188	4.2	non-low-income	1690	2826	37.4	62.6	non-minority	No
484530018043	2631	1371	52.1	low-income	2376	255	90.3	9.7	minority	No
484530024262	895	53	5.9	non-low-income	785	110	87.7	12.3	minority	No
484530024212	2671	717	26.8	low-income	1584	1087	59.3	40.7	minority	No
484530008021	1520	148	9.7	non-low-income	586	934	38.6	61.5	non-minority	No
484530017052	1321	59	4.5	non-low-income	320	1001	24.2	75.8	non-minority	No
484530013084	676	86	12.7	non-low-income	284	392	42.0	58.0	non-minority	No
484530017142	3553	81	2.3	non-low-income	1483	2070	41.7	58.3	non-minority	No
484530016035	1705	133	7.8	non-low-income	629	1076	36.9	63.1	non-minority	No
484530020053	1934	232	12.0	non-low-income	1228	706	63.5	36.5	minority	No
484530003023	992	181	18.2	low-income	143	849	14.4	85.6	non-minority	No
484530017481	2617	137	5.2	non-low-income	671	1946	25.6	74.4	non-minority	No
484530019101	980	48	4.9	non-low-income	152	828	15.5	84.5	non-minority	No
484530018334	2241	746	33.3	low-income	1575	666	70.3	29.7	minority	No
484530017861	1876	76	4.1	non-low-income	1221	655	65.1	34.9	minority	No
484530021102	1166	183	15.7	non-low-income	864	302	74.1	25.9	minority	No
484530023073	1011	285	28.2	low-income	690	321	68.3	31.8	minority	No
484530024071	5874	665	11.3	non-low-income	2496	3378	42.5	57.5	non-minority	No
484530001013	2133	299	14.0	non-low-income	367	1766	17.2	82.8	non-minority	No
484530003024	1018	139	13.7	non-low-income	404	614	39.7	60.3	non-minority	No
484530003022	1068	320	30.0	low-income	577	491	54.0	46.0	minority	No
484530004011	1713	115	6.7	non-low-income	262	1451	15.3	84.7	non-minority	No
484530010001	535	20	3.7	non-low-income	361	174	67.5	32.5	minority	No
484530010003	1275	297	23.3	low-income	638	637	50.0	50.0	non-minority	No
484530012001	1074	47	4.4	non-low-income	281	793	26.2	73.8	non-minority	No
484530013031	1833	120	6.5	non-low-income	447	1386	24.4	75.6	non-minority	No
484530019102	1060	124	11.7	non-low-income	179	881	16.9	83.1	non-minority	No
484530013033	822	33	4.0	non-low-income	179	643	21.8	78.2	non-minority	No
484530018471	1239	106	8.6	non-low-income	644	595	52.0	48.0	non-minority	No
484530018481	1001	56	5.6	non-low-income	476	525	47.6	52.5	non-minority	No
484530023071	1077	165	15.3	non-low-income	581	496	54.0	46.1	minority	No
484530023083	1898	406	21.4	low-income	1078	820	56.8	43.2	minority	No
484530023191	2368	36	1.5	non-low-income	1596	772	67.4	32.6	minority	No
484530024351	2541	546	21.5	low-income	2106	435	82.9	17.1	minority	No
484530024352	5777	1524	26.4	low-income	5179	598	89.7	10.4	minority	No
484530023072	2766	670	24.2	low-income	1653	1113	59.8	40.2	minority	No
484530023102	2329	753	32.3	low-income	2045	284	87.8	12.2	minority	No
484530022011	1229	346	28.2	low-income	1097	132	89.3	10.7	minority	No
484910206022	1103	256	23.2	low-income	787	316	71.4	28.7	minority	No
484910204101	1435	0	0.0	non-low-income	596	839	41.5	58.5	non-minority	No
484530017143	1745	25	1.4	non-low-income	586	1159	33.6	66.4	non-minority	No
484530023131	2260	600	26.5	low-income	1556	704	68.9	31.2	minority	No
484530018512	2426	793	32.7	low-income	1315	1111	54.2	45.8	minority	No
484530024261	8847	656	7.4	non-low-income	6699	2148	75.7	24.3	minority	No
484530006041	1274	687	53.9	low-income	433	841	34.0	66.0	non-minority	No
484530017661	1263	435	34.4	low-income	579	684	45.8	54.2	non-minority	No
484530024272	2089	382	18.3	low-income	1883	206	90.1	9.9	minority	No
484530018531	1784	32	1.8	non-low-income	476	1308	26.7	73.3	non-minority	No
484530017702	2575	19	0.7	non-low-income	311	2264	12.1	87.9	non-minority	No
484530011002	2418	173	7.2	non-low-income	569	1849	23.5	76.5	non-minority	No

