

**AUSTIN TRANSIT
PARTNERSHIP BOARD OF
DIRECTORS MEETING**
Carver Library

~ Agenda ~

Wednesday, June 15, 2022

2:00 PM

Carver Library

1161 Angelina St, Austin, TX 78702

1. **Public Comment**
2. **Technical Advisory Committee Reports**
3. **Executive Director Report**
4. **Monthly Program Updates**
 1. Community Engagement and Involvement Update
5. **Action Items**
 1. Approval of minutes from the May 18 Board Meeting
 2. Approval of ATP Audit Charter
6. **Discussion Items**
 1. Discussion of Title VI Program Plan for ATP
 2. Discussion of the Capital Interlocal Agreements with CapMetro

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512) 389-7525 or email chloe.maxwell@atptx.org if you need more information.

ATP has resumed in-person board meetings and are [streamed live](#). Public comment may be completed in person. Those wishing to contribute comments must notify ATP 24-hours before the meeting (by 2:00 p.m. on June 14) by calling 512-389-7525 or emailing chloe.maxwell@atptx.org. Give your name, phone number and the topic you wish to discuss. On the day of the meeting, you will be contacted, added as an attendee of the board meeting, and have 3 minutes to speak.

Please Note: You will have only one opportunity at the beginning of the board meeting to speak on all items you intend to address.

For this meeting, public comment will be only available in person due to technical constraints.

BOARD OF DIRECTORS: Veronica Castro de Barrera, Chair; Colette Pierce Burnette, Vice Chair; Steve Adler, Tony Elkins, Eric Stratton, Gina Fiandaca (ex officio), Dottie Watkins (ex officio).

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.

Date: June 8, 2022

AUSTIN TRANSIT PARTNERSHIP

Board of Directors Meeting
June 15, 2022

June 15 - AGENDA

- 1. Public Comment**
- 2. Technical Advisory Committee Reports**
- 3. Executive Director Report**
- 4. Monthly Program Updates**
 - Community Engagement and Involvement Update
- 5. Action Items**
 - Approval of minutes from the May 18 Board Meeting
 - Approval of ATP Audit Charter
- 6. Discussion Items**
 - Discussion of Title VI Program Plan for ATP
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PUBLIC COMMENT

TECHNICAL ADVISORY COMMITTEE REPORTS

- **Engineering, Architecture & Construction Advisory Committee (EAC)**
- **Planning, Sustainability, Equity & DBE Committee (PSEC)**

EXECUTIVE DIRECTOR'S REPORT

Greg Canally

Executive Director

Austin Transit Partnership

MONTHLY PROGRAM UPDATES:

COMMUNITY ENGAGEMENT AND INVOLVEMENT UPDATE

Community Engagement Update

Event	Participants
<ul style="list-style-type: none"> • April 26 – South Shore Working Group Meeting • June 1 – Vehicles & Systems Meeting • June 8 – Combined Maintenance Facility Meeting #2 • June 14 – The Drag Working Group Meeting • June 22 – Subway Stations Overview Meeting 	<p>66</p> <p>58</p>
Advisory Groups	
<ul style="list-style-type: none"> • May 31 – EAC Meeting • June 2 - PSEC Meeting • June 9 – CAC Meeting 	



