

translation services apply to notifications or postings of meeting agenda or things of that nature. >> Mayor Leffingwell: Sounds like we need an administrative policy to stipulate that. >> Martinez: Thank you so much. I look forward to helping you when I can with that. We'll pass on the information to the citizens who contacted us with that so you can follow up and see where there might be some gaps. >> Okay. >> Martinez: Thank you, sir. >> Tovo: Mayor? >> Mayor Leffingwell: Councilwoman tovo? >> Tovo: I want to follow up. The zoning notices, the back of it, the riverside plan. >> Martinez: It was a -- it may have been a zoning notification. It had something to do with zoning. I'm assuming it's east riverside. It may not have been. It was something in montopolis related to a zoning occasion and it happened a week or two ago. A city

staff member contacted us whose mother lives in that neighborhood whose mother needs spanish translation. She was concerned that things were happening in the mother's neighborhood and the mother couldn't understand what was going on. >> Tovo: If it's the -- it feels like the notices themselves are usually in -- at least the ones I've gotten are in spanish. But I bet the reading material may not be. That would be good information to know. What -- which ones are -- which ones have been translated and which ones aren't? >> Martinez: And when do we use that -- >> Tovo: That policy? >> Martinez: It seems like it's too vague. If you need it, here's this contract. Call us up. We'll do it. I think we need to have more structure to it. >> Tovo: Good point. >> Mayor Leffingwell: Item 40. Councilmember riley. I had concerns about this one too. >> Riley: I have a few questions about it. Item 48 relates to downtown alleys. Calls for a study of downtown

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alleys. I guess I just wanted to get some information about what is contemplated by the resolution. The resolution refers to a 2009 masters report from the university of texas department of agriculture. I looked at that report. An impressive document, 80 pages, a masters piece that someone did for -- a woman named terry hammerschmitt did for the school of architecture. It went into the history of alleys and books and maps of existing downtown alleys, looks at other cities, the same cities that are cited here in the resolution, pretty thorough document. He over the course of 80 pages it lays out the analogies of the alleys and what they can be used for and we look to them for open space downtown. One question is how -- the study that's called for by this resolution, how could this compare with the study -- with the masters thesis that was done in 2009? >> Tovo: Happy to address that. >> Mayor Leffingwell: Councilmember tovo? >> Tovo: The report was a report that I believe it was maybe done in part as an internship. It was done by someone who also interned here in the city and worked in urban design, assistant city manager edwards, is that correct? >> I'm not sure. >> Tovo: We had a reference to somebody who interned here in one of our discussions and i think that's how -- how this report came to our attention. In any case, one of the recommendations is at multiple points throughout the report -- not just the opportunity to skim it, but at multiple points she suggests there's a follow-up that the city should do to create a master plan. This is the ground work but it

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might be that master plan. I agree. There's a lot of great research in here. She identifies -- and it gets into specifics about which alleys might prove very useful for east-west corridor versus north-south corridors and which might offer some potential for potentially open space. It's relatively general in terms of which alleys. It's sort of along the lines of. The ones closest to residential areas might be useful for more public spaces or more green space. Possibilities -- so it doesn't always get down to the brass tacks level. 72 she talks about the steps. The following steps are recommended. Assigning top priorities for the alleys, identify stake holders, creating a plan for services and utilities. Identifying financing options and developing an enforcement mechanism. I think -- there's a lot of groundwork here. But I do think actually moving forward with a master plan would need to begin by talking with the stake holders about some of the findings and seeing whether four years later the conditions are still present, whether those still seem to be the kinds of opportunities we would want to contemplate in a master plan. And, again, whether there are any -- whether there are any changes to the situations on the valleys that

would require a new look at them and determine their potential for a quarter plan. To be a transportation core versus more public interaction. So some of the findings would need to be verified. They need more specificity. They do more historical research to develop the contacts that could be useful. It's a matter of talking with stake holders and seeing where

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the opportunities lie with businesses that are nearby and some of the downtown partners. >> Riley: In terms of geographic area. Are you talking about the same focus of the geographic area in that report or are you talking about alleys throughout downtown? >> Tovo: The resolution says alleys throughout downtown. Not specific to the geographic boundaries she selected. That's another question we would want to leave open. >> Riley: So you would contemplate that this report would cover alleys all the way up from mlk from lamar to 35? >> Tovo: I haven't set boundaries. Again, this is a conceptual thing at this point. But I don't know that we would want to confine ourselves to the same very narrow geographic boundaries that she selected. >> Riley: I think she covered downtown basically from 11th street down. >> Tovo: That kind of strikes me. So several things that happened since then -- we've got -- we're further along on the downtown plan. Imagine austin has been adopted. Though I don't think it's specific in any way to alleys. I didn't have a chance to go back and check. And also we're much further along with the conservancy and the work they're contemplating down there. I think it is. She put up and referred to some of the things in her report as these are -- the conditions are really right for looking at our alleys and seeing how they might better serve both of our transportation network and also how we could reimagine them as integral parts of our urban landscape and what functions they could serve other than just the areas where people have their garbage collection. There are exciting opportunities and I've referred to them in the resolution. She talks about some of those examples in her report as well.

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Austin would be well served to think about the alleys and ways that we might be deployed to make our downtown more vibrant and create more opportunities to create downtown and shop and pray and work. >> Riley: If somebody uses the downtown alley every day, I strongly agree we should be thinking about it more as assets. On the last "be it further resolved," the last paragraph, a couple of questions. The council shall refrain from altering the city code as it pertains to downtown alleys and shall carefully consider alley vacations until the study has been completed and reviewed. Couple concerns about that. I hope they always carefully consider alleys even after the study is completed and reviewed before, during, and after. That seems like odd wording for me. But then to the part about directing the -- announcing, I suppose, that the council shall refrain from altering the city code. As you know, we passed the downtown plan last year, I think it was. And the downtown plan says in very clear terms that it -- that it says that we should maintain alleys as the principal means of loading, servicing, and parking access. And then it says all development in the alleys should be required to use alleys for building, servicing, and trash collection. City code puts obstacles in the way of projects who want to do exactly what the -- what the downtown plan calls for. And that's why we've discussed code amendments consistent with the downtown plan that would allow a use of alleys for loading and unloading as a matter of right. And so I guess staff will be in

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a position of having to deal with council direction on both the downtown plan and the resolution. I just want to be clear as to -- are we setting aside that part of the downtown plan by passing this resolution? Or we're not going to move forward with -- with -- we no longer think that all of the development of that should be required to use for loading services and trash collection? Should this be considered an amendment to the downtown plan. >> Tovo: Let me address the first point in it first. And I think you offer a very good -- some very good feedback that we should always consider alley vacation, I'm in support of that. Knowing the history I know and looking over -- I believe it was mr. Adams, did you prepare the alley vacations? Someone over in neighborhood planning. I'll have to go back and see, provided me a copy of all of the alley vacations that occur. There are a lot of them. And I think we have like other cities have lost an opportunity to really preserve our alleys in some ways by offering air rights -- air rights and allowing businesses to build over them, to allow them to be vacated for other kinds of private uses. We should consider alley vacations and that the wording is awkward. So I am completely happy to move, until the study has been completed and reviewed, to earlier in the sentence where this is really where it belongs. So it says the council shall refrain from altering the city code as it pertains to downtown alleys until the code has been completely completed and reviewed but should carefully consider alley vacations in the future. It's really the point. If we want to be very careful with the alley vacations. But, as we're embarking on thinking about our alleys, i don't think we should have -- i don't think we should enter into any kind of permanent -- any

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kind of permanent changes to our city code regarding alleys. There is one contemplated for thursday and in part. We've got people working on alley revitalization and with various city departments and groups like art alliance. They're undertaking this alley revitalization project in a couple of weeks that will transform a downtown alley into a public space, a public art space, for a couple of days and have that art continue -- possibly continue for a period after that. So while we try to figure out what the possibilities are with our alleys and how we might balance the functional needs that I am about to serve -- with the other opportunities out there, I think we shouldn't make any permanent changes. My hope is this can be undertaken with -- we've got a lot to work with between the master's report and the work and the expertise that our staff have, I don't think this needs to be a three-year plan. I think it's something that could be knocked out and we could have some direction relatively quickly. Then make any permanent decisions after that point. Some of the cities just off of the cuff have that done more transform their alleys to public uses have found ways to consolidate dumpsters, pickup, arranged trash pickup time so it occurs at a time that the public aren't using that space. So if they have cafes on to the alley. The trash pickup happens after cafe hours. There are ways to balance both the direction that we've got from our downtown plan that our

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ideal is to have those kinds of services be behind this and the alleys with some of the opportunities that we have out there. I don't think they're in conflict. But that is one reason we are calling out the merits in loading and unloading the right of the alleys. Before we embark on a

plan to offer commercial businesses and private property owners access to our alleys, which are now public space which allow them access and allow opportunity for review without balancing, we should halt, pause a minute. >> I like to add -- I share some of your concerns, councilmember riley. We have a process that's underway. But what I'm most concerned about is the language here. Specifically after conducting a preliminary study of downtown alleys, then, "and stating the policy that the council shall refrain from amending the city code regarding downtown alleys." That's giving direction to future councils, directions to ourselves. And totally unenforceable. In fact, I think it kind of sets a bad precedence to put it in here in this way with the resolution guiding further council action. It's unanticipated, perhaps, council actions. So I -- for myself, I don't have any problem, I guess, with conducting a preliminary study of downtown alleys. We have to keep in mind, they cost money, they cost a lot of staff time. That should be a consideration and we should judge whether it's needed and meritorious to do that. My concern is with the wording of this. I couldn't support it with that language in there basically

