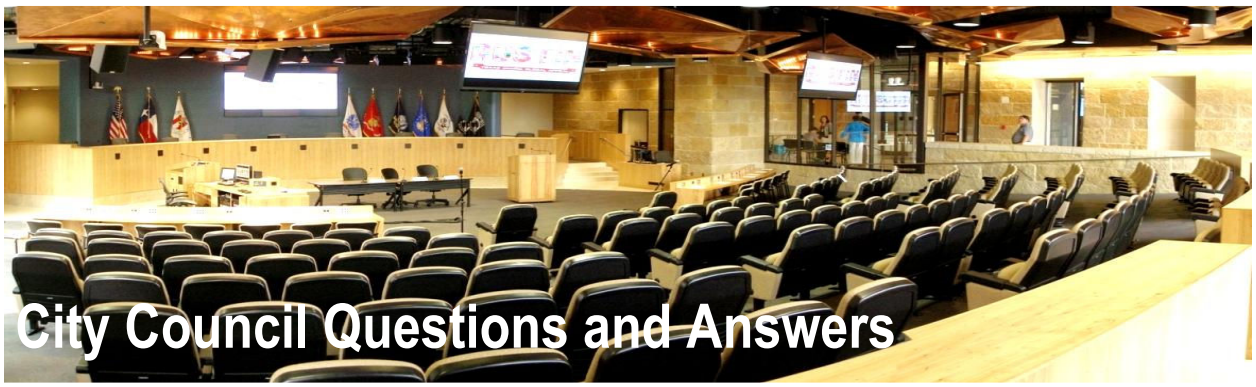


City Council Questions and Answers for
Thursday, February 12, 2015

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, February 12, 2015 at Austin City Hall
301 W. Second Street, Austin, TX

Mayor Steve Adler
Mayor Pro Tem Kathie Tovo, District 9
Council Member Ora Houston, District 1
Council Member Delia Garza, District 2
Council Member Sabino □Pio□ Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Don Zimmerman, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Sheri Gallo, District 10

The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

1. Agenda Items # 5, # 6, and # 7 - 5) Authorize negotiation and execution of a design and commission agreement with Eric J. Eley for a total contract amount not to exceed $95,000 for artwork for the Austin Studios Expansion project. 6) Authorize negotiation and execution of a design and commission agreement with Rachel Feinstein, dba John Currin LLC, for a total contract amount not to exceed $1,000,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport. 7) Authorize negotiation and execution of a design and commission agreement with Janet Echelman, Inc. in an amount not to exceed $2,000,000 for artwork for the Airport Entrance Project at Austin-Bergstrom International Airport.

    a. QUESTION: Please provide additional information on the Art In Public Places Program (AIPP) and a summary of yearly expenditures. COUNCIL MEMBER TROXCLAIR'S OFFICE

    b. ANSWER: See attachment

2. Agenda Items # 20-31

    a. QUESTION: Following projects are listed on the TDHCA 2015 pre-application list for the 9% Housing Tax Credits, are these projects inside the city limits of Austin? a) 15067, OSR Apartments, 10304 Old San Antonio Road, Austin, 78748 b) 15032 Housing First Oak Springs, 3000 Oak Springs Drive, Austin, 78702 c) 15300 Arbor Mill, 11409 North RR 620, Austin, 78726. If so, why are they not on the Feb 12 agenda to approve a resolution supporting an application for an award of low income housing tax credits from TDHCA for a proposed multi-family housing development? COUNCIL MEMBER ZIMMERMAN'S OFFICE

    b. ANSWER: All three locations are within the City limits of Austin. The developers that submitted pre-application 15067 for the OSR Apartments and pre-application 15032 for Housing First Oak Springs to the Texas Department of Housing and Community Affairs did not contact the City of Austin Neighborhood Housing and Community Development Office for a resolution of support or commitment of funding, subject to the award of tax

credits. The developer that submitted pre-application 15300 for the Arbor Mill Apartments to the Texas Department of Housing and Community Affairs did submit requests to the Neighborhood Housing and Community Development Office for a resolution of support and a commitment of funding, subject to the award of tax credits. However, the developer notified the department on January 29, 2015, that the requests were being withdrawn since the developer does not intend to move forward with a full application to the Texas Department of Housing and Community Affairs.

c. QUESTION: 1) According to the TDHCA 2015 Qualified Allocation Plan (QAP) and confirmed by Tim Irvine (Executive Director of TDHCA) in the policy deep dive discussion, developers can submit their application without the Austin City Council's support. Is this correct? 2) The developers have until February 27, 2015 to turn in their applications. So there may be more developer applications that get turned in after our February 12, 2015 Council Meeting. Is this correct? 3) According the QAP 11.2 Program Calendar for Competitive Housing Tax Credits, the Council has until April 1, 2015 to submit our Resolution for Local Government Support. Is this correct? 4) In the QAP, under section 11.9 (d)(2), after the City has provided acknowledgement to the developer seeking city funding, the City has until September 1, 2015 to present a final decision with regard to the awards of such funding. Is this correct? 5) Has the City of Austin provided acknowledgment to all the developers seeking city funding? 6) If no, which ones have not been provided acknowledgement? 7) Is there any reason why these could not go through the Committee process? COUNCIL MEMBER ZIMMERMAN'S OFFICE

d. ANSWER: See attachment

3. Agenda Item # 36 - Authorize award and execution of a 60-month revenue contract with LONE STAR RIVERBOAT, INC. to provide boat excursion services on Lady Bird Lake for an estimated revenue amount of $150,000, with one 60-month extension option in an estimated amount of $150,000 for a total estimated revenue amount of $300,000.

a. QUESTION: 1) Please describe the proposed "upgrades to parkland" and provide an estimate of the total value of these improvements. 2) Please provide a snapshot of other existing concessions on parkland, the percentage of revenue share, and the year the contract was renewed or executed snapshot (along the lines of the "History and Contract Status" page of the presentation to the Parks and Recreation Board on 9/23/14). 3) As one of the more recent concession agreements (Butler Pitch and Putt) was increased from 6% to 18%, please explain why this contract is proposed to be set at 9% for the first 5 years and 10% in the subsequent five-year period. 4) If staff has this information, please explain how this revenue share agreement compares to riverboat excursion contracts in other cities. COUNCIL MEMBER TOVO'S OFFICE

b. ANSWER: See attachment

4. Agenda Item # 38 - Approve the Mueller Planning Unit Development (Mueller) application to create a parking and transportation management district (PTMD) and an ordinance creating the Mueller PTMD.

   a. QUESTION: Please explain whether metering the parking lot next to Lake Creek Park has always been part of the Parking Transportation Management District proposal? If not, please identify when that lot was added to the proposed district. COUNCIL MEMBER TOVO'S OFFICE

   b. ANSWER: The parking consultant for Mueller, Nelson\Nygaard, as well as the Austin Transportation Department, have always identified the need to coordinate the parking supply in the Lake Park parking lot with any adjacent on-street parking control measures to encourage turnover and availability of park parking and recommended that the park across from the Thinkery have paid parking. Note, the proposed initial implementation of on-street paid parking in the current Mueller PTMD application is only for portions of dedicated public right of way streets in the Town Center. The surface lot in Lake Park is not public right of way; it is owned by the Mueller property owners association and has a public access easement. Therefore, implementation of any paid parking controls in Lake Park would require a separate agreement to be approved by Council. Parking in the lot will be monitored for use and subsequent Council action will be initiated if necessary based on that observation.

   c. QUESTION: 1) The draft ordinance for item 38 states that paid parking installed in the Mueller area may be used to undertake improvement projects to assist in managing the flow or demand for travel to confer public benefits within the Mueller area. How will we determine that revenue generated from the PTMD does not replace funding for the maintenance and improvements of the neighborhood parks whose funding stream is already set by the Mueller Master Development Agreement? 2) In reference to item 38, was the inclusion of parking meters for the surface parking lot agreed to by partnering neighborhoods? Does any portion of the proposed new metered sites or permitted sites not have the support of neighborhood stakeholders? 3) In reference to item 38, how many free parking spots will remain on the streets immediately adjacent to the parkland? 4) Can the Council require as part of the PTMD, that signs be placed on Simond Ave to alert the public to the locations of options for free parking near the park? COUNCIL MEMBER CASAR'S OFFICE

   d. ANSWER: See attachment.

5. Agenda Item # 40 - Approve an ordinance amending the Fiscal Year 2014-2015 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to accept grant funds from the Texas Department of Transportation in the amount of $200,000; and amending the Austin

Transportation Department Capital Budget (Ordinance No. 20140908-002) to transfer in and appropriate $200,000 from the Austin Transportation Department Operating Budget Special Revenue Fund for the installation of bicycle signals and bicycle detection equipment at specific intersections within the City.

a. QUESTION: 1) Please provide a list of the specific intersections targeted to receive bicycle signals and detection equipment through the Texas Department of Transportation's grant funding of $200,000. 2) Please provide background, selection criteria, and public outreach information for the determination of which intersections are on the list. COUNCIL MEMBER KITCHEN'S OFFICE

b. ANSWER: See attachment

6. Agenda Items # 68 and # 69 - 68) C14-2014-0011A - Garza Ranch - (District 8) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3800 Ben Garza Lane (Williamson Creek Watershed-Barton Springs Zone) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719. 69) C14-2014-0011B - Garza Ranch - (District 8) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3510 and 4003 Ben Garza Lane (Williamson Creek Watershed-Barton Springs Zone) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: Rancho Garza, Ltd. (Ron White). Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Rhoades, 512-974-7719.

a. QUESTION: Please provide a copy of the Traffic Impact Analysis Summary for Garza Ranch. COUNCIL MEMBER POOL'S OFFICE

b. ANSWER: See attachment

c. QUESTION: Regarding items 68 and 69, the Garza Tract zoning case: legally, by what grounds can City Council deny an increase in trips to an applicant that

already has the rest of their zoning set by ordinance? COUNCIL MEMBER CASAR'S OFFICE

d. ANSWER: The answer will be provided to Council from the Law Department as an attorney-client privileged communication.

7. Agenda Items # 77 and # 78 - 77) C14-2014-0175A - Scott Airport Parking - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2426 Cardinal Loop (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to aviation services (AV) district zoning. Staff Recommendation: To grant aviation services (AV) district zoning. Zoning and Platting Commission Recommendation: To grant aviation services (AV) district zoning. Owner/Applicant: City of Austin-Aviation Department (Jim Smith). Agent: Scott Airport Parking, LLC (Chris Von Dohlen). City Staff: Wendy Rhoades, 512-974-7719. 78) C14-2014-0175B - Scott Airport Parking - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2411 and 2419 Cardinal Loop, and 2525 East State Highway 71 Westbound (Colorado River Watershed) from rural residence (RR) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to aviation services (AV) district zoning. Staff Recommendation: To grant aviation services (AV) district zoning. Zoning and Platting Commission Recommendation: To grant aviation services (AV) district zoning. Owner/Applicant: City of Austin-Aviation Department (Jim Smith). Agent: Scott Airport Parking, LLC (Chris Von Dohlen). City Staff: Wendy Rhoades, 512-974-7719.

a. QUESTION: 1) Please provide a description of the different compliance requirements for Subchapter E – Design Standards and Mixed use between the zoning categories: CS (Commercial Services), GO (General Office) and AV (Aviation Services). 2) Does the zoning category AV (Aviation Services) have to comply with the Watershed Ordinance and the maximum impervious cover requirements included in those regulations? 3) Please also provide information regarding the site plan requirements included in the contract between the City of Austin and Scott Airport for the property located at. COUNCIL MEMBER GARZA'S OFFICE

b. ANSWER: See attachment

8. Agenda Item # 79 - C14-2014-0178 - Overlook at Spicewood Springs - (District 10) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4920 Spicewood Springs Road (Bull Creek Watershed) from single family residence-standard lot (SF-2) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Owner/Applicant: Joseph Benford and Richard A. Haberman Trust (Danny Haberman, Trustee). Agent: CIVILE, LLC (Lawrence M. Hanrahan). City Staff: Sherri Sirwaitis, 512-

974-3057. A valid petition has been filed in opposition to this rezoning request.

a. QUESTION: What environmental variances might be necessary for development of the Overlook at Spicewood Springs (C14-2014-0178) and did other nearby developments require environmental variances? COUNCIL MEMBER GALLO'S OFFICE

b. ANSWER: The Overlook site has four critical environmental features (CEFs) on the property; three rimrock CEFs and one seep/spring CEF. The site has active subdivision and site plan applications in review which will be required to provide buffers per City code or request a variance. Information on nearby development is as follows: 1) 4714 Spicewood Springs Road: Spicewood Springs Plaza Office Project, case number SP-2013-0018C, received several variances, including; reduced CEF buffers, construction on steep slopes, and cut/fill. The variances were recommended by the Environmental Board and approved by the Zoning and Platting Commission. 2) 4810 Spicewood Springs Road: Spicewood Office Park, case number SP-98-0141C, was approved with a variance on 8/25/1998 – City records do not indicate any variance information and the approved development permit does not identify any CEFs. 3) 4926 Spicewood Springs Road: The property located at 4926 Spicewood Springs Rd, zoning case number C14-84-184, includes a restrictive covenant (# 09124 0458)with restrictions on building height (2 stories or <30 ft) and prohibits disturbance below elevation of 810 ft.

9. Agenda Item # 86 - Approve a resolution authorizing the City Manager to negotiate and execute an agreement with The Mayor's Better Austin Foundation Inc. to accept donated staff for the public purpose of assisting the new council committees and providing other policy support. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Leslie Pool CO 2: Council Member Gregorio Casar CO 3: Council Member Sheri Gallo)

a. QUESTION: 1) Please provide a historical summary of "The Mayor's Better Austin Foundation," including annual budget since its creation in 2000, along with the types and amounts of expenses that have been paid by the foundation. 2) This item directs the City Manager to negotiate and execute an agreement; does that agreement exist in draft form? If so, please provide it. 3) Will Foundation staff and policy advisers be provided with city emails? 4) Will employees and policy advisers of the Austin Foundation be subject to the same requirements that exist for city employees with regard to compliance with the Texas Open Meetings Act and the Texas Public Information Act? COUNCIL MEMBER TOVO'S OFFICE

b. ANSWER: 1) A background document is being added to the item as late backup that describes the historical information requested. 2) The draft agreement is being finalized and will be added as late back up. 3) Foundation Staff will not have City of Austin emails, nor will they be subject to the Texas Open Meetings or Public Information Acts since they are employees of a non-profit, outside of the City and their services are not being gifted. 4) The people

who are working at the city as donated staff will have the same requirements applicable to them as city employees who are council aides.

END OF REPORT - ATTACHMENTS TO FOLLOW

Council Question and Answer

Related To	Items #5, #6, and #7	**Meeting Date**	February 12, 2015

Additional Answer Information

QUESTION: Please provide additional information on the Art In Public Places Program (AIPP) and a summary of yearly expenditures. COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:
Attached is a copy of the Art in Public Places guidelines, the City Code Chapter that governs Art in Public Places, and a quick reference guide for Art in Public Places allocations.

Yearly program expenditures for the Art in Public Places program are listed below:

- FY08: $480,169
- FY09: $684,812
- FY10: $705,028
- FY11: $510,778
- FY12: $583,846
- FY13: $754,715
- FY14: $1,499,433
- FY15 (to date): $772,465

Please see the following attachments.

Items #5, #6, #7

Quick Reference Guide for
Art in Public Places Allocations

Established by ordinance in 1985 and amended in October 2002 *(Ord. No. 021031-25)*, the Art in Public Places Program provides for the inclusion of art in municipal construction projects or other municipally owned, leased or rented property to enhance the aesthetic quality of public places in the City of Austin.

The AIPP ordinance requires that works of art be included in the following city construction projects:

- All New Building Construction
- Building Remodeling (i.e., structural changes, rehabilitation, or restoration)
- Decorative or Commemorative Structures
- Parkland Acquisition
- Park Development
- Parking Facilities
- Street improvements (other than street repair and reconstruction)
- Streetscape improvements
- Bridges
- Water or Wastewater treatment facilities (public art funds shall not exceed $300,000)
- Other appropriate projects as recommended by the AIPP Panel and Arts Commission and approved by the City Council on a case-by-case basis

  "ELIGIBLE AIPP COSTS" – Eligible costs are determined from the original *estimated* construction cost. Any costs related to the construction of the project which are not specifically excluded (see below) shall be included in the calculation of the two percent (2%) assessment.

  The two percent assessment is based on construction costs *after deducting*:
  - DEBT ISSUANCE COST (the cost to the City to issue bonds for a project)
  - DEMOLITION COST (the cost to remove a building or other existing structure)
  - EQUIPMENT COST (the cost of equipment or furnishings that are portable or of standard manufacture and used in a project). Equipment costs *excludes* equipment or furnishings: a) that are custom designed; *or*
    b) that create a new use for a project.
  - PERMIT AND FEE COST (the cost of the permits and fees associated with a project)
  - REAL PROPERTY ACQUISITION COST (the cost to acquire land, including an existing building or structure, for a project, including appraisal and negotiation costs)

  * In calculating the construction cost of a project to **acquire or develop parkland**, the real property acquisition cost is *not* deducted.

  * If the source of funding or the law governing a project does not permit expenditures for art, the affected funds are *excluded* from the calculation of construction cost.

The following projects are not eligible for AIPP Funding:

- Projects using funds approved prior to October 7, 1985
- Projects with funding source precluding expenditures for art by law.

- Projects funded by other entities (i.e. grant-funded projects; however, all City grant applications for support of eligible construction projects should include a request for funds for public art.)
- Projects with construction costs under $100,000

CHAPTER 7-2: ART IN PUBLIC PLACES ORDINANCE

§ 7-2-1 DEFINITIONS.

In this chapter:

(1) ***ART*** means a work of art or an artistically designed art feature that enhances the aesthetics of a building, bridge, streetscape, park, or other project for which funds are appropriated as described in this chapter and includes a mural, sculpture, garden, water feature, or other feature that appeals to the senses or the intellect.

(2) ***PROJECT*** means a capital project funded in whole or in part by the City:

(a) to construct or remodel a building, decorative or commemorative structure, or parking facility;

(b) to acquire parkland or to develop a park;

(c) for a street improvement project, other than street repair or reconstruction;

(d) for an improvement to a streetscape;

(e) for a bridge including the incorporation of an artistic feature into the structural design;

(f) for a water or wastewater treatment facility; or

(g) that is an appropriate project for art as recommended by the Art in Public Places Panel and Arts Commission and approved by the city council.

(3) ***CONSTRUCTION COST*** means the cost of a project to the City as determined in accordance with Section 7-2-4 (*Construction Cost Calculation*).

(4) ***STREETSCAPE*** means an improvement to a public right-of-way, including a sidewalk, tree, light fixture, sign, and furniture.

Source: 1992 Code Section 9-2-1; Ord. 031009-10; Ord. 031211-11.

§ 7-2-2 ART IN PUBLIC PLACES ADMINISTRATOR.

The director of the Economic Growth and Redevelopment Services Office shall designate an art in public places administrator to perform the functions described in this chapter.

Source: 1992 Code Section 9-2-2; Ord. 031009-10; Ord. 031211-11.

§ 7-2-3 ART IN PUBLIC PLACES PANEL.

The Arts Commission shall appoint an Art in Public Places Panel to perform the functions described in this chapter.

Source: 1992 Code Section 9-2-3(A); Ord. 031009-10; Ord. 031211-11.

§ 7-2-4 CONSTRUCTION COST CALCULATION.

(A) In this section:

(1) ***DEBT ISSUANCE COST*** means the cost to the City to issue bonds for a project.

(2) ***DEMOLITION COST*** means the cost to remove a building or other existing structure from a project site.

(3) EQUIPMENT COST means the cost of equipment or furnishings that are portable or of standard manufacture and used in a project. The term excludes equipment or furnishings:

(a) that are custom designed; or

(b) that create a new use for a project.

(4) ***PERMIT AND FEE COST*** means the cost of the permits and fees associated with a project.

(5) ***REAL PROPERTY ACQUISITION COST*** means the cost to acquire land, including an existing building or structure, for a project, including appraisal and negotiation costs.

(B) Except as provided in Subsections (C) and (D), construction cost is the cost of a project to the City after deducting:

(1) debt issuance cost;

(2) demolition cost;

(3) equipment cost;

(4) permit and fee cost; and

(5) real property acquisition cost.

(C) In calculating the construction cost of a project to acquire or develop parkland, the real property acquisition cost is not deducted.

(D) If the source of funding or the law governing a project does not permit an expenditure for art, the affected funds are excluded from the calculation of construction cost.

Source: 1992 Code Section 9-2-1 and 9-2-2(A); Ord. 031009-10; Ord. 031211-11.

§ 7-2-5 FUNDING FOR ART.

(A) Except as otherwise provided in this section, the council shall appropriate an amount equal to at least two percent of the construction cost of a project to select, acquire, and display art. The appropriation shall be a separate item in the project budget. This limitation does not apply if the council determines, after receiving a recommendation from the Arts Commission, that the project merits or requires a greater appropriation.

(B) Subsection (A) does not apply to a project with a construction cost of less than $100,000.

(C) An appropriation under this section may not exceed $300,000 for a water and wastewater treatment facility.

(D) If the council determines that a project is inappropriate for a display of art, the council shall transfer to the Public Art Fund for use at other appropriate public sites the amount of money required by this section. This does not authorize the transfer of money from one project to another if a legal restriction on the source of money prohibits the transfer.

Source: 1992 Code Section 9-2-2; Ord. 031009-10; Ord. 031211-11.

§ 7-2-6 BUDGET ESTIMATES.

A City department head who prepares a budget, authorization request, or appropriation request for a project shall:

(1) consult with the art in public places administrator; and

(2) include in the budget or request the funding for art required by Section 7-2-5 (*Funding For Art*).

Source: 1992 Code Section 9-2-2(A); Ord. 031009-10; Ord. 031211-11.

§ 7-2-7 PROJECT REVIEW AND ART RECOMMENDATIONS.

(A) Subject to the limitation of Subsection (B), the Art in Public Places Panel shall, with the advice of the art in public places administrator, review a project and make recommendations to the Arts Commission regarding appropriations for art and placement of the art.

(B) The Art in Public Places Panel may not recommend proposed art that requires extraordinary operation or maintenance expenses without the prior approval of the director of the department responsible for the art after installation.

(C) The Arts Commission shall review the recommendations of the Art in Public Places Panel and make recommendations to the city manager or the council, as appropriate.

Source: 1992 Code Section 9-2-3(B) - (E); Ord. 031009-10; Ord. 031211-11.

§ 7-2-8 GUIDELINES.

(A) The Arts Commission shall establish guidelines for the implementation of this chapter. The commission shall consult with the Art in Public Places Panel and the art in public places administrator before establishing the guidelines.

(B) The guidelines shall include methods to:

(1) determine whether a project is inappropriate for the display of art;

(2) integrate art into a project;

(3) identify suitable art objects for a project;

(4) competitively select art;

(5) select and commission artists;

(6) encourage the preservation of ethnic cultural arts and crafts;

(7) facilitate the preservation of art objects and artifacts that may be displaced by a project; and

(8) administer this chapter.

Source: 1992 Code Section 9-2-3(F); Ord. 031009-10; Ord. 031211-11.

§ 7-2-9 ART PLACEMENT.

The art funded by this chapter shall be an integral part of the project or be placed in, at, or near the project.

Source: 1992 Code Section 9-2-2(C) and 9-2-4; Ord. 031009-10; Ord. 031211-11.

§ 7-2-10 ART MAINTENANCE.

(A) The City department at which art is displayed is responsible for maintenance of the art.

(B) The responsible City department shall obtain the approval of the art in public places administrator before performing art maintenance.

(C) The responsible City department shall perform art maintenance in accordance with the City's contractual obligations relating to the art, if any.

Source: 1992 Code Section 9-2-3(G); Ord. 031009-10; Ord. 031211-11.

§ 7-2-11 TITLE TO ART.

Title to art required by this chapter shall vest in the City.

Source: 1992 Code Section 9-2-5; Ord. 031009-10; Ord. 031211-11.

