

City Council Meeting Transcript - 1/15/2013

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January 15 Work Session Transcript

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. >> Good morning, I'm austin mayor lee leffingwell, a quorum is presents, so i will call this work session of the austin city council to order on tuesday, january 15th, 2013. We are meeting in the board and commission room, austin city hall, 301 west second street, austin, texas, the ti 9:07 a.M. Before we start the agenda, I think most of you know that I'm not going to be here on thursday. I'm going to be in washington for the january u.S. Conference of mayor's meeting. And I'm looking forward to that. Some very important meetings and lectures that I will go to, we're going to get to hear the vice president on thursday, he's addressing the group. And -- and the secretary of housing and human services, I'll be meeting with her at one opportunity up there and look forward to that for discussion on -- on things such as the 1115 waivers. So I hope it will be a very productive meeting, I will regret not being with all of you on thursday, but we'll try to get over it. [Laughter] um ... So ... A couple of other things. It's my understanding that items 90 through 95, that's the riverside corridor items, will be -- there will be a proposal to -- by the staff to postpone that until APRIL 11th. And also item 51, which is an item by councilmember riley relating to after hours use of the parks. I understand the request for postponement on that. I don't have a date. >> Riley: We were discussing postponement until the next meeting, JANUARY 31st. >> JANUARY 31st. Okay. >> Mayor?

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>> Councilmember morrison? >> Morrison: A couple of things about the postponement. First, I would like to understand the -- the request for a postponement until april of the east riverside plan and I don't know if this would be the right time to talk about that. But I have concerns about putting it off for so long. >> I don't know if there's anyone here to talk about that, but maybe we can get someone here. Okay. >> Good morning mayor and council, george adams, planning and development review. Councilmember, the purpose of the postponement request is to give us some time to me with stakeholders on a number of issues that have come up, somewhat at the last minute, related to the regulating plan for the corridor. And we feel like there's probably the need for -- for a series of meetings and that's the -- that's the reason for the request. For the extended request. To allow us time to have those meetings and -- and kind of accommodate the schedules of the various stakeholders who are interested in participating. >> Morrison: I guess i have a couple of issues there. One is that we have and -- and how it might impact other things. As I understand it, there are zoning cases coming forward from that area and so putting it off till april may mean that we're going to get into issues about, you know, should we -- should we work toward the regulating plan or not if we have the regulating plan in place it wouldn't be a question. For people that have worked on it for several years, even though it was fast tracked, even though the effort was fast tracked based on a resolution from councilmember riley and myself, that's going to put us in a bit of a -- of a bind. >> Right. >> I certainly appreciate the -- kind of the tension between those two.

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I guess the -- most of the issues that were -- that we're trying to work through, with the stakeholders, are related to -- to either specific regulations or uses that are addressed in the regulating plan. I'm not -- I need to get with the zoning staff and identify the cases, I don't know if you have specific ones that you are -- that you are looking at, but, you know, we could, if the desire was to move those forward, we could provide an analysis of the -- of the consistency with the plan. We just -- we feel like there's the opportunity to kind of work through these last remaining issues with the stakeholders and so -- >> I guess that I'm just surprised that it's going to take four more months since we've been working so long, as I understandt, we had that one chart of the zoning in these cases that we all just need to deal with and then of course the drive through issue. >> Right. >> Morrison: So my druthers is really to move forward more quickly. The other impact that i understand we might be experiencing is that the staff that's working on the east riverside corridor plan is also the staff that would be working on the downtown austin plan. Getting it codified and of course there's a lot of interest in getting that moving forward quickly. Because we've got all of these zoning cases coming. So could you talk a little bit about the timing of that and how that's impacted by this? >> Well, there is -- you know, we do have limited staff resources and erica leak, who has been the lead on east riverside has also been assisting on the downtown plan, so there is, you know, there will be a -- some more additional work on her part, as part of the stakeholder meetings. I think councilmember

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riley's office is also participating in those as well. So -- but I don't see it as a huge impact. I think even if the regulating plan moved forward there would be some additional work that she would be doing on east riverside and -- and so it's -- so it's -- still going to be time to focus on the downtown plan. >> Morrison: Okay. Well, maybe what we can do is offline look in a little more detail what the stakeholder meetings are that you feel like need to be done and see if there isn't some way to move it back at least a little bit. >> Okay, sure. >> And -- >> go ahead. >> Mayor Leffingwell: Can I make a comment on that? >> Morrison: Go ahead. >> Mayor Leffingwell: I would say there have been a number of amendments already proposed and/or talked about, it would really be helpful to work those out with stakeholders before we get into the final process because it is a huge project. Probably we're talking a couple of months. If we are talking a couple of months, that puts us in march. March is a very confusing month with a lot of different things going on. Not to mention spring break which is spread out more or less all over the month by various entities. So, you know, if there turns out to be something in march in that -- is that adequate time for the staff to -- to address these issues with the stakeholders? That would be okay. But I think the -- the safe haven there is to plan for april, but since march is not going to be very predictable. >> Morrison: Thank you. I just also wanted to, in terms of scheduling, raise the issue that since you're not going to be here, mayor, we have a couple of zoning cases that have valid petitions and I wonder if we could, if that means we will be probably postponing the public hearing. >> Mayor Leffingwell: You are welcome to go ahead without me on those. [Laughter] >> all right then. >> Mayor Leffingwell: No, I think it's strictly up to the council on that decision.

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>> Morrison: Okay. If I could ask staff, what is -- generally do we go ahead with the public hearing, if there's a valid petition and then just don't take the -- the third reading vote or -- or is it just -- does it just depend? >> Jerry rustover planning and development review. Just generally depends. Typically we postpone when we have a valid petition don't have a full council, however in the past we have conducted the first reading and paused the case and waited for second and third reading, when the valid petition actually takes effect, it will be up to the council. For the valid petition case we have this week the staff is going to be suggesting POSTPONEMENT TO THE 31st. We spoke with both sides and they are agreeable to that at this time. >> Morrison: That's for -- >> [multiple voices] >> Morrison: The hotel? >> Uh-huh. >> What about 34th street, is there a valid petition. >> 34th STREET [Indiscernible] received a valid petition. On the other case, little woodrow's, we pulled that off the agenda. We are doing that one on the 31st as well. >> 31st IS GOING TO BE A Bang up meeting. >> Sure will be. >> Morrison: Okay, thank you. >> Mayor Leffingwell: So. Again, the only time that the valid petition is going to come into effect is on the third reading, so it's entirely possible to go ahead and do the public hearings and - first and maybe even second reading. Those are the options that will be before you. >> Mayor? >> Tovo: I on guise coming in a few minutes late. I do have a few additional questions about the east riverside plan. Mr. Adams, I don't know whether you mentioned what the -- what the issues are that haven't been addressed in any of the four years preceding this one [multiple voices] >> there's a number of issues that have come up, some are related to drive through uses such as fast food or drive through banks.

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Limitations that the regulating plan has on those. There's a provision in the regulating plan that speaks to remodels, building interior and exterior remodels and there's a number of stakeholders who are interested in that. >> Tovo: Is this again about drive throughs, the interior versus exterior. >> It's a -- they may overlap in some cases, but it's a separate issue. Just -- just the issue is -- is including remodels in -- or applying the regulations to certain types of remodeled projects. >> Well, what kind of projects up and down the east riverside corridor would be affected other than drive-throughs? I don't recall any restrictions in the east riverside plan that came before us that speak to what you can do in terms of remodeling your exterior. >> Well, the -- the remodeling provisions would apply more broadly. They would apply to -- to any use that was or any structure that was going through a certain type of remodel. And that's -- that's the concern whereas those provisions weren't in place prior to the regulating plan. >> Can you give me an example of one of the regulations regarding an exterior remodel that people are having concerns about that? >> Well, I can give you an example, I can speak to the regulations, that they're not in place yet they haven't affected the actual remodels. So for example if you had a standalone building or a pad site that wanted to remodel a portion of the exterior facade, under the proposed regulations they would have to -- they would have to comply with the regulations of the east riverside plan. So they would probably have to add additional glazing in certain locations, shading, those sorts of things. I don't think there's a for new construction there's a problem with that, I think

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the issue is at what point does a remodel trigger those regulations. >> Tovo: I just don't remember hearing any concerns about that even at our public hearing. >> I don't know that they were expressed, they have come up more recently. They were also, there was -- the first meeting held this week, I wasn't actually at the meeting, I understand there were also some concerns, there's a -- there's in certain areas of the corridor, there's a two-story limit I mean two-story minimum. Kind of in the -- in the closest proximity to the -- to the potential transit stops and there's some concern over that as well. One of the other issues. >> Tovo: There's a concern that there's a height limit. >> It's a minimum. So it requires a two story minimum, right. >> Tovo: Can you give us some sens apologies again, who was involved in these stakeholder meetings? One of the things that i want to be sure doesn't happen, there have been a lot of people involved in this process over how many years? >> Right. Quite a few, I believe we're getting close to four probably from inception. >> Tovo: One of the things that I think would really be unfortunate. You've had lots of big public gatherings, lots of involvement. Once you get to the point where it's gone through the boards and commissions process and here we are at council and we've already had the public hearing and i think we closed the public hearing, right? And now suddenly there's a whole new group of -- of public -- of really not public meetings, but very targeted discussions with stakeholders, you know, with a certain very narrow group of stakeholders, I think that's -- I think that really does damage to the public process that's comes before it. So I'm really concerned about delaying it until april.

