

## City Council Work Session Transcript –09/30/2014

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>> Nick check, one, two. Mic check, one, two

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>> mayor leffingwell: Good morning, we'll call this austin city council work session to order. We're in the board meeting room. Austin city call crew. We begin with the preselected agenda items for discussion. The first is item number two on austin energy. Pulled by councilmember spelman. It is a little bit [indiscernible]. It is a red light now, instead of a green light. I don't think it is working. >> [Indiscernible]

[03:07:35]

>> [indiscernible] [indiscernible] >> to get the project initiated and hopefully on line, at the earliest, july of 2015, which gives us an opportunity to market the program in the spring, summer of 2015. >> More solar is welcome, I understand this is a good site. I understanding the kingsbury site is similar to the characteristics of the webberville station. Do we have a matrix to look at? >> I can give that to you in follow-up to the top three bidders. I can make it for you for the top three bidders. >> Spelman: How come for not all the bidders. >> There was a scoring panel put together. I didn't serve on the scoring

[03:09:36]

panel. There were 11 bidders, three were selected based on financial strength, based on local presence, based on their experience doing other similar types of projects, and their ability, I think, to bring this online within budget. So we were very impressed with the bids that we received, and frankly the price. One of the things we look at in terms of meeting our solar goals is the cost of rooftop solar compared to a community solar offering. In looking at this offering, it would be less expensive to meet our solar goal and be a larger scale offering such as community solar and meets the needs of the community, as you may know may not be able to subscribe to solar because they have multifamily housing, shaded roofs or can't afford the up-front costs of putting solar on the roof. >> Spelman: I'm one of the people thits that

description. I would not be able to get solar because of a big tree they will not remove to get solar. >> We would be happy to sign you up. >> Spelman: How does the \$89 megawatt hour, compared to the other examples. >> You are getting into the program design area, which we are planning to conduct more research on, coming up, once we've got approval and can get into the final design and costs will be after we go through negotiations. But the cost per megawatt hour of rooftop solar in terms of the additional costs that we incur. This is basically through a residential benefit, roughly 3.7 cents per kill watt hour in terms of the premium we pay. In the case of this offering, it would be probably about half of that. So again, you're looking at a

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much more efficient means by which to incentive I've solar production within our community. >> Now, 3.7 cents per kill watt hour premium over what baseline. >> If you look at the cost we pay in terms of \$1.10 per watt, that is the incentive we way to a residential customer that installs rooftop solar that helps them overcome predominantly the burden of the up-front payment. In order to help customers overcome that incentive, we incentivize them right now at \$1.10 per watt. It's dropped over time. If you take that into account from the production of an average size system, you're looking at roughly 3.7 cents per kill watt hour, the energy produced incentive per rooftop, whereas in the case of this, it would be roughly half of that. >> So half -- you pay an incentive for people that want to put rooftop solar systems in. This is approximately half of the incentive paid -- >> this is looking purely at the economics and cost to austin energy, correct. >> Spelman: I guess I don't understand, the baseline would be if we don't incentivides at all there is a certain amount per kill watt or megawatt hour that it would be. What would that be? >> If we didn't incentivize at all? I don't know if I can answer that question. The fact is, at least for the foreseeable future, we would plan to incentivize, and we would pay a value of solar, but I don't view that as incentive. We are basically crediting customers for any excess production that they may put back on the grid. >> Spelman: All the other values associated with putting solar panels on, not to do with the energy itself. >> Right. >> Spelman: I think I can do the math myself, if you can get us a copy of the matrix. I would appreciate it.

[03:13:37]

>> I would be happy to, I came prepared with everything except the matrix. Accept my apologies for that. I think, again, this is something that the community and frankly even the surrounding community near the kingsbury site, where we have conducted informal discussions with the residents, we would go through a more full-blown neighborhood outreach process, subject to council's approve, is something that area would find attractive, in large part because the area will be fenced and there is a transient population in that area. So the neighbors in that area said it would certainly be something to enhance the surrounding. >> Spelman: I have a smart-ass remark that I would like to make but I will refrain from making it, I look forward to more about that, thank you. >> Mayor leffingwell: How does this compare to the cost of webberville. >> We're looking at about half of that. Webberville was constructed at a time when prices were higher. We have seen a reduction in the cost since webberville. And it has the advantage of being located very close to our load center. So within our city limits. So it's much more

cost-effective. >> Mayor leffingwell: Both are still more expensive than other alternatives? >> They are, absolutely. Because, again, you don't have the capacity from a solar plant that is only producing when the sun shines, as opposed to a resource that is also. >> Mayor leffingwell: How does webberville compare to the chip nacogdoches plant, and cost? >> Oh, now [indiscernible]. >> Mayor leffingwell: My recollection is that it is more. >> Um, I don't know, mayor. Webberville.

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>> I know webberville is roughly 16 cents per kill watt hour. Do you know, jeff, the cost? So the nacogdoches plant is roughly 14 cents. You are absolutely correct, about 2 cents a kill watt more. >> Mayor leffingwell: Everybody talks about the cost of nacogdoches and I do, too, frankly. But webberville is high,er and they were done about the same time. Any other comments? All right. We'll go to the next item, number 19. Real estate services pulled by councilmember morrison. >> Morrison: Thank you, mayor. This is an encroachment agreement set, proposed for us to sign with utn seton. My understanding it is to allow them to build a sky bridge from the parking lot to the new hospital across 15th street. I know it has been a topic of discussion as an issue because sky bridges are discouraged in our downtown plan for instance, and the design commission looked at it. I understand the police commission -- the planning commission talked about it also. I was wandering if we could talk about the real estate aspect of it. I see mr. Hartman in the audience and I wonder if I could ask him to come up and discuss what's proposed. If that's all right, mayor? >> Thank you, mr. Mayor, council member. And I brought david presa with me. But david, you want to describe the walkway? >> Good morning. What we're proposing over 15th is a walkway to close that

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connects the existing brac parking garage to the hospital that is on the property at 15th and the new alignment of red river. What we looked at is how we're grabbing people coming to the brac garage. There is no parking on the site that the hospital is on. We have to use the garage. Stay significant garage to the hospital. We looked at that connection a couple of different ways. I assume your question is an aesthetic question; is that correct? >> Morrison: Not just aesthetic, and we probably have somebody that could talk about why do we discourage them in the first place downtown. And it is also about how people interact with the street, I think, but if you want to go ahead and give us the information you have, I can ask someone from our design professionals to talk about that too -- I mean, the planning professionals. >> The proposed bridge -- I will talk about this text first. >> Morrison: Please. >> We tried to make the bridges as transparent as POSSIBLE FOR 15th. And we looked at because we're spanning such a long distance, the truss that we have structurally to support the bridge allowed us to create a bridge that is fairly transparent, I think you see that in renderings. A clear glass, very light truss, as opposed to a structure spanning 129 feet, go it were a large bridge structure that might produce more of a less opaque entity over 15. So we were trying to take advantage of the clarity of the bridge, trying to take it also to use walker creek and people coming across waller creek also. There is an experience piece that we tried to involve with

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the bridge and clarity. It is related to -- we had discussions with the design commission and planning commission relative to the fact that the hospital is bringing the patrons that are coming across 15th street at a high rate from the garage, based on not only patients, but also staff and others. But patients in particular, there was an issue with safety, waiting for lights and crossing at times, you know, maybe during rush hour traffic. Other times during the day. So we thought the bridge was necessary to provide safe passage for patrons to the hospital all that [indiscernible]. >> Morrison: I know the information was that estimates would be 3,000 people or 6,000 trips. 6,000. >> Morrison: Do we know what amount are staff? And the peak would be shift changes. >> I can relate to staff peaks at around 800 to 900. For a staff shift. So we haven't looked at it and actually broken out the 3,000, 6,000 back and forth. Say 3,000 in the morning, 3,000 in the evening. We haven't broken that number out by patron. >> I'm sorry. There are 1,200, 1,300 staff at the hospital at any time. >> Morrison: At one time? >> That is what it is staffed to be. You could figure folks coming back and forth and patients as well. That is the number we have right now, with the crossing to the current hospital. That is how we came up with that number. >> Morrison: Ok. So it sounds like you have three shifts per day. That would be 1200 people walking back and forth, 2400

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times three is more to 6,000. >> Not all of those folks are on shift. Some are folks like me that show up periodically and aren't there all the time. The number varies based on what is going on as well. >> Hospital staffing is two shifts, depending on what the staff is. >> Morrison: I know there is an issue of patients and safety for them. Not just safety, and not just convenience, but if you are vulnerable and all that. But then also the folks that work there. And -- but, also, I would assume that many patients get dropped off? How is that as opposed to parking? >> There is some limited parking at the emergency entrance down there. And a front entrance, which is the lobby area. Although, again, in the hospital like this, most patients are coming in through the emergency room. Bulk of them are not parking at the door of the emergency room, bulk will be parking in the parking lot and crossing over to the hospital. >> Morrison: I appreciate that. I looked at the materials. I know it is a hard decision to be made. I wonder if someone from staff could help us with the context of the design commission's concerns as well as the downtown plan, which I understand, discourages sky bridges. >> Good morning, council, george adams, planning and development review. Yes, as you mentioned, the downtown plan does discourage aerial walkways. I think the primary rationale for that is there is a sense that it may take away from street life, street activity. In this particular case, we looked closely at this

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application and we felt like due to the nature of the use, the nature of the population that would be visiting the hospital, the nature of the traffic on 15th street, that this was a reasonable request. And so we, in the planning department, chose to support it. >> Morrison: Ok. I appreciate that. Do you know if anybody has -- if we have gotten any input from the waller creek conservancy. They're very invested and

hopefully more invested in the future in the whole area? >> I am not sure. >> Morrison: I know, I reached out to someone, but wasn't available. >> Sue edwards, the city manager. The waller creek conservancy has seen the plan, and I have not heard any comments back from that. They're aware of it, and have been working hand in hand with the hospital for a long period of time, both at the creek level and the overhead as well. So ... >> Morrison: Ok. >> Council member, I was going to say I have worked with them for a long time on this project. We didn't ask them for specific support of them, they're aware of the walkway, and design plan. They've seen it in the past. >> Morrison: One issue was raised recently to me -- and this might be a question for you -- have there been studies about visibility impacts, especially for instance, as the sun is setting? Because you are on a rise there as you are heading east. You will be coming toward the glass enclosed walkway, and I'm just wondering if there is -- it gets quite - - if you look at the elevations, gets quite close on one side. >> From a standpoint of request. >> Driver coming down? >> A glare? >> Morrison: Yeah. >> We have not done those particular exact studies, not on that. >> Morrison: I think that would be of interest, and maybe that is on down the road, but just as a

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transportation safety issue, it might require special treatment. >> Yeah. We did look and study the vistas that happen when you come down from vehicular traffic going westbound on 15th and to the light. And hidover bridge had impact as far as when you see the light. So it was oriented with that in mind. >> Morrison: Ok. >> But we did not look at it from the standpoint of glare. >> From the sunrise perspective? >> Morrison: Sunset. >> As someone that drives to the hospital a lot, that is already problematic at times, from sunset and sunrise. There may be some design elements to think about going forward. >> Morrison: And the recommendation of the working group from sign commission, one of the things they raised is that they felt we needed to take a bigger, more coordinated look at this whole area, and make sure that folks are working together, and I'll just read what it says here. It says, it seems far more important to recognize the status of 15th street and the realigned red river street as important armatures providing the new districts within the new innovation district together. We encourage any and all efforts, public and private in order to achieve a sense of place that transcends individual development initiatives and serves to bind all of the future projects together into a vital and humane part of austin's future. I suspect you agree with that. George, I want to ask you, does it seem we, as a city, might be the party to try to pull that together and make sure we are having that conversation. >> Sure. And to some extent we are, although, I think it could be more comprehensive, and really looking at the broader district in more detail. Yes, we can do that. >> Morrison: That will be

