

Closed Caption Log, Council Meeting, 08/16/11

Note: Since these log files are derived from the Closed Captions created during the Channel 6 live cablecasts, there are occasional spelling and grammatical errors. **These Closed Caption logs are not official records of Council Meetings and cannot be relied on for official purposes.** For official records, please contact the City Clerk at 974-2210.

and commissions room, austin city hall. Our agenda today the first items are executive session, so without objection, the city council will go into closed session to take up three items, pursuant to 074 of the government code, the city council will consult with legal counsel regarding the following three item, to discuss legal issues related to the city of austin. whittington, et al, and item d2, to discuss legal issues related to eddie rodriguez et al versus rick perry et al and to discuss legal issues related to item number 75. Is there any objection going into executive session on the items announced? Hearing none, the council will now go into executive session.

we're out of closed session. In closed session we took up and discussed legal issues related to items d 1 and d 2, and also item 75 on the 30 -- on the thursday agenda. Council member martinez has an item he wants to bring up on that agenda. thanks, mayor, it's actually my item along with you as a co-sponsor, but there are two items on the agenda related to the ongoing discussion we've been having about extended meter parking in the downtown area, and on the weekends, and so item 74 is our proposal at trying to strike a compromise between what was originally adopted in the spring of this year and what will ultimately be implemented. We discussed this a couple of times in work session, so I just wanted to throw out there one more time that this is just a shot at a compromise, that we have achieved some consensus and that we do have support from many of the stakeholders, specifically the sixth street merchant association, with president tim leak behind this proposal, to basically only charge extended metered hours on thursday, friday and saturday, and a host of other provisions as well that deal with providing monthly pass parking at discounted rates. It also doesn't apply to any on-street parking. The extended meter parking won't apply to any on-street parking above 8th street, so 8th street all the way down would be extended into the parking hours. Anything above 8th street, the river streets, 9th, 10th and 11th, would not be included in the extended meter hours. So all of the churches basically, it hits every single church that's north of 8th street, which are all the churches in downtown. The one church adjacent -- the one church adjacent to 8th street does have a six-story structured parking garage for their members. So we believe we've come up with, hopefully, a decent compromise. I just wanted to put it out there on the table and bring it up for discussion because I think council member morrison wants to add to the discussion. well, let me -- let me add to that that you mentioned that I'm a co-sponsor of this, which doesn't necessarily mean that I agree with everything in it, but it is a starting point to get this discussion started, as opposed to just outright delaying it, which I think would have budgetary impacts delaying it basically for first quarter of the year. I do want to hear additional discussion from the staff on thursday about the financial impacts. I'm predisposed to think that thursday, friday and saturday isn't quite enough, that we need to add a day or two to that, but as I just said, I think that this is a starting point, puts something on the table that we can discuss, and I don't necessarily cleave to this just because I'm a co-sponsor of it. Council member morrison.

Morrison: thanks. And I want to especially thank council member martinez for really trying -- putting some effort into adjust and mitigate some of the concerns that were raised, and certainly the monday, tuesday, wednesday exemption is a very important element of that, and I think that for me the -- the idea of only charging from 8th street down all day, even on thursday, friday and saturday, is a really critical element of improvement, because my concern mainly was that we had lacked some of the necessary engagement. With some of the folks on the ground that were going to be affected, so that, you know, for

example, while we had talked to some business managers of the churches, we had not gotten full, you know, hearing from folks that are actually the parishioners, and while we had talked to -- figured out where some of the volunteers were allowed to park and had complimentary parking in garages, in fact, that didn't quite work for some of the elderly volunteers, and, you know, the musicians that are making \$40 a gig and things like that. So for me it's really important that we maintain a slice of free parking, as you propose, north of 8th street, so that folks that are going to need -- they're going to have to put some effort into finding it because it will be a smaller amount, that they're still going to have that option. So I feel like this does take into account a lot of the concerns that I've been hearing, and I especially appreciate, you know, taking a look at -- we have here a map of where the churches are located. It's also important, I think, to go back to what I understood to be the original, you know, sort of guiding principle of why we were doing this, it was so that we would achieve -- the businesses had suggested that they really needed to be able to demonstrate some turnover in parking in front of their businesses. And so north of 8th street is -- lacks a lot of business. We certainly don't have density and concentration north of 8th street. So I think this does get at that. So I believe with the adjustments that council -- that Mike, I forgot we're in work session -- that Mike has presented, that I would on Thursday then support that and withdraw -- make a motion to withdraw my resolution to delay.

