

Texas Transportation Equity Assessment

Special Report on Representation at CAMPO

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Decide Texas

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This Special Report is based upon much of the work from Phase I of the Texas Transportation Equity Report, a crowdfunded research project. That report - which should be released in the next month, is but the beginning of the full project to clarify the state of affairs in transportation planning in Texas. Further phases would compare taxation and spending, survey and interview MPO committee members, and broaden this work to include comparisons with MPOs across the country and other transportation planning entities, like Regional Mobility Authorities, Toll Road Authorities, and Transit Agencies.

You can help make Phase II, III, and IV of the Texas Transportation Equity Report possible by contributing at <http://www.DecideTexas.org>.



The Texas capital area - from downtown Austin to Jacob's Hole to historic downtown Bastrop to the lands portrayed in the great historical documentary Office Space - is home to just over 2 million people.

Like most human civilizations, the capital area is just about 50% female.

About 751,075 people of color and 1,295,248 non hispanic white people live in the capital area.

A majority - 1,176,558 or 57% - of the people of the capital area live in Travis County. A stronger majority - 692,423 or 74% - of the jobs in the capital area are in Travis County. An even stronger majority - \$776,898,606 or 79% - of the wages paid every week in the region are paid in Travis County.

The Capital Area Metropolitan Planning Organization is a federation of local governments across six counties that coordinates transportation planning, creates short and long terms transportation plans, and has the authority to allocate some funds amongst geographical areas and modes, while all regionally significant projects - even those completely under their sponsors discretion - must conform to CAMPO short and long range plans.

We clearly have problems in regional cooperation. Various transportation initiatives - especially transit proposals - have been killed at the ballot box, while the tone of regional discussions seems tense and combative. Many discussions seem dominated by elected officials fighting over pieces of the pie, instead of fitting the pieces together into a coherent, efficient regional system. Even TXDOT staff complain that the regional forecast models -

created by CAMPO committee process - are haphazard, politically argued representations of what people hope supports their vision for future spending, not either a technically accurate representation of reasonable future growth or a vision based upon citizen goals and priorities.

A more efficient, equitable, productive regionalism is possible for the capital area.

For the core research for this report, I simply spent the time to catalogue the current and recent membership of the leadership committees of CAMPO and made a reasonable attempt to identify their gender, race, and ethnic status. There are most certainly going to be some errors when attempting to identify gender, race, and ethnicity from how public officials present themselves on the internet, but the patterns found are clear.

This report is presented as a timely instrument to be used in a current policy debate - derived from a larger work that will be published later this fall. Data and figures presented throughout this report will be fully documented in that later report, but including cumbersome spreadsheets in this report does not make sense. I will make as much of the backup information and spreadsheets available in blog posts at DecideTexas.org this week.

Current people of the capital area and people of CAMPO Committees

While not as diverse as some other major metros in Texas, the capital area is now only 63% White (non Hispanic or Latino) people with 421,328 Hispanics, 124,723 Black, 81,852 Asian, 123,171 other People of Color living in the region. As noted above, half of





the people here are women and a majority of the people of the region live inside of Travis County.

CAMPO is governed by the Transportation Policy Board, which is advised by the Technical Advisory Council and various subcommittees. The US Department of Transportation maintains a guide for policy makers and citizens to understand the role of the MPO “The Transportation Planning Process Key Issues: A Briefing Book for Transportation Decision-makers, Officials, and Staff”¹. It seems a good time in the policy world of the capital area for a large amount of people to read through this guide, as well as the formative documents of CAMPO, the Joint Powers Agreement² and the By-Laws of both the Transportation Policy Board³ and Technical Advisory Committee⁴.

The US Department of Transportation says:

There are five core functions of an MPO:

Establish a setting: Establish and manage a fair and impartial setting for effective regional decision-making in the metropolitan area.

Identify and evaluate alternative transportation improvement options: Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program or UPWP (see page 8).

Prepare and maintain a Metropolitan Transportation Plan (MTP): Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least twenty years that fosters (1) mobility and access for people and goods, (2) efficient system performance and preservation, and (3) good quality of life.

Develop a Transportation Improvement Program (TIP): Develop a short-range (four-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area’s goals, using spending, regulating, operating, management, and financial tools.

Involve the public: Involve the general public and other affected constituencies in the four essential functions listed above.

The primary questions explored in this report are whether or not CAMPO is currently doing a good job of the first and last of these major points - establishing a “fair and impartial” setting and involving the public. Deficiencies in achieving these two functions will mar all other functions of the MPO and yield less than optimal evaluations of alternatives, long range planning, and short range programming.