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great. And I guess, is that something that needs some kind of formal -- to be addressed formally, or -- is that already going to be happening. >> Sue edwards, assistant city manager. We are currently coordinating with a number of different people. The conservancy has been the hub of that with the city as a partner, as we work with the hospital, and then we work with the innovation district folks. So I don't think we need direction, we're already doing that. We will emphasize that more, but we're currently talking with all of those people. There are some concerns about 2 and third street, that we know, in

terms of the waterloo park. There are issues out, but we're addressing those issues. >> Morrison: That's good. I think especially with the hospital, obviously, it is a very exciting development. One of the things - but integrating it in to a vibrant district, I think, is somewhat of a challenge. For instance, one thing that was mentioned here is, well, it would be good to keep the pedestrians off the street, because it will keep traffic from getting clogged up. And that's certainly one perspective. I'm sure rob and gordon love that perspective, but also, if we're trying to create a sense of place and an arena where people are really interacting and want to come, I think especially with the hospital district, we need to pay particular attention to that because integrating that in, you know, if most of the people engaged in the hospital are not going to be on the street, we need to make sure that we invite them on to the street where that's possible, and not just make that an island into itself. >> I think, council member, we agree with you. And one of the things that we have been working with, with ut and the hospital is exactly that. And then how we integrate the

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hospital into waterloo park as red river is moved is another thing that we're looking at right now. So I think everything you have said is vitally important to making this district a really workable, vital district, and have people be able to travel safely from the hospital, but also come down to the park. And u.T. Is looking at the northern part of the creek, and we're working with them also, and the consy to make sure that is integrates into the southern part as we cross 15th street. >> Council member, I don't want to forget central health as a redevelopment their campus, that is more important. I want to point out, we're not taking all pedestrian traffic off. There is going to be crosswalks, there is an opportunity for people to use crosswalks, the design of the hospital, the medical school, everything else on the northern side. The pedestrian walkways, the whole concept of people being able to move under is a serious -- move around is a serious part of the design, too. We want to be a part of that. THE CROSSWALK AT 15th, AND TO Get to the hospital is significant safety and volume of crossing helps to put it above the street. >> Morrison: Right. And we have to understand if people are drawn to that area, they're not going to say let's go hang out at the hospital, we don't want them to do that. >> Exactly. >> Morrison: It is a particular challenge in making sure we are addressing all the needs. >> That's right. >> Cole: I have one follow-up question, mayor. >> Mayor leffingwell: Mayor pro tem. >> Cole: When you talk about the issues with the conservancy, can you tell us more about the open air public crossing, have you had much of that in detail. >> David, you want to talk about the open air? With we have had some discussions, not so much with the conservancy, but with the design perspective.

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>> We studied the design, as we normally would when this first came up, different views. One of the concerns we had in open air, one is having a crosswalk open would, in our opinion cause a more opaque, more solid entity that you wouldn't be able to see through if you didn't have a top on because you wouldn't be able to use a truss. What happens is you end up with a large bulky bridge, if you will, over 15th street. That was something that we thought was just the opposite of what we needed there. We wanted something more light, airy, see through, if you will. The other part of that is if you leave it open

at 15th street, there was concern about things, you know, people tossing things over to the side, people flying through the breezes or other things that would create -- I know there is a fifth street -- there is chain link that is across that for people so they don't for whatever reason, if they jumped or whatever on to the street. That was something that wasn't appealing to us as we developed a bridge. We felt it was more important translucent -- translucent as possible. Clear glass, you see people walking as if they're on the street. You see the trees, take advantage of waller street. We did look at it both ways. That is what we developed with the closed bridge. >> What about public access? >> Public has access to the garage. They have access to the bridge, like anyone else would, yes. >> Cole: Thank you, mayor. >> Mayor Jeffingwell: Councilmember Riley. >> Riley: Appreciate the conversation. This sky bridge is not some weird Austin thing. That reflects a nationwide

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discussion about sky bridges. They were very popular at a TIME IN THE '70s AND SO ON. Now many cities are taking another look at that and feel they went too far with the sky networks because of the effects on the street, the current thinking is much in line with what we see in the downtown plan and it is better to focus on creating a welcoming streetscape for pedestrians. I'm a little concerned about the suggestion that this bridge would be necessary for safety because that seems to imply that there would be something inherently dangerous to the point of being prohibitive for pedestrians who would dare to actually cross this street at the ground level. And that strikes me as something that really is not the kind of environment that we're striving for in this emerging, innovation district. So I know there are some sensitivity to that, in creating a welcoming streetscape at the ground level. I just want to emphasize that I don't think having a crosswalk is enough to create a welcoming pedestrian environment. If in fact a sky bridge is necessary for safety, you have to wonder, well, does that mean someone at ground level is going to feel safe? Or unsafe? Because they're not in the sky bridge? I don't know how you avoid having a concern about that, given the comments we heard today. Should a pedestrian -- should we expect that a pedestrian at the ground level would fear for their safety, as this area is built out. >> If I can answer this? Staff may want to answer as well, too. >> I think you do raise a good point. You have to remember this is a steep incline, slope to 15th to red river. If it was a flat cross, it would be a different situation. It is a steep slope,

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wheelchair, cane, it makes it more difficult. It is not unsafe to cross 15th if you are fully ambulatory, it is tougher with the heavy slope on the street, in addition the volume of crossings cross 15th street. It is not that it is an unsafe pedestrian crossing, for certain nonambulatory or ambulatory challenged people, could it be difficult for crossing. >> The volume of crossing really -- I question whether that actually is a matter -- the volume itself would create -- would make for more dangerous conditions. Because, in fact, what we generally see is the higher volumes are where you get more safety. There is safety in numbers, because people understand that you have to look out for pedestrians. What gets really scary is when you are isolated and alone at the street level because you're not expected to be there because everyone was figuring you would be up in the sky. If you are brave enough to venture out, by yourself at the grade

level alone, then that's what becomes dangerous. I think there is a real concern about the environment that we're creating there. I wonder, as we consider this item, to what extent can we look at any possible aspects of the streetscape that might tend to make it more appealing and inviting and seem like less of a forbidding place as it is painted now. >> I think as part of the master plan down red river and the development of that from the medical district side, and the idea of the realignment of red river as it goes through the innovation district. That whole pedestrian path -- as a concept, we work with u.T. And the other buildings NORTH OF 15th, THAT CONCEPT, We hope it would soon be DEVELOPED SOUTH OF 15th, SO The pedestrian way flows, through the master plan throw through society, develops the crosswalk all the way through. The development of the

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crosswalk, the actual design, I can't answer that. The concept was that is a thoroughfare there also, to link other buildings to the innovation district. >> Riley: When you say you expect significant volumes of pedestrian traffic? >> You know, the interesting thing about the volumes is that when the volumes are significant, when they're not significant, that is a good point. But the significance of hospitals as they live and breathe and the volume ebbs and flows is still a concern. The mobility impaired, hearing-impaired people that have, you know, come -- there is anxiety, you know, it is not like they're going to see a bad broker deal. They're going to see someone in the hospital. There is a certain level of attention that somebody might not be thinking of when they're coming to the crosswalk. That is kind of the safety concern. I get the idea that walking across in groups of 50, you know, you're not as much -- you're not isolated, as you say, I get that. But there are other parts. We have an opportunity here to create a better environment for those people that do have those anxieties or that are coming to the hospital. So -- to what greg said, too. We're not assuming that everybody will be taking the crosswalk or taking the bridge. There is still ample opportunity in the development of the innovation district, for people to traverse the sidewalks. Especially, depending on what happens with central health side, as the retail spaces and the like, I think was bore out of the idea of the crosswalks and getting people to the street, which we understand. Believe me, it is a commercial project, we wouldn't be sitting here, we understand that, we would never suggest that. In this case as those things develop an people get -- and people get to the street, it is an element of people that

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want to walk the street from the parking garage, they can. We have an opportunity to get to the hospital pedestrian hospitals off the street. The other side is people that have impairment or rushed to the hospital because a loved one is in the e.D. Or for whatever reason they're thinking about having to come to the hospital with anxiety issues, we think the opportunity is from the safety standpoint that the bridge is the answer. >> Riley: Given that we do expect some people to cross at the street, and we recognize that lifting a significant number of people away from the street will have some negative effect on the environment, to what extent can we look at the conditions planned for the treatment, make assessments about those, and offer suggestions about addressing those at this point. What are the plans for the crosswalk at the street? >> Council member, it is my understanding that the streetscapes



adjacent to the hospital and within the larger district are going to conform to the u.T. Master plan streetscape requirements which are similar to grade streets, but they vary slightly. Now, in terms of the actual crossing of red river, I might go to rob and let him speak to that. >> Riley: We're talking about THE CROSSING AT 15th. >> I'm sorry. 15th. >> Rob spiller, planning department, we're committed to making that as highly pedestrian oriented as possible. It is a busy street. A main access route [indiscernible] but that means that is about two [indiscernible] so we're happy to work with seasoned people on the design and the streetscapes to make sure it is highly pedestrian oriented. I think it is key to understand that there will still be people at the street

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level, like you said, and that the sky bridge really does provide an alternative for the vulnerable populations, that haven't grown-up in a hospital environment, you know, going to the hospital on frequent occasions with my parents, because they were physicians watching people walk in from the parking lot, with trailing i.V. Or wheelchairs or walkers, I think it does provide an additional amenity for those in the vulnerable or fragile situation to remove themselves from the street. Not because it is unsafe, but because it may take them extra time to get across the roadway. So I think in the hospital environment [indiscernible] it does justify itself as a safe street crossing. >> Riley: I understand that, and recognize that. I recognize as you look across the country at hospital districts they're not known for being particularly appealing pedestrian environments. To the extent that we're vying to create an environment that is welcoming to pedestrians, we have to think carefully about every step and do something that goes beyond what we have seen typically in hospital districts and locations. That means with decisions like this, instead of throwing up a walkway and think everything will be fine, we need to think about what the pedestrian environment will be like at the ground level. To whatever extent we can see the plans now, if there is coordination between the grade street program and our master plan folks, to make sure there is an appealing, welcoming environment at the ground level, that would be helpful. >> Be supportive of that. [Indiscernible] >> mayor leffingwell: Ok. Thank you. Next item is item 20. Pulled by councilmember morrison. >> Morrison: Mayor. This is the item on expanding the overnight concrete pour.

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And I know we postponed that last time. I would -- wanted to -- wanted to see where we were on this, and then I have some comments. >> Thank you, council members. Planning department. We attached in your backup yesterday some additional information. First, regarding the after-hour concrete pour permits that have been received. They've ranged from a high of the w hotel and residences that was constructed in may 2009 -- may 2010, that was issued 108. That was by far the highest. The marriott between january 2013 and may 2013, received 79. That was number two. Number three on the list was the third colorado project at 44. So it gives you an idea of the high end. MANY OF THEM WERE IN THE 30s. 20s AND 30s THAT ARE ON THE List. There are a few that were in single digits. The waller creek tunnel project, just to highlight that, that received approximately about 55 to 60 so far.. [Indiscernible] in addition, there is information provided on other cities. Houston, dallas, san antonio, fort worth,

chicago, los angeles, and boston. One thing that uniform is that maybe they're not so uniform, in those respects, many of them had hours of limitation. Houston, for instance, allowed between 7:00 a.M.8:00 p.M.,

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any day by right as long as it didn't exceed 85 decibels. They didn't specifically have an after-hours permit that they issued. City of dallas was from 7:00 a.M. To 7:00 p.M., Monday through friday and 8:00 a.M. To 7:00 p.M. On saturdays. And legal holidays, except for the director of public works issued a written permit. Their written permits may be good for one to two weeks. There is a notice of requirement of the recipient for 300 feet. And it was -- if there is a complaint, the permit may be revoked. That was done on a case-by-case basis. [One moment please for change in captioners] register [one moment please for change in captioners] >>... Specifically exempted from this. Interesting it could be enforced by just about anybody, from the police department to the building department, fire department, sanitation, transportation, all could issue citations. My department does not have the ability to issue a citation. We rely on the code department to do that. Los angeles, there was 9:00 p.M. To 7:00 a.M. They did have a provision for an

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exception to that. If it was granted a variance, that process then allowed the permit to be good for three to four months. If the site was within 500 feet of a church, hospital, hotel, then if there was a valid complaint that they would look at that and then they may take steps to actually revoke after that time. Finally, boston, boston was 7:00 a.M. To 6:00 p.M. Permits may be issued for up to a week for after hours permit by code and then they looked at complaints as well. If there were no complaints, then it would go on and they could issue additional ones. So these restrictions, they weren't necessarily limited for the exceptions to the cbd, or downtown. They appear to be beyond that. Our ordinance actually limits it to the central business district today. The ordinance as proposed would -- would keep it down to the downtown area. There was a concern that was raised by the northwest district of the downtown plan, that is excepted out because it's not eligible for the density bonus. So even though areas may receive dmu 60 zoning in that district they would not be eligible because they are not eligible for the density bonus. It would pertain to dmu and p public. Outside of our downtown area, just to be clear. You can get a concrete pour permit, not limited beyond if you are more than six feet away from a church or residence or hotel, tt kindf thing. So ... Hopefully this answered some of your questions and you get a chance to look at this information. And if you have any questions, I'll be happy to answer them at this time. >> Morrison: Thank you, greg, for doing all of that research and just -- in just under a week? >> Some of it was underway.