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484530014011	1871	152	8.1	non-low-income	385	1486	20.6	79.4	non-minority	No
484530008023	1159	859	74.1	low-income	946	213	81.6	18.4	minority	No
484530013051	1322	188	14.2	non-low-income	306	1016	23.2	76.9	non-minority	No
484530014021	833	75	9.0	non-low-income	192	641	23.1	77.0	non-minority	No
484530024321	1750	408	23.3	low-income	1257	493	71.8	28.2	minority	No
484539800001	0	0	0.0	-	0	0	0.0	0.0	-	No
484530024303	2558	472	18.5	low-income	2043	515	79.9	20.1	minority	No
484530019103	1596	214	13.4	non-low-income	422	1174	26.4	73.6	non-minority	No
484530019112	1334	143	10.7	non-low-income	690	644	51.7	48.3	non-minority	No
484910215053	3474	131	3.8	non-low-income	2406	1068	69.3	30.7	minority	No
484530019132	2566	187	7.3	non-low-income	589	1977	23.0	77.1	non-minority	No
484530020022	1395	133	9.5	non-low-income	534	861	38.3	61.7	non-minority	No
484530020052	1423	384	27.0	low-income	456	967	32.0	68.0	non-minority	No
484530021062	1065	185	17.4	low-income	634	431	59.5	40.5	minority	No
484530021073	1103	145	13.1	non-low-income	654	449	59.3	40.7	minority	No
484910206042	3417	242	7.1	non-low-income	1825	1592	53.4	46.6	minority	No
484910203142	2412	162	6.7	non-low-income	1121	1291	46.5	53.5	non-minority	No
484910206033	2503	50	2.0	non-low-income	680	1823	27.2	72.8	non-minority	No
484910203181	3857	270	7.0	non-low-income	1403	2454	36.4	63.6	non-minority	No
484910205063	1879	103	5.5	non-low-income	863	1016	45.9	54.1	non-minority	No
484910203124	2843	256	9.0	non-low-income	993	1850	34.9	65.1	non-minority	No
484910203143	3975	211	5.3	non-low-income	1603	2372	40.3	59.7	non-minority	No
484910205051	2039	22	1.1	non-low-income	507	1532	24.9	75.1	non-minority	No
484910204042	2111	81	3.8	non-low-income	712	1399	33.7	66.3	non-minority	No
484910204104	1155	173	15.0	non-low-income	490	665	42.4	57.6	non-minority	No
484910204031	1306	48	3.7	non-low-income	249	1057	19.1	80.9	non-minority	No
484910205032	1488	18	1.2	non-low-income	80	1408	5.4	94.6	non-minority	No
484530023101	561	219	39.0	low-income	531	30	94.7	5.4	minority	No
484910215051	1666	615	36.9	low-income	971	695	58.3	41.7	minority	No
484910215072	3267	22	0.7	non-low-income	1814	1453	55.5	44.5	minority	No
484910215042	2207	80	3.6	non-low-income	1252	955	56.7	43.3	minority	No
484910215073	3703	128	3.5	non-low-income	901	2802	24.3	75.7	non-minority	No
484530024091	1047	63	6.0	non-low-income	311	736	29.7	70.3	non-minority	No
484530024093	1263	201	15.9	non-low-income	752	511	59.5	40.5	minority	No
484530024111	2755	1037	37.6	low-income	2328	427	84.5	15.5	minority	No
484530024113	2172	591	27.2	low-income	2033	139	93.6	6.4	minority	No
484530024121	1271	368	29.0	low-income	1169	102	92.0	8.0	minority	No
484530024122	2337	342	14.6	non-low-income	2083	254	89.1	10.9	minority	No
484530024123	2557	711	27.8	low-income	2291	266	89.6	10.4	minority	No
484530023122	3335	1632	48.9	low-income	3174	161	95.2	4.8	minority	No
484530017051	1064	32	3.0	non-low-income	317	747	29.8	70.2	non-minority	No
484910203022	4047	149	3.7	non-low-income	1223	2824	30.2	69.8	non-minority	No
484530024242	2875	623	21.7	low-income	1623	1252	56.5	43.6	minority	No
484530019181	641	0	0.0	non-low-income	76	565	11.9	88.1	non-minority	No
484530024102	1958	410	20.9	low-income	1247	711	63.7	36.3	minority	No
484910203021	2309	316	13.7	non-low-income	832	1477	36.0	64.0	non-minority	No
484910215021	5018	1179	23.5	low-income	2968	2050	59.2	40.9	minority	No
484530025001	1139	10	0.9	non-low-income	209	930	18.4	81.7	non-minority	No
484530025003	1809	233	12.9	non-low-income	723	1086	40.0	60.0	non-minority	No
484530018351	2366	336	14.2	non-low-income	1973	393	83.4	16.6	minority	No
484530018283	1404	22	1.6	non-low-income	436	968	31.1	69.0	non-minority	No
484530018332	1179	285	24.2	low-income	572	607	48.5	51.5	non-minority	No
484530018341	3190	315	9.9	non-low-income	2623	567	82.2	17.8	minority	No
484530018242	1358	117	8.6	non-low-income	564	794	41.5	58.5	non-minority	No
484530018411	7010	260	3.7	non-low-income	4894	2116	69.8	30.2	minority	No

GEOID	Total Pop	Population Below 125% FPL (C17002)	Percent Below 125% FPL	Low-Income Status	Minority Pop (B03002)	Non-Minority Pop	Percent Minority	Percent Non-Minority	Minority Status	Access to Retail Location
484530016061	16	10	62.5	low-income	11	5	68.8	31.3	minority	No
484530019141	2969	69	2.3	non-low-income	857	2112	28.9	71.1	non-minority	No
484530019174	1220	9	0.7	non-low-income	408	812	33.4	66.6	non-minority	No
484530022085	2186	786	36.0	low-income	1967	219	90.0	10.0	minority	No
484530022072	7053	1777	25.2	low-income	6248	805	88.6	11.4	minority	No
484530015044	1958	76	3.9	non-low-income	288	1670	14.7	85.3	non-minority	No
484910204091	2818	118	4.2	non-low-income	1262	1556	44.8	55.2	non-minority	No
484530017492	1353	79	5.8	non-low-income	510	843	37.7	62.3	non-minority	No
484530017522	1325	299	22.6	low-income	619	706	46.7	53.3	non-minority	No
484530017462	1475	199	13.5	non-low-income	675	800	45.8	54.2	non-minority	No