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I really don't understand why, I mean, clearly we've heard from people who own drive-throughs and have a concern about that guideline or tt regulation, but that's something that's been discussed for quite a while, it's been in the draft plan as I understand it since last october. I don't mean october 2012, it's been in the draft since 2011, so they've had almost a year and a half to notice and raise concerns about it. Here we are after the public hearing, postponing for four months to address that issue in a stakeholder meeting. It doesn't add up for me as a good -- as a good example of how we do public processes here in austin. >> Mayor Leffingwell: Well, I just have to add it, I don't think the conflict is really between stakeholders and the proposal. The conflict is more between the proposal and the background regulations. Which have led us to so many problems and I think at the root of the big problem that we have with expediting review of proposals, reviews of site plans, that our regulations are so complex and so restrictive that nobody -- it takes a year and a half to figure them out. I don't think that the real struggle or controversy is between stakeholders. E and the proposal, it's between the proposals and ourselves and we're trying to work those out and see how they affect the potential development along the corridor, I personally think that the regulations, the complexity of these regulations is at the root of a lot of our problems that we're beginning to feel the full force of right now. >> Tovo: I'm going to need you to ask you to clarify that. So there's not a conflict with the regulation against drive throughs -- [multiple voices] >> Mayor Leffingwell: I said my perception was that most of the conflict was between -- I mean that's

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a -- one of the regulations for the corridor. A drive-through -- I didn't sense a lot of concern about the stakeholders about that until they found out there weren't actually any grandfathering

provisions in there for existing development. Much less future development. >> Tovo: Well, I thought that there were provisions to grandfather in existing drive through, but a prohibition against new ones. >> They are the non-conforming regulations that would allow those existing uses to continue operating and to make certain level of improvements. But once they exceeded that, then the new regulations would apply and yes, under the current proposal the new drive-throughs would be prohibited. >> Mayor Leffingwell: In effect, if you tried any kind of substantial remodel of an existing entitlement, you wouldn't have that right anymore, as I understand. That's why one of the proposed amendments is to grandfather drive throughs. With you we're getting into a lengthy discussion of the merits here. We should just be talking about the merits of the postponement. >> Tovo: Well, my point still stands, I think. April is inappropriate. >> Mayor? >> Councilmember Riley. >> Riley: I think the issue of drive-throughs is obviously a matter of continuing concern, but I don't think that in itself would warrant a postponement of several months. I do think there were other issues raised that do require some more time and in particular we heard a lot of concern at the public hearing about relying on rail and -- as a -- as a catalyst for development on this corridor. The concern we heard was that rail may be a long time coming, we ought to be prepared for some interim measures that -- that would encourage appropriate transit oriented development in the meantime. Until we have rail there. That can take a number of

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forms. We could have -- we could have -- we could look to possibilities of improving business service along that corridor. Is there a way that you could do some sort of something approaching bus rapid transit along the corridor in the interim until -- until we get rail? And if we do that and we could -- we could encourage transit oriented development around nodes just as envisioned in the plan but we wouldn't be putting all of our eggs in the basket of rail. That is something that we heard from stakeholders at the public hearing. I don't think that has been adequately addressed by staff or anyone else since the public hearing. It's a very complicated issue that I think is very critical to the future of that corridor, I think it's worth taking a little bit more time to sort through that. I did have the opportunity to meet with some of those stakeholders yesterday who were concerned about all of these issues. They raised issues about drive-throughs, about some -- looking to some interim measures until we get rail. And several other aspects of the plan. And I think it's -- that it -- I'm not sure it would take three months. But as the mayor pointed out, if we aim for a two-month postponement, that lands us right in the middle of the crazy time around spring break and south-by-southwest when it's very difficult to count on being ready to finalize anything. So that puts us into April. I think this is a reasonable request and it's worth taking a little bit extra time to get all of those issues right. It's not just last minute issues raised by stakeholders, although I have to say if we're talking about the number of stakeholders, especially commercial property owners along the corridor, it's very important to make sure that they remain confident and enthusiastic about the future of that corridor. It's worth taking some time to make sure that they are at the table. But it's also about taking enough time to adequately address the concerns raised by other members of the public at the public hearing. I don't think that's

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happened yet. >> Mayor Leffingwell: Okay. Thank you. Mayor pro tem cole. >> Cole: Thank you. I had a quick question for mr. Rusthoven, I don't know if you were asked this, i didn't get clear on which -- you said the hotel staff was recommending postponement. But you also, I wasn't clear about what you say about little woodrow and 34th street didn't have a petition, is that what you said? >> Little woodrow was was on a draft agenda earlier, we put it on the 31 at request of the applicant. 34th street is on here, a discussion for first reading. We have not received a petition in this case. >> Cole: Thank you, jerry. >> Mayor Leffingwell: Okay. Let's go to the preselected items then, the first is councilmember tovo? Tovo -- >> Tovo: Have the mayors been notified. I'm not sure why it's not on our agenda. Did you say it was the request of the applicant? >> Yes. >> Tovo: What was the reason offered? >> [Indiscernible] since we don't have a full council, i think, they asked to have the case put off until the 31st. >> I hope that we will be as accommodating for neighborhood associations that make the same request if there's not a full council, that will also rearrange the agenda. >> Second and thi case we generally allow the applicant [indiscernible] >> Tovo: Okay. When is it coming, the 31st? >> Yes. >> Okay. Item 56 for discussion by councilmember tovo. >> Tovo: Actually, mayor, I have resolved my question on this one. But I do have a question on another zoning related issue that is on our agenda that is the -- [multiple voices] >> Mayor Leffingwell: We will go through the preselected and then we'll go through those that

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weren't preselected. >> Tovo: I just wanted to give mr. Rusthoven a heads up in case he was heading back to [indiscernible] >> Mayor Leffingwell: He won't do that, I'm sure. [Laughter] >> the next is item no.58 for discussion by councilmember tovo. >> Tovo: I don't have a lot to ask about this. Well I do, I guess. I know very little about how this has come up. What they are planning on. One concern that I did have I got approached by the mayor of pflugerville at capcog ask if this issue had come before us. At that point the agenda wasn't posted and I had no idea it was coming before us. I guess I that I want to ask the co-sponsors if you've had a chance to reach out to some of our colleagues in the surrounding areas. It's my understanding based on that one minute conversation that we had in the middle of another meeting that the pflugerville city council has concerns about this proposal, there may be concerns among the other groups up in that area, too. So -- that's really a question for my come co-sponsors maybe we can hear about what we're being asked to approve here. >> Mayor Leffingwell: I'll try to answer and turn it over to ernie here. Basically I was asked to sponsor this item by staff. There's a need for these services basically an overlay on an existing esd for e.M.S. Only as i understand it. And has been no objection among the various groups, e.M.S. Personnel, fire department personnel are supportive of it. To my extent it's my understanding it has been vetted from those perspectives. I regard it as simply a house keeping idea, councilmember martinez may have something further. >> Martinez: I think the concerns are natural concerns. If the esd takes advantage of it, it could impose a higher tax rate on the residents that are within this overlay.

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It is a [indiscernible] used by esd's once they hit the ceiling on the allowable tax value to generate additional revenue by creating another overlay, which now creates a new ceiling and therefore allowed to increase their revenue. So that is a concern. And that's a concern that the

mayor and councilmembers of pflugerville have because their residents could potentially see an increase in their tax. But again this is not -- we won't govern this. The esd board will govern this, they will determine the rate, they will i assuming through a public process that displays the need and demand and therefore how much they're going to raise their taxes to pay for the services. >> Tovo: So it's my understanding that the voters have to approve this. They need us to consent to allow -- >> they could actually have an election on this and get a vote. There is a piece of the overlay that overlaps the etj of austin, so there's some citizens there that are really in the austin area. So that's the reason they have to get our approval for that. This whole thing needs to go to vote before it gets approved, before the citizens can be taxed. They have to agree to it. The purpose of what they are going to be providing from this is they're going to expand and enhance their current first responder system. So they're going to add advanced life support capability to some of their first responder units and add more first responder units. It doesn't address the issues that exist currently there with transportation. We've been asking from the county for an additional four units in pflugerville. A total of four units in pflugerville. We have one and a half. It's not going to fix that problem. So the citizens in that community are still going to get service from us, they are still going to get an e.M.S. Bill from us. The county is still going to provide us funding for those units. And they are going to have the overlay for enhanced first responders. >> Tovo: So has the county taken a position or are they still in the discussion phase? >> The county is still in

