City Council Meeting Transcript - 08/30/2012

o I'm going to call to order this special meeting of the austin city council on august 30, 2012, 10:04 a.m.

301 West second street, austin, texas.

Council will now take up item 1 to conduct public hearing and receive public comment on the city of 2012-2013 proposed budget.

Council also held a hearing on the proposed budget on august 23, 2012.

Council will close the public comment on the proposed budget at the end of this meeting.

We're scheduled to adopt the budget on september 10, 2012.

If council does not adopt the budget on september 10, we will continue on september 11 and september 12 if necessary.

So now first we'll go to our speakers.

This public hearing, is first speaker is tricia castillo.

Tricia castillo.

Okay.

Either, closest one.

And you have three minutes.

>> My name is tricia castillo and I'm representing dove springs, a community of about 50,000 people along with a major route to the airport.

78744 Has outstripped austin in crime and the population changes.

Crime has surged 61% from 2001 to 2011 and the population has jumped.

We're asking for help in improving the safety and

[00:02:00]

health of our area.

Go into the safety issue, we're asking the police department to budget a sufficient staff for a visible presence in 78744.

Around the clock.

For also prompt support for our growing neighborhood watch effort.

We're asking also for a storefront 787 -- in 78744 to be present.

I guess we're asking for also to have bike patrol

officers and vehicle patrol officers.

So as a deterrent for the crime in the 78744 region.

One-third of our population is 18 and under so the dove springs recreation center is a key part of engaging youth in constructive activities to reduce crime and improve health.

78744 Has the highest juvenile obesity rate in austin and we're asking that the parks department, parks and recreation department budget be sufficient to fund the dove springs recreation center with adequate staff to supervise safe, organized activities, providing toddler-parent activities, to provide broader weekend hours of operation and to prevent sufficient -significantly reduce participation fees for organized activities.

Currently some fees run \$120 per child for six-week activities and the former fee -- and formerly karate is charging \$20 a person per month and families with multiple children are unable to afford this.

Our proposed -- the proposed bond package includes about 5 million for the 78744

[00:04:00]

area.

Thank you for including us in the bond package.

The original list of items for 78744 total \$30 million out of the initial 800 million in possible items.

We have received its proportionate share, 78744 would have over \$15 million in improvements in the final bond package.

We ask that you increase operating budget funding for police and recreation in our community.

[Buzzer sounding] thank you.

>> Mayor Leffingwell: Thank you.

Next speaker is michelle silvera.

And while you are coming up, I should mention that councilmembers martinez and spelman will be out today.

Don't expect them to be here.

Councilmember martinez is out on paternal leave and councimember spelman is out on medical leave.

You have three minutes.

>> My name is michelle silvera and I'm a resident of dove springs community.

I'm also a single working mother of three young children and also licensed community health worker in the dove springs community.

I've come today to ask you to help improve the safety of my community.

I utilize the recreation center a great deal.

My family spends three to four nights a week there and my children participate in a wide variety of sports there, basketball, football, dancing, karate.

I cannot afford to put my children in these sports otherwise.

Aisd rates on outrageous and simply cannot afford it without the recreation center.

I have noticed an increase in fees as well.

When my children are at practice, safety is a huge concern for me so I stay there and I watch them.

Me and my son, we run the trail.

There's smoking and drinking the area, we have to remove beer bottles daily.

I've never seen police patrol the area.

I've seen them called when there is an incident.

I feel our police department needs funding.

They need to be more proactive and not reactive

[00:06:01]

in our area.

The hours of the recreation center is also concern for me.

The current hours are monday 00 to 9:00.

School does not release until 2:45.

On friday their areas a 10:00 a.m. to 6:00.

School does not release until 2:45.

High school doesn't get out 00 and junior high until 3:30.

That will give them about an hour of recreation center time on fridays.

00 to 00 and they are closed all day on sunday.

These hours do not fit our community's needs.

They fit the employees needs, but not our community.

With our community being a third of the population under 18, I feel there's a need for a positive, safe environment for them to spend their evenings at especially on friday and saturday night.

Thank you.

>> Mayor Leffingwell: Thank you.

Councilmember tovo has a question for you.

>> Tovo: That's okay.

I just really wanted to thank you for being here and your neighbor and to let you know we've heard from some our other neighbors about these issues and you've raised very good points.

One of the questions, I'll give staff a heads up, whether adjusting -- at a minimum whether we can adjust some of the hours or whether the parks department could adjust some of the hours at the rec center to

get more coverage on the weekends and you may know this already, but I know that one of the neighbors from dove springs yesterday informed us that chief acevedo is planning to come down to the next neighborhood planning team meeting to hear of your concerns and brainstorm about public safety in that area.

So thanks so much for raising these really critical concerns and for being involved in your community.

>> Mayor Leffingwell: Julio gonzalez.

[00:08:04]

mayor and members of council.

Today I'm speaking to you as a member of open austin which is austin's leading organization for the promotion of open data, open government and civic innovations through civic software.

I'm coming to address a request we have provided to you for \$320,000 towards the creation of office of civic innovation.

This office of civic innovation is part of continuing the leadership

that you have already shown through efforts of this past december's resolution of open government passing from your body as well as by efforts from city staff and the austin community to use things such as the city of austin data portal.

There are three specific reasons why we think this is a good idea.

The first reason has to do with the activity that the office would unleash through both civic software applications such as eclipse fixed, new applications as well reducing costs.

Many of the requests that you have to deal with are for things of public information as well as taking up of staff time and potentially be a better addressed to software.

And third and perhaps most importantly happy residents and voters who will feel engaged by the tools that can be unleashed by provide data.

Why do we need to do this now?

We have already spent a good year, year and a half trying to figure out if there is an energized community for open data, open government and software development in austin.

There is.

We've spent that time trying to figure out if there's interest within the city staff.

There is.

But now we need the resources to invest.

The proposal in front of you is a modest allocation of resources based on proven models in austin and san francisco and I hope you will give it your full consideration.

Thank you.

>> Mayor Leffingwell: Councilmember morrison.

[00:10:00]

>> Thank you for coming down and we had good discussion about this yesterday when we were talking about the online campaign finance database.

I've had conversations with the city manager and perhaps others have about this very issue and so I guess what i would like to see is if we can arrange a meeting in the next couple of days to speak with staff and yourself to see if there's some way to at least get a start in moving down this path.

- >> I think that's very promising.
- >> Mayor Leffingwell: City manager.
- >> Councilmember, I think that doug matthews on our staff has already been engaged with julio and others on this matter.

Sent you a memo regarding efforts we've had underway for I think over a year in this regard.

I think that what julio is talking about further expands the scope of where our conversation originally began and in fact we've changed our vernacular from sort of a public sector r and d function to innovations office and so we've done quite a bit of work along those lines.

I'd like to ask ray, who is behind julio, to come forth quickly and talk about those efforts, but we would very much like to continue our engagement with them.

>> Mayor and council, ray berea, city manager's office.

We've been engaged in discussion well over a year and city manager challenged city staff to begin thinking about creation of a research and development fund that would provide micro grants to city departments for ideas that would improve service delivery to austin residents.

That began the discussion again, that began a little over a year ago.

And the staff started researching the idea looking at what other cities were doing, we were finding they were sort of surrounding themselves around an innovation office concept and that's what we were starting to look at as well.

[00:12:02]

So back in 2011, as you know, we were working with code for america and during the code for america summit we had an opportunity to visit with some of their innovation leaders in boston, san francisco, chicago and new york.

And have been discussing with them about how to implement, first it was a research and development program, but then realizing everyone was looking at an innovation office.

And so the city manager's office expressed that interest in that kind of a

program and so even earlier this year we were working with doug matthews and robert good in trying to create that concept.

We're hoping as we look at best practices around other cities as to how we can bring that and implement that here at city of austin.

>> [Inaudible] associates will enhance our efforts and we look forward to continuing the dialogue and the work.

>> Mayor Leffingwell: So just a quick question.

Is it your intent to implement this innovation program within the framework of the existing proposed budget?

>> Well, you know, we hadn't gotten far enough along to -- to really focus on the cost side of it, how much it would cost and that's why we didn't incorporate anything into our proposed budget for 13.

So as we refine our efforts -- and again, in conjunction with julio and others, we will likely come back to council with a recommendation on funding and how we would like to go forward.

>> Mayor Leffingwell: But you are not anticipating any effect on the current proposed budget that we're getting ready to consider on september 10.

>> No, not at this time.

Our recommendation is what it is at the present time.

But in the course of 13 we may come back and talk to you about it more.

>> Mayor Leffingwell: Thank you.

Jeff rosenthal.

[00:14:05]

>> Thank you, mayor, councilmembers.

I am chip rosenthal, vice chair of the technology and communication commission and I would like to speak briefly on two points that have come before the commission.

One is a recommendation that funding for the austin free net contract be increased by \$36,330.

These funds would allow free net to maintain operations of 60 community technology centers that they've been able to set up under their detah grant and we would like to see these continue. You will be hearing from juanita bud in a minute who will talk more about that.

I would also like to address the innovation office proposal and I will try not to be redundant with julio's comments.