Martinez: thanks. Thanks, Laura. I want to add just real briefly as a reminder that there are provisions we've been discussing as well as to questions that arise about people taking alternative forms of transportation home and leaving their vehicles in a metered slot overnight. There will be an option for them to purchase up to three hours for the next morning, but there also is an option for them to either bring a sworn affidavit or a receipt from either a cab company or whatever means -- means of alternative transportation that they took home that evening, to waive any tickets that might have been left on their car the next morning during those extended meter hours or during the business days, during the week. Also requires the wayfinding system for parking. We did find some monthly passes. I don't believe, personally, are affordable enough. The cheapest ones we found are \$50 a month. I'd like to see us try to get that down to somewhere in the \$30 a month range for some of these folks that simply work on tips, I think it's a hardship on them, especially underpaid musicians. So it also has a component in part 3 that continues the outreach effort. This is not the end. Again, it directs the city manager to continue the community outreach efforts. The city manager is directed to report back in March of 2012 on the outcomes of extended meter parking, a bills provision about the economic impact will be back at that time, it has to go to urban transportation commission on an annual basis, at a minimum, and then for the first month -- for the month of September, while we will go ahead and adjust the meters, I presume there will be only warnings given out so that we can continue to educate folks about the changes. So those are all things I think are really important, that's going to help transition this into a full-on policy and I hope you guys will consider that as a compliment.

Mayor? Mayor Pro Tem Cole. I also want to thank council member Martin for all his work in reaching -- Martinez in reaching a compromise position and working along with council member Tovo and council member Morrison. I just had some concern that we are going through the process with our valet parking and we haven't addressed that in any manner here. That is in there.

Cole: oh, it is in there? Okay. What -- tell me, Mike, what you're doing with the valet parking rather than me -- it's a provision in part 3 that's the directive to the city manager, and it directs the city manager to return to council with recommendations for modifications relating to valet service by November of this year, 2011. So in about 60 to 90 days come back to us with some recommendations, and the concerns that I've laid out about valet parking, council member Morrison laid out the concerns of the lack of fees to bag a meter and take that parking out of commission, if you will. For me the concern is a lack of coordinated effort, and this is just my opinion. I haven't researched it. I've only met with one valet company, but when I -- when I go down West 6th street and I see five different valet companies in a one-block area and they've basically bagged the block of on street parking, I just feel like the sense that I get is there should be a little more coordination efforts so that we don't remove so much of our available on street parking. So it's very broadly written so that we can have discussions with the city manager and talk with him about our concerns with valet, but it does ask us to come back by November 10, 2011 with his best recommendations for valet service improvements. And the reason I brought that up is

because i think maybe we should make a distinction between our city-owned garages that are used sometimes for valet parking or for public parking, like in city hall, versus some of the private parking, valet parking. So let's just visit about that before we -- then we'll talk to the city manager and see if we need an additional resolution in clarifying what we would like to see happen with that.

Martinez: glad to do it. Thank you.

