

Knox, Michael

From: Rich Szecsy [REDACTED]
Sent: Tuesday, February 17, 2015 6:47 PM
To: Galligan, Jude - BC; Glover, Dale - BC; Metteauer, Maureen - BC; Roark, Brian - BC; Sher, Joel - BC; Snell, Owen - BC; Sokol, Lindsey - BC; Walker, Meredith - BC; Willenzik, Bruce - BC
Cc: Knox, Michael
Subject: 120 day temporary Austin Code §9-2-3(A)(3) prohibiting concrete delivery

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Downtown Commissioner:

As a member of the concrete industry that represents concrete suppliers that provide concrete to the downtown projects in Austin, I am very concerned about the temporary City of Austin Code §9-2-3(A)(3). The language contained in this ordinance creates a prohibition for concrete delivery and supply that will have significant negative impacts on construction projects, as well as the commercial and residential community in downtown Austin, those impacts will include:

- An increase in traffic congestion during the two most congested parts of the day, i.e the morning rush hour and the evening rush hour as concrete delivery will have no choice but to deliver during these hours;
- An increase in early morning emissions, as all of the concrete trucks will be concentrated in downtown to deliver concrete and the emissions will not dissipate during the day at the same rate as they do overnight;
- A decrease in worker safety, as the concrete construction trades will now be working in the hottest part of the day;
- Decrease in job opportunities for both the concrete trades and the truck drivers as the hours of available work have now been reduced;
- Delays in construction as there will not only be limited time for concrete deliveries;
- An increase in prices of concrete due to the additional measures that must be taken to comply with the restricted times of delivery, which could in turn increase the costs of construction and ultimately impact the rental rates and decrease affordability of housing in downtown Austin;
- Decrease in commercial activity, as more construction traffic will be present during the daytime hours and prevent consumers from accessing downtown businesses.

While these are all immediate negative impacts, there are some solutions that you should consider in an effort to create a balanced resolution to the issue:

1. Focus on the aspect of noise limits, and not the activity that causes them. The City of Austin already has ordinances in place that address these via COA Code §9-2-4 that limits amplified sound to 85 dB;
2. The other major metroplex areas in Texas have language that addresses this and have achieved a balance between commercial construction activity and residential concerns. These could serve as templates for developing a more balanced approach in Austin;
3. Consider making the ordinance performance based and not prescriptive in nature by spelling out what must be done to comply. Rather, set a limit, and allow the construction community to develop the best practice to comply with the limits.

Should you have any questions on these, I would be more than happy to provide details on these suggested solutions.

I would urge you to OPPOSE this ordinance as long as it contains the language of a time prohibition and is specific to the delivery of concrete to downtown during the hours of 2:00AM to 6:00AM. I would strongly encourage you to seek alternate solutions that are more balanced and performance based in their approach.

Additionally, when the new ordinance is crafted, I would urge you to make the language publically available before it is passed by the City council! so that you can gather input on the actual language that is going to be used in the ordinance.

Thank you,

Sincerely,

A handwritten signature in black ink that reads "Rich". The letters are cursive and somewhat stylized.

Richard S. Szecsy, Ph.D, PE
President

TEXAS AGGREGATES & CONCRETE ASSOCIATION
900 Congress Ave., Suite 200 Austin, TX 78701

Phone: 512.451.5100
Cell: 214.202.1379
Fax: 512.451.4162

www.tx-taca.org

IRS Circular 230 Required Notice--IRS regulations require that we inform you as follows: Any U.S. federal tax advice contained in this communication (including any attachments) is not intended to be used and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or tax-related matter[s].

Information contained in this transmission is privileged and confidential between the sender and the recipients. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.