

City Council Meeting Transcript 8/20/2013

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>> Cole: I'd like to call to order this meeting of the austin city council work session. We will proceed in our usual manner, mayor leffingwell is out on business today, so i will be conducting the meeting. We have first our preselected agenda items by councilmember tovo. >> Tovo: Well, thanks. I actually had an opportunity to visit with staff at the end of yesterday, so this can be pretty short. I just -- I'm just pulling up these items. So we did establish last time -- yeah, thanks. A process for this at our last meeting and I just wanted to get a sense from you, it's my understanding -- and my first question -- that some of these applications have been pending for a long time. It's no the that we anticipate that there's going to be a huge number coming forward, it's just that these have been waiting. Is that correct? >> That is correct. >> Tovo: Great. So two level subsurface parking garages, I wonder if you could tell us about the others and why they need to use this mechanism rather than a license agreement? >> The reason why these particular projects qualify for the encroachment agreement is because they're permanent in nature and the license agreement is supposed to be removable within 90 days. And these types of improvements that I'm bringing forward to you today really are impossible to remove. For instance, an underground parking garage. So we also have -- in spaghetti warehouse we have a handicap ramp and they want to redo their docs behind their building, and that will be in our right-of-way, and a portion of our right-of-way.

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And then we have the cousins stone building and they've requested aerial rights where a small portion of their building will overhang in the right-of-way at about 22 feet and above. >> Tovo: With regard to the spaghetti warehouse and the ramp, is that envisioned to be a permanent structure? >> Yes, ma'am. >> Tovo: And so what are some of the -- how are you reaching professionals on this? I know we had a discussion about appraisals at our council meeting when we considered the resolution? Are these being done by an independent appraiser or is it done by a staff? >> The cousins property we did an outside appraisal because of its complexity, because it's actually net rentable area, multiple floors, so we had an outside appraiser go through and do that, particularly one on the parking garages. We used a -- basically we came up with \$200 a square foot and that was based on the other appraisals that we had done by outside appraisers downtown. And then we gave them a credit of five percent for owning the fee, and I hope I'm not getting too complicated, but in downtown area the adjacent property owners to the right-of-way actually own the right-of-way and we own the easement. So we had to give them a credit for what they already owned. And then after that the -- the general appraiser said that we're going to buy -- sell about 35% of the rights that remain. And so that's how they came up with the value. And they did that -- they used those rights based on a series of other appraisals that we've had done in the downtown area and they've been pretty consistent with those rights. So we felt very comfortable that that was a good number to be using.

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>> Tovo: Great. And I guess overall as you look at all of the permanent encroachments, are there any -- are the staff recommending all of them? >> Yes, ma'am. >> Tovo: Are there any that kind of limit the city's opportunities in a way that we would want to be aware of as we make this decision on Thursday? Are there any other -- >> before I posted it on the agenda, all the staff review it and if there are any concerns we would put that in the agenda, but the typical process that we will follow and have tried to follow on this, if there are any concerns we make the applicant go back to the client department and work out their concerns before it comes to you.

So we won't bring you anything if there's still concerns. And if there's something that can't be resolved in that way that still needs to come to you, that will be part of the posting. >> I see. When you said client department -- did you say client departments? Planning, development and review? >> Actually, the review process goes to all the department and our franchise holders that may have use in the right-of-way. So actually everybody reviews it and we need to get a yes or a conditional yes on -- from every single department. >> Tovo: I guess it would be good to know -- need to be aware of if there were other opportunities that we'll be foregoing if there's permanent encroachment is granted. I guess that's a little harder. That's not necessarily going to come forward from planning development or review, but is more a general question are there businesses along the streets -- sidewalk is not a good example, but it might be. Are there businesses along the street that may some day want to develop a sidewalk cafe and if this building is

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extended that limits this opportunity. >> The reason we've set up this process is so it comes back to you otherwise it would be done administratively by staff, and so on some of these things that are going to be there for a long time, it is giving council a chance to look at it. >> Tovo: I appreciate that and the public too. Thank you for all your work on that. >> Cole: Thank you for the work you did last week when we voted to actually make this a tool and when we see the items coming forward so quickly, I assume that means they were in the queue. >> We had the discussion with law and law said this really isn't an appropriate way to handle this. We really need to come up with a different method. So in working with law that's how we came one this encroachment process. >> It reverts back to the city so if we need it in the future we can keep it if on our use or if we want to allow somebody else to use it. >> Cole: We have those safeguards? >> Yes do. >> Cole: Councilmember riley? >> Riley: The it is a little peculiar with the underground easement. And underground parking garage wouldn't necessarily interfere with the use of the easement at the grade level. When you say that you valued -- I think I heard \$200 a square foot. Does that apply to the vertical space or would that apply to each level of the substory parking structure.

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>> What we did is look at comparables selling downtown and that's what they're selling for knowing that they can go vertical or go subsurface. So that's just a base value adjusted somewhat. If it's in the capital view corridor or limits the amount of building you get on the site. >> Riley: We would not allow permanent encroachments into the capital view corridor. >> That's correct. >> Riley: The same would apply to encroachments that are far above grade level even though it wouldn't interfere with the use of that right-of-way we still get to charge \$200 a square foot? >> In this particular case that's why we went to an outside appraisal on that building where they have net rentable add they are and then it gets complicated because the appraiser looked at the income stream from that and that looks at what is the land attributable to that income stream and it came up with those rights. It is a more complicated appraisal in nature. We actually did higher that out. >> Riley: Does that wind up with a higher tax base for that property? Does the purchase of the encroachment right actually make its way to tcad and wind up resulting in a higher appraisal? >> I can't speak exactly to that, but we have through some past requests of council, we've developed a relationship with, tcad and we have a shared folder where we put all this information in there so they can take the information out and use it when they evaluate to try to keep the

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dispersion from what's on the tax rolls to what we're seeing in the marketplace in town. >> Riley: It seems like the ones that want careful attention are those that actually do present a potential conflict with the public's use of the right-of-way. So for instance, a ramp affecting the right-of-way, can you just describe for those items before us that do actually present some protrusion into right-of-way at grade, that people might notice, could you just describe what -- the extent of the interference with the right-of-way? Like for instance, if the ramp behind the spaghetti warehouse, how far into the right-of-way does it protrude? >> And just let me clarify something. They have a ramp now and they've been licensing it for a long time but what

happened is in modeling it they have revamped their loading doc and the ramp so they store out the old one and came back to relicense the new one, and they said oh, now you fall under the new process. >> Riley: We're talking about the ramp on the fourth street, the north side of the spaghetti warehouse building. >> Yes. >> Riley: Are there other items that actually affect the right-of-way upgrade? >> That is the only one. The -- we have the two parking garages. The only other one is something new in austin and I don't know how it's going to work out exactly, but we have a gentleman who wants to enclose his balcony and have living area on one of the upper floors of a hi-rise. So that may be a new trend we see. I don't know. But that's the other one that we have. But the only one that really is -- because typically we don't like to allow encroachments, but we do try to make exceptions for a handicapped ramps if possible. >> Riley: Okay. I get it. Thanks for all your work on