Mayor? council member tovo. I just also want to thank my colleagues, council member martinez and council member morrison for working together to craft this solution. I will be very supportive of your motion to withdraw our resolution. So I think it does reach a good compromise in terms of -- especially with regard to the gee graphics, the location of the jask meters, so I hope the staff will continue working with some of the groups that do not yet have provisions for for those volunteers in terms of parking. I believe in our memo there were some that don't have access, some volunteers don't have access, and also some of the workers who as council member martinez said, will still be facing a pretty hefty monthly parking charge. And I would just ask that if we are talking about the economic impacts on thursday, if the staff would also give us some information about how -- it's my understanding that the new staff members who are hired to enforce the parking meter extension have been on the streets issuing tickets and enforcing some of our existing parking lots that maybe hadn't been enforced quite as rigorously. And so if we could get some information about that economic impact and the way in which it will offset these changes, that would be helpful. Does that -- is that clear? Thanks. I'll just say my concern about valet parking is both the b charged and the number of spaces that -- the charge, and the number of spaces. I would lining to talk about both of those things before it comes back in november, but since we do have transportation staff here, I'd like to ask a couple questions now about the financial impact, basically impact with regard to the people we've already hired in anticipation of after-hour parking and the revenue loss aspect of reducing the number of days, and, in addition to that, i believe there are some statistics available as to -- keep in mind one of the original purposes of after-hours parking was to make more parking available for people who visit these venues. I believe there are some statistics available that show the use rates by day of the week, if you could go over those.

Certainly, mayor. Robert spiller, director of austin transportation. I'll try to give you as many of the statistics now. The proposal has changed a little bit since we ran the fiscal analysis, specifically the piece about north 8th street. And so the numbers I'll give you I will try to qualify as best I can, but we'll come back on thursday with more precise details based on direction from council. First of all let me talk about the employees that we have for enforcement. Right now the way we pay the costs of enforcement, and i have steve grassfield, head of my parking program, with me to help me with these statistics. The way we pay for enforcement right now is that comes out of the revenue that's generated off the meters, and so the enforcement tickets, or the tickets that are written, the revenue from that goes in through the court system into the general fund, and so it does not come back and pay for the enforcement right now. I will tell you in the last weeks that we have been enforcing after hours, after our traditional hours, and those are just state laws, and so the type laws that are being enforced are parking and no parking zones. We still have no parking zones after hours in front of fire hydrants, et cetera, so safety-related stuff, have been averaging between a thousand and 100 tickets per week, and that is from a 00 in the afternoon and about midnight. And so those are typical traffic enforcement rules with regards to parking that have nothing to do with the meters. And so that takes our full crew of 10 to 12 officers out on the street after hours, and we would continue to do that. One of the things we found early when the discussion of cutting back the number of days or the times for extended hours started here at council -- one of the things we realized is that we really could not reduce staff because to enforce two or three nights a week is the same as enforcing five nights a week. You still need two-person crews to be walking the streets in terms of safety issues, and so just balancing out we felt that given the experience we were already having in terms of enforcing other state rules and so forth, that we should keep the full accompaniment of officers on the street, regardless. And so that expense, in a sense, using that model as a fixed cost. Now, I'm sure we could explore cutting back the number of hours that those employees work, but I don't know that that would generate the same benefits that I think we're getting now. We have gotten good responses from the community in terms of opening up those spaces in front of fire hydrants and other things that really need to be enforced, regardless. And if you'll remember the original

proposal, is once we get the system operating and the public becomes accustomed to the expanded enforcement, that that will again allow us to start spreading out into the neighborhoods and reducing the impact from downtown neighborhoods and so forth, on the downtown business area. For instance, south congress we stated putting daytime controls down there to enforce new parking down there as well as parking impacts on the neighborhood. So that's helping to reduce the pressure on the surrounding community in terms of commercial impact on parking. In terms of revenue, and again, this does not take into effect the non-extension of hours north of 8th street, and so we'll have to calculate that in, but the numbers that I think we provided previously is moving to the thursday, friday and saturday evenings only, starting in september, again, with only warnings in september. There's about a little over a million-dollar impact to the current budget, the fiscal budget, so we'll have to factor in the removal of 8th, 9th and 10th street. Remember north of 10th street the state controls those meters and that space remains free after hours as well. So with just the shortening of the number of days, that's about a \$1.36 million impact. I'm sure there will be an impact north of 8th street and we'll look into that between now and then. And then, mayor, if you'll remind me, the other question was about valet parking, and one of the issues that we are trying to do with the valet is that we really need a definition of the extended hours, because that helps to define the revenue impact from the spaces that are affected. And so as you know, when we start to think about modifying fees we have to have a good understanding of the revenue that's being diverted or avoided by that. The other thing that you asked was about rates of occupancy on days. We've been doing surveys, and we did a total count twice this summer, actually after we left town, and I think that's pretty profound given the numbers. What we found is that mondays we routinely found about a 67% occupancy rate on-street. And then starting on tuesdays that went up to 89 to 90% and continued at that rate all the way through friday, where we started to hit in excess of 100%, 107, 11% occupancy, that means spaces that are not supposed to be parked in, alleys, are being parked in. So we count all the spaces, divide by that and that gives the percentage. What our data shows, and this is over the entire downtown area, that usage, and again, this is when it is not in service, and, you know, the traditional thinking is when it is here there's lots more cars on our streets, the reality is the on street spaces are full tuesday through friday at least. We did not count saturdays because we know saturdays are equally as full. We also know some interesting information that on any given saturday night or friday night there's about 10,000 cars in downtown. We assume that's accessing businesses and various venues. We only have 2300 spaces, 2400 spaces on street, is that correct, steve?

