From:	<u>zcjsph@aol.com</u>
То:	Rivera, Andrew
Cc:	<u>King, David - BC; Kiolbassa, Jolene - BC; Denkler, Ann - BC</u>
Subject:	10/18 ZAP Public Comment; Against Item 7 (Project Connect) - Remote Speaker Registration
Date:	Tuesday, October 18, 2022 1:36:07 PM
Attachments:	Samsung-Apple (Fund North MetroRapid Lines To-Nathan Jones Cc-CMs Flanigan Pool 11Dec2020-
	804am 12Dec2020-155am) To-ZAP Commission Title VI 18Oct2022-135pm zci.pdf

\*\*\* External Email - Exercise Caution \*\*\*

**To: Andrew Rivera** Staff Liaison, City of Austin Zoning and Platting Commission

## Name: Zenobia C. Joseph

Phone: 210 area code

**Public Communication:** Homeless Black/African-Americans; inequitable Northeast Austin minority transit (e.g., June 3, 2018 Cap Remap eliminated northeast-west connectivity north of US 183); absence of a bus on the billion-dollar FM 734 corridor (Samsung to Apple), compounded by Capital Metro/Austin City Council's 2020 elimination of \$4.7M MetroRapid-Parmer. Project Connect, thus, will segregate Austin for centuries! *See* attached December 12, 2020 Memorandum for then-Council Member Jimmy Flannigan's Policy Advisor Nathan Jones, noting Capital Area Metropolitan Planning Organization MetroRapid costs and scores (p. 2). Three Northeast MetroRapid lines scored higher than South/West Austin but were eliminated.

Action Item: 07

Backup - 07 C20-2021-014 Project Connect.pdf (2.7MB)

Backup - 07 ZAP Recommendation Submitted by Commissioner King.pdf (100KB)

• Title VI Opposition to Item 7. "Code Amendment: C20-2021-014 - Project Connect Request: Consider an ordinance regarding amendments to Title 25 to create a foundational ordinance for Transit System Projects to facilitate the construction of critical transportation infrastructure. Staff Rec.: Recommended Staff: Donna Galati, (512) 974-2733, Donna.Galati@austintexas.gov Project Connect Office[.]"

Thanks.~zcj

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

## December 12, 2020

To: Nathan Jones, Policy Advisor, District 6 | Council Member Jimmy Flannigan (Thu, Dec 10, 2020 3:41 pm Samsung email)

1. <u>Gratitude</u>: Thanks for the email and for listening to my testimony. It proves challenging speaking on several items at once. Texas Legislature restricts testimony to one bill at a time. HB 2840 (public testimony) at the local level should require the same. I thank you, however, for seeking to understand the Samsung issue and, more broadly, FM 734/Parmer Lane east-west transit void.

2. <u>FM 734/Parmer Cases</u>: There is no FM 734 transit (Samsung to Apple) on what I call "the billion-dollar corridor." My testimony December 10, 2020 aimed to highlight the need for Austin City Council ("Council") to address this far Northeast-west Austin void. The three cases (Samsung Items 70, 71; District 6 Item 72: 7700 Parmer) requested maximum entitlements. Item 72 noted: "In addition, this amendment will allow the PDA to exceed the current maximum allowable square footage of 1,755,000 square feet with the inclusion of 80,000 square feet of a retail shopping center including restaurant uses, 340 rooms hotel rooms, and 1,800 multifamily residential units" (C14-2020-0006 Staff Report, p. 1). There is no bus, so transit-dependent taxpayers cannot access 7700 Parmer or 3 HEBs in Capital Metropolitan Transportation Authority's ("Capital Metro") service area, including the proposed "1,800 multifamily residential units" and jobs (e.g., restaurant, hotel). From 2009 to 2019, Travis County rebated Samsung \$65M in property taxes, KUT reported.<sup>1</sup> Requesting the private sector fund transit or Uber/Lyft passes may be a reasonable tradeoff. In 2021, Samsung plans to return to Council to request relocation of Samsung Blvd—a chance to raise transit needs, again.