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the discussion phase. The dilemma that they are addressing right now is what happens when a community becomes a city? Does that -- does that warrant continued support from the county or should that city find ways to provide their own emergency services? And so that's right now that's exactly where they're at. They are trying to figure out how is this going to work? My understanding is that the county commissioners will be having a discussion about a policy with regard to when a city that's in the county needs to -- to go on its own and be able to fund its own emergency services and then what is the subsequent impact to that, right now e.M.S. Is able to provide coverage to about 64% of the county. That's -- that's a serious situation for us because right now we have to send city units to cover. We need additional units. The biggest area of growth right now is the pflugerville area. My concern is that adding first responders -- that adding first responders enhancements may not address the need of transportation. But that's yet to be discussed. That's where the esd needs to kick in, to discuss what services we need and how are we going to pay for those. >> Tovo: So I guess my last question is really the first question again. To the sponsors, have you had some direct contact with our colleagues from pflugerville and others? I don't feel prepared to adequately express their concerns, but they were financial from what i understand. But I think they looked pretty closely at the finances the extent to which there's been a deficit and felt -- I think they have stopped there but I think they have looked pretty closely and maybe that was -- I heard less about

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taxes than just kind of the way the finances have been managed. >> The other pieces, this is brand new, this is just approved by the legislature, this is the first time that anyone is ever going to do this, so there's a lot of unknowns about it. I think the primary issues have to do with

taxation. The question being what am i going to get for on my taxes, I'm being taxed for this, what am I getting for this? I think those are valid questions. We simply don't know enough about how this is all going to work to be able to answer those questions. >> Tovo: Okay, councilmember martinez, have you had a chance to talk with any of those leaders? >> Martinez: No, I haven't spoken directly with any of them. >> Tovo: Mayor? >> Mayor Leffingwell: No, I have not. But again my understanding this is just our okay. It doesn't -- it's not a final okay [multiple voices] the voters of that area and I'm sure the -- the pflugerville city council will have a lot to say about it as well. So basically we're just saying it's okay with us. >> Tovo: Well, I guess in the interest of regionalism, I sometimes we discuss here, I will reach out and see if I can get a better understanding, but I would encourage others to do so as well. >> Mayor Leffingwell: Likewise in the interests of regionalism, I was willing to cooperate with our colleagues in pflugerville. >> Mayor? >> Spelman: I have a procedural question. When is this an item from council and not from staff. >> I'm not sure how the item arrived. I honestly didn't know it was here. It just arrived and -- i don't know. I can't answer that, I'm sorry. If you know -- >> sure. >> Good morning, lee crawford, city law department. Councilmember, I think the answ to that is that the emergency services districts, of course, are a political subdivisions of the state, they are established under a process in the health and safety code. And part of that process requires the consent by municipalities like the city of austin in this casey.

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Case. Under the provision of the health and safety code the consent for that by the city of austin has to come to the governing body of the city. For that reason it's appropriate for this item to come from the governing body rather than the staff. The request for the consent did come to the mayor and the city clerk based upon the provisions of the health and safety code. >> >> Spelman: This looks like it goes in the same box as rate increases for natural gas, for example, which are always staff sponsored items because -- [indiscernible] talking to another, but it's staff level. This happens at the political level instead? >> Yes, this is a policy decision by the city to make. Based upon on a request that comes from an outside entity. >> Spelman: Also a political decision from the city to make whether to protest a natural gas rate increase for example. >> Yes, sir. >> That's the same issue, the difference here is a request here did not come from the staff person in the esd because it hasn't been set up yet. >> That's correct. >> Spelman: Thanks. >> Mayor Leffingwell: Okay. Next item also discussion by councilmember tovo is item 61. >> Tovo: I have one question that I -- that i think I may need to ask in executive session if we're having one today. But I wanted to ask the sponsors a couple of questions, more general questions first, thanks for the resolution, there's a lot in here. On a couple -- on -- in a couple of places there's a reference to target housing categories. And that is on the last page in the -- be it further resolved, there's a discussion about target, target housing categories. And then in -- in one of the

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first dozen or so, whereas is -- let's see, on page 1, 2, 3, on page 3 in the last whereas on that page, there's a discussion about targeting the use of public funds. Imagine austin. I guess my general question is this: Are you contemplating that any future bond proposal for affordable housing would be as broad as we discussed back in august? Or are you proposing a more targeted bond package? >> I am not proposing a more targeted bond package, I am simply

proposing that we talk about the categories and that we actually bonds for, for example, repairs as opposed to psh and that we get the information from the city manager about what's done as best practices in other places. Because we simply didn't have that discussion before. And I think a lot of people didn't -- didn't actually realize all of the targeted areas that we actually help with the affordable housing dollars. So I wanted us to have that discussion. >> Tovo: I completely agree that I think there was confusion among the voters, you know, what that one line on the bonds meant, I think we need to do a much better job this time around of really educating the public about the range of people who are served by our last bond package, which did help, you know, seniors stay in their homes and it helped with family developments and all kinds of real range of affordable housing development and support. So -- so you are contemplating as broad of a package -- I didn't understand what you meant about best practices -- [multiple voices] in terms of affordable housing [multiple voices] done bonds I think. >> Cole: The resolution asked the city manager to provide national information regarding cost avoidance for particular categories of housing. That was in the be it further resolved clause. What I'm contemplating is

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that we will get information back, similar to what has been done in the past, about -- about emergency room visits that are cut down because we actually have psh housing for people that have no housing at all, the homeless population. And so for example we have housing for seniors that have repairs, for those repairs they maybe would have to go into a nursing home. So we see a real need for that. >> Tovo: I agree, are you suggesting that will be part of the public information campaign. >> Cole: We will discuss and deliberate and it will be the public education process that we actually do as opposed to what's done later just before the bonds actually come up for a vote. >> So this resolution if it passes will be broadly focused on a range of affordable housing, not just a target, not just some kind of targeted affordable housing. But that we, as a council, talk about -- talk in greater depths about the difference -- different programs and projects that could be funded under such a -- such a package. >> Cole: Exactly. >> Tovo: Then offer some of the supporting data. I'm fairly certain between our staff and the okay that they do on a regular basis and our community partners, they actually quantify some of that and have that, you know, a lot of what this directs the city manager to do, I think already exists and just so what are you suggesting that just be sort of brought together? >> Cole: That we discuss it as we deliberate putting a bond package together so that it is part of our deliberations. >> Tovo: So like we would -- would one of the steps then be to have like a

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discussion on the -- on our agenda to talk about or presentations from staff to talk about -- [multiple voices] different segments of affordable housing? >> Cole: We actually asked the city manager to bring back the information, i think on february 14th. So at that time, i contemplate we would discuss it, after we got the information. >> Tovo: Okay. So I think it would be great if in here there's just a strong commitment to that. To having any future bond package for affordable housing be broad enough so that it doesn't look like we're moving forward to just fund emergency shelters or we're moving forward to just fund home repair but really a broad spectrum across a broad range of programs across the housing spectrum. >> Cole: That your proposed language, a broad spectrum on affordable housing? >> Tovo: I'm just talking off my head. Does

anybody have any suggestion for how we might capture that language? >> Spelman: If I might. We're not talking about making a decision as to what that package ought to look like. All we're asking for is information to what the results would be, what the return on investment would be. If we invested money in different kinds of housing. I suspect what's going to happen is our return on investment is going to be positive and high for lots of different kinds of housing. It's going to make good political sense as well as good policy sense to have that broad spectrum. We're not talking about identifying how broad the spectrum is going to be here. We are clerking the information which will lead to a better decision downstream. >> Tovo: Yeah, no i completely understand that. I just I wasn't clear upon reading this and I have gotten a question or two about it, whether this was just focused on, say, permanent supportive housing and I think we just need to assure, I as a colleague would just like assurance that we are not proceeding down a path of just funding one, you know, one affordable housing type, but we are -- we are going to

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continue to think about affordable housing in all of its needs across the wide spectrum of our community. >> Cole: Absolutely. >> Tovo: That was one quick question. What were my others? >> There is a line, let's see, that I would like to talk about. Does anybody -- I have a little bit different question about this. But I think that I will pause there in case anybody has anything to ask about what we've sort of been talking about right now. I don't want to dominate the discussion. But I have some more questions afterwards. >> Mayor Leffingwell: My understanding was you said you're not talking about what the proposal is going to pay for, you're not talking about how much it's going to be, you're not talking about when an election would be. None of those things. All of those things are potentially to be decided later. And I would hope that when this discussion occurs, that we also put it in the context of what other jurisdictions in central texas are doing, also. Because that's kind of the tack we've been on for the last year is to try to coordinate our financial actions with what other jurisdictions are doing. We'll find out very soon, for example, if aisd is going to have a major bond election in may of next year, potentially. Probably sometime in 2013, this year, and also a.C.C. And there are other proposals on the burner. All of those things have to be taken, put this in context, with -- with whatever proposal you come up with. >> Cole: I agree. I just want to add that a.C.C. Has taken a vote that they will have a bond election in november 2013 and I know that discussion