Actually 3,000.

3,000? So that would suggest that a little more than two-thirds of the people are paying for parking off street or using off street facilities, which is either paid for by the venue or paid for by the user. And so just those numbers suggest that a large number of people are parki off-street. I will tell you anecdotally on monday nights when we are down working on the emergency reaction to the w hotel, the streets even around the w were quite well parked up, even when off-street spaces were fairly available. There was a parking garage -- surface parking facility just to the west of guadalupe street that we could easily observe had lots of opportunity to park, but people were still parking on street, again, because I think it was the free opportunity. so I understood you to say that the budgetary impact on the proposed budget for next year, just to clarify that issue, hasn't been adopted but proposed budget, would be a million dollars plus some increment after taking into account 9th and 10th streets?

Yes, I would expect it to be in excess of \$1.3 million, yes, sir. so trying to dig up 3 million out of this proposed budget is certainly something that folks have to think about.

Yes, sir.

Mayor leffingwell: kathie? I want to just clarify a couple things that you said.

Certainly. my understanding is the staff members who have been hired to enforce off street parking are now on the street during the extended hours and they're enforcing state laws, and as you said, they're

writing a thousand to 1500 tickets per week.

Yes. in excess of what was typical or total?

Well, again, the way, council member, we had been enforcing parking regulations is we typically did not enforce once the meters were turned off. The primary purpose of those parking officers had been curtailed to really managing the meters and responding to complaints. So yes, those are 1500 new issues or new citations that would not normally have been written. We would expect that as our enforcement regime continues to be in place, that that number would come down slightly because people -- you know, in fact, some people say, oh, we didn't realize you were enforcing parking in front of hydrants late at night. [Laughter]

well, yeah, we are. so some of that will come down but some of it may continue, so again, there will be some offset to 3 million just from enforcing our existing rules and having enough people out there.

Yes, council member, but I believe that the general fund actually accounted for that revenue as well, so -- so, in fact, both the general fund is counting on the extended revenue from further enforcement as we were the revenue off the meters. So -- well, maybe on thursday we can sort of walk through --

I will do the best I can, yes. and then I guess my -- I just want to ask you to clarify, if you would, if we cut back the days, you're saying those staff members would still be needed to enforce the state's -- the state laws. I guess I'm having trouble balancing that. If we already accounted for that --

I understand what you're asking. I'm not trying to cut people's hours back here, but I do uns if we're cutting the time, where there wouldn't be any savings in staff time.

Well, it takes the same -- it takes an additional crew, basically, enforcement crew, to do one night or five nights. We had contemplated that if we were enforcing after hours three nights of five, that we would still -- we'd still need the same number of people, and so the only way to reduce costs on terms of enforcement would be to cut those folks back to part-time, but we're already with three nights almost beyond the part-time level, if that makes sense. And so the only way to save funds in terms of enforcement is to cut the amount of time that staff is working. Given the fact that we're finding that we're having a good response in terms of enforcement, just regular rules, and, in fact, getting good response from the community in terms of that enforcement, just from an operations issue I think it makes good sense to keep the full crew on. And so there's not a lot of savings we can get from cutting back enforcement. I can tell I'm not being -- not connecting. I'm still trying to decide if I agree. So thank you.