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directing the future actions of council with regard to amending the code. Not the language, but I'll read it. >> Tovo: The resolution? >> Mayor Leffingwell: After the word downtown alleys -- and stating the policy that the council shall refrain from amending the city code regarding downtown alley s alleys and goes on from there. Shall carefully consider -- i like to think we carefully consider everything not just downtown alleys before we vote on it. >> Tovo: I have a direct response to something you're mentioning. >> Mayor Leffingwell: Councilman martinez, you're next. >> Martinez: I wanted to follow up on something you were saying as well. Why not ask the city attorney -- you brought up the point. I have the same question in my mind -- is it legal for us to put posting language that precludes the council from taking action on a city code prospectively. >> Tovo: The issues with the posting language. I think that the council can always, though, just pass something that says we won't do this can repeal it or adopt something else that does away with what you've adopted previously. >> Martinez: Check. The reason it's a concern is we're contemplating all kinds of different policy changes right now. Let's say there are four different councilmembers that didn't want to change the economic policy. You all said the council is precluded to changing the economic incentive deals. It may not be illegal to post language like this, but it doesn't make good sense. If the language wants to -- and I'm okay with the study. I totally agree that we should look at maximizing the highest and best use of all of our public spaces. But if this language were to stay, then I would suggest just

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some neutrality in the language as opposed to using the term "refrain from amending." I'll leave that up to the two co-sponsors to think about. But, again, it sends the wrong message that somehow we're going to tell the community that we're not going to amend this code moving forward when this council could do that on the very next week. >> Mayor Leffingwell: When we absolutely could do it at will. It sends the wrong message. It's absolutely meaningless at the end of the day. >> Mayor Leffingwell: Councilmember tovo? >> Tovo: Thank you for that feedback. I'll look at the language and see if there's another way to make a point. That's the reason I said stating the policy -- policy decisions can always be changed. In my mind, this council -- before I got on, stated the policy that there wasn't going to be more travel to arizona to tie his hands. But

it set a course of action that I believe has continued to be the operating practice around here. That's the intent. We state the practice that it will be a guiding principle if you will. While this study is going on, we're not going to make any changes. But I hear the concern about it and we'll look at it again. I want to assure you, mayor, and anyone else concerned about it, one of the reasons I indicated that -- and I have asked for -- one of the reasons that the resolution asks that the city manager report back about options is that we don't want this to be an expense, an additional expense. The idea is to see what kind of existing staff resources we have and then to -- and then to use the resources that we've got in our city between the university and, you know, many, many of --

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the alley revitalization -- the interest in the alley revitalization has come from the community on this and architects and designers and other community members who have been working on this in a pro bono fashion. So my hope is that those groups can be kind of brought to -- brought to bear or brought -- brought together to work on this issue in a way that will not cost the city any money. So I'm not suggesting -- the resolution does not contemplate hiring a consultant to do a master plan or anything like that. Just to marshal the expanse of resources we have in this community on the architectural and design communities and get some work done that way in partnership with our city. And just on that note, I got an e-mail last night from an architect professor at a university in the area who said, you know, one of the graduate seminars focuses on alleys and he would be happy to assist. So I think we'll have a lot of interest, hopefully. And can figure out a way to use that interest and those resources. >> Maybe he'll do it for free. That would be a good thing. But, again, I'm concerned about the language -- the optics of the language. I would never feel bound by this language at all. Moich councilmember riley? >> Riley: I want to get back to the substance of the issue. There's no problem with using the alley for loading and unloading. Making other issues of the alley as well. The art project that's being planned in the alley just east of congress between ninth and tenth street that neither report says it would interfere with the use of the alley for service in loading and unloading. The kids would be overhead. We would allow movement of trucks below. I think in general, there are -- there are many ways as

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councilmember indicated, that you can actually continue to make good use of alleys even while allowing them to be used for loading and unloading. In fact some of the most -- the most appealing alleys downtown are the ones that are frequently used for loading and loading. And I think the language of the plan is keeping our alleys, keeping them thriving, and with making an occasional use of them for art installation and doing all sorts of efforts to revive them. I don't think it means we ought to back away from using alleys for loading and servicing and parking and access as contemplated by the plan. I intend to fully support code changes consistent with the downtown plan and make it easier to use the alleys for loading and unloading. I'm concerned -- I join the mayor in being concerned about language that calls from us to refrain from using the alleys. I wonder -- one concern I have in that regard is with if we don't allow the alleys to be used for those uses, not only do the alleys become at risk for being vacated in the future, those have to go somewhere. They often wind up being out on the street where they pose much more

of a conflict with traffic, especially pedestrians. The alley really is -- alleys are -- one of the beautiful things about alleys is they make great sense. They work very well at that -- for the functions they were intended to serve. I'm troubled by the idea that we would be rejecting the wisdom of that idea, that they should be -- they shouldn't be used for loading and unloading. It leads to all kinds of risks.

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I'm going to support code amendments consistent with alleys being used for loading and unloading. As we just said last year in the downtown plan. >> Cole: Mayor? >> Mayor Leffingwell: Mayor pro tem. >> Cole: I share the concerns with the plan and the language has been discussed. I also have concerns with how this will interact with item number 49 where we actually change language about the alley in section 25.6-592 where we remove the language that the alley may not be used for loading and unloading and add the language that the alley may be used for loading and unloading as a permissible use. So can you help me understand how this study may or especially your language as to our future actions may come in to play with that language? >> Tovo: I would be glad to. While we have the city department and others working on the revitalization program, we have the very last minute with regards to parking and that's the one we just read to allow loading and unloading by right in the alley. That's exactly why. We have a lot of things building around the alley revitalization and we're contemplating a amendment to parking rights that gives private owners rights to the public alleys they don't currently have. It would conflict with that amendment and I do not think we should move forward on giving -- as I said, from the dais, that gives me concerns, seems out of line with the goals we're moving

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forward with. Allowing loading and unloading by right does not offer the kind of opportunity that you had with the city review to do some balancing for different needs. >> Your intention for the resolution to try to add some substance to those requirements or you're against using loading and unloading totally in alleys. >> I think that until -- I think that until we've been given some thought to the alleys and how we might use them and what the opportunities are and how the needs are balanced, I don't think we should make permanent changes that impact our alleys. This is a permanent change that will impact the alleys going forward. It gives a right they don't currently have and they don't offer opportunities for us to question that later once we've gotten a sense of what the opportunities are out there with our alleys. >> Mayor Leffingwell: Councilmember Morrison? >> Morrison: As a co-sponsor, I want to make a few quick points to highlight a couple of things that were said. I understand the discomfort with the language. I think we can work on language that's more -- stated in a more positive way that we want to make sure that any future changes to the code related to alleys will have the opportunity to integrate other considerations. I think the bottom line is if@ we looked at that language that Mayor pro tem Cole mentioned at this point on Thursday also considering adopting giving way -- giving by right the opportunity as a permissible use to do loading and unloading, I fully agree that -- and support what we have in the downtown plan. But rather than giving a blanket right, I think that if we work

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within the structure of this resolution about what other things we might want to balance that with, we might come up with a change that says it's a permissible -- it's a conditional use, or it's a permissible use but must be integrated with timing to allow such and such. So there might be limitations on the loading use that we're talking about doing. And if we go ahead and just give a blanket authority to use it an entitlement to use it right now, my concern is we'll be closing off options to be able to do that balancing of priorities in the future. And I think that that's somewhat shortsighted -- I think it is shortsighted, and I think we ought to think more broadly and get it right before we offer those entitlements to everyone. >> Mayor Leffingwell: Councilmember Riley. >> Riley: If we were to proceed with limiting the requirement of getting conditional use permits or some other permission to be able to use the alleys for loading and unloading, my understanding is that we would still retain the right to regulate the use of the alleys just as we do with any public right of way. We can -- there are times when we can close public streets. We can set hours for parking requirements, we can do all sorts of things to regulate the use of the alleys even if -- even if the alleys can be used for loading and unloading as a matter of right. I would like to get some confirmation from staff that that's the case -- that even if someone had the right to use the alley for loading and unloading, the city would still retain the authority to regulate the exercise of that right going forward. So, for instance, if we decided at some point in the future that all loading and unloading in the alleys must occur between these hours. Or there can be no use of the

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alleys at this time because we want to use it for a special event, we can still have the full power to impose those restrictions on the use of the alley, even though in general the use of that alley for loading and unloading is a matter of right. Is that accurate? >> Councilmember Rob Spiller? We obviously managed the parking and the alleys in an area where we managed the parking. Councilmember, I would assume you're correct. Even though they have the right to the parking, they have the -- for unloading or loading, not parking permanent lip, that meant we didn't have the ability for the amount of time that loading and unloading people would be able to operate in there. The closure of that facility would fall into the operations of the street. That works so they could get it through the proper process, which is key and so forth. We would be a matter of routine to whatever is necessary. We would have the ability. >> So remind you there's no basis that we're closing in doors or going where any opportunity is to have -- to be able to use the alleys. We would still retain the right to regulate the use of the alleys and we could still have special events or things like that. It would be that the alleys would be able to continue serving their visually intended function, which is both largely and unloading other services. >> Mayor Leffingwell: Absolutely. Loading and unloading is what the alleys were there for the first place. That's because we don't want them loading and unloading on the facing street. I think any attempt to convert those alleys to another purpose, that's what should be carefully considered on an individual basis. Councilmember Morrison. >> Morrison: Thanks for the clarification. I appreciate that. My concern is that someone might invest hundreds of millions of dollars in building a building that's only going to operate

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properly if, in fact, it's able to do loading and unloading under a certain scenarios. And so I would rather, before someone invest their money in building that, be able to talk to them and work that out and have constraints on it in a clear manner. I just think it makes sense that as a way for running a business and running a government to be able to talk about those things ahead of time. And until we have a -- have the overall picture of how we want to balance those priorities, i don't feel we're really in a position to do that. >> Mayor Leffingwell: Mayor pro tem? >> Cole: Councilmember martinez? >> Martinez: I want to follow up. Councilmember riley about some clarity. But I wanted to ask a bit further. Because I think what I'm hearing is part of the conversation is there's a community benefit for allowing loading and unloading through the alley because it doesn't create more traffic issues. But I think what I'm hearing from the sponsors of this is that there are potentially additional community benefits or other considerations that can be discussed for the allowance of loading and unloading in an alley. So is that what you guys are thinking about? It is -- maybe we can talk about other issues like, whatever, green building, affordable housing, all of the other community benefits that are a part of -- you have the item for a density bonus plan on this week. It seems like they're somewhat aligned in that I'm trying to understand. You guys believe there's much more to be contemplated as opposed to just the community benefit of using the alley for loading and unloading? >> Morrison: Frankly, no, that was not in my mind. I was thinking quite separately the community benefit of being able to maximize the resource of our alleys per se.