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cuts both ways. We don't want to have to go out with too big of a message with too many entities. At the same time we don't want to go out with just only us on one proposition. So I would think that we would have all of those discussions as a body. >> Mayor Leffingwell: I think there's a real good chance of bond fatigue here. With all of the bond elections that we've had in the last few years and the other jurisdictions as well. And the -- we just -- central health just got voter approval for its very significant tax increase last november, aisd asked for -- I think what I heard is \$900 million bond package, we're talking in the range of 8 cents per 100 on something like that. So -- so these are significant things that the voters are going to be -- have to try to figure out what their priorities are going to be. >> Morrison: Mayor? >> Mayor Leffingwell: Councilmember morrison? >> Morrison: I appreciate you bringing that up. I want to add that I think, I don't know that you mentioned that aisd may be going for tax ratification

election, also, to add on top of that. And -- in november of '13 even possibly asking for another five cents. And, you know, we -- as a -- as an area, we did a really good job this year for the first time pulling together all five taxing jurisdictions, first as a joint subcommittee and then we had audit and finance to talk about what our projected cumulative tax rate increases might be that people experience and we actually laid out a time line. And I think it was very illuminating for the jurisdictions, there was probably a little juggling going on based on we're thinking of we did our november election last year, we are thinking maybe a rail or something like that. In '14. And aid clearly eyed that and looked at '13, so that's

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why all of that needs to be part of the timing discussion. So, you know, I fully envision that another housing bond is going to help us work on our affordable housing problem here in the city. A couple of comments just specifically on that. I have concerns about this, but I really want to see if there's some ways that we can work with it and maybe I'm going to throw out a few suggestions. One is just specifically about that issue of when or where we have to figure it out. The first be it resolved says the city manager is directed to take appropriate steps to authorize an election for voter approval, [audio stopped] we know exactly what those are, if it were maybe something instead [audio stopped] so that's something that I -- that I might propose. One of the other issues that I have is I think that the bond discussion and housing bond discussion is good because that -- to get ourselves in a position where we can have a much deeper conversation. It needs to be part of a discussion that -- because i think when we go to the voters again, I think we can be more successful and be more -- if we are able to talk about this is our long-term strategy for funding, for affordable housing and -- in the next maybe short term and long term. So I would see this as a -- as a -- one piece of a broader discussion.

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In terms of funding strategies and this would put us in a position of understanding details about how bonds would play into that. And so -- so if it were able to be done under the posting language, and I think that i can make a -- make an argument that it could, i would propose, I don't have actual language here, i would propose that we ask staff to come back with -- with funding strategies both long and short term to support a broad range of -- of affordable housing programs and, you know, that's where we could actually be very explicit with regard to what councilmember tovo just brought up, a broad range of programs, we could actually list them out so that we're real clear that -- because i had the same issues raised to me that this -- it looked to be targeted towards permanent supportive housing because obviously one key element of working on the affordable housing issue, but I want to make sure that we get preservation and home repair and single family and multifamily across the spectrum of incomes we're trying to work with. So i might work on some language about that and I don't know if you all have any -- any comments about the possibility of casting this in the fact that it would be part of a broader conversation, a bigger conversation about funding strategies. >> Well, I do think we can have a bigger conversation about funding strategies, just even under the existing language. But if you want to say in another part of the whereas clauses that this includes the broad spectrum of housing categories, including and list those, i would happily take that amendment. I also want to point out that mayor leffingwell and i and councilmember spelman

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have an item where we're going to conduct a budget work session, that's actually on the agenda today, to actually talk about affordable housing in the context of all of the requests that we have received funding requests for. So I don't -- I think we're -- that resolution that we're going to have a budget work session, coupled with the resolution that you've already asked about for affordable housing, near term dollars, is going to bring us to having that information readily available in all forms. >> Morrison: What I see missing still is looking at a framework for funding affordable housing overall long term. Because all I see is bonds, h.U.D. Funding and maybe housing trust fund, but that's one of the things that we've asked for -- >> Cole: You don't think -- your resolution i think got to that. >> My resolution, you're talking about the housing trust fund resolution. >> No. The one where you ask for, where you talk about the debt, the \$4.5 million that would be needed to actually bring down the \$30 million in tax credit. >> Morrison: What that does is only a short term. It only addresses short term, it only addresses this year, funding strategies for this year, so I think the missing piece is a broad -- a broad framework for funding strategies long-term and this addresses just bonds. >> Cole: I think that another way to talk about that would be -- >> I think -- [multiple voices] >> Cole: Two previous resolutions -- [multiple voices] >> Morrison: I would like to see, I'll come up with some language, I would like to see some reference actually in the be it resolved that we make sure that it comes back, the discussion about the bonds comes back within a broader framework.

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Councilmember spelman sounds like you -- >> Spelman: I have a question for the city attorney. We're now talking about the wording of this resolution, I think there's general agreement of what it needs to look like in broad terms. We don't have the words right. Is there any mechanism by for example either mayor pro tem cole that I could could propose some language in public but -- show it to -- to councilmembers tovo and morrison who both seem to be concerned about this, given there's three of us councilmember riley who are proposing this resolution and two other people who would like some changes in that. Is there any way that we could have a conference on before thursday or are we bound not to talk to each other. >> I believe the work session is the opportunity. But outside of the posted meeting, the four of you should not be having discussions regarding an item on the agenda. >> Spelman: I understand that. I want to be sure that i cannot do what I sorely want to do. Will which is I think that i know what councilmember morrison and tovo are looking for. Let me try, scribble it down, put it up in public where everybody can see it, including them they can respond to. 7 rather than having hammer and tongs work on word by word on thursday. Is that something that I can do. >> Mayor Leffingwell: Don't send it to me [laughter] >> Spelman: I know you don't want to see it. >> I have some concerns about that. I think maybe we should talk about that on thursday in executive session. But I have some concerns about indirect kinds of interactions on items that, you know, are coming before council. So -- so -- >> Spelman: Allow me to propose this in a slightly different way. We have a version in backup of a resolution and now I'm hearing that there are concerns that that version in backup of that resolution is not complete. There are some things which would improve it. We were going to be able to work on the resolution and provide another version in backup over the next day or

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two. Could we do that? >> I think that we have a process in place. What I would tell you is that we should follow our process. My understanding, I don't know in the agenda, deborah may know, there's a date by which we don't change the backup, we distribute it on the dais, maybe deborah could address the entire process, but there's a time line which we don't change it online or distribute it until the council meeting. >> Deborah thomas with the law department and councilmember you can -- we can put revised back up until wednesday at noon. >> Okay. >> Or 3:00, 3:00 I think it is now. So that you can do that. If you -- if you [indiscernible] worked on that matter with you, and then we can have them contact you with some changes spell the revised backup is going to be fully available to any member of the public on our website. >> Yes, it will be revised backup so it will supplant the first one. >> Spelman: Gotcha, thank you. >> Mayor Leffingwell: I just want to say one thing real quickly. And first I want to say that I know nobody on this council feels this way, but I feel like I have to say this to make sure there's no misunderstanding on part of the public. Is that nobody -- nobody is saying that -- that the reason we need to do this again is because the voters just didn't understand so they should have another chance. Nobody is saying that. But I want to make sure that I say it. So it's on the record. Nobody is saying the voters didn't understand that. The voters did understand what they were voting for, that's my firm belief and assumption. So -- so I think we have to make that clear. That's all. Councilmember morrison? >> Morrison: Thank you. I wonder, do we have any staff here from housing? Rebecca is here. One thing that I wanted to

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mention, one of the requests in here for feedback from the staff is a needs assessment of affordable housing. I'm wondering if that means a market study. I think we have good news of being able to move forward on a market study and what the timing of that would be and how that all plays into this. Rebecca glo, city of austin, neighborhood housing and community development director. Yes, we have identified funding for a market study, which will occur, will -- we're actually working on preliminary draft of what an rfq would look like, request for qualification. So we anticipate being able to launch that later this year to coincide with our consolidated plan. We do have marked data, we will do that in the action plan, as you know the final action plan goes to h.U.D. In august. But each five years as a part of that five year planning cycle for h.U.D., we do a very expansive study. Much of the numbers that we're currently using right now is from the last study which is somewhat outdated. We do our best to plug away at those numbers each year so it's still relevant and timely, but we are working toward another larger, very broad comprehensive study of our market needs. [One moment please for change in captioners]

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>> I think we need to be clear what we can use that for. Yeah, so I think it's great. We'll discuss that. >> Great.No carrierringconnect 57600 idea of what kind of expenses that might be reimbursed for and what kind they might not be. >> As you know, council wished to provide clarification for individuals interested in applying when applications go live on friday. And council expressed interest in being consistent with our existing practices regarding reimbursement for expenses. So the city does not have a standard process for reimbursing expenses reports and commissions. It's not a practice we apply across our boards. However, we

do have a process for staff. So now that the charter requires us to consider reimbursing personal expenses for these two particular bodies, in the interest of being consistent, we looked to the admin bulletins we already have for staff. So, in taking a look at the handful of admin bulletins,

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council focused on the one that's backed up for the resolution which talked about assessing reasonable expenses related to city business. It excludes mileage because the mileage policy doesn't allow reimbursement for mileage to and from work, what folks might call commuting. And the idea at this point is that the bodies will only be doing driving to and from their meetings, which would be analogous to commuting for a city employee. We did not focus on the admin bulletin because our travel for staff is travel is activity outside of the city limits that requires less than an overnight stay in an area that is not near your home. The approach at this time is that these two bodies will do their business primarily within the city of austin. For these reasons, council focused on the admin bulletin regarding daily expenses. And so these are the sort of meal registration, parking expenses that staff commonly comes across in the course of doing their job here within the city, within the standard work day. >> Any questions? Councilmember martinez? >> Yeah. >> I'm co-sponsor of this item. I do want to bring up one specific example. It did make it on to the website. And you know just because you own a website and you put something on there, it doesn't make it true -- shocking as that may sound. But specifically, it was stated that things like child care would not be something you should be concerned about because the city is going reimburse you if you have to pay for child care while you serve on the committee. That is not a contemplated reimbursable expense under the existing policy.