3. **Problem:** Project Connect eliminated Parmer MetroRapid though the 2014 Project Connect North Corridor Locally-Preferred Alternative Study showed job growth in the area by 2035 (below). Cap Remap frequent network undergirds Project Connect with South/West and Central Austin frequent buses (6-12 minutes; 15 minutes) compared to Blacks (60 minutes); minorities north of US 183 (45 minutes plus 30-minute transfer due to unilateral northeast-west eliminations by Short-Range Planning Manager Roberto Gonzalez June 3, 2018); and 383-Lakeline (30 minutes, less runtime despite same ridership as 333-William Canon). Lack of transparency regarding the elimination of \$633M in roadway and transit projects to fund I-35 Capital Express Central is still problematic. South/West MetroRapids will serve white choice riders in low-density Convict Hill and Oak Hill neighborhoods. April 6, 2020 Capital Area Metropolitan Planning Organization ("CAMPO") criteria and "MPO score" showed North ranked higher and cost \$22.8M less than 3 funded Southwest MetroRapids. Texas Department of Transportation ("TxDOT") Oak Hill Parkway project aligns with those Project Connect Lines. This appeared to trump the objective scores used for the CAMPO 2045 Regional Transportation Plan. Despite North Austin job growth and countless Council resolutions on equity, buses run South/West to \$425K-\$1M homes. Mayor Adler, Commissioner Shea and others questioned the opaque process. (CM Flannigan did, too.)

Of the 100 most congested roadways in Texas (TxDOT, 100 Most Congested Roadway Segments in Texas, 2010), six are in the North Corridor. As of 2004, nearly 30 percent of all jobs in the Austin region were in four central Austin zip codes (78701, 78703, 78704, and 78705). These four form the southern part of the North Corridor (Capital Area Council of Governments (CAPCOG, Revised Commute and Labor Shed by Zip Code, 2012). Existing transportation rights of way and funding for transportation improvements in the region are limited. Fourteen of the regional growth centers identified in CAMPO's long-range transportation plan are in the North Corridor; the most in any corridor studied in Project Connect. From 2005 to 2035, the region's population and employment are forecast to increase by 123 percent and 135 percent, respectively (CAMPO, CAMPO 2035 Regional Transportation Plan, 2010).

- Almost half the population (1.5 million people) of the two most populated counties in the region will reside in the North Corridor by 2035.
- Almost two-thirds of jobs in the two most populated counties will be located in this corridor by 2035 and will account for 58 percent of all jobs in the five-county region.

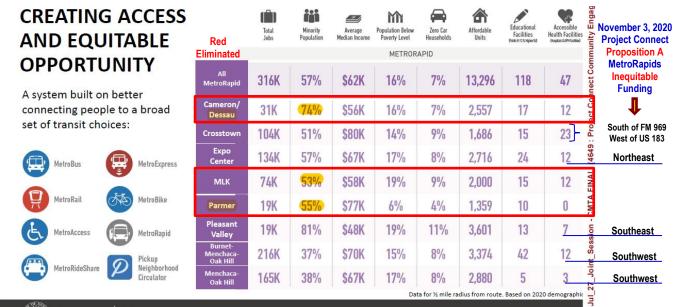
a. Anecdote: Future Parmer cases will face the same scrutiny. Developers seek maximum entitlements, but transit-dependent taxpayers can't access the site. I met a Black man (Mr. Huff) who walks from Cedar Park to Route 383-Lakeline; rides the bus to North Lamar Transit Center ("NLTC"), transfers to 801/1 to 392-Braker/North Lamar then walks 3 miles off Dessau to Samsung. I met Mr. Huff at the 392 stop by Mi Casa; got on the bus; highlighted a map and showed him that 214-Northwest Feeder stops at Austin Community College-Cypress Creek. He shared plans of working a later shift in months, noting #214 would save walking miles. I promised I'd try to get a Samsung bus and later walked on FM 734. With no pedestrian facilities, Mr. Huff risks his life walking in the road with cars traveling 60 mph. I crossed over and walked toward the cars—still unsafe. Without an appointment, I could not get past the guard. Mr. Huff's boss noticed he was tired, so he revealed the miles he walks to work—still, no bus!