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>> Martinez: Great, thanks. >> Tovo: Yeah. >> Mayor Leffingwell: Councilmember tovo? >> Tovo: I agree. An interesting point you raised. As I looked a little bit at the best practices, in some areas around say a block that was highly residential, they converted or contemplated converting that alley to a green space because it's a pocket park. If you have loading and unloading allowed by rights, we would never have an opportunity to do that in the downtown alleys because all of the private property owners have a right long before we have an idea of what we want our network to look like, those property owners will have a right to load and unload even in businesses where they may not need that kind of loading access. They may have access to some other configuration that works well and doesn't create traffic on those streets. So it doesn't -- it removes as a possibility -- it removes possibilities without offering that level of review that i think we'd like. And I appreciate the alleys have always been used for particular services. But, again, I think -- I think that austin is innovative and creative enough to do something different here with our alleys and let's at least see what the opportunities are and make sure that those values are not in conflict before we adopt a policy that allows the -- that allows -- that makes -- that closes off some of those options. I have a question for mr. Knox if I may? There's a -- in the masters report that we've talked about, there's a comment that the city of austin recommends that the remaining alleys stay intact and recommends that any future development removes service access from the alleys but these proposals are a way from implementation and the citation there is to a conversation as i understand it, an interview with you, mr. Knox. I wonderf you might elaborate on that. >> Honestly, I don't remember

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making that comment. I read that -- it doesn't sound like something I would have said that I would remember. >> Tovo: Do you have a sense of how -- no, I appreciate that. Not to say it's going to be easy. Removing service access would be -- would be difficult and perhaps unmanageable for many of our alleys. But we should think creatively and allow ourselves some time to think about what the options are before we move forward with granting a right that doesn't currently exist. And I guess -- that's all I have to say. Thank you. >> Mayor Leffingwell: The next ip tell. Item 41. We need some folks from austin energy or others up here to help me answer this. I'll just start off by saying i don't want to get into the discussion of the merits of independent governance. This is not about this. It's about a study in the process that's ongoing right now. As we all remember the vote, the council passed a resolution a few weeks ago to direct the city manager to create this governance system and to come back by march 21, this coming thursday. You all received the memo. He's not going to be quite ready by march 21. There's a reference in there for april. But I am hoping that city staff can get back with this ordinance to us on the council on march 28. So that we can fully address that. Here's what's been going on. As I said, the resolution was passed by the council. There's a whole lot of background to it. A whole series of recommendation over many years, a study by the

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council a decade ago to move in this direction. So it's a little difficult to say we haven't studied this issue almost to death. There's a whole bunch of background information that supports this. Electric utility commission strongly supports it, I think it's a 6-1 vote in favor of moving in this direction. A -0 vote on council again. The resolution that council passed was closely in line with what the electric utility commission passed and what they passed over and over again through the years. So, a big part of this ordinance, of course, is going to be based on legislative action. To that end, an amendment to state law in process right now has been passed through the committee, through the bmc committee. I testified to that committee two weeks ago. I went down there and brought out the resolution that the council had unanimously approved to establish independent governance. That was -- that was kind of one of the things that we've been talking about with the legislature for a couple of year since the midterm study or interim study they did back in 2011. And that is one thing that obviously a lot of folks would like to see, the dnc commission was assured that the council was meeting positively in this direction. This resolution that hadn't been passed yet is going to be -- is -- I would say is perceived by some, at least, as an attempt to run out the clock. Causes the city manag to do this extensive study, a seven-page resolution, had no idea what all is involved but anecdotally, I heard it's going

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to involve a lot of trips to different cities, to observe their practices. And then come back on may 23. Four days before the legislature adjourns. That's when it's perceived as an attempt to run out the clock. I don't think the study is else in. But if folks want to continue to analyze, I don't think we should let that process interfere with the council going forward, at least with an attempt to create the -- create the governance well before the legislature adjourns to show the good faith that we demonstrated for several years now. So we -- do we have utility -- electric utility folks here that could talk about this study a little bit? >> We do not. And insofar as the governance is concerned, they've only been involved to the extent that they're providing support to my office.

>> You know, my -- I announced yesterday that there wasn't staff support here for this. Myself and Mr. Gould serves as the liaison to Austin Energy? >> Mr. Good, could you come up and answer a few questions about the scope of the study and give us an estimate of what all is involved and approximately how long it would take? >> Going to address some of it myself. We reviewed the resolution. It's extensive and comprehensive. It will be necessary to look at in terms of that kind of comparative analysis relative to Austin Energy in any number of electric utilities, municipally owned or otherwise.

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Otherwise the structure. I can tell you in the midst of dealing with the initial resolution passed by council, you would have -- you mentioned here the memo that I sent the numbers yesterday, we're stretched pretty thin that they would respond to that in a reasonable period of time. Later the hope is later in April to update you if not to be in a position to provide you with a complete response to the initial resolution adding this one, certainly would compromise our ability to do that. We certainly try to accomplish it within the time frame that council might stipulate. But I would probably have to go out and get some additional resources to support our efforts. Because right now, we don't have the additional bandwidth to -- on our own, to accomplish what appears to be a very comprehensive analysis in this proposed resolution. >> Mayor Leffingwell: Well, I guess I would just say finally as I said before, repeating it, that this is perceived by others as an attempt by this council to run out the clock. Wait for the legislature to go home and then everything will be -- everything will be safe for a few years. This is -- it's -- and the reason people perceive it to be that way is because it's a -- it's an old well-used technique here in Austin city governance. If you can't -- if you can't defeat something, try to delay it as long as you possibly can. Delay is ultimately defeat. And I believe that in this case, delay will be defeat for the city of Austin. It will be defeat for Austin Energy and I think that's something -- I think our objective all along has been to create a format where the structure where Austin Energy

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would be governed in a businesslike and professional way like other large municipally owned utilities around the country, right now we're the largest -- we're the largest municipally owned utility in the country that does not have independent governance. That is not show you that we're in the main stream of thinking about how these things should be managed. So I think it's very important that we do it. I think if we don't do it, our trust and credibility as a council is going to be seriously questioned in the future. It will affect me in the future, it's going to affect many of the councilmembers in the future. But the credibility of the city, I think, will be affected by others who are very important to us. >> Mayor? >> Councilmember Tovo? >> Tovo: I would hope actually that our -- the trust and credibility of our city council would be enhanced by the fact that we took time to really look at the data carefully and do the kind of comparative analysis that we need to before making a major change in governance. The fact that we took that time to look at what Austin Energy is doing well and how it compares to other utilities that have transitioned from a council form of governance to at least a partial form of independence governance would, again, speak to the kind of council that we have been with regard to Austin Energy issues which is one that slows down, takes time to understand the issues fully and do the right thing for rate payers, not out of fear of what might happen elsewhere, but out of a

responsibility to our rate payers to make the best decision. So I'm not concerned about people who think this is a perception to run down the clock. I think we need to take the time to make the right decisions and the ordinance that's coming back from staff will have some

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decision points and it will have some, I hope, because it's the direction, a list of responsibilities that we'll have to make decisions about if we opt to go with some kind of governing board that's not strictly the council. We'll have to make choices about the responsibilities the council retains and what responsibilities the board retains. As I said in my comments, I voted for the resolution, I fully supported the independent governing board. We'll be in a better position to make the decisions once we have a sense of how looking at utilities -- some that are governed -- Austin Energy and how Austin Energy compares to organizations and governed by the board. We'll have a sense of what the boards might do well and what they don't. Before we move forward with a major change in governance, we'll have a much better picture of what we might expect and how those utilities really -- how the utilities fared once they shifted from one form of governance to another. We may be the largest without a governing board, but there are a whole lot of things that Austin Energy does well. We may see some things that surprise us in this data and make some points to some direction for how we want to move forward with governance. >> Mayor? >> Mayor Leffingwell: -- >> Tovo: I have questions for the city manager's office whether you have suggestions for marrying a scope so we can get great comparable useful data to help us in the decision-making process and doesn't overburden your staff. As you said, you're stretched thin. >> Cole: Mayor? >> Mayor Leffingwell: Mayor pro tem? >> Cole: I certainly appreciate the balance that's going on here with us not wanting to react in fear but at the same time we have to exercise good faith with the state legislature and still wanting to make a good decision.

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So I guess what I would like to know is what if -- you never want to be against useful information and at the same time you don't want that information and obtaining that information to be used to run out the clock. We're trying to figure out which one are we trying to do. How do we feel about that. Robert, let me ask you a series -- >> if you would. >> Cole: I know that we have been provided a lot of information. And it's my belief that information be in large, 99.9% of it has not been put in the form that this resolution is asking for. So I don't believe this resolution is asking for you guys to travel. And I would like to see it very, very limited to just deal with the state of Texas and deal with the information that we have and maybe a little bit of additional work to tell us about how utilities have fared that went on to go through a governance structure but not being nearly as pervasive or use a lot of bandwidth your words, because we want to get the information. But at the same time, we want to get -- we want to make a good decision but we want to make a decision in accordance with the representations that we made at the legislature. So let me ask you a couple of questions. >> Okay. >> Cole: Do we have information about other municipally owned utilities that are managed just in Texas? >> We do. >> Cole: So do we have -- is it a complete set of information so that we can look at that and know how they went about it and how they went about moving to an independent board. >> We have information about the public utilities and their structure and how they're structured and I think some background information on why

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they're that way. For example, we have that kind of information in background with respect to cps and some of the others I think we provided the council with a pretty thick report when we had the consultant the first time that we used to -- to determine what the various models were. We said essentially there were just a couple. But allowing variations between. And that extensive report talks about that. The question has to do with whether or not with regards to all of the things listed in the resolution, do we believe we have much of that information some place within austin energy or whatever. Generally I think, yes, I can't tell you conclusively that we do. But I suspect a lot of this stuff that we have. A lot of the reports. The mayor alluded to it regarding austin energy and the independent governance structure. So there's a lot of data around already that I think will be useful in responding to this. So it's hard to say, though, having said that, you know, how long it would take to get it done. We would endeavor to do it as quickly as possible. We recognize a sensitivity to the ongoing legislative process and how long they'll be in session and the need for council to be able to make some sort of decision regarding a governance ordinance in advance of that. But I can't predict -- give you a hard timeline on it. I don't even know that some of these things in here are relevant to really the question that's being asked. And you kind of compare the analysis that we're talking about -- is this -- is this just a performance-based comparative analysis, you know? Or does it go beyond that? Because one of the things in this list that I'm not mistaken is tree trimming, for example.