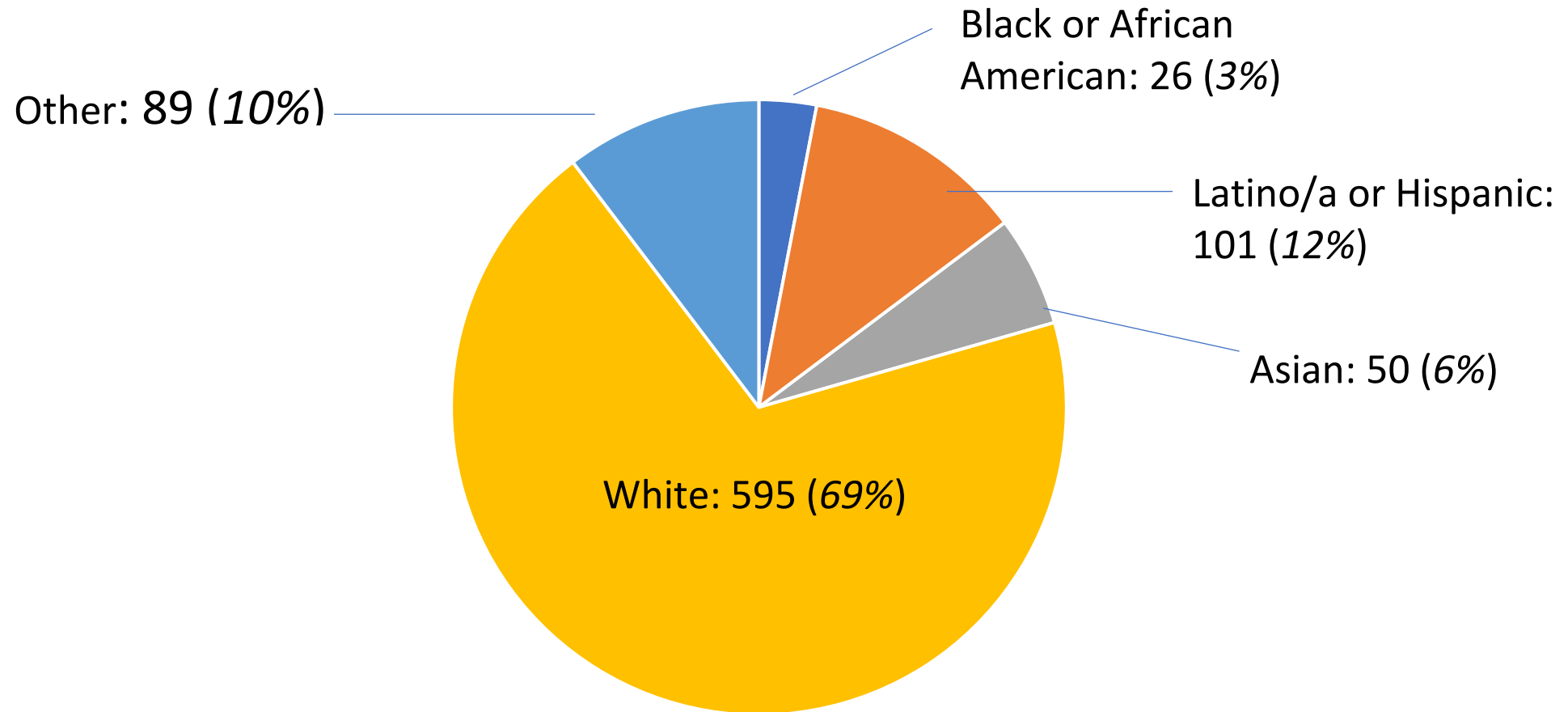
Community Meeting Demographics Overview

March-June 2022

Key considerations:

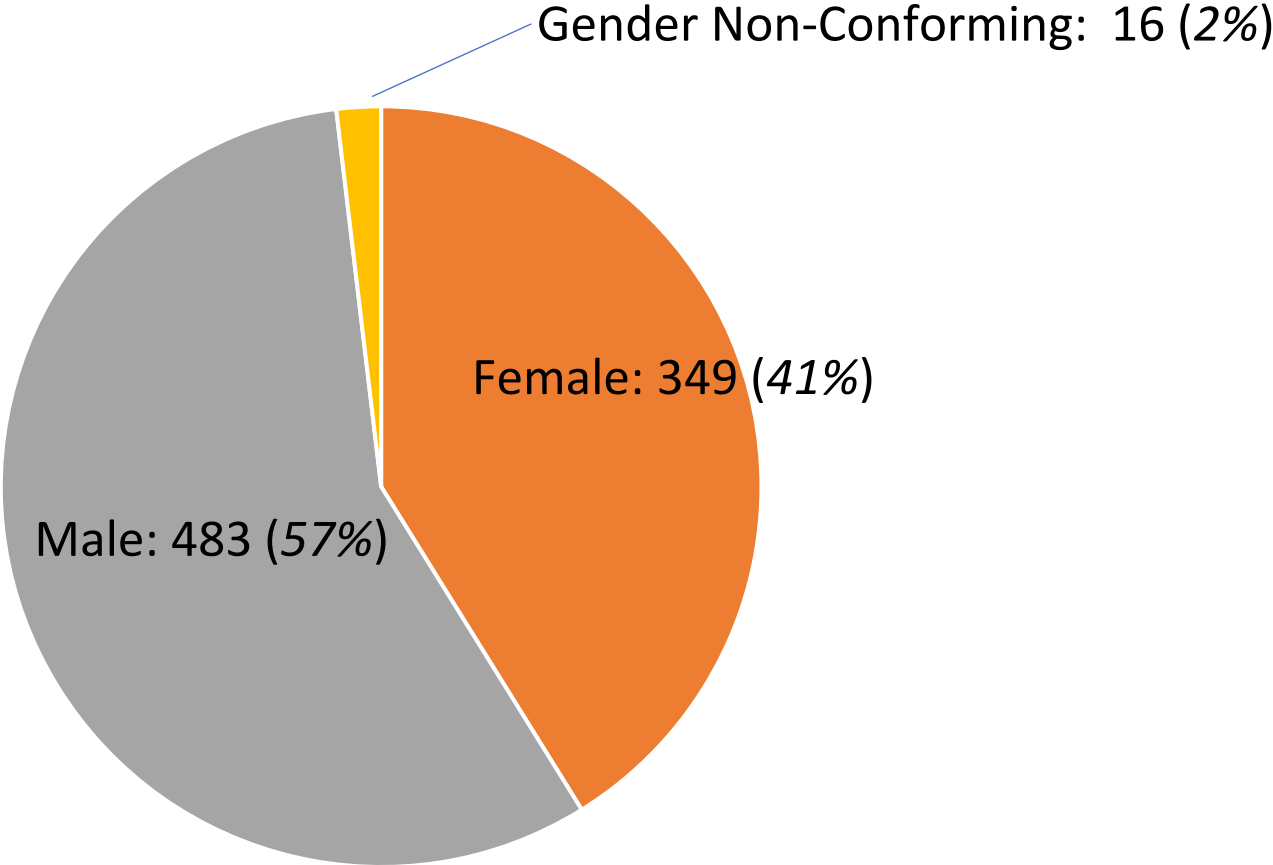
- Demographic data was not required for participation in meetings. Statistics shown reflect data provided by individuals who *chose* to answer.
- Nearly 40% of participants did not complete demographic survey questions.
- Requiring responses to demographic questions can be a barrier to participation.
- All community meetings have been virtual since 2020.