b. Title VI Solution: Capital Metro/Council should fund 3 MetroRapid Lines (Applied Materials, Samsung to Apple, 3 HEBs); Tech Ridge/Howard-Dessau to Downtown; and Decker to Downtown; reanalyze Cap Remap to create equitable fixed routes; and restore northeast-west connectivity or risk Project Connect and current Federal funding. Another option may be to ask Samsung, Apple, and developers to fund MetroRapid Lines in Capital Metro's service area in exchange for entitlements much like the street impact fee, perhaps. Shuttles and Pickup service are not "the least discriminatory alternative" (FTA C 4702.1B, 2012, Ch. IV-16). CM Kitchen proposed "Innovative Pickup Zones" in 2016, but none run in her district. It takes twice as long to wait for Pickup to go to a bus stop to wait again. This segregates riders in their neighborhood and only runs 7AM-7PM Monday-Friday (10-block St. David's walk). On-demand is pretextual and increases minorities/essential workers' risk of being fired, especially north of US 183.

<sup>&</sup>lt;sup>1</sup> Bernier, N. (2019, July 31). [KUT]. Travis County stops tax break incentive program for companies. https://www.kut.org/business/2019-07-31/travis-county-temporarily-stops-tax-break-incentive-program-for-companies

Re: Thu, Dec 10, 2020 3:41 pm Samsung email [Nathan Jones, Policy Advisor, District 6 | Council Member Jimmy Flannigan]

4. <u>Title VI of the Civil Rights Act of 1964</u>: "prohibits discrimination based on race, color, or national origin in federally-funded programs or activities."<sup>2</sup> Based on minority population, why were 3 North/East MetroRapid Lines (\$18.4M) eliminated and Burnet/Oak Hill Lines (\$41.2M) funded instead? See July 27, 2020 Joint Capital Metro/Council Project Connect Meeting (p. 11).



👻 🛔 METRO 🛛 💡 projectconnect

May 4, 2020 My CAMPO Testimony. Item 2 (Clip 6:31): Title VI Ladders of Opportunity, Northeast-west eliminations) - https://austintx.new.swagit.com/videos/61676 #4-13 (29:55 - Bill Bunch, atty: CAMPO 2045 critique. 33:17 I testified against MetroRapid-Slaughter; noted North Corridor 2014 Study: Samsung to Apple; Movability)

Jurisdiction	Project Type	Roadway/Facility Name	Description	Limits From	Limits To	Limits At	Let Year	Anticipated Total Cost	TIP Window	Illustrative	Local	MP( Score
Capital Metro	1	N. Lamar Blvd, Guadalupe St, 1st St Bridge, Riverside Dr, S. Congress Ave	Orange Line	Howard Ln	Slaughter Ln		2025	\$6,100,000,000	No	No	No	90
Capital Metro	Transit	Enfield Rd, Guadalupe/Lavaca St, MLK Blvd	MLK MetroRapid line from west Austin to northeast Austin. This line would mainly follow Enfield road and MLK Blvd and have 12 stops along the line including the activity centers of Exposition, Capitol Complex & University of Texas. There would be 2 park & rides on the line at Redbud (shared with 7th/Lake Austin Metro Rapid) and Decker Ln.	Lake Austin Blvd	Decker Ln		2025	\$4,000,000	No	No	No	88
Capital Metro	Transit	Airport Blvd, US 290 Service Rd, Cameron/Dessau Rd, Parmer Ln, McCallen Pass, Center Ridge Dr	Cameron/Dessau MetroRapid line from ACC Highland to Tech Ridge park & ride. This line would mainly follow Cameron/Dessau road and have 8 stops along the line including the activity centers of ACC Highland, Norwood & Tech Ridge. There would be 2 park & rides on the line at ACC Highland (shared with Bue Line) and Tech Ridge (shared with Orange Line)	Highland Mall Blvd	Tech Ridge Park & Ride		2025	<mark>\$9,700,000</mark>	No	No	No	88
Capital Metro	Transit	Neighborhood Circulators	A fleet of neighborhood circulators to expand access to Capital Metro services in order enhance the coverage of our system into areas that are more difficult to reach with existing fleet.				2025	\$2,300,000	No	No	No	88
Capital Metro	Transit	I-35, SH-45, Loop 1	Express route from Georgetown and Round Rock to Howard Station and downtown Austin	CARTS Georgetown	Downtown Austin		2025	\$18,000,000	No	No	No	87
Capital Metro	Transit	Lyndhurst St, Lakeline Blvd, Parmer Ln	Parmer MetroRapid line from Lakeline Station to Wildhorse. This line would mainly follow Parmer Road road and have stops along the line including the activity centers of Lakeline Station, new Apple Campus, Tech Ridge, Samsung & Wildhorse. There would be 2 park & rides on the line at Lakeline station (shared with Red Line) and Wildhorse (shared with Green Line)	Lakeline Mall Dr	Old Highway 20		2025	<mark>\$4,700,000</mark>	No	No	No	87