I think it's important he hit not only the innovation aspect but also the cost savings that cities might see such that this work would pay for itself.

What I would like to -- oh, also I want to recognize city manager's point that in discussion with ray berea, doug matthews that I think that a lot of our concerns have impact the process and we're starting to see that reflected this the thinking.

But I would like to give some urgency to the notion of bringing in someone to act as an innovation offer.

THAT IS ONE OF THE FTES IN The plan.

The best practice of every suful innovation effort does have a strong leader in place and I think it's the sort of thing we could bring this person in to boot strap the process and create a successful innovation effort.

When the commission spoke

[00:16:00]

with the boston new urban mechanics office, one of the interesting things they've told is they've never had an announcement that we've got a innovation office.

They did not do what's called a big bang effort.

They had people in the city on staff working the relationships, doing the outreach to other city employees and more importantly the outreach to the community to help with the support and development of these innovation apps.

I think the success in innovation effort depends on getting this key person in to get that outreach going.

This person could a agile development form develop the plan.

Finally to add another log on your fire, we have a fellowship with code for america that's coming to an end in december, and I think it's very important that the city have a plan to transition, to pick up all the good work that they've done.

Not just the code and app but the information they have gathered. I see this as something chief innovation officer could do.

Thank you.

>> Mayor Leffingwell: Thank you.

Juanita bud.

Mayor pro tem cole.

>> Cole: Let me ask a question.

Thank you for your service and all the work you've done to bring this forward.

Help me understand what the six free technical centers.

Where are they located?

bud is the executive director of austin free net and I would like to defer to her if that would be okay.

>> Cole: Yes.

Thank you.

>> Mayor Leffingwell: You have three minutes.

>> Good morning.

Thank you for your time and attention.

My name is juanita bud, executive director for austin free net and austin free net provides internet

[00:18:02]

access and technology and currently we have 21 site we're providing services for.

The six sites I'm asking additional extended funding are the arch center, trinity, the dewitty center which provides mainly job -- job support for the community.

We know that our nation is a global entity needing computer access and training, and according to the research, 80% of fortune 500 companies now require employees to apply online.

Even our city of austin require employees to apply online.

And if people don't have access or understand how to do that, then we create a huge economic gap.

Austin free net serves roughly 10,000 people a month in training them on internet access and job applications.

And if we look at that and expand it over a 10-month period, we could have a \$36 million impact right here in the community.

So this -- this project is essential to the success and

mobilization of our economic growth.

I want to specifically -- we are also trying to expand into other areas.

We currently are serving the east austin area, the six sites are the arts center, casa mar I want nela, a esl class and job service community at the witt center, spring terrace and trinity.

We want to expand to dove springs and would beer villain montopolis.

To ensure the viability of their communities as well.

[00:20:00]

>> Cole: I'm sorry, i didn't catch your last name.

>> Budd, b-u-d-d.

>> Cole: You said there were six additional centers but I was unclear whether that included --

>> the six center we want to expand to the other three areas.

>> Cole: Okay.

And the estimated cost of your doing that is how much is this.

>> We have a resolution from the -- the terra commission for 36,000 -- \$36,330, which is gap, it's a gap coverage from us for july through september at the end of the fiscal year, and there is also a second resolution that -- that is 100 and --161,000 that is for the expansion of the additional sites.

>> Cole: Okay.

Can you give us a profile of your typical client?

I know you just said you serve 10,000 people.

>> Yes, I can.

Predominantly low-income, less than \$15,000 annual income a month.

Some of these are underemployed or unemployed citizens.

Some of them are displaced middle managers who are displaced out of their middle manager jobs.

They don't have the computer skills.

They are used to having administrative assistants and they need to use a computer, they also use our facility.

>> Cole: What type of training do you provide besides internet?

>> Online applications, particularly the city of austin job applications.

We teach people how to search for information for essential service programs.

I'm going to be a part of your texas benefit with the

[00:22:02]

health and human services agencies to provide another venue and access for people in the community to have those services provided.

>> Cole: Thank you, ms. budd.

>> Mayor Leffingwell: April rose.

>> Thank you.

>> Good morning, mayor and council.

My name is april rose and I'm the executive director of tree folk.

I also live in austin and feel very blessed to own a home on a tree lined street.

The trees that are on my street and in my neighborhood park are a very big part of why we live in 78757 and we know our neighbors and why we walk on a tree lined street to brentwood park.

IN THE 1950s WHEN MY Neighborhood was developed, there were no trees.

It was a cotton farm.

Thank goodness for the foresight of people who planted trees that we enjoy today.

Today I would like to ask for fund for the forestry program.

Trees are green infrastructure and like streets waterlines, sewer lines and sidewalks they need to be proactively managed.

Currently our public trees are a once every 90 year inspection cycle.

Is that really good enough?

I they we could do a little bit better.

The drought and heat of last year killed 10% of our tree canopy.

We need to replant those trees, remove the hazardous dead and dying tries and take better care of existing trees so we can realize the green city that we would like to be.

Thank you for your attention.

>> Mayor Leffingwell: Thank you.

tom McDill.

[00:24:04]

>> Good morning, mayor and members of the council.

MY NAME IS tom McDill, I'm a consulting engineer here in austin and I came down to talk in citizens communication about something else.

I thought I don't even know how to take my name off the list so I would like to say, number one, I'm strongly in favor of the trees in austin and I would hope that in their game plan that they do have a forest fire consideration.

Another thing that I would like to at least bring up is how impressed I am with the economic and redevelopment office that's operating here in austin and the show that they put on the last couple of days about the f1 program.

Everybody who walked away from that was amazed what

was going on and how the city produced what they did.

The information was spectacular.

That's all I have.

Thank you very much.

>> Mayor Leffingwell: Bob nix.

Bob nix and several people donating time.

Greg pope.

Is greg here?

How about fremal amean?

Paula buff.

Greg pope.

So you have 12 minutes.

12 Minutes.

Paul signed up twice but you really can't do that.

>> You can't get like a minute for that?

Good try.

>> Mayor Leffingwell: You get a gold star for that.

>> Okay.

, Mayor, mayor pro tem,

[00:26:00]

council, thanks for hearing me today.

I'm trying to figure out a new and exciting way to talk to you about wild land fire fighting.

I've been visiting with you and testifying.

Could you play the first video, please?

This first video, we'll play about two minutes of it, is a video from the fires in colorado this year.

When I look at this video, the first time I saw it i manualed myself in central austin looking west manualing what it would look like west of austin when we have a big one, which will happen.

It will be cued up here in just a second.

This -- as you look at this video, we'll play about two minutes of this.

They are going to pan out.

It's quite a bit bigger than this.

Occasionally you will see a black cloud of smoke and that's another house going up. Look at the topography and look at the fuels and think about how that compares to west austin.

The topography is fairly similar, maybe a little more rolling than the hills in this video, but the fuels are more sparse and not as combustible.

This was a 1800-acre fire that happened close to an urban area.

Colorado springs.

And destroyed 350 homes.

This is actually small in nature.

It could have been a lot bigger.

So anyway, you can see the smoke, you can see how it's progressing, and like I said look at the smoke and see how it's being driven by the wind.

It's not even that hard of a wind that particular day and they've had immense problems.

You can imagine the economic and social impact if this was to happen in west austin.

There is no reason to think you couldn't translate this same scenario into austin. If the video worked, it would be a lot more compelling, but, you know.

[00:28:00]

But since it's not, I'm going to go ahead and move on.

I'll send a link to you all later on.

If we could go back to the power point, please.

Which should be up soon.

I want to talk in the power point is history where we've been the last year.

Go ahead to the next slide, please.

Since pinnacle fire at oak hill, we burned over 100 acres, that's what we used to think the big one was.

In one of my first press statements I said this is not the big one.

This is 100-acre fire.

They get a lot bigger and we have the potential for something much greater.

By october of 2011, later that year, over 600 wildfires raged across the state of texas and scorched nearly 40,000 acres.

We've heard of many steiner ranch and others, bastrop, which is the largest loss of homes of any fire in history in the united states, but what we didn't hear is the 50, 60, 100 smaller fires that happened put out by responding austin firefighters well equipped and able to get there soon which is really important.

I visit with a group of citizens in the oak hill area that had one of those smaller fires and we had a coffee and invited the firefighters, they were amazed at the response.

Most of the wildfires happen within two miles of a community.

When we think of wild lands we think of this remote area.

That's not what's happening nationally or texas and we know about the fires in and around austin.

Next slide, please.

Nearly 15 months ago, really as soon as the pinnacle fire ended, the public safety commission should be highly commended much they went to work, rolled up their sleeves, started bringing inexperts and it was too early in that budget year to make

recommendation, but over that 15-month period they

[00:30:01]

talked about wild land need, investments need to be made particularly in the area of fuel mitigation.

Next slide, please.

The date -- next slide.

The date zero, zero of these investments are in the current budget.

Now, one thing I do want to say that I'm very thankful council having the wisdom to do is the safer grant.

When I was president-elect i came to council and said this is something we should apply for.

We looked at the qualifications and you guys approved that and we're very, very thankful for that.

