

~ NOTICE OF MEETING ~
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS PUBLIC HEARING
www.capmetrotx.iqm2.com

~ AGENDA ~

Wednesday, May 12, 2021

12:00 PM

Video Conference Meeting

I. Presentations:

1. Title VI Policy Update Presentation

II. Public Comment:

III. Items for Future Discussion:

IV. Adjournment

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512) 369-6040 or email ed.easton@capmetro.org if you need more information.

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

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.

Title VI Program Update

Public Hearing
May 12th, 2021



Attachment: Title VI Program Update Public Meeting (4859 : Title VI Policy Update Presentation)

Title VI of the Civil Rights Act of 1964

42 U.S.C § 2000d, et seq

“No person 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.”



Capital Metro Title VI Requirements

Capital Metro receives federal funds and is required to:

- Adopt policies with **thresholds** for when to conduct an analysis for service and fare changes to determine their impacts on minority and low-income populations.
- If a threshold is met and analysis is conducted, present analysis to the Board prior to a service or fare change

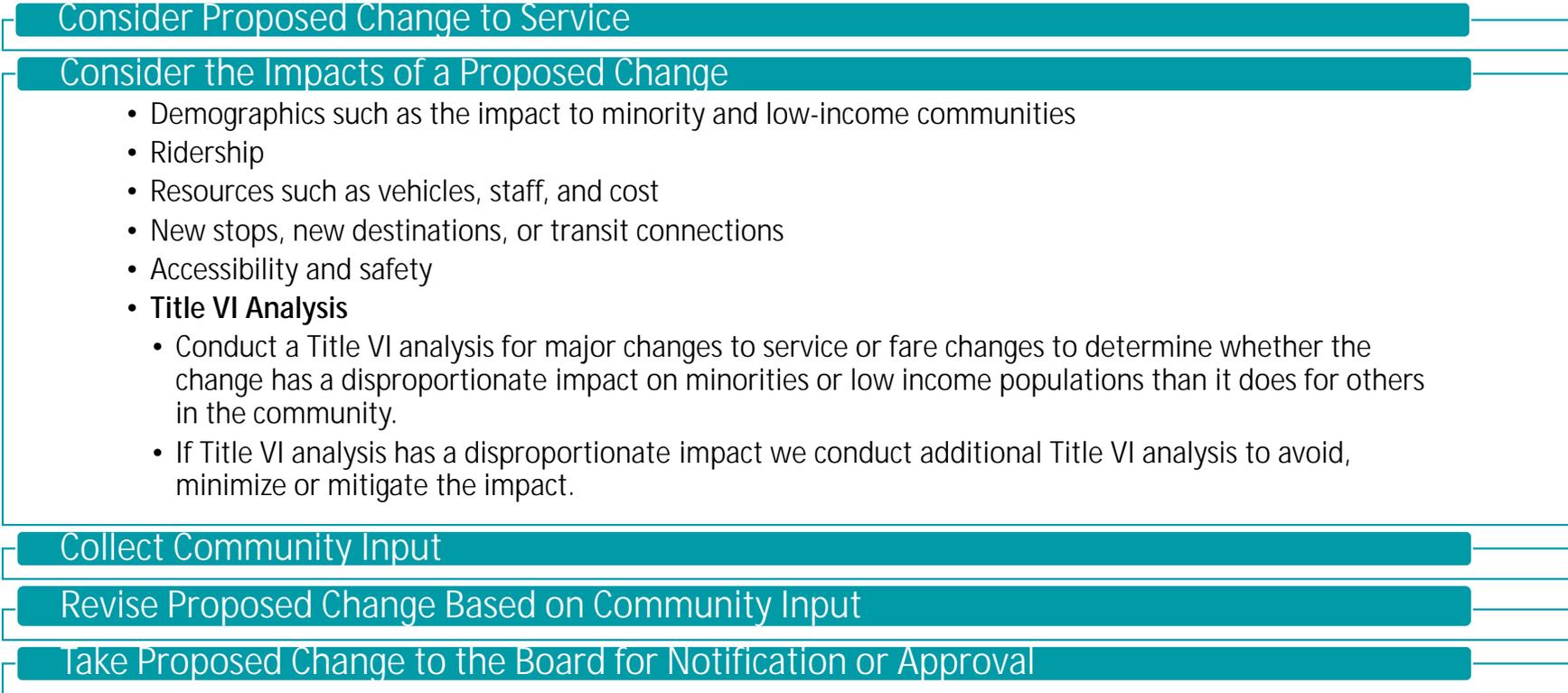


Why Does Capital Metro Make Changes?

We adjust services to meet the needs of our customers and growth of our community



Capital Metro Service Change Process





Title VI Policies

Title VI Program Update Schedule

Why make updates now?

Capital Metro can only make changes to the program every 3 years when we submit to the FTA