# Appendix C: Detailed Average Fare Analysis Tables

Table C-1: Average Fare Analysis – Minority

Service Type	Rider Category	Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Customers				Minority Customers				Non-Minority Customers			
							Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue	
			Existing	Proposed			Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Local	Standard Fare	Single Ride -> Non-Amp, Single Ride	\$1.25	\$1.25	\$0.00	0%	1,540,769	970,684	\$1,925,961	\$1,213,356	968,059	609,877	\$1,210,074	\$762,347	572,710	360,807	\$715,887	\$451,009
Local	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$1.25	\$1.25	\$0.00	0%	0	80,814	\$0	\$101,018	0	34,138	\$0	\$42,673	0	46,676	\$0	\$58,345
Local	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride, Equifare	\$1.25	\$1.00	-\$0.25	-20%	0	59,516	\$0	\$59,516	0	39,718	\$0	\$39,718	0	19,798	\$0	\$19,798
Local	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$1.25	\$1.03	-\$0.23	-18%	0	199,596	\$0	\$204,586	0	115,875	\$0	\$118,772	0	83,721	\$0	\$85,814
Local	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$1.25	\$0.82	-\$0.43	-34%	0	230,158	\$0	\$188,729	0	168,451	\$0	\$138,130	0	61,707	\$0	\$50,600p
Local	Standard Fare	Day Pass -> Non-Amp, Day Pass	\$0.58	\$0.58	\$0.00	0%	6,391,347	3,898,722	\$3,678,263	\$2,243,740	4,213,827	2,570,434	\$2,425,085	\$1,479,302	2,177,520	1,328,287	\$1,253,178	\$764,438
Local	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$0.58	\$0.58	\$0.00	0%	0	212,270	\$0	\$122,163	0	115,685	\$0	\$66,577	0	96,585	\$0	\$55,585
Local	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping, Equifare	\$0.58	\$0.46	-\$0.12	-20%	0	157,561	\$0	\$72,542	0	103,827	\$0	\$47,803	0	53,734	\$0	\$24,739
Local	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$0.58	\$0.45	-\$0.13	-22%	0	1,027,855	\$0	\$461,399	0	645,617	\$0	\$289,815	0	382,238	\$0	\$171,585
Local	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$0.58	\$0.36	-\$0.22	-38%	0	1,094,940	\$0	\$393,210	0	778,263	\$0	\$279,487	0	316,676	\$0	\$113,724
Local	Standard Fare	7-Day Pass -> Non-Amp, 7-Day Pass	\$0.56	\$0.56	\$0.00	0%	1,293,075	271,546	\$728,420	\$152,968	781,011	164,012	\$439,962	\$92,392	512,064	107,533	\$288,458	\$60,576
Local	Standard Fare	7-Day Pass -> Amp, Capping	\$0.56	\$0.52	-\$0.05	-8%	0	788,337	\$0	\$408,562	0	467,389	\$0	\$242,228	0	320,948	\$0	\$166,334
Local	Standard Fare	7-Day Pass -> Amp, Capping, Equifare	\$0.56	\$0.41	-\$0.15	-26%	0	233,192	\$0	\$96,683	0	149,610	\$0	\$62,029	0	83,582	\$0	\$34,654
Local	Standard Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$0.69	\$0.69	\$0.00	0%	2,097,999	797,239	\$1,438,157	\$546,500	1,344,984	511,094	\$921,973	\$350,350	753,014	286,145	\$516,184	\$196,150
Local	Standard Fare	31-Day Pass -> Amp, Capping	\$0.69	\$0.58	-\$0.11	-16%	0	909,493	\$0	\$525,567	0	564,500	\$0	\$326,206	0	344,993	\$0	\$199,360
Local	Standard Fare	31-Day Pass -> Amp, Capping, Equifare	\$0.69	\$0.46	-\$0.22	-33%	0	391,266	\$0	\$180,880	0	269,390	\$0	\$124,538	0	121,876	\$0	\$56,343
Local	Reduced Fare	Single Ride -> Non-Amp, Single Ride	\$0.60	\$0.60	\$0.00	0%	19,135	12,055	\$11,481	\$7,233	10,224	6,441	\$6,134	\$3,865	8,911	5,614	\$5,347	\$3,369
Local	Reduced Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$0.60	\$0.60	\$0.00	0%	0	2,578	\$0	\$1,547	0	1,221	\$0	\$733	0	1,357	\$0	\$814
Local	Reduced Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$0.60	\$0.52	-\$0.08	-14%	0	4,502	\$0	\$2,323	0	2,562	\$0	\$1,322	0	1,940	\$0	\$1,001
Local	Reduced Fare	Day Pass -> Non-Amp, Day Pass	\$0.29	\$0.29	\$0.00	0%	880,730	634,126	\$251,772	\$181,276	558,385	402,037	\$159,624	\$114,929	322,345	232,088	\$92,148	\$66,347
Local	Reduced Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$0.29	\$0.29	\$0.00	0%	0	37,643	\$0	\$10,761	0	18,460	\$0	\$5,277	0	19,183	\$0	\$5,484
Local	Reduced Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$0.29	\$0.22	-\$0.06	-22%	0	208,961	\$0	\$46,593	0	137,888	\$0	\$30,746	0	71,074	\$0	\$15,848
Local	Reduced Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$0.29	\$0.29	\$0.00	0%	1,392,223	932,790	\$410,228	\$274,853	836,631	560,543	\$246,519	\$165,168	555,592	372,247	\$163,709	\$109,685
Local	Reduced Fare	31-Day Pass -> Amp, Capping	\$0.29	\$0.26	-\$0.04	-13%	0	459,434	\$0	\$117,235	0	276,088	\$0	\$70,450	0	183,345	\$0	\$46,785
Local	Standard Fare - DPP/TEF	Day Pass	\$0.24	\$0.24	\$0.00	0%	540,592	540,592	\$129,631	\$129,631	403,068	403,068	\$96,653	\$96,653	137,524	137,524	\$32,978	\$32,978
Local	Standard Fare - DPP/TEF	7-Day Pass	\$0.24	\$0.24	\$0.00	0%	914,224	914,224	\$219,354	\$219,354	610,966	610,966	\$146,592	\$146,592	303,259	303,259	\$72,762	\$72,762
Local	Standard Fare - DPP/TEF	31-Day Pass	\$0.29	\$0.29	\$0.00	0%	1,356,177	1,356,177	\$386,883	\$386,883	975,723	975,723	\$278,349	\$278,349	380,454	380,454	\$108,534	\$108,534
Local	Reduced Fare - DPP	Day Pass	\$0.24	\$0.24	\$0.00	0%	1,135	1,135	\$270	\$270	751	751	\$179	\$179	384	384	\$91	\$91
Local	Reduced Fare - DPP	31-Day Pass	\$0.25	\$0.25	\$0.00	0%	101,651	101,651	\$24,960	\$24,960	67,817	67,817	\$16,652	\$16,652	33,834	33,834	\$8,308	\$8,308
Local	Special Event	Special Event Single Ride	\$3.06	\$3.06	\$0.00	0%	97,241	97,241	\$297,781	\$297,781	60,621	60,621	\$185,638	\$185,638	36,620	36,620	\$112,143	\$112,143
Commuter	Standard Fare	Single Ride -> Non-Amp, Single Ride	\$3.50	\$3.50	\$0.00	0%	130,646	15,678	\$457,262	\$54,871	17,039	2,045	\$59,638	\$7,157	113,607	13,633	\$397,623	\$47,715
Commuter	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$3.50	\$3.50	\$0.00	0%	0	65,920	\$0	\$230,719	0	7,490	\$0	\$26,213	0	58,430	\$0	\$204,506