That's fine. I'm sorry. and I have some other questions. It looked like council member spelman has, but it's on another subject for you-all, so we'll just -- discuss this subject first. Bill? I hope I exhaust it quickly. Rob, when we first started considering this stuff you had a bottom-line estimate for what the financial value to the city of this parking regime was going to be.

Yes, sir. remind me what that was.

The extended hours, monday to saturday, and this is the pay station parking meters, would generate 7.25 million, the estimate. That's gross, but for expenditures and so forth.

Spelman: right. Exactly. 25, And then you had broken down for us how you propose to spend that money. A lot of it was going to be enforcement but you were talking about wayfinding and some other things you were talking about.

Correct. And council member, let me just correct, there was an additional million dollars estimate in tickets on top of that 7.25 million. I will tell you that's a hard number to estimate. I don't think we ever

dreamt that we would be with the enforcement finding a thousand to 1500 violations per week, so -- and that's not really aggressive enforcement. It's just what's out there.

Spelman: okay. So you're actually talking -- I thought your exchange with council member tovo a second ago suggested that you had expected to have as much money brought in in tickets with the aggressive enforcement as you were getting, but sounds like you're getting a little bit more than you expected?

Yes, and it's -- I just want to clarify. It was not -- what we're doing now is not aggressive. It's just what we're finding out on the streets, state laws.

Spelman: yeah. There's a law, you enforce the law. I understand. [Laughter]

yeah. I just want to be sure I understand what our financial position is here. You're expecting seven and a quarter, plus another million dollars -- maybe another million dollars in tickets, for a total of eight and a quarter with the combination of extended hours and more stringent enforcement?

Yes, sir. now you're talking about a reduction of 36 million if we cut back monday, tuesday, wednesday, and only have extended hours on thursday, friday, saturday; is that right?

That is correct, yes. now, you've avoided mentioning the 8th street stuff, which i understand, because you haven't had a chance to look at that closely yet.

I would expect it to be more than the 1.36. give me a rough sense for what percentage -- very rough, and I won't hold you to this. I want to get a sense of what we're talking about. Are we talking 10%? 25%?

My guess would be about 20%. And understand, that's rough. And you've got 10th street.

Spelman: right.

That's -- you know, you cut back two streets, that's why I'm getting the 20%, because it's -- as you can see from this information that rob mentioned on tuesday through saturday, it's almost parked up all the way.

Spelman: right. Well -- certainly parked up --

I shudder mentioning statistics around you, so -- [laughter] I appreciate your mentioning statistics around me, steve. It actually helps. [Laughter] as council member morrison said off record, that was a guess, not a statistic.

Yes. I accept that correction. All of this is guesses, we haven't actually done the experiment yet.

Yes. but if we're 25 associated with extended hours, lose about a million in change, say just round it down to \$6 million or so with losing three days.

Right. and then 20% of that is probably going to be lost because of 8th street. Then we're talking another million two or so.

Uh-huh. I'll add them back up again, it's about 5 million is the total difference between your original proposal and the proposal on the table, right now, more or less. What were you proposing, remind me, to spend that eight and a quarter million dollars on and what will you not be able to spend on because

we haven't got two and a half million dollars available.