ART IN PUBLIC PLACES PROGRAM GUIDELINES

(Revised 2/5/2004)

I. PURPOSE

The purpose of these guidelines is to establish a process for the selection, purchase, commission, placement, and maintenance of works of art via the expenditure of the monies generated through Ordinance #850926-0, generally referred to as the Art in Public Places Ordinance, originally signed into law on September 26, 1985, and amended by Ordinance #*970904-B* on October 31, 2002. This ordinance is understood to apply to only those projects which received approved funding after the effective date. These guidelines shall not be understood to apply to donated works of art, as those instances are covered by a separate donations policy.

II. INTENT

A. It is the stated intent of the Art in Public Places Ordinance to direct the inclusion of works of art in City construction projects in order to expand the citizens' of Austin experience with visual art and enable them to better understand their communities and their individual lives. By encouraging artists capable of creating works of art in public places, the Art in Public Places Program shall strive to stimulate the vitality and economy of the City and enhance Austin's standing as a regional leader in the arts. Thus, it is the goal of the Art in Public Places Program to expend the percent funds on works of art and art projects of redeeming quality which advance public understanding of visual art and enhance the aesthetic quality of public places. This goal shall be realized through:

1. The commission of artists and works of art of the highest quality, which represent an expression of our time, contribute to a sense of the City's identity, and entail some measure of public significance.

2. The nurturing of the artistic vitality of the City of Austin through the encouragement of local artistic endeavors;

3. The encouragement of public dialogue which increases public understanding and enjoyment of visual art, through appropriate public education forums and programs;

4. The encouragement of public interaction with public places, areas which provide for public ownership and accessibility, via the placement of works of art;

5. The commission of a broad range of works of art, reflective of the overall diversity of current works in the field of visual art;

6. The commission of works of art varying in style, scale, medium, form and intent representative of the local, regional, national, and international arts communities;

7. The encouragement of artists to reach creative solutions to the aesthetic problems they have been employed to solve;

8. The broad distribution of commissions among artists and the encouragement of new and emerging artists;

9. The broad geographic distribution of works of art in the City of Austin;

10. The encouragement of true collaborative efforts between artists and architects, engineers, and landscape architects.

III. DEFINITIONS

A. "ARTS COMMISSION" - The Austin Arts Commission, as appointed by the City Council.

B. "ART IN PUBLIC PLACES PANEL" - A standing committee appointed by the Arts Commission, responsible for advising the Commission on matters relating to the implementation of the Art in Public Places Ordinance. (See Section V.)

C. "ARTIST" - A practitioner in the visual arts generally recognized by critics and peers as a professional possessing serious intent and ability who is not a member of the Project Consultant's firm or employed thereby.

D. "VISUAL ARTS PROFESSIONAL" - An artist, arts educator, art critic, arts administrator, arts dealer, designer, art historian, curator, fine art collector, architect, urban planner, or landscape architect who is well respected in his/her field, knowledgeable with regards to contemporary visual art, and willing to participate effectively in a panel process without conflict of interest.

E. "WORKS OF ART or ARTWORK" - All forms of original creations of visual art which may be portable as well as permanent. To include but not limited to:

Paintings of all media, including both portable and permanently affixed works such as frescoes and murals;

Sculpture of any form and in any material or combination of materials. To include statues, monuments, fountains, arches, or other structures intended for ornamentation or commemoration. Also included are reliefs, mobiles, kinetic, electronic and neon, sculptures;

Other works of visual art, such as inscriptions, stained glass, fiber works, carvings, mosaics, photographs, drawings, collages, textile works, and prints. Also included are crafts both decorative and utilitarian in clay, fiber, wood, metal, glass, stone, plastic and other materials;

Artist-designed landscapes and earthworks, including the artistic placement of natural materials or other functional art objects.

F. "PROJECT CONSULTANT" - Any firm, individual, joint venture or team of firms or individual with which the City contacts, as selected by the Council, for design consulting services related to constructions projects.

G. "CONSTRUCTION PROJECT" - Any capital project paid for wholly or in part by the City of Austin to construct or remodel any building, decorative or commemorative structure, park, or parking facility or any portion thereof.

H. "CAPITAL IMPROVEMENT PROGRAM (CIP)" - The City's program for advance planning of capital developments.

I. "ELIGIBLE PROJECT" - A construction or remodeling project, as defined above, for which the source of funds is not restricted by law or regulation as to its use for artworks.

The Ordinance extends to the construction or remodeling of all buildings, as defined by the City's Comprehensive Zoning Ordinance and irrespective of its function; decorative commemorative structures; new streetscapes or street improvement project; bridges, including but not limited to the incorporation of an artistic feature into the structural design; water or wastewater treatment facilities and other appropriate project as recommended by the Art in Public Places Panel and Arts Commission and approved by the City Council on a case-by-case basis; parks (including but not limited to swimming pools, land development, playscapes, picnic structures, jogging trails, restroom facilities, and athletic courts); or parking facilities (public lots, garages, parking terminals or other structures or accommodations for the parking of motor vehicles off the street or highway, and includes equipment, entrances, exits, fencing, and other accessories necessary for the safety and convenience in the parking of vehicles), or any portion thereof. However, the Ordinance does not extend to underground water and sewage lines, street repair and street reconstruction, electrical transmission and distribution lines, electrical sub-stations, and/or water pumps stations.

In order to be considered eligible for the Art in Public Places Program, a remodeling project must provide a new use for or an addition to an existing space by making structural changes. This shall be understood to include rehabilitation projects which extend the useful life of a structure as well as restoration projects which return a structure to a previous condition. Examples of such projects would include the construction of office space from existing storage space, the addition of a wing to an existing structure, and the restoration of a structure such as that of the Old Main Library. Because of the administrative costs associated with the transfer of funds and the selection of an artist, a project must have an original estimated construction cost of $100,000 or more in order to be considered eligible.

Purely decorative remodeling projects such as new carpeting, painting, or the installation of portable partitions shall not be considered eligible projects. Normal maintenance and repair to an existing structure such as the replacement of a roof, broken windows, or our-dated heating/cooling systems shall not be considered eligible projects. If, however, these costs are part of a larger eligible project, then they shall be included in the total construction cost on which the 2% is assessed.

The Art in Public Places Ordinance extends to construction and remodeling projects planned through the City of Austin's biennial capital improvement planning process (CIP) as well as those planned at the departmental level. CIP projects are generally funded either through bond propositions or current revenues, whereas non-CIP projects are funded through the annual operating budgets. The Ordinance states that in no case shall the 2% dedication exceed $300,000 for water or wastewater treatment facility. For CIP projects a single City construction project is identified by a serial number, which is included as a line item in a single approved bond proposition and/or in an approved annual capital budget. As non-CIP projects are not indicated on a line item basis in a departmental budget, identification of a single construction project under the Art in Public Places Ordinance and Guidelines must be determined on a case-by-case basis between the Administrator, the appropriate department representative, and representative of the Financial Service Department.

Pursuant to the Ordinance, the Art in Public Places Panel may through the Arts Commission, recommend that the City Council make an exception to this limitation for those City construction projects which merit or require a larger expenditure by virtue of the project scale or function; provided, however, such recommendations must be made and reviewed by City Council during the course of the normal budget process.

J. "STREETSCAPE**"** - An improvement to a public right-of-way, including a sidewalk, tree, light fixture, sign, and furniture.

K. "USER DEPARTMENT" - The City Department which will occupy or otherwise administer the use of the project upon its completion. Where more than one department is involved, the user departments shall have the authority to decide who represents them.

L. "ADMINISTRATOR" - The staff person hired by the Director of Economic Growth & Redevelopment Services Office to coordinate and facilitate the implementation of the Art in Public Places Ordinance as adopted by the City Council of the City of Austin.

M. "ELIGIBLE COSTS" - The original estimated construction cost as defined in the Art in Public Places Ordinance. Any costs related to the construction of the project which are not specifically excluded by said definition shall be included in the calculation of the two percent (2%) assessment.

N. "CONSTRUCTION COST" - As defined in the Ordinance to mean the total City-funded portion of a City construction project as originally estimated, excluding demolition, equipment, and land acquisition costs, costs for fees and permits as well as those costs associated with debt issuance.

O. "MANAGING DEPARTMENT" - The City Department responsible for the implementation of the design and /or construction of all City of Austin owned facilities.

P. "PROJECT MANAGER" - The City staff person charged with the responsibility for the implementation of the design and/or construction of the City of Austin owned facility which meets the definition provided hereinabove for an eligible project.

Q. "NEW GENRES" – including but not limited to video, electronic, digital art, holography, and other new art forms as they evolve.

IV. APPROPRIATION AND ALLOCATION OF FUNDS

A. All City Department Heads and the Director of Financial Services shall, after consultation with the Art in Public Places Administrator, include in all estimates of necessary expenditures and all requests for authorizations and appropriations for City construction projects, an amount for art equal to at least two percent (2%) of the original estimated construction cost of any eligible project. For CIP construction projects the original estimated construction cost shall be that estimated in the CIP for the year in which such funding is approved by the City Council. For non-CIP construction projects subject to the provisions of the Ordinance, the original estimated construction cost shall be that amount initially authorized in the departmental budget by the City Council. If the source of funding or appropriate law with respect to any particular project precludes art as an

object of expenditure, the amount of funds so restricted shall be excluded from the total project cost in making the aforesaid calculation.

B. The minimum amount to be appropriated for art shall be the total City-funded portion of the construction cost for the City Construction project, divided by one hundred (100) and multiplied by two (2).

C. For those projects which are only partially funded by the City of Austin, the two percent (2%) assessment shall be based on the City's portion of the original estimated construction cost. All City grant applications for federal, state, or county support of eligible construction projects shall include a request for funds for the purpose of the Art in Public Places Program. Additionally, the City of Austin shall actively seek to encourage its partners in all joint public/private ventures to participate in the Art in Public Places Program.

D. As provided in the Ordinance, the Art in Public Places Panel, with the Administrator, shall make periodic reviews, at least annually, of all CIP projects and other City construction projects. This review shall occur during the City of Austin's biennial CIP process and annual operating budget process, for the purposes of making recommendations to the Financial Services Department regarding appropriations for works of art and art projects.

E. Public Art Funds shall be established by the City of Austin for the purposes of administering the Art in Public Places Program. The funds contained in said accounts shall be used for the selection, acquisition, installation, and substantive structural repair and maintenance of art and art projects commissioned and/or purchased through the Art in Public Places Program. One account for all general fund departments shall be established within the Economic Growth & Redevelopment Services Office and separate fund(s) shall be established for the enterprise fund departments.

As provided in the Ordinance, the City Council shall appropriate the two percent monies to the proper Public Art Fund concurrent with the appropriation to fund the related City construction project. These Public Art Funds shall be maintained in accord with accepted governmental accounting procedures. All appropriations to and allocations from the various Public Art Funds shall occur in accord with any legal restrictions associated with the source of funds.

F. As provided in the Ordinance, in the event that an eligible project is deemed inappropriate for the siting of public art by the Art in Public Places Panel, the 2% monies shall be appropriated to the proper Public Art Fund, for use at other more appropriate public sites, unless prohibited by any legal restrictions associated with the source of funds.

G. The Art in Public Places Panel shall allocate funds for artwork projects subject to their legality of expenditure according to source. Given the specific use limitation on a wide variety of fund sources (general obligation bonds, revenue bonds, grants, operating budgets, etc.), eligibility of expenditure must be determined on a case-by-case basis in consultation with the appropriate City Departments.

H. The City Manager or his or her designee shall authorize all disbursements from the Public Art Funds.

V. COMPOSITION AND FUNCTION OF THE ART IN PUBLIC PLACES PANEL

A. The Art in Public Places Panel, appointed by the Arts Commission, shall have seven (7) members and serve as a standing committee of the Arts Commission. The Art in Public Places Panel shall be comprised of one representative from the Arts Commission and others as the Commission might appoint. At a minimum the Panel's membership shall include five (5) visual art professionals, two of whom shall be representatives from the environmental design fields (architecture, landscape architecture, urban planning/design). Selection of the panelists shall reflect the ethnic, artistic, economic, and demographic diversity of the community. All panelists shall possess knowledge of contemporary visual art. Panelists shall serve two-year terms for no more than three consecutive terms. The Director of Economic Growth & Redevelopment Services Office or his designee shall serve ex-officio without vote. The Panel shall elect its own Officers and establish by-laws. Staggered terms shall be provided for by the drawing of lots such that three members of the first panel shall agree to serve for only one year.

B. The primary functions/responsibilities of the Art in Public Places Panel are to:

1. Assist the Arts Commission in the promulgation of guidelines to implement the provisions of the Art in Public Places Ordinance, including methods of selecting artists and commissioning works of art;

2. Provide review responsibilities for the provisions of the Art in Public Places Ordinance and its Guidelines;

3. Make recommendations regarding appropriations for works of art and art projects, through the Arts Commission, the City Council or City Manager;

4. Review, on a biennial basis, the artwork projects of the Art in Public Places Program as a reflection of the intent of the Art in Public Places Ordinance and Program.

VI. DEVELOPMENT OF AN ART IN PUBLIC PLACES PROJECT

Art in Public Places projects may occur in, at, or near public buildings, parks, and open spaces. These may be sites which are under development or existing sites where construction is complete. The Art in Public Places Panel, with the assistance of the Administrator, shall on an on-going basis actively explore potential sites for Art in Public Places projects. In this, the Panel shall seek the input of various City Departments as well as the community at large, to identify both future planned and existing sites. Once an Art in Public Places project is developed, information will be disseminated, as appropriate through the media and mailings, well in advance of the selection process to provide artists adequate time to prepare any necessary submissions.

For sites under development, it is preferable to involve the artist in the earliest phases of the design process to ensure a totally integrated solution. Therefore, at the earliest time possible, all City Departments shall inform the Art in Public Place Panel, through the Administrator, of proposed or planned eligible construction projects. This will allow the Art in Public Places Panel time to adequately review the project's potential for incorporation of artwork and to plan for an appropriate artwork project. The Department responsible for an eligible construction project shall subsequently keep the Administrator apprised of the selection of the Project Consultant. Additionally, provisions for the artwork project shall be appropriately included in the design program for the construction project. The development of an Art in Public Places project and subsequent selection of an artist shall commence immediately upon the selection of the Project Consultant.

Once a project is developed, the Art in Public Places Panel with the Administrator shall recommend to the Arts Commission, in the form of a written prospectus, the overall approach and selection process for each artwork project. This prospectus will strive for a solution that will allow for the artwork, whether purchased or commissioned, to be appropriate to the particular project site. This prospectus can provide for the direct purchase of an existing work(s) of art, the selection of an artist(s) to complete a specific work(s) of art, or the selection of an artist(s) to participate in a design team approach with project consultants.

A. The Art in Public Places Administrator shall research the background of each eligible project, consulting with the user department, project consultant, project manager, and community representatives. This information shall be recommended to the Art in Public Places Panel for finalization in the form of parameters regarding:

1. Recommended format for participation of the artist in the construction project's design process and/or media.

2. Recommended location(s) within the site. Siting of the artwork may be determined prior to the selection of an artist or proposed by the artist selected for the project. In the case of sites under development, it is preferable to allow the artist and the project consultant to coordinate the location of the artwork within the construction project. In the case of existing sites where construction is complete, the final location shall be determined by agreement between the City departments involved and the Art in Public Places Panel, with the appropriate approval of any Boards or Commissions. In either case, whenever possible, the artist selected should be given the opportunity to recommend siting of the artwork.

3. Maintenance assessment of the potential for vandalism and/or accidental damage at the project site.

4. Recommended residency requirements for artists during the course of the project, based on the suggested format for participation of the artist in the design process.

B. The Art in Public Places Panel shall, with the assistance of the Administrator, determine the method of artist selection to be used for each project. The method of artist selection employed and the determination as to how that method is to be implemented will depend upon the Panel's overall approach to each project and its commitment to fulfilling all aspects of the stated intent of the Art in Public Places Program.

1. The Art in Public Places Panel shall establish and the Administrator shall maintain an open slide registry for all artists interested in being considered for commissions through the Art in Public Places Program. The Slide Registry shall serve as the primary resource in the competitive selection of artists/artworks.

2. The Art in Public Places Panel shall maintain the following general guidelines regarding the methods of artist/artwork selection which may be employed for a particular project:

a. Open Entry competition - Any artist is eligible to enter, with recognition of the possible residency requirements. The site and prospectus are appropriately advertised. Artists may be asked to submit

slides of their past work, resumes, and letters of intent related to the specific project or specific proposals for the project under review.

b. Limited Entry Competition - The jury invites a limited number of artists to participate in the selection process. The artists selected may be asked to submit slides of past work or proposals based on the project prospectus. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

c. Direct selection of the Artist - An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of several artists may be put together.

d. Direct Purchase of an Existing Artwork - A completed work of art is purchased. No more than ten percent of the cost of the work may go toward a dealer or agent.

3. In the case of a limited competition and direct selection, an artist may be asked to develop an artwork proposal for a specific Art in Public Places project. If asked to develop a proposal, an artist may be paid a proposal fee on the basis of an approved fee schedule. This schedule shall be determined by the Art in Public Places Panel and consist of a sliding schedule based on the total project commission.

C. The Art in Public Places Panel shall determine the jury format most appropriate to each project, to include the number of jurors, the necessary expertise and recommended jurors.

D. The Art in Public Places Panel shall then recommend to the Arts Commission, in the form of a written prospectus, the overall approach to the project including the method of artist selection and the format for jury selection. The Arts Commission shall subsequently review and approve the prospectus in an expedient manner (at the next full meeting of the Commission), so as to ensure the timely selection of an artist.

VII. JURY SELECTION AND RESPONSIBILITIES

For each Art in Public Places Project, an independent jury of visual art professionals shall be established for the purposes of making an artist/artwork recommendation. The following guidelines shall be used by the Art in Public Places Panel in the development of a jury for each project and in determining the jury's responsibilities:

A. The Art in Public Places Panel shall establish and the Administrator shall maintain a file of potential jurors containing information on the experience and expertise of qualifying individuals to serve in this capacity.

B. The artist/artwork for each project shall be recommended by a jury to the Art in Public Places Panel, with the format for the jury selection approved by the Arts Commission. The Art in Public Places Panel shall have the option of constituting itself as a jury. No gallery owner, dealer, or art agent may serve as a juror due to the potential for conflict of interest. No juror may serve more than once in any two-year period, in an attempt to bring a diversity of interests to the selection process and to more precisely match the expertise of the jury members to each project.

C. The Art in Public Places Administrator shall facilitate the selection of each jury and subsequently serve as staff to that jury.

D. Each jury shall be comprised of either three or five jurors, depending upon the size and complexity of the individual project.

E. Each three-member jury shall include at least one visual artist, and each five member jury shall include at least two visual artists. Other jurors shall be chosen from among the fields of visual art professionals. Additionally, each three-member jury shall include at least one local juror, and each five-member jury shall include at least two local jurors.

F. Each jury shall be aided by a non-voting, advisory panel. This panel shall be appointed by the Art in Public Places Administrator on a project-by-project basis. The panel shall include at least one person connected with those who will be in constant contact with the facility where the artwork will be placed. This individual(s) may be a City employee or a community representative, depending on the nature of the project. The advisory panel shall also include the project manager, the project consultant, and a representative of the user department.

G. Jury payment for professional services rendered shall be determined by the Administrator, in consultation with the Art in Public Places Panel, and recommended to the City Manager or his designee for the approval of disbursement. Such contractual payment shall be in keeping with the standards of the field, not to exceed a maximum of $250 per day plus food, travel and lodging expenses. Anyone receiving compensation by the City as either a full-time employee or a separate consultant, members of the Arts

Commission who may serve as jurors and any members of the Art in Public Places Panel who serve as jurors may not receive compensation as a juror.

H. The Art in Public Places Panel shall issue written instructions to jurors detailing the jury's duties and responsibilities relating to the project, prior to the first meeting of the jury. These instructions shall outline the method by which the jury is to make its selection as well as the technical and aesthetic criteria on which that selection is to be based. The jury shall adhere to these written instructions and criteria in making its recommendation.

I. The Administrator shall, in consultation with the Art in Public Places Panel, determine the overall budget for the selection of an artist and the commission of a work of art, prior to the first meeting of a jury. This budget shall be recommended for approval to the City Manager or his designee. This budget shall be based on the scope of the project and the proposed method of selection. Expenses related to the selection of an artist will be kept to a necessary minimum as required by each project. The jury shall adhere to this budget, except in the instance where it is proven to be inappropriate, at which time the initial budget may be altered to accommodate the new conditions, subject to the approval of the City Manager or his designee.

J. Each juror shall have one vote, with no juror possessing the right to veto. If a consensus cannot be reached by the jury within a reasonable amount of time, as determined by the Art in Public Places Panel and the Administrator, then a vote shall be taken with the majority carrying the decision.

K. The jury shall have the option of making no recommendation, if there is no proposal judged to be of sufficient merit. In such instances the matter shall be referred back to the Art in Public Places Panel for resolution, which may include a new selection process or the abandonment of the project.

VIII. CRITERIA FOR SELECTION OF ARTISTS AND/OR ARTWORK PROJECTS

A. All Art in Public Places projects are open to any professional artist, within a project's possible residency requirements as delineated by the Art in Public Placed Panel. Members of the project Consultant's firm or anyone employed thereby, members of the jury, or employees of the City of Austin shall be excluded from consideration.

B. Artists shall be selected on the basis of the appropriateness of their proposal to the particular project and its probability of successful completion, as indicated by the merit of their past work. In the case of the design team approach, an artist's willingness to fully participate in a collaborative process shall also be considered a criterion for selection.

All Art in Public Places Projects are budgeted for a pre-determined amount.

C. In making its selection, the jury shall bear in mind the purposes of the Art in Public Places Program, always aiming to achieve the highest aesthetic quality.

D. The jury shall, in making its selection, give due consideration to the appropriateness of the proposed design in terms of its scale, form, content and design with respect to its immediate and general, social and physical environment.

E. The jury shall also give due consideration to the proposed design, its materials and construction for questions of durability, maintenance, public access, appropriateness, safety, and security.

F. The aforementioned criteria are the minimum aesthetic criteria upon which the jury shall base its selection. Other criteria may be established by the Art in Public Paces Panel as dictated by a project's particular requirements. Any additional criteria shall be outlined in the jury's written instructions.

IX. REVIEW OF THE JURY'S SELECTION

The jury's recommendation shall be transmitted to the Art in Public Panel in the form of a written report. The preparation of this report shall be facilitated by the Art in Public Places Administrator.

In reviewing the jury's recommendation, the Art in Public Places Panel and the Arts Commission shall take into account the Art in Public Places Program's goal of developing a diverse collection, its commitment to the jury process and the role of the Commission as a bridge between the arts community and the City of Austin. These considerations should outweigh individual aesthetic preferences in the Panel's and the Arts Commission's review of the jury's selection.

A. As stated in the Ordinance, it is the initial responsibility of the Art in Public Places Panel to recommend the placement of works of art and art projects. The Panel shall review the jury's recommendation to determine if the process for selection was properly implemented, if the jury responded appropriately to the project prospectus, and if the recommendation satisfies the intent of the project. If the Panel determines that the procedure for selection was improperly implemented, the Panel shall have several options including returning the matter to the jury for clarification, requesting that the jury recommend a different artist, developing a new program or convening a new jury panel.

Prior to the Panel's recommendation being forwarded to Arts Commission, the user and managing departments responsible for housing the work shall be requested to view the proposal for technical feasibility and maintenance expenses. In cases where legitimate problems are demonstrated to the satisfaction of the Art in Public Places Panel, the jury may be reconvened to select an alternative work.

Once the Art in Public Places Panel approves the jury's selection, it will be recommended to the Arts Commission for a formal vote.

B. The Arts Commission shall review the recommendation of the Panel on the basis of procedural matters, to ensure that the prospectus, as approved by the Commission, was appropriately responded to through the selection process. In the event that the Commission has questions regarding the selection process, those questions shall be referred, in writing, back to the panel for clarification.

C. The Arts Commission's recommendation shall be forwarded to the City Council or the City Manager, as appropriate, in the form of a proposed contract for the purchase or commission of a work of art. The City Manager or City Council shall, in keeping with the City Charter, determine if the proposed contract is consistent with all relevant Ordinances and City purchasing policies.