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>> The city does not reimburse child care for city staff. >> Martinez: So that is not reimbursable? >> That's my understanding from council, yes. >> Mayor Leffingwell: Councilmember morrison? >> Morrison: To be real clear, you said that the resolution focuses on the business expense reimbursement as opposed to the mileage reimbursement, for instance. In fact, it references the mileage reimbursement. Inside the business expense reimbursement, it -- and it says, mileage reimbursement for business purposes is addressed for the city of mileage reimbursement policy. And so the -- and because that mileage policy says just to and from work, I don't see it explicitly in here that the interpretation is going to be that the meetings are the work and therefore need mileage to meetings will not be covered. Do you see that that's covered one way or another explicitly in the resolution? >> I think it was addressed by the sponsors and my discussion with staff in what they would like to express in the item. My understanding is a drive from any location other than a committee meeting to and from that meeting would be analogous to the commute for a city employee. >> Morrison: An issue with that by any means, I'm saying I don't think this makes that clear. That being -- does that make this -- does this make that clear? >> If the sponsors would like that clarification worked into the document, I'm happy to do that. >> Morrison: Just reading it on the surface, it could still be a question. >> It's a fair point. I would like that to be crystal clear that is a reimbursable expense. If you have child care issues. >> Morrison: You would like to make it clear driving to and from the meetings -- >> Martinez: If they have to go to a town hall meeting to

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further explain a process, that, to me is above and beyond the duties of going to the independent redistricting committee meetings. Therefore, that would be a reimbursable travel expense. >> Morrison: So it would be great to see that laid out clearly. >> Martinez: The example i used, in the fire department, you show up at the station you're assigned to, you may get sent to a fire station to work. Even though you go to another fire station for work, you may go to the next fire station because that's not your normal location of response, if you will, to show up for work. And so that's how I used in my mind the analogy for the committee. If you have a standing location where you have a meeting, that's not reimbursable because that's reporting to duty. If you have to go above and beyond that somewhere else, that is reimbursable. >> Morrison: Schedule to meetings -- I thought they were going to be holding meetings all around the city. I will leave that to you all. I appreciate it getting sorted out with whatever you're going to be proposing. >> You raise a good point is that whin the legal guidelines the admin bulletin says there's a policy leeway for the body to address the questions. I appreciate the details. We'll make the changes before thursday. >> Mayor Leffingwell: I would say I'm not so sure I entirely agree with the concept that their place of work is city hall, necessarily. Their place of work may be anywhere in the city. We don't have a permanent work assignment. So I'm not so sure if they have to go to the carver center for a town hall meeting it should be a reimbursable mileage expense. I just don't agree with that. If they had to come here to city hall, and then go over there, then maybe, but I don't think the irs would allow that as a

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deductible mileage expense. I think it's over 25 miles, maybe 50 miles. So and we have -- we had talked about this before as a part of the -- the reimbursable travel expenses would be in accordance with the irs guidelines. But it's not a big thing. Whatever comes out of next thursday's meeting which I will be at, we'll achieve clarification. Okay. So, the next it's a basically a housekeeping item. The nonsafety employees always on the legislative agenda. Just to be honest, it's not something that's going to happen. But it's something p something to keep the consistency going that we over the years have supported this effort in the legislature and don't want to show any discontinuity. The -- item number 60, I think, has been related to a couple of times. Due to -- I think most of these things were due to council actions. Cumulatively, they reached the point where there's a list and resolution of the specific items that are cost items that would have to be addressed potentially in the budget amendment. This will be the subject of the special call meeting on the 29th of february. That's all I have. >> Councilmember martinez. >> Martinez: I guess you weren't able to get ahold of him this morning. Item 61, councilmember morrison? 57, sorry. 57, sorry, sorry. Item 57 by councilmember

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spelman, very supportive of this. But wanted to make you gifs away that we did start this last year. We had a transportation safety summit in october. Councilmember cole's office, my office, riley, the mayor was there. But 35 other groups in addition to the ten you identified are a part of this. A question in the whereas are actually in the outcomes of the transportation safety summit. So, again, this is an ongoing summit. It's being driven by camp. They'll meet again this year. We

started it in the middle of last year. As you all saw, we felt like if we were getting to a point where we were going to stay on course, we were going to have one of the highest annual death rates that we've had in quite sometime. It came to be true. So just wanted you all to know that there's a broad group of stake holders, like I said, there's over 45 of them that are part of this safety summit, including the ten that you were talking about. So there's a lot of good work that's ongoing. I would simply offer to merge this with whatever you guys are contemplating in your item. I'm sure that Rob is going to pull from this data to respond to a lot of your requests because we did start, you know, some good work on this. But obviously there's a lot more work to be done because of the number of traffic deaths that happened this year >> Mayor Leffingwell: I think the public safety commission is also -- they're taking a look at this too. And, you know, there is an unusual spike in traffic fatalities, even. But there are always -- it's such a small population that you get a small change in wrong numbers, it has a huge effect percentagewise. I feel defer to my statistics expert, Spelman on that.

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>> Spelman: It's a high percentage number. We're talking about 25, 30 people dieing. That's much in excess of what you expect through normal statistical fluctuations, something happened last year to cause it to increase. It just didn't happen by accident. All we're asking for is -- apologies for it. It seems to be the logical thing to say. >> Mayor Leffingwell: THOSE ARE Not accidents, they're crashes. Councilmember Morrison? >> Morrison: Thank you for bringing that to our attention. That needs to be a part of all of this. To add that one of the -- one of the issues that we really want to use this as a jumping off point for is to identify where we should be targeting our resources. Because there are certainly several things that can be done. And if we can really let the laser beam focus figure it out, we'll be sure to use our resources more wisely. >> Yeah. That's a great point. We had some really good conversations in the safety summit. And I would just give one example. That is the repeated annual deaths of people trying to cross I-35. You would think we could figure this out, you're not supposed to cross I-35. Yet every year, we have multiple deaths of folks trying to cross I-35. So what we did was break it down and look at where it's occurring and possibly why -- what are the factors related to that. But that's just one small component in this broad conversation. But you're right, we -- we need to add to the -- to the data now comes the component in my mind of action steps, identify some action steps to see if we can truly have an impact on reducing that death rate. >> And since we're now at the end of 2012, even though it's a small population, to look at the differences between 2011 and 2012, where did those spikes come from. And I think it's important to realize that the nationwide trend, there was a huge spike nationwide which, to me says there could be some cultural

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issues. Yeah, I'm with you on that. Cell phones. And they -- as a distracted driving, although that's a very difficult thing to pinpoint when you look at the cause of crashes, but we need to get a grip on all of that. >> Mayor Leffingwell: We have an ordinance of texting while driving in the city of Austin. We have had for sometime. Just yesterday, West Tech Street, two lanes turning left on South Lamar. And it's -- every car that this person saw while they were making the turn was also sending a text message. >> Yeah, to be clear, Mary, the only -- my understanding of the ordinance which we wrote, we really wanted to get clear that the only thing that we can do is

make a phone call or be in the process of making a phone call. Because there's a lot that I do with my cell phones and teches and phones >> Martinez: The mayor asked me -- I don't know if he talked to you all, he asked me to expand that to hands-free only so we can really have an impact on that texting while driving ordinance because you can't tell the difference between someone making a phone call and texting. So he would just prefer that we take it that step forward and go hands free. >> Morrison: Very interesting. >> Martinez: Asked him to take it to the public safety commission. >> Morrison: Even if you're talking hands free, you're still distracted. >> Morrison: Still distracted. >> Martinez: Still distrablgted. >> Morrison: Shaving your hair? >> Martinez: Moving on, time for the briefing on the 10-1 district proposal. Not proposal. >> Tovo: Mayor, can I get a sense of the time frame.