[03:49:59]

>> Morrison: Good. So what I -- so what you are telling me is, I see that we've had -- so for the w, up to probably it was going on for a year, that there were pours and I know that the staff imposed a one-day

break in between the permits so probably with 108 permits, 324 days of -- nights of pouring, and then 108 days on top, we all got -- I wanted to call my colleague's attention to a few emails that we got. One was from somebody that lived at the amli during that time, somebody that I think all of us actually know quite well. Who talked about how it was basically impossible to live there and they ultimately broke their lease after trying ear plugs, sleeping pills and even sleeping in the bathtub that was more interior and they suggested that the mitigation terms in the ordinance that are -- that the draft that's before us would offer little relief, all it does is let people know that they can expect to be miserable in the coming first half of the year. We also received another one on friday from a gentleman that lives, a person that lives in the 360 who now, I don't think they knew that we have this discussion underway. But they live in the 360 and said that the current situation with nighttime construction is unbearable. At the corner of cesar chavez and san antonio, with the construction that's going on saying at least two to four nights of the week there's noise from 2:00 a.M. Until 7:00 a.M. Waking everybody up and disrupting sleep. They sent us a link to a YouTube THAT THEY HAD

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Taken. This person lives on the 29th floor and has measured the decibel rating on their balcony at 80 db. So they have an issue. Then we also got another one, this was tuesday, that's today. Somebody again not mentioning the ordinance that's going on, just saying we have a real problem, they live on the amli on second. On the 19th floor. And it's from their balcony, the construction that's going on at green is a steady 78 db, sometimes as high as 85 db. They live on the 19th floor. So, you know, basically what we already have is making -- making downtown unliveable for some people. And I think that -- that maybe some strategic expansion of where this might happen should be considered, but I also think we need to be thinking now of limitations that we should be putting on these permits. And instead of -- you know, I think that somebody could probably live with it if they knew that it was going to be for a very limited amount of time, for an extraordinary situation. But for it to be the way they have to live and basically not sleep in their units for months on end, I find that up acceptable. So I think that -- I appreciate the survey of the other cities, as it looks to me, maybe I didn't catch it all right, but houston doesn't allow it, dallas has a limited amount of time, san antonio may allow it for -- give exceptions for city sponsored things, fort worth has none, and some of the others allow it, if there's complaints, ie problems with it, they pull back and revoke it.

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So have you -- so actually I guess the way that I would like to see us go, maybe find some strategic, maybe just for public entities, but we have to -- you know, what's going on at green obviously is a partnership with the city. But if it's making multiple high rises unliveable, I think we need to find a way to address that with some kinds of limits of saying that they, you know -- you're going to need to think of working only within a very short time period and otherwise we're going to have to work with our traffic folks and find a way to do it without disrupting sleep. >> Councilmember, this ordinance would put into place something that does not exist today, those things about contacting those adjacent property owners, let them know, as you said, what the duration is, but also we would look at then

where the concrete pump structure is to try to work to relocate that so it would be less intrusive to those that are living downtown. Shielding lighting. Which was a -- one of the complaints that I spoke to, to some about. And to -- to attempt to -- the best we could, to cue trucks to maybe come from a different direction so as they're coming downtown, they're not idling on their way in. As they stack up on the public street, they're not causing undue vibration and noise to those adjacent residences. All of our clubs downtown can operate up to 85 decibels currently under our ordinance right now. >> Morrison: All night long. >> No, there are some restrictions, a lot of the ordinances if you take a look at in the survey, they go beyond our time limit of 7:00 p.m. As well. So I am just offer those things to consider. The central business district is already allowed to be issued -- allowed to be issued these permits and generally myself and my predecessors going back in time have pretty much issued them at will, what I am doing now is being a little

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bit more conservative, going to take a look at the complaints and work with them, by having some of these tools put in the ordinance I can be more aggressive in that nature. >> Well, you say it's already allowed right now, but it's not okay right now. I think that we need to look at that -- >> I agree, that's why we're putting that information -- >> so you are putting some of those in so it might mitigate it and it might remove the intrusion, so that's -- that people are experiencing, but if it doesn't, we need to have a way to make it stop so you doesn't continue for a year. So I guess personally I would like to be to see something split into the ordinance, if it's impacting, getting complaints and impacting people we will put a limit on it and we don't do it anymore. >> Councilmember Riley. >> Riley: I agree with that. I think that's a very real issue. Downtown needs to be a liveable place. Right now I don't know what to tell someone who is living within a block or so of construction that is expected to last for the next year or so. When they tell me that the trucks are starting up around 2 or 3:00 in the morning and going all night long. To the point of making -- even if they are sleeping in the bathtub with ear plugs, that they still have a hard time, I can't fathom that acknowledge that that situation exists in the cbd now and say why don't we expand that to other areas, because that's working so well. I just don't that's beyond me, how we can do that at a time when we are trying to promote downtown living. So I appreciate the efforts staff has put into this, but I really think our efforts need to be directed principally at addressing the concerns that we've got with the current ordinance and then maybe if we're able to work something out then with the way things currently are working, then

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maybe we could -- maybe we can consider strategic expansions knowing that -- that we can address complaints as they arise. But so far, I don't see -- the complaint -- at least one of the complaints that councilmember morrison was reading from, we received this morning. I don't think we could say well we've got this figured out. Everything is working just fine with our current ordinance and let's expand it. I think we have a lot of work to do just to figure out how to address the current ordinances. Approximate we could get that, I would be willing to consider the expansions of it. I think the proposal before us goes way too far in the wrong direction. >> Mayor Leffingwell: Well, maybe I misunderstood, I

thought you said this ordinance gave you more tools to -- to be able to be more aggressive, in your words, in enforcing certain restrictions that would reduce noise intrusion for certain people. >> Mayor, that's correct within the cbd area. Because that is already eligible for the concrete pours. I'll certainly take into consideration what the councilmembers have said. I would just note that city projects -- are not zoned cbd, there's -- they are usually always zoned p public. There are may be times that are necessary for certain city projects that are located downtown that would have the need, just like a private project would, of having later hours to pour concrete. >> I think that you have to balance any restrictions that you put in place with what that does to the cost of construction. If you put the -- if you put the limits were so severe it might even be prohibitive. So I think as you go through this, you have to look at those factors, too.

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>> Martinez: Greg, can you give me an example of a project that would need to pour 24 hours a day? >> You may have a situation where traffic is very congested. If you are limiting it to only the daylight hours and you are having the trucks compete with other vehicles, that -- that are during rush hour in the morning or in the evening, it's difficult for those trucks to get to the site timely, which can actually challenge the integrity of the project, any project, within downtown if they can't get the continuous pour to go on. The structural, I'm not an argument, I'm not an engineer, but the integrity as I understand of the building may be compromised if you can't do the continuous pours. It will take more time, more greater design to do that. >> Mayor Leffingwell: That's exactly right. As a matter of fact, there's a very big time concern between the time the concrete is actually mixed and the time it's used. They measure the temperature when it leaves the site and they measure it again just before you pour it. If it's cooled off too much, you can't use it because as you say it doesn't have the structural integrity. >> It's exaggerated particularly in the summer when the temperatures get very hot. The concrete actually gets warmer and actually has heat that it gives off. It's actually more dangerous to workers to deal with concrete pours during the day than certainly in the evening. >> Martinez: I think in those instances that makes sense, I wouldn't dispute it because I'm not a civil engineer and don't know that. The characteristics of concrete as it relates to temperature. If we are looking at this from a profit standpoint, that's where I draw the line that, you know, if you are doing it because you need to do it, 24 hours a day, that's different than you are doing it because you want to do it so that your profit margins are higher. As it relates to the green

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water treatment site, though, there is no traffic and the grid is already cut through. It not paved but the roads are already there, there shouldn't be any issues with competing traffic in that entire development because they can park along those new roads that have been cut through all day long. >> I understand from some of our developers is that it's a matter of getting actually the vehicles to the site, I guess if they are actually mixing the concrete on property that might be less of a situation, but if they are actually trucking in to get into downtown with those vehicles, sometimes it's difficult to get from the sites where they're at, so -- so you are referring to queuing the vehicles and getting them in, in a timely

manner. >> The queuing of vehicles once they get downtown, but there's a challenge for the builder to bring the vehicles in to downtown from the various locations they mix the concrete. >> Martinez: For me, I think before we start expanding this. This may provide you more tools, but little an expansion of the ordinance, an expansion of where you can apply for these permits. I wouldn't -- I'm not prepared to expand that until we have these conversations about terming what is the best approach in the instances where it's necessary and in the other instances where it's simply desired. >> Councilmember, you can still go through the ordinance and allow the tools to be in place for the existing cbd area without expanding in the dmU or p public. The only caution that I have on p public, because of conversations that I've had with the public works department, that would have been quite a bit of a challenge for the library foundation to be poured if they had not operated on a longer period than just daylight hours. >> Councilmember morrison? Councilmember spelman.

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>> Spelman: Looks like you looked at other ordinances in other cities. I wonder if you encountered something like the following. Since the primary value of being able to pour after hours to a builder is a reduction in cost, and the primary value to the outside residents, the cost to outside residents is that they can't sleep very well, seems to me that there's a possibility for an economic transaction here where the builder would pay off the adjacent residents for the cost of their inability to sleep or their -- or the time and trouble associated with having to listen to the concrete pour. Has anybody tried to work out a program of that kind when you would actually -- where you would actually charge a fairly substantial amount for an off peak pour and then use that as a fund that could be used to pay off residents for their problems. >> I'm not aware of that. There was one city where prior to the permit being issued that there was a -- they approached the adjacent property owners to find out how open they would be to that, how construction going on in the evening hours before the permit was issued. But I'm not aware of anything in our research that -- that there would be a -- a concrete pour bank that property owners nearby could take advantage of. >> Spelman: It seems to me we're talking about an economic problem and an economic solution to it would be to -- an economist would think of this in a very different way, I think, than we've been thinking about this so far. The other thing that -- that would cause me to think of this is that if we sanctioned a pour with a permit, but it still got to be 80 decibels and that was so loud that somebody had to get into the bathtub and put in ear plugs before they could get to sleep, they still have a cause of action and could actually sue for nuisance. Can -- this is just a legal question and please feel free to answer it or bring somebody else up to answer it. The fact that we have issued a permit, is that an excuse for a builder from causing a

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nuisance or could they still be sued and could the -- could the neighbors still beat 'em? >> I think that is a legal question. I'll pass. >> Spelman: Probably a wise move on your part. Brent knows the answer. >> Brent Lloyd, assistant city attorney. Councilmember spelman, generally issuance of a permit has no bearing on label the between private parties. >> Spelman: Okay, that was my guess. So we issue a permit, they pour, it's still too loud. We can still sue them for news answer. It would be a nuisance, I

presume. >> I'm not actually prepared to address what private actions may be available. I'm just prepared to say that -- that the issuance of -- of the city's issuance of a permit would not -- would not either aid or dissuade the availability of a private action. >> Spelman: Okay. Just it would be immaterial from the point of view of the civil courts. >> That's correct. >> Are we aware of anybody who has sued a builder for a concrete pour or other loud construction activity? >> I am not. >> I'm not, either. >> Spelman: Okay. Thanks. >> Morrison: Thank you. I guess just in response to those comments, I do think that -- that there is economics to consider, but good -- good economists, I think, also consider the reality of human behavior and -- and I think that paying somebody you would think that was being disruptive, their sleep was being disrupted they might be able to use that to go stay in a hotel. But that's a big problem for someone to go stay in a hotel for a year. Basically they are having to move out. >> Spelman: The reason I