ment:

<sup>2</sup> DOJ (2017, January). Civil Rights Division highlights (2009-2017): Fulfilling America's promise [p. 49]. https://www.justice.gov/crt/page/file/923096/download

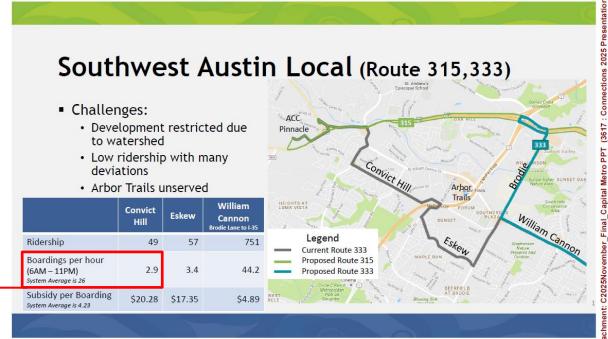
Re: Thu, Dec 10, 2020 3:41 pm Samsung email [Nathan Jones, Policy Advisor, District 6 | Council Member Jimmy Flannigan]

April 6, 2020 Capital Area Metropolitan Planning Organization "Constrained Candidates" list described MetroRapid Lines, but the July 27, 2020 Project Connect slide consolidated Menchaca/Oak Hill. Three Southwest white MetroRapid Lines totaled \$41.2M. Title VI: North/East MetroRapids scored higher (88, 87)/cost \$22.8M less but Southwest (85, 82) was funded November 3, 2020!

Jurisdiction	Project Type	Roadway/Facility Name	Description	Limits From	Limits To	Limits At	Let Year	Anticipated Total Cost	TIP Window	Illustrative	Local	MPO Score
Capital Metro	Transit	Burnet Rd, 45th St, Lamar Blvd, 5th/6th St	Burnet MetroRapid line from the Domain to Republic Square. This line would mainly follow Burnet road and have 18 stops along the line including the activity centers of Domain, Triangle, University of Texas, Capitol Complex & Downtown Austin. There would be 1 park & ride at Domain (shared park & ride with Red Line).	Palm Way	Guadalupe St		2025	\$13,700,000	No	No	No	85
Capital Metro	Transit	Menchaca Rd, Ben White Blvd, S Lamar Blvd, 5th/6th St	Menchaca MetroRapid line from south Austin to Republic Square. This line would mainly follow Manchaca Road and S. Lamar Blud and have 11 stops along the line including the activity centers of Westgate, S Lamar, Seaholm, & Downtown Austin. There would be 2 park & rides along the line at Slaughter and Westgate Transit Center.		Guadalupe St		2025	\$15,400,000	No	No	No	82
Capital Metro	Transit	Capital Metro Track	The first phase of Red Line improvements provides additional track to help improve operational flexibility. There are also 3 additional stations added along the line.	Downtown Station	Leander Station		2025	\$61,000,000	No	No	No	82
CARTS	Transit	Luling/Lockhart to Austin Express Bus Service	Luling/Lockhart to Austin Express Bus Service	Downtown Luling to downtown Lockhart	Downtown Austin/UT		2025	\$1,100,000	No	No	No	82
CARTS	Transit	Lockhart-San Marcos Express Bus Service	Lockhart-San Marcos Express Bus Service	Downtown Lockhart	CARTS San Marcos Transit Center/TxSU		2035	\$1,500,000	No	No	No	82
Capital Metro	Transit	US 290 Service Rd, S Lamar Blvd, 5th/6th St	Oak Hill MetroRapid line from Oak Hill to Republic Square. This line would mainly follow US 290 service road and S. Lamar Blvd and have 12 stops along the line including the activity centers of Oak Hill, Sunset Valley, S Lamar, Seaholm & Downtown Austin. There would be 1 park & ride on the line at Oak Hill (shared with Oak Hill MetroExpress route).	Convict Hill Rd	Guadalupe St		2025	\$12,100,000	No	No	No	82