That investment has been made this current year.

Not with current year's money because it's a grant but it has been made this current year.

What I'm talking about is 360 fire station or the wild land division.

There's not investments in that.

Next slide, please.

The wild land division is -let's see if we can play video 7.

If we can't, I'll just speak to it.

What the wild land vision advocates for is a holistic fuel mitigation program.

There's only two ways to affect risk in wild lands.

One is initial attack and in most areas of the city, especially the safer grant, I feel we're well suited up for that.

The other is fuel mitigation.

This isn't a debatable item and every expert will say the same thing.

Currently we do not have a fuel mitigation program in austin.

A lot of cities are behind the curve on that, but nothing what we can do and what we can do to reduce the risk it's imperative we put a fully functional fuel mitigation program in place.

Full year funding of \$2 million.

After your funding of a million.

I realize that's a lot of money and it's baffling we're at this part of the budget process and it's not funded, but it very

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important we find the funding for this.

Can you play the video?

Stop it for a second.

This is the may 7th meeting right before the recommendations came up from public safety commission meeting of council where we're talking -- we have a panel of experts you can see there.

I'm up there to make some comments which I'm going the play because nothing more compelling than watching me on video.

What I want to say is in may we really were talking about this stuff.

You hear me talk about fuel mitigation division, why it's important and why sustainability in the program is so important.

Go ahead, please.

>> Talk about a couple things.

When we first started talking about wild lands, one of the recurring themes let's make sure this isn't just something we have interest in and dies and goes away.

I talked about it several times over my career.

I've seen wild land efforts flourish and become really big and then fade.

I've seen that go up and down throughout the years.

THIS THE LATE 90s WE HAD A 130, 190 Class and it was a 40-hour class and everybody was excited and we knew it was -- and it waned.

Some of the efforts around worry.

There was continuum of improvement.

There were lots of times it weighed and flowed up and down and I think sustainability is a theme i want to talk about now and make sure we keep these good efforts going.

We have a lot of attention on the subject.

It obvious there's a lot of energy in this room working towards it.

And we have to figure out a way and we have to figure out a way, I guess I'm thinking more strategically, to make sure these efforts are sustained.

One thing I didn't see [inaudible] towards it and we have to figure out a way, to make sure these efforts are sustained.

One thing I didn't see in this emergency service [inaudible] and I'm sure you guys have considered it, I'm sure you don't have

[00:34:00]

everything on this list, it's not inclusive, but we need a wild land division with and consolidate some of the expertise within the division.

We learned now what water and wastewater utility does, and we need that expertise consolidated within an agency responding to the emergencies.

I think that will help sustain it.

That's kind of way we've done it with afd.

IN THE 70s WE GOT E.M.S.

division to some extent.

IN THE 80s HAZ-MAT BECAME The new discipline.

We had a haz-mat division.

Special operations same thing.

Special operations division.

Weapons of mass destruction.

Now, if we want to sustain this and make sure if we're looking at this last chart, if we start seeing years where it doesn't add up like in 2011, the interest starts waning again, chief evans and chief kirk have done a great job of keeping these programs going and starting new programs last year, but they can't do that the next five or six years.

There needs to be a division that continues on this great work and makes sure it keeps going because it's that important.

So I really believe we need to have a wild land division, we need to start working towards that while the interest is still great, while we have all these experts in the room and start consolidating not just our resources but the city resources to make sure we go

forward and continue that effort.

Another thing I think is has been touched on by many expert and almost seems redundant, but we need a holistic fuel mitigation program.

When you see all these red dots, you don't see jurisdictional lines.

Other sites we can do it correctly, others we can't.

That has to be solved.

I think a few months ago when water and waste was given a presentation on the mitigation efforts, it was 5 or 10% of the risk area.

[00:36:00]

That's not good enough.

And I realize it's very complex, but we have to put our efforts into codes or legislative actions or whatever it takes so we can go across those boundary lines and mitigate fuels at that level.

Otherwise we're looking at desolate land with no trees in the northwest some day.

You talk about you lived under a fire bomb, I don't think anybody said it as well, that's what it is. If we can't get serious about it now and deal with that we'll all be scratching our heads why we don't do it later on.

That's probably the hardest long-term problem.

Staffing.

>> You can stop the video.

The wild land division program that was built out handles all levels of what we talked about in that video.

It has a million dollars dedicated a year to future fuel mitigation.

The number came out of my head.

But a million dollars, the more you invest in fuel mitigation, it's like buying gold.

When you buy another ounce of gold, you've got that much more.

When you put a million dollars into mitigation you get a million dollars of measurable progress.

It doesn't have to be that number but it need to be sizable enough over 5 or 10 years recollect measurably reduce the risk in a meaningful way. The staffing includes an ecologist, a burn boss so we can get prescribed persons.

Regional issues, legislative issues and all the complexities of working with all the stakeholders to make sure it's done right.

I think some people picture we're going to go in and slash down trees.

That's not what a fuel mitigation program is about.

It's about getting the stakeholders and reducing the risk in a responsible and meaningful fashion.

There's ways you can satisfy all the stakeholders in that endeavor.

[Buzzer sounding]

[00:38:00]

but it has to be some -does that mean I'm done on time?

>> Mayor Leffingwell: Yes, sir.

>> I am done on time.

I will go to the end.

I'm baffled it's not in yet.

I've been asked how we find the money and I don't know. If you guys have some assignments, I would be happy to do it, but it's so important it need to be accomplished.

Thank you.

>> Mayor Leffingwell: All right.

Councilmember tovo.

>> Tovo: I have a few questions for you.

You have presented some of our offices with a proposal and I wonder if you could just outline some of those differences between your proposal and what is currently this the budget i know you've highlighted a key line and that's the fuel mitigation budget.

>> Could I put up the slide of the spread sheet?

Last wednesday at the budget -- thank you for the question.

Last wednesday at the budget workshop there was a proposal -- it will be next slide, I think.

Yeah.

You see phase 1, \$350 funding for phase 1.

That the chief proposed and the phase 2 brings it up to

the same level as the proposal that I talked to you all about.

Phase 1, although it gets us in the door in planning, which is certainly better than nothing, does -- as you can see in the fuel mitigation line item, it really does very little to nothing to actually mitigate a stick of fuel.

And so although the planning is important and it needs to be done, we have identified areas now that we can start working on.

And so we need to -- I would like to see us start that as soon as possible.

So if you go over to the half year funding at the end of the column, it shows basically the same personnel in phase 1, plus the uniform personnel, plus a half year funding to actually start working toward doing some meaningful fuel mitigation.

The two plans are congruent.

[00:40:01]

It just the chief's plan breaks out a planning phase and is a little cheaperment I'm saying let's go ahead and get it fully staffed and put some money there so we can start working there. >> Tovo: And the half year funding is sort of the plan b.

If the -- if your proposal couldn't be accomplished, then a half year funding would --

>> I think the half year funding is really all I'm asking for at this point because I think by the time you do some gearing up it will be about half year.

I think that's reasonable and if we could find that level of funding, I think we could stand shoulder to shoulder and say we have done something about this, we do have a premier program started and we will see measurable results over time.

>> Tovo: Thanks for explaining that.

In essence what you have done is proposed front loading, shifting from phase 2, some of the items from phase 2 to phase 1 with the understanding the planning would take some time and there would be about half a year to get involved in some of that fuel mitigation.

>> That's correct.

It's interesting because the phase 1, phase 2 program was the tire chiefs and when we

laid them side by side and with a small amount of manipulation they were congruent.

And the reason is they would make sense to anybody trying to reduce risk at that level that you are going to build a lot of programs similar to this.

One thing I forgot to mention.

>> Mayor Leffingwell: You have a late donor of another three minutes and you've already used 30 seconds.

You got two minutes and 30 seconds more if you would like.

>> Okay.

Any other questions to extend my time?

I'm just kidding.

What I want to use my time to talk about one thing is how much the fire department has done.

I had a slide that was so long and list that you couldn't read the font it was so long.

The fire department and council, you've done a tremendous amount, I'm not trying to imply nothing has been done.

[00:42:00]

With current resources and with current funding within the fire department, there's been 4,000 door hangers put out, over 100 community meetings made and reached out to the public.

Mayor, you've last two years, you've hosted the symposium on wild land fires where you brought in stakeholders and some of these from around the state in.

I was at the last one.

You started the ready, set go program.

I don't want to imply nothing has been done, but i want to be very clear there has been no substantive investment this career in probably the most important area which is fuel mitigation.

Thank you.

>> Mayor Leffingwell: Yeah, and I would just like to add I totally agree with you.

I think that is a primary issue is fuel mitigation.

But when I think about that, it's not just finding the money to do it.

You know, hiring the people, getting the equipment together and doing it.

It's also a huge political issue involving overlapping jurisdictions, the city, the county, other cities within -- other small incorporate cities, even the federal government when you start talking about our preserve land.

This is something we need to start right away, if nothing else how to solve the political problems to go forward with fuel mitigation.

That I think is the key to making anything work.

You can put 5,000 pieces of equipment, 5,000 firemen out there, if you've got the open space, the wild lands like we have now, you are not going to make much progress.