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raised the issue is if I can't sleep for a whole year, my alternative is to either -- is to leave the apartment and stay in a hotel for a year, that's extremely expensive. And if we had some sort of mechanism for dunning the building for the full economic cost to adjacent residents, probably that cost would be so great that the developer would say okay, I think I'll probably eat the cost of not pouring off peak hours because the cost I'm incurring to my neighbors are so much greater than the benefits I'm getting. Does that make any sense. >> Morrison: That does make sense. >> Spelman: That was where I was eventually going to go. >> Morrison: Great. Because I mean staying in a hotel can be fun for a little while. But having to do that certainly not for a year, that's not practical. And for the record, putting ear plugs in and sleeping in the bathtub still didn't allow sleep to occur in that case, I happen to know. But -- but here's a question for you. We did have a 24 hour pour for the central library. How did -- how did that happen? >> It's my understanding they weren't aware of the ordinance. With respect to that. And so partly the reason why I'm here. Staff has initiated this amendment because we felt that it should be brought forward. We asked the council to consider this ordinance and to put in additional provisions. So although there have been complaints certainly that it may have been shared by your offices with our department or the police department, staff took it upon ourselves to bring forward this ordinance to try to take into consideration some of the concerns that have been raised by the public. >> Morrison: Okay. I just -- I just have to say that I find it somewhat amusing, since there were press releases about the

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24-hour pour coming, it was a -- I think it was a tourist attraction, people went down to see the thousand trucks that were lined up. So that's a sunny disconnect in the city. And I would be glad to yield for a minute, I have some other points. [One moment please for change in captioners]

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>>> if we do go down that road and allow it by exception, some of them you mentioned if there were complaints that they were able to revoke them or we could just put a limit on how many could be done,

how many days in a row within, you know, a given period, make sure it's really limited. Or revoke something if the attempts -- or the tools that you have aren't working, but I think that it really makes sense to look at a way to solve this problem to put some limits on it. And I would be glad to work with my colleagues to try and kick something off to make that happen. >> Mayor leffingwell: I have a hard time believing anybody can sleep in a bathtub under any circumstances. It would have to be a large bathtub with an air mattress in it. >> For the record, I said he wasn't able to sleep in the bathtub. >> Mayor leffingwell: Okay, good. Is there also a consideration in using off peak hours to do this work that doesn't disrupt traffic or the normal course of business in the general downtown area? I can imagine if you brought 1,000 dump trucks in at 5:00 in the afternoon on friday, it would be somewhat disruptive. So it's also a public interest to do this work off peak. And I think these factors have to be balanced. Council member martinez. >> I want to go back to the library situation. I have to assume we bid the entire project with the assumption there could be 24 hour pours. Why would we be in a position being told by public works that it's going to be difficult to build the library if we don't allow them to pour 24 hours a day? >> It is my understanding they are in accordance going by our ordinance right now. They are limiting the times of their pours, it's going to take

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longer for the project to be completed and they have to schedule the pours where they know they can finish. It makes it longer in duration. Vehicles will be, as I said, arriving during daytime hours rather than evening hours. >> Did we bid the project with the assumption there would be off peak hour pours? >> I don't know but I think we can find that out for you. >> Assistant director with public works, yes that was the assumption when the project was bid. >> Mayor leffingwell: Okay. Thank you. We'll go to 49 by council member spelman. >> Is there somebody from staff that could speak to what they're going to have to do as a result of this item? >> Mayor leffingwell: There was somebody on their way in. >> Mayor -- >> council member tovo. >> I want to make sure my colleague is aware we are continuing to work with staff to refine some of those recommendations so that they are actionable. I know housing has been involved in that conversation and our bike and pedestrian folks have been involved in that conversation as has been our health and human services staff. So we are -- we have made quite a few revisions since the draft that posted and are going to continue to try to get to some very actionable steps that also take into account the work that the staff is already doing. I want to make sure you are aware of that. >> Are you saying it is withdrawn or postponed? >> Yes, I am. >> Mayor, if I may, my primary concern is it all needs to be done at some point. I think it is exactly what we ought to be doing is direct our

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staff to figure out how to make these issues actionable. My primary concern was the reporting date of october 15th and the implicit presumption that they would be able to come up a schedule for implementation. >> That was set when we were looking at a much, you know, this was on the agenda earlier so october 15th would have been shifted likely and we'll work with staff once we are clear on what we're asking them to do, what their existing work already is, we will work with them to make sure



that date is reasonable for their perspective. >> Okay. It seems to me the one way of handling as I understand why I wouldn't want a relatively short reporting date but this might call for a situation where there's a relatively long reporting date perhaps going into 205 with a check in date with our current progress, here's where we think this is going but we won't be able to finish with an implementation schedule, what all the pieces of the puzzle are going to look for. >> We are supporting the work of the family resource centers, which is working directly with families on student mobility issues, and so one of the recommendations that we are moving toward is to identify and to continue to support financially those kinds of efforts, those kinds of existing efforts, and to look at whether there could be some priorities within our bond funding decisions that would reflect the need to try to keep families with children in our areas that are experiencing the highest student mobility. Those are I think recommendations we can make

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rather soon that staff doesn't need to report back on but the implementation will need to come later in terms of funding. I'll look carefully at the report back date with your recommendations -- with your concern in mind, but some of these we can move forward I think in agreeing this is going to be a priority going forward to support particular programs in these kinds of areas because they are responsive to the things that the task force said. I would say as much as we can get back in a short time-frame would be helpful. But I will keep that concern in mind and we may stagger the report back. >> That sounds reasonable. When can we expect to see the item on the agenda? >> I would say at the next meeting. It's nearly there. We just need a little more work. >> Thanks. >> Mayor leffingwell: Those are all the items we have so we'll go to a briefing on state highway 45. >> The it possible to quickly talk about one agenda item that does involve our transportation staff? I neglected to pull it but I think it's short. >> Is it brief? >> Very. >> Mayor leffingwell: Without objection we'll go out of order. >> This is an item reducing -- excuse me increasing the speed limit on the roads right near allen elementary. And we have had some conversations with the school district, that is a closed school at the moment but they are in the process of entering into a contract with head start to have a preschool program there as well putting in place a stem program. So as I understand it and I'll get confirmation before thursday, I don't believe they are supportive of having that speed limit increased and I just wanted to confirm with transportation staff. I know my staff reached out to yours to convey that message and I wanted to make sure that you have received it. >> Yes, robert spiller transportation department. We received a call, we weren't

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sure which council member had brought it forward. I think you have a new staff person that we're still getting to know -- >> I don't. Same 11. >> We have asked that be delayed and we'll be meeting with the school district if there are truly plans, we'll work with them and come back with a recommendation. The reason we had wanted to remove it because there are no school activities right there right now and the challenges is when there are school zones that are not visibly being used by students walking to school, that encourages people to ignore and then run those all over town, so it's actually a piece of management. And so even if it is a year's process or six months, we still may come back and recommend

that we temporarily remove it and then put it back later. So there actually is engineering thinking about why we would want to remove it but we'll talk to the schools first. >> Thanks for explaining the rational. It was paul turner who said they had signed a contract. I don't know how soon that would be in place. >> We'll talk to them. We try to have school zones where there are active pedestrians so it is reinforcing to the drivers that it is vulnerable to pedestrians in the area. >> Thank you. And thanks mayor. >> Mayor leffingwell: We'll go to our briefing. >> Good morning, mayor, council members, chuck, city of austin. Rob spiller, director of the transportation department and I are here to give you a briefing this morning to summarize the findings of a report that was delivered to council last week and posted for the public about a little over a week ago. And on sh45 west, council back

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in may 2014 passed a resolution asking city staff to look at a number of issues, primarily transportation and environmental issues. And the six specific tasks that were included in the resolution. One was to look at a time the transportation alternatives, to look at the recent campo ctma traffic studies that impacts mopac and lady bird bridge. Council asked staff to look at existing environmental surveys of city property along sh45 southwest, make a comparison and contrast the state environmental review process versus the federal environmental preview process, and to look at environmental protection measures that are required for state roads and construction sites. So just want to orient you a little bit on the slide we've got here. This shows the right away for the proposed sh45 southwest toll road. It goes from fm 1626 on the southeast right at the hays county/travis county line, travels northwest to the mopac, the southern mopac terminus. And the green that you see on the screen there are city water quality protection lands and city, balcones preserve lands. It's just south of brody lane and shady hollow neighborhood. And right at the hayes and travis county borders. With that I'll turn it over to rob spiller. >> With regards to the transportation tasks these are listed here before you. We were asked to look at transportation alternatives and

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tell you about the status of the roadways planned in southwest austin. What's come of the mobility in that area as well as the alternatives being looked at. I'm going to do these in series. And then follow that with recent campo and the traffic studies, you asked what the traffic forecast were and what the potential for congestion or mobility improvements in this area might be. And then lastly you asked us about what the impacts on the mopac bridge over lady bird lake might be. I'm going to say when this direction was given to us, we would not have had time to do our other forecast, so we really did do a process of collecting the forecast that were out there and using the data that was publicly available from a variety of sources to try to answer your questions. So none of this is original forecasting work done by austin transportation department, it really is reporting back and you will hear me comment on the reasonableness of the assumptions as we go through that. But I want to hit this first piece first, the transportation alternatives. You know when we look back at the transportation plan that was for southwest austin it really dates back to 1984 where a grid system of roadways was proposed, 35 miles of major roadways and 11.4 miles of collectors and lesser roadways. As a transportation planner and

when I look back historically at a plan that was calling for a network grid of roadways in this area, we really have to think about a couple of things. They were obviously planning for mobility in terms of plans that would have been projected for this area but they were thinking about whether there was a redundancy in the area so people had multiple routes to travel in this corridor. What we find 25, 30 years later, remember when transportation engineers and planners develop

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roadways or transit plans they are forecasting and developing that for a 20 years period. Because our tools, that's about as far in the future we think we can reliably look. So understand even this plan that was developed in 1984 would be beyond its lifetime. You know, if 1985 was sort of its start year, 2005 would have been when it would have been mature, and we're now about 10 years beyond what the mature plan or the plan of maturity would have been. That said, when we look back, we only built 27 miles of those major roadways. We have only built a fraction of the collectors. And so really a number of roadways are missing. And specifically there's about eight miles of major roadway missing. 45 southwest is pointed out with the red arrows, that is certainly missing, but most of the lacrosse connection into west austin 71 is missing. And the remainder of 45 connecting to i-35 to the east and certainly to 77 -- or 71 and further north to the west is missing from that system, and that's where that mileage comes from. Certainly that nine miles of collectors, you can see them, they're the squiggly lines that are missing. And those would have connected neighborhoods that have or have not developed in this area to this roadway grid, if you will. What that means is instead of mobility having an opportunity to spread or demand having an opportunity to spread across the grid, it really is concentrated into a few roadways, the ones that we built in this corridor. And you know I'm not advocating for this roadway plan or against it, I'm just simply saying if I look historically back, we have what we have in terms of what's resulted. Now there's also been -- now the

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'84 plan focused on roadways, but there's been a lot of high capacity transit planning recently. These are, I just want to relay to you that these are also transportation elements that are in various stages of development. Certainly through project connect we had the high capacity transit infrastructure design for south and southwest austin to reach down into this area. Lone star rail continues on its development and would obviously have stops in the area and further to the south. Similarly there's bus routes that are being extended and improved into southwest austin. We know we serve oak hill with commuter-style transit, but as we extend express lanes down mopac and the i-35 corridor there's a potential for new park and rides and transit alternatives in that area. Express lanes, as I have mentioned or something similar on mopac south 45 certainly would serve in that capacity as well. And oak hill serving in a capacity of being a platform for more commuter transit down into that area. And certainly other arterials that might provide opportunities for transit, but these are roadway and transit projects that are planned since the '84 plan that are being extended or worked on in various stages. In terms of active transportation, both bicycle and pedestrian, the biggest sort of investment that's being contemplated is the violet crown trail that is being extended hopefully to san marcos and beyond, but there's a whole

range of multimodal trails, wide shoulders, certainly sidewalks and bike lanes. I guess I would point out that