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this. >> Cole: Any further comments? Discussion? Councilmember morrison? Councilmember tovo? Okay. We'll move on. Thank you, lorraine. Thank you for your work. Now, councilmember tovo, it's my understanding that that was all of your items, is that correct? 22, 23, 24, 25 and 26? >> Tovo: Right. I have a quick question about one other item -- >> Cole: I mean all your items on (indiscernible). So the next item I have for you is item number 27, which is also encroachment. Is that right? >> Tovo: I'm through with encroachment. >> Cole: Okay. The last item that we have is item 87. >> Tovo: I have just a quick question for the sponsors. So I'm certainly familiar with the history that gave rise to this resolution and I wonder if your resolution contemplates in any way a resolution to the -- a solution. Not a resolution. I don't want to use that choice of word. To the concern about (indiscernible)? >> Morrison: Mayor pro tem, if I may? Thank you for bringing it up. It is a resolution to get a contract in place to support our ibiz districts and the negotiations sort of fell apart. I won't go through that history, but I can tell you that in march of this year we got an agreed upon list of five outstanding items that were still barriers or miscommunications or something that I worked with assistant city manager sue edwards. And came up with a proposed resolution to each of those five items that she thought was reasonable. And it was my understanding that abia thought were

reasonable. So my suggestion to staff is

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that we do have resolutions that are workable for all of those and I would hope to see those integrated into what gets brought back to us next week. >> Tovo: Thanks. >> Cole: I just have one question for the sponsors. I'm very supportive of this. I believe I was on the original resolution, but the \$50,000 is within the city manager's authority so I'm assuming it is already budgeted for or is that correct? >> It's my understanding it was budgeted for because there was -- there was work to -- it was included in last year's budget or this year's budgets, there was work to actually get the contract extended, and those negotiations fell apart. So that money didn't get spent. >> Cole: Okay. Any other comments? Okay. Councilmember riley? >> Riley: I just wanted to make sure I understand the impact on the budget. Is there a budget impact? >> Councilmember, sue edwards, assistant city manager. That money was budgeted in this current fiscal year so it is still there. >> Riley: It's still there and just roles forward. Okay. I had one other very minor question just about the format. I'm trying to understand why we're using a different format for this item. >> In terms of posting along? I am not quite sure how that happened. I don't know if it was intentional, but maybe -- >> Riley: Is this something -- is this a change that we'll start seeing more of? >> That was -- that was a mistake. >> Riley: Ah, did the city attorney's office not review the posting language? >> Yes. There was a bit of a -- well, the item came in late and I need to get it posted so that it didn't become an addendum item. So we just said go ahead and get it posted and just missed seeing the format at the beginning. >> Riley: Okay. Thanks.

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>> Cole: Councilmember martinez? >> Martinez: I just have a concern with an item like this. When we have our staff already having negotiated with this organization, not being able to come to successful conclusion, and then we put an agenda item on directing them to enter into a contract, it would be almost as if I put an item on

asking this council to direct the city manager to sign a contract with the firefighters after they've broken down negotiations because we know the budget has one and a half percent built in because it's what we were offering everyone else. That gives me concern that we're taking this step because we simply disagree with staff that they couldn't come to consensus with this organization and now we're directing them to get back to the table and it says direct -- to enter into a nine-month agreement. >> Cole: Councilmember morrison. >> Morrison: I appreciate that point and I think that what we have here is a special situation because a letter came out on february 4th, I believe it was, saying you need to cure these unresolved issues, something to that effect. I'm sure the lawyers are cringing at me saying it that way. Subsequent to that we did have discussions with staff, with assistant city manager about resolution of those items, and then in august we got a letter from legal saying sorry, there's no legal mechanism for getting this contract going again. So since we had found a resolution to the items, this was understood to be a legal mechanism to be able to get it going again. So I appreciate your point, absolutely, but I think that we have found a resolution here. >> Martinez: Okay. I'll be supportive of it because the way I understand it is that it still needs to come back to us for final draft and ratification. >> Martinez: That's right. And I thought that that was important just because, you know, there has been so much discussion about it just to make sure that we keep it as

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transparent as possible to bring it back to us and we can get things settled to our comfort level. >> Thanks. >> Cole: I think it's always difficult when we're trying to draw clean lines between what is management versus policy, and this is one that kind of falls on that line. >> Morrison: That gray line. >> Cole: That gray line, but I will be supportive of the item. I understand that, but i think we need to be careful with it. >> Morrison: Absolutely. >> Riley: I'm glad to see the resolution does simply direct the manager to negotiate a nine month contract and then bring that back to council for approval. Posting language actually says the city manager is directed to enter into a nine month contract. Is that something we could fix before the council meeting? Is there an issue with negotiating and bringing it back to council when the posting

language actually says nothing about -- actually says something different? >> No, there is not an issue because actually, ultimately the manager will enter into it after council approves on august 29th. >> And let me just say that just negotiating is a lesser included action of entering into a contract. So I think if you do anything less than that i think that that's okay under the posting. >> Riley: Okay. I do think the posting language is a little misleading. >> Exactly. It is, it is different than -- but it is less inclusive. >> Riley: Okay. >> Cole: Any other questions? Okay. We have finished our preselected agenda items, so now we can go to items for council discussion. Councilmember martinez? >> Martinez: I just wanted to ask, we have a lot of grant funded items under police on this agenda, and i had asked the public safety commission, but we haven't gotten back. Did these items go through