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Are we going have the briefing and go back to the agenda? >> Martinez: I thought we had been through the agenda. >> Tovo: As I mentioned, I was swapping out one for one and i had a question on the agenda. >> Mayor Leffingwell: We'll come back after this briefing. We have expensive attorneys waiting so -- >> ken mooring, city auditor. Good morning, councilmembers. Today my office will be providing a presentation on 10.1. The chief of investigations will be providing the presentation. We'll give you a status update detailing where we are on the process, the outreach efforts we conducted today as well as the outreach efforts we have in the coming week. >> Thank you. Good morning, mayor, mayor pro tem, councilmembers. I won't go through all of the steps except to highlight. Still in the early stages of step one. We're continuing to widely publy sites the application process for both the applicant review panel and the citizens' redistricting commission. Our public input period is open in the business tomorrow and our applications are set to go live on friday 18. This chart is a comparison of the original dates that were reflected in the charter. The proposed dates that we presented in early december and our revised dates which is the final column on the right. I should point out that since the public input period still open, the dates are not final. But we have yet to receive any input that we have major concern or shifting of those dates. Directing your attention to the bottom of the chart, there are two items. The first commissioners left, they're going get six. The final plan was adopted. The outside of the purview of the office to dictate the guidelines so we'll have the commission to set the deadlines

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for themselves. This slide is a collage of the various outreach efforts. It incorporates radio spots. The social media and facebook and twitter accounts. Newspapers that we purchased. Fliers that we will be posting at city facilities all over. 200 local businesses. We also have the billboard and bus campaign that we'll talk about in more detail in a minute. And we'll be incorporating the use of direct mailers. Like to point out it's a key portion of our outreach as we'll be sending them in the form of post cards to citizens that will be eligible for the commission and the panel. We'll also -- we've also incorporated meetings with various community organizations we sent out over 500 letters to all of the representatives on the community registry and we've met with multiple community partners and continue to meet with them as requested. This is a density map of the -- of the citizens that are potentially eligible for the redistricting commission. This is based on a data request with third party and we estimate the number of individuals that are potentially

eligible to be around 35,000. That's only based on the continuously registered for five years to vote in the city of austin requirement as well as participating in three of the last five elections for the city of austin. While I don't have a map for the -- for the citizens that are potentially eligible for the applicant review panel, we submitted a data request for the texas board of public account si and obtained the list of 3500 individuals receiving direct mailers as well. This is the map of the billboard locations advertising the 10-1 process to help shape austin's future. The red squares are our english

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billboards and the green squares are our spanish billboards. The next map includes the billboards as well as the overlay of the bus routes for the bus route advertisements. It was an ever changing map. Each day they are assigned to a different route. We call the cap metro each day. We add that route to this map to see the coverage we have throughout the city of austin. This map is -- it has the locations of our application info sessions that are set to take place beginning this saturday. The colors you see are the county commissioner precincts which are reflected in the charter. We have five sessions that are set to take place with at least one in each of the precincts and, again, those begin this saturday. We'll have one each next tuesday, wednesday, thursday evening and the following start on the 26th as well. And finally, I would like to touch on the status of the project in the budgetary needs. The last meeting, we -- we indicated that we needed approximately 1500 hours. We've used over 1300 of the 3,000 hours to date. We have 1600 left. Depending on application volume, it may not be significant. We might be coming back asking for more hours but we'll have to decide that at a later day. This chart reflects the budgetary needs that we needed in early december. We have a slight increase that we'll be requesting at the budgetary session coming up pretty soon. And it's only a difference of \$8,000, primarily related to the

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inclusion of tv advertisement, which we didn't have in our original plan. There are some cost variances from what we originally budgeted. And an underestimation of a cost associated with printing applications and providing them at libraries, rec centers, cultural museums, and other facilities across austin. That concludes my presentation. I'm happy to answer any questions. >> Mayor pro tem. >> Yeah. >> You have a question? >> Yeah. It's me. >> Okay. >> Councilmember martinez? >> Jason, I want to ask what are the utilization of channel 6 was for advertising since that's a free -- a quasi-free, obviously a lot of cost in channel 6. A tool that we've utilized. How have we been using that and what's the plan in this advertising. >> We discussed that with the pio. The time frame in which to produce the spot and get it on there was extremely limiting. That's why we added a small amount to put both the 30-second spot on ynn as well as a tv billboard that was broadcast for several weeks. I think like 40 times a day. So the time frame allowed didn't provide for us to produce a spot and get it up there. >> So maybe as we go through the application process, if we don't see, I guess, the numbers that we're wanting in terms of response and/or any other issues that we can add a scrolling message on channel 6 that says deadline is coming up. We need more folks to apply. Just try to maximize the use of channel 6. Folks entering the city tune in to that channel. >> Certainly. We will incorporate that in our plan as well as the 311. >> Spelman: One of the things we've done is hold back some of the

funds in case we spot an area we're not getting the response we need so we can increase the advertisement in what's required.

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The plan is as you can see, you have to look for the whole plan for total outreach. Different people, different cultures go to different places to get the message. We've been trying to identify all of the various areas out there to touch people at least three times to let them know what's going on. >> Tovo: I appreciate that thinking you're doing about how to get the word out. That's critical. We're going to a period where there are festivals associated with chinese new year and republic day and some other cultural festivals where it might be appropriate to have fliers available and have information known. I want to make sure that is on your radar as well. >> We don't have it specifically but we have it going on with the various groups in austin and how to get the word out. We did a presentation at the greater austin asian chamber of commerce and talked about outreach to their members and to the citizens that they represent. We'll certainly add that >> Tovo: So are there opportunities for citizens to download a flier. To bring fliers here from city hall to bring to the center for their chinese music festival or china austin for their festivities and other festivals going on. >> We near the process of finalizing the copy and initiating the print jobs and we'll distribute them wld as possible to make sure they're available. >> We'll have a website as well. We have made available to asian chamber and we did discuss with them that we don't have with them at this particular point in time that we provide for us an interpretive slide that we would help provide that as well. As well as give a link in our website to any website they may want to have so they can link people up, you know, to what

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we've got. >> Tovo: Great. But there will be an opportunity for folks to download that flier from the website so they can take copies too. >> We can ask and we can get it to them. >> Tovo: Thanks. >> Cole: What efforts have you made for outreach for the african-american community? Go ahead. >> We met with nelson mender of the naacp and got his recommendation on various religious organization where we could further spread the message and we're in the process of reaching out trying to get meetings with them and information to supply their members. >> He also provided information on what would be best to provide the fliers and bulletin board items. Trying to get that to the particular locations. >> Cole: Thank you. Any other questions? >> Tovo: Thank you. >> Spelman: Thank you, mayor pro tem. How do we decid the bestway to -- we started out to answer the question, let's get a broader answer. How is it that you decide how to allocate the various sources for advertising? >> We sat down at length with our folks from pio and determined -- determined where our -- where we got the best bang for our buck as far as how many people we were reaching out to and who was the most affordable, making some -- you know, some compromises, for example, in more expensive publications using black and white instead of color so that we could reach out to more publications that way. And making sure we were -- we were varying our approach across radio, television, newspaper, social media, to try to get -- to get to all sorts of demographics. >> Councilmember, we went as far as for example with the buses, it worked out there, one side of the bus to put the sign because it would determine who would be looking at the sign. So we have a lot of discussion

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about, you know, what are the communities that we have -- where would they go to get this information. What would they listen to? One of the things we didn't have here are the press releases. That is a key thing. Because they're in primetime from the news perspective. We say that's going help somewhat. So there's a lot of discussion. A lot of educated guesses as to, you know, how to do this best and how to spend the money best. Probably the biggest point we went into is for the people that are eligible to actually, you KNOW, PARTICIPATE WITH THE CPAs, The 3500, and the 35,000 individuals that are toward the 28,000 house holds around there, we're going send them twice to them to get to their attention because they're the ones most likely to be eligible. Obviously, the underrepresented communities are ones we also want to try to reach as well. Doesn't mean we'll get 800%. That's the message to people. It's not included, somebody included and shouldn't be. So at the end of the day -- in addition to the advertising money, we'll be able to say that everybody in the accounting community who's eligible for that group, for everybody in that community that's eligible for the districting committee will have received personal notification with, obviously, people falling between the cracks because we don't have complete addresses. The majority of the people will have a personal communication twice from your office advising the committee. >> We tried to be focused on the expenses. We want it to 700 to 1,000 people. We want to be focused on how to use the money to get the best bang and still get the diversity and coverage that we wanted across the city. >> Spelman: You rely on our in-house publicist to figure out the best bang for the buck. >> Spelman: We sat down with them several times. >> Good.