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I'm not sure that and other things are germane to the kind of comparative performance analysis that I think is intended by this resolution. >> Cole: Let me ask the co-sponsors a couple of question since you've given that comment. >> Mayor Leffingwell: Let me ask you a key question before you go ahead. Two timelines going here. We have a timeline for bringing back an ordinance. My understanding was supposed to BE THE 21st -- THE DAY AFTER Tomorrow. That's now slipped. I would think the slippage would be -- we should work hard to stay as close to that timeline as we possibly could. We have a timeline assuming this resolution passes for doing all these studies. And it seems to me like the -- with the three timelines in place, the ordinance is going to come before council before the timeline of the study requested. In other words, we're hoping sometimes the end of this month or at the latest in april the council will consider the ordinance itself. The study may completed by may 23. So we'll be in the position to addressing the ordinance before this study. And I personally don't consider it a predicate to considering the ordinance. >> Cole: I don't consider the predicate to considering the ordy naps and I give deference to the@ recommendationings we made to the legislature. I would like to see us have the information by the march 28 date that you have and figure out what staff already has that we can get this that format and be on the same page about that. If that's possible, even if we're just looking at utilities within the state of texas and what we already ask, it's my understanding that you already have some of this information. So if we could pass the resolution that is going to have

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the information by the 28th when we actually consider governance, even if that information is a lot -- >> Mayor Leffingwell: We would be considering governance before that. THE 23rd. NOT THE 28th. We're considering governance at the latest mid april. And the study is not -- is requests the manager to come back and report with this study on may 23. >> Cole: So I'm trying to put on the table the idea of limiting the study so that it is in agreement with our governance decision and letting managers and sponsors work that out. >> Mayor Leffingwell: So it could be done before the timeline needed. Late march to mid april timeline to consider the ordinance. >> Cole: Yes? >> Mayor Leffingwell: Is that correct? >> Cole: Yes. But reasonable -- good faith reasonableness on the part of staff in terms of what we're asking for. I would like for them to have the opportunity to work that out. >> Mayor Leffingwell: I don't have any objection to that. It may impose -- this is a huge workload as it is. This resolution alone could probably occupy everybody in austin energy for the next few months to complete -- to try to complete and get all of this information. But it -- with regard to comparing other utilities, our resolution called for an ordinance that is almost exactly like cps, the largest municipally owned utility in the state of texas that's been operating successfully for a long time. It's not that we're operating in a vacuum on this. We have paid attention to what other people have done. The electric utility has paid attention to what other people have done. They came to these conclusions because they study other municipally owned utilities and frankly they've -- and I and all of us have been observers of the process that we went through last year, which is not a pretty sight. And I would consider it exhibit

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a for why we need this independent governance. We went through a lengthy over a dozen public hearings. We wound up with an ordinance that was -- a rate case that was split. We didn't consider the whole thing. We're coming back in 2015 to hear more on it. It had in my view a lot of problems with it that were i still have a lot of questions. I don't consider it to be a successful rate case. And more over, we hadn't done that since 1994 because of the political issues involved in bringing forward a rate case. We cannot continue to expose this city to that kind of politically driven management. We need professional business-like management for what is a huge \$1.3 billion business, almost 40% of the city's entire all-funds budget. Councilmember martinez? >> Martinez: Well, first of all, you -- I tend to agree with some of your comments regarding having different levels of expertise. I think we have experts in our city manager and our austin energy general manager and those that are executives of the utility. But adding to that, I don't think it's harmful. p AND I'LL SPEAK DIRECTLY TO AN Experience that I can't say in any other way other than it was the best thing that ever happened to capital metro. The last legislative session two sessions ago, a directive and a mandate to revamp the capital metro board to add financial expertise, to add managerial expertise, diversity of representation, one from outside of the area, one from small mayors. And we were \$4 million from bankruptcy when that board took over. But some standards we have turned that agency around.

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Moving forward and progressing very well. So I believe it's absolutely a good thing for us to look at the different structures and what that looks like in the end. I don't disagree that we could add some folks that could help us make decisions. What it looks like in the end? I don't know.

There will be multiple options. One will be a completely independent governance board. The other option could be a governance board with the authority retained by the council as it relates to rates and renewable energy and generation plan and things of that nature. >> Mayor Leffingwell: It is what we pass, by the way. >> Martinez: Right, it's important that we move forward. The last thing I'll say, though, and I don't say this lightly -- I know of exactly -- at least three bills that are pending right now that are directly related to action that we've taken as a council and so i don't take it lightly that we're being watched very closely. And perception is sometimes reality for some. We have the bill to change the annexation amendment over the circle of the americas. We have a bill to adopt the policies with the wage floor. And there was another bill that you and I talked about yesterday -- that's four. The bag ban is another one. >> Mayor Leffingwell: The ordinance? >> Martinez: The other one i just recalled is related to the affordable housing measure that didn't pass. There's a bill pending that would have precluded us from using certificates of obligation for anything that didn't pass three years preceding. Again, these are not statewide issues -- these are austin issues. And I -- and one of the straws is going to break the camel's back. We are already getting bashed on in my opinion because of some of the actions we've taken. So taking action on this item is very serious to me because it

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could threaten in some way the utility. >> Mayor Leffingwell: You mean taking action on the ordinance, creating the board or -- >> Martinez: No, not taking the action on the governance structure is a huge threat. Taking action to further delay is a huge threat as well. >> Mayor Leffingwell: Agreed. City manager? >> Your list of things at the legislature, I learned that was standard fare. So I'm not particularly struck by that. >> Mayor Leffingwell: It used to be. It hadn't been for a while. >> Any way, I want to make the point that at least from my perspective, I don't want anyone to construe that austin energy was in as bad a shape as capital metro. For me, at least, that's a stretch. I can't make the connection there. >> Martinez: Totally appreciate that. I was only referring to the restructuring of the board and the governance. >> So the motivation for doing that in your case, I completely understand. However, I would have to -- i would hasten to say -- because i am a city manager. I do need to say this -- to the extent that the ae ship wasn't floating straight or standing straight, the reality is that we've righted the ship. I do need to say that. That seems to get lost in this conversation. I I have to say that on my own behalf, I have to say it on behalf of austin energy and everybody that worked so hard to do that. The fact of the matter is that when I came here, you know, on the -- on the dawn of severe economic decline, those of you around this table, most of you around the table knew that not just the changes to the general fund of the economy presented but that austin energy was on a slippery slope downward from a financial standpoint as well. We had to do things like deal with our budget in terms of, you know, \$80 million to balance the reserve. Another \$40 million or so the

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next year. You know? So that didn't begin in 2008, quite frankly. I mean there were people around here, I have to believe, who understood, you know, that -- that the utility was on that course. We saw it. Not long after we got here and we took steps to correct it. And that correction was recognized as you all know by the rating agencies in terms of the upgrade that they gave. And in fact of all of the reasons that they characterize for that upgrade, they certainly included

the financial adjustment that we undertook in terms of -- in terms of rates. So it was a difficult process. But, again, just for context. Again, because when I hear that, it sounds -- it sounds very critical of the work that we did, the fact of the matter is, you know, the sausage making around here is messy on any given day. When you talk about dealing with an issue that hadn't been dealt with for 17 years and you talk about -- and you're talking about austin energy, right, our largest business, it was going to be messy and it was going to be challenging. But at the end of the day, the ship was righted. And I just need to make that point as your city manager. >> Mayor Leffingwell: I'm glad you brought that up. Because I am in no means implying -- in no means meant to imply the current management isn't doing a good job. You inherited a mess the situation where we hadn't addressed rates for 17 years, as I said, because of political pressures. We inherited kind of a mess with regard to how the utility's money was used frankly as a cash cow for a lot of other city operations. That's attracted a lot of attention. So I think that your team has done a great job -- I'll use the word great -- a great job to attempting to right this course. The policies for transfers is a

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model for other people to follow. There's still more to go on correcting the cash cow business. But the process is not management from the staff perspective, it's management from the council perspective. As I said, it's become a politically driven process. That's why we didn't address it for 17 years. When we went through and as you recall, nobody -- the recommendation of our staff didn't mean it was perfect by any means, it was vastly different with what we came out with. And that was due to the process that we had to go through. And we came out with a product, as I said, that I'm not proud of. I think we could have from a business perspective done a much better job. The product that we came out with got us into an appeal to the public utility commission on our outside city customers. And we have since dealt with that. It's cost us some money. We now have -- we're in an unusual position of having folks who customers who live outside of the city, we pay less than we do inside the city. And that's only because the public utility commission has moved jurisdiction over inside city customers. But the legislature does. That's the second part of it. We have an appeal to the puc. We painted a target on our back at the state legislature. They do have purview over what we do. I think we have to correct the situation we're in right now and do it on a timely basis. And I think that's very important that we do it on a timely basis. So I think we have to hold -- we have to hold that timeline. We can discuss the particulars of governance ordinance that's coming up very soon before the end -- before this study is completed and I trust that if the resolution requesting or ordering the study does pass that we'll proceed with the

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established time line on bringing the ordinance forward and not wait for completion of this lengthy study. >> Mayor? >> Councilmember morrison? >> Morrison: Thank you. I -- I'm a co-sponsor of this resolution and will be happy to sit down with staff and councilmember tovo in the next day or two. And look at what are ways that we can most optimally leverage the reports that we have. One of the nice things about the resolution councilmember tovo did an admirable job of -- of pulling together a list of all of the reports that have already been done. So in large part, as you mentioned, mayor pro tem, it's a matter of collecting data that we already have. To look at what we have to be most easily in a format that makes the right decision. The political issue on

the table in front of us. I know we need to be pragmatic about dealing with us being in the city of austin with the legislature in session. But we also -- I feel like i have a responsibility of making the best decision. When I voted for the resolution asking for the city manager to put together this ordinance, it was because I had an openness to exploring it. So I would hesitate for that and I hope that I made that quite clear in my comments for that vote to suggest that hands down I know that an independent board is what's called for. I think I still need to see the information that tells me why it's called for. Because pending action at the legislature is certainly one thing to consider. But there are a lot of other things to consider about what's right for the residents of austin, the people who own this utility.