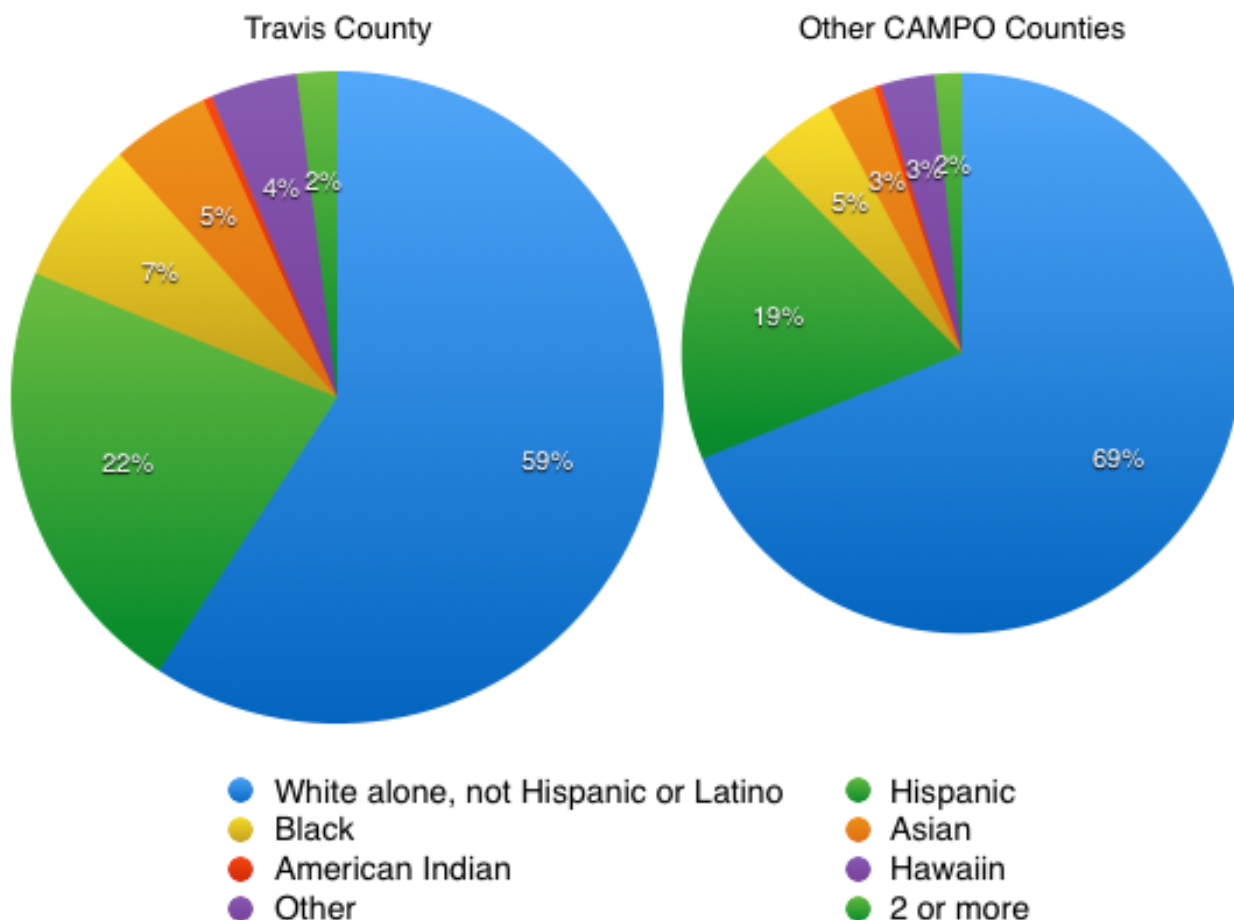
Important to note at this point is that CAMPO is made up currently of three core bodies: the Transportation Policy Board (TPB), the Technical Advisory Committee (TAC), and staff. The dedicated

people serving in all three of these functions are some of the smartest, most capable, and most thoughtful people working to improve the quality of life for all the people of the capital area. Whether they be white or black, male or female, Hispanic or not, I believe that each member of the TPB, the TAC, and staff strives as a public servant to do good for all the people of our region.

However, the system as a whole seems to be failing us and in need of change. A more equitable system will allow these great Texans - and some additional great Texans that could balance the diverse representation at these tables - to do an even better job. We need to add some seats at the table for women, people of color, urban residents, and some more diverse points of view.

The TPB

The Transportation Policy Board makes many of the big decisions about our regional transportation system. While to some extent TXDOT, local governments, and local agencies can make their own independent decisions on how to invest their own funds, all regionally significant projects have to be coordinated through TPB decision making and planning. We have a long range plan, the 2040 Regional Transportation Plan, that outlines the TPB's opinions about the future of our region and plans to provide public transportation systems for the region. We also have a short range plan, the Transportation Improvement Plan, that is in many ways simply a tallying up of all the projects that are ready to be implemented over the next two years and those that seem likely over the two years following that. The TPB is responsible to the people of the capital area



These pies show the people of Central Texas with the area of the two pies proportional to actual numbers of people. Proposals to disenfranchise the people of Travis County are proposals to give more voting power to the people living in the "Other CAMPO Counties". 480,036 people of color live in Travis County and 271,036 people of color live in the other counties. 696,522 non Hispanic or Latino White people live in Travis County and 598,725 non Hispanic or Latino White people live in the other counties.



to provide a RTP that has a good chance of meeting their goals through methods aligned with their priorities, and to ensure that the TIP is a reasonable regional program of investment in transportation.