This year is the window to review our program and policies and make any changes

2021

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Develop Policies		[Blue bar spanning Feb and Mar]							
Board Meeting #1			● March 29						
Public Meeting					● May 3				
Public Hearing					● May 12				
Board Meeting #2					● May 24				
Board Meeting #3						● June 28			
FTA Submittal							● July 31		



Title VI Policy Update Approach

- Compliant with FTA Guidance
- Conduct peer review
 - ü Review peer agency metrics, thresholds, & demographics for perspective
- Major Service Change considerations
 - ü More clear and consistent with how we plan our services
- DI/DB policy considerations
 - ü Do thresholds & policy work for all fare & service changes?
 - ü Is the threshold appropriate for the agency's demographics and use?
- Seek input – Conduct outreach



The best practice is to be forward-looking and 'timeless' in our policy approach

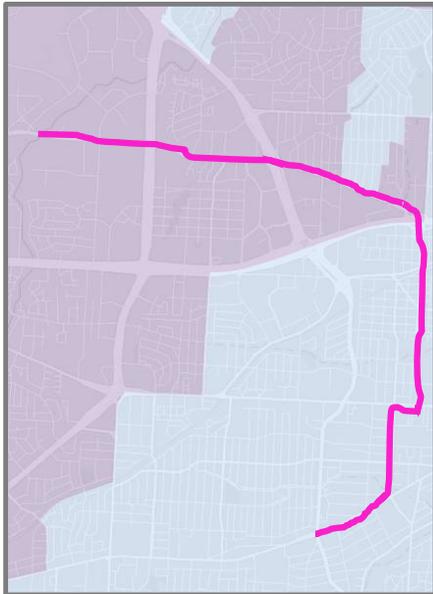
Required Title VI Policies

Major Service Change Policy

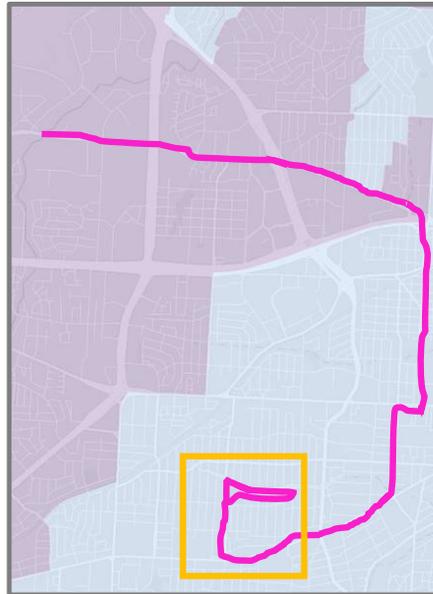
Disproportionate Burden Policy
(Low-Income Population)

Disparate Impact Policy
(Minority Population)

Major Service Change Policy



A: Current Route



B: New Route Proposed



- ü Capital Metro established a threshold for when a “major” service change is considered.
- ü **Service Change Threshold:** If a route changes by more than 25% (annual miles or hours) it triggers an analysis of minority and low-income populations.
- ü All fare changes require a Title VI analysis.