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And I do -- I do have to just respond to a couple of points that were made, one I heard that our rate-making process last year was exhibit a and why we needed to go to an independent board and quite frankly, I see it as quite the opposite. I see that process as exhibit a in why we maybe should not go to an independent board. >> Mayor Leffingwell: A difference in opinion. >> Morrison: I'm expressing my opinion at this point. My opinion is that what we saw with that was on the one hand, someone may perceive that as a political process. But what I saw was a process whereby the council who was accountable to all the rate payers but all of the citizens of austin taking a look at what was offered to us as recommendation and adjusting it to achieve much better levels of affordability to achieve much better integration of our community values into that. Into that rate case. And we did a very good job of that. We decreased the amount of the increase significantly. We were able to address issues of affordability of low income folks and schools and faith-based organizations. All -- all elements of our community that you can't necessarily put a financial bismarcker on. And that's our job to do. So I think we came out with the -- the process worked the way it should. It was a lot of hard work. You know, maybe there are ways to make that happen with more advisory and managerial and other things in the process. I'm certainly open to that. But, you know, we as the elected officials are the ones that made a difference in that. With regard to not having made a -- not having to have a rate case for 17 years, we also

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adopted a policy that we wouldn't let that happen again. So under the, you know, with the work of the city management, five years from now or whatever -- I think it was five -- we just said that we need to look at this every five years, it will be in front of us. And we have learned a lesson on that. So the issue of it having gone on for so long and the council sort of being able to avoid that for so long I think is behind us. So clearly there are a lot of things to consider. I'm happy to work to try to make sure that we can have something by the middle of april. But I for one cannot make a decision and take a vote unless I feel like I have the appropriate amount of information that tells me why we should be doing this. >> Tovo: I have a question. >> Mayor Leffingwell: I'll say with all respect, councilmember, this is a difference of opinion. Some folks like you think it was a good process and got a good result. I disagree. I would submit that the public utility commission disagrees also. Mayor pro tem cole? >> Cole: I appreciate the fact that you guys will sit down and work with staff and try to get us information before we make a decision, not after we make a decision. And appreciate your thought that the information is needed. I think there are

definitely portions of this that would be good information and that we don't -- what I wanted to make sure you're contemplating doing that by posting language on this thursday. >> Morrison: Yes. >> Cole: Yes? Is that a yes? >> Morrison: My thought is it would make sense to work with staff to see, you know, what are some elements that could be available by the middle of april. Because frankly I think it's the reality of the situation is in terms of when we're going to hear back from the city manager with the earliest of a draft ordinance. >> I assumed that you meant by working with us was determine

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the best way to determine how to narrow the scope and still have the outcome be relevant? >> Morrison: Yes, at the same time if you or anybody else right here have a particular interest or a particular disinterest in any of the parameters that we've listed out in the resolution, I would certainly -- this would be an opportunity to throw those out to us so that when we work with staff for the next couple of days. >> Cole: Sometimes I think we tend to study the study and ask for more data, data, data. And I think in this situation what we really need is examples that go from not having a governing board to going to a governing board. And I think the focus needs to be on texas and then -- which probably marginally only includes cps. And then we should go to other cities but the key question is how do you go from governance -- >> I'm not sure that's the key question. >> Spelman: I thought the key question was when you look at our current structure relative to the utilities that have an independent governance board, is there a substantial difference from the performance standpoint. If so, what are those differences. >> Cole: I appreciate your language, city manager. I know that's management jargon and I wanted to adopt it. Performance-based management improvement from going to a governing board, how's that? Does that make sense? >> Morrison: If I may. >> Mayor Leffingwell: Let mayor pro tem finish this. >> Cole: We want to be clear -- we're putting you under a gun and say go off and work with two councilmembers. >> The sponsors would have to indicate whether or not what i said was accurate as to the essence of the intent. >> Morrison: Yes. >> Tovo: Yes. >> We're just having the conversation today. But the direction will come on thursday. >> Cole: Absolutely.

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>> Morrison: Mayor? >> Mayor Leffingwell: Councilmember morrison? >> Morrison: I think what i heard the city manager say is what I agree with -- the key question is what are the relative performances of utilities that are governed by a council versus governed by an independent board a as opposed to what happened when a utility went from one from governance. >> Cole: Your way is more limited and better. >> Morrison: Also I want to mention that cps didn't do -- it went from a transition, if I'm correct -- I'm sure robert could tell me -- had a transition from privately owned to an independent board under a public utility. So if in fact we did what you suggested, cps wasn't included. We need to include cps. >> Mayor Leffingwell: San antonio acquired -- it was acquired. >> Morrison: Right. >> Mayor Leffingwell: One more piece of the puzzle. I want to make sure all of you know about it -- upc passed another resolutn on a 5-2 vote -- it's a strong statement citing problems that have occurred in austin energy, you know, sort of point-by-point. And it's converted to editorial article form and I know it has been sent to the local newspaper. For consideration of publishing. Again, that's passed on a 5-2 vote. Councilmember tovo. >> Tovo: I appreciate the electric utility's work on so many issues regarding austin energy. But as

has already been pointed out, they sent a rate proposal for which there was significant conflict even among their own board. And great outcry in the community. And, you know, there's no doubt that if we had gone with a rate proposal that was twice what it was after we got through with it, but the impact on the rate payers would have been more significant than what we're already seeing. I'm sure your offices have heard from constituents, rate payers

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out there in the community about how the impact is affecting them. I got -- one of my staff members working with a family that had to borrow money from their church to pay for their utility bill last month because they don't qualify for cap and the rate increase was so significant. Twice as much is what the euc sent us. I appreciate the work of the euc but I have to respectfully disagree they always adopt a position that I think is the best interest of rate payers. And, just again, to give some sense of the context, right now the resolution does call for information allowing us to compare austin energy to utilities that are governed at least in part by an independent board, but it does include a request that we see information before and after that transition to assess how their performance changed over -- how their performance changed. It sounds like we're going to need to limit the scope in some way. That may be a piece that has to fall out. I do think we're acting responsibly when we look at how austin energy compares to utilities that are governing in part. What do they do well? Are they still able to maintain their community responsiveness and the community values that we've adopted here in austin? And that will, I hope, help us make decisions about what responsibilities could be delegated to some kind of a board. So absolutely, I think, it would make no sense to have all of this data come back to us after a decision has been made about governance. We'll have to get the timelines lined up. I would say we should not rush forward. The city manager's office saying they're not going to have an ordinance that's ready for us until april, we need to give them the time. They need to do it well. This is a decision that hadn't been made. We're reversing a decision that was made 100 years ago when austin utility went from being a

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private utility to a municipally-owned utility. This is a once in a 100-year decision, we need to make sure we get the right one and get the information we need to make those decisions. As I looked at a lot of the information that has been made, I mean the -- the examples even those that were cited by the euc, greenville, texas. That's a texas utility governed by a municipal board that's got 13,000 customers. Some of the examples that have been cited to us as models of what an independent board could do for us as a utility are just not relate vapt when they're lined up to austin energy. So before we move forward, we do need to be sure we're comparing apples to apples and have a very clear sense of what an independence governing board -- what an independent governing board might do well and what it might not and we're moving the rate payers of austin into when we make a decision. >> Little over 50 municipally owned utilities in the state of texas. You may have the exact number, robert. But it's over 50, a little over 50. And the fact is that since you mentioned greenville, most of them are a very small town, utilities. The only two large municipally-owned utilities are san antonio, cps, and austin energy. Austin energy is the largest emu in the entire country that's not governed by the independent board and the eighth largest municipally owned utility in the country. 100 years ago, austin energy wasn't even

austin energy. I don't know what it was called. The electric company -- the light company, probably. And much smaller city. Obviously, and when we're in that category where other large utilities would not want to take on that burden to serve the people or not serve them well at an rate which I just want to

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say that there's a resolution that's been passed by the council by a 7-0 vote that directs coming back by march 21. Understand now that we had a report back that that's going to have to be delayed a little bit. But I think that resolution is binding and should take precedence until it's overturned and it should not be delayed because of another resolution that's passed in the interim. In other words, that resolution timeline is still in place. It can't be bumped back by another resolution unless we overturn the previous. >> If I may, I want to make sure I'm doing a good job about managing expectations, council's expectations. So I'm willing to do that by simply reading the last sentence in the memo that I sent you. Because I heard people say declaratively about what they EXPECT TO HAPPEN ON THE 28th. The last sentence says I plan to update you again in mid april regarding progress. Depending on the rate of data collection and analysis, we may have a drafted ordinance at that time. We're driving to that. But I want to make sure you understand what I said to you. >> Mayor Leffingwell: I understand that, city manager. My point is I don't want your efforts to meet those timelines. >> I understand your point. >> Mayor Leffingwell: Interfered by another subsequently passed resolution. Just from the time and man hour perspective. Councilmember riley? >> Riley: Appreciate councilmember morrison being willing to sit down and work something out with staff to make it a manageable task. I ask that as you do that, take a look at the language of the resolution, typically the language after the first "be it resolved" will generally indicate the action that is contemplated in the posting language. That's not the case with the resolution before us. If you can take a look at that as you revise the resolution?