While in many ways, the TPB's largest contributions to our region are helping guide spending by others, most notably TXDOT, Capital Metro, and CTRMA, the TPB does have discretion over the use of some funds. The most recent public debate was the decision to end funding of Lone Star Rail, the effort to provide passenger rail service all the way from Georgetown to San Antonio, which both CAMPO and the MPO to the south - the Alamo Area Metropolitan Planning Organization (AAMPO) - have funded over the years.

More significantly, there are some state and federal funds that are regionally discretionary that the TPB controls. These are the funds that are part of the TIP Call for Projects, which were technically allocated in the June meeting of CAMPO. Many of these funds, such as the Federal CMAQ - Congestion Mitigation and Air Quality - Funds could be used for all kinds of things that the people of Austin probably feel we have no money for, such as sidewalks, transit, safe streets, or even transit oriented development. Yet, the TPB predominantly chooses to spend such funds on roads.

The TAC

Most - or perhaps all - MPOs have a Technical Advisory Committee intended to be kind of the group of "transportation nerds" who crunch the data, collaborate on understanding regional data, issues, visions, goals, and strategies to give meaningful advice to the elected decision makers who serve on committees like the TPB. CAMPO has a TAC composed entirely of public agency and local

government staff, with allocations of seats - votes - on the TAC laid out in the Bylaws of the TAC, which have been created and updated by the TPB.

While the TAC is composed of mostly professional transportation planners, it would be unwise not to think of the TAC as part of a system of allocating scarce resources. There is no getting around the fact that recommendations of the TAC impact how billions of dollars in public funds are allocated geographically and amongst modes and purposes across our region.

Other MPOs in Texas and elsewhere include seats on their TAC for people from outside governments or public agencies to ensure different points of view in terms of the expertise at the table. CAMPO clearly could use some more input from people with environmental, health, equity, business, freight, and other multimodal points of view.

People of Color

Including a diversity of points of view is important at all stages of a massive regional project, like those undertaken at CAMPO. Missing whole sectors of society in such discussions will yield less optimal results and less efficient use of public funds and less favorable results for all.

The fact that CAMPO committees have underrepresentation from people of color does not mean that any of the people involved are racist or that any of those individuals should be removed from the transportation decision making system. A white man can very much effectively advocate for the needs of and represent the views of a black woman - and vice versa. But systematically, the Texas transportation decision making system does not include enough people of color at the table, and

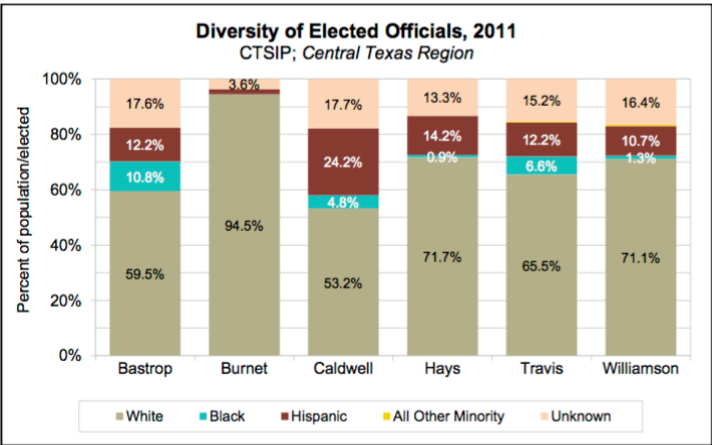
this is true at CAMPO. A systemic exclusion of representative amounts of people of color - and women - not only is profoundly unfair, but is likely yielding suboptimal results as important needs and desires simply cannot be considered at the table. As one example, we know that people of color are more likely to not own a car⁵ and more likely to be killed as a pedestrian⁶.

Fifty people sit on the combined CAMPO TPB and TAC. A representative set of people of color included in the transportation decision making process for the capital area would mean that we would have around 18 people of color included in those committees, yet there currently are only six people of color on both committees combined.

If we were to think that undocumented immigrants - of whom there are at least 79,000 in Travis County - do not deserve representation on these committees, it would be reasonable to argue that the appropriate target would be just 17 instead of 18 for people of color.

People of color of the capital area deserve eleven or twelve more seats than they currently have at the TPB and TAC, which would mean about four more on the TPB and about eight more on the TAC, if the current totals were maintained.

The Joint Powers Agreement that is the legal basis of CAMPO and establishes the apportionment of