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this closely follows the grid system that was laid out in the '84 roadway plan because a lot of these elements are dependent on those roadway corridors as well. And so there is active transportation being delivered down into this area. And then this whole area will be connected to central austin via the new barton creek bridge that's been contemplated to take the place of the missing mopac bike and ped facilities that go across the bridge at barton creek. As this network builds out and gets connected to central austin then active transportation really does become much more of an opportunity for people that live down in this area to use as an alternative to their private vehicle. So how our traffic conditions now? When we look at traffic conditions and just compare the volumes that we count out there, compared to the typical capacity we can come up with ratios, anything under one we assume is uncongested. Ratios of 1.3 are considered operating at capacity. Those are subjective but certainly good indicators of what traffic conditions are. And the colors there, the blue is simply the roads that are being added. But the black and the purple and the red on top of there show you existing traffic counts. And what we know is this whole southwest area is pretty heavily congested and you see recent photos my staff took at both ends of brodie as well as slaughter and mopac. The traffic count suggests that what we know already is there is heavy congestion simply because the traffic is concentrated on to a few number of roads. People are trying to use the

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facilities to get where they are and there are not many transit alternatives should they choose to do something different. When we think about congestion we have to remember that some congestion is caused by too much demand for roadways and other congestion is caused by the operation characteristics of the roadways. When we think about brody much of it is a two lane road. When traffic wants to turn left, which we know a lot of congestion is caused by the surrounding developments of brody, not so much traffic moving through the corridor, something like less than 20% of the traffic that starts at slaughter and brody ends up at 1826 and brody. That means the other 80 plus percent is headed to some development along there, which suggests that left turns and operations are a major issue along brody, not necessarily the volumes going through there. That 20% does cause some congestion. We have a pretty congested network in this area today. Yes, ma'am? >> Council member tovo. >> I want to ask a question. And the way you deduce that the traffic was 80% local is by doing license plate studies? >> Yes, that comes from a state license plate study. They actually did a pretty extensive license plate study in there. And so I think I'm correct and I'm rounding up by the way, that a small percentage or relatively a smaller percentage of the traffic on brody, which I think has been a big focus of public attention, is going all the way through brody, that much of the traffic is caused when a car stops to turn left and has to wait for a break in the oncoming traffic. Especially with schools along here and other activities, there's a lot of left turning traffic that occurs along brody just trying to access to

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developments that are on either side. >> And I'm sure it's in the full report but do you happen to know off the top of your head what year that was performed? >> That was just in the last year in development of the 45 southwest forecast, so within the last year to year and a half. So it is current. >> And somewhere in our extended report it provides some information about the methodology they use for that license plate study? >> Yes, and it would have been license plate video or people on the street, and it would have been a sampling, but it was a very robust sampling is what I believe. >> Based on your assessment or based on what you were told, how did you come to the assessment? >> Both. We got the raw data and looked at the raw data. So it was a pretty robust license plate survey. In fact we were more impressed with the license plate survey than was used and reported in the 45 southwest information by the state. So we actually drew better -- I think more in depth conclusions about the traffic patterns from that license plate survey than were perhaps used by the folks doing the exact studies. It was very complete. >> I appreciate the opportunity to jump in. >> So let me go on. So you know what I want you to remember is that the roadway network is heavily congested now because I think that's later. In terms of alternatives evaluated by the state, you have seen the alignment of the 45 southwest proposal which is a freeway of sorts, potentially a tolled facility and we'll talk about what the impacts of that are later. In terms of other alternatives, an alternatives along brody upgrading brody to a full freeway-type standard was evaluated. It was not recommended due to the anticipated impact. Now that said, the alternative

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that was looked at was really a full freeway and given that it's a long and existing facility, it was assumed that they would have to have frontage roads and circulation roads. Of course the footprint of an alternative long brody would be significant if the assumption is it needed to be a full freeway as we went up the brody corridor. What was not evaluated were two concepts, the austin transportation department did a preliminary analysis of what if you went in and tried to address some of the operations along brody south of slaughter with roundabouts to improve the ability of vehicles to make left turns. And we saw there could be an improvement to the traffic operations along there, but we did not take it beyond a very initial analysis, whether how that compared to the freeway ALTERNATIVES THAT TxDOT WAS Looking at. We provided our information to them and I believe their conclusion was it didn't meet the mobility needs that they were forecasting in that area. Nevertheless, if operations are an important issue to deal with along brody this could be a viable option for some of those issues. The other alternative was looking at upgrading both brody as well as manshak to a more urban arterial environment, going from a two to three lane section to a four or five lane section, treating it as an urban arterial. We don't know what the benefits from a traffic perspective of that kind of alternative as well as improving 1826 to 35.

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I want to point out that both of these concepts would have potential environmental impacts along

brody, but because they were not fully evaluated as part of the environmental impact statement we can't, as a community, balance what are the mobility benefits of these kind of improvements versus the obvious environmental issues that they would bring up. Along brody there are environmental characteristics as I'm sure chuck will tell you, but we don't know the extent of the impact because the alternatives that were evaluated along brody was a full freeway which has a bigger footprint than a five lane or three lane arterial. >> So then what about recent traffic studies and what does the traffic in the future look like? Let's talk about that. Now these -- this information is from the dynamic traffic study that was done for southwest 45. And you see various colors here. Let me put in just some screen lines, if you will, and those are approximately where the new southwest 45 would be located. And I'm not trying to get the exact alignment but those blue lines indicate where 45 southwest is and where slaughter. And I think that can help you develop some understanding. If we look at just the colors, the reedlings in there gain traffic and the greener links lose traffic. What we see is that as you build 45 southwest, again, this is DATA PROVIDED BY TxDOT THROUGH Their environmental impact statement. As one might expect the lesser arterials, brody, manchaca, as well as 1826 donate traffic to 45 southwest, and the roadways that pick up traffic demand are

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1826, mopac, and -- well, the piece of 1826 north of 45 southwest also gained some traffic. And so what this suggests is that southwest 45 does a pretty good job of redistributing traffic across that grid and making use of loop one, which has a higher capacity characteristic than arterials. I'll come back to this later to talk about the impact on the mopac bridge across lady bird lake, but I want to show you that loop one draws traffic as it is redistributed along 45. The colors do not imply a level of service or congestion. It's separate and we're going to use these colors again to imply level of service, so bear with me. I have no control over the graphics. >> I want to stop you right there a second. I want to be clear on if you were to build 45, it would put additional traffic on mopac, is that what you said? >> It would put additional traffic on mopac south of slaughter. But that roadway right now is very lightly used. You know in terms of the capacity that's provided there, it's much higher than the demand that's there now because that grid never hooked up to it. And so that's not necessarily indicating that it increases congestion on mopac and I'll come back to that. >> That gray line on loop one north of slaughter suggests that there is basically no change in the amount of traffic on mopac north of slaughter as a result? >> That's exactly right, so what that suggests is we are redistributing the traffic where it gets on mopac in a sense. >> They are getting on at brody or getting on at southwest 45, they are still getting on mopac. >> In terms of a grid, that's what you would expect out of a grid is it would redistribute that traffic and the nature of the traffic depending on where it is.

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>> Is the study done by the folks at u.T.? >> This is -- well I believe u.T. Provided the dynamic travel model but it was sponsored by TxDOT. >> Gotcha, thanks. >> So there was also the discussion about what about a toll-free versus a tolled version of 45 southwest. And as we expect, as we increase the individual user cost of using 45 southwest from a tax-supported roadway on your left to a user-funded

or a direct user cost on your right, there is still that general migration of demand or travel demand from the various arterials to that 45 southwest, but it is dampened a little bit by putting tolls on there. So, again, it still draws demand from the other roadways. But it is somewhat less demand with the tolls. That's not necessarily, again, a statement of good or bad, it's just a statement of, you know, when you balance the cost, then people make decisions, I think as you were referring, based on economic benefits to their travel time. I will point out that subsequent to the original draft of our report, we did receive direct information from ctrma and even with tolls they are projecting a strong demand for 45 southwest between mopac and 1626. I think I'm getting 1826 and 1626 mixed up. 1626 is on the east, 1826 is on the west. I apologize if I have misled you. But they are showing between 14,000 and 20,000 daily trips, which is certainly enough, obviously, for them to justify the investment as they move forward. So what about congestion? So one of the things we know, this is a plot out of campos

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model, and you will see that it is a future model, so it is 2035, and it does include the link of 45 southwest, but I think this is important to look at because when you look at the network and here purple is right at capacity, slightly congested and red is severely congested, we should still expect to see a number of roadways in the south end even after 45 southwest is built that remain congested. Development over the years without construction of the grid, development has grown up around the roadways that exist there causing those operation issues as well as demand issues that are not necessarily going to be completely met by 45 southwest. So 45 southwest is an important link in the grid but it's not the silver bullet that solves all the problems. Brody remains severely congested south of slaughter under these projections. Manchaca remains at capacity and congested. 1626 coming up from buddha, even though it has been improved, we should expect to see traffic demand at least as far north as 45 southwest to remain heavy and possibly congested. Just to point out that there's lots of mobility challenges in the southwest part of our community. And this is a projection after 45 southwest is built, and so there is congestion now. We have visible proof of that through photographs, and we know it will remain congested in the future even with 45 being constructed. That said going back to the grid concept, it does provide an

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additional link within the grid, and so it does provide improved reliability in that it gives people more options of how to move east/west through that grid. So then moving on to task three which is what happens between loop one, and council member spelman, you have hit on the issue I was going to point out, is that in the future the mopac bridge is projected to be congested as much as it is now. That shouldn't be a surprise to anyone. The question is does the completion of 45 southwest exacerbate that? We know that on loop one, ctrma is evaluating the possibility of extending express lanes to the south to provide reliability into the south for a portion of our population. It is likely to follow the same path as the express lanes to the north, to have some type of variable toll management. The benefit of that is that transit can get into the far southwest part of austin in a fairly unobstructed manner, as we will continue to experience our learn as the mopac north lanes go forward. But really that north piece of

mopac leaving slaughter, the future traffic conditions are relatively unaffected by 45 southwest. Again, according to projections DEVELOPED BY THE TxDOT AND Others in this area. That would lead me to believe that 45 southwest in and of itself doesn't change the demand. Now this doesn't say what happens if 45 southwest extended to 35. It doesn't mean if, you know, it doesn't evaluate the possibility of what happens if 45 southwest is extended further to the west. That's not part of the current analysis. And so I have no way to tell you whether that would change the impact on central austin portion of mopac.