Councilmember morrison.

>> Morrison: I wanted to build on what you said and that in terms of getting the fuel mitigation process going, and one thing that we talked about, bob, we have -- I think you talked about stakeholders.

We have internal stakeholders and other departments that are interested in trees and i think that being able to leverage anchored nature and cord that it

[00:44:02]

that could be helpful to other departments and we need to understand funding we put into fuel mitigation is going to address some other issues and making sure that the water utility and the parks department are at the table.

>> I agree.

I think a level of coordination would make the effort a lot better and right now there's a little bit of disjointedness.

A speaker earlier who spoke about touching trees and we spoke about how we could use some of the funds for that program.

I think there's a lot of gains we could make, but it is going to take money.

And we're really good at talking, but at this point it's going to take a little money to get it going.

>> Morrison: And I think your point is we need nontrivial amount of money to get it going and for the half year putting some chunk of m opposed to the \$5,000 that's in the phase 1 proposal, I think your point is that's really important.

>> We discussed that also.

We moved the \$500,000 down to \$250,000.

It's still a substantive amount.

We're still gearing up so that might be enough the first year and we're fully going on second year so there's no delay or lag time.

I would agree.

>> Morrison: And I would be remiss if I didn't include and make sure we mention in the stakeholders there's a the look of people in this town that know a lot about trees and care about trees and speak out about trees.

We would want them at the table too.

>> Absolutely.

This isn't about taking away people's sense of community and the loveliness of the trees.

It's about making sure they stay where they are.

And there need to be common sense measures done to ensure that.

Thank you.

>> Mayor Leffingwell: Just one parting comment.

As you and I have scud, if this is done right, this fuel mitigation thing is done right, it will be a benefit to the good trees.

It will be a benefit, not a

[00:46:02]

total liability.

That's going to require working with a the look of expertise as councilmember morrison said.

>> Absolutely.

Thank you for your time.

>> Mayor Leffingwell: Jim, are you ready?

Got your donors here.

Sara holland.

Sara hoover.

Lorita mersatoonie.

Jim, you have up to 15 minute.

>> I hope I don't use all 15 minutes, but I had a lot of people who were interested in the topic and in fact [inaudible] earlier signed up but they had to leave so

we had to bring in some other folks.

We've got everybody here now.

I am the head of the environmental defense fund texas office and also the president -- I mean the vice president for energy for the national organization.

But I'm here today on behalf of the clean air force whose board I sit.

I guess I've talked with every councilmember about that in the last several months.

But there was some new things have happened I think I need to bring to your attention and our board was very concerned and I was the one selected to come see you today.

We have a broad range of folks on the board is a key aspect of the clean air force.

Koch brothers and edf are not on many things together but one they think we agree on is clean air is vital for this community.

Last week san antonio passed the threshold in their air quality. They are now in violation of federal standards and will be designated nonattainment under the existing standard.

And there are lots of reasons why, but san antonio has not done the things that austin has done, the austin

[00:48:00]

region has done.

They have a regional effort, voluntary action early to avoid some of the emissions that we have done in our community.

What san antonio now has to face is restrictions on its transportation planning, new industry will have to do some off set, and they will be required to do a plan to be approved by the federal government.

Austin still has time to avoid that process -- that situation.

Frankly, we've got to have a little luck with earth with.

There's pollution coming in from outside the region we can't control, but we can control things in these five counties that are covered in our smsa and are part of the clean air force's area.

The clean air force is a unique regional entity.

It has board representation from public and private folks.

It has representation from all five communities.

It has businesses and nonprofits on there and we are doing some unique things.

We go back to 1993 when basically the city started this regional effort.

That's when bear watson was in office.

Brought together folks to try to bring nonattainment and we've been successful.

We have done some special things here.

We have a regional planning effort.

We see our ideas, we have a technical advisory group.

We've undertaken clean and voluntary action such as the clean pair partners where 59 businesses are not legally bound but voluntarily reducing their emissions already.

That's making a big difference here.

We've also done a number of other voluntary efforts like reducing emission from [00:50:00]

school buses and reducing idling in the reason.

I could go on but I don't want to take all o your time.

The city has been given \$90,000 since 1993.

Never been asked for more.

That is a fairly large amount of money she but it's a good buy for the city.

That \$90,000 leverages money from the other governments in the region and that's the government money leverages private money.

In essence, what you get for your \$90,000 is a \$360,000 operation focused on regional air pollution with hundred of hours of volunteers and leveraging action by private businesses and governments across the region.

I talked with staff again this morning to make sure i knew exactly where things were.

The answer not clear.

There's several different proposals, but the leading proposal right now that come to staff to you would be to cut the budget, cut the \$90,000 down to \$10,000.

And then to use that money for something else.

Not quite clear what that would be.

It might be put into an that we could bid upon.

I think we would probably win except the problem is if every government did R.F.P.s, FRANKLY IT WOULD Be chaos for a regional group.

The idea we would have to do a bid for caldwell county and bastrop county and travis county and the city of round rock would be very hard to do and you can't count on whether you would win every one of those contracts.

The other thing, of course, is other proposals to put the money into efforts for the city to do.

There is a resolution that the city had about other things it could do for air quality.

I don't want to disparage

[00:52:00]

any of these ideas, but let me say at a time when san antonio has already gone into nonattainment, the austin area is one part per billion from crossing over, we need action.

The city of austin cannot solve the problem alone.

A lot of pollution comes in from caldwell county, oil and gas operations, cars driven in from hays and williamson county and we need everybody working together.

Your money leverages those governments and those businesses working.

So what I ask you to do, and again, I don't know exactly what the proposal is, but please consider fully funding the organization.

Frankly, if we were to lose \$80,000, we would have to lay off at least some staff.

We might even have to close our doors, but it's a very bad timing to cut a regional air pollution organization at a time when we have little room to spare.

I'll be happy to take your questions.

>> Mayor Leffingwell: Councilmember morrison.

>> Morrison: I guess I'm not quite clear where we

are, what is in the proposed budget that's in front of us right now?

45 i

was having yet another conversation.

Staff has not yet decided what they are going to come to you with, but the -- the leading proposal is to have a \$10,000 membership to the clean air force.

The other 80,000 would be put someplace else.

It might be put into a contract to be bid over the next many months.

>> Morrison: Right, but let me stop you there because my real question is we have a budget that is in front of us as the proposed budget.

Do you know what is in there for the clean air force?

>> I think there's \$90,000 for clean air and it's not

[00:54:01]

specified how they divide it up.

To be determined in the next -- between now and the 10th with more specificity.

>> Morrison: Okay.

>> That's what I understand.

Could I suggest the budget officer is right behind you.

>> I would love to know the answer to that.

>> Morrison: Thank you, mayor.

I'm just trying to -- maybe you don't know off the top of your head.

If you could get back to us and let us know where we stand.

>> I can tell you off the top of my head I'm not aware of any cuts to this program, but it may be it's not designated [inaudible] there may be an r.f.p. process.

We will certainly respond to the budget question on the topic.

>> Morrison: Thank you.

>> I'm sorry I don't know more.

I literally asked the sustainability officer this morning and she said they were still working on it.

>> Morrison: Okay.

Thank you.

>> Mayor Leffingwell: Thank you.

>> Thank you.

>> Mayor Leffingwell: Paul saldana.

Donating time is julio trevino.

Paul, you have six minutes.

>> Good morning, mayor and councilmembers.

Thanks for the opportunity.

I wanted to say congratulations to councilmember martinez on the birth of diego.

I'm hear speaking on the minority trade association and shirley has a handout for you.

The first four pages are basically statistical information on how texas and central texas in particular has continued to benefit from the amount of construction that we've had in the area.

Nationally the u.s.

Construction industry provides an annual revenue 7 trillion and the number of construction is about 730,000.

The additional two or three pages talks specifically

[00:56:01]

about how construction industry has had a particular impact in austin, particularly in the percentage of growth rate.

Austin continues to be ranked in the top 10.

I think right now for the last month data we are ranked number 8 as relates to employment growth rate, and a lot of that is contributed to the amount of construction in the industry.

If I could get you to go to the last three pages, one of the things I also want to say is that the construction industry is the second most dangerous industry to coal mining.

In fact, every day in construction three people die and two of those three people who die in construction are hispanic contractors.

The very people that we serve.

So I'm hear to speak on behalf of our minority trade associations.

I know some of you have seen a lot of this information over the last six months, but we are respectfully requesting a budget increase.

The total number, the budget increase for all of the minority trade associations is increase of \$388,000 combined.

I believe what's in your budget, what's in the city manager proposal is increase current funding from \$45,000 to 50 -- excuse me, to \$50,000.

And from what I understand, there was another contract with the community mentorship protest underage which is no longer in existence, that contract was \$28,000.

So the city manager's recommendation is increase each of the minority trade association budget by \$5,000.

We understand it a tough budget.

Clearly there's a lot of need to serve our community, but our point is that -- in last six months in particular, we pointed out there's been a disparity in the funding.

There's also disparity as relates to where each of the service providers receive

[00:58:01]

funding.