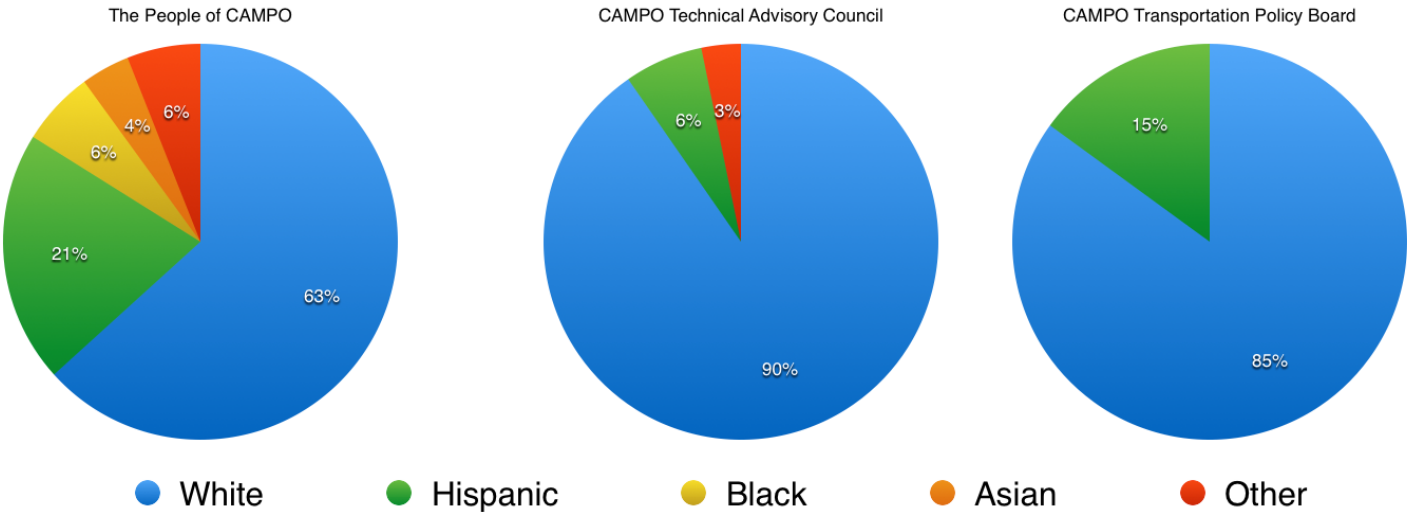


Note that if a state office represents multiple counties it is calculated for each applicable county.

seats - and votes - on the TPB, includes this language:

“Entities selecting elected members of the Transportation Policy Board shall assure racial and ethnic minority representation on the Board that reflects the minority population of each county, to the maximum extent possible.”

This does not appear to be working out to the maximum extent possible. According to the the capital area Sustainability Indicators Project, a collaborative research project co-sponsored by CAMPO, there are in fact people of color who are elected officials in each of the six counties of the region. Since 2011 - which is the oldest year that meeting minutes are available online at CAMPO - Bastrop, Burnet, Hays, and Williamson County, the Cities of Cedar Park, Georgetown, Round Rock, and



Capital Metro have not ever been represented on the TPB in any of the intervening six years by a person of color.

Women

Women need more seats at the table on both the TPB and TAC. Travis County and the other counties have different records in terms of sending women to the TPB and TAC, with women making up a slight majority of Travis counties representatives on the TPB, the only delegation or committee I found represented at CAMPO that had something near even representation. On the TAC, only slightly more than a third of the Travis County delegation are women, but the delegation from other counties has a ratio of women less than a third.

Women deserve four more seats on the TPB and five more on the TAC if the current totals were maintained.

CAMPO seems to have a policy of referring to the leaders of committees with non-gendered terms. However, Chair Conley seems to prefer to gender the term, referring to himself as “chairman” on all of his own websites, and members of the TPB refer to him as “chairman” during meeting. The backup included in the TPB agenda with the original August proposal for disenfranchising Travis County residents refers to Conley as “chairmman”. Gendered leadership terms are outdated and an impediment to equitable representation.

Since 2011, Burnet, Caldwell, and Hays County, the Cities of Pflugerville, Cedar Park, Georgetown, Round Rock, and San Marcos, and TXDOT have not



25 District Engineers
1 Female
3 Hispanic

This is Our TXDOT

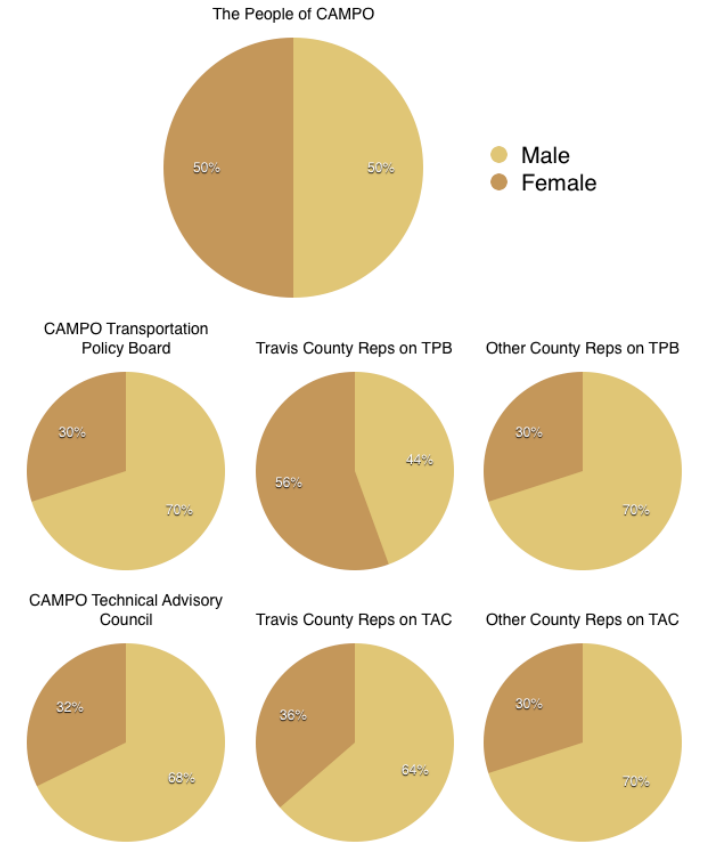
Administration: 11 Men, 2 Hispanic, no women