In the instance that the Arts Commission's recommendation is disapproved, the matter shall be returned to the Arts Commission for further review.

X. PROJECT IMPLEMENTATION AND DOCUMENTATION

A. Upon approval of the Arts Commission's recommendation by the City Manager or City Council the City of Austin shall contract with the artist(s) for services or for the purchase and installation of a specific artwork. In general, Art in Public Places Project contracts shall require the artist(s) to produce, deliver, and install a work of art for a guaranteed maximum cost and by a predetermined time, which is in keeping with the construction project schedule. Depending on the nature of the project, performance by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The Administrator shall work with the artist to determine the appropriate budget for each project to ensure that all necessary costs are met, and the Art in Public Places Panel shall approve the final budget. In addition, the artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community where the work is to be sited.

B. Prior to the construction of a work of art, the artist must obtain approval of the final design by both the Art in Public Places Panel and the Arts Commission. In the case of an artist who has contracted with the City of Austin to produce a specific work of art, approval of the design prior to the signing of that contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the Panel for subsequent review. The Art in Public Places Panel and Administrator shall have full authority to determine what constitutes a substantive change in the design.

In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. The artist shall be required to bring then design, in its formative stages, back to the Art in Public Places Panel for review. This review shall appropriately parallel the consultant's presentations of schematic, design development, and construction document to the user and managing departments. The stage at which final approval of the design occurs will vary from project to project, and shall be specifically set out in the artist's contractual agreement with the City of Austin.

C. All project consultants expressing interest in an eligible construction or renovation project shall be advised of the Art in Public Places Program requirements and guidelines. The consultant selected and appropriate City representatives shall work closely with the Administrator in the development of the artwork project and with the jury in the selection of the artist/artwork. The consultant shall incorporate the requirements of the work of art into the construction documents, including time of delivery and installation.

D. On site activity in connection with the installation of artwork shall be handled by the artist, the Art in Public Places Administrator, and the appropriate City representatives within the departments having jurisdiction over the site and/or construction.

E. The Art in Public Places Administrator shall function as a liaison between the artist and the various City Departments involved in the completion of each artwork project. In instances where construction matters cannot be resolved between the artist and the consultant, the project manger shall have final authority.

F. The Administrator shall establish and maintain appropriate records on each project, which shall include the contract with the artist, records of the Panel's and Commission's actions, interdepartmental agreements, all billings made in connection with the project and all correspondence related to the project. In addition, the Administrator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

XI. MAINTENANCE OF WORKS OF ART

A. The Art in Public Places Panel shall make an annual review of the City's Public Art Collection for the purposes of a maintenance needs assessment. The Panel, through the Arts Commission, shall communicate those needs and the appropriate actions required to meet those needs to the various user departments.

B. The works of art acquired through the Art in Public Places Ordinance become the property of the City of Austin and are held in trust by the User Department. Therefore, the expenses associated with the routine maintenance and operation of each artwork shall be incurred by the user department and considered to be part of the routine maintenance of the facility. Routine maintenance shall be understood to include such things as the periodic cleaning of a work and operational costs such as water in the case of a fountain. Any substantive repair of the work, such as structural repair, shall be considered to be an expense of the related Public Art Fund.

Per the Ordinance, no maintenance or repair work shall be performed by the user department without the prior written consent of the Art in Public Places Administrator. Additionally, the user department shall not move any work of art from the site for which it was selected, nor remove it from display, without the prior written consent of the Arts Commission and in conformance with legal restrictions regarding the source of funds for that work of art.

C. So far as practical, in the event repair of the artwork is required, the City shall give the artist the opportunity to do that work for a reasonable fee. Disputes concerning what constitutes a reasonable fee shall be settled by a panel of three visual art professionals with knowledge of curatorial concerns, to be appointed by the Arts Commission. If the artist declines to perform the needed repairs for such a fee, the City may solicit bids from qualified conservators and award a contract to the conservator presenting the lowest and most responsible bid, if the fee is in excess of Five Thousand Dollars ($5,000.00).

XII. ELIGIBLE COSTS FOR TWO PERCENT MONIES

A. All Art in Public Places contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. This cost may include the cost of the work itself and any associated costs which may be required by the City of Austin or inherently related to the implementation of the project. Therefore the following costs are eligible expenditures for the 2% monies included in the total project commission:

1. The work of art itself, including but not limited to:

    a. Artist's design fee;

    b. Additional labor, materials, and contracted services required for the production and installation of the work;

    c. Artist's operating expenses related to the project;

    d. Travel related to the project;

    e. Transportation of the work to the site;

    f. Installation of the work.

2. Identification plaques and labels.

3. Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location or security of the work or art.

4. Photographs or slides of the completed work for the purposes of routine documentation of the project.

5. Permits or fees necessary for the installation of the work of art.

6. Legal costs directly related to the project.

B. In addition to the actual costs associated with the Art in Public Places project commission, the 2% monies are by Ordinance to be used for the selection, acquisition, and maintenance of the work of art commissioned or purchased through the Art in Public Places Program. Therefore the following items are eligible expenditures of the 2% monies:

1. The project specific costs of the Art Public Places Program associated with the selection and acquisition of artwork.

2. Jury honoraria expended for the purposed of selecting the artwork.

3. Payment for artists invited to submit proposals for a project.

4. Substantive structural repair and maintenance of the works of art commissioned through the Art in Public Places Program.

XIII. INELIGIBLE COSTS FOR THE TWO PERCENT MONIES

A. Directional elements such as supergraphics, signage, or color coding except where these elements are integral parts of the original works of art.

B. Art objects which are mass produced of standard design such as playground equipment or fountains.

C. Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking or other media arts.

D. Decorative, ornamental, or functional elements which are designed by the building consultant as opposed to an artist commissioned for the purpose.

E. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist.

F. Services or utilities needed to routinely operate or maintain the artwork over time.

G. Project Consultant's fees.

H. Modifications in or improvements to building surfaces or structural elements of the building.

I. General administrative costs of the Art in Public Places Program, those which are not directly related to a specific project.

XIV. THESE GUIDELINES AND THE ART IN PUBLIC PLACES ORDINANCE ARE SUBJECT TO AN ANNUAL REVIEW FROM THE PASSAGE OF THE ORDINANCE.

Council Question and Answer

Related To	Items #20-31	**Meeting Date**	February 12, 2015

Additional Answer Information

QUESTION 1: According to the TDHCA 2015 Qualified Allocation Plan (QAP) and confirmed by Tim Irvine (Executive Director of TDHCA) in the policy deep dive discussion, developers can submit their application without the Austin City Council's support. Is this correct? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 1: That is correct.

QUESTION 2: The developers have until February 27, 2015 to turn in their applications. So there may be more developer applications that get turned in after our February 12, 2015 Council Meeting. Is this correct? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 2: It is correct that developers have until February 27, 2015, to turn in an application to the Texas Department of Housing and Community Affairs (TDHCA). It is not the staff's intent to bring forward new projects for City Council consideration for the 2015 9% Tax Credit Program.

QUESTION 3: According the QAP 11.2 Program Calendar for Competitive Housing Tax Credits, the Council has until April 1, 2015 to submit our Resolution for Local Government Support. Is this correct? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 3: The applicant has until April 1 to submit the Resolution for Local Government Support.

QUESTION 4: In the QAP, under section 11.9 (d)(2), after the City has provided acknowledgement to the developer seeking city funding, the City has until September 1, 2015 to present a final decision with regard to the awards of such funding. Is this correct? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 4: That is correct. Staff is presenting Requests for Council Action (RCAs) to ensure the most competitive opportunity for proposed developments in Region 7.

The QAP provides the opportunity for two points to be added to the score with the provision of a firm commitment for funds in the form of a resolution. The QAP provides for one additional point to be awarded to the applicant for specific language offered in the resolution for Council consideration that addresses favorable financing terms.

The action before Council in February provides the opportunity for Austin applicants to receive these points. City Staff has verified with the Texas Department of Housing and Community Affairs Housing Tax Credit Program staff, that in order to receive these points referenced above, a resolution of firm commitment must be submitted upon full application submission February 27, 2015.

After the tax credit awards are announced in July by TDHCA, and if there is an Austin development receiving tax credits, staff will bring forth an agenda item for Council to approve the earlier commitment of funding to the development, which was conditioned on an award of tax credits.

QUESTION 5: Has the City of Austin provided acknowledgment to all the developers seeking city funding? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 5: NHCD staff has notified developers of receipt of applications. No acknowledgements as described in the QAP have been provided to developers seeking City funding.

QUESTION 6: If no, which ones have not been provided acknowledgement? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 6: None have been provided acknowledgements as described in the QAP. NHCD staff is providing the opportunity through a City Council resolution for developers to receive a firm commitment for their application submission February 27, 2015, which provides for the additional 2 points.

QUESTION 7: Is there any reason why these could not go through the Committee process? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER 7: Staff recommends a timeline and process that allows for maximum points for applications being submitted February 27, 2015

Council Question and Answer

Related To	Item #36	**Meeting Date**	February 12, 2015

Additional Answer Information

QUESTION 1: Please describe the proposed "upgrades to parkland" and provide an estimate of the total value of these improvements. COUNCIL MEMBER TOVO'S OFFICE

ANSWER 1: The proposed upgrades by the respondent include financing and:

- Design, permit and construct concrete flatwork (sidewalk, ramps, etc.), railings, and other amenities to ensure compliance with the American Disabilities Act (ADA) to provide equal access to the concession services to persons with disability. Additional work would include creating an ADA parking stall and cross walk as needed. All improvements would convey to the City at the termination of the contract. Estimated costs $25-30,000.
- The renovation of the City dock on the north shore of the Lady Bird Lake (LBL) adjacent to the Radisson Hotel. The Respondent would incur these costs solely or in partnership with the Radisson and/or Four Seasons. Estimated costs $6-7,000.
- The purchase of a floating dock previously used in the construction of the Boardwalk. The Respondent proposes that, as needed, the floating dock will be connected to the renovated dock noted above providing a load and off-load point on the north shore of LBL. Estimated costs TBD.
- The purchase of two 40 horse power electric motors to increase the thrust and touring time of the largest boat of the Fleet. Increased thrust will improve public safety by providing greater control of the craft under windy conditions. Estimated costs $60,000.
- The purchase of a new boat with a capacity of 60 passengers to replace the Little Star pontoon boat (capacity 34 passengers). The increase in capacity will provide additional opportunity for residents and visitors alike to enjoy Bat Tours and the increase in ridership will result in higher revenue and therefore, greater commission to the City. Estimated costs $40,000.

Summary, Respondent proposes approximately $125,000 in reinvestment into the parkland and concession operations.

QUESTION 2: Please provide a snapshot of other existing concessions on parkland and the year the contract was renewed or executed snapshot. COUNCIL MEMBER TOVO'S OFFICE

ANSWER 2: See Chart #1 (at the end of this document). The following table (Table #1) tabulates the percentage of revenue share by concession based on gross sales of $500,000.

Table #1

Concession	% Commission
Butler Pitch and Putt	18%
EpicSUP	12%
Zilker Zephyr	11%
Zilker Boat Rental	10%
Barton Springs Food and Concession	10%
Rowing Dock	9%
Texas Rowing Center	9%

Lone Star Riverboat	8%
Austin Rowing Club	6%

QUESTION 3: As one of the more recent concession agreements (Butler Pitch and Putt) was increased from 6% to 18%, please explain why this contract is proposed to be set at 9% for the first 5 years and 10% in the subsequent five-year period. COUNCIL MEMBER TOVO'S OFFICE

ANSWER 3: Staff recommends accepting a revenue share of 9% of gross sales for the basic five (5) year term of the contract and 10% of gross sales for the five (5) year option period for the following reasons:

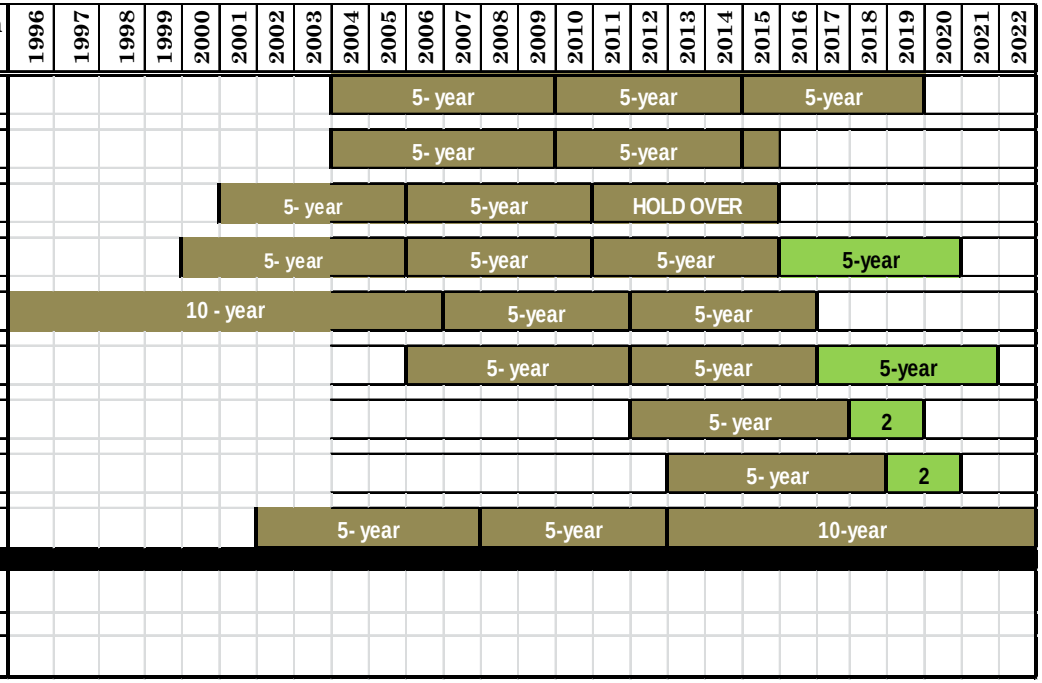
- The Respondent's cost to operate and maintain an excursion boat concession is higher than other concessions resulting in a lower taxable profit. For example, Butler Pitch and Putt's reported expenditures for calendar year 2014 was $141,721 out of $316,264 gross revenue compared to Lone Star Riverboat's $407,266 out of $422,408 gross revenue. While revenue generation is an important consideration in evaluating the proposal, ensuring the vendor is solvent and can afford to maintain and operate the concession to a standard and quality to meet City expectations is equally, if not of greater, value.
- In addition to the revenue share, the respondent will reinvest approximately $125,000 into the concession. This is greater than the expected reinvestment by Butler Pitch and Putt.
- The proposal revenue is higher than the 8% received under the last contract.

QUESTION 4: If staff has this information, please explain how this revenue share agreement compares to riverboat excursion contracts in other cities. COUNCIL MEMBER TOVO'S OFFICE

ANSWER 4: Staff does not have this information.

Chart #1

	Start	Option or Expiration Date
Butler Pitch & Putt	August 13, 2004	August 12, 2019
Barton Springs Food & Beverage	August 13, 2004	October 1, 2015
Lone Star River Boat	May 26, 2000	February 28, 2015
Texas Rowing Center	May 19, 2000	May 18, 2015
Zilker Zephyr Railroad	October 1, 1996	September 30, 2016
Zilker Park Boat Rental	February 2, 2006	February 1, 2016
Austin Rowing Club (WCB)	March 1, 2012	March 1, 2017
EpicSUP	February 7, 2013	February 8, 2018
Rowing Dock	May 1, 2001	May 1, 2022
Under Contract		
Option Period		



Council Question and Answer

Related To	Item #38	**Meeting Date**	February 12, 2015

Additional Answer Information

QUESTION 1: The draft ordinance for item 38 states that paid parking installed in the Mueller area may be used to undertake improvement projects to assist in managing the flow or demand for travel to confer public benefits within the Mueller area. How will we determine that revenue generated from the PTMD does not replace funding for the maintenance and improvements of the neighborhood parks whose funding stream is already set by the Mueller Master Development Agreement?

ANSWER 1: Any revenues generated by the PTMD that are recommended for maintenance and improvements in any of Mueller's parks would be supplemental funding only. These revenues would not replace the funding mechanisms in place by the Mueller Master Development Agreement (MDA).

An Oversight Committee will be established for the Mueller PTMD comprised of representatives of the City of Austin Parking Enterprise Division, Transportation Department, Economic Development Department, and Catellus Development, as the Master Developer for Mueller (post-development Catellus will be replaced by representation by the Mueller property owners association). A contract between the PTMD and the City of Austin will be a part of the PTMD agreement and the contract can specifically say that the PTMD funds will not replace the MDA-obligated funding for the maintenance and improvements of the neighborhood parks. Also, the Transportation Director has to approve all funding for projects and must abide by the contract.

QUESTION 2: In reference to item 38, was the inclusion of parking meters for the surface parking lot agreed to by partnering neighborhoods? Does any portion of the proposed new metered sites or permitted sites not have the support of neighborhood stakeholders? COUNCIL MEMBER CASAR'S OFFICE

ANSWER 2: This Mueller PTMD application does not include the metering of the Lake Park parking lot. After subsequent analysis, staff has determined it would require a supplemental application to be approved by Council, since it is not public right of way. The proposed initial implementation of on-street paid parking in the current Mueller PTMD application is only for portions of dedicated public right of way streets in the Town Center. Parking in the lot will be monitored for use and subsequent Council action will be initiated if necessary based on that observation.
In the stakeholder outreach meetings (RMMA PIAC meetings, Public Community meetings, Mueller Employment Center Town Center and Mixed Use Community Association Meeting, Mueller Transportation Committee, and Mueller Neighborhood Association and Steering Committee meetings) there was discussion of the need to coordinate parking controls for on-street parking and the Lake Park lot for commercial and residential users and park visitors. Discussion and feedback during these meetings indicated that neighborhood stakeholders understood the need for Lake Park parking controls. Stakeholders did express the importance of Mueller and the parks maintaining a welcoming environment and retaining some low or no cost parking options near Lake Park for visitors. The signage for nearby available parking is a key issue; it must be in English and Spanish and must be very clear in directing visitors to the free parking areas.

The new metered sites and permitted areas have the support of the neighborhood stakeholders. Some stakeholders asked for additional streets to be added to the initial recommended RPP zone. Additional car count surveys are currently being conducted for ATD to determine whether the data supports the need for RPP on other streets in Mueller.

QUESTION 3: In reference to item 38, how many free parking spots will remain on the streets immediately adjacent to the parkland? Can the Council require as part of the PTMD, that signs be placed on Simond Ave to alert the public to the locations of options for free parking near the park? COUNCIL MEMBER CASAR'S OFFICE

ANSWER 3: Of the existing 5 parks at Mueller, only 2 parks are adjacent to commercial areas and are recommend to having parking controls to encourage parking turnover and maintain access to them. In the area adjacent to Lake Park, there would be total of over 125 free parking spaces available for visitors. Free off-street parking will be available at Mueller Central and the Browning Hangar (50 parking spaces) and over 75 free on-street parking spaces are available at the east and south ends of the park on Mattie, Camacho, and Zach Scott Streets. The Lake Park parking lot has a total of 46 spaces.

Council can require as part of the PTMD that signs be placed on Simond Avenue to alert the public to the locations of options for free parking near the park. This need has been recognized during development of the PTMD recommendations for Mueller and would be an early action item for the PTMD.

Council Question and Answer

Related To	Item #40	**Meeting Date**	February 12, 2015

Additional Answer Information

QUESTION: Please provide a list of the specific intersections targeted to receive bicycle signals and detection equipment through the Texas Department of Transportation's grant funding of $200,000. Please provide background, selection criteria, and public outreach information for the determination of which intersections are on the list. COUNCIL MEMBER KITCHEN'S OFFICE

ANSWER:

BACKGROUND

In September 2012 TxDOT called for nominations for federal highway assistance funding through the Transportation Enhancement Program. Based on long-standing policy in the City of Austin Bicycle Master Plan calling for bicycle signal detection (first established in the 1996 plan and updated in the 2009 and 2014 plans), the City of Austin prepared an application for funding bicycle signal and detection in areas throughout the city where operational, safety, or access issues have been observed in the past or as requested by citizens through a three-pronged public input process. Below are past actions taken by the previous City Council and Capital Area Metropolitan Planning Organization (CAMPO):

12/13/2012	Council approval to submit grant applications for the Bicycle Signal and Detection Project.
05/13/2013	CAMPO selected and approved the project.
06/26/2014	Council approval to negotiate and execute the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for this project.

PUBLIC OUTREACH PROCESS

The public outreach process that was used to identify proposed bicycle signal and signal detection locations for the Transportation Enhancement (TE) Bicycle Signal and Detection Grant was a multipronged effort over a two-year period, including a community-based survey, technical briefings requested by the Bicycle Advisory Committee (BAC) and one-on-one outreach with key stakeholders. The public outreach process is summarized as follows:

- Citizen Input – Requests from citizens sent through email, phone or Customer Service Requests (CSR's) were analyzed for key locations and trouble areas.
- Community-Based Survey –A survey was distributed on September 28, 2011 by the City of Austin Bicycle Program as well as through the Bicycle Advisory Committee, requesting input on where bicycle detection was inadequate. This effort resulted in 100 survey responses identifying key locations.
- Technical Briefings – Technical briefings were given by the Arterial Management Division of the Austin Transportation Department on February 16, 2012 and again on October 15, 2013 to members of the Bicycle Advisory Committee (BAC). The BAC voted to approve a letter of support for the project after deliberation on challenges and needs to improve bike detection at signalized intersections during their October and November meetings. A letter of support dated November 11, 2012 was included with the final grant application.
- One-on-One Stakeholder Meetings – Meetings with key stakeholders were conducted in Fall 2012 with groups including Bike Texas, Bike Austin, the Yellow Bike Project to solicit further public input. Examples of public input received from stakeholders is included in **Attachment C**.

SELECTION CRITERIA

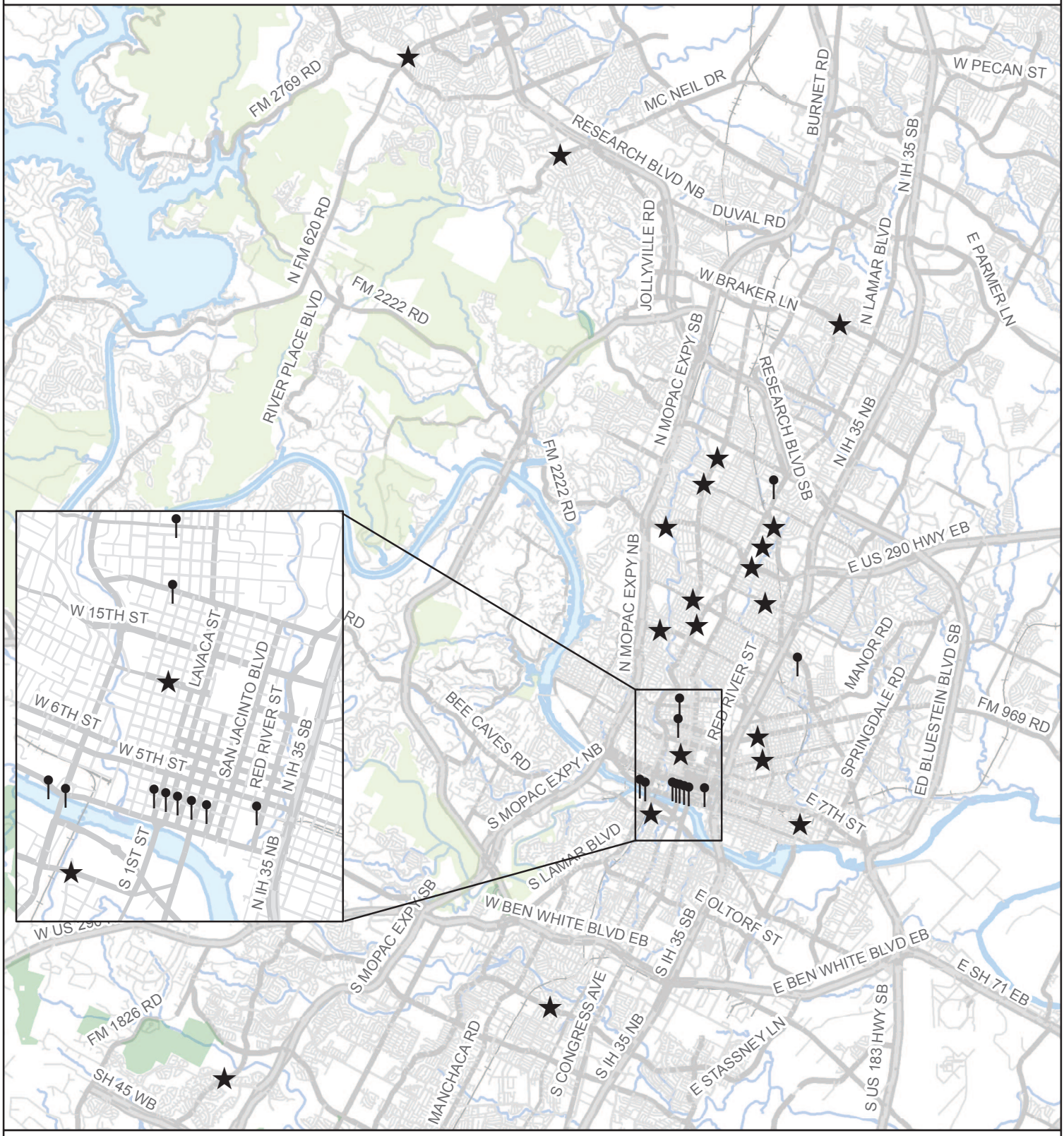
The locations of the proposed bicycle signal and bicycle detection enhancements are contained in **Attachment A.**

- **Signals:** The grant specifies 12 locations where bicycle signals would be installed. Bicycle Signals are like

typical traffic signals but have an indication that is intended for people on bicycles only. These are useful when motor vehicle and bicycle movements need to be phased separately for safety reasons or to provide bicycle movements where motor vehicle movements are prohibited. Existing locations were identified by citizen input and further refined based on operational, safety and access issues.