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the commission for recommendation? Because I remember council adopting a resolution asking that when grant funded items come to us that specifically with police that they go through the commission. Sometimes there's a match or an f.T.E. Requirement after the grant funding has concluded and we wanted to make sure we had a transparent public process before we adopt this. >> Councilmember, I'm not sure these did. I think what we've historically done is when a new grant opportunity comes our way we've been doing it, these are grants that we've been receiving for like 15 years. >> Martinez: Okay. Thanks. >> Cole: Councilmember morrison? No? Councilmember tovo. >> Tovo: Just as a follow-up, I noticed when looking through may some of those that they do talk about match requirements. Can we assume that the backup is thorough in its description of all the match requirements from the city? >> I don't recall if the backup stated it that way, but again there are maps that we've had a long history with and so we know what requirement is. I certainly can follow up, but I don't recall the specificity of how we plan to match them, but we're accustomed to working with the state on the grants. >> Tovo: So I guess the assumption is none of these would require new resources. >> No, I don't think so. >> Spelman: Mayor pro tem? I'd like to ask the city attorney a question. If we were hypothetically to say yes to -- to accept a grant that did have a match of greater than \$50,000, but the match of greater than \$50,000 was not specified in our approval

resolution, what would be the legal status of that? >> I believe for any money over administrative limit can be expended under our

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charter, that would have to come back to you. So if we -- if you approve these items on thursday and then they come back and determine it's overadministrative limits, they would have to bring that item back to you for approval. >> Spelman: Okay. So if there were an error in the posting on the resolution, it would have to come back anyway. >> Correct. >> Spelman: Thank you. >> Cole: I have a brief question of the clerk. Janette, can you come up a second. I wanted to ask you, item number three has generated a lot of interest. In fact, councilmember morrison and councilmember martinez and I were at a panel discussion last night about the 10-1 system. And I just want you to briefly describe what this item does. >> What this item does is currently there's an ordinance, and don't ask me to recite the ordinance number because I don't have it memorized, that states that your term runs from june 15th of the year that you're elected through june 15th. And so this is just correcting that ordinance to account for the november election and changing it to run from a november -- a december 15th date. >> Cole: And it also talks about a method for staggering the terms of councilmembers elected from districts? >> Yes. >> Cole: And what will that do? >> That just puts in some generic language that allows the new elected council to determine who is going to get the shorter first term of office. >> Cole: And the shorter term being two years? >> Correct. >> Cole: Okay. Thank you. More questions? Councilmember spelman. >> Spelman: I should just let you and everyone else know that I've asked the mayor to pull that item for executive session so we'll have a chance to talk about it with our attorneys before we make a decision on it. >> Cole: Okay. Other items of interest?

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If not, we will have the presentation on the lake austin taskforce recommendation. Owe. >> Thank you for being here and allowing us to give you this information.

About 15 years -- not 15 years. About 15 months ago the city of austin created the lake austin taskforce and it was to create a holistic view of the lake. The lake had not been looked at since 1943 and we found that there has been significant change and we wanted to take a holistic view so we could see how do we get the environment and the new kind of public safety that is happening come together and not slide and not conflict. And how do we manage this lake in a better way. So thank you for creating this for us. Am I supposed to do the slide? And you did create a very good group of people. We had some great discussions. We had experts, we had citizens, we had former parks board members, environmental board members. And I'd like to recognize that we have some of the lake austin taskforce members here in the audience this morning also. >> Cole: Would you like for them to stand and be recognized? >> Sure. Would you stand? >> Cole: All right. We certainly appreciate your work. So the issues that triggered this were water quality, erosion, development, loss of shoreline habitat, invasive species and many, many other factors. So what we did is we came together as a group and we identified about 62

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potential issues. Then we broke into -- this is a problem. And then we broke into four working group and each working group took their specific issues, went to study them and then they came back and presented their recommendations to the lake austin taskforce. We were able to reach consensus on quite a few of the recommendations however we had to have complete agreement among all the members present during that discussion. That was part of the facilitation requirement. So what I'd like to show you is among the most critical issues that we would like you to look at and think about that came forward. One is the 50% rule. This is about bulk heads and docs. And what is happening, we found, is that people are coming forward and asking to repair 50%, but they're doing more than that. They're repairing 100%, they're going forward without any permitting or requirements and without any site review. And it's become a very chronic problem. Not only did we see that in the parks board, but we saw that and heard that from staff. We heard that from code enforcement, we heard it from watershed protection, we heard it from the parks department. And here's another example of they go in and ask for a 50% permit and

then they come back again and they finish out and it's a completely new situation. And it's chronic. So we would like to recommend that you only allow 25% of the horizontal length of a bulk head to be repaired and not complete understand a three year period. We found they came back and back to the board over and again. And also we would like to see that in regards to the boat docks, is that it be limited to a non-structural

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change and that if you have a board that you need to repair or have something very specific and minor, that's totally different from a completely new dock. So as we go forward we're looking at coordination and variances. And over on this item what we're finding is we are not able to manage this lake. We have seen over the years even the director of the parks department giving a nod in that the level of frustration because she only had a half-time and still only has a half-time staff person to do this entire management of the lake. They're frustrated because they don't know where to go oh, is in charge. One of the confusing items is that there's a launching pad that's not ours. It's actually the county's. So people confuse the city and the county. They think it's -- athletics belongs to the city, no, it belongs to the county. We need to stream this and we need a consistent guidance on navigation law, codes, etcetera. So what our recommendation is to definitely create a lake management division, that we'll have a cross functional team that can help provide a apprehensive overview on this lake and look at ranking and regulations and needs to need to be changed and can become a one-place that you go into. And it's also we need to realign the variance and development approval process. Two of us that sat on the parks board, the reason we were so critically careful about coming to this situation about the variances is because we felt

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so frustrated. We did not really have what we needed, which was a findings of fact. We got a lot of problems not being able to give public notification. And so what we

would really like to do is to see that the application has a new process. And we just kind of outlined something that's already in existence. You already have these boards in existence, especially the solving for the parks board. So one thing we would like to see is for y'all to think about creating a new process for the application. Parks board used to have their own attorney assigned for them and that stopped about four or five years ago. Then another thing is that the parks board has morphed from being a land development review situation and we need someone that has more skills, a different type of board. Okay. This one is important because this is where we had our most passionate discussions and that is the protection and the integrity of the lake austin district sound that was created. And what's important here is the fact that this is the most unique residential zoning category than any other one that we have. And it's because it's specified by geographic boundary and the environmental protections are embedded into the zoning description such as the setback that you will see, here is a compliance set back on la zoning and