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>>. [Participant off-mic] >> Riley: Typically the language in the first be it resolved will reflect the action in the posting language. That's the action that's posted in the language. That's the -- typically how we do the resolutions and that's not the case of this resolution. Just a -- take a look at the be it resolved language. >> Morrison: Sure. To maybe you mean -- >> Riley: Just read it. >> Morrison: I know what you're talking about. It's just sort of a flowery -- >> Riley: The whereas. It's whereas language that's in the be it resolved that just struck me as odd. >> Mayor Leffingwell: Yeah, formattingwise, that's a good point. It happens a lot, unfortunately. But the whereas, I think those are facts -- statements of fact. The -- the be it resolved are directions to do. They often get mixed up, but they shouldn't. Councilmember martinez? >> Martinez: Can I add to what councilmember riley was saying. I don't want to speak for him, i want to speak clearly for myself. The resolve is unnecessary if not redundant language as in the previous resolution. It states that any decisions must be based on sound policy, research, and data. I don't think anybody disagrees with that. I think what we try to do each and every time we make decisions. We base the decisions on sound policy, research, and data. I understand how it relates to this resolution because you are asking for a tremendous amount of data. For me, the first resolve, though, it's --

it's hyperbole at best. >> Morrison: More comfortable as a whereas. >> Mayor Leffingwell: There's only four pages of whereass,

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what's one more? >> Morrison: Thank you. >> Mayor Leffingwell: Mayor pro tem. >> Cole: I wanted to ask the city manager and the sponsors if I could be a part of the meeting where we try to -- where we will limit the scope of the resolution and try to get a request for information that is consistent with the original timeline in our resolution? >> That's time with me. I only ask you to be mindful of the harbor you would be in at that point? Understand what I just said? >> Cole: I don't believe that would be more than a quorum. >> No, it would not. Be mindful of the harbor you would be in. >> Cole: During councilmembers, yeah, we're getting close to the safe harbor act where you stick to the sponsors of the particular item. But I think that's okay. >> Mayor Leffingwell: And, yeah. And we have had a public -- we're having a public discussion of this item right now. And we have -- people have expressed opinions, directions about what -- the rest of us can't participate in the discussion. I'm sure you heard -- I want to reiterate once more that the driving force is reduced in scope to the point where it will not interfere with the timely progress, not reduce -- not extend the timeline of the existing resolution to bring back the ordinance. Okay? Can we move on? Councilmember Riley is on a roll here with item 44. >> Riley: Item 44 is about zoning and the downtown density bonus program. I have questions about the be it resolved paragraphs.

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The first be it resolved that the city council initiates code amendments to counteract the ordinance that would face zoning as referenced in the downtown plan and direct the city manager to prepare the necessary amendments, present the amendments to the commission and present the amendments to council for consideration no later than June 6. The next be it resolved paragraph says city council -- the city council will use the adopted downtown Austin plan on the program as a guiding principle in reviewing future zoning requests when exercising the zoning authority. Two questions -- one about each paragraph. First with the paragraph initiating code amendments to codify the portion of the bonus program that replaced the zoning. I want to get an understanding of how this relates to the staff's ongoing effort to prepare code amendments to codify the downtown plan that we approved last year, that's an ongoing process is the idea that this is different -- is this different from what we approved then? Is it different than the contemplation. Do we have a whole different round of code amendments or the board commissions as compared to what we previously approved in the downtown plan? I just want to -- for the sake of clarity, I want to make sure we're all on the same page as to how this relates to what we've done by adopting the downtown plan in the process of codifying occasion. And secondly, with the be it resolve paragraph, saying we'll use the program as a guiding principle in the zoning and request. I want to have an understanding of what cases that would apply to. Would that mean that the city council would use the density

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program as a guiding principle for the zoning case that's on the agenda for this thursday? Does it mean every zoning case we see from tonight from thursday forward or does that mean cases that are only involve rezoning after it occurs. Is there a pipeline there or would we start effective this week to apply for the extremes in the cases that are already in the pipeline? >> Mayor

Leffingwell: I have to say to me this is basically the same problem as item 40. Establishing a policy to address future actions of the council. I can't support anything like that. I don't think it has validity. I don't think it changes the factors that are in play right now regarding the legitimacy of bartering for the zoning approval. If you consider it -- I don't think it changes that fact. Whatever that fact is. >> Tovo: In answer to your first question -- this does not -- this puts a priority rush on the downtown density bonus program as it relates to rezoning. It's not contemplating anything about the codify occasion of the downtown plan. It's just asking staff to codify that portion so we can look forward to the downtown program and don't continue to have discussions and about whether or not it's valid for us to apply the downtown plan as council has copped but has not yet codified. So that is really the intent of that to codify that piece. And I'll allow councilmember morrison to jump in here on that point if you have anything to add -- I want to address your

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second plan. >> Morrison: I think of it as a little differently. That is that the downtown program and the work that's codified is a big job. We're doing certain studies and all of that to do the calibrations quite right of all of the different bonus elements that may not come in to play at all in what we're calling the modified cure, although it's not going to be cured. To me, it's cutting off a chunk, doing a sub site of it that could be done so more quickly. So it can put it in place. >>

Riley: Typically when we initiate code amendments, that involves a specific process -- process that entails notice being sent to notify people that we are initiating code amendments, hearings being sent, specifically on the programs. Is that the -- I assume that would be required if we were going to approve this language, we would to send -- to mail notice if we were initiating the code amendments and we need to undergo this process involving the planning commission and so on in keeping with the typical process for when code amendments are initiated. Is that what -- is that

-- >> Morrison: You bring up a really good point. This is -- this code might already have been initiated. Have we had the codify occasion of the downtown city bonus? This is what we -- >> yes, you already initiated it but you have not asked us to put as a priority one aspect over the rest of it. So you're -- this -- this resolution fair to say takes something that you're working on, move it ahead of all of the others, process it separately before the rest of the package

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comes aboard. So -- >> Cole: Can I interject something here? I specifically remember on the sixth, 2011 dealing with the downtown plan giving direction that the density bonus part of this was what we had struggled with the most and were most concerned about and recognized that the downtown plan as a whole was going to take a lot longer. But we wanted to give priority to that. Do you recall that? Were you there? I remembered jim? I don't remember -- >> I think I was sitting out in the audience while jim was up there. I remember we discussed it as a priority item. I don't think we were trying to bring it back in context everything. >> Cole: Councilmember riley, you were asking questions? >> Riley: My question for staff is if we approve this language

saying we initiate code amendments to do these -- to do the -- with the respect that we would need to mail notice? >> Riley: Going to bring something forward and put in the ordinance -- like with any ordinance, we'd go through the ordinance and the subcommittee and the applying commission and going to the city council for your action there. There's some additional references, I think, to taking it back to cdc or down -- or see -- yeah, the cdc in downtown commission in addition so we would make those doubts before we bring it back to you. That's not uncommon. >> Riley: Okay. >> Cole: While we're on this line of questioning -- I also remember that there was going to be a study of the act to recalibrate the numbers to actually come up with recent numbers to calculate the density bonus. Where is that and how will that be dated? >> We do have consultants under contract to do that work.

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And there are a number of steps that have to be completed before they can actually start that work. We have to collect current construction rates. We have to ensure that the sample sites that were modelled to help determine the calibration, they have to be reassessed. So there are a number of steps that have to be completed before the consultants can actually recalibrate those rates, which is why the process is taking a while. >> Cole: So are you asking councilmember morrison that this work proceed despite the fact that we don't have the recalibrated numbers, go ahead and proceed based on what we have now and then be updated based on what we receive later? >> Morrison: That's entirely what was contemplated because what's understood that that's going to take some additional time. And so the idea would be to go forward with the numbers that we have in place. And then when we recalibrated numbers are available, we would simply insert -- change out the numbers -- the current numbers. With the idea that the current numbers are good until we get a change. But what's really critical in all -- I understand that we need to sort out the details. But what's really critical is to be able to, from my perspective, to be able to have the framework in place based on austin's long discussions that we've had recently, the framework in place of expectations in the development community can be set and can be worked to. So that we can make sure that we're doing what's best for -- for the community as we adopt these. >> Cole: Further questions? Councilmember tovo? >> Tovo: I wanted to respond to the second point that riley raised. That sh the guiding principal using the guiding principal. So we've adopted the downtown

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austin plan. It does have the structure in place. It does talk about the expectations for that density bonus program. But we have heard different responses from the development community about how -- about what that -- about not knowing what that means, exactly. So the intent here is to state that we are going to use the downtown austin plan as the guiding principle when inviting cases. And so I would include any in the pipeline and any to come between now and when it's codified. The one case on the agenda for thursday told the downtown commission they intend to comply with the downtown austin density program. So that won't be any surprise there hopefully. But in the interest of providing the kind of consistency and predictability to the development community that we often hear stating a guiding principle, stating this is going to be our guiding principle from here on out makes good sense and let them know, we adopted the downtown austin plan. There's some controversy of whether or not that is -- that can be held as

the structure going forward and so unless there's any confusion, this is our policy. I want to say I got a very helpful summary of downtown care cases from mr. Robertson. So I'll submit that as a formal question to our q&a so all council officers have access to it. It compiles -- looks like the care cases beginning long before the downtown density bonus, the interim downtown density bonus program was in place, but looking at cases from 2008 on after the sprim downtown density bonus program was in place, it shows what the ben if I wants would have been had those projects gone through the interim downtown density bonus program rather than feature zoning. And we're talking about by my very rough calculations, more than \$20 million. It's quite significant. I think getting that piece