Subject to Change - 3/2/20

November 7, 2016 Capital Metro Work Session: Empty 40-foot bus (333) runs on Convict Hill. 2020 MetroRapid overlay. Why? Consultant Russ Chisholm did not recommend Convict Hill routes. #315 was created below Service Guidelines and Standards.



## December 12, 2020

Re: Thu, Dec 10, 2020 3:41 pm Samsung email [Nathan Jones, Policy Advisor, District 6 | Council Member Jimmy Flannigan]

5. Southwest white privilege vs. Northwest (minorities, low-income riders): November 5, 2016 Project Manager Lawrence Deeter said "southwest Austin does not meet the transit agency's density requirements for service." Yet fixed routes and Flyers improved. In 2018, Southwest got "New" Flyer 105-South 5th. In 2019 (no discourse), restored Flyer 103-Menchaca/San Jacinto. In 2020, voters approved Menchaca/Oak Hill (Convict Hill) MetroRapids. Flyer 111-S. MoPac runs. 171-Oak Hill: 9-14 minutes (only \$2.50). Sole Flyer 142-Metric (2018 proposed elimination)—inequitable to Kitchen's 4 Flyers; 5 east-west routes (\$9.9M)!

#### Capital Metro: 'low density' the reason for route removal CAP(REMAP RED FLAG

5Nov2016



Councilmember Ann Kitchens, who sits on the Capital Metro Board, and MRNA president Pam Rogers. CAPREMAP by Ann Fowler

# 333-Convict Hill **30-min Frequency**

June 3, 2018 OAK HILL - More than 50 people attended a meeting on Nov. 5 about the proposed removal of bus service to Oak Hill. Capital Metro proposed stopping local Route 333 short of Oak Hill. That east/west route serves local neighborhoods, as well as Covington Middle School, the ACC Finnacle campus, and Precinct 3 offices. It travels Vacant ACC-Pinnacle east, largely along William Cannon, to stops just behind I-35. **RED FLAG** 

> Explaining the proposed cancellation, Lawrence Deeter, project manager for Connections 2025, told the group that southwest Austin does not meet the transit agency's density requirements for service.

Searle told the Gazette, "The density argument is part of the frustration. We have been told that Southwest Austin does not currently, nor will it in the future, have the density to support mass transit. This is primarily due to the S.O.S. land development regulations. And if those regulations are going to limit Southwest Austin's access to mass transit, we would encourage Capital Metro to include other factors besides development density when determining mass transit services over environmentally sensitive areas. Especially looking at the 'Y' and south MoPac, there is clearly the concentration of commuters that would support transit." ...

23

4

RED FL		:hwe	st Au	ustir	So Sa	east-west 333 vs. ridership (19/hr)/d	
					Y	Connections2025.org	[Resources]
						CAP	MAP
Route	333-Willia	am Cannon	15	outhwest: 18 5 min, 7 days		19 riders/hour:	
Compare	Hours	Ridership	Passengers per Hour	Cost	Cost/Pa	Title VI: 333 = Inequitab	le distribution of funds
Current	25,031	466,595	38.6 \$	1,877,325	\$ 4.0	Even though ridership was	
Proposed	30,145	703,140	23.3 \$	2,260,875	\$ 3.1	up), CM Kitchen's Route 33	3 improved tremendously.
Variance	5,114	236,545	4.7	\$383,550	(\$0.4	Under Cap Remap, 333-V	Villiam Canon improved
loute	383-Resea	arch	Lakeline-No 30 min, 7 day			to 15-min headway, 7 da 383-Lakeline is the only	Northwest fixed route.
Compare	Hours	Ridership	Passengers per Howe	Cost	Cost/Pa	It improved 5 minutes to	o 30 min, 7 days/week.
lurrent	26,830	515,040	(19.2)\$	2,012,256	\$ 3.	3Jun2018 Disparate Impact: Last 3	83 at NLTC is 10:30PM.
roposed	35,955	872,190	24.3 \$	2,696,625	\$ 3.	\$outh: Buses operate at	
ariance	9,125	357,150	5.1	\$684,369	(\$0.	there's greater earning	power in South Austin!