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another one that does not have set back. And another concern that we have are steep slopes. So we do not want to have these very significant environmental protections taken away. And it was so controversial because we had thought about having some kind of overlay and we weren't able to get traction or consensus on that, however we did feel strongly about staff and staff feels frustrated too going forward and trying to find some sort of a solution. And we want to thank y'all for already initiating that action. We appreciate that very much. Will then we come to erosion and how erosion is very important. We're seeing this to be a chronic issue. This is one of the reasons that the lake austin taskforce was created because what we kept seeing were variances coming forward. And they were increasing every year. And I was saying we go from 10 to 20 to 30 to 40, and they were saying we need a variance because our shoreline is being eroded. Need to look at this erosion problem is what we were really need to go deal with. So you can tell that a lot of attention has been given about waves and the interaction with the shoreline. So one of our recommendations is to conduct a scientific analysis of the ways to determine the force of it and to do a very comprehensive study of the lake traffic because in our

discussions which craft is creating it? There was a lot of questions and we felt like we needed a more scientific study, more data for this. And another thing we discussed were navigational zones. And a navigational zone will help in that it will provide a safety net and it will

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give some protection to the -- more protection to the shoreline. Here is the other big issue we wanted y'all to think about is the commercial use. There is no licensing system for commercial users who profit from both public lake and parkland. And there's only one sewage pumpout station and one fueling station. I want you to know that in this process in the past years, even though we have a sign that tells there is no -- there is prohibited to have commercial vending, it happens on a daily basis. And the business owners are frustrated. They say how do we legitimize ourselves. How can we support you financially. We just need a process in place so that we can figure out how to make this a win-win. Then we want to establish a highlighting system for the commercial users. We want you to think about investigating a second gas fueling station and an additional sewage pump facility. And looking at feasible study for commercial operations along Emma Long Park. And Emma Long Park is in the middle. It's the best place to get some of this going. Traffic. Lake Austin bears a high user load and it's changed. We have gone from 50 years ago to skis and some canoes and fishing to -- especially because of the recent droughts, everyone is impacting the lake. We have cigarette boats that are enormous. We have commercial vehicles. We've got people trying to swim? We have just a multitude of

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situations here. So the main recommendation is we want a no wake zone 50 feet from the shoreline for the entire lake and we think that this would be a really good indicator in trying to make the baby steps in helping with erosion and traffic and making things safer. And then we talked about parking restrictions, but I want to show you here that we really want to see that lake patrol relocated. Right now they

have a contract at a private marina for two slips and we feel like it would better the city for them to go on and build their own facility, their own little slips at Emma Long, plus they would be in the middle of the lake. Right now one of the biggest problems is they're so far down that when someone calls and needs the lake patrol, by the time they make it 20 miles, 15 miles, there's a lot of problems here. We also know that I believe it's two boats over the budget here and they need to get into the lake because of all the construction going on. It would be great if we could have a new facility that had lake patrol, that had code enforcement, boats there, and you know, my great hope is that we provide then a gas station where we could make some revenues and be able to not only have the city fill their vehicles there, but also have something for the public. We have also talked to Director Hensley -- I'm trying to go really fast -- about this -- >> Cole: You have time. You don't have to go fast. >> Thank you. We have -- >> Cole: I wondered why you were doing that. [Laughter] >> we've got to get out of here fast! [Laughter] we have a grant possibility, and Director Hensley and her staff are currently researching this. It will need to be a part of

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a resolution to support the application because I think that you need money up front and then it's like the pay back later. So if we could secure this grant it would be helpful to not only Walsh, but help Emma Long park out. And what we're finding out is that one of the really worse situations is Walsh. And Walsh has got the -- the neighborhoods are very frustrated. They've been coming for over 10 years that I know of to the parks board saying all of the trailers and everyone that wants to launch goes into their neighborhood. And the parking down there is very difficult. The parks department doesn't have monies right now to change that. And I know they're trying to work with public works and they're looking at different things. I do know there are a lot of businessmen that have approached me and said, we're willing to come forward. And one thing I think is needed at Walsh is a parking garage. If we're looking at the next 50 years on how to handle this population growth and everyone's love of the lake, we really have to look at possibly getting a parking garage and they are willing to step up to help the city because they also want to be able to access the lake. Back to this issue of untreated wastewater. What I would like

to do is tell you that sewage facilities, if they are properly constructed, properly maintained, are okay situations. Right now there's no inspection for (indiscernible) toilets under the code. We need to figure out why that is. Many of us have struggled for four or five years trying to find out.

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We have it in the code for this inspection, but we can't find anyone that is -- that has the actual job to do it. Here you have a poorly designed situation and we have a flawed design after drip irrigation. Would you like to get additional information regarding this that's in her neighborhood? I would ask for her to -- >> sure. And we lost the caption on the photo, but this is a caste water plant that serves the subdivision, and it's very close to lake austin. It's had chronic problems. The design is really flawed. They've used the preserve area, what they had to dedicate for preserve, for this field. So it's kind of out of sight also. Pcp staff came across a waterfall of untreated sewage going into connor creek which feeds right into lake austin. So this is -- >> we'd like for you to think that one gallon of wastewater has as much bacteria as 10,000 gallons of treated. And here we have a situation so we have a recommendation here to update our standards. We need a greater level of protection and our standards are one of the weakest out there. There are other surroundings areas that have stronger standards for sewage facilities and that we have to identify who is this health inspector. And we have a regulation, but it has never been implemented as far as i know, the 12 years I was on the parks board, so do we keep this on the books or do we just say we can't do this

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and I don't know why we couldn't. We would oooh like you to revise the processes and rules allowing the bulk heads and docs to be repaired under the 50% rule. We would like for you to identify and inspect marine facilities that have toilets. As you know, director hensley is in the process for this pumpout grant so we would like that to move forward and for someone to see that that does move forward. We

appreciate you taking the initiative on the up zoning associated with environmental protections and we are also very thankful to you for taking the initiative on improving the process for requesting variances. Here's the biggie. We to establish this lake management division. We have to have a comprehensive oversight of everything. And we have to create a financial plan with revenue resources for managing the lake. We need licensing, public concessions. We have to improve coordination among the city departments and agencies. We found that we do need to perform the scientific analysis for ways to understand the root sources for the shoreline erosion and we know that we have to develop a more advanced regulation for septic facilities to protect our environment. And we really mainly want to thank watershed protection. We want to thank parks department. We want to thank code enforcement, a.P.D., Water utility, channel 6, legal staff, everyone that came to our aid, everyone that brought additional information to us as we researched. And allowed us to try to get this handle on something that desperately needs your attention. We want to thank you very much for your time. >> Cole: Thank you. Thank you for your time and tremendous efforts in