Some of us have received through community development block brandt, others from austin energy.

I think you heard austin energy funds 90% of egrso.

Most providers receive austin from austin energy.

Our trade associations do not.

We are currently under the budget under smbr.

The last page of the packet that you have is basically a resolution that the advisory committee pass back on APRIL 19th.

And I'd like to officially read that into the record.

Their specific recommendation was an acknowledgement there is a disparity in funding among the service providers and that there should be increase in funding for the minority trade association contractors paid on a graduated scale of yearly increases throughout the life of the service agreement with the agreements having a minimum term of three years with one-year option.

Those basically, that structure mirrors the structure of the minority trade associations and other service providers.

We are not asking for special treatment.

We have been working through this process for the last six months.

As I mentioned, this resolution was adopted by advisory committee six months ago yet hasn't madeity way to full council.

For the last two weeks, the advisory committee's meeting has been canceled because we have not been able to meet quorum.

Based on your budget adoption schedule -- we're scheduled to meeting the second day of your second reading and you may be done with budget by then.

That's why we're here today to appeal directly to you.

I think we're open to finding a happy medium somewhere, but I think based on the services that we provide and the opportunity to ensure that our members are benefiting from all the economic development opportunities here is something that's very important to us.

One specific example that i want to point out, i mentioned that the construction industry is the second most dangerous industry to mining and, again, three deaths occur every day and two of those are hispanic contractors.

We used to provide osha safety training every quarter, but the need and demand has increased we provide it every month and provide it in english and spanish.

That's one example of where we feel that we can partner with the city to ensure that as the increase in the construction boom continues in austin, that the workers who are going to work every day have that safety training available to them.

So I appreciate your consideration.

We'll be happy to answer any questions.

Thank you.

>> Mayor Leffingwell: Thank you.

Aletta banks.

After that carol hadnot.

>> Mayor, councilmembers, aletta banks with the alliance of minority trade association representing the asian, black and hispanic contractors.

And I spoke last week about the budget issue and i wanted to -- I wanted to point out that our contract currently under the city, the program that we're running is really outdated.

It's 10 years old.

And it focuses on the certification outreach.

And then the [inaudible].

If you compare the programs like teaching someone from a to z what we have is a and z and there's something in between that's missing.

In 2010 we did a survey and I shared this with city staff and advisory boards and subcommittee with the minority or the programs that a survey found a the look of them felt they were left hanging.

They got certified and then they didn't know what to do next.

And so there is definitely a need to help them through the whole process.

We know that's not an easy process to bid the government's projects.

There are a the look of technical issues, regulations they need to understand and then documentation.

We're -- we're here to help them through the project, through the process.

And I feel like the city has a very wonderfully written ordinance, the m.b.e./w.b.e.

Program is such a beautiful ordinance, but if we're going to show everyone we're serious about this ordinance and invite minority contractors to participate we need to show them by action and not just say here's ordinance, here's the program and go figure it out yourself.

They need to know that, okay, we are serious about their participation.

I know minority groups are a small group of people.

It's not 100,000 people in the city.

But we want to show the city and the citizens that we care about these people.

We want to help them.

We want to participate.

And by funding -- by continuously underfunding our organizations and, you know, what does it tell people.

It just like we want you to know that, you know, we -- you know, we've some money to help you know to get certified.

But the rest we can't really help you and that's not really [inaudible] participation.

That's what we're asking you to maybe have a stand to show the minority groups that we're serious about the ordinance.

Thank you very much for listening.

>> Mayor Leffingwell: Mayor pro tem.

>> Cole: I'm looking at the side by side comparison of the minority chambers and I see the hispanic organization and your organization, the asian contractors association, all receive \$45,000 each.

And I thought I hea saldano gave a number of 388,000.

I'm trying to figure out if that is an increase to the overall totals of 45,000 each or how is that request supposed to be allocated?

>> It's in addition to the current funding.

Like our organization is asking for the equivalent of your funding the asian chamber of commerce.

The black contractors the same and the hispanics.

That's how we came up with the amount because we were always being underfunded compared to other organizations.

They were continuously getting funding every year in a substantial amount, where we were left behind singularly and I don't know why, but --

>> Cole: That's the 10 years old part.

>> Yeah, 10 years we've never gotten any increase.

But a you will the chambers of commerce got, you know, that much amount.

>> Cole: Okay.

Thank you.

>> Thank you.

>> Mayor Leffingwell: Carol hadnot.

>> Good morning, mayor and councilmembers.

My name is carol hadnot.

I represent the austin area black contractors association on the minority trade association alliance.

Paul and aletta have pretty much covered what we are requesting, but what I would like to share with you is the things that we do.

We have developed still sets for these contractors to do business.

This is a very competitive marketplace.

And it's changed.

It used based on brawn, muscle.

Now it's based on brain.

So you have to have the skill sets like computer skill sets because you just get a set of plans and specs.

Now you take your ipod and you can go out in the field and use that toed your cost estimates or do your change orders for respond to addendums to the contract.

So many of the things that we've done we are able to get volunteers to help us. The city now to do business in the instruction industry, you must have osha training.

We did not have the funds nor did our contractors to provide that training.

So two of the major contractors, prime contractors in the city provide that training.

But that's just on a volunteer basis where we got the 10-hour training and the 30-hour training.

Then the city came up with the new emission regulation.

And so public works came out, and so many of our firms had to do retrofit in order the participate.

Especially the ones in trucking, landscaping and some of our site people.

The other thing how to read and interpret construction contracts.

We're thought shade tree lawyers so we can't provide that information.

We need lawyers who have expertise in business and contract law.

To help us not to go into a court, but to help them understand the terms and conditions of their

contracts so that we don't always have to be in a mediation process about payment, quality of work and all the other different things that you have to do under those contracts.

The other thing is we have a lot of pavement issues and this will help us to understand about the sbpay reporting and about how to manage our contract payments and collections.

And in the past we have done many of these things because we've had the funding but now it's on a hit and miss basis and we can't operate in this competitive marketplace in those types of conditions.

Thank you.

>> Mayor Leffingwell: Mayor pro tem.

>> Cole: I'm looking at the resolution from the committee, and I notice that the language recommends an increase in funding for the minority trade contractors associations based on a graduated scale of yearly increases.

>> Well, what we requested, I know the asian contractors association requested \$120,000.

We requested 180,000 and the hispanic contractors association requested 23,000.

So that's what we were requesting.

>> Cole: So when it talks about graduated scale, you are really in comparison to each other, not so much different from --

>> right, we're not on the same level in terms of the service that we provide.

We provide different services.

Some are similar, but many respects are not.

Like the hispanic contractors do a lot of leed training and osha training.

We don't do that.

You know, we do company profile resumes.

You know, we have to do things within the context of our budget.

And you know, we have a website that we produce a weekly bid brief, and we have from 1400 to 2400 hits a week on that website, people trying to find out, you know, bid opportunities, who is a potential prime bidders and all the other

kinds of information like what are the bid results so they can check and see if they were on that contract.

So there are different things that we provide.

>> Cole: One of the things I've noticed when you have come before the advisory committee or before or at councilmembers that all the contractor associations come together.

And I have just noticed that and been very impressed would that so it made me think there was a lot of collaboration.

>> It is.

It is a lot of collaboration.

It better to be as one than to be as three.

And we have learned that over time that we have to work together and so that's what we're striving to do.

>> Cole: Thank you.

[One moment, please, for change in captioners],

>> only a small percentage actually goes forward with getting certified.

The remainder look at the specs and plans that are related to projects, city projects, and it's very intimidating to look and open a book for the first ti a spec book, and try to figure out how to bid, where to go, what the city procedures are, and so part of the monies that we're interested in getting for our association, for all of our associations is to help our contractors navigate all the documentation that goes with city proje and so the money will be well-spent because this is probably the most intimidating thing that many qualified contractors can actually access, and if they can't access those, then they're not really participating in the city as citizens, tax-paying citizens.

There are other areas that we can use the monies for, for plan reading.

We launched a pilot program last year for leed training, and many of our contractors know what green building is generally about, but when it gets down to the specifics, the documentation, all the knowledge that they have to have, they don't know what an nsds is, these are all aspects about being a contractor in today's city and today's construction environment that they can't

really access unless they have a little bit of training.

And many of our city projects, in fact, all of them -- many of them are leed qualified, and so i have never heard of another organization anywhere, no other service provider in the city of austin that provides any kind of leed training for subcontractors so that they understand how to work with general contractors, they understand what is involved in the leed project.

So this money will be well-spent and we really appreciation your consideration on this item.

thank you.

I don't understand what an msds is either, so --[laughter] john davis?

>> Good morning.

Thank you for your time.

I would just like to say regarding this proposed budget there will be no increases in the city energy rates.

Looking at the comprehensive annual financial report for last year, there was \$300 million for austin energy, \$266 million of net cash provided by operating activities.

That's minus the cost to suppliers and employees.

Based on this year's city auditor report showing that austin energy intends to raise rates to increase the amount of money in reserve funds totaling \$400 million is inexcusable.