Total Responses to Race/Ethnicity Question: 861

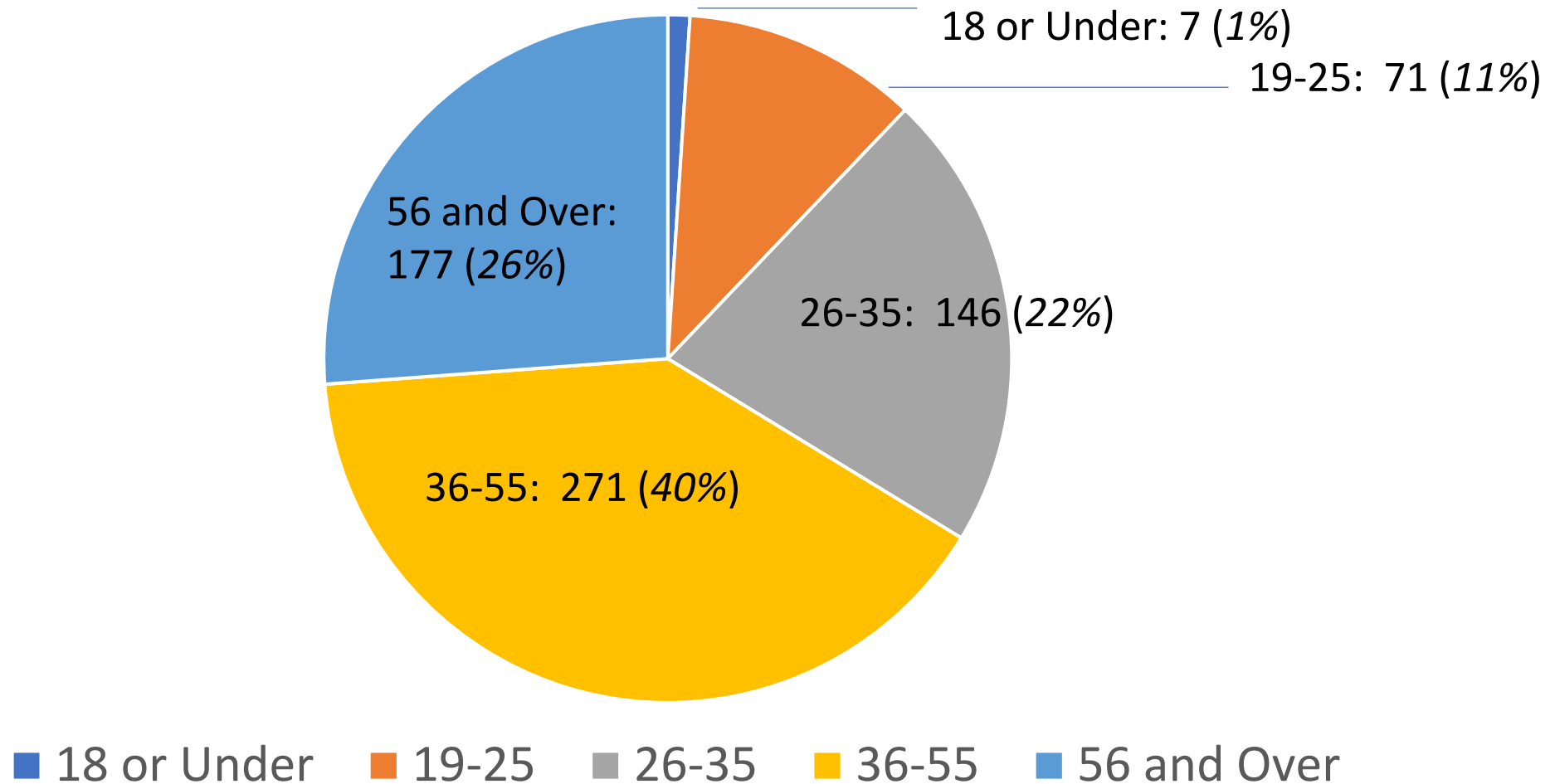


Total Responses to Gender & Sexuality Question: 848

*75 Respondents Identified as LGBTQ+



Total Responses to Age Question: 672



MONTHLY PROGRAM UPDATES:

TECHNICAL UPDATE

PROGRAM UPDATES:

Blue & Orange Line Engineering Activities

- Orange Line Draft 30% design comment resolution in progress; initial comment verification completed in May and continuing to resolve open comments
- Design of Orange Line and Blue Line Austin Water (AW) betterments
- Blue Line Draft 30% design comment verification in progress
- Continue to work with COA to create criteria for assigning costs based on following categories: (1) Betterment, (2) Project costs, and (3) Shared costs
- Appraisal of alternate site for Boat House (6f) property in progress
- Development of Blue Line Mitigation Management Plan (MMP) in progress
- Advancing the design of the Lady Bird Lake Bridge with separate bus and light rail guideways with grade separated design for the trail
- In coordination with ATD, advancing the design of third option for Pleasant Valley Station, addressing safety and operational concerns from the City

Blue Line: Pleasant Valley Preliminary Station Design (Option 3)



PROGRAM UPDATES:

Blue & Orange Line Planning/NEPA Progress

- Received FTA, ATP, CMTA, and PMOR comments on the Orange Line Administrative Draft Environmental Impact Statement (ADEIS); the environmental teams will continue to review comments, respond, and revise the document in the month of June ahead of submitting the Orange Line DEIS to FTA Legal, the Cooperating Agencies, and the City of Austin for review
- Submitted the Blue Line ADEIS to FTA, ATP, CMTA, and PMOR for review; comments due June 20
- Contacted the Orange Line Section 106 (National Historic Preservation Act (NHPA)) Consulting Parties to schedule a Consulting Parties project review meeting; date and time of the meeting is pending
- Continued to work with the City Parks (PARD) on impacts and associated mitigation for Section 4f and 6f parkland properties

PROGRAM UPDATES:

MetroRapid

Expo & Pleasant Valley

- Construction on the 4th Expo station is underway through Stacy Witbeck
- Construction for the 1st Pleasant Valley station is underway with Unity
- Preparing Task Order for construction of second group of the 4 station groups for Expo
- 40% shelter designs under review; TVM & ePaper contracts approved
- Continued design development and submittal reviews (90% and IFC); emphasis in first quarter on utility coordination and conflict mitigation
- Expo Center End-of-Line – Rezoning application submitted by the City; City design of Decker Lane and Colony Loop traffic signal underway; 30% design plans for the Expo Center Park and Ride submitted June 2nd
- Design concept for UT Stadium stations approved by UT-Austin; engineering advancing to 90% design

Gold Line & South Lamar

- 30% design plans for Menchaca and Gold Line – comments received and coordinating with TxDOT on the Oak Hill segment
- 60% design plans for first group of stations on Menchaca / South Lamar due on June 17
- 60% design plans for Gold Line due July 1

PROGRAM UPDATES:

Red Line

Crestview

- 30% PE & Environmental work in progress. Submittal expected by June 30

McKalla Station

- 100% design for double track & drainage improvements complete; solicitation for RFP to be posted on June 3
- Advance Culvert Construction submittal approved, and order placed for Precast Concrete Box Culverts

Lakeline-to-Leander

- Culvert Headwalls completed
- Skeletal trackwork for the second track in progress
- Special trackwork started

Broadmoor Station

- Preparing for Construction

ACTION ITEM 1:

Approval of minutes from the May 18, 2022 ATP Board Meeting

AUSTIN TRANSIT PARTNERSHIP BOARD OF DIRECTORS MEETING

Austin Central Library

710 W Cesar Chavez St, Austin, TX 78701

~ Minutes ~

Board Secretary Casey Burack
512-369-6040

Wednesday, May 18, 2022
2:00 PM

2:18 PM Meeting Called to Order
4:38 PM Meeting Adjourned

I. Public Comment

There was no public comment at this meeting.

II. Technical Advisory Committee Reports

ATP Board Chair, Veronica Castro de Barrera, provided the May Engineering, Architecture & Construction Committee (EAC) report. The agenda items were:

- Capitol View Corridor Analysis
- Blue Line Bridge Update
- Pleasant Valley / E. Riverside Design Options Review

ATP Board Member, Tony Elkins, updated the Board on the May meeting of the Finance & Risk Committee (FAR). The agenda items were:

- FY21 Audited Financial Statements
- FY22 First Quarter Performance Report
- Meet ATP's New Internal Auditor & Discussion of Draft Audit Charter
- Project Connect Cost and Status Updates
- ATP Leadership Analysis Update
- Ernst & Young Scope of Work and Progress

III. Executive Director Report

Executive Director, Greg Canally, announced that Diane Siler had been named Interim Chief Financial Officer. Additionally, ATP has launched the development of an independent cost estimate with Ernst & Young. Executive Director Canally discussed ways to foster communication among the Board, staff, partner agencies, and stakeholders.

Responding to a request from Board Member Elkins, Mr. Canally agreed to look at the number and frequency of reports going to the Board. Board Member Elkins highlighted the importance of a detailed list of program risks. He emphasized the importance of conversations with the Board starting earlier, rather than when staff has already fully developed a recommendation.

Mayor Adler added that providing materials in advance allows Board Members more time to review, making presentations with text read verbatim unnecessary. He also stated the importance of cost conversations as soon as possible and then bringing them to the community to prevent any surprises.

IV. Monthly Program Update

1. Monthly Community Engagement Update

Jackie Nirenberg, Director of Community Engagement, mentioned that the three-month Community Engagement look-ahead and the participation numbers for each meeting over the previous month are in the backup materials posted online. Ms. Nirenberg focused on the feedback themes from earlier meetings at the board members' requests.

Board Member Stratton asked if the Community Engagement team mentioned CapMetro services and programs operating in concurrence with the light rail lines. Ms. Nirenberg explained that the public sees the immense value in both to increase capacity for all.

Ex-Officio Board Member, Gina Fiandaca, congratulated the team for reaching such a broad audience.

Board Chair Castro de Barrera thanked the Community Engagement team for providing access to the Spanish-language community through translation services and allowing conversations in multiple languages.

2. Technical Program Update

John Rhone, Deputy Program Officer, and Jen Pyne, Senior Director of Project Controls for Risk and Federal Processes, provided this update.

Board Member Elkins asked for a more detailed technical program look ahead. He would also like to know if a date has changed and why each month.

Mr. Rhone mentioned that an independent cost estimate is in process and that the team continues to work through the 30% design comments for the Orange Line. Mr. Rhone highlighted the partnership with the Federal Transit Administration (FTA) and the feedback they provided.