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codified and the k predictability to our development community is worth doing and pulling out that section before we go around the rest of the codify occasion makes sense. >> Mayor Leffingwell: Walked in on the tail of that -- a very interesting tail. I want to comment that the assumption that we would have \$25 million more for affordable housing if we had followed that policy at the time, I think, is -- there's another possibility. We might have had zero. Those buildings might not have been built, at least that size, and built much smaller and we'll drive it much smaller tax base out of it too. It could have had not only zero effect, but negative effect if at all. That's always been the objection. That's why I don't support the density bonus for care zoning even though the policy is now part of the proposed city of austin downtown plan. >>

Tovo: Lest there be any confusion, I appreciate the point. I'm not sure that mr. Robertson factors out the fee waivers that would have been part of it. Some of it was fee waivers. Not sure all of the calculations in there, but it's worth looking at. It's a formal question through the q&as so everyone has an opportunity to review it. >> Mayor Leffingwell: Okay. Those are the items that we have preselected. Councilmember morrison? >> Morrison: I have a question on item number 25 that I think you're going to be able to answer. I would love to deal with it. This is the famous apd helicopter that was approved sometime ago. And we have those -- there have been two actions as I understand it. At first there's an approval to actually go forward and purchase the helicopter. It's \$3.7 million that was appropriated. Subsequently, there was an

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action to fund the actual purchase of the -- for the big helicopter and what we're looking at right now, under item 25, is the additional expense of \$1.14 million which is within the original appropriation to, as I like to say, accessorize the helicopter. And if you look at the -- there's some interesting things in the backup. It talks about what the completion package is going to include, the thermal image and moving the night vision goggles and the suspension center. And a lot about the package that's going to support afd and citing wild fires. My question is if you could talk about how you coordinated with afc and to make sure that, you know, everything is all well integrated. >> Certainly, good morning, mayor, council. Apd chief of staff. Councilmember, yeah, we're moving rapidly forward looking forward to getting this aircraft. Right now, speed is of the essence for us. We actually are preparing for the wildland fire season working with myself directly with harry staff, chief of staff of afd. I can tell you a lot of things have occurred and are ongoing as we speak. We're not simply waiting for the helicopter to be finished. We're starting our training now -- our joint training. If you will, our air support unit will be working with afd's special operations folks to kind of develop joint teams if a wildland fire develops so they can

rapidly respond to that when the aircraft is fully -- when it's here. By the way, assuming council or if council chooses to, you know, pass this motion here then we expect the aircraft to be ready sometime this summer. Our hope is that -- is as soon as possible. But it may be mid to late

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summer. And, of course, that's dependent on the manufacturer of the folks actually outfitting the aircraft or accessorizing it if you call. We're not waiting. Working well with the wild life fire division. Working well with the in training. We recognize that the wildland fire will be at the top of the priority list. So we're going to step up. The ultimate goal with this aircraft or with the unit in general is to have a 24/7 emergency response capability. That's ongoing. It's under development. We're looking at folks within the department that we may transition into the air support for this kind of admission. So that selection process is ongoing, training is ongoing. In april, this upcoming april there's a joint training session between apd, afd star flight and the national guard to coordinate if an event does require or a wild fire appears to be developing, we could all be operating on the same page, so to speak. And I think that's really important. The other thing that's -- that's occurring that is really good -- you mentioned some of the fire equipment that goes on this helicopter, it's universal. We're working that out. Star flight or national guard or actual apd aircraft, the equipment can be exchanged or worked across. We're actually again worked on the same page in terms of having the equipment be be the thing. I think we're well under way. I think you asked questions about the specifics in terms of the equipment. There's a variety of equipment there that can be used for the day-to-day police operations but also is critical to the wildland fire mission. For example, one of the things that you mentioned the thermal imagery which a lot of people see on the police tv shows and

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catching the bad guys at night, running around and stuff, that's critical equipment. That equipment cost runs around \$400,000, almost \$400,000. That's critical in terms of spotting where hot spots so to speak on the ground are. And what we actually discovered in the last fire season is that we can also detect fires occurring on the ground that may not be readily visible in the day using this equipment. So that -- that's viable. Some of the -- some of the specifics that this aircraft will have that other aircraft will have or will not have is if you're going to be in the wildland fire or fighting business, you have to have specialized equipment such as special filters for the engines. Those run as much as \$50,000 or \$60,000. I don't have the specifics. If you want the exact breakdown, I can provide it. The other thing that's critical is the commune kags and also being able to transmit information such as the parameters of the fire occurring. Transfer that information back to ctac. A fire that will have a joint operations center and will stand up and get that information to afd, to national guard, star flight, or whoever needs that. So that is what is intended. So what we expect is speed of response, the ability to respond quickly. If we see a small fire or someone tells us there's one occurring, we're going to have that capability actually to address that -- get on top of that hopefully before it becomes a big issue. That's one of the things our goals are. The other issue on timing for us is to try to push it as soon as we possibly can. We're moving in that direction. >> Morrison: Thanks, i appreciate that. So you're really talking about sort of a joint operation from four different entities. >> Entities, yes. >> Morrison:

Entities with the joint command structure. >> With the goal -- yes, using a unified command system. The goal is to basically use

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this aircraft, if -- you know, while a fire we know would be devastating, we know a lot of people have a lot of great concerns about that. So we're putting a lot of -- a lot of energy into it. I think the important thing is we're front loading -- we're not waiting for the aircraft to get here. We have our staff, apd staff working with afd staff on how to configure, how to move, and having the right people on the aircraft. >> Will there be afd folks in the air? >> There can be, yes, depending on the mission and what's required. >> Morrison: One thing that you said is interesting to me in terms of the thermal imagining to be able to detect hot spots, will we actually -- is it envisioned that there will be surveillance during high-risk times and high-risk areas. >> That's a possibility. In terms of -- if there is a warning of some kind is given -- and I think a red flag day or something along that line -- our belief is that we would have a special configuration for that particular day working in coordination and conjunction with afd to kind of look at that thing. If that's warranted, we can do that. >> Morrison: So the configurations are swapped out. Not all onboard at the same time? >> That's correct. >> Morrison: How long does it want take to reconfigure? >> One of the things that the helicopter's primary day-to-day operations would be a standard police mission. If the situations call for it as the red flag day, there's some indication that fires and extreme danger then we'll switch the configuration. We'll work with afd. We'll have the equipment available. We'll have staffing, like I said, our ultimate goal is to have a 24/7 emergency response so we're not actually calling people back. We're having people on duty during those times, perhaps. Some of the details we're still working it through. >> Morrison: Sitting down at the table with the wild fire division? >> Absolutely. He's part of it. Chief Evans and myself probably going through training in this

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upcoming April and we're very well connected on that. >> Morrison: Great, thank you. >> Mayor Leffingwell: Councilmember Tovo? No questions? Oh, okay. No questions? In that case, we stand -- >> Tovo: I'm sorry, Mayor -- I miscommunicated. I don't have any questions for Chief Carter. I have questions about another issue. Sorry about that. I don't know if we still have the staff here from neighborhood planning. But I had a few questions about item number ten. This is the negotiation and execution of the professional services agreement. I wanted to ask a few basic questions about whether or not -- I know they were doing public comments, eliciting -- soliciting public comments from people who attended the presentation. I wondered whether we would get copies of those. I saw some information in the backup, maybe five or six evaluations, but I'm sorry, I didn't give anybody a heads up without that. >> We could get them for you. >> Tovo: Great, so members -- do you think there are -- some members of the public attended the presentations filled out comment cards? >> I think there were. We'll double check on that. >> Tovo: Thank you, in the backup, we have a matrix. And I wondered if there's supporting information that might help us understand what terms like the team's project approach, team structure -- basically what other criteria that they used. They've got the basic criteria here listed but we need to understand the evaluation. >> I can't answer that. Contract management was

leading that and helped the staff develop it. So I would defer to them to answer that. >> Tovo: Okay, I'll ask some of

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those questions in the q&a process. To your knowledge, is there any kind of narrative analysis of the strengths of the team? >> Provided beyond the -- beyond the numbers, thank you very much. >> Mayor Leffingwell: Councilmember morrison? >> Morrison: I was ready to move on to another -- >> Tovo: One last quick question for my colleagues. I don't have the names of the books down here. But both of the teams' presentation referred to -- the lead teams referred to books they had authored. I was going to ask if any of my colleagues have copies of those. I don't have the namesd -- do you happen to, councilmember riley? >> Riley: They had what? >> Tovo: Both of the lead teams authored books relative to planning and I didn't know if any of them had copies of those that I might borrow between now and thursday. >> Riley: I do have the one they did on the better way to zone. >> Mayor Leffingwell: Anything else? >> Mayor Leffingwell: -- And adjoining campo, the membership of the policy board is set forth in the jpa and that's what we're amending, joint powers agreement, and the jpa, to be amended, requires unanimous approval of the six joint powers, those being the city of austin, travis county,

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williamson county, metro and txdot, is that it? >> Morrison: Close, it's six. >> Mayor Leffingwell: That will adjust the membership to 17 PLUS TxDOT AND CAP METRO. I chaired the committee to establish the current jpa and, before, the membership of what we have today. Do you have any specific questions about membership? Right now, membership is bastrop 1, because each county has to have at least one. Other than that requirement of a minimum, it's generally based on population. So bastrop 1, caldwell 1, hayes 2, travis 9 and williamson 4. The only thing that would change would be add one to burnett. >> Morrison: So no one's losing anything. >> Mayor Leffingwell: No one's losing anything. Council member riley. >> Riley: I appreciate council member morrison pulling this because I meant to say something about this myself. This involves the addition to burnett county which I strongly support. I welcome them into campo and i think it will put us into better position to do regional planning. I do think we need to give careful thought to the makeup of the board as we've done previously. In particular, I'm concerned about the degree to which travis county is represented on the campo transportation policy board. Currently, travis county residents constitute 60% of the

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population of the five-county region, but in terms of the makeup of the board, we only have 53% of the members. So there is a gap there between population and representation on the campo board. If we just go and add one burnett county representative, that will actually move us in the wrong direction. That will widen the gap between our population and our representation. So we will then be 58% of the population of the six-county region, but only 50% of the board. I think that there could be -- there are other approaches that we could take. For instance, one option would be to add another travis county representative that would actually reduce the gap to just 5%. We would still be underrepresented by it would be somewhat better. Originally, I thought

had we could talk about the alternatives to suggest. We've since heard from the chair of campo, who indicated that he would prefer that, rather than have the council suggest some other form of representation, some other way of handling representation, that we simply vote this up or down. So, even though I am a sponsor on this item, I tend to vote no because I think it's worth taking more time to see if we can come up with some approach to representation on the policy board that would better represent travis county residents. >> Mayor Leffingwell: Okay. May I respond to that. I intend to vote yes. I think the changes are minimal, as those stats you quoted were correct. We'll go from 60% of the population and 53% of the representation. That's 7 points difference, if we want to look at it that way, to 58% of the population and 50% of the representation. That's 8 points difference. That's one percentage point.