- **Detection:** Signals often use detection to improve efficiency of the transportation system so that green time is not given to side streets when there are no vehicles present. While detection is reliable for motor vehicles, many of our signals are still not able to reliably detect people on bicycles. This is due to the difficulty of detecting bicycles with older technology. The result is that when a person on a bicycle reaches the signal they may have to wait until a person driving triggers the light or alternately they make the decision to run the red light, jeopardizing the safety of the cyclist as well as other roadway users. The grant would fund bicycle detection improvements at 20 intersections in Austin. Locations were selected from the top locations from the 2011 City online survey where citizens were asked to report detection issues.

TRANSPORTATION ENHANCEMENT 2012
BICYCLE SIGNAL AND BICYCLE DETECTION LOCATIONS



Legend

★ Proposed Bicycle Detection Improvement Locations (20)

Proposed Bicycle Signal Locations (12)

0 2.5 5 Miles

MAP CREATED BY NADIA BARRERA ON OCTOBER 11, 2012 WITH THE USE OF CITY OF AUSTIN DATA

Transporatation Enhancement 2012
City of Austin Bicycle Signal/Bicycle Detection Project Locations

Proposed Bicycle Signal Locations

Lance Armstrong Bikeway	Sandra Muraida
Lance Armstrong Bikeway	BR Reynolds
Morrow Street	Lamar Boulevard
Wilshire Boulevard	Airport Boulevard
4th Street	Red River Street
Rio Grande Street	MLK Jr. Boulevard
Rio Grande Street	24th Street
3rd Street	Brazos Street
3rd Street	Congress Aveune
3rd Street	Colorado Street
3rd Street	Lavaca Street
3rd Street	Guadalupe Street

Proposed Improved Bicycle Detection Locations

40th Street	Lamar
4 Iron Drive	Spicewood Springs
5th	Pleasant Valley
Burnett	45th Street
Comal	12th
Comal	MLK Jr.
Duval St	51st St
El Salido Pkwy	RM 620
Emerald Forest Dr	Stassney
Escarpment Blvd.	LaCrosse
Guadalupe	Denson
Guadalupe	Koenig
Guadalupe	Airport Blvd
Jefferson	35th
Justin	Burnet
Nueces	12th
Parkfield	Braker
Shoal Creek	Northland
Dawson	Barton Springs Road
St. Josephs / Northcross	Burnett

CITY OF AUSTIN
BICYCLE ADVISORY COUNCIL (BAC)

MEETING SUMMARY

City Hall
302 W. 2nd Street
AUSTIN, TX 78704

February 16, 2012

PARTICIPANTS:

Chris LeBlanc – BAC Chair	Mike Kase – BAC	John Bartle – Alt BAC
Jason Abels – BAC Vice Chair	Abe Dashner – Alt BAC	Tom Wald – Alt BAC
Tommy Eden – BAC	Elliot McFadden – Alt BAC	Tom Thayer – Alt BAC
Leslie Luciano – BAC	Zachary Stern – Alt BAC	Jacob Calhoun – Alt BAC
Richard Faidley – BAC	Derek Hansen – Alt BAC	Myndi Swanson – Alt BAC
Sheila Molina – BAC	Denise Shaw – Alt BAC	

STAFF PRESENT:

Annick Beaudet	Sgt. David Walker Nadia Barrera	Neil Kopper

GUESTS:

Michael Cosper – Citizen	Council Member Chris Riley Katie Brown – Citizen	Richard Hollenbak - LOBV Eileen Schaubert

1. Introductions –
Mr. Abels starts the meeting with introductions.

2. Review and Approval of January Minutes –
Minutes pass without dissent.

3. Items from BAC –

- **Briefing from Ali Mozdbar –** Mr. Mozdbar and Mr. Bell give a presentation regarding bike detection at signalized intersections. Mr. Faidley asks how the signal is timed for pedestrians. Mr. Mozdbar responds that it is 3.5 feet/second. Mr. Faidley asks about signals on or near TXDOT facilities. Mr. Mozdbar responds that the City maintains all signals on the City's right of way. Ms. Kaplan asks for examples of where each type of detection tool is located. Mr. Mozdbar responds that at MLK and Red River, 26th and Red River, and 45th and Lamar there are video cameras used for detection. These cameras are white in color as opposed to the red-light cameras. There are also thermal detectors, but those do not work as well in the field as the Signal Program hoped. Sgt. Walker asks about adjusting the loop to detect bicycles. Mr. Mozdbar responds that if the detection loops are made to be too sensitive, they may pick up vehicles from adjacent lanes, but they are working on finding the perfect threshold. The Signal Program is also looking at hybrid detections, or video + induction loops for bicycles. The video can be sent back to make adjustments in real time. Another option would be push buttons on the curb within a cyclist's reach. Sgt. Walker states that the intersection at 35th and Jefferson seems to be a signal detection challenge for many cyclists.

  *After this meeting, CM Riley asked for a follow-up meeting for staff to discuss in more detail.

- **Briefing from Sgt. Walker –** Sgt. Walker distributes the statistics prepared by APD. He notes that there is an 80% change in many of the numbers, and this may be attributed to new staff, or the change in APD policy that encourages giving warnings for first time offenses. Ms. Beaudet then gives an

update regarding 4th Street and Sabine stating that APD has been working with Austin Energy to illuminate the intersection and the bikeway.

4. **Items from Staff –**
   - **Briefing – Capital Improvement Projects**
   - Mr. Crager updates the group on the Downtown Bicycle Boulevard. He lest the group know about the bridge over Shoal Creek at 3rd Street and that the project will also include closing the gap at Shoal Creek Trail. Finally, the bicycle improvements on Nueces will not begin until the reconstruction of the roadway is complete, some time in 2013.
   - Mr. Crager then updates the group on the Upper Boggy Creek trail. This project should be begin construction in January 2013 and be complete by September of 2013. The City is currently working with CapMetro for the final environmental review and coordination. Mr. Sanford asks about the improvements south of the MLK Station. Mr. Crager responds that the Urban Trail Program is aware of the need for improvements to the existing trail, and is actively searching for funding to make the improvements.
   - Mr. Crager then states that the Lake Austin bicycle lanes are nearing completion. Mr. Abels asks about if the sidewalk is the bicycle lane. Mr. Crager responds that the markings will be going down soon to clarify that it is.
   - Mr. Crager then updates on the Mopac Bicycle Bridge, beginning with the background and the need for the project. The Barton Creek piece will be built by TXDOT, and the City will be coordinating with them throughout the project. TXDOT will go to bid in September 2013. The 360 piece will separate bicycles and pedestrians from motor vehicle traffic and take them over 360 and will go to bid in early 2014 and be complete by the end of 2015. Mr. Cosper asks how high the bridge will be. Mr. Crager responds that it will be about 70' tall. Mr. Kase asks about heading onto 360 from the turn around. Mr. Crager responds that advanced cyclists will have to take the lane with the cars, and beginner cyclists can execute a box-left turn.
   - Mr. Crager also lets the group know that the connection at Congress and Cesar Chavez to the Roy and Ann Butler Lake Trail will be complete by summer, 2012.
   - Mr. Wilkes updates the group on the Lavaca/Cesar Chavez improvements. This includes a bicycle lane on Lavaca up to 3rd Street. Mr. Riley asks about prohibiting rights on red and including a bike box to pull into when the cyclists exists the trail. Mr. Wilkes responds that APD had no reports of bike/ped collisions at that location. However, another improvement would be moving the crosswalks back. After we have sought approvals, a funding and construction conversation will occur. Ms. Beaudet states that her goal is to have this implemented by the end of the fiscal year.
   - Mr. Wilkes also updates the group on the signs installed at the Johnson Creek Trail at Lake Austin Blvd. Mr. Eden states that the signs are not up yet. Mr. Wilkes also states that the Bicycle Program is working with TXDOT to seek approval for signage within the Johnson Creek Trail.

   - **Discussion: Potential Locations for Colored Bicycle Lanes – delayed until future meeting**
   - **Follow-Up from Last Meeting – Red Bud Rehabilitation – delayed until next meeting**
   - Mr. Demling asks about defective bike racks. Ms. Beaudet states that City went with a low-bidder and they have not been able to meet the standards of the City. She estimates that within six weeks we will be installing bicycle racks again. She also announces that this program may no longer continue due to the fact that the City no

longer has the resources to continue the program. Mr. Kase asks if the staff is administrative or if they simply install bike racks. Ms. Beaudet responds that they actually do install bike racks. Ms. Kaplan asks about the funding for bike racks. Ms. Beaudet responds that the funding for the racks was bond funding, but the funding for the staff was administrative. Ms. Beaudet also states that there is potential for partnering with the parking enterprise. Mr. Wald states that he has had a volunteer ask to install bicycle racks, but since the City installs them for free, they could not get businesses to pay for installation. However, now that the City may not be installing them, there may be an opportunity there.

5. Announcements/Adjourn –

- Sgt. Walker states that he spoke with the municipal court and that there was an instance when someone got a ticket for running a red light because the light didn't change. If you think this is going to be a problem, please continue to report these signals.
- Mr. Abels announces the Major Taylor event – there is a Thursday and Saturday event

BikeTexas
Texas Bicycle Coalition
www.BikeTexas.org

November 11, 2012

Mr. Howard Lazarus, Director
Department of Public Works
505 Barton Springs Rd.
Austin, TX 78704

Dear Mr. Lazarus,

I am writing to express BikeTexas' support for the proposed Bicycle Signal and Bicycle Detection at Signalized Intersection Project for the Transportation Enhancement Funding provided by the Texas Department of Transportation.

BikeTexas' mission is to advance bicycle access, safety, and education in Texas. We seek to develop and steward the future of bicycling in Texas and encourage bicycle use as a healthy and mainstream lifestyle and transportation choice. Over the last eight years, we have delivered bicycle safety education to 200,000 children annually by training PE teachers and have also piloted a Safe Routes to School program resulting in millions of dollars of statewide bicycle- and pedestrian-friendly projects to encourage Texas schoolchildren to be active. Our work surrounding the past three federal transportation bills has helped to secure several hundred million dollars in bicycle and pedestrian funding for Texas cities.

In recent years, the number of cyclists on the street in Austin has increased. BikeTexas is excited to see this increase in the number of people enjoying the benefits of cycling. We would like for this trend to continue. In order to encourage more cycling, the City must understand cyclists' needs and improve upon existing conditions so as to open up cycling to more people.

Not only is this project innovative in nature, but it also strives to fix a problem that cyclists encounter on a daily basis. When a cyclist approaches an intersection, a signal often does not "detect" the cyclist, forcing him/her either to wait until a car approaches, move to the pedestrian button, or run the red light. The Bicycle Program has listened to the community and is working with the Signal Division of the Austin Transportation Department to improve our signals for all roadway users. We look forward to a time when cyclists are seamlessly integrated into our transportation system.

Thank you for your support of Austin cyclists. Please contact me at robin@biketexas.org or 512-694-9158 (cell) if I can provide any further information on this very worthy application.

Sincerely,

Robin Stallings

Robin Stallings
Executive Director

P.O. Box 1121, Austin Texas 78767
512-476-RIDE (7433) Fax: 512-476-7458
mail@biketexas.org - www.biketexas.org

Austin's Yellow Bike Project
1216 Webberville Road
Austin, TX 78721
www.austinyellowbike.org
austinyellowbike@gmail.com

November 8, 2012

Mr. Howard Lazarus
Director
Department of Public Works
City of Austin

Mr. Lazarus,

We are writing you to express support for the proposed Bicycle Signal and Bicycle Detection at Signalized Intersection Project. We understand that Transportation Enhancement Funding is available from the Texas Department of Transportation.

Our organization encourages cycling and advocates for improved conditions for people on bicycles. This project will fix a problem we encounter on a daily basis. When a cyclist approaches an intersection, the signal does not detect the cyclist, forcing them to either wait until a car approaches behind them, dismount and move to press the pedestrian button, or run the red light. In addition, the signals at some lights are not properly sequenced or timed for bicycles. These conditions present risks to cyclists; signalized intersections are one of the most common locations for bicycle/motor vehicle collisions.

The number one reason given for not cycling is the fear of not feeling safe. These traffic signal enhancements will improve conditions at intersections and traffic flow by seamlessly integrating bicycles into the transportation system. Experience from countries such as Denmark and The Netherlands, shows that well designed infrastructure promotes improved behavior by all users of roads and streets. This improves safety and comfort, and encourages shifting to more efficient modes of travel. We are excited about this project and look forward to riding through safer and more efficient intersections in Austin.

Sincerely,

Tim Starry
Transportation Coordinator
Austin Yellow Bike Project

November 11, 2012

Mr. Howard Lazarus

Director
Department of Public Works
City of Austin

Dear Mr. Lazarus,

The purpose of this letter is to express support for the proposed Bicycle Signal and Bicycle Detection at Signalized Intersections Project for the Transportation Enhancement Funding provided by the Texas Department of Transportation.

The BAC encourages cycling and advocates for improved conditions for cyclists in Austin. We have noticed the increase in the number of cyclists on the street in the past few years. In order to continue to encourage cycling, we must understand their needs and improve upon existing conditions to open up the potential for cycling to more people. The most common reason cited for not cycling more often is not feeling safe. This project uses innovative practices to improve the conditions at signalized intersections, one of the highest locations for bicycle/motor vehicle crashes.

We are excited to have the opportunity to support a project that not only innovates; it also strives to fix a problem that we encounter on a daily basis. Often, when a cyclist approaches an intersection, the signal does not detect the cyclist, forcing them to either wait until a car approaches behind them, move to the corner to press the pedestrian button, or run the red light. In order to address this safety problem, the Bicycle Program has listened to the community and is working with professionals from the Signal Division of the Austin Transportation Department to improve this condition for cyclists and all roadway users.

Thank you for your work to improve road conditions for cyclists. We look forward to a time when cyclists are seamlessly integrated into our transportation system.

Sincerely,

Allison Kaplan

Allison Kaplan
Chair, Austin Bicycle Advisory Council

Bike Austin
2921 E. 17th St., Bldg. D, Suite 4
Austin, TX 78702
512-773-8775

Mr. Howard Lazarus
Director
Department of Public Works
City of Austin

November 9, 2012

Mr. Lazarus,

I am writing to express our support for the proposed Bicycle Signal and Bicycle Detection at Signalized Intersection Project for the Transportation Enhancement Funding provided by the Texas Department of Transportation.

Our organization encourages cycling and advocates for improved conditions for bicycle traffic. Our city has been successful at bringing more people to bicycling in recent years – doubling the Journey-To-Work trips over the last few years. In order to continue to bring more people to bicycling more often, it is important to understand people's needs and to improve upon existing conditions in such a way that makes bicycling an attractive option for more people. One of the top reasons people cite for not cycling more often is that they don't feel safe. This project uses innovative practices to improve upon the conditions at signalized intersections, one of the highest locations for bicycle/motor vehicle crashes. Furthermore, by providing additional specialized accommodations for bicyclists, the City of Austin sends a message that bicycling is a normal, everyday activity not just reserved for daredevils or weekends.

We are excited to have the opportunity to support a project that not only is innovative in nature, but strives to fix a problem that people on bikes encounter on a daily basis. Often times, when person approaches an intersection by bike, the signal does not "detect" him/her, forcing him/her to either wait until a car approaches behind them, move to the corner to press the pedestrian button, or run the red light. In order to address this safety problem, the City of Austin Bicycle Program has listened to the community and is working with professionals from the Signal Division of the Austin Transportation Department to improve this condition for all roadway users (in that people walking and driving benefit from more predictable behavior by people on bikes). We look forward to a time when bicycle traffic is seamlessly integrated into our transportation system.

Tom Wald
Executive Director
512-203-7626
tom@bikeaustin.org

GARZA RANCH

< *TRAFFIC IMPACT ANALYSIS* >

Case #: _____

First Submittal: May 21, 2012
Final Submittal: October 14, 2014

GARZA RANCH

< TRAFFIC IMPACT ANALYSIS >

Prepared for

Ranch Garza, Ltd.

Prepared by

HDR Engineering, Inc.

Texas PE Firm # F-754
504 Lavaca St. #1175
Austin, Texas 78701
Telephone 512-904-3700
Facsimile 512-904-3773
Website: hdrinc.com

First Submittal: May 21, 2012
Final Submittal: October 14, 2014

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CERTIFICATION STATEMENT

I hereby certify that this report complies with Ordinance requirements and applicable technical requirements of the City of Austin and is complete and accurate to the best of my knowledge.

I do hereby certify that the engineering work being submitted herein complies with all provisions of the Texas Engineering Practice Act, including Section 131.152(e). I hereby acknowledge that any misrepresentation regarding this certification constitutes a violation of the Act, and may result in criminal, civil and/or administrative penalties against me, as authorized by the Act.

Kathleen G. Smith — 10.14.14

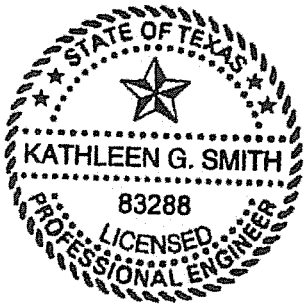
(Signature of Responsible Engineer) Texas P.E. # — Date

Kathleen G. Smith — 10.14.14

Signature of Submitter — Date

KATHLEEN G. SMITH — 10.14.14

Printed Name of Submitter — Date



EXECUTIVE SUMMARY

The proposed Garza Ranch development is located on the east side of Mopac Expressway (Loop 1), north of William Cannon Drive, in Austin, Texas, as shown in Figure 1. The development is proposed to consist of 566,450 square feet of general office building, 87,450 square feet of shopping center, 27,725 square feet of high turnover (sit-down) restaurant, and 208 dwelling units of apartments, although the final land-use mix could change. The property currently consists of single-family, detached houses. Existing site-generated trips were not removed from the transportation network, in order to provide a conservative analysis.

The site is bounded by Mopac Expressway (Loop 1) Northbound Frontage Road (NBFR) on the west. As shown in Figure 2, access to the development will be provided by one (1) proposed right-out only driveway on Mopac Expressway (Loop 1) NBFR and one (1) proposed driveway that will connect with the existing Regions Bank parking lot, located just south of proposed Garza Ranch. Existing Ben Garza Lane is proposed to be extended to the west, through the project site, and terminate at a T-intersection with Mopac Expressway (Loop 1) NBFR, north of an existing entrance ramp. Additional access to the development will be provided on the new section of Ben Garza Lane. The driveway connecting the Garza Ranch development to the adjacent Regions Bank development will primarily serve internal capture trips between the two developments, which are expected to be minimal, and thus this driveway was not analyzed as part of this study.