Right. I think the first number to be aware of is about 7 million of that is just in the expenses of running the extended hours, and so the expanded parking enforcement, meter shot, et cetera, there's some expanded vehicle for hire costs in that because now we're going to be having more staff out on the streets, so we'll be expanding that enforcement, and so the total program requirements, monday to saturday, which would be the same as thursday, there's a 6 7 million is just expenses, so there's actually a slight savings by cutting back the number of days, but it's relatively small. 5 instead of 7 --

exactly. Exactly. So there's still that fixed cost of just operating the system. Then we use -- the plan was to use the parking enterprise system concept is to really any monies left over to spend back out into two primary areas -- or three primary areas, ongoing commitment to downtown great streets. That came out of the daytime expanded enforcement. And in the evening the monies would go to downtown cip, capital improvement project, and so that would be used for things like the wayfinding system and so forth, also expanded downtown maintenance. Again, one of our goals is to -- for expanding the revenue collection, is to reinvest that into the downtown to create a better pedestrian environment, a cleaner investment, reinvest in the landscaping, so forth, to keep downtown. And then also transportation cip or initiatives. And so that would be focused on not only transportation investments that would serve the downtown but could be used for transportation investments throughout town. And so certainly high priority there are to help fund transportation projects such as transit improvements and so forth that help bring people to the central area as well as sidewalks and roadway and other projects citywide. One of the other things after the last time -- before we were in work session, that we've gone back and are continuing to confirm is that, you know, anytime you bring a fee or create a fee, it has to go back into the system that it's paying for. And so we believe we're on strong grounds given the performance of other cities in the state of texas, that parking is an integral part of the transportation system and the pedestrian environment, and so that's why we can reinvest in those pieces of the environment. We have made a commitment to move on with the wayfinding process -- project, again, that's directly related to parking. You may have noticed the blue signs around town, the new blue piece. That is an interim measure for wayfinding, that there is a larger study going on developing the architecture of how to give information out to the public, but ultimately we want to create a virtual parking system with private garages where they would advertise how many public spaces they actually have available. That's probably a year or two away before we get there because there's some development work, but the idea there is that yes, people would be able before they leave home check their computer and find out the palmer garage is full and find out what other opportunities are. So as we look at the perspective of reducing revenues from that, then those are the two primary programs where we have to look to reduce our cost, and so the amount of monies we can spend -- spin off for either transportation initiatives or downtown initiatives have to, you know, proportionally reduce. We want to move forward with the wayfinding project, not only because it's identified by council as one of their goals that we come back with, but also we see that as a way to improve transportation in downtown the quickest. remind me, how much had you penciled in for the wayfinding project?

Off the top of my head i think it was about \$200,000 to move the architecture study forward. When I say architecture, it's loosely using that term. It's not how it looks but how the logic goes together. So if you're coming from san antonio, you get some information as you pass -- information as you -- you get some information as you pass 35, and more information as you get towards downtown and not only when you park your car, but as you walk out there's directions to the major venues downtown. So it takes a whole process to design that. So we're partnered with planning and development to develop that. that's not the whole thing.

No, it's not. And then there's the implementation cost, which we think that there's an opportunity for public-private partnership on each garage. You know, the benefits of the garage is they produce the data stream at their garage. The city then aggregates that and puts it out into an open data format for entrepreneurs to pick up and broadcast in news. but we're talking about a small cost for that. This is not

talking --

yes, I would characterize that more like seed money. so briefly, then, starting, what, at about 8 million and small change, if we lose 2 1/2 million from that, then we're talking about something like 6 million or so. 5 million or so are the costs of just enforcing the system, that leaves 5 million, and what's happened is about half the money available for wayfinding for downtown great streets, downtown cip, downtown transportation initiatives and transportation initiatives generally, about half that money would not be available for spending?

Yes, and there's one or mother detail there. Of that rough 2 1/2 million that's left, remember, a million of that is through citations, and so that goes into a different fund, so all you're left with is about a million and a half to fund those activities. well, actually the number of citations might actually go down because we have fewer people aside, because 20% of them would have been parking --

yes, and that's actually the hardest piece of the whole number to guess at because it is unknown territory for us.

Spelman: all right. So roughly from 5 million we're talking about down to one and a half million or so available for all the other other things?

Yes. That would be correct, i think. so when you come back thursday could you have numbers oppose oh possibly have numbers available for different scenarios, for example, tuesday, wednesday, thursday, friday, saturday, and wednesday, thursday, friday, saturday?

If I have enough fingers and toes to do that, yes, sir. [Laughter]

mayor leffingwell: laura?