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In view of that, why did you put money in television. It's extremely expensive. A certain level you need to get to before a tv message will sink in. >> It boiled down to the fact that how many people watched television and the people who are clued in to what's going on austin and following the news and being able to find a good deal saying this is what budget we may be able to work with if there's something that seems like it makes sense, it would be beneficial to work out. So we're trying to incorporate all different mediums. >> Spelman: And the price is reasonable. So they're going to have a banner for us. And pretty wide coverage, you know, and just one of many points that we're reaching out to different people to look at different things. 35,000 people eligible for the redistricting committee anyway, is that right? >> That is our understanding. That's what we've received from individuals that did the study for us. >> Spelman: So out of the 850 -- you're trying to reach 850,000, we're trying to reach the 35,000. And for those 35,000, if they watch and a lot of them do, that makes sense for them to be included in the investment. If we're reaching 850,000, it would be a sliver, probably wouldn't be worth the money. I understand now, thank you. >> Morrison: Just to follow up on that number, 35,000, could you explain what that criteria are for that? And in particular, you're talking about three out of the last five may elections, is that correct? >> Correct. 35,000 reflects citizens of austin, residents of austin have been continuously registered to vote in austin for five years and participated in at least three of the last five city general elections which is defined as the last five may elections. >> I wonder if you could talk a little bit about that definition. How do we know that that does

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not include like the bond election of last november. That shifts the population significantly, the eligible population. >> The election code includes elections not including primary elections not regularly occurring at this date. Because the amendments are not regularly occurring referring to the may dates. >> You're using your authority for the definition, "the state law." >> Correct. >> With the city attorney and the state attorney. >> Morrison: I understand that. The question is right now, i guess it's until tomorrow you're accepting comments on the guidelines or the interpretive rule? >> The interpretive guidance as well as the timeline. >> Morrison: And can you give us the feel for the kind of comments you're getting and the interaction that's going on there? >> Certainly, we received a wide variety of comments. We've had some questions about what the application period is if they missed it or not. We had some input on how the lines should be drawn. For example, some people suggested to let a computer draw it and we let them know that's not in the purview and where we're at in the process and redirected them to when the commission was formed and we received comments on how the application should be formatted and interpretive guidance including the general election questions on where -- where our definition came from, how we arrived at the main dates. And think about other things, just different clarifications, some questions are in how to interpret some things that are not clarified in the interpretive guidance? >> Morrison: I think if you're interested in speaking to this, one of the issues that was raised was interpreting the definition of an officer of -- to include precinct chairs?

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>> That's one we talked about and received some comments on. I have to refer to my legal count similar. That one is complex. >> Morrison: I would be interested. I don't know if that should be - - can we talk about that here or do we need to -- >> I'm not sure. Are there legal issues? We're posted on the agenda -- this is the standing posted, so with legal issues, john, you can talk about it in block parameters and we can talk about it on thursday. We can talk about it in more detail. >> Nonsteiner, law department. The charter speaks to an exclusion for certain party officers, political party officers. So the question comes out, what's a political party. And once you decide what's the political party, what's the officer. With respect to political party, we were looking for some sort of bright line that -- that all of these -- we were looking for something that's a very bright line definition so that a person can objectively decide whether or not they meet the criteria or not. We can ask that question on the application. So the strike to the political party, almost anything, you know, really that this country could call itself and carrying connect

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57600 so trying to define it on a bright light definition. Trying to find something unrestricted as possible so we weren't narrowing the base of people who could participate. We thought the county executive committee made it. And the county executive committee is consisting of the precinct chairs and the county chair is what we went with. >> Thank you, I appreciate that explanation and helped to understand the foundation of the decision. And then I just have one more specific question. On your scheduling slide that you showed us, I want to ask you again about the -- to clarify it, the double asterisk. I thought that's for -- that's the time for selecting the

numbers of the -- of the redistricting committee. And then the second double asterisk is for the commission, so adopt a final plan. When you spoke to that, i thought I heard you say the commission is in charge of setting those dates. But it says the council is the one that sets the dates on this slide. So I just wanted to understand. >> I just misspoke. It's the date outside of our purview. So we're talking to a law office about working with the council to work with the appropriate authority to intercept those dates. We can't really specify in advance. Something that we needed to come by the city council. >> Morrison: Here it says the council. >> That's more prescriptive than I should have entered in there. >> Morrison: So the council needs to figure out who has the authority -- to determine who has the authority? >> Correct. >> Spelman: That's something that should be discussed with

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the city's attorney's office to determine how to handle that. We're coming to the conclusion with the city attorney's office that's not us. And, john, can you speak to that at all in terms of figuring out who has the authority and how we're going to go about discussing that? >> Mayor Leffingwell: That's something we need to get into a executive session? >> Morrison: Okay. The legend here with the double asterisk might not be quite correct? >> Correct. I mean it's our purview, not somebody else's. >> Morrison: Appreciate all your work on this. >> Riley: If we're done with this item, I wanted to go back to the item on the regular agenda? >> Mayor Leffingwell: Done with this. Are there any questions? Okay. We will go back to regular agenda and -- >> Riley: The item we already talked about, item 60 about the -- about the mid year budget work session. And it's simply -- I was going to ask to include one additional bullet item on the list of funding needs to look at. That's the african-american cultural heritage district. A number of people have worked hard on providing support for the african-american cultural heritage district and there may well be significant opportunities as the -- as the 11th and 12th street corridors evolve. There may be important opportunities coming up in the short term that we may want to take advantage of. So adding that district to the list will simply direct staff to take a look at potential funding streams for the district so that we can figure out how to get it

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up and running. And I would just propose we get that bullet item right after river city youth. We mentioned a few organizations that have a -- that have funding needs that have come up. And I would just include the district on those needs. It doesn't obligate us to provide anything to the general fund. It just means we need to take a look at it. >> Mayor Leffingwell: Is it okay with you if we put it at the end? I'm just kidding. >> Tovo: We wked with the staff to get an amendment for thursday, should be fixable. >> I would happily second that amendment. >> Mayor Leffingwell: Other items. >> Tovo: A quick comment about the item -- the item about the 6909 ryan lane austin energy tract. I want to alert my colleagues that we have revisions on that. That will be worked out tomorrow. The substance is to be a little more specific about what we expect staff to report back to us about. So rather than just assess the feasibility, we've outlined some of the issues that we hope they will report back about. The other revision is to make it clear that once the staff reports back, it would then be a community process and then the surrounding neighbors and any other interested parties would be a question about that. I got a question about who would be invited to those meetings, i wanted to be clear that that would be a very open

public process. >> Cole: Mayor? >> Mayor Leffingwell: Councilmember cole. >> Cole: One comment about item 61, the item requesting the city manager to take the appropriate steps for the affordable housing bond, we did not discuss but i wanted to make clear to my colleagues that we are

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contemplating definitely having a bond amount that would not have us raise the tax rate. >> Mayor Leffingwell: We know it's at least \$78 million. >> Cole: I don't know what deals we have to issue between now and then and what may come out of our work budget. I contemplate all of those will be at issue. >> Mayor Leffingwell: Anything else? >> Tovo: Not to belabor this point. But I would like to say back to be the plan which I'm still very concerned about delaying until april, I would just make clear i think we have an obligation to open the related ticket. I would suggest we postpone it and see where the progress of the stake holder meetings have gotten us at that point and decideno carrierringconnect 57600no carrierringconnect

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>> Morrison: The fact that we held our public hearing on november 8. So it's already been two months that we -- that we did that and so pretty stunned that there's this need to -- and the discovery that there has to be stake holder discussions. And if we had on november 9 understood that and -- and started setting our schedule and all, so we're talking about a six-month delay from the public hearing if we take it in to april and so I -- I really think that we have some serious work to do on moving this along. Just talk about belaboring a point. >> Thank you, mayor. >> Councilmember spelman. I have a literary allusion. >> Spelman: Instead of quoting johnson, let me quote nike -- "just do it." >> Mayor Leffingwell: Oh, nike. Okay. >> Cole: I have a brief comment. Having heard the back and forth and I appreciate the argument, i would still support the staff's recommendation, recognizing that they have to do the work and they worked so hard to bring us items on consent and that they are worked out and that the april day is only one month away from the march date, which we usually have issues with in march. >> Agreed. >> Mayor Leffingwell: Any other items. Could be sill member tovo? >> Tovo: Is it the staff recommendation we delay that long? Was it a staff recommendation or a stake holder request? >> Mayor Leffingwell: Staff recommendation. >> Tovo: Okay. So my question for you is that the annexation. I'm having trouble locating which number that is. >> Mayor Leffingwell: Items 31 and 32. >> Tovo: Thank you. We had an extensive memo, I had a couple of conversations about it. Most of us have had conversations with the developers. We did get a pretty expensive memo which I appreciated, it clarifies the discussions we've been having and the information

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we've been receiving from the folks and the discussion we've had at council about the benefits that have been discussed in going through an annexation or annexing the property versus

allowing the developer to be nonannexed and going through the post office. We're scheduled to do it thursday. We got a call yesterday from the developer saying a new agreement had been come up with with staff. To allow just part of the site to be annexed. I need you to explain what that proposed agreement is and -- >> sure, if I could go back a little bit. The latter part of last year, the staff was requesting a consult for the annex sayings for the estancia tract, the tract on 635 and highway 45. At that time, steve metcalf representing a group of property owners came forward and we're both asking the staff as well as lobbying the council to not perceive of the full purpose annexation or to have the idea of the pit or plan with the district as well as the pod -- plenty of development in liu of and to delay the annexation for a period of up to 30 years. The staff opposed to that agreement. We're requesting the staff move forward with annexation. We continue to work with the developer which is putting in a application. We did have some disagreement about the amount of the dollar value of the area. And the response was and the response of the question from councilmember spelman on the last public hearing. Two items conflict with each other. One is on the 7nd and 3rd, one is on 41. The second and third reading of the full annexation.