Trip Generation

Based on recommendations and data contained in the Institute of Transportation Engineers (ITE) *Trip Generation*, 8th Edition, the proposed project will generate approximately 16,204 unadjusted weekday daily trips upon buildout. In order to provide a conservative analysis, the trips generated by the existing land uses were not removed from the transportation network for this analysis. Table

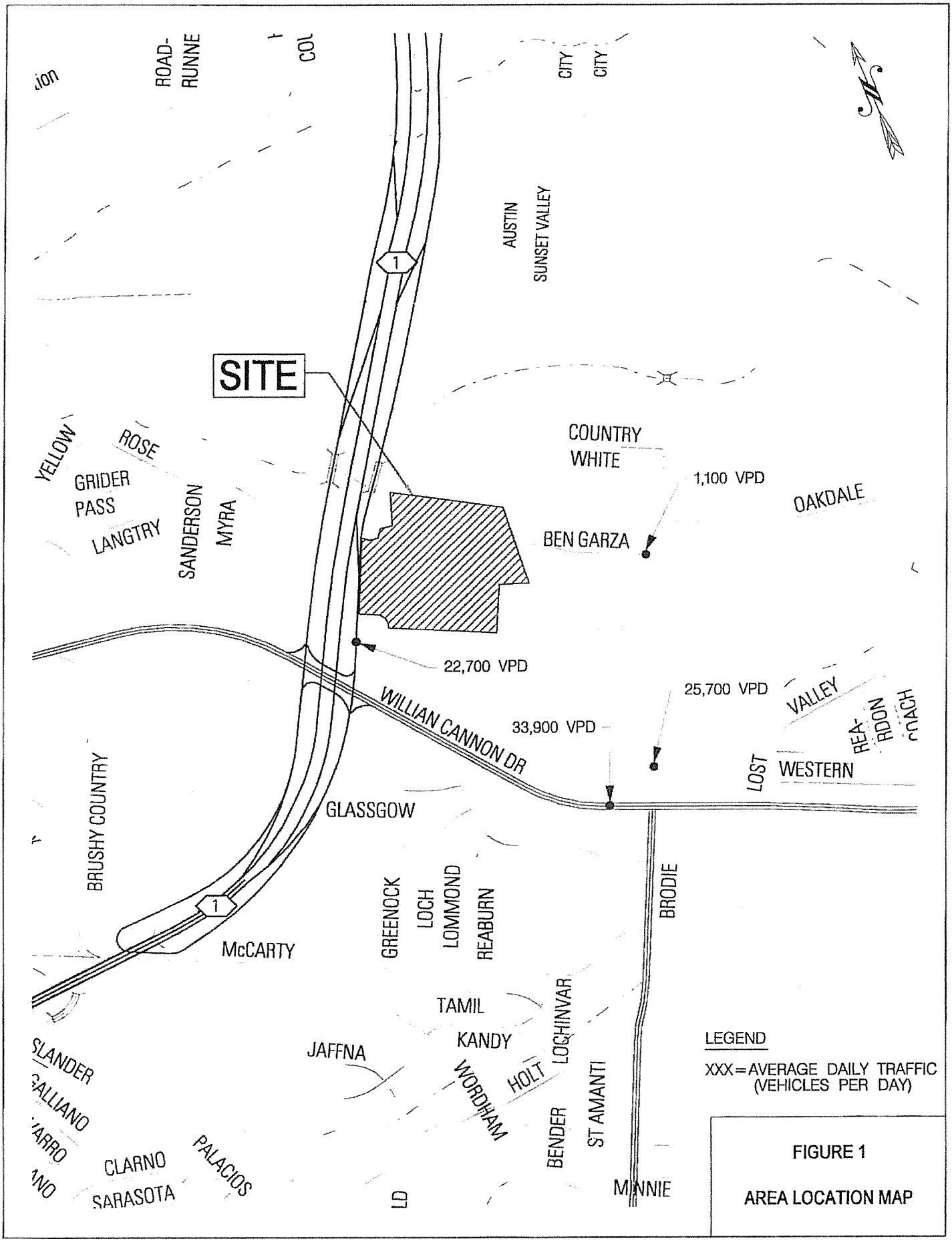


FIGURE 1

AREA LOCATION MAP

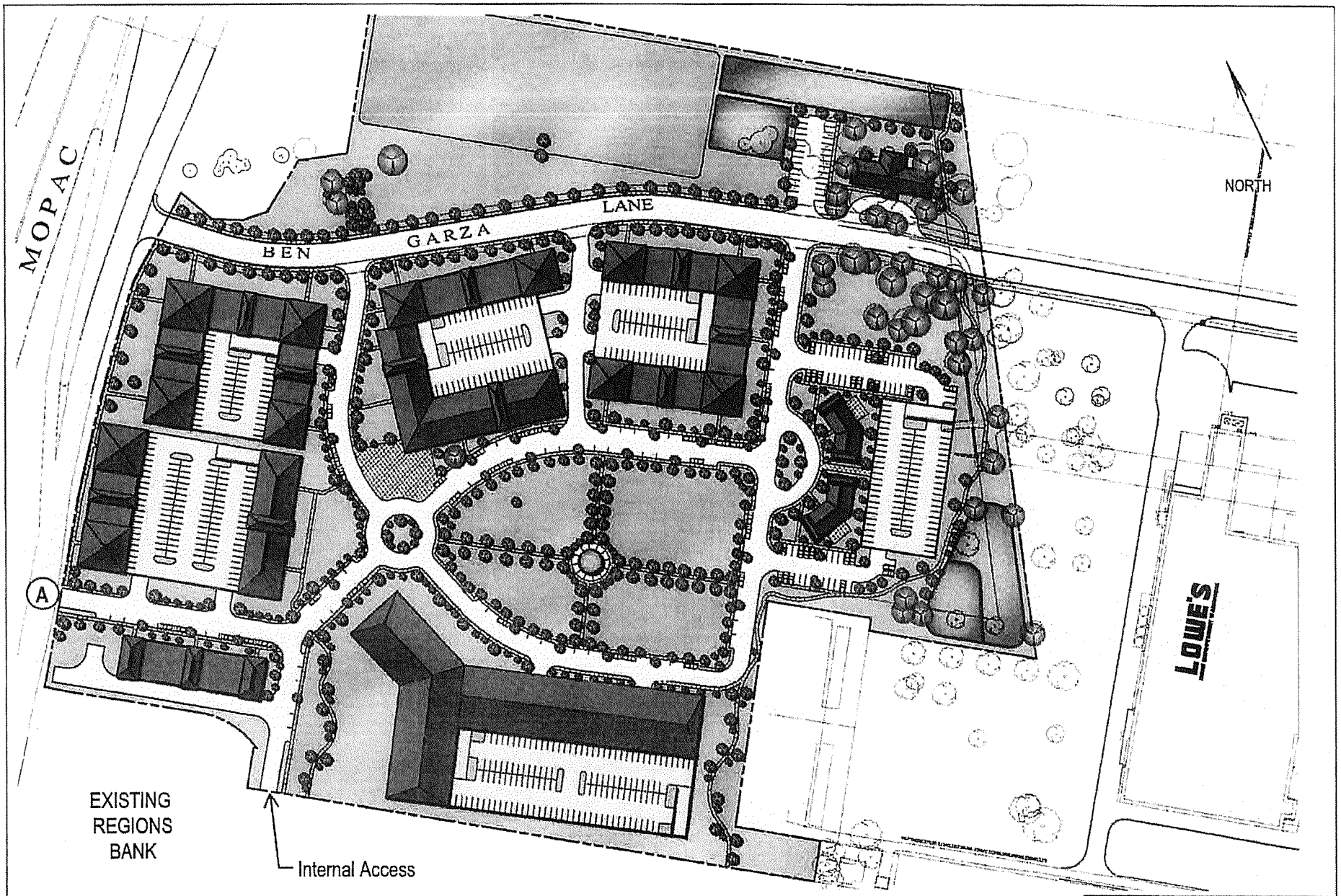


FIGURE 2

CONCEPTUAL SITE PLAN
(Subject to Change)

(X) **Site Driveway**

1 provides a detailed summary of traffic production which is directly related to the existing land uses and proposed land use plan at the site.

Table 1.
Summary of Unadjusted Daily and Peak Hour Trip Generation

Land Use	Size (SF)	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
General Office Building	566,450 SF	5,071	661	90	121	592
Shopping Center	87,450 SF	6,224	87	55	285	297
High Turnover (sit-down) Restaurant	27,725 SF	3,525	166	153	182	127
Apartments	208 DU	1,384	21	85	86	46
Total		**16,204**	**935**	**383**	**674**	**1,062**

Assumptions

1. Based on Texas Department of Transportation (TxDOT) traffic maps, a one (1.0) percent annual growth rate was assumed for this project.
2. Pass-by reductions of thirty-four (34) and forty-three (43) percent were assumed for the Shopping Center and High Turnover (Sit-Down) Restaurant, respectively, during the PM peak period only. No pass-by reductions were assumed for the other land uses.
3. Internal capture reductions of ten (10) percent were assumed for the High Turnover (Sit-Down) Restaurant during both the AM and PM peak periods and for the Shopping Center during the PM peak period only. No internal capture reductions were assumed for the other land uses.
4. Due to limited existing Capital Metro service in the area and to provide a conservative analysis, no transit reduction was assumed for any land use during any period of analysis. Figure 3 shows the transit routes that service the area.

Transportation System Description

Mopac Expressway (Loop 1) – The Austin Metropolitan Area Transportation Plan (AMATP) and the Capital Area Metropolitan Planning Organization (CAMPO) 2035 Mobility Plan classify Mopac Expressway (Loop 1) as a six-lane major divided arterial from William Cannon Drive to US 290

(W). Mopac Expressway (Loop 1) remains a free-flowing, controlled access roadway with adjacent frontage roads over this segment. According to TxDOT traffic counts, the traffic volume for year 2010 on Mopac Expressway (Loop 1), between William Cannon Drive and US 290 (W), was 82,000 vehicles per day (vpd). The CAMPO 2035 Mobility Plan recommends the construction of one managed lane in each direction on Mopac Expressway (Loop 1) by 2017. This improvement was not assumed to be completed within the timeframe of this study.

William Cannon Drive – The AMATP and the CAMPO 2035 Mobility Plan classify William Cannon Drive as a six-lane major divided arterial from US 290 (W) and Brodie Lane and a four-lane major divided arterial from Brodie Lane to Manchaca Road. According to CAMPO traffic counts, the traffic volume for year 2010 on William Cannon Drive, between Mopac Expressway (Loop 1) and Brodie Lane, was 40,150 vehicles per day (vpd). The AMATP has recommendations to upgrade William Cannon Drive, between Brodie Lane and Manchaca Road, to a six-lane major divided arterial by 2025. This improvement was not assumed to be completed within the timeframe of this study. The City of Austin 2009 Bicycle Plan Update recommends upgrading the facilities for Route 80 on William Cannon Drive from shared lanes in the vicinity of the project site to dedicated bike lanes along the entire route. Figure 4 shows the 2009 City of Austin Bike Plan recommended facilities.

Brodie Lane – The AMATP and the CAMPO 2035 Mobility Plan classify Brodie Lane as a four-lane major divided arterial, from US 290 (W) to Slaughter Lane. According to CAMPO traffic counts, the traffic volume for year 2010 on Brodie Lane, just north of William Cannon Drive, was 31,330 vehicles per day (vpd). Wide curbs (this terminology is explained in the Bike Plan) are currently provided for Bicycle Route 17 on Brodie Lane, south of William Cannon Drive, while shared lanes are provided north of Brodie Lane. The City of Austin 2009 Bicycle Plan Update currently recommends upgrading the facilities for Route 17 on Brodie Lane to dedicated bike lanes along the entire route.

Ben Garza Lane/Oakdale Drive – Ben Garza Lane/Oakdale Drive is a two-lane minor undivided collector east of Brodie Lane and a two-lane minor divided collector west of Brodie Lane. Currently Ben Garza Lane terminates approximately one quarter of a mile west of Brodie Lane, and primarily

RECOMMENDED BICYCLE NETWORK: SECTOR D2

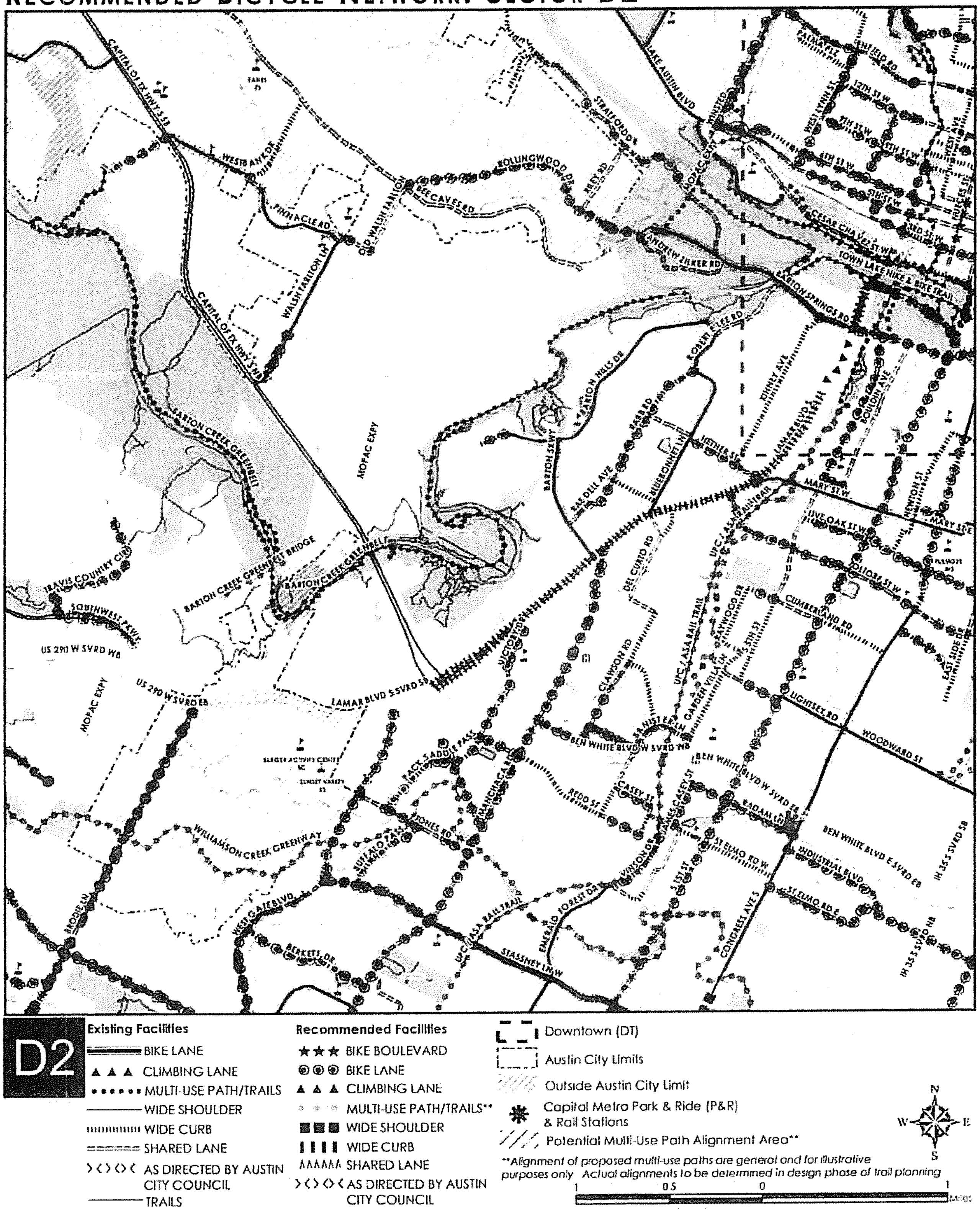


FIGURE 4
2009 City of Austin
Bicycle Plan

serves the abutting Lowe's development. As part of the Garza Ranch development, Ben Garza Lane is proposed to be extended to the west, through the development, and terminate at a T-intersection with Mopac Expressway (Loop 1) Northbound Frontage Road. 24-hour traffic data are not available at this location; however, based on a review of peak period traffic counts collected by HDR, approximately 1,100 vpd are estimated on Ben Garza Lane, west of Brodie Lane.

Traffic Analysis

The impact of the proposed development on existing area intersections was analyzed. Two time periods and three travel conditions were evaluated:

1. 2012 Existing Conditions
2. 2017 Forecasted Conditions (without Site traffic)
3. 2017 Forecasted Conditions with Site Generated Traffic .

Intersection Level of Service (LOS)

The TIA analyzed five (5) intersections, of which three (3) are currently signalized. The results are summarized in Table 2. The build-out condition level of service (LOS) assumed that all roadway and intersection improvements recommended in the TIA are constructed.

Table 2.
Intersection Level of Service

	2012 Existing		2017 Forecasted		2017 Site + Forecasted (without improvements)		2017 Site + Forecasted (with improvements)	
Intersection	AM	PM	AM	PM	AM	PM	AM	PM
Mopac Expressway (Loop 1) and William Cannon Drive*	F	F	F	F	F	F	F	F
Brodie Lane and William Cannon Drive*	E	E	E	F	E	F	D	E
Brodie Lane and Ben Garza Lane/Oakdale Drive*	A	B	B	C	B	E	B	D
Mopac Expressway (Loop 1) Northbound Frontage Road and proposed Ben Garza Lane	-	-	-	-	A	A	A	A
Mopac Expressway (Loop 1) Northbound Frontage Road and Driveway A	-	-	-	-	A	A	A	A

*Signalized intersection

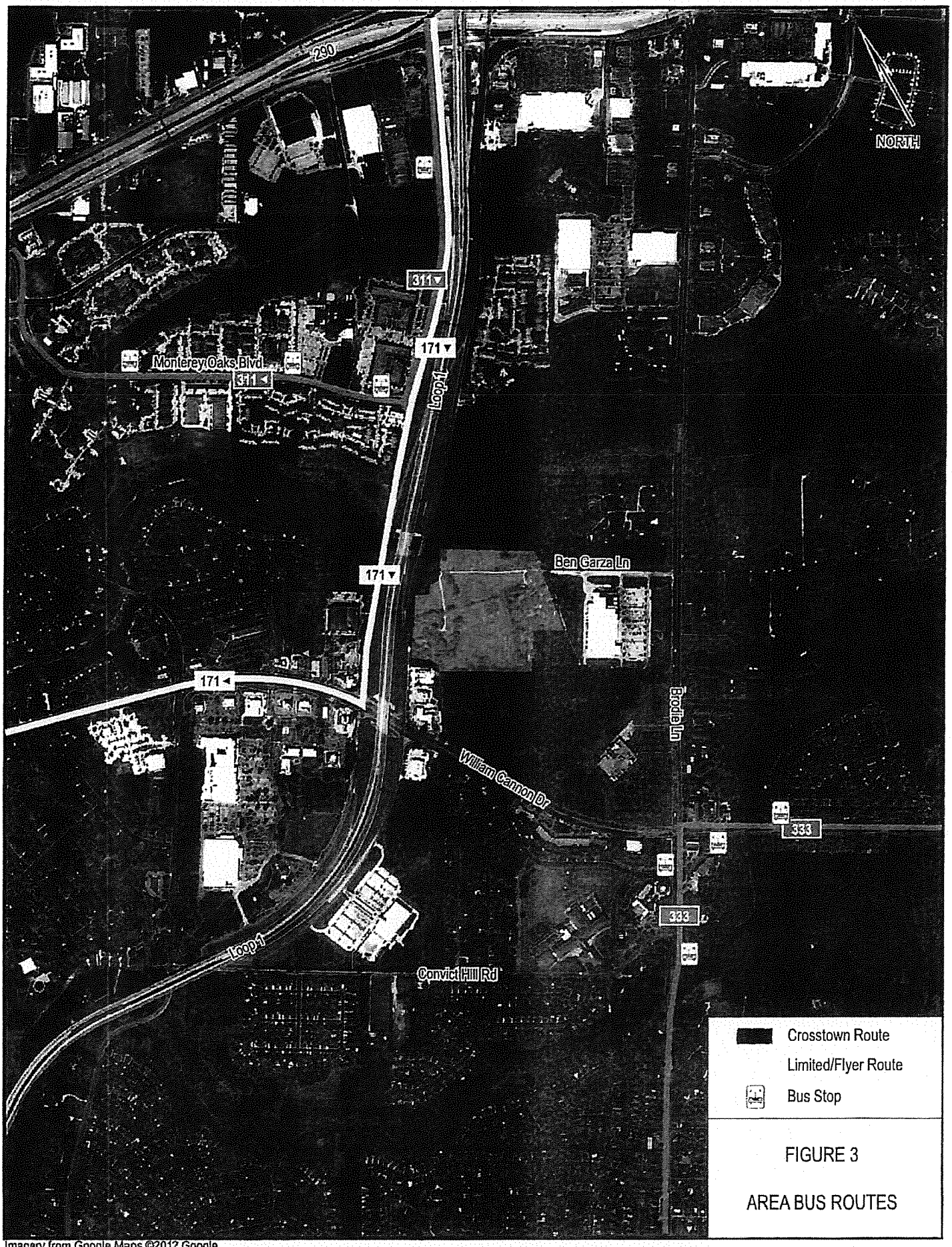


FIGURE 3

AREA BUS ROUTES

2. Construction of an additional left-turn lane on the northbound approach of Brodie Lane. This approach will provide two left-turn lanes, two through lanes, and one right-turn lane. (Review of the intersection indicates that there is no available right of way to construct this improvement; therefore this improvement is not likely to occur. Without this improvement, the intersection operates at LOS E and F during the AM and PM peak periods, respectively).

Traffic demand management measures for this site should be discussed and coordinated with the City.

Brodie Lane and Ben Garza Lane/Oakdale Drive – The intersection operates at LOS A and B under 2012 existing traffic conditions during the AM and PM peak periods, respectively. This intersection will operate at LOS B and D under 2017 site plus forecasted traffic conditions during the AM and PM peak periods, respectively, assuming the optimization of signal timings. No geometric improvements are recommended at this intersection.

Mopac Expressway (Loop 1) Northbound Frontage Road and proposed Ben Garza Lane – This intersection operates at LOS A under 2017 site plus forecasted traffic conditions during both the AM and PM peak periods, assuming the westbound approach of proposed Ben Garza Lane forms the minor, stop-controlled approach and is constructed with a minimum 30-foot cross-section consisting of one inbound lane and one outbound lane. A northbound right-turn lane will also be constructed per TxDOT requirements. The 95th percentile queue lengths at this intersection are 52 feet and 54 feet for the westbound approach during the AM and PM peak periods, respectively, under 2017 site plus forecasted traffic conditions. For this analysis it was assumed that new section of Ben Garza Lane would match the existing two-lane divided cross-section.

Mopac Expressway (Loop 1) Northbound Frontage Road and Driveway A – This intersection operates at LOS A under 2017 site plus forecasted traffic conditions during both the AM and PM peak periods, assuming the westbound approach of Driveway A is constructed with a minimum 15-foot cross-section consisting of one outbound lane. The 95th percentile queue length at this intersection is 134 and 160 feet for the westbound approach during the AM and PM peak periods,

Recommendations

Mopac Expressway (Loop 1) and William Cannon Drive – The interchange operates at LOS F under 2012 existing traffic conditions during both the AM and PM peak periods. The interchange continues to operate at LOS F under 2017 site plus forecasted traffic conditions during both the AM and PM peak periods, assuming the following improvements:

1. Optimization of signal timing.
2. Construction of a right-turn lane on the northbound approach of Mopac Expressway (Loop 1) Northbound Frontage Road. At the downstream end, the turn lane should transition into the existing channelized right-turn lane. This approach will provide one u-turn lane, one left-turn lane, one left-turn/through lane, one through lane, and one right-turn lane.
3. Construction of a right-turn lane on the southbound approach of Mopac Expressway (Loop 1) Southbound Frontage Road. At the downstream end, the turn lane should transition into the existing channelized right-turn lane. This approach will provide one u-turn lane, one left-turn lane, one left-turn/through lane, one through lane, and one right-turn lane.
4. Construction of a channelized, right-turn lane with yield-control on the eastbound approach of William Cannon Drive at the intersection with Mopac Expressway (Loop 1) Southbound Frontage Road. This approach will provide three through lanes and one right-turn lane.

Although the interchange continues to operate at LOS F with these improvements, the total interchange delay improves from 115.9 seconds without the improvements to 84.3 seconds in the AM peak period. In the PM peak period, the total interchange delay improves from 210.6 seconds without the improvements to 140.7 seconds. In order for this interchange to operate at an acceptable LOS, additional through lanes would be required on William Cannon Drive and on the Mopac Expressway (Loop 1) frontage roads. Traffic demand management measures for this site should be discussed and coordinated with the City.

Brodie Lane and William Cannon Drive – The intersection operates at LOS E under 2012 existing traffic conditions during both the AM and PM peak periods. The intersection operates at LOS D and E under 2017 site plus forecasted traffic conditions during the AM and PM peak periods, respectively, assuming the following improvements:

1. Optimization of signal timing.

INTRODUCTION

The proposed Garza Ranch development is located on the east side of Mopac Expressway (Loop 1), north of William Cannon Drive, in Austin, Texas, as shown in Figure 1. The development is proposed to consist of 566,450 square feet of general office building, 87,450 square feet of shopping center, 27,725 square feet of high turnover (sit-down) restaurant, and 208 dwelling units of apartments, although the final land-use mix could change. The property currently consists of single-family, detached houses. Existing site-generated trips were not removed from the transportation network, in order to provide a conservative analysis.

SITE AND ACCESS CHARACTERISTICS

The site is bounded by Mopac Expressway (Loop 1) Northbound Frontage Road (NBFR) on the west. As shown in Figure 2, access to the development will be provided by one (1) proposed right-out only driveway on Mopac Expressway (Loop 1) NBFR and one (1) proposed driveway that will connect with the existing Regions Bank parking lot, located just south of proposed Garza Ranch. Existing Ben Garza Lane is proposed to be extended to the west, through the project site, and terminate at a T-intersection with Mopac Expressway (Loop 1) NBFR, north of an existing entrance ramp. Additional access to the development will be provided on the new section of Ben Garza Lane. The driveway connecting the Garza Ranch development to the adjacent Regions Bank development will primarily serve internal capture trips between the two developments, which are expected to be minimal, and thus this driveway was not analyzed as part of this study.

EXISTING THOROUGHFARE SYSTEM

As indicated on the area location map and conceptual site plan (Figures 1 and 2), the proposed Garza Ranch development is located on the east side of Mopac Expressway (Loop 1), north of William Cannon Drive, in Austin, Texas. The interrelationship of these roadways and others in the area is shown on Figure 1. To adequately describe the significance of these roadways, a further characterization is provided for each. Average daily traffic estimates for these roadways were taken from 2010 TxDOT Traffic Map (Ref. 1) and traffic counts obtained by HDR in February 2012. The Austin Metropolitan Area Transportation Plan (Ref. 2), the Capital Area Metropolitan Planning Organization (CAMPO) 2035 Regional Transportation Plan (Ref. 3) catalog the classifications of these major roadways and document proposed improvements. Capital Metro bus schedules and

maps (Ref. 4) were used to identify bus service provided in the vicinity of the site, as shown in Figure 3. In addition, the 2009 Austin Bicycle Plan (Ref. 5) proposes recommendations which are shown in Figure 4 and discussed in the following paragraphs.