Morrison: thank you. Just a couple of other questions. Do we actually have usage data per area? Because we're going to -- you could just assume it's all parked out all the time but, in fact, that's not true and so --

I don't know if we collected that detail of data. To collect occupancy data right now we have to do a manual count, which is not a problem. We do those periodically. We have some technology that we're working with that helps us do that occupancy count, but it's still fairly labor intensive effort over a couple of days. So I don't know that we've broken it down by area.

I don't either. What we did, and this was basically after council member spelman mentioned about getting some statistics, we put three people, basically, in a car and just drove up and down the streets and physically ha people counting and one person driving. [Laughter]

I'll take a look and see, because we did do it by street. I don't know if they broke it down, but I'll take a look and see if I can get that. because I think that would be important.

We can get that going forward. right, in terms of trying to do the estimates and taking out 10th and 9th street.

Right. and I just want to comment on the conversation about how much money and all the balancing that we're doing, is it does not appear that we would be underwater, and I do want to suggest -- well, I guess the first question is do -- as we go forward and adjust the valet permits and just the approach to the way we do valet, is it safe to assume that the funds that come in from valet permits will also going

into the parking enterprise fund?

Council member, that is the proposal, I believe, for our 2012 budget. Right now those funds i believe go into the transportation fund, and so we're proposing some rearranging of that accounting. So yes, we will -- because I just want to point out, you know, since we're not doing this at the same time and we have to wait before we can get some adjustments and estimates from adjustments to valet, that the valet -- my guess is the valet permits are going to go up because we've got some clear identification of what they're worth, and I think, you know, when folks hear that for \$250 permit some can get a prime space reserved from, I don't know to , that that's real concerning and doesn't seem fair. So we're going to be seeing some more revenue, and although we might not know to go into the same fund and although we might not know what it is going to be exactly, since we're probably not underwater, i think that's something that might make us a little bit uncomfortable, but I don't feel like we're driving ourselves into a ditch by doing that. And I know that's what we'll have to -- that's the kind of decision we're going to have to make. And I do want to just point out one other thing, an idea that was suggested to me, and that is that -- to add into our -- what we're looking at, the use of the funds specifically for more transportation options is the idea of potentially more night owl service, which obviously would cost cap metro some money, but i don't know what kind of relationships we have and whether we could actually help fund more night owl service if we could find some information about where that would be really more useful.

Yes, council member, and that was certainly part of the vision for transportation initiatives. The idea is that on a year to year basis we would, through a process proposed to council through the normal budgeting process, where we would be spending monies, and so I don't think anyone with the transportation department had ruled out the idea of helping to fund transit operations with these funds, whether they be night owl service, future urban rail service, future anything. That really is an unknown as we move forward, and the thinking was on an annual basis we would bring an opportunity for council to make those kinds of decisions, but that it would serve as a, you know, revenue generator where we could account for those funds.

Mayor leffingwell: okay. And so the valet thing is not entirely straightforward either, because if you both reduce the number of valet spaces and increase the prices of them, you know, that -- that's something that's going to have to be figured out. It's not simply adding the additional fee that we get for the valet spaces. And also the fact that if there is not after-hours parking, on-street after-hours parking and you take away a valet spot for that spot, if it's not paid parking, then you've lost money by decreasing the number of valet spots. So it's pretty complicated. You may need more than fingers and toes to figure this whole thing out and how these various factors interrelate, but I think it is important to make sure we consider all the financial aspects of various scenarios.

Absolutely, mayor, and we'll bring you back as much information as possible on thursday to inform your decision, and then, you know, certainly in march we'll be able to bring back some experience with operating that, and as i guess I've learned as we've introduced new programs, that first year is often a learning year for everyone, and so we make the best estimates we can. I would hope to come back by march and share with you that we've, you know, been able to generate more revenue than we anticipated, but we tried to be conservative when we're making those estimates.