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So just in conclusion, I just want to point out, and I hope I'm not disappointing you in the amount of information. Remember, you're asking us to look 20 plus years into the future, 15 to 20 years into the future, to what's going to happen here. Growth in hayes and travis county has been strong, and given the objectives of those counties it probably will continue to grow fast and remain strong, and that's certainly represented by the campo, TxDOT, AND CTMRA FORECAST. The originally planned roadway network in '84 was never completed and it's not been completed now, although this is one more link in that. But that results in low connectivity and limited alternative travel routes. And so the traffic we see now as well as the traffic congestion that's projected is not unreasonable to anticipate as a result of not completing that network. There's many transit investments that are not yet in place. Some are dependent on the roadway investment. Those may provide alternatives for people to travel, but some of them do require roadway networks for platforms. The existing network is heavily congested during peak periods. The future network without 45 can assume to remain congested. And with 45, specifically brody, slaughter, manchaca, and 1626 will remain congested. 45 southwest is by no means a silver bullet to solve all those congestion problems, but it will redistribute some of traffic and provide redundancy. >> Mopac bridge is not affected by the proposed project one way or another. So with that I'll turn it over

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to the environmental issues. >> Mayor leffingwell: Mayor pro tem. >> This might be a good time for us to talk about transportation. >> Sure. >> Where sh45 is built or not, it seems to me one of the things that you said is we're still going to have traffic problems on brody and manchaca. >> Those are the projections, yes. >> On both brody and manchaca whether 45 is built or not. Two of the suggestions or two of the things you looked at where roundabouts on bro di -- brody. That's not necessarily a reason for us to give them a short shift, regardless of what TxDOT DECIDES TO DO WE OUGHT To consider the possibility of improving conditions there. Can you tell me more about the roundabouts on brody lane. >> You hit on a point exactly that I think even after -- if, rather, assuming 45 might be built, again I'm taking a pro or against side, if it's built I think we will still be faced because of the congestion and mobility concerns along brody and manchaca, I think as a community we will still be under pressure to address that. And so I think that we need to contemplate what that means in terms of environmental impact as well. That you might get 45 plus something on brody and manchaca over time. Both manchaca and brody are -- I take that back. Brody is both in the county as well as within the city. And so it's not completely a city of austin roadway. I think, you know, we have had initial conversations very



preliminary with travis county

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about doing something with brody lane. It will not be inexpensive. Those are fairly expensive projects in terms of widening existing rural arterials and the wider arterials. I think we're also constrained by the available footprint. And so certainly I think a number of community members out there are concerned about those roadways widening or changing the perspective. I don't know what their objectives are, but I think that they will find even after 45 southwest is constructed that congestion along brody will be significant enough that they will want something done. And so -- >> particularly that left turn issue. >> Absolutely. So with 45 southwest in process, after our initial analysis we sort of put that on a back shelf to see how 45 southwest discussion, what outcome would be from that. I think that as we start to better gain what the potential outcome from 45 southwest is, then we'll start talking to council again about, you know, what, if anything, do we want to do along brody. Manchaca, there is work within travis county right now north of the hays county line to begin to match the improvements, I believe, that hays county is doing. Hays county is increasing 1626 to, I believe, a five lane arterial to take care of some of that demand. So I do believe the county is working to discuss what kind of improvements on 1626 are necessary and then manchaca would be the next piece that would be of discussion. I can't remember if manchaca's all within the city limits or if it is one of those roadways inside and outside the city limits, but it would also be a point of discussion. Now north on manchaca, we're WORKING WITH TxDOT THAT There's still one little gap in

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manchaca that is a narrower roadway than on either side. AND I BELIEVE TxDOT IS WORKING To correct that as well. So manchaca will become more of a viable alternative as well. >> I'm looking at your map, it looks like the southern section of manchaca is county road, not city road. >> That could be, yes. >> Once you hit the congested section, that is our responsibility. >> Right. [ Laughter ] >> and brody -- >> that's just coincidence, by the way. >> I understand that. Well you get more people, that's where the congestion comes from. >> That traffic starts to hit a compression wave as more activity is going on and you're absolutely right. It starts to stack up. >> It's got more people entering the roadways there and the entrances and exits are part of the reason why you have the congestion. >> Sure. >> I'm just looking at your 2035 congestion map. >> Yes. >> And it looks like the red section on brody is in travis county, not necessarily inside the city of austin, but if there's something we can do to improve conditions there we ought to consider it. Since you've got a plan at least outlined for roundabouts, I wonder if you can tell us what the roundabouts may or may not be able to accomplish. >> Well, so roundabouts can help with left turns. They are a continuous flow intersection. They're safer than a four-way intersection because the number of conflict points are taken out. And they are often used as a substitute for either stop signs or signals where the turning volume -- on brody I think the turning volume is enough to cause the back ups but it's not significant enough to necessarily invest in signals. Signals, you know, you want to create a left turn queue and let vehicles turn left on brody. It can be one left turn vehicle

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that causes the back up where others are going past that intersection. To the west many of those brody intersections don't go very deep because they run into water quality lands. The roads don't go very deep, and so you wouldn't expect a large number of left turns, but it's just a few that cause those problems. It also certainly can help us better manage the speeds on brody. We also have, you know, the situation where because of the frustration when people get around a left turn vehicle they tend to floor it. That causes some safety issues if there are pedestrians along there. Certainly we need continuous bicycle and pedestrian locations along here. Many people don't walk because there's a lack of facilities in places and so that's also an issue. Along the sides of brody there are water quality features. And so those are what would add the largest cost because you would have to redesign how you take care of the quality and quantity of that water. >> So there's a lot of reasons for doing this. >> Oh, yes. >> Particularly we get e-mails and conversations with people who live in that area, suggest making a left turn to get across brody is a very big deal for people who live in that neighborhood and item it's very difficult to do. It would be easier if they would make a right turn. Have we put a pencil to this and gotten a sense of how much it would cost and how long it would take for us to at least experiment with two or three of these? >> If you will allow me to come back or answer that to council in written format, I will do that. I don't have it off the top of my head. I think we do have a very rough cost estimate of what it would cost to do just the roundabouts but clearly that may not be everything we need to do in that corridor. And I'm not suggesting that a round about solves every left

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turn location where we have schools. It might be better to have a signal, for instance, at that specific location, but if you'll allow me to come back I will get the entire council that information. [One moment please for change in captioners] >> I don't know that I can say that. Sort of as a broad brush, you know. Some intersections can be pretty expensive. Just to let you know. But then I don't know that answer. So -- >> Spelman: Okay. >> I can't blanket answer that. >> Spelman: Again, this is

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just a gut reaction on my part. Please feel free to correct me, but seems to knee intersection improvements are a lot easier and faster to implement and a lot more palatable to people who live on both sides of the streets. >> I think they can be faster potentially to implement, there's a good chance they can be lower cost than a new lane, but I can't swear that they would be more acceptable to the surrounding neighborhood. >> Spelman: So -- surrounding neighborhood. >> Spelman: Do we have a sense for how much value we would get out of a voter of intersection improvements on manchaca and on brodie as opposed to to new lanes in both locations? >> I do not. My intuition tells me much like the results of 45 southwest is it will help but it will not resolve the congestion issues. Again, intersection improvements address operations versus capacity. They certainly help and make a number of people's lives easier. [Inaudible] left turn operation. But they don't necessarily increase options in terms of travel corridors. >> Spelman: I understand that. On the other hand, if you could solve a traffic congestion

problem in one small section of the city of austin, that would be an improvement over what we've got right now and probably beyond most people's expectations given how much traffic is increasing citywide. Traffic is bad everywhere and people kind of expect that it's going to be bad. Knock the rough inches off and make this easier for

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everybody. [Inaudible]. >> Absolutely, councilmember. You know, as the director, I'm not throwing in the towel in terms of lack of mobility or congestion, but what we really need to do is realize that much of our congestion is generated by the popularity and the demand and the economic activity that's going on here in austin, and I say say austin and its bigger community. And probably one of the best things we can do as a community is to offer as many options for people to make good choices in terms of their travel, whether that is a -- various network opportunities, improved operations, transit alternatives. Bicycle ooped opportunities, travel demand opportunities so they can think of google fiber and the at&t fiber as encouraging telecommute. How much more work can be done by not traveling. We as consumers of mobility here in austin feel much more savvy about how we choose to impact systems. So there's also a personal responsibility on that. >> Spelman: I have one last question with that. It's a big one and I fully expect you and nobody else really understands the answer yet but I need to raise it. >> Uh-oh. >> Spelman: That is if sh 45 is built or even if it's not built -- >> sure. >> Spelman: -- If we improve manchaca and brodie, if any transportation corridor is improved, then you get two effects. One is a short-term effect of making things easier for people living along the corridor who are already using it. The long-term effect is encouraging people to increase demand by either shifting from a route that they've already taken, beca brodie is easier, manchaca is easier, and you are creating a shift by encouraging developers to

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build more destinations and more sources of traffic. So one argument that has been made is sh 45 is going to fill up same as all our other roads because it's going to encourage hays county developers to build along 1626 feeding into 45 and eventually feeding into mopac. To what extent have we taken into account the prospective decrease demand as a result of 45 and any other improvements proceeding? >> I think I need to be cautious about how I answer that. You know, typically with traffic -- no, I mean specifically with traffic demand modeling, you assume that your growth in trips due to changes in land use is held constant. Because there's too many variables to try to forecast. So with the land use forecast being used in this -- these analyses is very likely going to help see difference between the alternative. But you are right, as new infrastructure is constructed, two things happen. One, when people either by word of mouth or chance experience find out that there is a better route, they will tend to shift their route. That's why we have to retune our arterial signals every three years is because once we improve it and drop the travel times, people figure it out. We don't advertise, they figure it out, three years later it's decayed to where we have to redo it again. So that is one factor. And then the other factor, and I think that is that new developments occur, have also been happening because we didn't complete the network as well. And a good example is the big interchange at i-35 and 71. We didn't finish some of the

ramps and so development occurred. That created a certain type

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demand and then we went back and finished those ramps. Wow, now we're not serving the demand that grew up in the absence of that ramp, we're serving new demand, and so we still have congestion even after the ramp is filled. I would something that's what's happening in southeast austin in response to the roadway and transportation we have provided, there is going to be a period of congestion if more were completed as development patterns shift. Old developments try to figure out how to be served by the new network that's no longer the old network. It is a continuous challenge. >> Spelman: So the short answer is we're holding constant development patterns assuming the development patterns -- >> [inaudible] >> Spelman: I understand that. But if somebody has an estimate, I know this is something which transportation economists have been working on for a while is how much additional traffic is going to be induced as a result of new development taking advantage of the new highway. >> Councilmember, what's typically assumed is the land use capacity for land use buildout is the same regardless and what a new transportation facility does is accelerate the realization of that buildout. That's just the theory behind it. >> Spelman: You've got a million people coming to town. Sooner or later people are going to be living everywhere. But if what we're trying to do is stay ahead of transportation needs, if that demand is going to be breathing down our neck, we're not staying ahead as much as we think we are. >> Right. >> Spelman: My primary concern on this respect if we set people up to believe when we buih 45 or brodie or manchaca, that will solve the problem for a

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foreseeable period of time if that's only two or three years increase demand and things right back to where they were before, people are going to be extremely unhappy with it. >> That is a possibility. >> Spelman: If they have a sense there are limitations to our ability to stay ahead of demand, then we're at least giving people the proper expectations. >> Yes. >> Spelman: Thank you. >> Cole: I just have one followup question about the round-about. You said it was causing additional congestion as people tried to turn left on brodie to the schools. Have you had any discussions with the school district about additional school facilities that they are planning out south that need to be a part of this 10-year analysis? >> No. No, we've not. These are just the existing facilities that are out there. >> Cole: Councilmember tovo, did you have a question? >> Tovo: A discussion save our springs when they brought in a transportation expert to provide some suggestions of what they thought would happen, and I haven't had a chance to really delve into this before since you got it to us and compared it back to some of those earlier -- some of those traffic analyses and assumptions so I'm not really prepared to talk about it today or to ask you questions trying to align those different models up, but I wonder if we might hold open the option of doing that at a future work session or perhaps at the land use subcommittee of council. I think that might be a useful thing just to have maybe somebody representing -- I see mr. Bunch here, somebody who can speak to those studies and kind of lay them out, I guess. >> Cole: I'm not sure.