Texas Transportation Commission



Thom D. Lewis
Jeff Austin
D. Bruce Ruggs
Laura Ryan
Victor Vandenhoff



ever been represented on the TPB in any of the intervening six years by a woman. To be fair, TXDOT has a known gender, race, ethnicity problem among its staff, so it would be very hard for TXDOT to appoint a woman or a person of color to the CAMPO TPB.

Clearly we have a lot of work to bring Texas to parity between men and women’s participation in our democracy at all levels of government decision making. We need more women in engineering professions and running for office. But governments of the capital area could stop participating today in the failed concept that transportation decision making can reach optimal solutions without equal parts men and women throughout the process. Gendered terms should be wholly removed from use for positions of power as a minimal start.

Beyond the scope of this report, we need to understand how having women and people of color at the table will in fact yield different decisions. For just one example, from the Houston - Galveston Area Council Our Great Region Survey, we know that women in the Houston area prioritize safety and



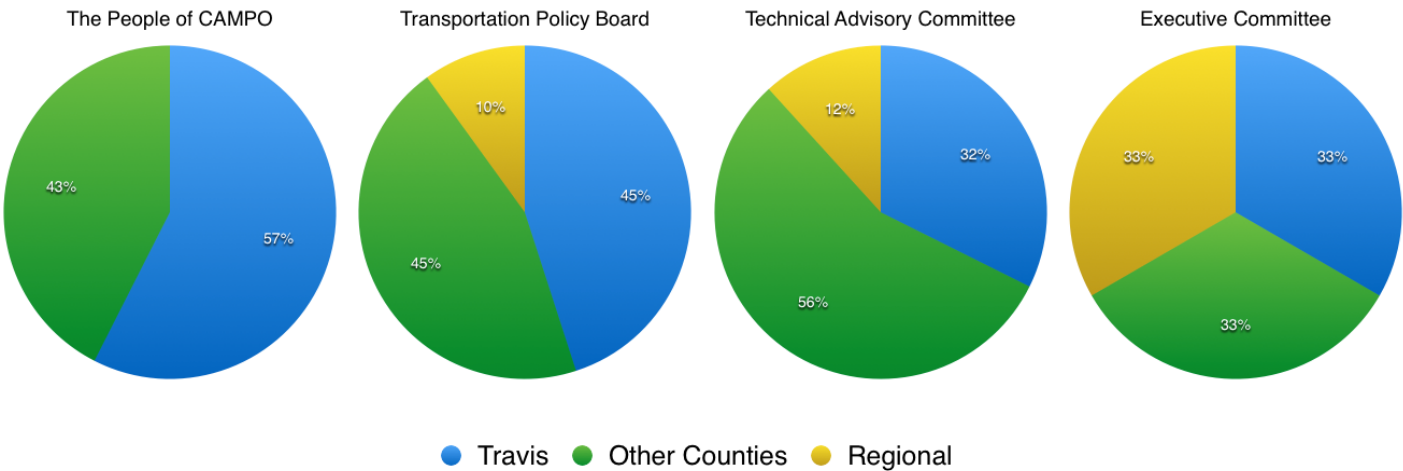
walking more than men⁷, as just one example. Every single decision made at CAMPO is lacking a normal amount of female perspective and it is not a stretch to assume many decisions reflect this bias and we are reaching different outcomes than if women were equally present at the table.

City dwellers and sub-urbanites feel unfairly treated

Transportation policy debates in the capital area - like most of the country - keep returning to bitter disagreements where residents of sub-urban areas feel they are not getting their fair share. Perhaps they see all the benefits of urban living and feel cheated by the bill of goods they were sold - car dependent, inaccessible housing. Austin Council Member Don Zimmerman successfully articulated

this sentiment in arguing over the Mobility Bond and succeeded at securing pork barrel type allocations perceived to benefit sub-urban residents of Austin. Travis County Judge Sarah Eckhardt has most publicly stood up for the majority of residents of the capital area who live in the more dense urban areas, including standing in the way of the recently proposed changes to the TAC.

But who is really being cheated? Who is paying for whom? And what do we all deserve in the way of representation? How can we develop a fair, equitable, more cooperative regionalism? First, we need a better public understanding of the current system of transportation planning and spending allocations, which is the main intent of this report.





Were one to desire a strict one - person, one - vote system to represent all the people of the capital area on CAMPO committees, the Governments inside Travis County should have six more seats on the TAC as now and two more seats on the TPB as now.