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We postponed that because we were working on a second item, item 32. 32 is a developing agreement where we and the -- and the -- steve metcalf, the representative of the property have come to an agreement that we will call a time-out, if you will. We have will not proceed with the full purpose annexation at this time. We will continue to work with the developer on his proposed pod idea. And then what we do is we set a deadline that if we do not have an agreement, we do not actually have all of the -- all of the items through the entire process BY JUNE 27th. Then we'll turn around and once again proceed with full purpose annexation. So essentially what we're doing is kind of taking a pause and moving forward with consideration of the idea for the pit and the pot. The reason that staff has agreed now is that back in december or november, we were requesting a full purpose annexation. There's been movement on the developers' part in regard to the terms of the pod, how long they want us to defer for purpose of annexation, down from 30 years down to 15. There's been additional seniority items we've added to the list of things that we're doing. I have a couple of others holding in my back pocket that i will be presenting to them this week. So, essentially what we're doing is we're asking the council to not move forward with item 31. We're asking to withdraw item 31. And we're asking instead of the developing agreement which is both sides tend to keep talking until june. If we don't have an agreement by june 27, put it back out for full purpose annexation with regular cycle this year. We do the development agreement a list of it was superiority items we've agreed to thus far

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and that's to prevent any backtracking on the part of the developer. So that's the signature right now on a piece of paper and council says we've agreed to these things. We're not going to renegotiate those. We have some that we need to keep moving forward on. That's what we're asking to have them wait to june. >> The memo I'll address is the difference of the opinion of the value, the dollar value of the items. The item in the development agreement just lists the items we've read to thus far. >> The memo that seems conclusive that the items that are offered of superior elements are not enough significant value to warrant this tract. If you've done that kind

of a summit, if that's the bottom line, why would we be considering not annexing it? >> I think because the change of terms. If we talk about the deferral period being half as long as it was before and if we talked about some of the superiority items being greater than what they were at the time that memo was prepared, I think that we may get to the point we're not there yet but we may be able to get to the point by June where staff can stand up and say we are okay deferring the annexation for a period of 15 years because we feel that, as a whole, all these superiority items do justify the deferral to of annexation.

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We were not able to say that in November for the list of items on the table at that time. I still think, even with all of this, it's very difficult to compare the dollar value of the deferred tax revenue versus the superiority items we're doing. Some are pretty easy if you're donating parkland to us, that's a dollar for dollar comparison. Some are a little bit fuzzier than that, the expenses we would not incur ourselves but the developer would because of superiority, but we can't count the expenses because it's something the city can't do. >> Tovo: Sure. >> So the purpose of the memo is to say we can't come up with a good comparison of what they're willing to offer versus what we're able to give. But we're asking for a few more months to work on it. >> What's the loss type revenue for the 15-year deferral? >> I don't have the number off the top of my head, but before we were doing the 20-year analysis, so we would have to rerun the numbers at 15. >> I think we should see those before we vote on it. So why not just delay -- why not just postpone a little longer the discussion about full in your opinion annexation. >> Because the law requires us to complete the process within 90 days of the last public hearing. Typically, we ask y'all to do it before the end of the year so we can include all the properties in this year's tax roll. This one we were putting it off because we were still discussing with them and nothing will happen in the next year on this property as far as taxes go, so we felt there was no loss to the city by putting it off till this year. Our request right now would be that, if the council approves the item, even if on consent,

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the staff would request withdrawal of item 31 since item 31 will self-explain next week anyway. Without item 31 on the agenda, we postponed it to this week just in case we could not come to an agreement on the development agreement. >> Tovo: I've lost the reference to the number of acres that could not be annexed if this tract is not annexed, but have you calculated what that number would be if only the special is annexed at this point? >> I think with just the commercial, we have not looked at it. >> Tovo: You've not. >> No, the total is about 900 acres but what we're looking at now is the whole package, the whole deal. We're no longer looking at just the retail and not annexing the rest. >> I'm sorry? >> We're looking at a proposal that would involve the whole entire property. >> Tovo: So the proposal now is to annex -- to not annex any of it? Not to annex the commercial portion? >> Possibly. We're looking at all options, but -- >> Tovo: In which case -- >> -- in which the retail portion makes sense if we were going to defer for 15 years. >> Tovo: So we would need to defer the tax revenue. Forego annexing an additional 900 acres, and we have a memo in front of us that suggests the financial benefits don't outweigh the foregone revenue opportunities. I guess I'll just express concern that doesn't seem to be a great

deal for the city. I have heard the arguments of superiority and, certainly, you know, I really think the

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commitment to affordable housing is terrific, but we really need to balance that against the foregone. >> We'll continue working on it. Like I said, we're not there yet. If we were there, I'd withdraw 39 and we would be done, but we kind of have everyone on a timetable because if we don't have an agreement by the end of June, we'll proceed with the full-purpose annexation, I'm sure there will be a post to that. When we were before council, we were doing the post hearing, there was a desire for us to continue to talk. We'll continue, but we're not there yet because we have come up against 90-day deadline. We have the decision to withdraw the full-if you were annexation and continue with the deferral or we have to do the extra step of a contract with them that says we agree not to go backwards and have everything done by June or else you can move forward the same place that we are today. >> Tovo: I guess I am concerned that, in doing so, in withdrawing the full purpose annexation -- well, if we need more time, and that's the right -- I mean, if we need more time among ourselves to discuss it, sounds like it has to be withdrawn or voted on by Thursday. But the other alternative, to enter into the development agreement, seems like giving the wrong signal to the developer if what we think is that we need to annex it. You know, that really gets us down a path of not annexing it at this point. And, so, I mean, I guess I would just express that, you know, we had discussions about other annexations, too, and we're treating this differently and I understand because the developer has concerns about it, but in terms of what makes the best financial sense of the city, seems to me full-purpose annexation, it seems to me there is evidence that's what's in the best interest of the city. So I'd like to see the numbers for the 15-year deferral of

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annexation, but also what it costs us in terms of lost revenue to not be able to annex the other 900 acres for 15 years because what they're asking us to do is foregoing revenue on 900 acres of developable tracts, and that's a very serious concern that we have to weigh. >> I have a housekeeping question. Why is item 31 on the consent agenda? >> Well, my proposal would be -- I guess it depends -- >> what I'm getting at is we've had this come up before. Items that require public hearing and -- or the public hearing is completed and/or the first reading is approved, and then they pop up on the consent agenda, which basically reopens the public hearing. And I thought we had these solved by putting these in the public portion hearings of the agenda which states the public hearing has been closed, but it states here it's open, it's on the consent agenda and people can speak. This came up before, we worked it out and it's popped up again. So we need to have a system in place to make sure these kinds of mistakes don't happen on future agendas. >> I understand. Again, that stems from proposals to withdraw that item upon the -- if item 32 were -- >> Mayor Leffingwell: I once, but if it's not withdrawn, we could have a couple of hours of public hearing. >> Spelman: Mayor? >> Mayor Leffingwell: Council member Spelman. >> Spelman: If the public hearing has been closed on 31 and somebody signs up in error to speak, we don't have to hear them, the public meeting is

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closed and we can announce that at the beginning. The better item of the agenda is the you be public hearing is closed. >> Mayor Leffingwell: It's not a public hearing. It's a traditional court si. It's not a legal right, it's a traditional courtesy. I'll let the attorney to speak to that. >> Under your rules, any item on the consent agenda gets to be spoken on and this issue has been raced before on items that were closet. I believe the agenda office is working on a system to track these items so it doesn't happen like this. I can't speak for them. I don't know how this came back up like this. But they are developing a system so that you're not in a situation like this again. But, yes, if it's on the consent agenda, under your rules, people have a right to speak on it. >> Mayor Leffingwell: Now, the council would wave its own rules and say, even though you're allowed to speak on items on the consent agenda, we're changing the rules on this item and you can't speak on this day, but that gets a little uncomfortable. >> And there would be a 4:00 public hearing with a statement about the public hearing. >> Mayor Leffingwell: Correct. >> Morrison: Mayor? I want to bring up item number 50 which is our appointment for waivers and boards and commissions. I'm trying to remember for the land development code rights steering committee, did we say -- did the resolution say those appointments would be made in january? >> 31st, I BELIEVE. >> Morrison: Okay. So I hope we'll have the opportunity to do that, to talk about it on the tuesday work session for that, but I think it would be useful to me, anyways, if people have, you know, down who they think they will be nominating to of throw that

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all out into the next so that we can get a sense for how broadly dure. >> Consider that direction and post that item for the work session and keep that in mind that you're not required to divulge, you may. >> Morrison: Exactly, you might want to hold it in your back pocket like the superiority thing. >> Mayor Leffingwell: Within a fortnight, at least. [Laughter] any other items? Without objection, we stand adjourned at 11:14 a.M. [Council adjourned]