Service Type	Rider Category	Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Customers				Minority Customers				Non-Minority Customers			
			Existing	Proposed			Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue	
					Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Commuter	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride, Equifare	\$3.50	\$3.00	-\$0.50	-14%	0	5,301	\$0	\$15,904	0	2,025	\$0	\$6,075	0	3,276	\$0	\$9,829
Commuter	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$3.50	\$2.52	-\$0.98	-28%	0	40,366	\$0	\$101,723	0	4,945	\$0	\$12,462	0	35,421	\$0	\$89,262
Commuter	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$3.50	\$2.16	-\$1.34	-38%	0	3,381	\$0	\$7,303	0	535	\$0	\$1,156	0	2,846	\$0	\$6,147
Commuter	Standard Fare	Day Pass -> Non-Amp, Day Pass	\$3.07	\$3.07	\$0.00	0%	197,831	73,197	\$607,746	\$224,866	57,983	21,454	\$178,125	\$65,906	139,848	51,744	\$429,621	\$158,960
Commuter	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$3.07	\$3.07	\$0.00	0%	0	64,633	\$0	\$198,555	0	10,289	\$0	\$31,607	0	54,344	\$0	\$166,948
Commuter	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping, Equifare	\$3.07	\$2.63	-\$0.44	-14%	0	4,972	\$0	\$13,093	0	419	\$0	\$1,103	0	4,553	\$0	\$11,990
Commuter	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$3.07	\$2.09	-\$0.98	-32%	0	50,064	\$0	\$104,583	0	22,396	\$0	\$46,786	0	27,667	\$0	\$57,797
Commuter	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$3.07	\$1.79	-\$1.28	-42%	0	4,965	\$0	\$8,890	0	3,425	\$0	\$6,133	0	1,540	\$0	\$2,757
Commuter	Standard Fare	7-Day Pass -> Non-Amp, 7-Day Pass	\$1.87	\$1.87	\$0.00	0%	106,012	15,902	\$198,751	\$29,813	37,747	5,662	\$70,769	\$10,615	68,264	10,240	\$127,983	\$19,197
Commuter	Standard Fare	7-Day Pass -> Amp, Capping	\$1.87	\$1.63	-\$0.24	-13%	0	86,230	\$0	\$140,649	0	29,926	\$0	\$48,812	0	56,304	\$0	\$91,837
Commuter	Standard Fare	7-Day Pass -> Amp, Capping, Equifare	\$1.87	\$1.30	-\$0.57	-30%	0	3,879	\$0	\$5,062	0	2,159	\$0	\$2,817	0	1,720	\$0	\$2,245
Commuter	Standard Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$3.15	\$3.15	\$0.00	0%	408,422	147,032	\$1,286,594	\$463,174	145,426	52,353	\$458,114	\$164,921	262,997	94,679	\$828,480	\$298,253
Commuter	Standard Fare	31-Day Pass -> Amp, Capping	\$3.15	\$2.48	-\$0.67	-21%	0	246,445	\$0	\$610,202	0	84,754	\$0	\$209,854	0	161,690	\$0	\$400,348
Commuter	Standard Fare	31-Day Pass -> Amp, Capping, Equifare	\$3.15	\$1.98	-\$1.17	-37%	0	14,946	\$0	\$29,605	0	8,318	\$0	\$16,477	0	6,628	\$0	\$13,128
Commuter	Reduced Fare	Single Ride -> Non-Amp, Single Ride	\$1.75	\$1.75	\$0.00	0%	6,665	4,465	\$11,663	\$7,814	3,561	2,386	\$6,231	\$4,175	3,104	2,080	\$5,432	\$3,639
Commuter	Reduced Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$1.75	\$1.75	\$0.00	0%	0	801	\$0	\$1,402	0	379	\$0	\$664	0	422	\$0	\$738
Commuter	Reduced Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$1.75	\$1.37	-\$0.39	-22%	0	1,398	\$0	\$1,909	0	796	\$0	\$1,086	0	603	\$0	\$823
Commuter	Reduced Fare	Day Pass -> Non-Amp, Day Pass	\$1.69	\$1.69	\$0.00	0%	7,658	4,748	\$12,939	\$8,022	4,855	3,010	\$8,204	\$5,086	2,803	1,738	\$4,736	\$2,936
Commuter	Reduced Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$1.69	\$1.69	\$0.00	0%	0	444	\$0	\$751	0	218	\$0	\$368	0	226	\$0	\$382
Commuter	Reduced Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$1.69	\$1.18	-\$0.51	-30%	0	2,466	\$0	\$2,916	0	1,627	\$0	\$1,925	0	839	\$0	\$992
Commuter	Reduced Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$1.17	\$1.17	\$0.00	0%	45,573	20,964	\$53,176	\$24,461	27,386	12,598	\$31,955	\$14,699	18,187	8,366	\$21,221	\$9,762
Commuter	Reduced Fare	31-Day Pass -> Amp, Capping	\$1.17	\$0.95	-\$0.22	-19%	0	24,609	\$0	\$23,374	0	14,789	\$0	\$14,046	0	9,821	\$0	\$9,328
Commuter	Standard Fare - DPP/TEF	Day Pass	\$1.28	\$1.28	\$0.00	0%	1,060	1,060	\$1,357	\$1,357	790	790	\$1,011	\$1,011	270	270	\$345	\$345
Commuter	Standard Fare - DPP/TEF	7-Day Pass	\$0.78	\$0.78	\$0.00	0%	4,249	4,249	\$3,319	\$3,319	2,839	2,839	\$2,218	\$2,218	1,409	1,409	\$1,101	\$1,101
Commuter	Standard Fare - DPP/TEF	31-Day Pass	\$1.31	\$1.31	\$0.00	0%	23,519	23,519	\$30,854	\$30,854	16,921	16,921	\$22,198	\$22,198	6,598	6,598	\$8,656	\$8,656
Commuter	Reduced Fare - DPP	31-Day Pass	\$0.97	\$0.97	\$0.00	0%	405	405	\$394	\$394	270	270	\$263	\$263	135	135	\$131	\$131
Local	MW Business - Standard Fare	Day Pass	\$0.68	\$0.68	\$0.00	0%	709	709	\$480	\$480	474	474	\$321	\$321	235	235	\$159	\$159
Local	MW Business - Standard Fare	7-Day Pass	\$0.66	\$0.66	\$0.00	0%	15	15	\$10	\$10	9	9	\$6	\$6	6	6	\$4	\$4
Local	MW Business - Standard Fare	31-Day Pass	\$0.66	\$0.66	\$0.00	0%	634,643	634,643	\$417,670	\$417,670	410,923	410,923	\$270,436	\$270,436	223,720	223,720	\$147,234	\$147,234
Local	MW Business - Reduced Fare	31-Day Pass	\$0.35	\$0.35	\$0.00	0%	1,779	1,779	\$617	\$617	1,064	1,064	\$369	\$369	715	715	\$248	\$248
Commuter	MW Business - Standard Fare	Day Pass	\$3.38	\$3.38	\$0.00	0%	978	978	\$3,304	\$3,304	311	311	\$1,051	\$1,051	667	667	\$2,253	\$2,253
Commuter	MW Business - Standard Fare	31-Day Pass	\$3.36	\$3.36	\$0.00	0%	122,897	122,897	\$412,956	\$412,956	47,777	47,777	\$160,538	\$160,538	75,120	75,120	\$252,417	\$252,417
Commuter	MW Business - Reduced Fare	31-Day Pass	\$1.56	\$1.56	\$0.00	0%	119	119	\$186	\$186	71	71	\$111	\$111	48	48	\$75	\$75

Service Type	Rider Category	Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Customers				Minority Customers				Non-Minority Customers			
							Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue	
			Existing	Proposed			Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Local	MW Government - Standard Fare	31-Day Pass	\$0.57	\$0.57	\$0.00	0%	1,975	1,975	\$1,116	\$1,116	1,149	1,149	\$649	\$649	826	826	\$467	\$467
Commuter	MW Government - Standard Fare	31-Day Pass	\$2.94	\$2.94	\$0.00	0%	974	974	\$2,863	\$2,863	310	310	\$911	\$911	664	664	\$1,952	\$1,952
Local & Commuter	Higher Ed Pass Programs	UT Austin	\$0.98	\$0.98	\$0.00	0%	6,370,099	6,370,099	\$6,233,340	\$6,233,340	3,737,372	3,737,372	\$3,657,135	\$3,657,135	2,632,727	2,632,727	\$2,576,205	\$2,576,205
Local & Commuter	Higher Ed Pass Programs	ACC & SEU	\$0.82	\$0.82	\$0.00	0%	537,592	537,592	\$441,562	\$441,562	302,020	302,020	\$248,070	\$248,070	235,571	235,571	\$193,491	\$193,491
Local & Commuter	Government Pass Programs	All Government Pass Programs	\$1.16	\$1.16	\$0.00	0%	410,218	410,218	\$474,543	\$474,543	232,069	232,069	\$268,458	\$268,458	178,150	178,150	\$206,085	\$206,085
Local & Commuter	MetroAccess	MetroAccess Monthly Pass on Fixed Route	\$0.00	\$0.00	\$0.00	0%	55,547	55,547	\$0	\$0	25,844	25,844	\$0	\$0	29,703	29,703	\$0	\$0
Local & Commuter	Kids Ride Free	Free Fare	\$0.00	\$0.00	\$0.00	0%	2,266,308	2,266,308	\$0	\$0	1,716,564	1,716,564	\$0	\$0	549,744	549,744	\$0	\$0
Local & Commuter	Other Free Fares	Free Fare	\$0.00	\$0.00	\$0.00	0%	562,924	562,924	\$0	\$0	351,614	351,614	\$0	\$0	211,309	211,309	\$0	\$0
<b>Sum</b>							28,525,113	28,525,113	\$20,155,862	\$19,006,350	17,974,456	17,974,456	\$11,580,219	\$10,912,808	10,550,657	10,550,657	\$8,575,643	\$8,093,542
<b>Average Fare</b>									\$ 0.71	\$ 0.67			\$ 0.64	\$ 0.61			\$ 0.81	\$ 0.77
<b>Percentage Change in Average Fare</b>										-5.7%				-5.8%				-5.6%
<b>Difference in Average Fare for Protected Populations</b>														-0.1%				