Mopac Expressway (Loop 1) – The Austin Metropolitan Area Transportation Plan (AMATP) and the Capital Area Metropolitan Planning Organization (CAMPO) 2035 Mobility Plan classify Mopac Expressway (Loop 1) as a six-lane major divided arterial from William Cannon Drive to US 290 (W). Mopac Expressway (Loop 1) remains a free-flowing, controlled access roadway with adjacent frontage roads over this segment. According to TxDOT traffic counts, the traffic volume for year 2010 on Mopac Expressway (Loop 1), between William Cannon Drive and US 290 (W), was 82,000 vehicles per day (vpd).

William Cannon Drive – The AMATP and the CAMPO 2035 Mobility Plan classify William Cannon Drive as a six-lane major divided arterial from US 290 (W) and Brodie Lane and a four-lane major divided arterial from Brodie Lane to Manchaca Road. According to CAMPO traffic counts, the traffic volume for year 2010 on William Cannon Drive, between Mopac Expressway (Loop 1) and Brodie Lane, was 40,150 vehicles per day (vpd).

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Ben Garza Lane/Oakdale Drive – Ben Garza Lane/Oakdale Drive is a two-lane minor undivided collector east of Brodie Lane and a two-lane minor divided collector west of Brodie Lane. Currently Ben Garza Lane terminates approximately one quarter of a mile west of Brodie Lane, and primarily serves the abutting Lowe's development. 24-hour traffic data are not available at this location; however, based on a review of peak period traffic counts collected by HDR, approximately 1,100 vpd are estimated on Ben Garza Lane, west of Brodie Lane.

FUTURE ROADWAY IMPROVEMENTS

Mopac Expressway (Loop 1) – The CAMPO 2035 Mobility Plan recommends the construction of one managed lane in each direction on Mopac Expressway (Loop 1) by 2017. This improvement was not assumed to be completed within the time frame of this study.

William Cannon Drive – The AMATP has recommendations to upgrade William Cannon Drive, between Brodie Lane and Manchaca Road, to a six-lane major divided arterial by 2025. This improvement was not assumed to be completed within the timeframe of this study. The City of Austin 2009 Bicycle Plan Update recommends upgrading the facilities for Route 80 on William Cannon Drive from shared lanes in the vicinity of the project site to dedicated bike lanes along the entire route. Figure 4 shows the 2009 City of Austin Bike Plan recommended facilities.

Brodie Lane – Wide curbs (this terminology is explained in the Bike Plan) are currently provided for Bicycle Route 17 on Brodie Lane, south of William Cannon Drive, while shared lanes are provided north of Brodie Lane. The City of Austin 2009 Bicycle Plan Update currently recommends upgrading the facilities for Route 17 on Brodie Lane to dedicated bike lanes along the entire route.

Ben Garza Lane/Oakdale Drive – Currently Ben Garza Lane terminates approximately one quarter of a mile west of Brodie Lane, and primarily serves the abutting Lowe's development. As part of the Garza Ranch development, Ben Garza Lane is proposed to be extended to the west, through the development, and terminate at a tee-intersection with Mopac Expressway (Loop 1) Northbound Frontage Road.

TRAFFIC ANALYSIS

The impact of the proposed development on existing area intersections was analyzed. Two time periods and three travel conditions were evaluated:

1. 2012 Existing Conditions
2. 2017 Forecasted Conditions (without Site traffic)
3. 2017 Forecasted Conditions with Site Generated Traffic

Intersections in the vicinity of the site are considered the locations of principal concern because they are the locations of highest traffic conflict and delay. The standard used to evaluate traffic conditions at intersections is level of service (LOS), which is a qualitative measure of the effect of a number of factors such as speed, volume of traffic, geometric features, traffic interruptions, freedom to maneuver, safety, driving comfort, convenience, and operating cost.

Two types of intersections to be evaluated are signalized and unsignalized, which use different criteria for assessment of operating levels. The analysis procedures are described in the following sections.

Signalized Intersection Level of Service

Signalized intersection LOS is defined in terms of delay, which is a direct and/or indirect measure of driver discomfort, frustration, fuel consumption, and lost travel time. The levels of service have been established based on driver acceptability of various delays. The delay for each approach lane group is calculated based on a number of factors including lane geometrics, percentage of trucks, peak hour factor, number of lanes, signal progression, volume, signal green time to total cycle time ratio, roadway grades, parking conditions, and pedestrian flows.

Because delay is a complex measure, its relationship to capacity is also complex. Analysis was performed using the microcomputer program "Synchro 7.0" by Trafficware (Ref. 6), which is based on the procedures contained in the Highway Capacity Manual (Ref. 7). In general, overall intersection levels of service A to D are typically deemed acceptable, while an overall LOS of E or F is unacceptable.

Table 3 summarizes the levels of service that are appropriate for different levels of average control delay, and a qualitative description for each. The 2000 HCM uses the criteria of average control delay. Average control delay includes initial deceleration, delay, queue move-up time, stopped delay, and final acceleration delay (Ref. 7).

Table 3.
Signalized Intersection: Level of Service Measurement and Qualitative Descriptions

Level of Service	Control Delay Per Vehicle (sec)	Qualitative Description
A	≤ 10	Good progression and short cycle lengths
B	> 10 and ≤ 20	Good progression or short cycle lengths, more vehicle stops
C	> 20 and ≤ 35	Fair progression and/or longer cycle lengths, some cycle failures
D	> 35 and ≤ 55	Congestion becomes noticeable, high volume to capacity ratio
E	> 55 and ≤ 80	Limit of acceptable delay, poor progression, long cycles, and/or high volume
F	> 80	Unacceptable to drivers, volume greater than capacity

Unsignalized Intersection Level of Service

Unsignalized intersection LOS is defined in terms of average control delay. Control delay is that portion of total delay attributed to traffic control measures, either traffic signals or stop signs. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

The analysis method assumes that major street through traffic is not affected by minor street flows. Major street left-turning traffic and the traffic on the minor approaches will be affected by opposing movements. Stop or yield signs are used to assign the right-of-way to the major street. This designation forces drivers on the controlled street to judgmentally select gaps in the major street flow through which to execute crossing or turning maneuvers. Thus, the capacity of the controlled legs is based upon two factors:

1. The distribution of gaps in the major street traffic stream.
2. Driver judgment in selecting gaps through which to execute their desired maneuvers.

The LOS procedure computes a capacity for each movement based upon the critical time gap required to complete the maneuver and the volume of traffic that is opposing the movement. The average control delay for any particular movement is calculated as a function of the capacity of the approach and the degree of saturation. The degree of saturation is defined as the volume for a movement, expressed as an hourly flow rate, divided by the capacity of the movement, expressed as an hourly flow rate. Table 4 shows the relationship between the average control delay and the LOS. The LOS for unsignalized intersections is different than that for signalized intersections. This difference is due to the fact that drivers expect different levels of performance from different kinds of transportation facilities. Unsignalized intersections carry less traffic volume than signalized intersections and delays at unsignalized intersections are variable. For these reasons, control delay would be less for an unsignalized intersection than for a signalized intersection (Ref. 7). The overall approach LOS is computed as a weighted average of the vehicle delay for each movement; therefore, an approach may have an overall LOS C or D and have individual movements, which are LOS E or F.

Analysis was performed using the microcomputer program "Synchro 7.0" by the Trafficware (Ref. 6), which is based on the procedures contained in the Highway Capacity Manual (Ref. 7).

Table 4.
Unsignalized Intersection: Level of Service Measurement

Level of Service	Control Delay Per Vehicle (sec)
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

2012 – EXISTING CONDITIONS

The analysis of existing traffic required the acquisition of primary data on adjacent roadways and intersections. AM (7-9 AM) and PM (4-6 PM) peak hour turning movement counts were collected at study area intersections and 24-hour tube counts were collected on study area roadways on February 2, 2012. Existing signal timing and phasing data was obtained from the City of Austin.

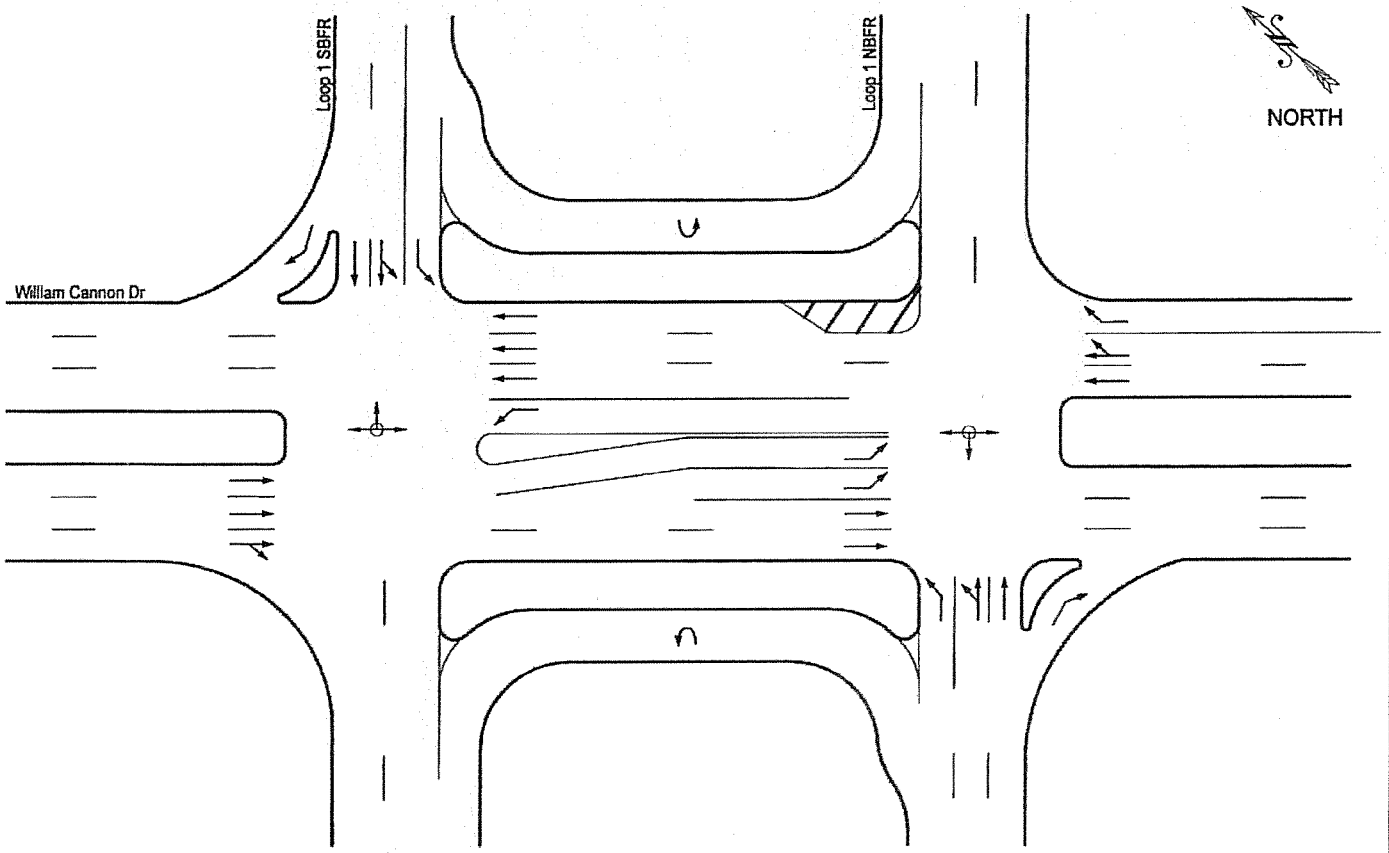
Signalized Intersections

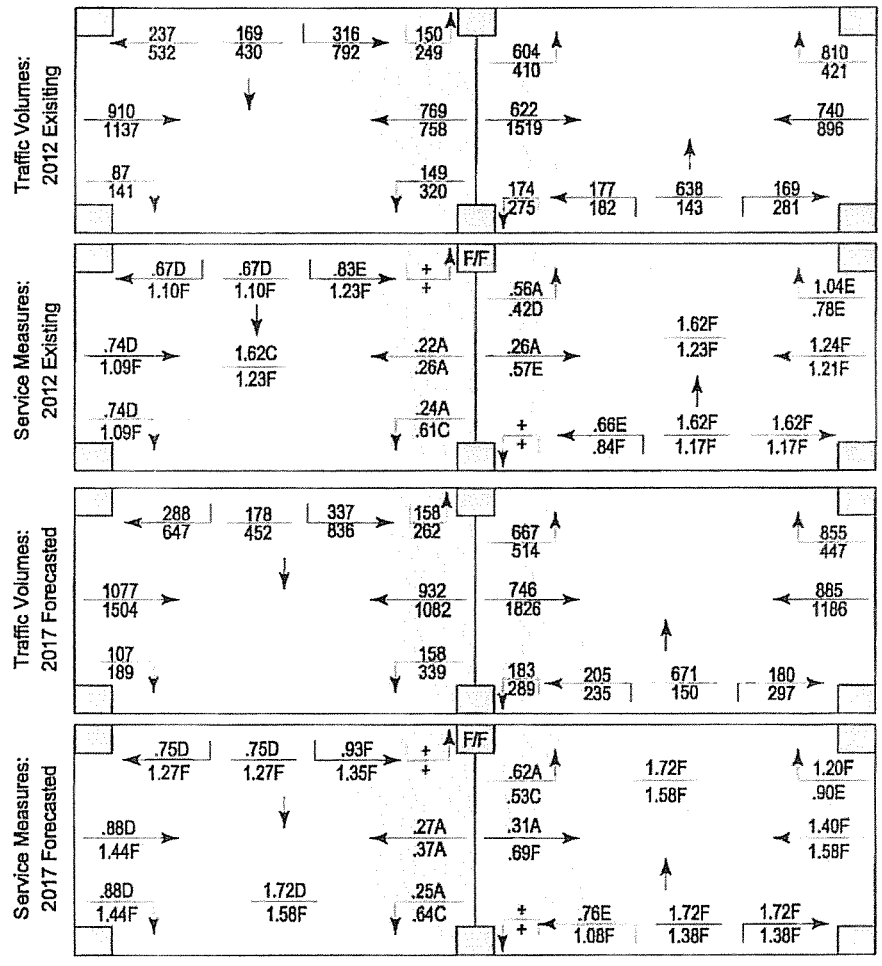
All existing intersections in the study area are currently signalized. Roadway geometrics of the existing intersections are presented in Figures 5 through 7 along with current turning movement counts and LOS. A brief description of the intersections follows:

Mopac Expressway (Loop 1) and William Cannon Drive – As shown in Figure 5, the northbound approach of Mopac Expressway (Loop 1) Northbound Frontage Road (NBFR) provides one u-turn lane, one left-turn lane, one left-turn/through lane, and one through/right-turn lane. At the intersection with Mopac Expressway (Loop 1) NBFR, the eastbound approach of William Cannon Drive provides two left-turn lanes and two through-lanes, and the westbound approach provides one through-lane, one through/right-turn lane, and one right-turn lane.

The southbound approach of Mopac Expressway (Loop 1) Southbound Frontage Road (SBFR) provides one u-turn lane, one left-turn lane, one left-turn/through lane, and one through/right-turn lane. At the intersection with Mopac Expressway (Loop 1) SBFR, the eastbound approach of William Cannon Drive provides two through lanes and one through/right-turn lane, and the westbound approach provides one left-turn and three through lanes.

The interchange operates at LOS F under 2012 existing traffic conditions during both the AM and PM peak periods. The interchange continues to operate at LOS F under 2017 forecasted (without site) traffic conditions during both the AM and PM peak periods.





000 PM / 000 SAT = Peak Hour Volume

.00 X / .00 X = PM / SAT Service Measures (V/C LOS)

= Traffic Signal

LOS	Control Delay Per Vehicle (sec)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

FIGURE 5

2012 EXISTING/
2017 FORECASTED
GEOMETRIC AND TRAFFIC
VOLUME CONDITIONS

Brodie Lane and William Cannon Drive – As shown in Figure 6, the northbound and southbound approaches of Brodie Lane each provide one left-turn lane, two through lanes, and one right-turn lane. The eastbound approach of William Cannon Drive provides two left-turn lanes, two through lanes, and one right-turn lane, and the westbound approach provides two left-turn lanes, three through lanes, and one right-turn lane.

The intersection operates at LOS E under 2012 existing traffic conditions during both the AM and PM peak periods. The intersection operates at LOS E and F under 2017 forecasted (without site) traffic conditions during the AM and PM peak periods, respectively.

Brodie Lane and Ben Garza Lane/Oakdale Drive – As shown in Figure 7, the northbound and southbound approaches of Brodie Lane provide one left-turn lane, one through lane, and one through/right-turn lane. The eastbound approach of Ben Garza Lane provides one left-turn lane and one through/right-turn lane, and the westbound approach provides one left-turn/through/right-turn lane.

The current overall intersection LOS is A and B during the AM and PM peak periods, respectively. The intersection operates at LOS B and C under 2017 forecasted (without site) traffic conditions during the AM and PM peak periods, respectively.

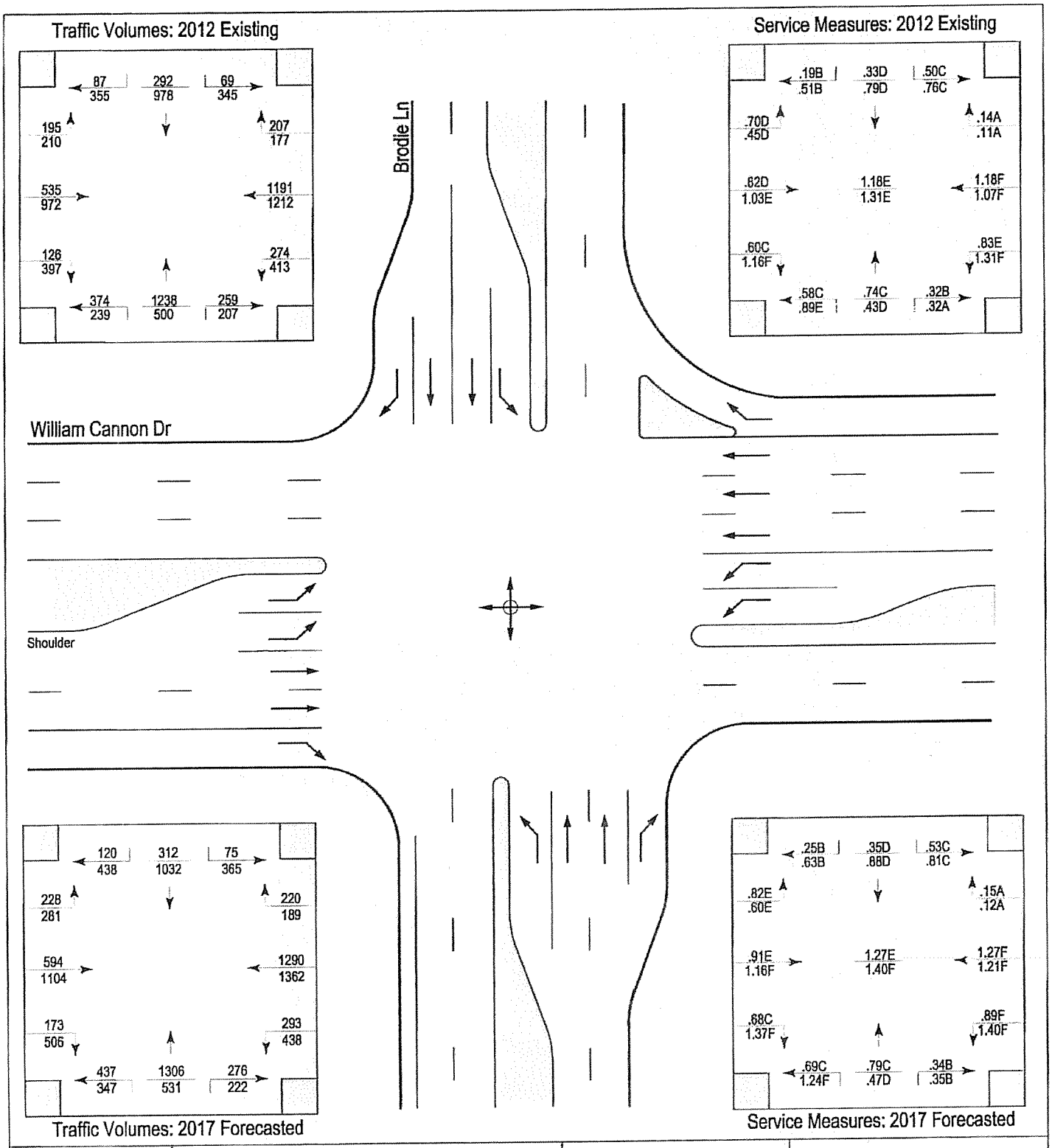
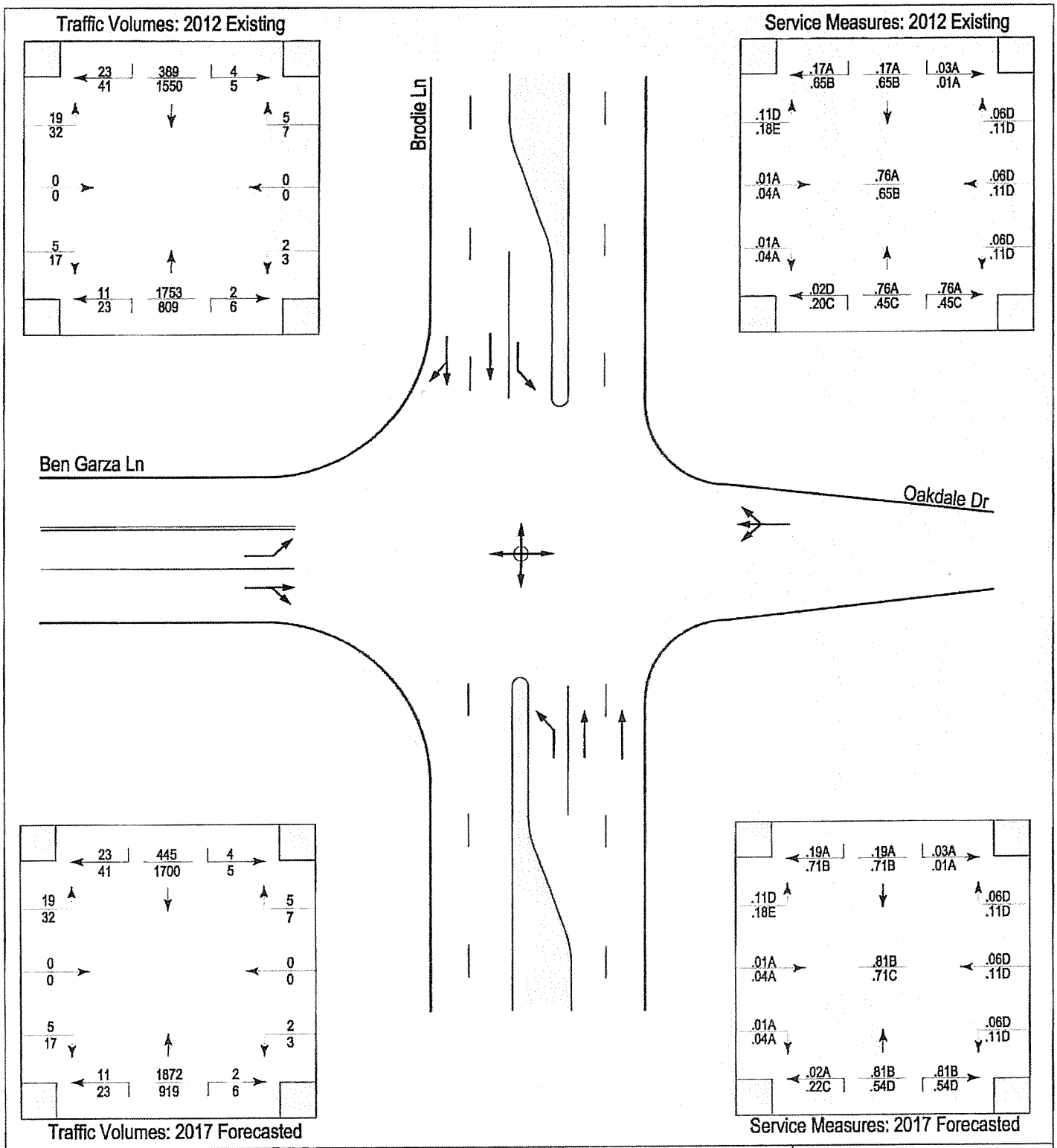


FIGURE 6

2012 EXISTING/
2017 FORECASTED
GEOMETRIC AND
TRAFFIC VOLUME
CONDITIONS



NORTH

LEGEND

000 PM / 000 SAT = Peak Hour Volume

.00 X / .00 X = PM / SAT Service Measures (V/C LOS)

= Traffic Signal

Signalized Intersection
LEVEL OF SERVICE (LOS)

LOS	Control Delay Per Vehicle (sec)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

FIGURE 7

2012 EXISTING/
2017 FORECASTED
GEOMETRIC AND
TRAFFIC VOLUME
CONDITIONS

2017 – FORECASTED CONDITIONS WITH SITE GENERATED TRAFFIC

The year 2017 was established as the year in which the proposed Garza Ranch development would be completed. This time frame was utilized to assess the major roadway effects and to facilitate the evaluation of alternative improvements.