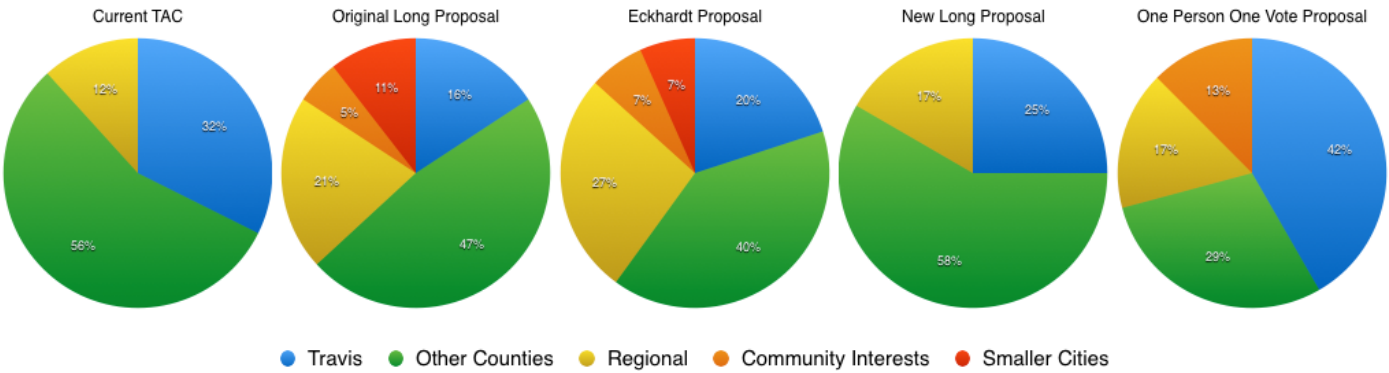
The concept that MPOs are skewed toward suburban interests is not a new theory for those interested in urban planning and transportation. Where the capital area seems unique is the seemingly honestly held belief by suburban residents - or perhaps just elected officials - that they are getting the short end of the stick, when all evidence points to the opposite, including the simple math of representation on CAMPO committees. Over the last decade, this has gotten worse for Travis County residents, culminating in the recent proposal to further disenfranchise them on the TAC.

The current TAC does not fairly represent the people of Travis County with one vote on the TAC for every 106,960 people compared to one vote on

the TAC for every 45,777 people in the other counties of CAMPO. This means that currently each resident of Travis County is represented on the TAC at a rate 43% of the amount that their friends in the other counties of CAMPO are represented. However, it is important to note that using just Travis county is a crude approximation for urban and there are residents of all counties in the region living in urban settings. Yet the percentage living in such settings are much, much smaller than those living in efficient, urban settings in Travis.

Proposed changes to the CAMPO Technical Advisory Committee

Three proposals have been put on the table in the last two months to reapportion representation on the TAC: the original Long proposal, the Eckhardt counter-proposal, and the new Long proposal - which is reportedly a compromise agreed to in the secretive subcommittee. All three proposals would further dilute representation of residents of Travis County on the TAC.



The final Long proposal would leave the people of Travis County with one vote on the TAC for every 196,030 people compared to one vote on the TAC for every 62,126 people in the other counties of CAMPO. Were this proposal to be approved by the TPB - and not blocked by the US Justice Department - it would mean that each resident of Travis County would be represented on the TAC at a rate 32% of the amount that their friends in the other counties of CAMPO are represented.