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Have you seen those studies or any of that information. We were there. >> No, actually I was not there. We were there simply to listen. We did not participate in the study. >> Tovo: I just mean I remember seeing lots of our city staff at that presentation as well so maybe that was -- that would be a fruitful conversation. >> Cole: We can do that at a later date, but if you had questions or wanted to comment on it right now based on what you've seen, we can certainly do that right now. >> Tovo: I'm not prepared to ask questions. >> I'm not sure I can comment. From my experiences there are no silver bullets so I think that the mobility challenges is southwest austin and like I said are both a demand oriented issue as well as an operations issue and there's a variety of ways to solve those, a number of different tools, and each tool, it's about bringing as many tools as possible to solve an issue and comes down to how do we provide folks with as many options and choices as possible because we know there is enough development right now to cause a challenge in mobility. >> Cole: Let's see what councilmember morrison -- >> Tovo: If I could just make one more comment. I would say at this point it looks to me like the main disparity is the difference and impact what mopac is. >> Cole: Councilmember morrison. >> Morrison: You mentioned, rob, that -- I totally get the silver bullet thing and I think that's something we as a culture need to absorb so we realize there's no one answer. You mentioned southwest 45, whatever happens, whether it's built or not built, it's not going to completely solve the problem on brodie. As you said, I think I heard you say that you are waiting to see the outcome of that

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discussion before delving further into the options on what we should do with brodie. >> Yes, ma'am. >> Morrison: So my question is, what we do with brodie, is it going to be significantly impacted by whether or not 45 is built? Do we really need to be holding off on that? It sounds like we have a couple of choices and obviously we don't want to spend money if we're going to redo it. >> I don't think it would change because my professional belief is many of the problems along brodie are operational, not necessarily demand. There's some demand issues on brodie, they are typically at the north end where we need more -- some additional lanes to provide maneuverability at slaughter and so forth. My statement of saying we held off is because when we first developed the round-about concept and provided that to txdot, they were in their alternative development stage and so we wanted to give them a chance if they were going to evaluate that, to evaluate that. I think if the desire of this council and the community to go ahead and start looking traffic mitigation on brodie with our without 45 we can do that. It does represent a major capital project for a future funding discussion. >> Morrison: Personally I think that makes sense and I also heard you mention that we haven't really studied the environmental impact of that, and it seems to me that at a minimum we could get started on that. >> Well, any time you change the pavement, outside pavement lines of a roadway whether it be an intersection or on a lane issue, especially in southwest austin, there certainly is environmental issues. We had good experience in environmentally constrained areas, building in those areas to a successful outcome. We just don't know how that compares to other

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alternates. >> Morrison: And I certainly understand we're talking about a significant capital outlay, but we've got tons of projects that have that and as you have demonstrated it pays to get the plans [inaudible] assuming they are done in a way they are not dated quickly. Okay. Appreciate that. And I also appreciate your articulation of the concept that it's really about capacity and about operation. >> Yeah, the congestion caused by one of three options. Capacity and lack of alternatives. So yeah. >> Morrison: Okay. And then the second issue I have is you mentioned that these are -- all of these estimates are based on an assumption that sh 45 is not then connected to 35. Doesn't that connection, if it were to occur, change everything? Terms -- well, I shouldn't say everything to an engineer. Doesn't that connection change a significant portion of the estimates and outcomes? >> Coming from another engineer I take that as a compliment. >> Morrison: I was an engineer. >> All we have to analyze is the data that is projected currently. Both fhwa and -- agreed with txdot this project had independent utility and so it was appropriate to analyze this project in absence of a connection to i-35 and in an absence to connections further to the west. And so I have no way of analyzing what the condition would be with a connection to i-35, but I certainly would think that it could

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have difference in capability. In outcomes rather in terms of traffic demand. That said, I also think that with it being implemented as an express lane, eventually a tolled express lane, that gives the community opportunity to better manage the type traffic using this facility. And so we know from our experience on 130 that trucks that are charged a much higher rate than cars and to avoid 130 unless there is absolutely a time or destination benefit to them and so I would expect that sort of same response to be achievable, especially if you have a variable toll you could crank those tolls up on undesirable uses. So I don't know the outcome. >> Morrison: Of course you don't. Right. I wouldn't expect. But -- and I certainly get that southwest 45 just as it's proposed right now could be perceived as having independent utility. But I have to say it troubles me greatly that we're not looking at the big picture. That we're not looking at what really happens to then sort of a super grid. Because I would imagine have there been some estimates, and maybe this is part of the previous work that was done by the -- the folks at s.O.S. And that is the impact on the northern -- farther northern portions of mopac. Doesn't that stream a lot more traffic on to mopac? >> Well, again, all I have is the forecasts that were done and what it suggests is that 45 really does redirect the traffic that is contemplated and getting back to the assumption land

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use is achieved to the capacity of the lane use regardless, that that's held constant. Especially with all of the land that has been taken out of development capability right around 45 southwest, it makes sense to me that what 45 does is simply redistribute traffic along the southern portion. So the forecast suggests that north of slaughter the total volumes on mopac with this 45 connection are really not different than what would be expected under normal growth. Remember, the whole traffic is growing this this area, traffic keeps going, so it may be congested north of slaughter, but 45 southwest at least in the forecast information we've evaluated doesn't suggest that it affects that. One way or the other. Of course, that's without the connection of i-35, which, you know [inaudible]. >> Morrison: But I

understand that you only know what you know and we only got the information that's been given us to, but would you agree that that connection, 45 connecting to i-35, would have significant impact? >> I think it's an important question to ask txdot to evaluate and present on. And, of course, the community would have to make a second decision whether to connect to 35 or not. The more links that get put in on 45 southwest, obviously it's harder to make the null decision to not do it, but that's an argument to the environmental process have you created a smoking gun with two pieces pointing the each other, is it reasonable to assume that's a separate [inaudible] that [inaudible]. >> Morrison: I think that's an interesting analogy. A smoking gun with two -- >> pointing at each other. >> Morrison: I feel there's a better analogy. >> That's the term I've

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always heard used. >> Morrison: I think once it's there that there will be -- people will say why are you not connecting those. And so we need to realize that this decision on the current portion that we're talking about is really a potentially significant determinant on the other. >> I will tell you that the development that lies between those two have not really left my understanding a corridor that would be conducive to a similar design that comes through there. That doesn't mean that it can't be extended through there, it's just the private development has not made the allotment for that. They've made allotment for a much smaller corridor connection as opposed to a freeway connection. >> If you look at the lines drawn on property around where 45 would abut, there have been significant plans put in place to allow for that. >> Sure. But it's not a completely clean corridor. >> Morrison: Thank you. >> Cole: We'll go to to the environmental. >> The environmental issue here is obviously very minor. That was a joke. So council resolution asked us to review the existing environmental surveys and studies that have been done for this area, and we looked at a lot. There's been environmental assessment surveys, scientific studies have been done out here since the mid-'80 and earlier so there's a wealth of information and data for the area. A lot of it not related directly to sh 45 but relevant in assessing the potential impacts of sh 45. And so these are the things

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that we found as we took a look at this wealth of data is there's strong and rapid connections between surface water, ground water, nearby public water supply wells, public and private, and barton springs. The travel time from this area in a rainfall event from the area of sh 45 to barton springs is just a few days. The travel time to nearby private and public water supply wells from this area is measured in just a few hours. So if you put water on the ground, pollutants on the ground, you travel very rapidly vertically to the ground water and very rapidly show up in nearby wells and barton springs. Surface water in the area primarily bear creek is the high quality and various studies have shown it's very sensitive to nutrient input. You put a very small amount of nitrogen or phosphorus into the water and you will rapidly see algae blooms and deterioration of water quality. On the surface karst features are plentiful. Karst features are caves, sinkholes, fractures in the ground. Some small enough that you really can't see them to some that if you are walking along you would fall into them bodily. And what we have found is that every time these -- a lot of these properties have been surveyed for karst features multiple times. Every

time somebody goes out to these properties and surveys them again, you find more karst features. It's sort of a -- not a technical term but what we call this colloquially, it's just full of holes, like swiss cheese. There is a txdot karst survey that was -- when I

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wrote this slide, the sure survey had not been completed. We did recently get a briefing from txdot just last week on the results of the survey. And so no longer in progress, it has been completed for the sh 45 right-of-way. So that's in progress. And I think that's a really critical survey. Additional cave exploration by txdot we believe is needed. Now, that opinion may have changed since we got this briefin based on what with you necessity a few we knew was somewhat limited and would recommend additional cave exploration. The city of austin point ridge cave subsurface cage study, the dye study, what we're looking at with that study is how ground -- or how water flows from the surface into the cave. And what areas -- so what is that drainage basin for subsurface drainage into the cave itself. Which is very important for determining potential impacts of sh 45 itself to the cave. There's rare karst species, karst invertebrates in a number of caves in the area. Staff recommend additional study to be consistent with federal protocols to confirm presence or absence in some of these caves. There's bird habitat, golden cheeked warbler habitat. Possibly habitat in the right-of-way. The recent study done this year didn't find any nesting areas on the right-of-way, but to be consistent with fish and wildlife protocol, again, a number of studies are required or recommended to confirm presence or absence of golden cheeked

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warbler habitat on the right-of-way. Let me talk about flint ridge cave. This is one of the largest caves if not the largest cave in travis county. It's protected by -- it's a protected cave under the bccp. This is the cave opening itself. You can see this is rain water runoff going into the cave. You can see the size of the cave opening just in relative to the person sitting beside it. It's very deep. It's got a lot of passages. This is one of the passages. I just recently saw this picture for the first time. It's amazing, amazing picture. The cave itself is really spectacular. And this is our drip study. This is a funnel and this is -- you can see this is a point where water, you can see that it's stained the rock dark brown because -- I presume because of the soil and the water coming from the surface, and we put dye on the surface of the land and then we put funnels, there's a hose attached to this funnel that collects that water, it goes into a sampler. We collect that after a rainstorm and we know where that dye came from from the surface and we can track flow patterns from the surface into the cave. So again, just to orient you, the -- this is the map you saw earlier. This is the rough location of flint ridge cave, and in the upper right of this slide is -- you can see the horizontal footprint of the cave. And the red lines on that footprint are the -- is the sh 45 right-of-way, so you can see the cave itself extends directly under the proposed route for sh 45 even though the opening is somewhat off the right-of-way. And then the surface drainage area, which is how

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pollutants get into the cave, is outlined here. There's a number of estimates of the surface drainage



area. As we continue to collect information, we'll continue to refine this, but this is the estimated surface drainage area for the cave. You can see sh 45 goes right through the surface drainage area. So the next thing that council asked us to do was compare the state environmental impact statement process versus the federal environmental review process. The -- and what we found was, and this was done primarily from the law department with assistance from the watershed protection staff, is the process or requirements overall are very similar. In fact, a lot of the language in the state environmental law that requires this environmental review is verbatim from the federal environmental law, but there are subtle but potentially different differences. There's no overarching law to the policy act. There's no texas oversight agency, no single oversight agency equivalent to the white house council on environmental quality. At the federal level, the council on environmental quality is tasked with implementing nepa and resolving disputes between federal agencies that are undergoing a nepa review, and just essentially making sure nepa is implemented the way that congress intended. Txdot is often both the project sponsor and reviewer which is not impossible for that to happen at the federal level but it is not common. And this is the case in -- with sh 45 is that txdot develops or consultants for txdot develop the environmental impact statement and it was -- is being reviewed by txdot and

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will be approved or disapproved by txdot. Federal reviews prepared by txdot are subject to additional independent review by federal highway administration is one difference. Underneath -- there's a -- the courts have defined a hard look standard, and if we get into questions about the hard look standard, you will get out of my depth and expertise very quickly, but there's a lot of case law across the country on what a hard look means. Thi how robust the environmental survey has to be and how rigorous the analysis must be. The texas law says you must consider the results using commonly accepted engineering and scientific principles. And as far as we know, there isn't any case law that defines w consider the results mean. Federal agencies are required to consult with the u.S. Fish & wildlife service if there is potential endangered species impact. Texas agencies are not required to consult with fish and wildlife, but if there is the potential for take to occur, they must obtain a permit. But their decision to pursue a permit or not is entirely up to them. And then last the council asked us to take a look at environmental protection measures on current txdot projects. And first we looked at construction sites and temporary construction phase water quality controls. And so there are two sets of rules. The texas pollutant discharge elimination system state rules and the edwards aquifer, which are also state rules, that apply in this area for temporary

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controls. These are erosion aniseed mentation rules that apply on state projects. The criteria for those temporary controls very sima o.J.Simpson already to the city's, however the design analysis to determine effectiveness is different. At the state level, the state requires that you put controls in place. They have to be shown on the plans, but the city requires engineering analysis be done to determine whether or not those are actually adequate for the type of slopes that you have, the type 'soils that you have and the volume and velocity of water you might encounter on that construction site. Txdot and the

contractor are jointly responsible for inspection on a state project. And we did some -- over the last year, we've done staff site visits to txdot construction sites and what we found is the quality and number of controls, fences, mulch socks, rock berms such as that, are very inconsistent between construction sites and the maintenance generally appears inconsistent. And in general txdot sites for their construction phase controls don't meet the requirements that would be required on a city of austin regulated site, whether that was a private or public development. Now, however, having said that, this will be a ctrma project. It will be constructed by ctrma. We've been in discussions with them for about a year. They've talked to us about implementing a city of austin-type process for design, inspection and maintenance. In fact, they've talked to us about implementing something similar to our environmental commissioning process on water treatment plant 4. So then we took a look at permanent water quality controls. Post-instructional water quality controls on state roadways. And we specifically we looked at south mopac.