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And as chris correctly mentioned, our task is to vote it up or down, yes or no, because it's a process. We don't want to start a chain of revisions going back and forth. It requires unanimous approval by all the joint powers. So I think the risk that we run, I don't think we lose essentially anything in travis county. At 3 percentage points, we're still 50% of the representation. The risk we run if we turn this down is that burnett county won't get to be in campo because all of the other six members of the joint powers will have to approve our amendment. Now, it's already been passed by everybody except travis county, and they're addressing it today. They may have already addressed it. Most likely, the expectation is the travis county commissioner court will approve it and cap metro has yet to take action on it. So we may be the only one supporting another change to the jpa, which would have to be recirculated to all the joint powers, and I really do think there is a real risk that we'll say, okay, we'll just leave it as it is right now. And pointing out one other, i think, important factor is another provision of the existing joint powers agreement is that, whenever any city in the campo area reaches a population of 50,000, they're automatically entitled to representation on campo. And right now, we -- let's see, since this was implemented, we've added georgetown, san marcos, and maybe cedar park was there before, but those are all recent additions using that provision. And we have two cities now that are in the 30,000 range and, according to projections that i

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got from ryan robinson, these are conservative projections. They will be over 50,000 by 2020. Possibly sooner than that. When that happens, they won't require a change to the jpa. We won't have any authority to veto it as we do in this instance. They will automatically be members. Kyle, as you know, is in hayes county, and leander is in williamson county. This is what regionalism is all about. You can't have one particular part of the region have dominance and control over every other part of the region because they sense that and it doesn't work, and campo is about regionalism, and we should be in the city of austin about regionalism, too, because that's where our transportation future is. We may not agree with every jot and tittle of future transportation plans, but we all have to work together, and i think if we start this precedent of not working together, saying, no, we're the big guy, we're not going to go along with the rest of you, then it's going to make it harder to achieve that goal of regionalism. Who's next? Mayor pro tem. >> Cole: I totally agree we need a regional plan, but I want to talk about this from a different perspective. The question is does council member morrison or tovo want to serve on

campo? And the reason I put it that way is because it's hard for me to vote no to this knowing -- or believing that we don't have other council members willing to serve or have other commissioners. >> Mayor Leffingwell: Before you go along that line, the proposed amendment would be -- right now, travis county

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commissioner court has three commissioner court members, and they also have a member who is appointed by the travis county commissioner court. So what we have discussed as a possible alternative, should that come about, is not a member of council but a member appointed by the austin city council. We have four members now on campo. We could mirror what travis county commissioner court does -- >> Cole: But that preclude us from taking this action today? Can't we still take that action later? I mean, can't we both say go ahead and vote burnett county like the other counties and be consistent with that, and still take up the issue? Because as council member riley said, we are underrepresented -- >> Mayor Leffingwell: That is a good alturtnive. Vote to this and seek a change to a future jpa down the road. >> Cole: Exactly. >> Mayor Leffingwell: Council member morrison. >> Morrison: Before you even said that, mayor pro tem, one of the comments I was planning to make was I wanted to express my gratitude to my colleagues who serve on campo because I -- >> Mayor Leffingwell: And sympathy. [Laughter] >> Morrison: -- And I was even going to go so far as to say eternal gratitude or service. But I appreciate the comments, mayor, because it really puts it in the context of that long-term picture that we're talking about both, you know, in terms of what does regionalism really mean, what do we need to -- what kind of commitment do we need to be able to demonstrate to make it work, because I think that's what folks are really interested in, and I think that's everybody's commitment here. But I'm curious, looking -- so we are headed, as you stated, in the direction, under the current structure of the joint powers agree, less and less of a

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percentage relative to our population, probably representation on campo. For my, I would be real interested to see where thats headed. You know, the fact that it currently says that once you reach 50,000, you have a seat on campo. Well, how many cities of a population of 50,000 do we expect to have by 2030 in our region? And if it' you know, we're talking about really a framework that doesn't work for the future, and we need to look at that. Maybe that 50,000 needs to be 100,000, or something like that, at some time. So it looks to me like there is some interesting study to be tone about the -- done about the long-term structure of the joint powers agreement. I would like to ask council member what you envision because -- I mean, would your druthers be to -- I would imagine you don't want just to drop, but you would want to vote it down but with direction to staff to try and carry something forward to continue the conversation? >> Riley: Sure, absolutely. And I expect to emphasize both this matter and at campo and cap metro that I'm strongly supportive of welcoming burnett county into campo. It's just a matter of how we approach the makeup of the transportation policy board as we do that. And this is nothing new. Typically, we went through a similar conversation when we added bastrop and caldwell counties not that long ago. There was a lengthy discussion about exactly how to handle the makeup of the transportation policy board, and that was done with an eye towards trying to maintain some

rough parity between population and representation, and this is simply doing the same thing, trying to make sure that travis county residents have something

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approaching a fair degree of representation on the transportation policy board. So this is simply a matter of saying, yes, we want burnett county, but as we go to the board, we want to think carefully about exactly how the board should be made up. >> Mayor Leffingwell: Chris, I'm well-familiar with that process. As I said, I chaired the committee that created the jpa that we have today, so I'm well familiar with all the balancing acts that have to take place there. I actually thin mayor pro tem had a great idea -- I'm sorry i didn't think of it first -- but that idea would be to -- and i think council member morrison alluded to it, also -- I don't want to put words in your mouth, I don't want to assume that part a is correct but par I think I heard -- part a being that we go ahead and approve this agreement and get burnett county in and not run the risk of them not being a part of campo. Part b is, in the near to mid-term future, we take a look at reconstituting the committee to reevaluate the whole thing and see if we need to make some adjustments in the makeup of the policy board. And I can tell you, it's not easy. It's not something that I don't think is going to be accomplished by direction to staff to go out there and now recirculate our version. If one of those six turns it down, it's dead. So then you've got to regroup. I think it makes much more sense to -- as a mayor pro tem and council member morrison said -- to go ahead, get burnett county in, and then take another look at the entire whole of the puzzle and present an entire new package to the joint powers. >> Morrison: Mayor, you scored

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50% on that. A, no, I have not decided -- >> Mayor Leffingwell: I did say -- >> Morrison: Yes, I realize you qualified that the first time you said it, not the second time. But, anyways, the jury is still out for me. I'm not sure. I'm going to think about this some more, but I definitely think it makes sense to look broader and reconstitute the committee and think, you know, what's the right jpa, say, for the next ten years, what's the right structure for the next ten years. And the question on the table before us today, or thursday, is do we just go ahead and accept that it's headed in the wrong direction, but we're going to correct it with more study for the next ten years or so? Or do we say let's get it right, let's at least jerry rig it, and the benefit to vote it down, send it back, the benefit I see in that approach is it will provide impetus and a case study for thinking about the longer term. So I'm still trying to decide. >> Mayor Leffingwell: Yeah, and just to repeat myself, once again, I think we run the risk of not getting burnett county into campo. They've requested to be in, us turning them down, us alone, the only body to turn down, I think, would send a very strong signal that we here at the austin city council are not interested in regionalism, we're all about offers austin. >> If I may, mayor. >> Mayor Leffingwell: Yes. >> There wasn't an item on the campo agenda last night because they were postponed. But the item would have had the transportation policy board recommend to the texas transportation commission that the boundaries of camp ob expanded to include burnett county.

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If that were the resolution asked before today, I would strongly support that, that we recommend expanding the boundaries of campo to include burnett, and that would address the general concern that the mayor expressed about the regionalism. I fully support extending the boundaries of campo to include burnett county. If we were to do that, we can have the conversation about how to secure representation on the transportation policy board for burnet county in a manner that provides representation to the residents of travis county and that conversation to continue until we come up with some acceptable resolution. But that would be one way of handling the two-step approach that the mayor suggested, that we could go ahead and welcome burnet county into campo and figure out down the road how we handle the representation. I don't think it makes much sense to go ahead and immediately say we want them on the board and they have a vote on the board and then later on we'll figure out how to handle travis county's representation on the board because, once you've stacked the board in a particular way that's adverse to the interest of travis county residents, it becomes that much harder to provide representation down the road. I think the appropriate time to make the adjustment to the board makeup is when we have had that careful process to figure out how exactly we're going to handle representation going forward. >> Mayor Leffingwell: That's the first time I've heard that suggestion that we could bring in a county and give them zero representation. I'm not sure that that would -- you know, the guidelines for how these policy boards are set up really come from the federal government, the guidelines. The actual details are done by the joint powers. I'm not sure you could legally do that, and I'm not sure that I would want to do that. It doesn't really sound democratic that you could bring in this other jurisdiction and not let them have any representation on it. I'm not sure they'd want to do

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it. So we'll decide tomorrow. Regionalism or austinism. [Laughter] >> Morrison: Mayor, if I may just say, I disagree with that, and I know we disagree on that. >> Mayor Leffingwell: That's as we see it. >> Morrison: Yes. >> Mayor Leffingwell: Without objection, we're adjourned at 11:20.