

EXPLANATION OF STRATEGIC ALIGNMENT: Click or tap here to enter text.

BUSINESS CASE: To ensure the timely delivery of the Project Connect program, including those elements that CapMetro has partnered with the Austin Transit Partnership to deliver on behalf of ATP, a detailed review of City of Austin regulations, processes and applicability is necessary. This resolution supports a concurrent resolution and ordinance from the City of Austin to review regulations and the Land Development Code to identify opportunities to increase efficiencies and flexibility in order to deliver Project Connect.

COMMITTEE RECOMMENDATION: This item was first presented for discussion during a joint work session of the Capital Metro Board, Austin Transit Partnership Board and Austin City Council. This item will be presented to the Capital Metro board for approval on October 29, 2021 during another tri-party meeting.

EXECUTIVE SUMMARY: This resolution supports a concurrent resolution and ordinance from the City of Austin to review regulations and the Land Development Code to identify opportunities to increase efficiencies and flexibility to deliver Project Connect. The technical teams working on projects within the Project Connect program will collaborate with the City of Austin to identify opportunities and risks to articulate solutions and context-sensitive regulations and processes. This will help ensure compliance with CapMetro Board Resolution No. AI-2020-1297, the Community Commitment Resolution, and the Project Connect sequence plan.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Executive Department.

**RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS**

**STATE OF TEXAS
COUNTY OF TRAVIS**

AI-2021-236

WHEREAS, the Capital Metro Board unanimously adopted the Project Connect System Plan (Capital Metro Board Resolution AI-2020-1273) that includes the Locally Preferred Alternatives for the Orange, Blue, Gold, Green, and MetroRapid Lines on June 10, 2020; and

WHEREAS, the Austin City Council directed the City Manager to amend the Austin Strategic Mobility Plan (Ordinance NO. 20190411-033) to include the Project Connect System Plan and Locally Preferred Alternatives (Resolution No. 20200610-002); and WHEREAS, Austin voters approved Project Connect, the regional high-capacity transit system on November 3, 2020; and

WHEREAS, on December 18, 2020 the City of Austin and the Capital Metropolitan Transportation Authority created a local government corporation named the Austin Transit Partnership Local Government Corporation to aid the City and Capital Metro and act on their behalf to accomplish the governmental purpose of implementing the Project Connect System Plan; and

WHEREAS, according to the Austin Transit Partnership Articles of Incorporation, the ATP is to be the principal entity responsible for financing, designing, building, implementing, and contracting with Capital Metro to operate and maintain assets funded by the Joint LGC; and

WHEREAS, Capital Metro has partnered with the Austin Transit Partnership to implement certain elements of the Project Connect program, and to provide support services to the Austin Transit Partnership; and

WHEREAS, in a report entitled Saving Time and Making Cents: A Blueprint for Building Transit Better (“Eno Report”), published in 2021, the Eno Center for Transportation identified local regulation, permitting, and decision-making procedures throughout the United States as an obstacle to achieving viable, cost-effective transit systems on par with those of peer nations; and

WHEREAS, noting that local development codes are generally ill-suited to the nature and scale of mass transit, the Eno Report found that jurisdictions that have successfully constructed mass transit systems apply modified regulations and review procedures to accommodate the unique challenges transit construction presents and the ways it differs from private development or conventional transportation and public works projects; and

WHEREAS, the City of Austin’s Land Development Code does not provide for the design and permitting of linear construction required for mobility and transit facilities that encompass large areas, include subsurface and above-ground elements, and span multiple zoning districts and watersheds; and

WHEREAS, greater flexibility and more carefully tailored regulations are required to facilitate construction of Project Connect; and

WHEREAS, the Land Development Code, existing regulations, criteria, and procedures should be flexibly applied to facilitate construction of Project Connect to the greatest extent possible until existing requirements can be amended; and

WHEREAS, there are Project Connect MetroRapid and MetroRail projects currently moving forward in advance of the Orange and Blue Line light rail projects; and motor vehicle trip conversion to high-capacity transit and other sustainable modes yields benefits to the environment, traffic congestion, personal economic mobility, and more;

NOW, THEREFORE, BE IT RESOLVED The Capital Metro President/CEO is directed to continue coordination with the City of Austin, specifically regarding opportunities to enhance regulatory flexibility and create context-sensitive regulations and procedures to ensure the on-time delivery of the Project Connect program of projects.

Date: _____

Secretary of the Board
Eric Stratton