Table C-2: Average Fare Analysis – Low-Income

Service Type	Rider Category	Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Customers				Low-Income Customers				Non-Low-Income Customers			
			Existing	Proposed			Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue	
					Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Local	Standard Fare	Single Ride -> Non-Amp, Single Ride	\$1.25	\$1.25	\$0.00	0%	1,540,769	970,684	\$1,925,961	\$1,213,356	797,920	502,690	\$997,400	\$628,362	742,849	467,995	\$928,561	\$584,993
Local	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$1.25	\$1.25	\$0.00	0%	0	80,814	\$0	\$101,018	0	16,907	\$0	\$21,133	0	63,908	\$0	\$79,885
Local	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride, Equifare	\$1.25	\$1.00	-\$0.25	-20%	0	59,516	\$0	\$59,516	0	35,222	\$0	\$35,222	0	24,294	\$0	\$24,294
Local	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$1.25	\$1.03	-\$0.23	-18%	0	199,596	\$0	\$204,586	0	78,844	\$0	\$80,815	0	120,753	\$0	\$123,771
Local	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$1.25	\$0.82	-\$0.43	-34%	0	230,158	\$0	\$188,729	0	164,258	\$0	\$134,691	0	65,900	\$0	\$54,038
Local	Standard Fare	Day Pass -> Non-Amp, Day Pass	\$0.58	\$0.58	\$0.00	0%	6,391,347	3,898,722	\$3,678,263	\$2,243,740	3,346,993	2,041,666	\$1,926,217	\$1,174,992	3,044,354	1,857,056	\$1,752,046	\$1,068,748
Local	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$0.58	\$0.58	\$0.00	0%	0	212,270	\$0	\$122,163	0	55,394	\$0	\$31,879	0	156,876	\$0	\$90,283
Local	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping, Equifare	\$0.58	\$0.46	-\$0.12	-20%	0	157,561	\$0	\$72,542	0	98,917	\$0	\$45,542	0	58,644	\$0	\$27,000
Local	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$0.58	\$0.45	-\$0.13	-22%	0	1,027,855	\$0	\$461,399	0	413,185	\$0	\$185,477	0	614,670	\$0	\$275,922
Local	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$0.58	\$0.36	-\$0.22	-38%	0	1,094,940	\$0	\$393,210	0	737,831	\$0	\$264,967	0	357,109	\$0	\$128,244
Local	Standard Fare	7-Day Pass -> Non-Amp, 7-Day Pass	\$0.56	\$0.56	\$0.00	0%	1,293,075	271,546	\$728,420	\$152,968	574,611	120,668	\$323,692	\$67,975	718,464	150,877	\$404,728	\$84,993
Local	Standard Fare	7-Day Pass -> Amp, Capping	\$0.56	\$0.52	-\$0.05	-8%	0	788,337	\$0	\$408,562	0	310,290	\$0	\$160,810	0	478,047	\$0	\$247,752
Local	Standard Fare	7-Day Pass -> Amp, Capping, Equifare	\$0.56	\$0.41	-\$0.15	-26%	0	233,192	\$0	\$96,683	0	143,653	\$0	\$59,559	0	89,539	\$0	\$37,124
Local	Standard Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$0.69	\$0.69	\$0.00	0%	2,097,999	797,239	\$1,438,157	\$546,500	997,282	378,967	\$683,627	\$259,778	1,100,716	418,272	\$754,530	\$286,721
Local	Standard Fare	31-Day Pass -> Amp, Capping	\$0.69	\$0.58	-\$0.11	-16%	0	909,493	\$0	\$525,567	0	368,994	\$0	\$213,230	0	540,498	\$0	\$312,337
Local	Standard Fare	31-Day Pass -> Amp, Capping, Equifare	\$0.69	\$0.46	-\$0.22	-33%	0	391,266	\$0	\$180,880	0	249,321	\$0	\$115,260	0	141,946	\$0	\$65,621
Local	Reduced Fare	Single Ride -> Non-Amp, Single Ride	\$0.60	\$0.60	\$0.00	0%	19,135	12,055	\$11,481	\$7,233	9,728	6,128	\$5,837	\$3,677	9,407	5,927	\$5,644	\$3,556
Local	Reduced Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$0.60	\$0.60	\$0.00	0%	0	2,578	\$0	\$1,547	0	1,272	\$0	\$763	0	1,306	\$0	\$783
Local	Reduced Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$0.60	\$0.52	-\$0.08	-14%	0	4,502	\$0	\$2,323	0	2,327	\$0	\$1,201	0	2,175	\$0	\$1,122
Local	Reduced Fare	Day Pass -> Non-Amp, Day Pass	\$0.29	\$0.29	\$0.00	0%	880,730	634,126	\$251,772	\$181,276	602,206	433,588	\$172,151	\$123,949	278,524	200,537	\$79,621	\$57,327
Local	Reduced Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$0.29	\$0.29	\$0.00	0%	0	37,643	\$0	\$10,761	0	25,806	\$0	\$7,377	0	11,838	\$0	\$3,384
Local	Reduced Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$0.29	\$0.22	-\$0.06	-22%	0	208,961	\$0	\$46,593	0	142,812	\$0	\$31,844	0	66,149	\$0	\$14,750
Local	Reduced Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$0.29	\$0.29	\$0.00	0%	1,392,223	932,790	\$410,228	\$274,853	781,911	523,881	\$230,396	\$154,365	610,312	408,909	\$179,833	\$120,488
Local	Reduced Fare	31-Day Pass -> Amp, Capping	\$0.29	\$0.26	-\$0.04	-13%	0	459,434	\$0	\$117,235	0	258,031	\$0	\$65,842	0	201,403	\$0	\$51,393
Local	Standard Fare - DPP/TEF	Day Pass	\$0.24	\$0.24	\$0.00	0%	540,592	540,592	\$129,631	\$129,631	540,592	540,592	\$129,631	\$129,631	0	0	\$0	\$0
Local	Standard Fare - DPP/TEF	7-Day Pass	\$0.24	\$0.24	\$0.00	0%	914,224	914,224	\$219,354	\$219,354	914,224	914,224	\$219,354	\$219,354	0	0	\$0	\$0
Local	Standard Fare - DPP/TEF	31-Day Pass	\$0.29	\$0.29	\$0.00	0%	1,356,177	1,356,177	\$386,883	\$386,883	1,356,177	1,356,177	\$386,883	\$386,883	0	0	\$0	\$0
Local	Reduced Fare - DPP	Day Pass	\$0.24	\$0.24	\$0.00	0%	1,135	1,135	\$270	\$270	1,135	1,135	\$270	\$270	0	0	\$0	\$0
Local	Reduced Fare - DPP	31-Day Pass	\$0.25	\$0.25	\$0.00	0%	101,651	101,651	\$24,960	\$24,960	101,651	101,651	\$24,960	\$24,960	0	0	\$0	\$0
Local	Special Event	Special Event Single Ride	\$3.06	\$3.06	\$0.00	0%	97,241	97,241	\$297,781	\$297,781	47,561	47,561	\$145,645	\$145,645	49,680	49,680	\$152,136	\$152,136
Commuter	Standard Fare	Single Ride -> Non-Amp, Single Ride	\$3.50	\$3.50	\$0.00	0%	130,646	15,678	\$457,262	\$54,871	14,279	1,714	\$49,978	\$5,997	116,367	13,964	\$407,284	\$48,874