Mayor leffingwell: okay. Thanks. Anything else, mike? I certainly appreciate the conversation, trying to get as accurate information in terms of financials to the program, but I think if we're going to go down this road of asking what the financial impact of curtailing certain days or the impact of will valet recommendations, for me another consideration that came into mind was the financial impact to the businesses downtown and the restaurants and club owners. That, to me, is going to be more costly if it bears true. Now, I don't know that it will, and I certainly hope that it doesn't, and I know that staff doesn't believe it will. But that's another factor. If you're going to start talking about impacts to the overall program, think about how devastating it would be should that bear true that the business aspect of the night life here in downtown austin is impacted, so i want to keep that in mind as well. but just to counter

that a little bit, I think the whole objective was to bring more people into -- I'm sorry, I didn't hear what you said. The objective of this whole exercise -- one of the objectives was to bring more people into these downtown businesses, not less. So, you know, that's another part of this guessing game. It may not be a revenue loss to downtown bars and restaurants, it might be a revenue gain to them, some of this after-hours parking, by making more spots available. Anything else on this subject? Okay. Not ended? Probably more discussion on thursday. Did you have another comment?

New subject. oh, okay. New subject.

Tovo: since you're here. I have a few questions for you about the -- i understand it's a commercial that's being filmed on congress avenue. We've started to get some emails about it. There was a statesman blog article about it yesterday. It's a red bull racing car that is -- I believe now they have received a film permit for closing part of congress avenue from 15th to mlk. I'm operate familiar with street closure process for events, but I'm not at all familiar with film processes. So I wonder if you could tell us just a little bit, has the permit been approved, how much it cost, are we being asked -- there are rumors --

if it's an item on the agenda we can discuss it. Is it an item on the agenda?

Tovo: it is not.

You can ask a question about a current policy or you can ask the city manager to bring the item back. It's open meetings issue, so -- if you want to ask a question, maybe, about our policy related to street closures, I think they can answer that, but we need to be very careful about the council getting into a discussion about that, and we can then post it for future time to bring it back for discussion. So it's okay to ask about what our policy is if it's not posted and they give you answers about that. so it probably would not be advisable to have any discussion other than you asking the question. is if I understand, I can ask a question about the general policies related to street closures as they pertain to film permits but not -- can I ask about the specific --

I think the open meetings act basically says if it's an item that's no not on the agenda, there are two things you can do. You can ask a general question about an existing policy and get information back about that, and no discussion, and then you can also have a discussion about putting an item on a future agenda.

Tovo: okay. Thank you for that clarification. spiller, if you could provide some information about the city's policies regarding street closures as they pertain to films, and maybe you could also provide some information about the costs associated with the same.

Right. And council member, I'm going to turn that over to my assistant director, gordon. He's directly over this area. I will tell you that street closures for film permits is different -- considered different than the special event issue.

Tovo: right.

We do not charge for a filming permit, so there is no charge. The person who applies for it is totally responsible for the costs of the closures, notifications, working with the adjacent property owners on access. We just have a process for them to apply so we can make sure everybody understands what's going to be going on on a particular day at a particular location. can I ask a -- all right. Go ahead.

Tovo: thanks. So there are no fees for the closure itself, but the person closing them -- the organization closing them bears the responsibility for the barriers and that kind of thing?

Right. and what is the time frame? Is there a deadline -- are there specified deadlines in the code or --

we do not -- unlike the special events ordinance, we do not have, like, the six-month, the four-month, the 90 days. The city works to accommodate filming anytime, whether it be in this case for a commercial or a movie. So we work with them as they come in, as the opportunities arise. and there are no signature requirements, there are no -- it's not required that you get any kind of buy-in from surrounding businesses for film permits; is that right? In the same way there are signature requirements for street closure events that are --

no comparable process.

Tovo: okay. Thank you.

Mayor leffingwell: okay. I think we're getting ready to lose a quorum here. Mayor pro tem has to go, i have to go. I think council member martinez as well, and we're pretty well out of business. Is there anything right quick that anybody wants to bring up? Is there any objection to standing adjourned at this point? We are adjourned at '11 48 1 -- at . 48