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Tps and edwards aquifer rules again require permanent controls on state roadways. But the required permanent controls under state regulation substantively from city requirements in the barton springs zone. They treat significantly less water. They only target sediment, not nutrients and metals that are required to be treated for by the s.O.S. Regulation. The water quality goal is lower than the city of austin's nondegradation controls. We took a look at the controls and generally those roles are in pretty good condition. However, they are a he would over design. They were installed during THE 1990s AND NOT Comparable to current standards. We asked txdot for their inspection and maintenance records which they supplied to us. We went through us those and generally txdot does seem to be doing a pretty good job of inspecting maintaining those controls. These are photographs from txdot sites in barton springs, edwards aquifer recharge zone. See here that a silt fence that has -- is in poor condition. This is an area of disturbed soil, again, lacking controls or inadequate controls. And this is a large area of disturbed soil without any apparent water quality controls. And then we took a look at some of our own city sites, and on the left you can see these are large mulch socks and irrigation system that this site has been -- this slope has been controlled by large mulch socks, it's trapping a large amount of soil. They started revegetation with probably installing seed and irrigating those

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areas to get those to stabilize. On the right you can see an area of disturbed soil. However, the storm water inlet has been completely covered with silt cloth and to prevent or minimize sediment entering that storm sewer system. So to summarize, the sh 45 southwest area overall is studded. There's a large body of scientific data. We have some relatively minor recommendations for additional work. The proposed route is very highly sensitive because of the karst features, surface water, ground water and protected species that are in the area. There are some gaps specific on the the right-of-way and potential project impact, but I think there's clearly enough information to make some reasonably sound judgments about the potential environmental risks. The state and federal environmental review process is comparable, but there are some differences in oversight and interaction with u.S. Fish & wildlife. Local

txdot construction projects vary a lot in water controls and generally in good condition but older technology. And in closing, I do want to say that staff has been working on this for number of months. We had the environmental impact statement that occurred in the middle of this and I want to complement the work the staff and the transportation department, watershed department and law department put an enormous amount of time and effort in on this and I really appreciate the work that they've done. >> Cole: Thank you, chuck. I appreciate the work you and rob have done in bringing this forward in response to councilmember tovo and morrison's and my resolution. I just had one quick question about the nepa

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analysis. Have we gotten a full report or not? >> Yes. The draft environmental impact statement on the roadway was issued in early july. The public comment period closed in mid august and staff reviewed and submitted comments at that time. The final report txdot staff tells me that they expect to issue that in late december, and they will issue the responses to comments at the same time as the final report is issued. And then a record of decision which will be a final decision on -- from an environmental standpoint on the roadway would be issued probably in a few weeks after the final report is issued. >> Cole: And councilmember tovo. >> Tovo: I have some questions. I want to start by thanking you. I know some of this work was analysis, a lot of it underway, but I appreciate you pulling this together for us and I think I do have some questions based on what you've laid out in the report and in the presentation today. I want to get back to talking about flint ridge cave for just a minute. You showed us some photographs. I had an opportunity probably a year or so ago to visit some of the water quality protection lands and saw the opening of flint ridge cave. If I'm remembering, it's also not been mapped and it's not the cave that is assumed to be very large under the ground. >> It is a very large cave and the mapping has been limited by our ability to get access to other passageways. I think there's a point at which people just can't go any farther. And so we haven't -- we don't know how much farther it goes. We do know there are other caves in the area. And in fact there is another cave that we're exploring or

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have been exploring this summer that has -- extends several hundred feet had the direction of flint ridge cave and there is some possibility those are actually one cave. So it is a very large, extensive cave. >> Tovo: And so -- and that's the area from which you did the dye studies that made it to barton springs within two to four days; is that right? >> That's correct. >> Tovo: And in looking at your report on page 4, not only did it get there quickly, there was a high level of retention of those -- of the dye, as I recall, it was 45% or something like that. That may be on another page. >> I think that's generally in the vicinity the right number. >> Tovo: Is that because -- I think there were some comments within the report that the creek, in addition bear creek and slaughter creek have a low level of nutrients? In other words, they don't screen out the nutrients as well as some other bodies of water so whatever ends up in there is very likely to make it to the final water source. >> There are also direct connections from those creeks to the aquifer and into barton springs, but it's really the nutrient capacity, the ability for those streams to assimilate and pick up that nutrient without a reduction in water quality is limited. And that's one of the

things I mentioned in the slides is they have a low capacity to take in additional nutrients without significantly changing the water quality. And which also will relate to the quality of the aquifer and the quality of Barton Springs. >> Tovo: How much -- to what extent do you feel those particular issues were considered in the EIS. And I want to thank our city manager for the EIS be

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withdrawn. I think it was appropriate that you took that step. Does the EIS take into account, for example, the dye study and the fact that pollutants that enter Flint Ridge Cave will make it in a rapid period of time and likely won't be screened out? >> I think they didn't in the study directly look at that. I think -- I think they do, I think TxDOT and their consultants understand the sensitivity of the area and of the aquifer and the potential impact to Barton Springs. I think that the approach they are taking is that through the design that they can minimize or eliminate those risks, and I think the bulk of the comments or a large portion of our comments on the EIS were really about the lack of information on the design and potential and possible strategies to limit impact. And I think that our comments really boil down to - or one major category is that the EIS was issued prematurely. They don't have enough information on the design. Still missing environmental information and I do think they did look at our dye study, but we're also looking at an important study being done known, the subsurface drainage study on Flint Ridge Cave which will give us the ability how weather will and how much water might be getting into the cave and into the aquifer. And so I think that our -- one of our major criticisms and comments of the EIS was lack of information on those 45 studies like the Flint

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ridge cave study that's underway and the potential litigation strategy that's being incorporated into the design. There's very little information. >> Tovo: Am I understanding properly in some cases if there's an environmentally sensitive feature, there is an opportunity to mitigate it [inaudible] but Flint Ridge Cave is one of a kind. Not only does it provide a really ready access to Barton Springs where we have two endangered species, it's also a pretty unusual, extraordinary -- >> that's right. And I've got Willie Conrad here with the BCCP program and what he has told me many times is that there is a mechanism for substituting caves, protected caves, but you are right, Flint Ridge Cave because of its size and location would be very difficult. >> Tovo: Thanks. I actually have had an opportunity to hear from Mr. Conrad so I'll leave it to my colleagues. >> Cole: Councilmember Morrison. Any other questions on this topic? >> Tovo: I have kind of a slew of questions but I'll sort of summarize to leave time for my colleagues to talk. In going through your report, it sounds like there's significant evidence that there are some very high environmental risks to the building of this highway. And I think you've outlined them for us both in terms of how TxDOT implements its standards but also the level of -- I hope at some points it comes around to talking about U.S. Fish & Wildlife and how they are expected to weigh in on this, if they are. And that kind of thing. But I appreciate all this work so

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I was concerned about sh 45 even more based on the evidence, the discussion of the studies in more depth. >> Cole: Councilmember morrison. >> Morrison: Thank you. I appreciate that as well as yours, rob, it's been helpful. I wanted to focus on slide 25, if we could go back to that. >> This roadway originally had some federal moneys associated with it so it would have been a federal -up process. When those funds are substituted for local or state funds, there is no longer necessary for the feds to be involved. Txdot being the implement eras well as regulator has the authority to do that. I will say that txdot is recently one of several states that has become now the federal reviewer as well, and so with federal environmental impact statements or nepa statements of any type on roadways moving forward in the next several years, they will also be the federal representative to reviewing those. That said, shwa and the

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federal agencies think they have to abide by the federal process which means a [indiscernible] on the federal process. Specifically with regards to 45 southwest because of the lack of federal moneys in it, it is strictly a local, state process. >> Morrison: Except we do have fish and wildlife involved. >> And I can tell you only if there is a taking will fish and wildlife be involved. >> That's correct. This is the current review is a state review. Fish and wildlife service is not directly involved. I do know that fish and wildlife has had a representative attend most of the technical working group meetings. We've met with fish and wildlife service to talk about this project as have others, but they -- they are not directly involved in the environmental review. >> Morrison: But there is one other wrinkle in that whole discussion and that is the interlocal between the state, hays county, travis county and ctrma. And in section 2, project development part b, it states the authority shall develop, design, construct and maintain the project in a manner that does not result in travis county's noncompliance with the endangered species act or that's the bccp permit as determined by u.S. Fish & wildlife. So can you tell me -- it seems to me u.S. Fish & wildlife is the decier here in whether or not the plans come pie with the endangered species act which is making sure the salamander is protected, or the bccp permit which is making sure that the cave critters are

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protected. So it sou to me like fish is the decider here. >> I'll turn this over to other staff quickly, but that's a contract between ctrm. A and the county. And what -- what that language means specifically I think is up to the county. And -- but in terms of the bccp role, I think willie may speak to that. >> Councilmember, I'm willie conrad and I'm the coordinating secretary bccp. There is language in that interlocal between ctrma and travis county. It involves one meeting with the players involved, ctrma, txdot, fish and wildlife, travis county, our staff. And it was an interesting meeting. There was a lot of discussion. I think the service's position at this point is there's a contract between the county and ctrma but there's not a contract with the service. The service is not proposed prepared to make a decision until there is something on the table for them to make a decision about at this point. There's a draft eis which they are not a party to. So I think their expectation is they are going to wait for somebody to take action and then weigh in on that. It's kind of the nature of the beast. We've dealt with 45 a long time. There's a

lot of moving parts and no strong definitive answer. >> Morrison: Yeah, I understand this is a complex relationship here, but because the city has a vested interest in ensuring that the -- that there is no noncompliance with the cbbp permit, right, because then that puts us at risk, it seems to me whether you use this as a vehicle for our

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interest or some other vehicle that we have a -- a legal role to play in this as our rights and our responsibilities are being impacted. >> And I think you are accurate there that there's an overarching agreement between the city and county that would cause bccp to have an interlocal agreement that establishing conservation [indiscernible] our public service infrastructure projects. It's also a venue for private property owners to comply with the endangered species act. There's taking that has occurred authorized under our federal permit and quite a significant amount of economic development that occurred because of that. And so there is a potential that we could have the bccp at risk if state highway 45 is done in a way that forces us into a noncompliant status with [inaudible] >> Morrison: This line here suggesting fish and wildlife is going to be the decider and be, you know, formally involved in ensuring that nothing puts our permit at risk, that gives me comfort, but we need to make sure that all happens and understand how that all happens, but I feel like we also have a responsibility to be proactive in some way to take a stand that we -- we need to understand how 45 is not going to endanger our permits. >> And councilmember, we have had discussion with fish and wildlife and the county just as we have with txdot and ctrma. I think something that willie said is significant is that that agreement is between ctrma and the county.

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And fish and wildlife has a prescribed federal role, and that federal role doesn't necessarily fall into that agreement. And so I think their role is a little bit up in the air. And the point at which there is a decision will be an actionable decision on part of the service is probably when the record of decision is issued in early 2015. >> And I'd like to say too that your optimism should be cautious at this point too because, again, my understanding of the service position is they will not weigh in until there's an action in place. And so if there's an action in place, their decision may be that we're approaching noncompliance and that can be challenging. >> Morrison: What would an action look like? >> So that would be, for instance, a finding of no significant effects -- excuse me, no significant impact, and that txdot let a contract to start building the highway. >> Morrison: Not just the findings there's no significant impact that might come out for instance in a report. >> Finding itself might be an actionable decision. >> Cole: Any other questions, councilmembers? Okay. Councilmember tovo. >> Tovo: So whether we can -- let's hold up the option of having another discussion about this. >> Cole: I think we can hold that over. >> Tovo: Otherwise I'll shoot them to staff, shoot our questions to staff and see where they go from there. I think it would be helpful to have those. >> Cole: Without objection, this meeting of the austin city council work session is now adjourned.