Service Type	Rider Category	Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Customers				Low-Income Customers				Non-Low-Income Customers			
			Existing	Proposed			Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue	
					Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Commuter	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$3.50	\$3.50	\$0.00	0%	0	65,920	\$0	\$230,719	0	7,287	\$0	\$25,505	0	58,632	\$0	\$205,214
Commuter	Standard Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride, Equifare	\$3.50	\$3.00	-\$0.50	-14%	0	5,301	\$0	\$15,904	0	2,892	\$0	\$8,675	0	2,410	\$0	\$7,229
Commuter	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$3.50	\$2.52	-\$0.98	-28%	0	40,366	\$0	\$101,723	0	1,709	\$0	\$4,306	0	38,658	\$0	\$97,417
Commuter	Standard Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$3.50	\$2.16	-\$1.34	-38%	0	3,381	\$0	\$7,303	0	678	\$0	\$1,465	0	2,703	\$0	\$5,839
Commuter	Standard Fare	Day Pass -> Non-Amp, Day Pass	\$3.07	\$3.07	\$0.00	0%	197,831	73,197	\$607,746	\$224,866	18,042	6,676	\$55,427	\$20,508	179,788	66,522	\$552,319	\$204,358
Commuter	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$3.07	\$3.07	\$0.00	0%	0	64,633	\$0	\$198,555	0	3,514	\$0	\$10,795	0	61,119	\$0	\$187,760
Commuter	Standard Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping, Equifare	\$3.07	\$2.63	-\$0.44	-14%	0	4,972	\$0	\$13,093	0	2,312	\$0	\$6,087	0	2,660	\$0	\$7,005
Commuter	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$3.07	\$2.09	-\$0.98	-32%	0	50,064	\$0	\$104,583	0	3,342	\$0	\$6,982	0	46,722	\$0	\$97,601
Commuter	Standard Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping, Equifare	\$3.07	\$1.79	-\$1.28	-42%	0	4,965	\$0	\$8,890	0	2,199	\$0	\$3,937	0	2,766	\$0	\$4,953
Commuter	Standard Fare	7-Day Pass -> Non-Amp, 7-Day Pass	\$1.87	\$1.87	\$0.00	0%	106,012	15,902	\$198,751	\$29,813	3,901	585	\$7,314	\$1,097	102,110	15,317	\$191,437	\$28,716
Commuter	Standard Fare	7-Day Pass -> Amp, Capping	\$1.87	\$1.63	-\$0.24	-13%	0	86,230	\$0	\$140,649	0	2,341	\$0	\$3,818	0	83,890	\$0	\$136,831
Commuter	Standard Fare	7-Day Pass -> Amp, Capping, Equifare	\$1.87	\$1.30	-\$0.57	-30%	0	3,879	\$0	\$5,062	0	975	\$0	\$1,273	0	2,904	\$0	\$3,789
Commuter	Standard Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$3.15	\$3.15	\$0.00	0%	408,422	147,032	\$1,286,594	\$463,174	15,030	5,411	\$47,348	\$17,045	393,392	141,621	\$1,239,246	\$446,129
Commuter	Standard Fare	31-Day Pass -> Amp, Capping	\$3.15	\$2.48	-\$0.67	-21%	0	246,445	\$0	\$610,202	0	5,862	\$0	\$14,514	0	240,583	\$0	\$595,688
Commuter	Standard Fare	31-Day Pass -> Amp, Capping, Equifare	\$3.15	\$1.98	-\$1.17	-37%	0	14,946	\$0	\$29,605	0	3,758	\$0	\$7,443	0	11,188	\$0	\$22,162
Commuter	Reduced Fare	Single Ride -> Non-Amp, Single Ride	\$1.75	\$1.75	\$0.00	0%	6,665	4,465	\$11,663	\$7,814	3,388	2,270	\$5,929	\$3,972	3,277	2,195	\$5,734	\$3,842
Commuter	Reduced Fare	Single Ride -> Amp, <3-4 Days/Wk, Single Ride	\$1.75	\$1.75	\$0.00	0%	0	801	\$0	\$1,402	0	395	\$0	\$692	0	406	\$0	\$710
Commuter	Reduced Fare	Single Ride -> Amp, 3-4+ Days/Wk, Capping	\$1.75	\$1.37	-\$0.39	-22%	0	1,398	\$0	\$1,909	0	723	\$0	\$987	0	676	\$0	\$922
Commuter	Reduced Fare	Day Pass -> Non-Amp, Day Pass	\$1.69	\$1.69	\$0.00	0%	7,658	4,748	\$12,939	\$8,022	5,236	3,247	\$8,847	\$5,485	2,422	1,502	\$4,092	\$2,537
Commuter	Reduced Fare	Day Pass -> Amp, <3-4 Days/Wk, Daily Capping	\$1.69	\$1.69	\$0.00	0%	0	444	\$0	\$751	0	305	\$0	\$515	0	140	\$0	\$236
Commuter	Reduced Fare	Day Pass -> Amp, 3-4+ Days/Wk, Capping	\$1.69	\$1.18	-\$0.51	-30%	0	2,466	\$0	\$2,916	0	1,685	\$0	\$1,993	0	781	\$0	\$923
Commuter	Reduced Fare	31-Day Pass -> Non-Amp, 31-Day Pass	\$1.17	\$1.17	\$0.00	0%	45,573	20,964	\$53,176	\$24,461	25,595	11,774	\$29,865	\$13,738	19,978	9,190	\$23,311	\$10,723
Commuter	Reduced Fare	31-Day Pass -> Amp, Capping	\$1.17	\$0.95	-\$0.22	-19%	0	24,609	\$0	\$23,374	0	13,821	\$0	\$13,128	0	10,788	\$0	\$10,247
Commuter	Standard Fare - DPP/TEF	Day Pass	\$1.28	\$1.28	\$0.00	0%	1,060	1,060	\$1,357	\$1,357	1,060	1,060	\$1,357	\$1,357	0	0	\$0	\$0
Commuter	Standard Fare - DPP/TEF	7-Day Pass	\$0.78	\$0.78	\$0.00	0%	4,249	4,249	\$3,319	\$3,319	4,249	4,249	\$3,319	\$3,319	0	0	\$0	\$0
Commuter	Standard Fare - DPP/TEF	31-Day Pass	\$1.31	\$1.31	\$0.00	0%	23,519	23,519	\$30,854	\$30,854	23,519	23,519	\$30,854	\$30,854	0	0	\$0	\$0
Commuter	Reduced Fare - DPP	31-Day Pass	\$0.97	\$0.97	\$0.00	0%	405	405	\$394	\$394	405	405	\$394	\$394	0	0	\$0	\$0
Local	MW Business - Standard Fare	Day Pass	\$0.68	\$0.68	\$0.00	0%	709	709	\$480	\$480	361	361	\$244	\$244	348	348	\$236	\$236
Local	MW Business - Standard Fare	7-Day Pass	\$0.66	\$0.66	\$0.00	0%	15	15	\$10	\$10	6	6	\$4	\$4	8	8	\$6	\$6
Local	MW Business - Standard Fare	31-Day Pass	\$0.66	\$0.66	\$0.00	0%	634,643	634,643	\$417,670	\$417,670	291,021	291,021	\$191,526	\$191,526	343,622	343,622	\$226,144	\$226,144
Local	MW Business - Reduced Fare	31-Day Pass	\$0.35	\$0.35	\$0.00	0%	1,779	1,779	\$617	\$617	983	983	\$341	\$341	796	796	\$276	\$276