https://www.capmetro.org/schedmap/?svc=0&f1=383&s=0&d=N

Re: Thu, Dec 10, 2020 3:41 pm Samsung email [Nathan Jones, Policy Advisor, District 6 | Council Member Jimmy Flannigan]

### "We begin with the local bus service. This is the fundamental glue to the entire system." ~Meg Merritt (Nygaard Consulting) ~October 30, 2019 Joint Project Connect Meeting

Cap Remap is the discriminatory foundation for Project Connect, 15-minute bus network for white choice riders to enjoy light rail! If "Black Lives Matter," create equitable bus routes to major North Austin employers (Parmer east-west; Dessau to Downtown).



References: ZAP Commission 2018 testimony (78 pages). Consolidated Appropriations Act, 2020 prohibits using public funds for propaganda!

May 21, 2018 Capital Metro (My Title VI Testimony: 33:50): "And since <u>you guys have not listened to me</u>, I have in fact filed a complaint with the FCC, and they may fine the [KAZI] radio station if they don't pull the ad. It is not frequent service to the minorities. Your data has said it. You have said it as well. And I'm asking you to pull that ad because it's false advertisement." <u>https://austintx.new.swagit.com/videos/45325</u>

June 5, 2018 ZAP Commission Item E2: Long-Range Capital Improvement Program Strategic Plan Discussion ... 2017 Long Range CIP Strategic Plan. \*Title VI Testimony (20 min). ETJ Correction (extraterritorial jurisdiction). Video: https://austintx.new.swagit.com/videos/48426

October 16, 2018 Regular Meeting of the Zoning and Platting Commission \*383 is the only Northwest bus; midnight would allow 2nd Shift jobs! http://austintexas.gov/content/zoning-and-platting-commission-2018-meetings-page-1 [#333 same ridership runs 15 minutes; ends at 11:56PM]

Backup - Item D-01 (King - Aguirre - Draft Recommendation Cap Metro ILA).pdf (543KB): In part, "the concurrent elimination of Route 21 Exposition which was replaced with free RideAustin options to serve West Austin, and the elimination of Minority Route 240 Rutland with no service alternatives, causing transit-dependent riders to walk 0.7 miles to the nearest service, which is a violation of Title VI." Co-sponsor bias: Appointed by CM Garza, Aguirre excluded Dove Springs: Hispanics benefit at the expense of Northeast Blacks and minorities north of US 183. May 4, 2020 CAMPO Testimony: I noted #240 exceeded Service Standards (20.3 riders/hour) and still request Capital Metro and Council use CARES Act funding to restore St. David's-North and HEB-Parmer/Loop 1 during the pandemic. August 16, 2020; #466-Domain (7 riders/hour) improved 15 minutes Peak for white commuters 1 mile from St. David's and could serve the hospital but for class segregation by Capital Metro.

6. December 18, 2020 Joint Meeting: Request CM Flannigan cite pretextual CAMPO scores to justify \$18.4M for 3 eliminated MetroRapid Lines (prioritize Parmer east-west: \$4.7M); restore 240; improve 383: 15 min Peak; end 383 NLTC at 12AM.~Thanks!

Very respectfully,

Zerolia C. Joseph

Zenobia C. Joseph

Backstory: 9 months after collecting 574 petitions in 10 days, I saved 383-Anderson Mill/ Millwright to Lakeline and 392-Dessau to Tech Ridge (Juana, Hispanic lady, helped collect about 100 Spanish-speaker signatures). St. David's and 2 of 3 Parmer HEBs (I-35, Loop 1) are in CM Pool's District 7. Housing Authority of the City of Austin approved affordable housing Nov2020 behind HEB-McNeil District 6. I urge CMs Flannigan/Pool to fight for Parmer MetroRapid, now! ©