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comprehensive, thorough work. I have some questions for you starting with your 50% rule of the length of the dock head may be repaired. I understand the pictures that went from before repair to after repair, that they were much more extensive. But can you tell me how that happens? You said there was no permitting, no site review. >> I think the 50% rule they get a site plan exemption. And so there's no permit, there's no site visit, they just kind of take their word that they're just doing minor maintenance. And so the -- like with this doc, I think this was a first one that the 50% was 50% of the piers, and that was assumed -- I think the intent was that if you're going to remove 50% or replace 50% of the piers, then it's pretty much a redo and you need to redo the whole thing. Well, this person sawed off the piers vertically and then rebuilt with steel. So it's going to be there in perpetuity. The idea was that eventually when they fall down they'll have to be built to current standards. And so staff is just seeing this abused. >> It's very problematic because it's vague and not only that, it gives you carte blanche to be able to avoid bringing anything into

compliance. We really felt that it needs to go away as soon as possible. >> Cole: This is just a blanket site plan exemption that you think should be eliminated. >> Uh-huh. >> Cole: And you also -- >> but not completely eliminated. For bulkheads we were

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recommending that you could repair 25%, but can't come back within three years. >> Cole: Okay. I see that now. >> For the docks, staff and the experts on the taskforce said really -- when you get half of them rotted, all of them are going to be rotted. They don't wear that way. So that one we said no structural improvements. You can redeck, reroof, things like that that don't change the footprint, but no structural modifications for docks. >> Cole: And all of those particular recommendations went through the parks board, code enforcement and watershed protection? Is that when you -- >> well, when they were asked their opinion about this and asked how they felt about that, they strongly concurred with our recommendation. They all felt, yes, this is a huge problem. It needs to be addressed and we're trying to help staff find tools, find ways to get this resolved. >> Cole: Okay. You talked about the coordination and the lack of coordination with the county. And I was trying to get a better feel for how that process worked or wasn't working. >> All I can say is that what the public has come forward saying is that they're confused. They're confused about the county versus the city. The county launches boats, the county charges a fee. We don't. The county takes in about 100,000 annually for doing that. A lot of discussions they would say you charge us here and don't charge us there. And it was like no, no, that's the county's. It doesn't belong to the

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city. So it's like we would like to work with the county, we would like to get on beamed like to have standards that are the same, that we start charging fees as the county does. We start getting that same type of revenue. That when issues come up and people don't know where to go to, a lake management division could then say well, these are our boundaries and this one is the county, but we work and we

collaborate together on these items. For example, the buoys oh, gosh. >> That was very involved. It's like austin water utility is responsible for the buoys around the intakes that they have. But then lake patrol requested buoys at the 360 bridge. They got in, but then they drift and nobody will take responsibility for resetting them in the proper place. We lost a bunch of buoys with storm hermine a few years ago and a lot of those have not been set because there's nobody responsible for setting them. Parks found a little bit of money and found a few withouts, through they don't have a county with lcra to set the buoys. >> Cole: I'm hearing you loud and clear on the need and the lack of funding for the need. So I'm trying to kind of drill down on that point a little bit. In your mind is the lake management division, would that be in collaboration with the county? >> A large number of us felt it should be separate. What we felt like is if you went in to emma long, there's a huge demand for camping, for a gas station, for a shake shack or whatever concession, canoeing. And that we felt like that could bring new revenue to

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help create this management division or at least put money back and earmark it for the lake and for buoys and for very specific things that are needed. That if we were really savvy at this time and we looked down 50 years from now and we brought a.P.D., We brought all of these systems together that emma long could create a tremendous revenue for us. And for the lake and using those revenues, but it would have to be specifically for the lake. If that's possible. >> Cole: You also spoke about the problem of not having findings of fact. Can you -- you said we needed a new process. Can you give me a little bit more information about what you're thinking about there? >> Well, when the parks and recreation board, they have sovereign decision making authority over docks variances for docks. But yet we could get no legal guidance in making those decisions, which i think exposes the city quite a bit because if the applicant doesn't agree with the decision, then their recourse is to file a lawsuit. So what we were suggesting, like, for example, is one of the variances that we saw a lot of is requesting to locate a dock within 10 feet after side yard lot line. If it's in the water it goes to the parks board. If it's on land it goes to the b of a, but the b of a uses findings of fact and public notification. And so we had a lot of problems

on the parks board because we didn't have findings of fact. It was kind of how are we feeling today. >> Inconsistency. >> And lack of consistency. And we had kind of a process

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of if the neighbor says it's okay, then we'll approve it. Well, sometimes the neighbor - they get an agreement by whatever terms and then they change their plans and all of a sudden the neighbor wants to rescind their approval. >> Cole: The board and the parks board have two different interests so you needed separate findings of fact. Chuck, I was going to call you up in a second. You need separate findings of fact. So you're just saying the inconsistency between the two boards and not having the information. >> Parks is an advisory in every other section that they do. That's the only area that they have sovereign decision making in. >> We wanted to find another board that had that. That it could go to and take that piece out of the parks board. Take that completely away. >> Cole: Can you respond to that? >> Thank you, mayor pro tem. Chuck wozniak. As a result of the resolution the council passed on June 27th, we're actually looking at this issue. The council asked the city manager to look at whether or not the approvals and the items that currently go to the parks board on boat docks and other shoreline development ought to more appropriately go to board of adjustment or another board and make a recommendation on that. Staff is looking at that right now. I just met a little while ago with staff from the law department and we'll have a memo to council probably sometime next month for y'all to look at with a recommendation on whether the board of adjustment is appropriate location or another board who is clearly consensus amongst the lake austin taskforce and the parks board members themselves, some of whom are here, that the parks board is just not the right place. This is the only issue that they deal with that is not about management of public lands. This is about private

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development. And they really struggle with it. And so I think that staff will have a

recommendation for you in the next month. >> Cole: Okay. Since we brought up the attorney issue, you had stated that the parks board no longer had an attorney and I was going to ask the city manager to -- city attorney to respond to that. >> I'm not exactly aware of that. We assigned lawyers to answer questions from any board. So if we've had questions that have come to the law department from any board, I'm just not aware of what it is. >> That's absolutely true. Years ago we had one that was specifically assigned to us. He only dealt with parks issues. And when he retired, we never got someone that was only -- that may have been just a luxury, you know, that we had him those days, but he was always the person that dealt with any legal issue with the parks board. >> Cole: But you're getting your questions answered? >> [Overlapping speakers] >> actually, we used the parks department for this. Debra thomas, who you know is a division chief, is the single point of contact for the parks department. And we started that about three years ago working with director hensley to set up this model where every assignment from the department comes to debra. And that was basically done because there were issues coming into our department that the director was not aware of. And in order to give her some ability to make sure that those issues were right for us, we set up this model. And it's been operating we think very well with debra as a single point. They track when we receive it, when it leaves our office. If there are any issues with getting it out or not getting it out, debra is the person that they talk to. And like I said, we've used that model now and incorporated that with delivering services to several other departments. >> Cole: Okay. Councilmember tovo?