Dear mayor, council members and citizens, over the last six months I have reviewed the comprehensive annual financial report, several auditor reports and many articles regarding the financial situation in our city.

I have concluded that there is corruption involved with the proposed tax rate and fee rate increases.

The city has over \$500 million of reserve cash off the budget that it does not want the normal citizens to know about.

I am here to let them know.

It is incomprehensible that you would dare even think to charge to climb mount bonnell or have citizens go to zilkerer park and pay for parking. I know for a fact that the city is bloated with inefficient and waste.

Before you force the average hardworking citizen to pay more, why don't you use less?

We can no longer tolerate this kind of abusive power.

You know for a fact it is to increase this reserve.

There is over \$80 million in the rate stabilization fund for austin energy customers yet you will not use it.

Instead you want to raise rates to add more money to a reserve fund intended to avoid rate increases.

Ludicrous, criminal, disgusting.

Many of you public servants are overpaid and out of touch with the struggling families in this city and cities across this nation.

Wake up and do what is right or else expect to lose the next elections.

How much cash does the city have in reserve?

700 Million?

A billion?

Why do you need more?

It was just announced this morning, we have \$6 million more from sales tax revenue than expected, yet you want more.

Give money to the fire department, save us from burning down when we have the next wildfire.

Give money to the poor communities that are underfunded, underappreciated and abused.

Use money the right way.

Thank you.

>> Next speaker is cyrus reed.

Following cyrus reed is richard craig.

>> Thank you, mayor, council members.

I want to talk about two issues.

One is I wanted to reiterate something that jim moriston brought up this morning, which is how important that clean air force is for central texas, and just to point out, that's an organization that's funded both by private -- austin city money but also money from the other municipalities.

So it's a good use of our money to make sure we maintain at least \$90,000 to help support that and hopefully you can get the details.

I want to speak briefly about the austin energy budget and specifically about the money -- amount of money that's being earmarked for the conservation incentives, the incentive for energy efficiency and solar.

The proposed budget has about \$16 million in it for incentives for energy efficiency and solar.

That's roughly the same amount that was in the budget last I didn't remember.

I'm here to tell you that i think you should put some more money into that fund.

And the two programs where i think we need to increase the money by a little is in the solar rebate and incentive portion of it as well as the low-income weatherization.

I was on the generation task force.

One of our recommendations was that we continue to fund low income weatherization at the same amounts that were

being funded through the stimulus package.

This is going to help a lot of those residents as we increase -- or as we've agreed to increase our rates on austin energy customers, putting a little bit more money into energy efficiency and particularly low income weatherization will be helpful.

We're suggesting about 2 million more in that line item.

And then also increasing the amount of money in the solar rebates.

There is an ongoing solar committee that's looking at that, and they've come up with a recommendation for 2013 of a tot allotment of funding for solar of 10 million.

That's not actually spent in 2013.

Some of it is through long-term incentives, so the actual amount needed in 2013 is probably less than 10 million.

I'm not sure the exact amount that's needed, but some increase we believe is needed to set us on course for both the efficiency goals and the solar goals that you all have adopted. So I would just ask for your consideration.

I know austin energy's position is they're able to adjust their budgets and then pay for it in future years.

I still think it's a good idea to actually put in the budget what you intend to spend for that year rather than hoping that we'll be able to, you know, adjust it later in the year.

So I would call for more funding, particularly for those two programs, and i appreciate it.

Thank you.

>> Richard craig.

Following richard is dan van treek.

>> Good morning mayor, council.

I'm richard craig with the peas park conservancy.

It's by been my privilege to work with the parks department and forestry department on the restoration of peas park.

We've planted over 500 trees there.

These folks are wonderful public servants.

They're dedicated, they love our parks, and they really are hard workers, but there's only one problem.

There are not enough of them.

And I think I've seen firsthand what the lack of resources have done to our parks and our urban forest.

1998 The parks department had 233 maintenance workers.

They were responsible for, i think, roughly 14,000 acres.

Today it's 210.

I think in the current proposed budget they call for four more maintenance workers, which is a good start, but at the 210 level I think each worker is responsible for roughly 90 acres of parkland.

The situation is even worse in the forestry department.

In 1992 they had 28 employees who were responsible for 6,000 acres, roughly.

Today they have 24 foresters, and they're responsible for 19,500.

This means that each forester in theory is responsible for 12,500 trees, and, you know, that's

they're not going to get to it.

I think april rhodes referred earlier that they're on a 99 year schedule to see every tree in austin and give it care.

We've already lost about 10% of our trees in the current drought.

We don't want to wait until we've lost 30% of our trees or more until we hire an additional forester.

We need -- we need their help.

We don't want to wait until someone is injured because they have a backlog of over 4,000 work orders that they can't get to.

I think everybody remembers the incident at barton springs a few years ago when a tree branch fell on somebody and was badly injured.

Hiring additional foresters now is in a way almost like an insurance policy against some future lawsuit.

And there was discussion earlier about the wildfire danger in austin/travis county.

Additional foresters would contribute to the mitigation

of that problem, if they can remove the dead fuel that is waiting in queue to be taken out.

According to the trust for public land, that's a think tank in washington, d.c.

That collects statistics on parks nationwide, austin is in the bottom one-third of all the major cities in the united states in what we spend per capita on park maintenance, and that's not where we want to be, I know, that's not where any of us want to be as a city.

We think of ourselves as an environmental city, a green city.

We only spend \$43 per capita according to the study, and cities like akron, ohio and corpus christi spend more.

>> Thank you.

Dan van treek.

>> Good morning, my name is dan van treek.

I appreciate your time here.

I'm today on behalf of austin parks.

I spend a lot of time in the parks.

I spend a lot of volunteer time in the parks, and have

noticed that in the past few years we are starting to fall behind on our tree canopy especially.

I agree with ricrd and what he's saying.

And austin, we're a green city and we love our trees.

There's no question.

People here are passionate about their trees.

But it appears to me that we're quickly slipping in what we think we are.

Looking at the statistical information on a national scale and just walking around the parks, take a look at the parks downtown.

For one reason or another they're closed up, they're dying.

Take a look at garrison park on the south side, fields are dying and they're just -- the trees are being taken away.

The urban forestry program is in a complete reaction mode, and what I am asking is for you to explore the possibility of additional funding for the parks department and the urban forestry department so that we can continue to say that

we're green and we like our trees.

And I could get into the statistics and I think you all are probably -- some of you have seen them, but that's all I'm asking for today is to just -- for you to sit there and look and say, hey, we need to do better.

Thank you.

>> Thank you.

Paul robbins.

Following paul robbins is melvin white.

>> Good morning.

I want to again protest the high water cost of the austin water utility.

Given the detailed, agonizing process the council went through to vet the austin energy increase earlier this year, the water utility increases have been relatively unscrutinized.

Look at the comparison.

For austin energy council set a goal of no more than a 2% increase per year.

For austin water there is a 5% this year alone.

For austin energy there's been a 7% rise in rates in 18 years.

For austin water there's been a 109% rise in 13 years.

For austin energy the policy is to scrub the budget to lower or mitigate the next rate increase, the stated goal of several council members was a 5% reduction.

No budget scrub has been asked of the austin water utility.

For austin energy the stated policy is to cap the general fund transfer for an interim period.

For austin water the transfer is increased.

For austin water the goal is to set rates no higher than 50% of the utilities in texas.

For austin water we have the highest cost of the top ten texas cities.

For austin energy, it's pretty much spent its conservation budget this year.

For austin water utility it has woefully underspent its allocated budget by about 33%.

For austin energy council held somewhere between 12 and 15 work sessions on ways to understand and lower electric rates.

For austin water no work sessions have been held on ways to lower costs.

The austin water utility has a budget of about half a billion a year.

I would like council to develop a five-year goal to lower water utility costs and improve services by a stated percentage.

Austin has the highest combined water/wastewater cost of the top ten texas cities.

This utility can no longer fly under the radar and get routine annual rate increases.

Thank you.

>> Thank you, mr. robbins.

Next we have melvin white.

white, you have three minutes.

>> Thank you.

Good morning, mayor -- mayor's absence and council.

My name is melvin white.

I serve on the community technology and telecommunications committee, and I serve at the pleasure of mayor pro tem cole.

I'm here in support of two resolutions that were submitted by our commission.

The first was the open government.

I think that it's a great opportunity to create transparency in our government, and I think it really creates dialogue between the public sector as well as government.

Secondly, I wanted to talk about the austin free-net.

The \$31,000 in the resolution was primarily for gap funding.

Austin free-net supported a broadband technology opportunities program for the last three years of consortium and they've gone from doing 48 hours of training to right at about 1800 hours of training per month.

And the way I believe this grant operates is they actually get computers that they're able to disburse throughout the city in strategic areas, and I think that that's a great way to

leverage resources as it relates to the hardware.

So the relationship we suggested and challenge them, and I think they talked about, to see how they expand technology into churches and into locations where there is not technology, to where they could provide the actual training.

They also provide a-plus net-plus server training as well, and I would hope that the city, from a commission standpoint, would see how they're able to leverage this infrastructure, whether it be the -- I heard the -- the minority contractor mbe contractors.

