



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D:	
DATE: 5/10/2023		5/18/2023		BOARD INITIATED ITEM: Yes	
Originator/Prepared by: Javiere PruittHill Dept: Office of Civil Rights Signature/Date: 5/18/2023	DocuSigned by: <i>Javiere PruittHill</i> A209A947572F420...	General Counsel DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8...	DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD...	Controller/Treasurer DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD...	District Secretary DocuSigned by: <i>Pamela Herhold</i> 3BB24D65B8724F5...

Title VI Parking Policy Equity Analysis

PURPOSE:

To request Board approval of the Title VI Parking Policy Equity Analysis.

DISCUSSION:

To ensure compliance with federal Title VI regulations, BART is required to conduct an analysis of any proposed fare change to determine if the change could potentially place a disparate impact on minority parkers or a disproportionate burden on low-income parkers (protected populations). An equity finding is made based on a demographic assessment of affected parkers and the public outreach was designed to ensure equal opportunities for engagement for protected populations and limited English proficient (LEP) populations. Should a disparate impact or disproportionate burden be found, then in accordance with BART's Disparate Impact/Disproportionate Burden (DI/DB) Policy and the Title VI Circular, BART is required to take steps to avoid, minimize, or mitigate such impacts.

According to the Federal Transit Administration (FTA), because parking fees charged by a transit agency recipient to users of transit station parking facilities are in addition to the transit fares charged by the recipient when assessing a total one-way trip cost, BART has prepared this Title VI Equity Analysis of the potential impacts to protected populations arising from proposed changes to the District's parking policy. BART developed a methodology to evaluate the impacts of changes to the parking fee structures on protected populations, using demographic data from the Customer Satisfaction Survey and parking survey results.



Title VI Equity Analysis and Findings:

In compliance with FTA regulations, BART performed a Title VI analysis of the parking policy change impacts on protected populations. Based on the results of this analysis, BART has determined that implementation of the parking policy change would not have a disparate impact on minority parkers but may potentially create a disproportionate burden on low-income parkers. This was primarily due to the high proportion of low-income parkers utilizing the Daily Fee product and the impact of the rate ceiling increase relative to the reserved parking products. Therefore, BART must take additional steps to minimize or mitigate such adverse impacts.

The proposed policy includes three separate analyses that test for disparate impacts and disproportionate burdens for protected populations. All Rider, Parking Product Type, and Extended Hours analyses were performed as described in the Title VI Parking Policy Equity Analysis report. Data utilized for the analyses is from the 2022 Customer Satisfaction Survey and the Parking Policy Survey, which was conducted specifically for this proposal.

The following table summarizes the analysis results:

Analyses Results

	Disparate Impact?	Disproportionate Burden?	Mitigation Recommended?
All Rider Analysis	No	No	No
Parking Product Type	No	Yes	Yes
Extended Hours	No	No	No

The next table shows the equity findings, which consider both the analysis results and the public comments received. **A disproportionate burden was found for the proposed change to the parking price range, but not for the extended hours.** Protected populations were more likely to voice general opposition and cite personal impacts from the increase. As a result, staff recommends the District consider steps to avoid, minimize, or mitigate the potential impacts.

Equity Findings

2024 Parking Increase	Minority	Low-Income
Equity Finding	No	Yes
DI/DB Analysis Findings	No	Yes
Public Input Received	More likely to cite personal impacts	More likely to cite personal impacts

When the Title VI Parking Policy Equity Analysis is approved, the report is accessible at the [BART Title VI Program website](#). The report provides details for the proposed parking product cost change regarding analysis findings, public input, the parking policy change’s equity findings, and mitigations where applicable.

Title VI Public Participation:

Staff utilized several outreach methods, including online surveys in English and other languages. Flyers were distributed in English with LEP-focused taglines. Advertisements were placed in BART news articles and newspapers serving LEP populations. Additionally, staff performed outreach on November 16, 2022 during the Special Joint Meeting of the Title VI/Environmental Justice and LEP Advisory Committees.

Staff conducted in-person public outreach by distributing flyers on parked cars at six targeted BART stations as well as online surveys to identify the impact of two proposed changes to the parking policy: (1) Updating the allowed price range for parking products and (2) Extending the hours and days during which BART would charge for parking.

Outreach occurred from Monday, November 28, 2022, through Friday, December 16, 2022. Relevant data from the 2022 Customer Satisfaction Survey was also incorporated into the analysis below.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of the Title VI Parking Equity Analysis. There is a potential fiscal impact if mitigation is implemented.

ALTERNATIVES:

Do not approve the Title VI Parking Policy Equity Analysis. Implementation of the proposed Parking Policy would be delayed until the report is adopted.

RECOMMENDATION:

Approval of the following motion.

MOTION:

The Board of Directors approves the Title VI Parking Policy Equity Analysis.