Board Chair Castro de Barrera brought up an email about the Crestview Station and the feasibility of routing the cars under the trains rather than the current plan to route the light rail under the vehicles. Mr. Rhone explained that it had been studied but did not seem like a good fit because it limits access to the roadway if it's below surface level.

Board Member Elkins requested an update on the right-of-way acquisition process by the end of the year.

V. Action Items

1. Approval of minutes from the April 20 Austin Transit Partnership Board Meetings.
RESULT: ADOPTED [UNANIMOUS]
MOVER: Elkins
SECONDER: Adler
AYES: Castro de Barrera, Stratton, Elkins, Adler
ABSENT: Pierce Burnette
2. Approval of a resolution adopting Articles of Amendment to the Austin Transit Partnership Articles of Incorporation to reflect amendments approved by the Capital Metro Board of Directors on April 25, 2022 and by the Austin City Council on May 5, 2022
RESULT: ADOPTED [UNANIMOUS]
MOVER: Adler
SECONDER: Stratton
AYES: Castro de Barrera, Stratton, Elkins, Adler
ABSENT: Pierce Burnette

VI. Discussion Items

1. Briefing on ATP Audit Charter

Katie Houston, ATP's Director of Internal Audit, provided this update.

Ms. Houston explained that the Audit Charter provides a framework for how the audit department will function and what services the department will deliver.

Board Member Stratton asked Ms. Houston to clarify how her position functions directly with the Board and ATP's annual audit. Ms. Houston responded and emphasized her focus on process improvement and performance auditing, in addition to compliance.

2. Discussion of upcoming interlocal grant agreements with the City of Austin and CapMetro to implement Project Connect.

Brandon Carr, ATP Deputy Counsel, provided this update with introductory remarks from Executive Director Canally and General Counsel, Casey Burack.

Executive Director Canally walked the board through the foundational documents, which are the backdrop for the Interlocal Agreements (ILA). Ms. Burack discussed the connection between the Joint Powers Agreement and the ILAs.

Board Member Stratton asked about the location of the governing documents, and staff explained the website pathway and promised to move them to a more accessible location.

Mr. Carr presented the ILAs coming to the board for a vote over the next few months and information on the development process.

VII. Adjournment

ADA Compliance

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ACTION ITEM 2:

Approval of ATP Audit Charter



SUBJECT: Approval of a resolution adopting ATP Audit Charter.

FISCAL IMPACT: This item has no fiscal impact.

RESPONSIBLE DEPARTMENT: Internal Audit

EXECUTIVE SUMMARY: The ATP Board of Directors approved the appointment of an Internal Auditor that reports directly to the Board. This resolution adopts an Audit Charter to help improve ATP's governance, control, and risk management through independent, objective assurance and advisory services.

**RESOLUTION
OF THE
AUSTIN TRANSIT PARTNERSHIP
BOARD OF DIRECTORS**

STATE OF TEXAS

Resolution ID: ATP-2022-006

COUNTY OF TRAVIS

Adoption of ATP Audit Charter

WHEREAS, the Austin Transit Partnership (“ATP”) Board of Directors approved the hiring of an Internal Auditor to report directly to the Board; and

WHEREAS, establishing the Internal Audit Department (“Internal Audit”) is a key component of ATP’s governance structure and public accountability; and

WHEREAS, the ATP Board of Directors desires to ensure industry best practices and standardized organizational practices for the implementation of Project Connect through the adoption of an Audit Charter; and

WHEREAS, this Audit Charter will serve as a framework guiding Internal Audit in the performance of its duties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ATP that the Audit Charter attached hereto as Exhibit A is officially adopted.

Casey Burack
Secretary of the Board

Date: _____

INTERNAL AUDIT CHARTER

The Austin Transit Partnership (“ATP”) serves as the independent local government corporation tasked with implementing Project Connect. ATP is governed by a Board of five voting members and one ex officio member as outlined in the ATP Articles of Incorporation. The ATP Board (“Board”) established the Internal Audit Department (“Internal Audit”) as a key component of ATP’s governance structure. This Internal Audit Charter serves as a framework guiding Internal Audit in the performance of its duties. It is a living document and subject to change with the Board’s approval, however minor non-substantive changes are permitted without Board approval (e.g. grammar, spelling, re-ordering, etc.).

The components of this Internal Audit Charter are the following:

- Mission
- Independence and Authority
- Standards of Audit Practice
- Scope of Work
- Access to Records
- Responsibilities
- Reporting to the Board
- Audit Planning
- Consideration of Management Responses to Audit Recommendations
- Reliance on Work of Others
- Consideration of Fraud, Waste, and Abuse
- Quality Assurance and Peer Review

This Internal Audit Charter was approved by ATP Board Resolution on June 15, 2022.

MISSION

The mission of Internal Audit is to help improve ATP’s governance, control, and risk management through independent, objective assurance and advisory services.

INDEPENDENCE AND AUTHORITY

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It also strengthens government accountability to the public for stewardship of resources and achievement of community goals. Internal auditing helps an organization accomplish objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. An effective, independent Internal Audit function can increase a government’s credibility with the public, oversight agencies, granting authorities, and bond markets.