Service Type	Rider Category	Fare Product	Average Fare per Boarding		Change in Average Fare	% Change in Average Fare	All Customers				Low-Income Customers				Non-Low-Income Customers			
			Existing	Proposed			Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue		Number of Boardings		Fare Revenue	
					Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Commuter	MW Business - Standard Fare	Day Pass	\$3.38	\$3.38	\$0.00	0%	978	978	\$3,304	\$3,304	88	88	\$298	\$298	890	890	\$3,006	\$3,006
Commuter	MW Business - Standard Fare	31-Day Pass	\$3.36	\$3.36	\$0.00	0%	122,897	122,897	\$412,956	\$412,956	3,187	3,187	\$10,707	\$10,707	119,711	119,711	\$402,248	\$402,248
Commuter	MW Business - Reduced Fare	31-Day Pass	\$1.56	\$1.56	\$0.00	0%	119	119	\$186	\$186	66	66	\$103	\$103	53	53	\$83	\$83
Local	MW Government - Standard Fare	31-Day Pass	\$0.57	\$0.57	\$0.00	0%	1,975	1,975	\$1,116	\$1,116	747	747	\$422	\$422	1,228	1,228	\$694	\$694
Commuter	MW Government - Standard Fare	31-Day Pass	\$2.94	\$2.94	\$0.00	0%	974	974	\$2,863	\$2,863	104	104	\$305	\$305	870	870	\$2,559	\$2,559
Local & Commuter	Higher Ed Pass Programs	UT Austin	\$0.98	\$0.98	\$0.00	0%	6,370,099	6,370,099	\$6,233,340	\$6,233,340	3,487,493	3,487,493	\$3,412,620	\$3,412,620	2,882,606	2,882,606	\$2,820,720	\$2,820,720
Local & Commuter	Higher Ed Pass Programs	ACC & SEU	\$0.82	\$0.82	\$0.00	0%	537,592	537,592	\$441,562	\$441,562	292,103	292,103	\$239,925	\$239,925	245,489	245,489	\$201,637	\$201,637
Local & Commuter	Government Pass Programs	All Government Pass Programs	\$1.16	\$1.16	\$0.00	0%	410,218	410,218	\$474,543	\$474,543	147,193	147,193	\$170,274	\$170,274	263,025	263,025	\$304,269	\$304,269
Local & Commuter	MetroAccess	MetroAccess Monthly Pass on Fixed Route	\$0.00	\$0.00	\$0.00	0%	55,547	55,547	\$0	\$0	12,289	12,289	\$0	\$0	43,258	43,258	\$0	\$0
Local & Commuter	Kids Ride Free	Free Fare	\$0.00	\$0.00	\$0.00	0%	2,266,308	2,266,308	\$0	\$0	1,403,163	1,403,163	\$0	\$0	863,145	863,145	\$0	\$0
Local & Commuter	Other Free Fares	Free Fare	\$0.00	\$0.00	\$0.00	0%	562,924	562,924	\$0	\$0	274,448	274,448	\$0	\$0	288,475	288,475	\$0	\$0

<b>Sum</b>	28,525,113	28,525,113	\$20,155,862	\$19,006,350	16,099,948	16,099,948	\$9,513,463	\$9,018,106	12,425,165	12,425,165	\$10,642,399	\$9,988,244
<b>Average Fare</b>			\$ 0.71	\$ 0.67			\$ 0.59	\$ 0.56			\$ 0.86	\$ 0.80
<b>Percentage Change in Average Fare</b>				-5.7%				-5.2%				-6.1%
<b>Difference in Average Fare for Protected Populations</b>								<b>0.9%</b>				

**©Petition Letter**

Dear Randy Clarke,

As CEO of Cap Metro you are ultimately responsible for the decisions and actions taken by Cap Metro. Therefore, we are writing to you, to demand equity in fare prices.

On your website for Project Connect, Austin's new light rail, you state that your goal is to create "a comprehensive transit system expansion that will help transform Austin into one of the most sustainable, inclusive and innovative regions in the country." This project was created and funded on the rhetoric that it will center and expand equity in Austin. Additionally Project Connect is to be evaluated by the Equity Tools.

Using the equity framework it is important to evaluate who the rail is serving. Your rail fare prices are unaffordable, they are \$7.00 for a daily pass, as opposed to the \$2.50 daily bus passes, which means that working class communities of color are unable to ride the light rail. This is textbook definition of race-based discrimination, as the high cost is an inequitable barrier for low income and communities of color. It is also precisely those low income and communities of color in East Austin who rely on public transport for going to work, school, running errands etc and therefore need access to this form of transportation, more so than choice riders.

We are asking you to lower the rail price from \$7 to \$2.50 to match the cost of a daily bus pass. This is crucial in order for Project Connect to be accessible and inclusive.



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-465

**Agenda Date:** 6/27/2022

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Austin Transit Partnership Board Appointment Process (June 16, 2022)



# MEMORANDUM



**To:** CapMetro Board of Directors  
Austin City Council

**From:** Gina Fiandaca, Assistant City Manager – Mobility, City of Austin  
Dottie Watkins, Interim President & CEO, CapMetro

**Cc:** Austin Transit Partnership Board of Directors  
CapMetro Executive Team  
City Manager’s Office  
ATP Executive Team

**Date:** June 17, 2022

**Subject:** Process to appoint a new Board Member to the Austin Transit Partnership Board

The purpose of this memorandum is to provide the CapMetro Board of Directors and Austin City Council an overview of the recommended process to be used to appoint a new Board Member to the Austin Transit Partnership (ATP) Board of Directors. As you know, ATP Board Member Dr. Collette Pierce-Burnette has resigned her position on the ATP Board, effective June 30, 2022, as she transitions to a new career opportunity outside of Austin, and therefore, the City Council and CapMetro Board must jointly appoint a new ATP Board Member to complete Dr. Pierce-Burnette’s term, which ends in January 2025.

To appoint this new Board Member, one of the three Community Expert Directors on the ATP Board, the Project Connect partners must follow the ATP Articles of Incorporation, which state “... Community Expert Directors shall be selected through a nomination and appointment process wherein qualified members of the community shall submit an application to the Corporation (ATP), which will provide the applications that meet the criteria to the Nominating Committee”. The Nominating Committee is comprised of the chairs of the City Council Audit and Finance Committee, the City Council Mobility Committee, the CapMetro Finance, Audit and Administration Committee, and the CapMetro Operations, Planning and Safety Committee.

After reviewing the Articles of Incorporation and the process used by the City and CapMetro to appoint the initial ATP Board, tri-party staff recommends the following process to facilitate the appointment of the new ATP Board Member:

1. ATP staff provides the Nominating Committee with a copy of the existing ATP Board Member application for review prior to posting the application publicly.
2. ATP staff updates the ATP website to include a link to the application, minimum qualifications, and other relevant information. The application will also be linked to from ProjectConnect.com and shared publicly via the Project Connect partners’ communication methods (i.e., newsletters, social media, etc.). Tri-party staff recommends the application window remain open for at least 2 weeks.
3. ATP staff reviews the applications to ensure the minimum qualifications are met.
4. Once the application window closes, ATP staff forwards to the Nominating Committee all applications that meet the minimum qualifications, as well as a summary of any applications that were disqualified and ATP staff’s reasoning.