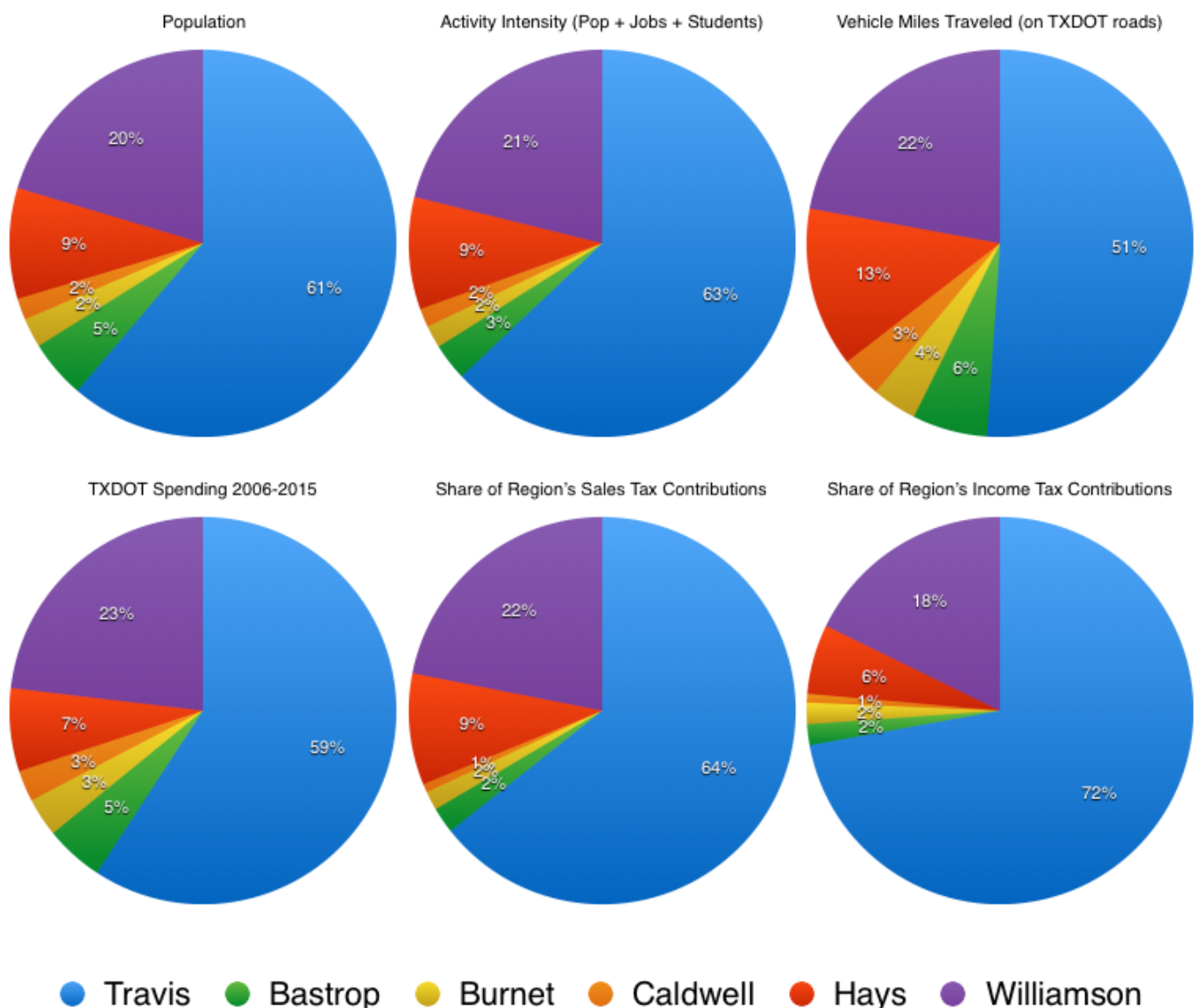
For residents of Travis County, the current Long proposal means one person - one third of a vote.

An alternative proposal for a TAC based upon the principle of one person - one vote could be created with 10 seats for Travis county governments, 7 for governments from the rest of the region, 4 regional

seats, and 3 community interest seats. I believe holding three community seats for persons representing health, environment, and multimodal concerns could provide much needed perspectives that seem missing from the current structure.

Taxation without representation

MPOs are the only decision making entities made up of elected Texans - mostly - that are actually part of the state transportation funding allocation system. The Texas Transportation Commission - five white people one of whom is female - are appointed by the Governor with the blessing of the Texas Senate. Regional Mobility Authorities, Toll Road Authorities, and Transit Agencies have various board structures. But the MPOs substantially impact the allocation of Texas state transportation funds.





Texas transportation spending is funded by a variety of sources, with the largest single chunk coming from the Federal government. Much of this comes from gas taxes, but not all. Some estimates show that about half of Federal Transportation spending comes from gas taxes, with the rest generally coming from income taxes.

In the course of this work, I have confirmed with the Texas Comptrollers office that the State of Texas has no ability to account for the geographic distribution of gas tax collections across the state. The comptrollers office tracks gas taxes by the wholesale location, but a gas truck might fill up in Houston and drive to Dallas to fill up a gas station. It would be theoretically possible to estimate gas tax contributions if you had data on fleet efficiency by county and vehicle miles traveled, but there is no indication that TXDOT does this.

We do know how much each county contributes to sales tax and Federal income tax. Also, the massive amount of road spending required by Prop 7 over the next decade is largely based upon sales tax revenues. One of the most significant allocation exercise that CAMPO decision makers will participate in for the next decade is how to best invest these new funds.

Travis County contributes a greater portion of the region's sales and income taxes than its portion of population and jobs, with a full 72% of the region's income taxes collected in Travis County. Yet the proposal on the table would allocate less than a

third of the votes on the TAC to representatives of Travis County residents. This is a form of taxation without representation.

Spending without representation

Weirdly, perhaps the taxation without representation isn't the biggest problem for the residents of Travis County. While they may be basically paying for the unhealthy driving habits of Williamson County residents, this system of sprawl socialism has been going on for decades without anyone really noticing their personal costs. But the current structure of CAMPO presents a much more troublesome prospect.

Suppose that TXDOT generally is going to spend the largest amount of money in Travis County out of the region, somewhat related to the county's share of population and vehicle miles traveled. Suppose you set up a regional entity to control the nature of regional transportation spending, with the largest portion of its spending being projects inside of Travis County. Then give a disproportionate amount of control of those spending decisions to elected officials from outside of Travis County.

What types of projects would they support? Would they be able to adequately weigh the costs and benefits for the people of Travis county? Or would they instead prioritize that transportation spending toward their perception of the benefits for the minority of people living outside of Travis County?