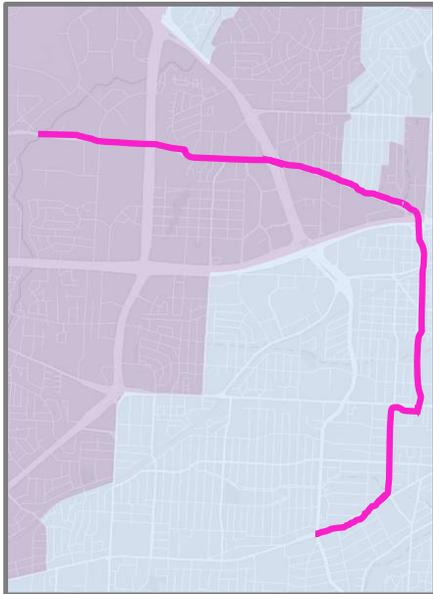
Disproportionate Burden Policy (Low-Income Populations)

- ü **Disproportionate Burden Policy:** Capital Metro established a threshold for determining if a given service or fare change would have a fair distribution of effects on **low-income** populations compared to non low-income populations.
- ü **Disproportionate Burden Threshold:** The difference in the impact to low-income and non low-income.
- ü If the threshold is exceeded, then it triggers further analysis of the routes and Capital Metro is obligated to avoid, minimize or mitigate impacts.

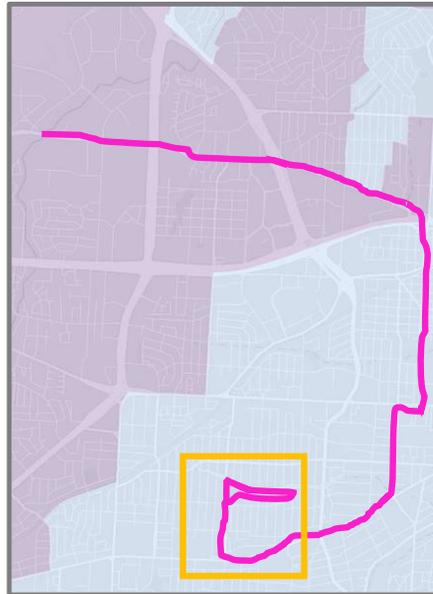
Disparate Impact Policy (Minority Populations)

- ü **Disparate Impact Policy:** Capital Metro established a threshold for determining if a given service or fare change would have a fair distribution of effects on **minority** populations compared to non minority population.
- ü **Disparate Impact Threshold:** The difference in the impact to minority and nonminority
 - ü If the threshold is exceeded, then it triggers further analysis of the routes and Capital Metro is obligated to avoid, minimize or mitigate impacts to protected populations.

