



Austin Transit Partnership Board of Directors Resolution

Meeting Date: 11/17/2021

ATP-2021-028

on Authorizing the Executive Director to Finalize and Execute Joint Powers Agreement

SUBJECT: Approval of a resolution authorizing the Executive Director or their designee to finalize and execute the Project Connect Joint Powers Agreement among the City of Austin, Capital Metro, and the Austin Transit Partnership.

FISCAL IMPACT: No Fiscal Impact.

BUSINESS CASE: Does not apply.

EXECUTIVE SUMMARY: This resolution authorizes the Executive Director to finalize and execute the Project Connect Joint Powers Agreement among the City of Austin, Capital Metro, and the Austin Transit Partnership pursuant to the terms and conditions of the City of Austin Contract with the Voters and the Capital Metro Funding and Commitment Resolution for Project Connect.

RESPONSIBLE DEPARTMENT: Legal.

PROCUREMENT SUMMARY: Does not apply.

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

STATE OF TEXAS

Resolution ID: ATP-2021-028

COUNTY OF TRAVIS

***Approval of a Resolution Authorizing the Executive
Director to Finalize and Execute the Project Connect
Joint Powers Agreement***

WHEREAS, Project Connect is a vision for how we move people today and plan for tomorrow, and will create an integrated transit system that eases traffic, brings jobs to our region, improves the environment and better connects people so everyone in our community can thrive; and

WHEREAS, making public transportation a real, viable alternative for more people will make the greatest positive impact for the environment and help achieve the City of Austin’s (“City”) 50/50 mode share goals established in the Austin Strategic Mobility Plan (“ASMP”) stating that the City “must work with our public transportation partners and enhance services to create an experience that attracts and retains riders” and “unprecedented collaboration between the community, the City, and Capital Metro is critical;” and

WHEREAS, the Capital Metro Board unanimously adopted the Project Connect System Plan (Capital Metro Board Resolution AI-2020-1273) that includes the Locally Preferred Alternatives for the Orange, Blue, Gold, Green, and MetroRapid Lines on June 10, 2020; and

WHEREAS, the Austin City Council unanimously adopted a resolution of support for the Project Connect System Plan on June 10, 2020 (Austin City Council Resolution 20200610-002) and directed the City Manager to amend the ASMP to include the Project Connect System Plan and Locally Preferred Alternatives for the Orange, Blue, Gold, Green, and MetroRapid Lines, as adopted by the Capital Metro Board of Directors; and

WHEREAS, the City Council ordered an election held on November 3, 2020 for the purpose of approving a tax rate to be used as a dedicated funding source for the Austin Transit Partnership (referred to by the City as the “Project Connect Tax Revenue”) to further the objectives of the development and implementation of Project Connect, including funding for transit supportive anti-displacement strategies, and for the purpose of approving funding for a fixed rail system; and authorizing Capital Metro to expend its funds to build, operate and maintain such a system as required by Section 451.071 of Texas Transportation Code; and



WHEREAS, the Capital Metro Board and the City Council each approved an interlocal agreement, committing to, upon voter approval of the Project Connect Tax Revenue, create a joint local government corporation with articles of incorporation and bylaws, to be named Austin Transit Partnership; and

WHEREAS, the Capital Metro Board approved the Community Commitment Resolution, Resolution ID # AI-2020-1297, which included certain requirements be included in a Joint Powers Agreement; and

WHEREAS, the City Council approved Council Resolution No.20200807-003 and Ordinance 20200812-009, establishing a Contract with Voters related to Project Connect, and the Contract with Voters included certain requirements to be included in a Joint Powers Agreement; and

WHEREAS, voters approved Proposition A in November 2020, supporting an investment in Project Connect and the creation of Austin Transit Partnership as the responsible party to implement Project Connect; and

WHEREAS, the City of Austin and Capital Metro entered into an interlocal agreement approving the Austin Transit Partnership Articles of Incorporation and agreeing to create the Local Government Corporation, and the interlocal agreement requires certain items be included in a Joint Powers Agreement; and

WHEREAS, according to the Austin Transit Partnership Articles of Incorporation, the ATP is to be the principal entity responsible for financing, designing, building, implementing, and contracting with Capital Metro to operate and maintain assets funded by the Joint LGC;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ATP that the ATP Executive Director is directed to finalize and execute the Joint Powers Agreement with the City of Austin and Capital Metro, for the purposes of guiding the implementation of the Project Connect high-capacity transit program.

BE IT FURTHER RESOLVED THAT, pursuant to Section 4.2.2 of the Joint Powers Agreement, the Board of Directors hereby authorizes and directs Chair Castro de Barrera to work directly with the ATP General Counsel to identify the proposed process and approach for the ATP Board of Directors to conduct an independent analysis to determine the appropriate leadership model for ATP (the “Independent Analysis”). The ATP General Counsel shall serve as the ATP staff liaison to the Board of Directors, reporting directly and confidentially to the ATP Board with respect to any matters related to the Independent Analysis.



The proposed process and approach for performing the Independent Analysis shall be presented to the ATP Board of Directors for approval at the ATP December 15 Board Meeting. Such proposed process shall, at minimum: (i) identify the objectives and priorities of the ATP Board in determining the appropriate leadership model; (ii) establish a community engagement process with the CAC, technical advisory committees, and others; (iii) identify the key program delivery factors to be analyzed for purposes of determining the appropriate leadership model; (iv) provide for the delivery of an impartial and independent report by a qualified independent consultant selected by the ATP Board to evaluate the advantages and disadvantages of both independent and joint leadership models and any variations thereof, and to conduct a community engagement process; and (v) establish a timeline for the performance of the Independent Analysis with key milestones to meet the March 31, 2022 deadline. The ATP General Counsel shall take the steps necessary to ensure that the proposed process and approach approved by the ATP Board shall be conducted in an impartial and independent manner.

Casey Burack
Secretary of the Board

Date: _____