Internal Audit is organizationally independent of ATP administration and reports directly to the Board. All Internal Audit personnel will report to the Internal Audit Director. Any external audit staff that the Internal Audit Director hires to support the Internal Audit function will report to the Internal Audit Director. To maintain its independence, Internal Audit will have no direct operational responsibility or authority over any of the activities under its scope of work. Accordingly, Internal Audit will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair its judgment, including:

- Assessing specific operations for which they had responsibility within the previous year
- Performing any operational duties for the Board or ATP Management
- Initiating or approving transactions external to the internal audit function
- Directing the activities of any employee not employed by Internal Audit

The Director of Internal Audit will ensure that the service remains free from conditions that threaten the ability of internal auditors to carry out their responsibilities in an unbiased manner. Internal Audit staff will maintain an unbiased mental attitude that allows them to perform engagements objectively. If the Director of Internal Audit determines that independence or objectivity may be impaired, the details of impairment will be disclosed to the Board.

In addition to conducting assurance (audit) engagements, Internal Audit may perform advisory services as part of its ongoing role in evaluating and improving the organization’s risk management, control, and governance processes. Participation in advisory services will be of a consultative nature and must be performed without Internal Audit taking on any decision-making authority to protect the independence of Internal Audit. In the performance of advisory services, safeguards will be established to prevent impairments to independence and objectivity.

Periodically, Internal Audit may participate in management committees or project teams. Participation in these engagements will be of an advisory nature to preserve auditor independence. Audit is not a management decision-making function. Decisions to develop, adopt, and implement policies,

procedures, internal controls, or other risk mitigation tools relating to an Internal Audit advisory service must be made by management. Such decisions do not impair auditor independence or objectivity.

STANDARDS OF AUDIT PRACTICE

Internal Audit will govern itself by adhering to the mandatory elements of The Institute of Internal Auditors' International Professional Practices Framework, including the Core Principles, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing in the execution of its duties. When the Internal Audit function becomes fully established, the Internal Audit Director will seek a peer review to evaluate compliance with the standards.

SCOPE OF WORK

The scope of audit coverage is organization-wide. No aspect of ATP is exempt from an audit or review by Internal Audit. Internal Audit's scope of work is any activity relating to ATP's risk management, control, and governance processes and may include evaluation to help ensure:

- Money spent on Project Connect is aligned with ATP's mission
- Risks are appropriately identified and managed
- Assets are safeguarded
- Controls are effective and efficient
- Financial, managerial, and operating information is accurate, reliable, and timely
- Employee actions comply with policies, standards, procedures, and applicable laws and regulations
- ATP complies with significant regulatory requirements
- Quality and continuous improvement are fostered in conjunction with control processes

ACCESS TO RECORDS

Internal Audit is authorized to have unrestricted access to all Project Connect and ATP records, property, equipment, facilities, personnel, contractors, vendors, funding partners, and operations. Any access limitations or restrictions that prevent Internal Audit from performing its duties will be reported immediately to the Board, in addition to regulatory authorities and Project Connect funding partners as applicable. All ATP contracts will contain a "right to audit" clause to help ensure Internal Audit's access to Project Connect records created and maintained by third-party contractors and funding partners. Internal Audit activities and communications are classified as audit working papers, and contain information which may be confidential, privileged, or otherwise excepted from disclosure under §552.116 of the Texas Government Code. Final audit reports will be posted so they are accessible to the public.

RESPONSIBILITIES

The Director of Internal Audit is responsible for:

- Developing an annual audit plan using appropriate risk-based methodologies, and submitting that plan to the Board for review and approval
- Conducting internal audit and advisory engagements in accordance with the annual audit plan
- Reviewing and adjusting the annual audit plan, as necessary, in response to changes in ATP's risk environment, operations, programs, systems, and controls
- Communicating audit findings, recommendations, and management action plans to the Board, and other relevant parties
- Following up with management to assess whether corrective action plans were performed within the mutually agreed-upon timeframe to address the risks noted by Internal Audit
- Preparing and presenting quarterly reports to the Board summarizing the status of Internal Audit's work in a public meeting
- Posting audit reports on ATP's website accessible to the public
- Assisting in the investigation of suspected misconduct or fraudulent activities within the organization and notifying the Board and management of the investigation results
- Supporting ATP management in their interaction with external auditors
- Reviewing results of external audits, including required Single Audit engagements, and ensuring those results are communicated to the Board and considered in annual audit planning
- Maintaining professional Internal Audit staff with sufficient knowledge, skills, experience, and professional certification to meet the requirements of this Charter
- Ensuring conformance with the Code of Ethics and International Standards for the Professional Practice of Internal Auditing of the Institute of Internal Auditors
- Ensuring Internal Audit's adherence to ATP's relevant policies and procedures unless such policies and procedures conflict with this internal audit charter—any such conflicts will be resolved with the Board

Internal Audit staff will adhere to the Core Principles for the Profession of Internal Auditing which include:

- Demonstrating integrity
- Demonstrating competence and due professional care
- Being objective and free from undue influence
- Aligning with the strategies, objectives, and risks of the organization
- Ensuring the audit function is appropriately positioned and adequately resourced
- Demonstrating quality and continuous improvement
- Communicating effectively
- Providing risk-based assurance
- Being insightful, proactive, and future-focused
- Promoting organizational improvement

REPORTING TO THE BOARD

The Director of Internal Audit will update the Board and the Finance and Risk Advisory (FAR) Committee at least quarterly. Periodic updates may concern:

- Internal Audit's purpose, authority, and responsibility
- Internal Audit's plan and performance relative to its plan
- Internal Audit's conformance with the International Professional Practices audit standards, Core Principles, and Code of Ethics
- Significant risk exposures and control issues, including fraud risks, governance issues, and other matters requiring the attention of the Board
- Results of audit engagements or other activities
- Resource requirements

AUDIT PLANNING

Each year, Internal Audit will assess the governance, risk environment, and operations of ATP and will prioritize key risks. This information will be used to identify priorities to be addressed through the annual audit plan. Based on this risk assessment, the Internal Audit Director will present a proposed annual audit plan to the Board for approval. The Internal Audit Director will determine when certain critical risks require more internal audit review. Any significant deviation from the formally approved audit plan will be communicated to the Board.