Disparate Impact Example



A: Current Route



B: New Route Proposed



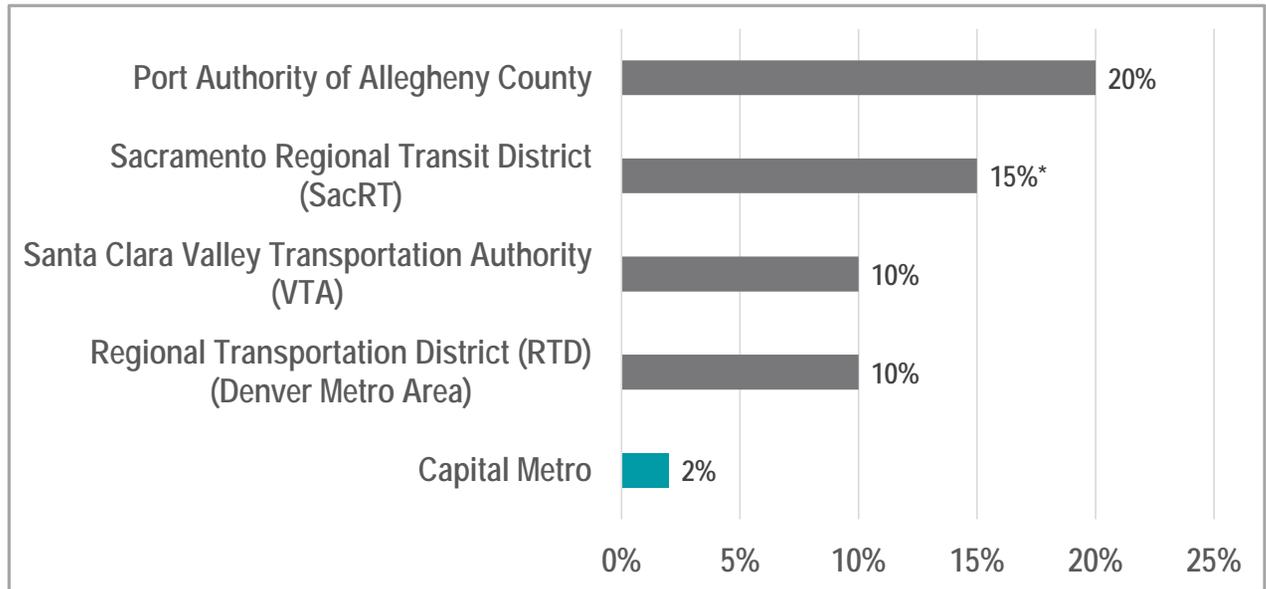
People Trips	A	B	Change	% Change
Non-Minority	40	50	10	20%
Minority	30	33	3	9%

Comparison of Change	11%
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If the impact is greater than or equal to 10% it means additional analysis is necessary.

Threshold Comparison

During the analysis Capital Metro found its current threshold for disparate impact and disproportionate burden of 2% very low and has proposed to change it to 10%.



Objectives for Consideration of a Policy Change

	Threshold Objectives	Benchmarking Thresholds			
		2% (current policy)	5%	10%	20%
1	Thresholds that allow flexibility for future needs as identified in Project Connect modes, service expansions and anticipated fare changes.	✗	Better than 2% but not as well as the others.	✓	✓
2	Thresholds that are responsive to the 50/50 service area demographics.	✗	✗	✓	✓
3	Thresholds that allow for rounding.	✗	✗	✓	✓
4	Do the thresholds meet the spirit of the regulation?	✗	✓	✓	✗
5	Thresholds that allow for meaningful findings. Is the threshold consistent with FTA training guidance that states: "If the statistical difference shows a disparate impact but it is based on a relatively small number, then the absolute magnitude is not present to conclude an actual disparate impact."	✗	✓	✓	✗

Major Service Change Policy Recommendations

1. No change to current threshold (25% of annual revenue miles or hours)
2. Policy Language Updates
 1. Removing specific references to modes to make the policy universal & timeless
 2. Adding exceptions for things beyond Capital Metro's control (i.e. construction detours)
 3. Stating clearly all fare changes result in a Title VI analysis

Title VI Recommendations Summary

Consolidate three separate policies into one policy

1. Major Service Change Policy
 - 25% threshold (current policy)
2. Poverty Threshold
 - 25% higher than the Federal Poverty level (current policy)
3. Disproportionate Burden (Low-Income Populations)
 - 10% threshold that meets policy objectives (proposed change from 2% to 10%)
4. Disparate Impact (Minority Populations)
 - 10% threshold that meets policy objectives (proposed change from 2% to 10%)

Title VI Program Update Schedule

Policy Approval Process

After the public feedback is collected the Capital Metro Board must approve these policies before they can be included in the updated Title VI Program.

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Questions



feedback@capmetro.org



(512) 474-1200



METRO

THANK YOU