The priorities of the people of the capital area

If we believe that CAMPO committees are structurally inequitable, the expected outcome is that they are not competently involving the public in their decisions, not establishing a fair and impartial setting for effective regional decision making. What this means is that the CAMPO committees are not aligning their work to the priorities of the citizens of the capital area.

There are various public processes that establish the vision and goals of the people of the urban core, such as Imagine Austin and the City of Austin Mobility Talks survey. The actions of CAMPO are clearly not aligned with these. There was also Envision Central Texas, which worked for decades to help local governments move toward the future they believed the people of the capital area desired. That organization folded a couple years ago.

CAMPO used to partner with UT and TTI in the the capital area Sustainability Indicators Project, which provided some understanding of the priorities of the people across the capital area. However, I found the published survey questions to be less than adequate to understand how citizens would prioritize transportation tradeoffs and the reporting of them to be both odd.

How does the CAMPO 2040 Regional Transportation Plan establish the vision, goals, and strategies aligned with the citizens of the capital area?

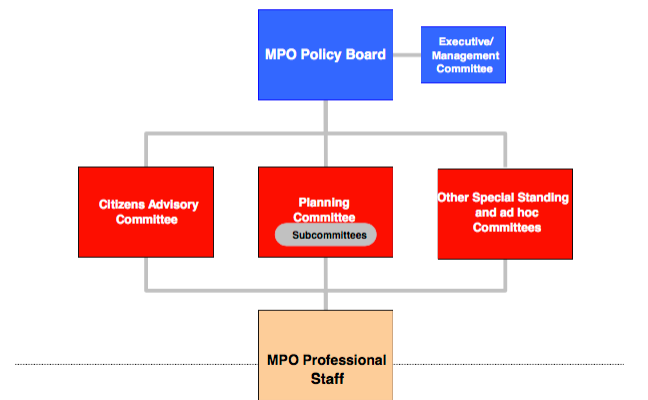
An alternative vision for a more equitable, efficient regionalism for the capital area

The proposals on the table for further disenfranchising Travis County residents are clearly wrong. We need a more equitable approach that would also yield more efficient results.

Arguing what would be fair apportionment of seats - votes - on the TPB and TAC are quite complex. Suburban leaders fear that giving residents of Travis County the majority of votes - the fair solution by the one-person one-vote principle - would create an oppressive bully only self-interested, excluding the interests of the 43% who do not live in Travis County.



"Typical" MPO Structure



However, the current Joint Powers Agreement actually gives what many understand as a veto to six entities: Travis, Williamson, Hays, and Bastrop Counties, the City of Austin, and TXDOT - which some feel in practice means the Texas Transportation Commission. So, not only are the TPB and TAC currently apportioned to disenfranchise the people of Travis County in terms of votes, the smaller counties also maintain a veto.

The Association for Metropolitan Planning Organizations provides a presentation for region's going through the process of setting up a new MPO⁸. They suggest that the "typical" MPO structure includes a "Citizens Advisory Committee" at the same level as the Technical Advisory Committee. We need to explore adding this committee.

The CAMPO Citizens Advisory Committee should be 20 people from across the region, each elected by a portion of the region home to 100,000 people. These districts should be drawn without regard to local jurisdictions, yielding a mix of purely urban, suburban, rural, and mixed districts, abstract from the existing jurisdictional battle lines. This committee should receive the same staff and funding support the TAC does and its recommendations should be balanced with the TAC for decisions made by the TPB.

The people of the capital area deserve something better that can better represent us all.

¹ US DOT, "The Transportation Planning Process Key Issues: A Briefing Book for Transportation Decision-makers, Officials, and Staff" (https://www.planning.dot.gov/documents/briefingbook/bbook_07.pdf)

² Capital Area Metropolitan Planning Organization, Joint Powers Agreement (http://www.campotexas.org/wp-content/uploads/2013/08/Signed-JPA_August2013.pdf)

³ Capital Area Metropolitan Planning Organization, TPB Bylaws (<http://www.campotexas.org/wp-content/uploads/2013/08/Bylaws-Amended-1.14.pdf>)

⁴ Capital Area Metropolitan Planning Organization, TAC Bylaw (<http://www.campotexas.org/wp-content/uploads/2013/08/TAC-Bylaws-as-Approved-December-9-2013.pdf>)

⁵ Alan Berube, Elizabeth Deakin, and Steven Raphael, University of California, Berkeley and Brookings Institute, "Socioeconomic Differences in Household Automobile Ownership Rates: Implications for Evacuation Policy" <http://socrates.berkeley.edu/~raphael/BerubeDeakenRaphael.pdf>

⁶ National Highway Traffic Safety Administration, National Center for Statistics and Analysis, "Race and Ethnicity in Fatal Motor Vehicle Traffic Crashes 1999 - 2004" <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/809956>

⁷ Houston - Galveston Area Council, Our Great Region 2040, Think 2040 Survey, http://www.ourregion.org/survey/results_gender.html

⁸ Association of Metropolitan Planning Organizations, "MPO 101: Introduction to the purpose and function of an MPO", <http://www.ampo.org/wp-content/uploads/2014/01/ampo-mpo101-2012-ann-conf.pdf>