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>> Tovo: I was just going to ask ms. Lee you looked like you had a point to add on this. >> And ms. Thomas did give us some specific aid, particularly when I found the flow chart that indicated we had sovereign decision making, which freaked me out a little bit. And so she did help us with some interpretations with that, but I would say at least when I was chair of the navigation committee, i had about a half dozen questions that I could not get resolved. Some of the things like gradient boundary, which is the demarcation between public and private property. And so we still have - that's still an outstanding issue. You know, whether the city's adjudicated water

rights gives it the right to control recreation because recreational use is one of the uses that was approved with that adjudicated right. That answer might help us with the two being on lady bird lake that's going -- the tubing on lady bird lake that's going on. Really we need somebody who understands these state water laws, the municipal powers and be able to give better, more consistent advice on all of that. >> Cole: Councilmember morrison? >> Morrison: Thanks for your fabulous work and i really appreciate this presentation too because while I've held the report in my hand, it's pretty heavy and every time I go to try and read it, I confess i don't get through it. [One moment, please, for change in captioners]

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>> however, I did see what i think are two pressing issues that we have a responsibility to move on now. And I just wanted to share those and see if you agree. One is a public health risks that we're looking at in terms of the waste water. And if I understand it, you're talking about both the marine toilets as well as the on sight disposal of waste water, is that correct? >> Yes. And in the marine toilets, inspection is supposed to ensure that the boats are not supposed to directly discharge into our drinking water supply. Like lady bird lake, we have a lot of boats with marine toilets on there. Off see them as you look out your window. There's no pump out station on lady bird lake. >> That's a good question. >> Morrison: Where does it go? >> You have to have a manifest to haul it if you have your septic tank pumped out, it has to have a manifest to show where it came from and where it's going. So there should be tracking if they are pumping it to a truck on the shore. There's no way to know who's using the pump out atwalish. You put in a quarter and get three minutes' pumping time. >> Morrison: That's great. It would behoove us to try to move on that quickly. The public safety with people swimming in the lake, that sounds like a recipe for disaster if there's no control over that. And I wondered if that would also be trying to merge the boating activity with the swimmers. Your suggestion is to have a no wake zone within 50 feet. People could swim in there. >> Right now there's currently a regulation on the books that says there's no swimming allowed

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beyond 50 feet from the shoreline. So that's why we went with that complementary. And no wake zone within 50 feet of the shoreline. With the motorized boats from going in there. But it would be a safer, calmer, area for canoeists and kayakers and stand up paddle borders and swimmers if they weren't zooming by the shoreline. >> A large percentage wanted more than 50 feet. 50 feet is what we could all agree on. >> Morrison: How wide is the lake at the narrowest point. 350, 400 feet. >> There may be some areas at the northern end a little more narrow than that. But that's probably about right. >> Morrison: Great. Because all of these recommendations make so much sense and I hope that we will be able to get some council action. The third thing that needs quick action is the grant. >> Yes. The deadline is october 31. We have that application filed. >> Morrison: Does that make sense? To put it under a lake management. It will be funding and all that. Do you have a comment? >> I want to add on the septic rules, the austin water utility already has new regulations or proposed regulations in process. They're in the waste water commission. They go to the environmental board and planning commission next month. I think they'll be on your agenda in early october. And those contain significantly enhanced treatment requirements for septic systems along lake austin. Our staff, the protection staff looked at those.

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We're comfortable with them and think we'll be highly protective of water quality both from the environmental standpoint but also a public health and safety and drinking water standpoint. >> They can always be stronger. They can always be stronger. >> Morrison: That's my view of them. But it's currently what they're proposing is less than what's in the I.A. District zoning. For example, it currently says in the I.A. District zone that septics have to be 100 feet from the shoreline. I think they're proposing 75, which is better than the current minimum requirement by the state standard of 25. And the state standards, everybody says they are the minimum to protect public health and they do nothing to protect the environment. >> Morrison: I know you've provided the memo to us -- to the council, in response to

the questions I had about zoning cases. L.A. And s.F. It sounds like depending on the different kind of septic system, a step back would not be not unreasonable to adopt. >> I think that's correct. The rules that are proposed by the -- currently proposed by the water utility will be the most stringent septic regulations in texas. And the -- and our staff that looks at these kinds of issues, particularly over the edwards aquifer, has looked at the proposed technology, the treatment technology, and the inspection and maintenance requirements. And we're really comfortable with the approach that they usually take and under certain circumstances, you would be able to place a septic field or septic system within 25 feet of the lake. But you would have to meet very, very high standards. And many cases, it would -- it might be cost prohibitive do

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that. The further away you are, the less stringent the standards are. Anything shorter than 75 feet under the new rules would require significant treatment for that. >> Morrison: I'll look forward to your review of that. But it's my understanding that the recommendations have to do with existing systems on site systems that are not operating in a way that is safe from public health perspective. And that's what my understanding was. That's what needs immediate attention to go get those. I suppose they're not running according to the plan or something like that. Or they never would have been approved in the first place. I look forward to going on some of that. >> That would be fantastic. >> Councilman riley. >> Riley: The new rules or existing facilities? >> They apply to both. New construction and a septic system got to the point that it was failing, it would have to be brought up to the new standards. >> Riley: How do we identify instances where a septic system is failing? >> I do know there are permit requirements for major repair of septic systems that the maintenance companies have to obtain. The water utility would probably provide greater detail on that. That's their program. Some of the septic system fails, they come in for a permit and they're required to upgrade. What about cases like you see in this photo on slide 33? It says -- we do have the caption in our handout. They say it's irrigation for a waste treatment plant near austin. Is that public land? >> That is -- that's probably a tceq permitted system. The purview that the city has generally on

that kind of system is during a site plan and

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subdivision that we do have restrictions on where those can be located but the operation of them is regulated by the state. That particular system there, our spills and complaints response program and the water utility staff went out and worked with them on that. It was a failed system. It was a problem getting it repaired. But with those state permitted systems, we have to work through the state that we generally don't have jurisdiction. >> If I could add a little bit. The city division was developed, developed under an agreement that the city approved. One of the requirements is that we had to build it complying with city standards. I remember I contacted y'all about this when you started annexation. I remember councilmember shade contacted me and said we're going to be annexing this. Do you have any comments? And they said, yes, I am concerned about whether they met the terms of the development agreement and I don't think they complied with the city standards. I walked along there and you shouldn't smell what you smell. City standards are too low or they didn't comply. Sure enough, I had to get a public information request to prove it. But they did it after the fact, engineering letter saying everything is okay. So, you know, maybe when the city has full annexation and it's costing millions to repair it, you can go back after the engineer. >> Riley: I think I hear you say we have a mechanism in place whereby if someone walks by and smells something they shouldn't be smelling by the lake, they'll report it to the city, the city will take a look and in the case of the land that's under control, will work with the state to address it, otherwise, we do have mechanisms in place