If they're able to provide training for those organizations as well as other community-based organizations that does not

I think it creates a great platform, and I think austin austin free-net has been a long time relationship with the city and the small counters, but they've taken a step to the next level and their contract is running out in july.

So the 31,000 was for gap funding for september -- i believe september and october, but I think next year we hope to come back

with a different resolution to support austin free ned expanded into the -- free net into the dove springs and elsewhere.

The 31,000 to my understanding is not for the dove springs and the other areas, only to create a gap funding for a two-month window, but hopefully that they're able to expand into other communities via churches and other organizations, because i think that it's a great opportunity to leverage the infrastructure and the assets that they've been able to provide.

I want to thank you for the opportunity, but definitely in support of both of those two resolutions that you have.

>> Cole: thank you.

karen hadden.

Council member morrison.

I want to thank you for coming down and i want to highlight one thing bud, I think her name is, the executive director, mentioned, that slipped by quickly and that is that austin -- they're partnering with the benefits bank of texas which will allow more folks leverage the benefits that they're eligible for, like snap and all.

So that's -- I think that's important to keep in mind, that free net is going to be a real important partner in that regard too.

- >> Thank you.
- >> Mayor leffingwell: okay.

Go ahead.

>> Good morning, mayor and council.

I'm karen hadden.

I'm the director of the sustainable energy and economic development or seed coalition ann I'm a board director of solar austin and I'm speaking in that capacity too.

Solar austin is a group of people working together, includes solar installers and solar energy advocates, and when the austin energy rates were being debated, this group came forward and said, you know, we're really looking for some budget increases so we can do what needs to be done for the city of austin and provide jobs and put solar on rooftops and make our energy -- or our air cleaner all at the same time.

The group was asked to wait and to raise this issue during the budget process, and so it is appropriate to do so now.

The current budget proposal is roughly \$4 million, but by the end of this fiscal year there will have been 6 million spent, so the programs are not only fully subscribed, they're actually oversubscribed.

There is a great deal of demand for the solar programs.

They're very successful and very popular.

The solar industry is growing and has grown over the years with now some 600 local jobs, and they can still continue to grow, especially if we put the programs in place that will allow that to happen.

Solar austin supports the budget recommendation that was made by the local solar advisory committee working together with austin energy.

That recommendation was for \$10 million for local residential and commercial solar projects, and it's expected that that will result in the generation of about 10 megawatts of locally distributed energy generation, will help meet

peak energy demand needs and again reduce air pollution.

So it's a wise investment.

With the rebate amounts falling, likely to fall as the cost of solar panels fall, this money is going to go even further, which is another reason why it's a wise investment, and also with the production tax credit, probably going to expire in 2016, now is the time for especially some of the commercial projects to get put in place, the larger ones.

Let's do that.

Let's move forward and we're going to have affordable energy for a long time.

I'd also like to concur -so again, I'd like to urge
you to support a
\$10 million budget
allocation as per
recommendations of the local
solar advisory committee,
and also would like to
concur with cyrus reed.

Earlier you spoke about the need to also increase efficiency, funding.

It's the most affordable way that we can meet our energy needs, especially as peak demand becomes an issue, and I'd also like to say that we -- for seed coalition that we support the clean air task forth budget as well.

Thank you.

thank you.

Those are all the speakers that I have signed up that would like to speak in this public hearing.

Is there anyone who has signed up to speak and i haven't called your name?

In that case I'll entertain a motion to close the public comment part of the budget hearing and schedule adoption of the budget for september 10 to be continued on september 11 and 12, if necessary.

>> Cole: so moved.

mayor pro tem so moves.

Second by council member morrison.

Further discussion?

All in favor say aye.

>> Aye.

>> Mayor leffingwell: aye.

Opposed say no.

Passes on a vote of 5-0 with council member martinez and spelman off the dais.

We have one more item remaining.

I understand there's a desire -- there's certainly a desire on my part to go into executive session before we take this item up.

>> [Inaudible]
oh,
I'm jumping ahead of myself
a little bit here.

Disregard that.

We'll now take up agenda item 2 to conduct the second and last of two public hearings and receive comments on the proposed maximum property tax rate of 5 cents per \$100 valuation for 2012-2015.

That would require a roll backs.

It will adopted here in council chambers on 00 after the council adopts the earlier we didn't have any speakers on this item.

Let me double-check here.

We now have one speaker signed up, jack kurflin.

Not wishing to speak.

Okay.

In that case is there a motion to close this second and final public hearing on the city's proposed maximum property tax rate?

So moved by council member morrison, second by council member riley.

All in favor say aye.

>> Aye.

>> Mayor leffingwell: aye.

Opposed say no.

Passes on a vote of 5-0 with council member martinez and spelman off the dais in this final hearing on the proposed maximum tax rate is closed.

Council will vote to adopt the actual property tax rate for next fiscal year on monday, september 10 in the council chambers, 301 west 2nd street after council adopts the budget.

So now without objection the council will go into closed session to take up one item pursuant to section 551 # .071 of the government code.

The council will consult with legal counsel regarding the following item, item 3,

discuss legal issues related to rio de vida municipal utility d,,

>> Mayor Leffingwell: We're out of closed session.

We took up and discussed legal issues related to item number 3 and we'll now take up item number 3.

Postponed from the last meeting.

And there are no speakers signed up.

So I'll entertain a motion.

Or discussion.

Mayor pro tem.

>> Cole: Yes, I'd like to ask one of the lawyers to come up briefly to discuss just a couple of items.

,,,

>> sharon smith with the law department.

>> Cole: Thank you, smith, I'm glad you are here.

Can you briefly lay out what the extension that's on our agenda with respect to the m.u.d. agreement does?

>> It allows the -- it provides the city's consent

to the district through SEPTEMBER 1st, 2013.

With the possibility of extending that to SEPTEMBER 1st, 2014.

>> Cole: Okay.

Does it in any way impact the council's ability to make an adjustment to the agreement at that subsequent date?

>> If you are speaking about the permanent consent agreement, what the ordinance envisions is that the city manager and staff would negotiate a permanent consent agreement much like you all had for pilot knob and southeast travis county and that would come before council for consideration and at that time you could propose whatever amendments that you wish.

But that's what would be the ultimate document that would be governing an ongoing m.u.d.

>> Cole: Okay, help me understand because the item before us is the interim consent agreement.

What relationship did that have to the permanent consent agreement?

>> The interim consent agreement -- you actually could provide for a 2013 date just by adopting an ordinance instead of an interim consent agreement, but the interim consent agreement continues additional protections that would be cumbersome to include in an ordinance and number 2 we wanted it in a consent agreement so it would be signed by a developer.

And so the consent agreement provides for numerous opportunities to terminate and so those kinds of protective provisions are in the interim consent agreement.

When the -- and if that is approved and staff goes ahead and negotiates a permanent consent agreement, that would look like the traditional consent agreement that you are used to looking at and that would supersede the interim consent agreement.

>> Cole: What I'm trying to ensure there are no final actions being taken today with respect to the I guess meat and potatoes, for better word, of the agreement suc the composition of the m.u.d.

Board, the debt issuance, the superiority requirements

we would normry require in a m.u.d.

>> None of those are covered by agreement and they wouldn't be addressed until negotiations and there would be board and commission review and then council review.

>> Cole: So this would go through the same process of boards and commissions review and come back to council.

This is only asking for an extension of time.

>> Yes, it's consenting to the district for a year.

>> Cole: Okay.

Now, help us understand why we would -- you are recommending this in terms of what may potentially happen with tceq.

>> If the council does not approve a consent to this DISTRICT BY SEPTEMBER 1st, 2012, Then this legislation will be void.

And at that time two options, one is that the legislation, similar legislation could be reintroduced either if that didn't happen or the legislation weren't passed, the other thing that could happen would be that the

property owner could go to teeq for a teeq created m.u.d.

If toeq approved that kind and y'all's policy, the city's m.u.d.

Policy provides that you all would protest such an action, but if teeq ultimately created the , then that would just and it wouldn't contain the kind of provisions that you all have wanted to include in your consent agreements related to the requirements in your m.u.d. policy.

Affordable housing, parks, all sorts of attributes to your development that you, city service for water and wastewater and so on.

So none of those things would the city have leveraged to have included that was approved by tceq.

>> Cole: So confirm with me that by executing this consent agreement today we avoid the pitfalls that could happen at both the legislature and tceq in terms of stripping our authority for the things we like to have like affordable housing, parks, governance issues, et cetera.

>> Right.

This would perpetuate that authority that we have under the legislation that gives us the ability to put conditions on our consent like those that you mentioned.

>> Cole: Okay.

Can you lay -- can you explain a little bit about the water issues in connection with this agreement.

>> The property owned by txi is partly in the certificate active indicated southwest water company and partly not and it's within the city service area on the western side of 130.

And so one of your m.u.d.

Policy, your requirements is that the property be entirely served by the city of austin.