Site Generated Traffic

Determining the site generated traffic, or the traffic that will be generated due to the development of the proposed project, was a major analysis process element. Unadjusted total trips per day, as well as the peak hour traffic associated with the project, were estimated using the microcomputer program "Trip Generation" by Microtrans Corporation (Ref. 8), which is based on recommendations and data contained in the Institute of Transportation Engineers' report Trip Generation, 8th Edition (Ref. 9). Table 5 provides a detailed summary of the estimated traffic produced by the assumed land use activity for the proposed Garza Ranch development. The proposed project will generate approximately 16,204 unadjusted weekday daily trips upon buildout. In order to provide a conservative analysis, the trips generated by the existing development were not removed from the transportation network for this analysis.

Table 5.
Summary of Unadjusted Daily and Peak Hour Trip Generation

Land Use	Size (SF)	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
General Office Building	566,450 SF	5,071	661	90	121	592
Shopping Center	87,450 SF	6,224	87	55	285	297
High Turnover (sit-down) Restaurant	27,725 SF	3,525	166	153	182	127
Apartments	208 DU	1,384	21	85	86	46
Total		**16,204**	**935**	**383**	**674**	**1,062**

Analysis Assumptions

The traffic impact analysis process involves both the use of primary data and engineering judgment on transferable parameters. Specifically, engineering judgment is required for estimation of

background traffic growth, pass-by capture, internal capture, and transit trip reductions, all of which are further described in the following paragraphs.

Background Traffic – Traffic growth rates for the area were examined using TxDOT traffic volumes. Based on available information, a one (1) percent annual growth rate has been assumed for the study. Background traffic volumes for 2017 include estimated traffic for the following projects:

- Zion Rest Missionary Baptist Church, 3341 Paisano Trail (SP-2011-0306C)
- Lot 1, Pointe at Gaines Ranch, 5030 W. US 290 (SP-2011-0201CS)
- Shops at Arbor Trails, 4301 W. William Cannon Drive (SP-2009-0106C)
- Waterloo Car Wash, 3416 W. William Cannon Drive (SP-2009-0198C)
- 3515 Day Care, 3515 Convict Hill Road (SP-2009-0309A)
- Western Oaks Retail Center, 4625 W. William Cannon Drive (SP-2007-0439C(XT2))

Figure 8 depicts the locations of all background developments included in the analysis, and the technical addendum provides the land uses and associated trip generation for each background development.

After the extension of Ben Garza Lane west to Mopac Expressway (Loop 1) Northbound Frontage Road (NBFR) during site development, some background traffic will likely alter their current travel routes to utilize this new connection between Brodie Lane and Mopac Expressway (Loop 1) NBFR. To account for this, 400 and 250 background vehicles were rerouted to proposed Ben Garza Lane during the AM and PM peak periods, respectively, under 2017 site plus forecasted traffic conditions. These values were based on available capacity at various intersections.

Pass-By Capture – Studies have shown that retail land uses will capture from 20 to 60 percent of their traffic as pass-by trips, depending upon their size. It is well documented that many other land uses also experience significant pass-by trip capture, such as drive-in banks and restaurants. The amount of trip reduction that each tract may attribute to the pass-by phenomenon will depend directly on the type of land use that is developed. AM and PM peak hour pass-by reductions are based on information contained in the ITE Trip Generation Handbook (Ref. 10). Pass-by reductions of thirty-four (34) and forty-three (43) percent were assumed for the Shopping Center

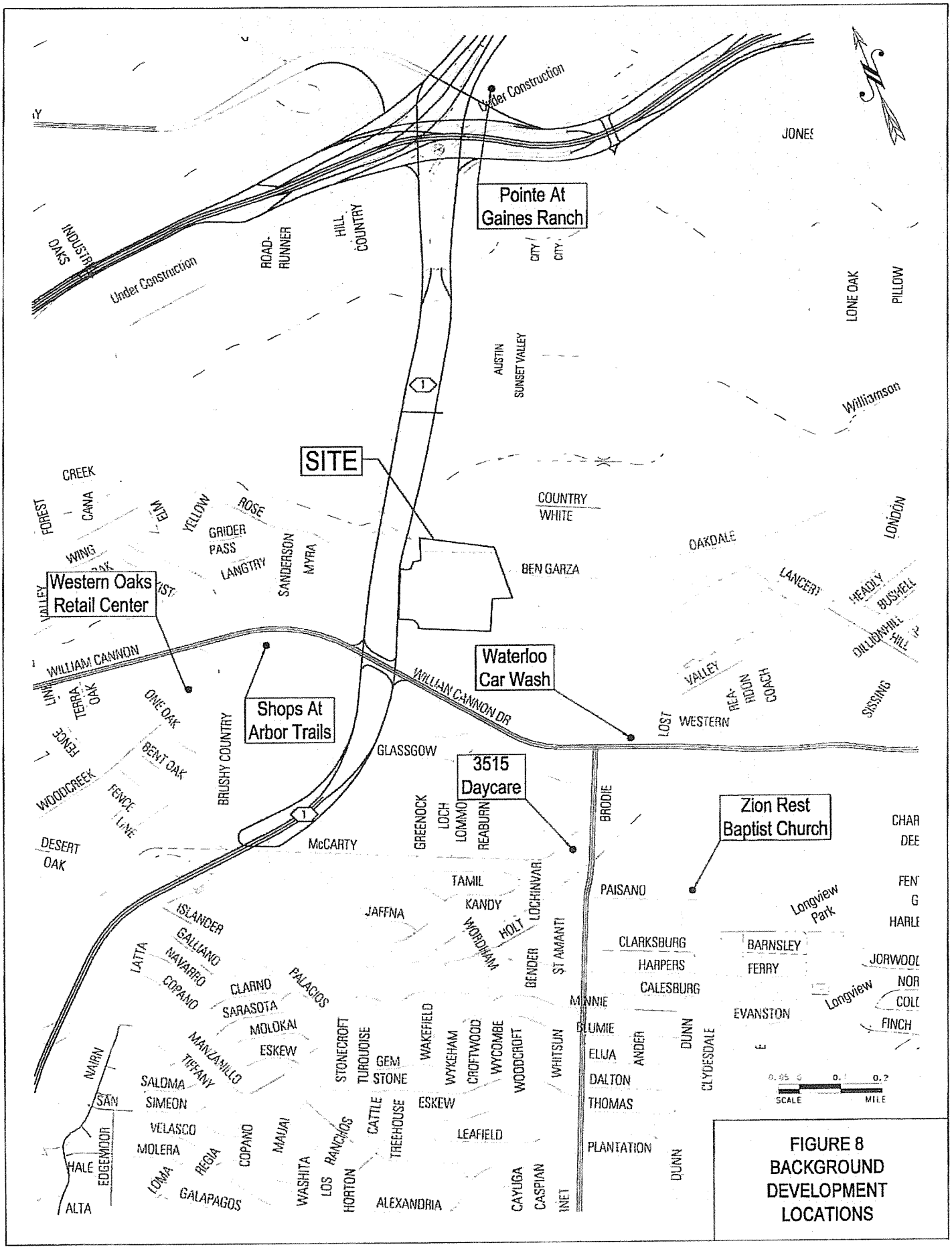


FIGURE 8
BACKGROUND
DEVELOPMENT
LOCATIONS

and High Turnover (Sit-Down) Restaurant, respectively, during the PM peak period only. No pass-by reductions were assumed for the other land uses.

Internal Capture – Once the total build-out of proposed land uses occurs, there will be interaction among the uses within the development. Internal capture is accounted for in two ways. First, to account for internal capture among similar retail land uses in adjacent areas, the sizes may be combined during the trip generation process. Because the equations used in trip generation estimations are logarithmic, the number of trips generated by a site does not increase in direct proportion to an increase in the square footage of a development. By combining retail projects in close proximity to each other, a lower number of trips will be estimated, thereby taking into account the internal capture factor. The second way to account for internal capture is to reduce the expected number of trips directly by some percentage, which reflects expected multipurpose trip-making among different types of land uses which are in close proximity. However, as with pass-by trip reductions, internal capture depends on the type and quantity of land uses. Internal capture reductions of ten (10) percent were assumed for the High Turnover (Sit-Down) Restaurant during both the AM and PM peak periods and for the Shopping Center during the PM peak period only. No internal capture reductions were assumed for the other land uses.

Transit Trips – The provision of transit service to an area may reduce the expected number of trips by providing a mode of travel alternative to the private automobile. The reduction may be in two forms, either a reduction in site generated trips or a reduction in background trips. The provision of transit service to the area would have some impact on site-generated trips. Due to limited existing Capital Metro service in the area and to provide a conservative analysis, no transit reduction was assumed for any land use during any period of analysis.

Pedestrian Trips – No pedestrian trip reduction was assumed for this project.

Table 6 provides a detailed summary of the adjusted traffic production for the Garza Ranch development. The proposed project will generate approximately 13,906 adjusted weekday daily trips upon build-out, given the assumptions listed above.

Table 6.
Summary of Adjusted Daily and Peak Hour Trip Generation

Land Use	Size (SF)	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
General Office Building	566,450 SF	5,071	661	90	121	592
Shopping Center	87,450 SF	4,961	87	55	169	176
High Turnover (sit-down) Restaurant	27,725 SF	2,490	149	138	93	65
Apartments	208 DU	1,384	21	85	86	46
Total		**13,906**	**918**	**368**	**469**	**879**

Directional Distribution – Once site generated trips were known, the next step involved distribution of those trips to appropriate geographic directions and logical connecting roadways. The major thoroughfares that have a direct bearing on the accessibility of the project have been previously identified. Traffic counts conducted during the study provided the basis for the overall directional distribution of traffic approaching and departing the project site, as summarized in Table 7.

Table 7.
Forecasted Overall Directional Distribution of Site Oriented Traffic

Direction/ Roadway	Overall Distribution
North Mopac Expressway	20%
South Mopac Expressway	10%
North Brodie Lane	15%
South Brodie Lane	20%
East William Cannon Drive	20%
West William Cannon Drive	15%
Total	100%

Given the total site generated traffic and the directional distribution by approach, the next step in the process is to assign the traffic destined to and from the project to the most likely travel paths. This step was performed by investigating a number of alternative travel patterns, as well as

ingress/egress points along the project boundaries. Primary consideration was given to the traffic flow and safety of the major roadways.

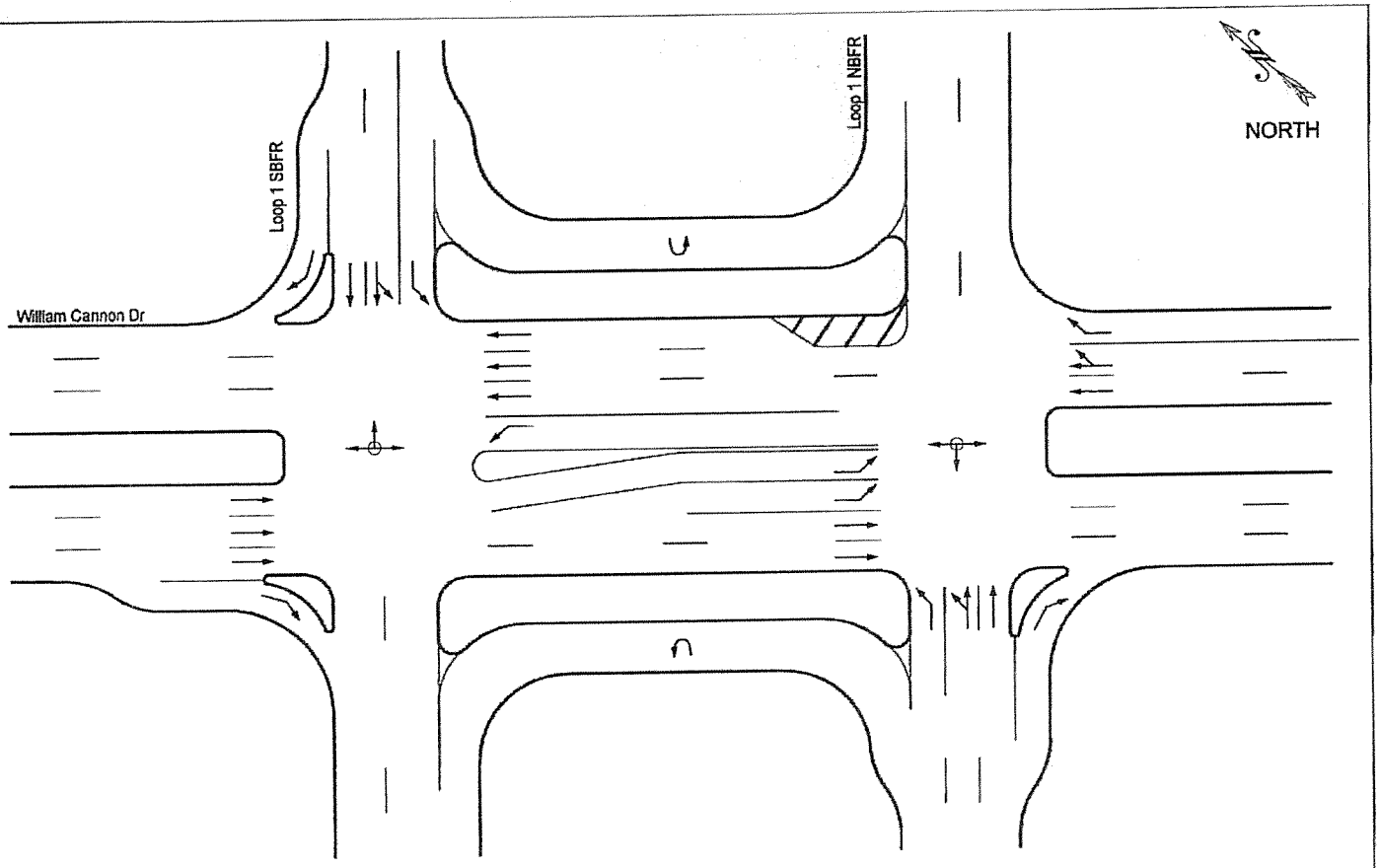
Intersection Analysis

The total 2017 traffic demand will be the sum of traffic generated by the proposed project and changes in existing traffic. Build-out year 2017 roadway geometrics of the study area intersections are presented in Figures 9 through 14 along with turning-movement counts and levels of service. Brief descriptions of the intersections follow:

Mopac Expressway (Loop 1) and William Cannon Drive – The interchange operates at LOS F under 2012 existing traffic conditions during both the AM and PM peak periods. As shown in Figures 9 and 10, the interchange continues to operate at LOS F under 2017 site plus forecasted traffic conditions during both the AM and PM peak periods, assuming the following improvements:

1. Optimization of signal timing.
2. Construction of a right-turn lane on the northbound approach of Mopac Expressway (Loop 1) Northbound Frontage Road. At the downstream end, the turn lane should transition into the existing channelized right-turn lane. This approach will provide one u-turn lane, one left-turn lane, one left-turn/through lane, one through lane, and one right-turn lane.
3. Construction of a right-turn lane on the southbound approach of Mopac Expressway (Loop 1) Southbound Frontage Road. At the downstream end, the turn lane should transition into the existing channelized right-turn lane. This approach will provide one u-turn lane, one left-turn lane, one left-turn/through lane, one through lane, and one right-turn lane.
4. Construction of a channelized, right-turn lane with yield-control on the eastbound approach of William Cannon Drive at the intersection with Mopac Expressway (Loop 1) Southbound Frontage Road. This approach will provide three through lanes and one right-turn lane.

Although the interchange continues to operate at LOS F with these improvements, the total interchange delay improves from 115.9 seconds without the improvements to 84.3 seconds in the AM peak period. In the PM peak period, the total interchange delay improves from 210.6 seconds without the improvements to 140.7 seconds. In order for this interchange to operate at an acceptable LOS, additional through lanes would be required on William Cannon Drive and on the



000 PM / 000 SAT = Peak Hour Volume

.00 X / .00 X = PM / SAT Service Measures (V/C LOS)

= Traffic Signal

LOS	Control Delay Per Vehicle (sec)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

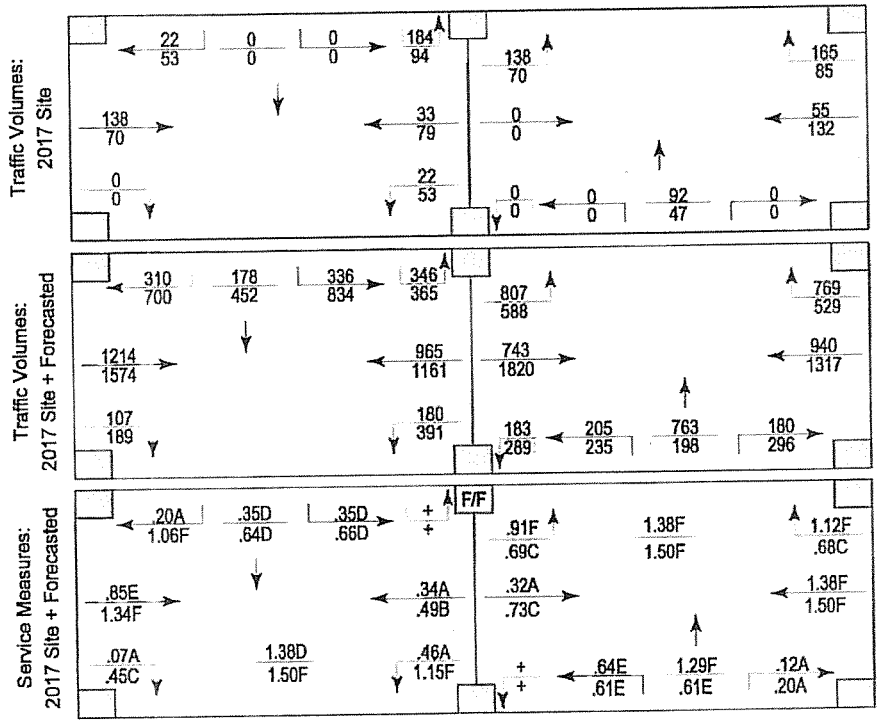
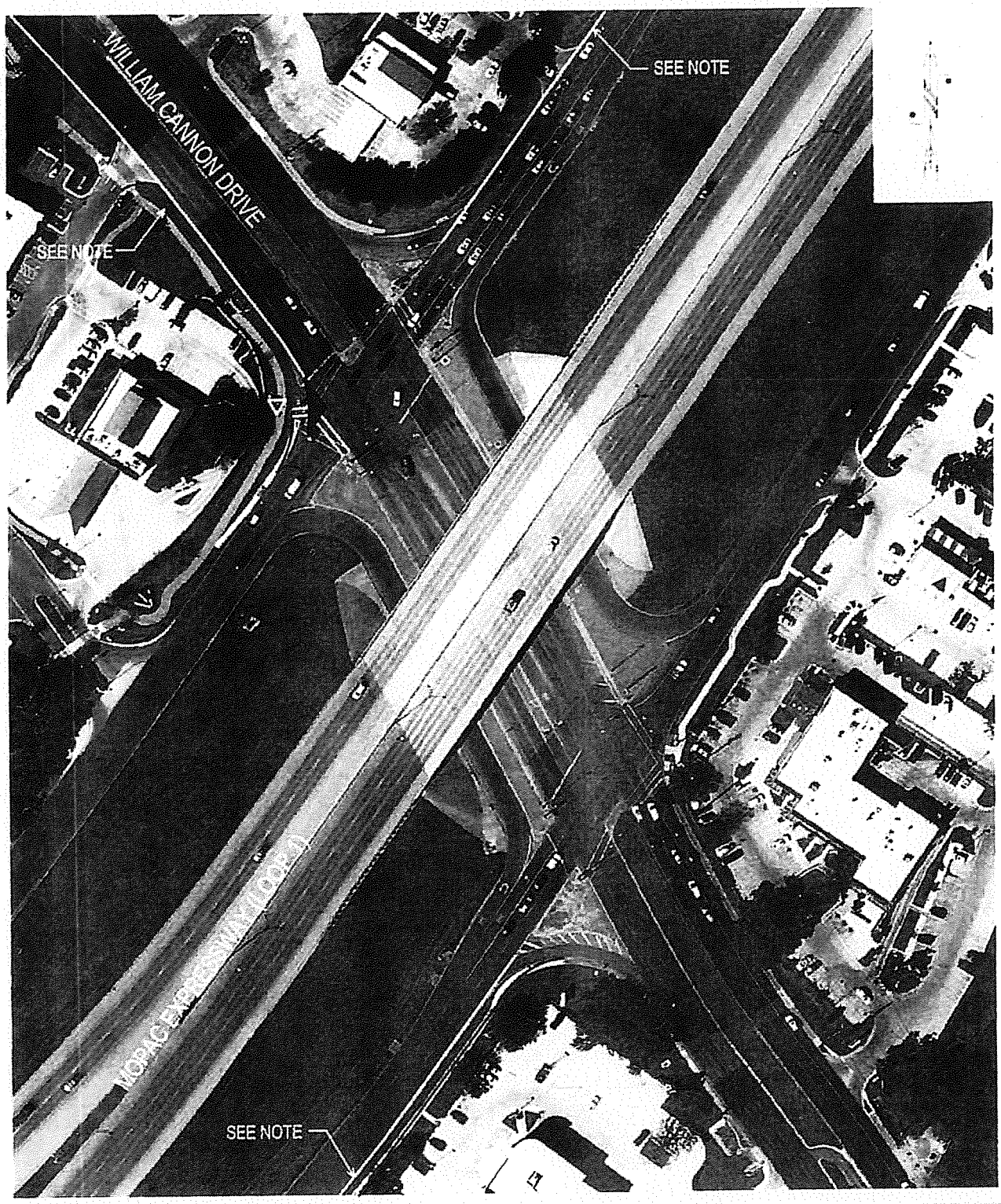


FIGURE 9

2017 SITE PLUS FORECASTED GEOMETRIC AND TRAFFIC VOLUME CONDITIONS



LEGEND

- YIELD SIGN
- EDGE OF PAVEMENT
- TRAFFIC ISLAND

SCALE 0 100 200 FEET

NOTE: THE MAXIMUM 2017 SITE PLUS FORECASTED PEAK PERIOD 95TH PERCENTILE QUEUE LENGTH FOR RIGHT-TURN TRAFFIC ON THIS APPROACH EXTENDS BEYOND THE LIMITS OF THIS FIGURE.

FIGURE 10
NETWORK
RECOMMENDATIONS
SUMMARY MAP

Mopac Expressway (Loop 1) frontage roads. Traffic demand management measures for this site should be discussed and coordinated with the City.

Site traffic comprises approximately 9.4 percent and 6.3 percent of total interchange traffic during the AM and PM peak periods, respectively.