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to deal with it on whatever sort of property it is? >> That's right. The city has a 24-hour environmental hotline people call into. And we do have the ability -- we do have some regulatory in terms of discharges to extremes and likes. We can take action from that standpoint. It's a violation of city ordinance but permitting and

operation of most of those kinds of systems is subject to state jurisdiction. So we wouldn't permit it, more than likely. And carol lee, I'm sure is right, it may be subject to a development agreement that may be subject to the development of the subdivision. Some authority there on some systems like that. We can take action to force them to stop the discharge but we can't force them to upgrade the system but we can't enforce the terms of the state permit. >> The leverage according to the agreement is they can cease issuing building permits. And that's -- you know, until the developer fixes it. And so if they can't build anymore homes and can't fix it, that's the leverage that the city has. Once it's built out, you annex it, it's the city's problem. >> Riley: We can stop the discharge even when it's under state control. >> That's correct. >> Riley: Are there any sites like here that there is untreated sewage flowing into lake austin? >> Not that I'm aware of. >> Riley: Right now we don't know of any inappropriate discharge going into lake austin? >> I'm not aware of any. >> Riley: Can we talk about the marine toilets. I want to get a handle on how that will work. The recommendation that we take action to idea and inspect all

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water craft that have agreements per the land development 4506. One is -- first, is the regulation of a marine toilet -- the toilet on the boat really in the land development code? Is that where it belongs. >> If it's 6-5, that's not land development code. That's in the water quality code. >> Yeah, 6-5 wouldn't be. >> I think it's the water quality code. >> And -- and how would that work in terms of actually getting the -- getting the toilets inspected. How do we at this moment how do we know what boats are out there on time. Do we have someone go out there and stop everybody who looks like they have a toilet or is this something that you do annual inspections. I don't know if there are annual inspection requirements for these sorts of boats. How do you catch these things. >> Right now, there's not a process in place. And I think that if council wanted the health department and other departments look at that, one of the things that the city staff would have to look at is what would be a -- an appropriate process to -- to gather in the universe of boats that are out there that have these kinds of toilets. A voluntary registration, a mandatory registration with a sticker on the side of the boat. Any number of ways it

can be done. It's -- to a great extent, it's a staffing and funding issue. >> It's part of the land development code that says the shore authority shall inspect annually. If it passes, if they have a wipeout or whatever on the release and you're supposed to put a sticker available to the

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public boarding the boat. >> Riley: Part of the city code, not the land development code. So we would direct staff to just go and look at other cities and look at how their ordinances would work. And you would craft an ordinance and bring it back to us for approval. >> It looks like we have authority in the current code. We'd need to look at that specifically. I think the health department or whatever the appropriate authority would need to look at that and see if they had with the water department, see if we had the appropriate authority. We seem to have the authority to do it. The code is not being implemented. >> Riley: The question is how do we implement it? How do we carry out the inspections? Is that at the time of registration, inspection, or are there on site -- do we stop the boats? We just have to figure out. Could staff come back with recommendations on effective way to implement that. >> That's what we need to do to take a look at the specifics about the best way to implement it, the current staff. Or whether it would require additional staff. >> Riley: Considering the time and year we find ourselves in now, it would be helpful to get the recommendations sooner rather than later. I hope staff will be able to bring us something on that quickly. And the last of the questions is on a completely different subject. That's about that area around wash -- I want to talk about -- I want to find out there. I'm sure you say there are of the neighborhood concerns about parking out there. So their recommendations for the fees and, actually, what we see is -- improved public programs and parking atwalish. You mentioned a garage. Is that a garage for a park fee?

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>> We don't know yet how it would store the trailers because it's another issue that

flows into the neighborhood. They parked the big trailers. That takes up a large amount of the space. I think there are people who would help us out. Can I list some owners, all during the public hearing, the duck tour -- these people realize that there's an issue and they're all competing from the same spaces. They realize that not only that, if you go to mozarts or to any of the other restaurants, they're using that space for parking. So you would be able to serve more than just what's happening at the lake for launching, they're coming in and taking up the space that is supposed to be for the boaters. This could be a win/win situation because if we could get a really three or four-level parking garage, and find a way to also get the trailers into some sort of a mechanism that rotates or, you know, has -- has the possibility to load and unload, this is really what the future of walsh needs. >> Are there any models that you would look to to have the facility that you're envisioning. >> New York City. How they dealt with their car parking in very small spaces and -- >> Riley: The car parking. Seems like trailers might pose something of a unique problem. It's something we can look at. There's so many people champing at the bit to reach out to the city right now. They don't have a way to do it.

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>> Riley: In the short term, if we started charging for parking there and use the proceeds to support enforcement staff and perhaps we actually need a staff person there as people are actually using the landing at walsh that you would be able to charge fees. >> Director Hensley has tried that in the past. It didn't work out well. She's looking at pay to park meters. We talked about the situation at walsh. We mentioned the fact that what really is needed is this parking garage, she was very excited about something that would really come in and help. Because they've tried all of the different venues. They have them attended on the weekends, taking money. They've tried many different ways. She's said looking at the meters, that's what she has right now because of lack of funding. It's not going to solve the impact that starts on the weekend. It starts on a thursday. >> So the recommendation you see on slide 31 is establish parking restrictions and fees for use of public boat ramps. So at this point, the task force does not recommend charging fees for parking at walsh? >> I don't know if we got down to that detail about charging. We were

looking at it the county is the only one who's collecting money on the lake. It's the only entity not paying for any fish or anything, contributing and helping to manage it. So the city needs to charge fees. We -- it needs be funded. The public clearly wants the city to do more than what they have been doing. >> Riley: You say charge fees, fees for actually using the ramp -- >> yes. Boat launching.