And southwest water company's perspective is that even if the property owner were able to get the proper released from southwest water company, ccn, that due to an old settlement agreement that we entered into with southwest water company around getting our ccm in the early 2,000s, THEIR CONTENTION Is that settlement agreement

and language in there prevents the city of austin from ever serving this property, even if the property owners are released from southwest water company.

And so we are currently in litigation seeking to have that question resolved.

>> Cole: So we have a policy where we want to provide water to the entire service area.

And I'm assuming that's because of potential financial implications and environmental considerations.

>> That's correct.

>> Cole: And if we do not consent to this agreement we have certainly not put ourselves in any better position with our lawsuit and may have weakened that position.

>> I would say that would be correct.

You might want to speak to [inaudible] about it a little more, our litigator, but that would be my take.

>> Cole: Demetrie, can you answer that question real quick?

>> The question was -- I'm sorry.

Could you repeat that?

>> Cole: Why are we in litigation about the water issues.

>> Exactly what sharon smith told you, it's about the settlement agreement and we have a different opinion what that means in southwest water corporation so we're trying to have that resolved to determine if we can provide service to the entire area even if and when txi is released from southwest water service area.

>> Cole: So continuing with the consent agreement could help us in our argument in the existing lawsuit --

>> mayor pro tem, I think i may be getting a little bit uncomfortable with the line of conversation with maybe our strategy for the lawsuit.

We're happy to go back into executive session, maybe go back over that at bit more.

>> Cole: Okay.

I understand.

Thank you for working so hard on the lawsuit and i

certainly do not want to give away our strategy in the lawsuit so let me follow up with sharon on one last question about the consent agreement.

So our primary interest in potentially approving this consent agreement is to maintain our authority over the property and our superiority interest.

>> Correct.

>> Cole: Okay.

Mayor, I move approval.

>> Mayor Leffingwell:
Mayor pro tem cole moves to close the public hearing and approve on all three readings, seconded by councilmember rile councilmember tovo.

>> Tovo: The agreement we have before us in no way grants approval to a in this area.

>> It grants approval for one year.

>> Tovo: But they cannot proceed in terms of developing the property without proceeding on to do a permanent consent agreement.

>> That is correct.

The district is not the property owner in any case, the district's functions are to finance infrastructure and services.

The developer or the property owner, txi, would be the -- would be applying for any development and our agreement, what the city's typical processes are, if a delopment application is filed and then we annex.

As far as the district is concerned, no.

>> Tovo: So there's a requirement that the district continue on, get the permanent consent agreement in place before -- and as I think we discussed in the executive session it would take a proactive action by the council to do so.

>> To come back again and approve a consent agreement, that's right.

>> Tovo: Once it's gone through the boards and commissions process.

I know we had several representatives earlier from txi.

I wonder if any of them might want to just confirm for the council that that is their expectation as well. >> On behalf of txi, that is our expectation.

It's our expectation that we will have to come back before all of the boards and all of the applicable boards and commission and to council to reach an agreement on a permanent consent agreement and to be able to go forward with the development as proposed.

>> Tovo: And that permanent consent agreement would include -- would be along the lines of what we saw from pilot knob and the , they would be extensive descriptions of the superiority of the development and various provisions with regard to open space and affordable housing and other potential elements and inclusions.

>> Yes, that's correct.

We will have to present at the board and commissions and ultimately at council all of the various superiority elements and the tier 2 elements of the that we are proposing to meet and it will contain all of those elements for your review and for council to determine whether they approve.

>> Tovo: Thank you.

Miss smith, one additional question.

I think you may have mentioned this in your comments with mayor pro tem, but if we -- if the city of austin cannot serve this municipal utility district, can serve all of it with water service, we will not -- according to council policy, this would not become -- the city would not enter into permanent consent agreement; is that correct?

>> That's what your policy says, that's correct.

That would follow through to your consideration of permanent consent agreement.

>> Tovo: And the interim consent agreement before us includes the ability for -for the city to terminate -to terminate this interim consent agreement without cause.

>> That's correct, unilaterally with 30 days notice.

>> Tovo: Why is that 30 days notice in there is this.

>> Pause because the other party needs to have an opportunity to know what we do and if they did the same would have to tell us so if there were some sort of

miscommunication that it occurred or some our misunderstanding that we would have an opportunity to talk about that before we had taken an irrevocable action.

>> Tovo: All right.

Thank you.

>> Mayor Leffingwell: Councilmember morrison.

>> Tovo: May I ask one more.

>> Mayor Leffingwell: Go ahead.

>> Tovo: You talked about the ability to extend one more time next year.

>> Yes.

>> Tovo: Who will make that decision?

Will that also come before --

>> yes.

>> Tovo: It would come before council, it wouldn't be an administrative extension?

>> No.

>> Mayor Leffingwell: Councilmember morrison. >> Morrison: Thank you, sharon.

I wonder -- we've talked some about the benefit to the city of having this kind as opposed to a regular teeq m.u.d.

Could you talk a little bit also about the benefits to the developer of -- that would go to the developer under this kind of as ?

>> Yes.

There are a number of benefits to a developer and the one that I have mentioned several times are the opportunity to have grading and topographical improvements being paid for financing because it's not a typical piece of property out there because a large part of it is a quarry.

So that's an unusual kind of provision to be included in a special district for them to use financing for that.

In addition to that, the district also would have the authority to finance road improvements.

It contains a provision for higher percentage of park reimbursements than is under the standard water code provisions for their authority.

It allows for an economic development activities that are -- we call 380 agreements.

And further on in the district bill, a couple more about I think hotel-motel tax -- hotel occupancy tax, excuse me, is in there and those are the primary ones that come to mind off the top of my head.

>> Morrison: Okay.

Thank you.

So there are -- so it's not just the city pushing -- that would push this that it would have been going hand in and originally the city and developer to support this legislation.

>> Yes.

>> Morrison: And then also in the agreement could you also address there's one section that had been highlighted, section 4.09.

B.

Where it states the city agrees to cooperate with the developer in connection with any waivers or approval, the developer may desire from travis county in order to avoid the duplication of processes or services in connection with development of the land.

Could you talk about where that came from and how necessary that is?

>> Yes.

This is sort of a place holder if there's any activity that needed to occur that would not be in violation of the consent agreement that would sort of cover a generally boiler plate kind of provision so if there were some unforeseen circumstance that we would not obstruct that and neither would the developer.

It's not necessary to the agreement.

I am fairly certain the developer would be willing to give it up and from the city's perspective it's not necessary to stay in there.

So if you all want to move the remove that, it wouldn't present an impediment for the city.

>> Morrison: I appreciate that because it's very open ended and obviously there's such a plethora of issues that get raised for folks when it comes to issues that go on with permits with the county.

Thank you, miss smith.

That's all.

I did want to make some comments about this motion and my position on the motion.

We did have the opportunity -- I did have the opportunity to get some information, initial information about what was proposed, what was going to be proposed in this m.u.d.

In terms of the development and that it, you know, looks like a lot of really terrific things in terms of open space and things that were being planned.

I do think that unfortunate timing that we're at very last minute, that we didn't get to think through this several months ago.

I think that we could have and I think that we could have, but we are here having to make this decision.

I did want to highlight that having a legislative m.u.d.

Benefits both the city and the developer.

And so what I've been really focusing on and haven't been

able to shake is because this is a different kind of that we don't have that much experience with, but definitely we've never had any experience with nor has there been a situation where we've done -- where there has been something like an interim consent agreement, my main focus and interest and the reason I've been asking questions and trying to play through this has been to look at the risk of the city losing any of its leverage in terms of being able to promote through a permanent consent agreement a really superior development.

And wve certainly -- i know that folks come to us -- that folks come to the table with all intentions -- with all good intentions, but there are so many -- i am still uncomfortable that there are potential challenges that could eventually through who knows what scenarios weaken the protections that we have and the interest that we have at this point.

I do think obviously that needs to be weighed off with the scenario of this not passing today.

And let me just say I am really sorry that we don't have seven people on the dais right now because it makes it for a very unusual situation.

And I do think that, you know, if this does not pass, this scenario -- if there continues to be a common interest between the city and the developer to support additional legislation that's similar to what's in there now if this actually sunsets.

I think there clearly would be common interest, potential for common interest and that that could go forward.

So I weigh that off against my concerns about the loss of protections.

And as I said, I really wish there were seven people on the dais.

And I have given this a lot of thought, asked a lot of questions aen really just tried to sit back and figure out what I really think is the in the best interest of the city in this very difficult decision.

And where I come down is that I just cannot support this motion at this time.

>> Mayor Leffingwell: Any further discussion?

All in favor of the motion say aye.

Opposed say no.

Motion passes on first reading only a vote of 4-1 with councilmember morrison voting no and councilmember martinez and spelman off the dais.

It is unlikely that we will address this item again seeing that the expiration date for this authority expires the day after tomorrow so I would assume that the initiative is effectively dead as of this point.

Those are all the items on the agenda.

without objection we're
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"", "", [rumbling] Announcer: What if a disaster strikes withou warning?

What if life as you know it has completely turned on its head?

What if everything familiar becomes anything but?

Before a disaster turns your family's world upside down, it's up to you to be ready.

Get a kit. make a plan. be informed today.