5. The Nominating Committee reviews applications and conducts interviews of applicants, at their discretion. Tri-party staff will not participate in the work of the Nominating Committee to interview or identify the Committee's recommended appointment, but may support the logistics of this process, at the request of the Committee.
6. The Nominating Committee notifies the CapMetro Board Austin City Council and tri-party staff of their recommended appointment, and, at the next regular meeting of each body, the CapMetro Board and Austin City Council discuss the recommendation and vote to confirm the appointment.
7. The appointee is sworn in at the next ATP Board Meeting and completes the remainder of Dr. Pierce-Burnette's term (ending in January 2025).

City of Austin and CapMetro staff will convene the Nominating Committee to ensure this process meets their needs and discuss a timeline to execute this process. ATP has expressed its desire to seat a new Board Member as soon as possible, so that the continued work of delivering the Project Connect program of projects is not impacted in any way.

If you have any questions about this process, please contact Liane Conte, Chief of Staff for the City's Project Connect Office ([Liane.Conte@austintexas.gov](mailto:Liane.Conte@austintexas.gov)), or Cheyenne Krause, Deputy Chief of Staff for CapMetro ([Cheyenne.Krause@capmetro.org](mailto:Cheyenne.Krause@capmetro.org)).



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

**Item #:** AI-2022-479

**Agenda Date:** 6/27/2022

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May and June Board Meetings Staff Follow Up (June 24, 2022)

To: CapMetro Board of Directors  
From: Kerri Butcher, Chief of Staff  
Date: June 24, 2022  
Subject: Staff follow up to items requested during May and June Committee and May Board Meetings

During the CapMetro Board of Directors in May and Board Committee Meetings in May and June, several Board Members requested more information on a variety of topics. The information is provided here for your review. If additional detail or a briefing is necessary, please contact Ed Easton ([Ed.Easton@CapMetro.org](mailto:Ed.Easton@CapMetro.org)) and he will connect you with the appropriate information or staff person. Topics covered in this memo include:

- Board Memos
- Metrobike
- Unincorporated Travis and Williamson County financial contributions
- CapMetro Budget Website Updates and Community Engagement

### **Board Memos**

In an effort to increase transparency and public awareness, and in response to Board Member suggestions, CapMetro staff are working on a mechanism to share staff memos to the Board in a more transparent and accessible manner.

The Board, Executive, Marketing and Communications and IT teams are working to add memos to the existing [Board Portal](#) and ensure Board Members and the public know this resource is available. This tool will allow searching for memos by topic or date range or will allow someone simply to see all memos.

Additionally, memos sent between Board meetings will be added to the upcoming Board meeting packet. For example, memos sent after the May Board meeting and up until the June Board Meeting will be added to the June Board packet.

This process will not include all emails sent to the Board or Board Members and will not include memos that contain legal advice and are protected by attorney-client privilege.

### **MetroBike**

Board Members requested additional information about the MetroBike Expansion Program, through our revised partnership with the City of Austin.

1. Bike preference (eBike versus analog non-electrified bike)  
Board Members requested information regarding customer preferences for electric bikes versus traditional pedal-power bikes.

Based on fleet usage, we believe more customers will seek out eBikes for use. Though eBikes represent approximately 41% of the 2021 fleet, approximately 77% of all trips taken on the fleet were taken on an eBike (see table below). We do not have data regarding whether there are customers that will always prefer a non-electrified bike.

	2020		2021	
	Availability	Trips (%)	2021 Availability	2021 Trips (%)
<b>e-Bike</b>	200 (29%)	61%	347 (41%)	77%
<b>Non-electrified bikes</b>	500 (71%)	39%	500 (59%)	22%

2. MetroBike expansion and coordination with commuter services

Board Members requested information regarding how MetroBike will be expanded to serve commuters further from the regional core, in coordination with other bike amenities such as bike storage/shelters. Staff is currently focused on overhauling the structure of operations and renewing our commitment for the next 10 years. As mentioned in the Board presentation, we will begin work on a 10-year expansion framework in Fall 2022 and coordination with commuter services and other bike amenities will be part of the discussion with the Board, our partners, and the community.

3. MetroBike and Project Connect

MetroBike expansion was not a specific line item in the Project Connect Initial Investment Sequencing Plan, nor the Integrated Financial Model. CapMetro is working to integrate MetroBike as part of the designs for Project Connect elements, such as MetroRapid and the light rail lines where funding and space exists to do so and in coordination with the Austin Transit Partnership team.

4. Long-term O&M funding for MetroBike

Bikeshare of Austin has been financially self-sustaining as a non-profit in FY20 and FY21 and has been funding operations with minimal support from the City of Austin and CapMetro. Fares and advertising revenue covered more than 90% of operating costs due to budget-saving measures.

CapMetro intends to strengthen the program with necessary financial investments, including enhancing state of good repair funding, improving facilities, and increasing wages and benefits for the current Bikeshare of Austin employees (who will become CapMetro employees). Staff hopes to continue a financially sustainable model leveraging advertising and fares as set by the CapMetro Board, as appropriate, and will continue to keep the CapMetro Board apprised of financial constraints or opportunities presented through the MetroBike program.

**Unincorporated Travis and Williamson County financial contributions**

CapMetro Board Members requested more information about how the unincorporated parts of Williamson and Travis County receive CapMetro services, and what their individual financial contributions are.

There are seven municipalities in the service area, each having joined CapMetro via election in 1985 and each contributing one cent of sales tax for transit services. Two unincorporated areas also joined the service area that year: the former Precinct 2 in northern Travis County and southern Williamson County including Anderson Mill, Jollyville and Pond Springs.

Unincorporated Travis County in the Wells Branch area has Route 243 local bus service, as well as MetroAccess service within ¼ mile of that route. There are 174 active paratransit clients in unincorporated Travis County. Currently, unincorporated Williamson County does not have fixed route, rail, or Pickup service, but does have 19 active paratransit clients.

When member jurisdictions, including the member unincorporated areas, contribute one cent of sales tax to CapMetro, it is collected by the Comptroller and sent to the agency on a regular basis. It is easy to track sales tax contributions from member municipalities, as they also collect one cent of sales tax for their general funds.

The contributions from the unincorporated areas of Travis and Williamson County, however, are more difficult to track. The last estimate for Travis County was made in response to a 2020 County staff request. The rough order of magnitude total for former Precinct 2 was \$6.6 million in calendar 2019. A similar calculation was not made for Williamson County.

CapMetro finance staff are working to put the county sales tax contribution numbers into a format similar to the one shown to the Board during the Build Central Texas (BCT) presentation.

### **CapMetro Budget Website and Community Engagement**

During the Board Committee meetings in June, Board Members requested that the CapMetro Budget adoption calendar be added to the website for the benefit of transparency and public engagement. CapMetro staff added the calendar to the website and it can be viewed at [capmetro.org/financial-info](https://capmetro.org/financial-info) under “Annual Budgets”.

Additionally, Board Member Pool highlighted additional opportunities for public engagement on CapMetro’s proposed budget – her own City Council District Town Hall. If other Board Members would like to suggest a specific Budget engagement opportunity, or request staff attend an event they are organizing, please contact Ed Easton to assist with scheduling.