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>> Riley: Boat launching? >> Parking too. >> Riley: You recommend charging for parking and -- >> we did not get a consensus recommendation on parking specifically. >> We wanted to leave it up to y'all to direct staff to do what needed to be done. We wanted to put something out there in hopes that y'all would figure out that staff could take that and run with it and come back with a real feasible study on it. >> Riley: Has there been discussion about residential permit parking in the neighborhood? >> I think so. They have. >> Start charging fees to park on the street, you would have to implement those together, i would think. You think it's worth exploring charging fees for parking there on the short term and on the longer term, looking at the possibility of installing a garage? >> Yes. >> Riley: Okay. >> I want to follow up with a couple of questions councilmember riley asked to you, chuck. You said there was no untreated sewage at this point. >> Not that I'm aware of. There may be a failing septic system out there or a leaking irrigation, waste waterer gaging out there somewhere, but not that I'm aware of specifically. >> Cole: What I was trying to figure out like councilmember morrison was trying to figure out, what are the current items that are urgent that we deal with. Your discussion with councilmember riley made me think we had adequate tools, even working with tceq, and the fact that they let us regulate polluting discharge and we can regulate agreements and issue cease and desist order. Are there other policies?

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>> At the time the task force was looking at the septic issues specifically, the new rules had not been imposed by the water utility. Those are in the last few months,

they were working on them at the time. But they were really not public yet when the task force is talking about this. In our department's opinion, the proposed rules addressed the concerns with the septic systems we have jurisdiction over. They are an important issue because most of the lake or a large portion of the properties that front the lake do not have city sewer service. They can only use septic systems. This is one of our primary drinking supplies, a power lake. So it's got the potential to be impacted by small pollute tant loads. So the septic system rules are really important. I would agree with the task force that the rules that we have on the books today are not adequate to protect the lake. I think the rules imposed by the water yue killty address that problem. >> Councilmember tovo? >> Tovo: I want to add my thanks. You came and requested a task force because of the problems that you had noticed over the years of working on the parks board. Thank you for your many years of concern and stewardship of the lake and coming one the idea of a task force. It was long overdue as you said. I agree with the priorities you outlined. I haven't studied this as closely as I will. But I have read it and my staff and I have been working through it. Trying to identify what is a short term and long term issue. I said to my colleagues there are other short term issues that are embedded in here that we'll move forward on as well. One that springs to mind is the recommendation to have addresses on boat docks which, again, is a public safety issue if there is

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a safety issue. I look forward to going on all of these fronts. The coordination, coming one a coordinated division or group or some mechanism with staff to work with each other to make sure the issues are covered seems critical. You pointed out we have the mechanism to identify toilets. There's not a mechanism put in place. We have some of the tools we need. We haven't identified staff to do those, to perform those actions. I would say the building code issue is another one where when you do have infractions, out on the lake, there's not necessarily coordination on code compliance and development and review to hold that part of you accountable. Would you say that's -- >> absolutely. The staff member I worked with for many, many years could only devote half time to all of this. You know? It just seemed so unfair that this was being placed on to this department in two one staff when it's just morphed into so

many different aspects now because of the growth and the population and the demand for the use of this lake. >> Tovo: Mr. Whitey is here as well. He's in contact with us on things he sees on the lake like pipes on public land and things of that sort. It's good to have a plan of action. >> If I can add to the development issue and the code compliance and site plan issues and exemptions, one of the things when I became a officer a year and a half ago, it was surprising to me how many lake

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austin development issues are laying on my desk for what is a relatively small part of the city. And that in talking with the staff and p.R. And watershed and parks department, the developments on the shoreline in lake austin haven't been updated in a little more than 25 years. And there's pieces of them in various sections of the code. Staff for the last nine months or so has been working on drafting code and criteria divisions to bring that to one area and are prepared, I think, to move quickly to address the development issues. Not just deal with the issues that are concerning to the public, but the development community has raised and it's not an easy process for the development community. Not an easy process for property owners. It's an issue that affects neighbors and lake users and that sort of thing. I think staff would be prepared to move relatively quickly on addressing some of the issues with code and criteria changes if council wanted to move in that direction. >> How quickly could you move and what do you envision needing. Or are you already working on it? >> We basically got a bull lit list of recommended changes that staff reviewed those with the task force. I think generally the task force was supportive of most or all of them. Ordinances need to be initiated by council or the planning commission. And then there would be probably some associated criteria changes. So if we wanted to do them all at once, it would be a six-month to a one-year process. If there are ones that we thought were more critical and wanted to pull out pull out and

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do in the shorter term. We got started on it is my point. >> That's right. >> We

wouldn't be starting from that. >> I would think that would be a high priority to move forward on as well while there's momentum and expertise and enthusiasm for doing so. I think if things lag, then we all have go back and re-educate ourselves. We lose time there. I may have seen mention of them here and there in the report as well. It would be good to find out what's new here and what's on the bullet list. That's a good thing to move forward on as well. The resolution we passed in June asks the city manager to develop recommendations for the environmental protections issue we discussed earlier and scheduling for council action no later than September 1. You expect to stick to that SCHEDULE MAKING IT THE 29th? >> We were asked to take those to the planning commission in the environmental board and the planning commission cancelled their meeting in July and then there were the because the budget session with council. That will come to council on October 3. I will be going to the environmental board I believe September 4, planning commission shortly after and we'll have that tea on October 3. >> I forgot there were scheduling issues over the summer. The only other thing is that in looking through the report, I thought it was a very strong report and one of the -- one of the points I wanted to make is in my experience, I don't recall hearing about a task force with 100% consensus. I appreciate you included bullet points of other brainstorm options for each of the sections

[04:31:17]

because we need to see what some of the options were that were discussed and ought to be given serious consideration because they have real merit but may not have gotten 100% vote which is a standard I don't recall ever hearing a city's task force hold themselves to. >> Never allowing it again. >> Send them back. >> At some point, we have to move forward with the decision. >> We really -- we're hopeful that when you agree to a process that everyone is really going to do that process and not one or two people block something that the majority really wanted, strongly. And that but it really frustrated so many of the members and angers them and we had to do a lot of putting fires out because so many people were disappointed and so hopefully you do see that brainstorm is there to show y'all that there were more significant things that they felt strongly about. But were not able to reach consensus.

One of the things we were hoping was not create a note report and that we could come together and see this lake and everyone join in and surprisingly, we got some good stuff. Shocking. >> Thank you again for your hard work. >> Thank you, not to diminish the legal department and you're right, debra came in and really did start helping us out tremendously. I think what we're seeing here is that this lake is so complex that we need an attorney that just can really get those navigation laws and know them backwards and forwards. It is difficult. Thank you. >> It is a specialized area. I do want to acknowledge that too. Thank you so much. >> Okay. >> Thank you for your time.

[04:33:19]

>> Cole: Well, there being no further business discussion or comment, this meeting of the austin city council work session without objection is adjourned.