Internal Audit will report to the Board on its organizational independence at least annually. The Internal Audit Director will disclose any interference in determining the scope of audits, performing work, or communicating results.

The annual audit plan may include compliance, performance, or financial audits and advisory projects. To develop the annual audit plan, an overall risk-based approach will be used to ensure that the Internal Audit function provides the greatest possible benefit to ATP, given resources and combined assurance from other oversight functions. On an ongoing basis, matters considered in developing the annual audit plan may include:

- Strategic and operational plans of ATP and Project Connect
- Known and potential risks to ATP and Project Connect
- Opportunities to enhance achievement of organizational goals and outcomes
- Existence of known errors, irregularities, or control weaknesses
- Results of previous audits
- Changes in operations, systems, or controls
- Changes in regulatory or other requirements
- Financial risks including those noted by external auditors
- Risks noted by the Board, advisory committees, ATP management, and the public
- Requests from the Board, management, or regulatory auditors and authorities

Projects included in the annual audit plan may include assurance and advisory services conducted by Internal Audit, co-sourced with other oversight entities, or outsourced to external auditors at the discretion of the Internal Audit Director.

Projects may include evaluations of whether:

- Desired results or benefits of programs, activities, and policies are being achieved
- ATP management has established adequate internal controls to safeguard assets
- ATP resources and Project Connect funds are utilized economically, efficiently, and effectively
- Reports are being timely and accurately prepared and disseminated for review by the Board and oversight entities as applicable
- ATP management fosters an ethical culture focused on equity, inclusion, and public service
- Information technology and cybersecurity risks are appropriately identified and mitigated
- Indications of fraud, abuse, or illegal acts are present

Occasionally, Internal Audit may, at its discretion, conduct informal reviews in response to a Board request. A Board Member's request for an informal review must have the support of a co-sponsoring Board Member. Such an engagement will be limited in scope and serve as a cursory review of the area in question. The Internal Audit Director will communicate these requests to the entire ATP Board and may report the results of this work in a memo or alternative presentation as determined by the Internal Audit Director. If the Internal Audit Director determines an audit would be a more effective way to address the subject of an informal review, Internal Audit may opt to delay reporting on an informal review until the required audit is completed.

CONSIDERATION OF MANAGEMENT RESPONSES TO AUDIT RECOMMENDATIONS

At the conclusion of an audit, a draft report will be shared with ATP management so that management can provide written response to each recommendation contained in the draft report. This response should: state whether management agrees or disagrees with each recommendation, state the reason for disagreement with a recommendation if applicable, and describe the actions that management will take to address all agreed-upon recommendations, along with a timeline for implementing corrective actions in response to recommendations. Management's response will be included in the final audit report delivered to the Board.

RELIANCE ON WORK OF OTHERS

Internal Audit may consider relying on the work of other internal and external assurance and consulting service providers as needed. When relying on the work of others, Internal Audit will review the other auditors' report(s), audit plan, or audit documentation, and will evaluate their qualifications, adherence to standards, sampling techniques, independence to conduct audit work, quality control procedures, and supervisory oversight. Additionally, Internal Audit will inquire about their methods to determine the scope, quality, and timing of audit work.

CONSIDERATION OF FRAUD, WASTE, AND ABUSE

If Internal Audit determines an ATP employee or official may have violated the law, Internal Audit will consult with and obtain advice from the ATP's attorney, promptly report the suspected violation to the appropriate authority, and notify the appropriate prosecuting authority if the suspected violation may be criminal in nature.

The ATP Internal Audit Director shall manage a whistleblower hotline, and reporting system, through which an ATP employee, Board Member, contactor, vendor, or a member of the public may submit an allegation of wrongdoing. The person making an allegation is not required to provide the person's name. An allegation may include an allegation of: fraud or abuse for personal gain, waste, a violation of ATP personnel policies, or a violation of law.

QUALITY ASSURANCE AND PEER REVIEW

Internal Audit will maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The program will include an evaluation of the internal audit activity's conformance with the Standards and an evaluation of whether internal auditors comply with the IIA's Code of Ethics. The program will also assess the efficiency and effectiveness of the internal audit activity and identify opportunities for improvement. The Internal Audit Director will update the Board on the internal audit activity's quality assurance and improvement program, including results of internal assessments and peer review external assessments conducted at least every five years by a qualified, independent peer review team external to ATP.

DISCUSSION ITEMS:

Discussion of Title VI Program Plan for ATP

What is Title VI?

“No person shall, on the grounds of **race, color, or national origin**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.”