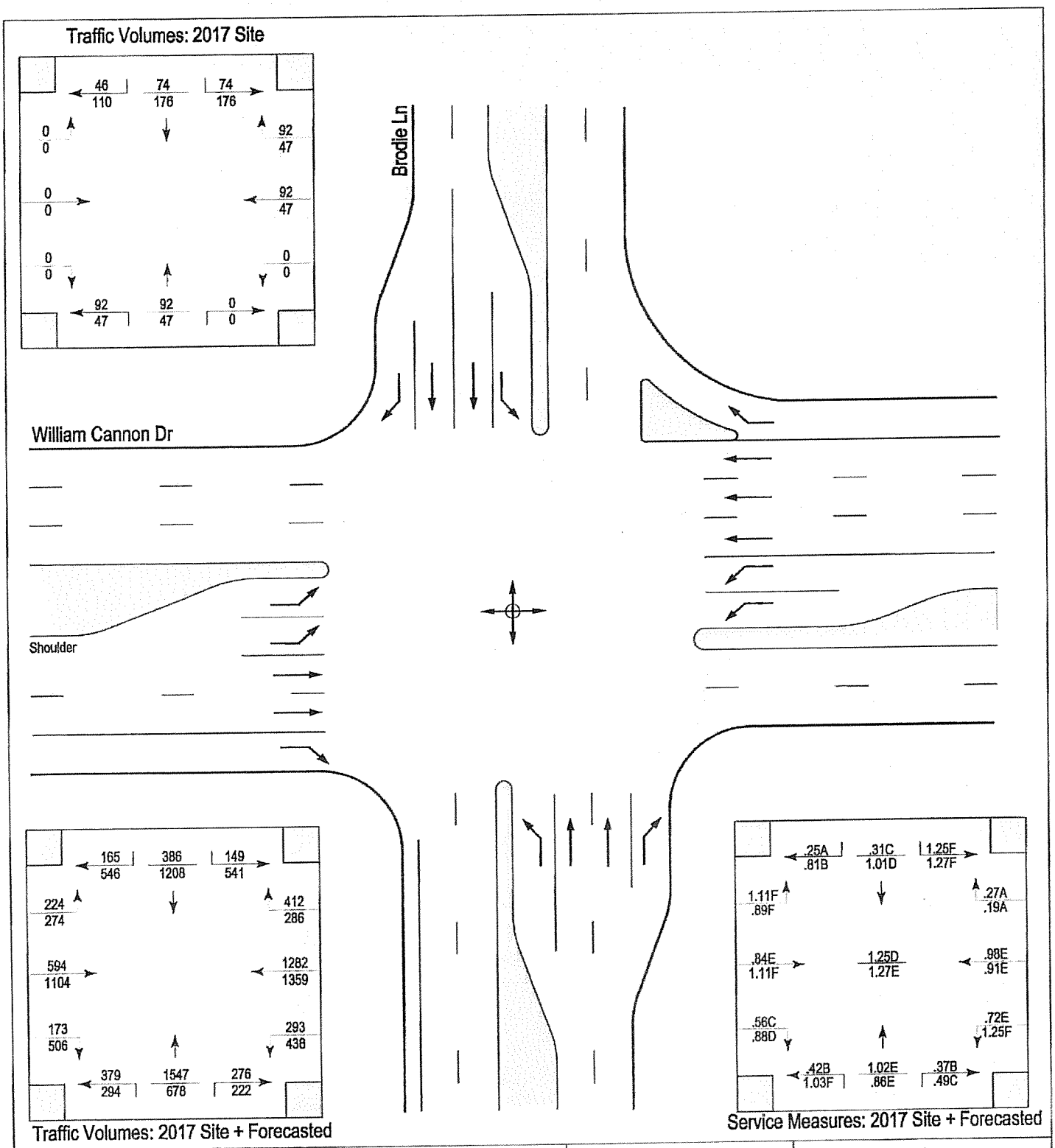
Brodie Lane and William Cannon Drive – The intersection operates at LOS E under 2012 existing traffic conditions during both the AM and PM peak periods. As shown in Figure 11, the intersection operates at LOS D and E under 2017 site plus forecasted traffic conditions during the AM and PM peak periods, respectively, assuming the following improvements:

1. Optimization of signal timing.
2. Construction of an additional left-turn lane on the northbound approach of Brodie Lane. This approach will provide two left-turn lanes, two through lanes, and one right-turn lane. (Review of the intersection indicates that there is no available right of way to construct this improvement; therefore this improvement is not likely to occur. Without this improvement, the intersection operates at LOS E and F during the AM and PM peak periods, respectively).

Traffic demand management measures for this site should be discussed and coordinated with the City.

Site traffic comprises approximately 9.5 percent and 8.7 percent of total intersection traffic during the AM and PM peak periods, respectively.

Brodie Lane and Ben Garza Lane/Oakdale Drive – The intersection operates at LOS A and B under 2012 existing traffic conditions during the AM and PM peak periods, respectively. As shown in Figure 12, this intersection will operate at LOS B and D under 2017 site plus forecasted traffic conditions during the AM and PM peak periods, respectively, assuming the optimization of signal timings. No geometric improvements are recommended at this intersection.



NORTH

LEGEND

000 PM / 000 SAT = Peak Hour Volume

.00 X / .00 X = PM / SAT Service Measures (V/C LOS)

= Traffic Signal

Signalized Intersection
LEVEL OF SERVICE (LOS)

LOS	Control Delay Per Vehicle (sec)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

FIGURE 11

2017 SITE + FORECASTED GEOMETRIC AND TRAFFIC VOLUME CONDITIONS

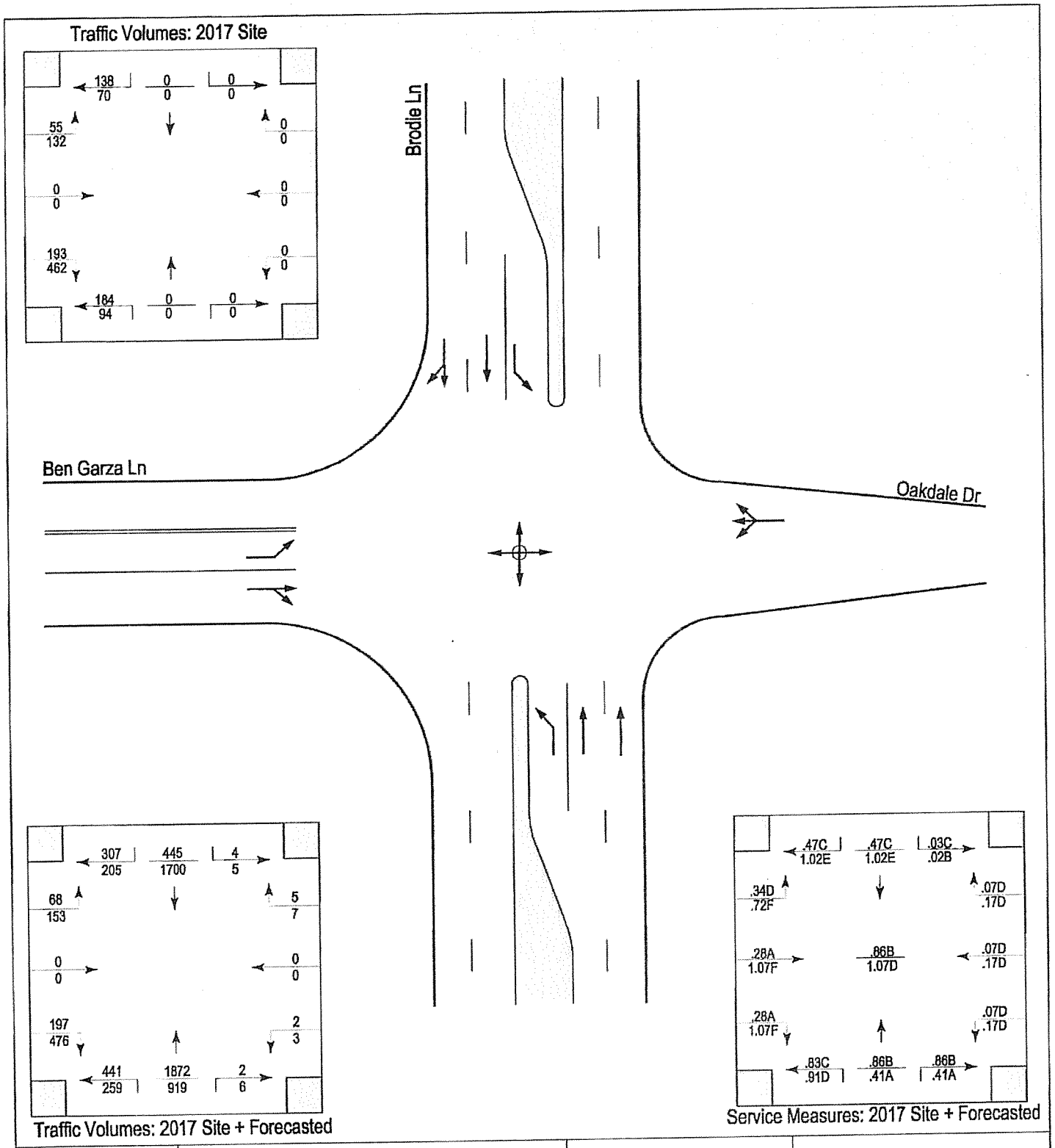


FIGURE 12

2017 SITE + FORECASTED GEOMETRIC AND TRAFFIC VOLUME CONDITIONS

Site traffic comprises approximately 17.0 percent and 20.3 percent of total intersection traffic during the AM and PM peak periods, respectively.

Mopac Expressway (Loop 1) Northbound Frontage Road and proposed Ben Garza Lane – As shown in Figure 13, this intersection operates at LOS A under 2017 site plus forecasted traffic conditions during both the AM and PM peak periods, assuming the westbound approach of proposed Ben Garza Lane forms the minor, stop-controlled approach and is constructed with a minimum 30-foot cross-section consisting of one inbound lane and one outbound lane. A northbound right-turn lane will also be constructed per TxDOT requirements. The 95th percentile queue lengths at this intersection are 52 feet and 54 feet for the westbound approach during the AM and PM peak periods, respectively, under 2017 site plus forecasted traffic conditions. For this analysis it was assumed that new section of Ben Garza Lane would match the existing two-lane divided cross-section.

Mopac Expressway (Loop 1) Northbound Frontage Road and Driveway A – As shown in Figure 14, this intersection operates at LOS A under 2017 site plus forecasted traffic conditions during both the AM and PM peak periods, assuming the westbound approach of Driveway A is constructed with a minimum 15-foot cross-section consisting of one outbound lane. The 95th percentile queue lengths at this intersection is 134 and 160 feet for the westbound approach during the AM and PM peak periods, respectively, under 2017 site plus forecasted traffic conditions. The throat of the driveway should be a minimum of 160-feet long to accommodate the maximum 95th percentile queue length.

Multimodal Transportation Facilities – As shown in Figure 3, the area surrounding the proposed development is serviced by three Capital Metro bus routes; two of which have stops in the area. It was assumed that no change in current transit services will be made in this area before the year 2017; however, plans for the site should provide for future transit service. Three City of Austin Bicycle Routes traverse the area, as shown in Figure 4. Due to the proximity of the site to these bicycle routes, it is recommended that the developer install sidewalks throughout the project site, bike lanes or wide curbs on internal roadways, and ADA-compliant curb ramps at internal

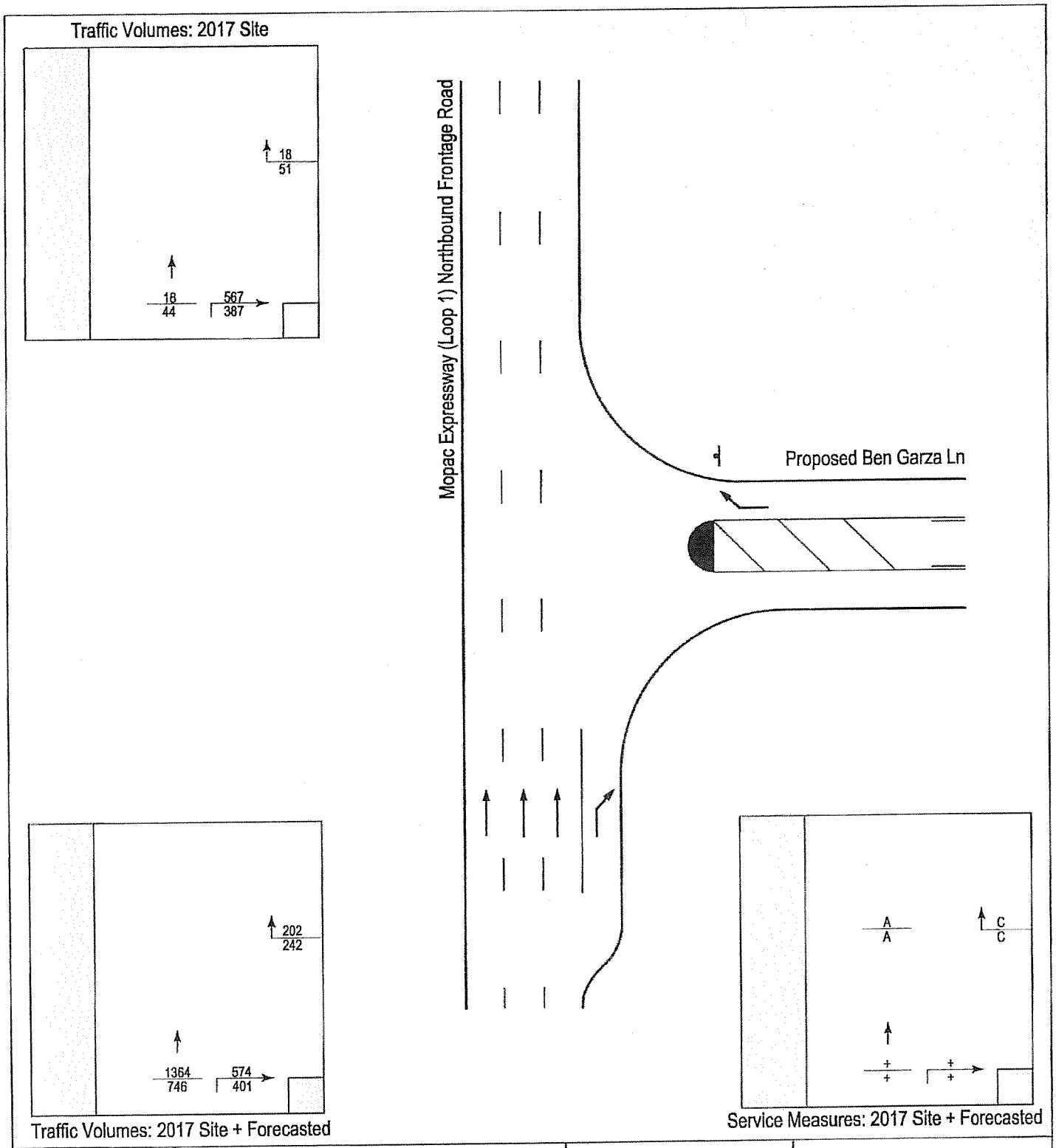
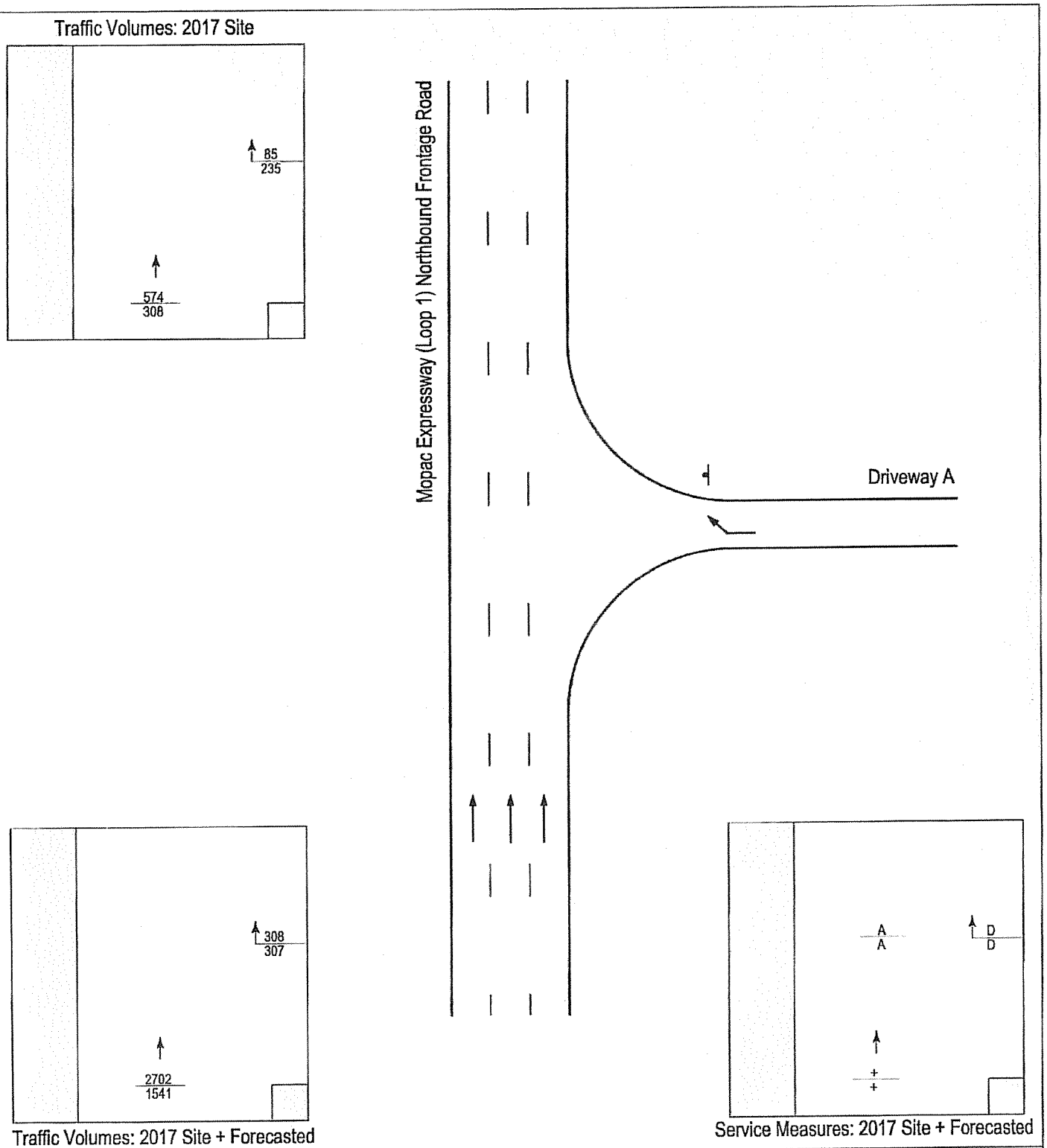


FIGURE 13

2017 SITE + FORECASTED GEOMETRIC AND TRAFFIC VOLUME CONDITIONS



NORTH

LEGEND

$\frac{000}{000} = \frac{AM}{PM}$ Peak Hour Volume

$\frac{X}{X} = \frac{AM}{PM}$ Service Measures (LOS)

= Stop Sign

\+ = Undefined Service Measure

Unsignalized Intersection
LEVEL OF SERVICE (LOS)

LOS	Control Delay Per Vehicle
A	< 10
B	> 10 and < 15
C	> 15 and < 25
D	> 25 and < 35
E	> 35 and < 50
F	> 50

FIGURE 14

2017 SITE + FORECASTED GEOMETRIC AND TRAFFIC VOLUME CONDITIONS

intersections. Additionally, it is recommended that bicycle racks be constructed on the project site to accommodate cyclists commuting to/from the development.

ROADWAY CAPACITY ANALYSIS

A roadway capacity analysis was performed for Ben Garza Lane. The 2000 Highway Capacity Manual does not provide guidelines for roadways with speeds less than 45 mph. Therefore, it is not feasible to analyze Ben Garza Lane using the capacity analysis method of the 2000 HCM. However, the 1997 Highway Capacity Manual (Ref. 11) provides estimates for service flow rates in passenger cars per hour (pcph), total both directions, for two-lane roadways as they relate to LOS. Table 8 describes traffic flow rates in relation to LOS for two-lane roadways.

Table 8.
Two-Lane Roadways LOS vs. Traffic Flow Rates

LOS	Bi-Directional Flow Rate (pcph)
A	≤ 420
B	> 420 and ≤ 750
C	> 750 and ≤ 1,200
D	> 1,200 and ≤ 1,800
E	> 1,800 and ≤ 2,800
F	> 2,800

Ben Garza Lane – Ben Garza Lane is a two-lane minor divided collector west of Brodie Lane. Currently Ben Garza Lane terminates approximately one quarter of a mile west of Brodie Lane, and primarily serves the abutting Lowe's development. As part of the Garza Ranch development, Ben Garza Lane is proposed to be extended to the west, through the development, and terminate at a tee-intersection with Mopac Expressway (Loop 1) Northbound Frontage Road (NBFR). , a connection will be provided between Brodie Lane and Mopac Expressway (Loop 1) NBFR via Ben Garza Lane. Both Garza Ranch site traffic and background (non-site) traffic was distributed on proposed Ben Garza Lane to account for this new connection. Under 2017 site plus forecasted traffic conditions, 400 and 250 background vehicles were rerouted to proposed Ben Garza Lane

during the AM and PM peak periods, respectively. These values were based on available capacity at various intersections.

As shown in Table 9, both the existing and proposed segments of Ben Garza Lane will operate at an acceptable LOS under all time conditions of this analysis as a two-lane roadway with a center left-turn lane, matching the existing cross-section. It should be noted that the volume on the existing segment of Ben Garza Lane will not change from 2012 existing traffic conditions to 2017 forecasted (without) site traffic conditions, since the extension of Ben Garza Lane was only assumed under 2017 site plus forecasted traffic conditions. Therefore, under 2017 forecasted (without) site traffic conditions, existing Ben Garza Lane will continue to primarily serve the existing Lowe's development.

Table 9.

Traffic Volumes and Roadway Capacity LOS – Ben Garza Lane

Roadway	Description	2012 Existing Conditions	2017 Forecasted Conditions	2017 Site Plus Forecasted Conditions
Existing Ben Garza Lane, AM Peak Period	Volume (pcph)	58	58	1,014
	LOS	A	A	C
Existing Ben Garza Lane, PM Peak Period	Volume (pcph)	113	113	1,094
	LOS	A	A	C
Proposed Ben Garza Lane, AM Peak Period	Volume (pcph)	-	-	508
	LOS	-	-	B
Proposed Ben Garza Lane, PM Peak Period	Volume (pcph)	-	-	401
	LOS	-	-	A

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Council Question and Answer

Related To	Items #77 and #78	**Meeting Date**	February 12, 2015

Additional Answer Information

QUESTION 1: Please provide a description of the different compliance requirements for Subchapter E – Design Standards and Mixed use between the zoning categories: CS (Commercial Services), GO (General Office) and AV (Aviation Services). COUNCIL MEMBER GARZA'S OFFICE

ANSWER 1: Properties zoned CS, GO, and AV zoned properties north of State Highway 71 (including the subject two rezoning areas) have to comply with the regulations described in Subchapter E. Subchapter E requirements are as follows:

1. Site Development Standards including standards for the Relationship of Buildings to Streets and Walkways, Connectivity Between Sites, Building Entryways, Exterior Lighting, Screening of Equipment and Utilities, Private Common Open Space and Pedestrian Amenities, and Shade and Shelter

2. Building Design Standards including Glazing and Façade Relief Requirements, and options to improve building design

3. **NOTE**: There are standards for Vertical Mixed Use Buildings, however, this particular site is within the Airport Overlay Zone, which doesn't allow for new residential development to occur, hence these standards wouldn't be applicable.

QUESTION 2: Does the zoning category AV (Aviation Services) have to comply with the Watershed Ordinance and the maximum impervious cover requirements included in those regulations? COUNCIL MEMBER GARZA'S OFFICE

ANSWER 2: AV zoned properties north of SH 71 have to comply with the Watershed Ordinance and the maximum impervious cover requirements.

QUESTION 3: Please also provide information regarding the site plan requirements included in the contract between the City of Austin and Scott Airport for the property located at. COUNCIL MEMBER GARZA'S OFFICE

ANSWER 3: The contract prohibits the construction of structures that obstruct the airspace in and around the airport or interfere with visual, radar, radio or other systems controlling aircraft.