-1964 Civil Rights Act

Additional nondiscrimination regulations and authorities:

- 1973 Rehabilitation Act, Section 504
- 1975 Age Discrimination Act
- 1987 Civil Rights Restoration Act
- 1990 Americans with Disabilities Act
- 1994 Executive Order 12898 on Environmental Justice
- 2000 Executive Order 13166 on Limited English Proficiency

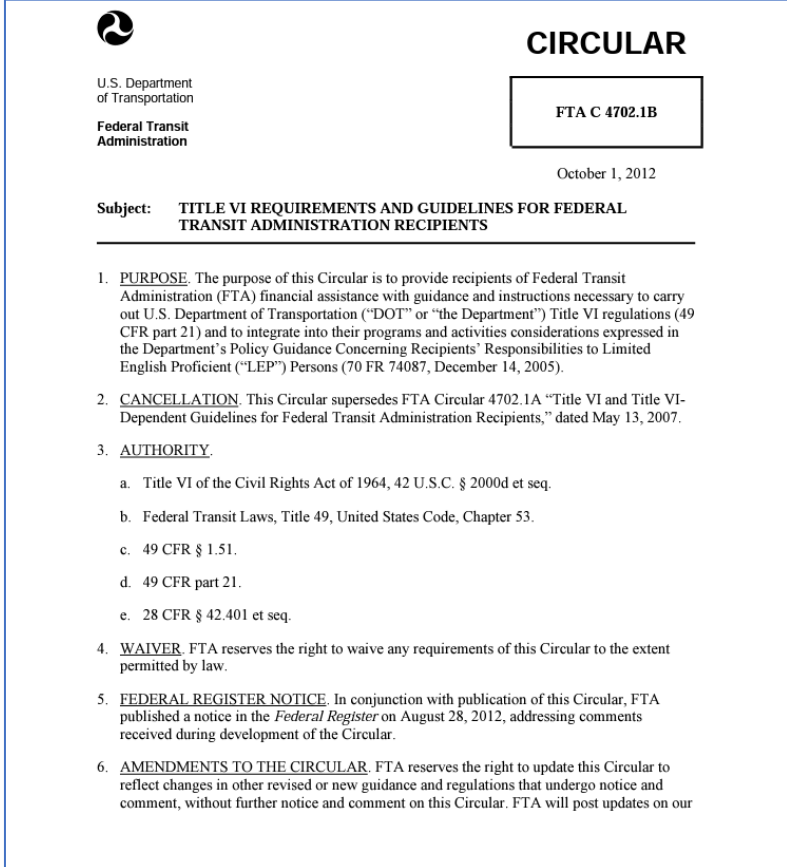
Discrimination Defined

Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.


-FTA C 4702.1B

FTA Program Objectives

- Ensure that the level and quality of public transportation is provided in a nondiscriminatory manner
- Promote full and fair participation in public transportation decision-making without regard to race, color national origin
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency



The image shows a circular document header for FTA C 4702.1B. It includes the U.S. Department of Transportation logo, the text "U.S. Department of Transportation Federal Transit Administration", the word "CIRCULAR", and the document number "FTA C 4702.1B" in a box. The date "October 1, 2012" is also present. The subject is "TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT ADMINISTRATION RECIPIENTS". The document contains six numbered sections: PURPOSE, CANCELLATION, AUTHORITY, WAIVER, FEDERAL REGISTER NOTICE, and AMENDMENTS TO THE CIRCULAR.

 U.S. Department of Transportation
Federal Transit Administration

CIRCULAR

FTA C 4702.1B

October 1, 2012

Subject: TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT ADMINISTRATION RECIPIENTS

1. **PURPOSE.** The purpose of this Circular is to provide recipients of Federal Transit Administration (FTA) financial assistance with guidance and instructions necessary to carry out U.S. Department of Transportation ("DOT" or "the Department") Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005).
2. **CANCELLATION.** This Circular supersedes FTA Circular 4702.1A "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients," dated May 13, 2007.
3. **AUTHORITY.**
 - a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
 - b. Federal Transit Laws, Title 49, United States Code, Chapter 53.
 - c. 49 CFR § 1.51.
 - d. 49 CFR part 21.
 - e. 28 CFR § 42.401 et seq.
4. **WAIVER.** FTA reserves the right to waive any requirements of this Circular to the extent permitted by law.
5. **FEDERAL REGISTER NOTICE.** In conjunction with publication of this Circular, FTA published a notice in the *Federal Register* on August 28, 2012, addressing comments received during development of the Circular.
6. **AMENDMENTS TO THE CIRCULAR.** FTA reserves the right to update this Circular to reflect changes in other revised or new guidance and regulations that undergo notice and comment, without further notice and comment on this Circular. FTA will post updates on our

Title VI Program Plan Contents for ATP

1. Title VI Assurances
2. Notice to the Public
3. Information on how to file a Title VI Complaint and complaint procedures
4. List of any public transportation-related Title VI investigations, complaints, or lawsuits filed
5. Public Participation Plan (narrative)
6. Language Assistance Plan (four factor analysis)
7. Demographic makeup of transit-related, non-elected planning boards, advisory councils, committees
8. Narrative of efforts to ensure subrecipient compliance with Title VI
9. Title VI equity analysis for facility construction

Questions?

DISCUSSION ITEMS:

Discussion of the Capital Interlocal Agreements with CapMetro

**AUSTIN
TRANSIT
PARTNERSHIP**

THANK YOU!