

City Council Work Session Transcript –2/24/2015

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>> Mayor Adler: We are ready to get started. We have a quorum on the work session here this morning on Tuesday, February 24th. It is 10:40. We're convening a little bit later this morning because of the delayed opening of the city and the schools. So we're in the work session. We'll go through the items that have been pulled. In addition to the items that have been pulled, we can see at the end if there are additional items that people want to talk about. And then we also have posted on the agenda today the ability to be able to talk about the committee meeting procedures that were handed out last week in terms of setting up the committee system. So let's dive right in with the items that have been pulled. Item number 2 is a contract management item pulled by Ms. Gallo. >> Gallo: There were several purchasing -- more than several. There were a whole bunch of purchasing items that we pulled not necessarily to talk about the specific items, but to have the discussion of we are so close to the committee structure and beginning those committees now that a lot of these items I felt like would be better pushed to the committee level so that the discussion about them could be done there. So it includes probably almost all the items that we pulled for purchasing. So really not the intention to discuss each individual ones, but to have the discussion of is the timing appropriate for these to go in and push them over to committees versus making a decision on Thursday. >> Mayor Adler: Don? >> Zimmerman: So councilmember Gallo, great idea. Do you have any idea for what committees you might like to see them be assigned

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to? >> Gallo: Well, I think depending on what they are for, that's probably a logical assumption of which ones they would go into. >> Mayor Adler: Go ahead. Ms. Houston? >> Houston: Is there a time limit? Is this under some kind of time constraint for all of these that are being recommended that have been pulled for today. >> Gallo: I think that's an appropriate question, absolutely. >> And each one is probably item specific so we'll have to call up each one of those because there are some issues. For example, this first one, the airport there probably are some timing issues. As I was talking to councilmember Gallo before the meeting started, depending on how the committees launch -- for example, this one could go

to mobility. That would be the first Wednesday of the month in March. That's just a week or so away. That might be a challenge to get that committee meeting launched by then. So with the airport be able to wait until April? That's a pretty long delay. So each one of these items we would have to look at individually to see the effect of the delay to get to committee. >> Tovo: I guess I would ask just a general question. Do we really envision that every purchasing item needs to go through a committee or are there just certain ones that require more discussion? I know one on this list is something that I would like to suggest go to the committee, and that is a contract related to demand side management for Austin energy. I think that I -- I do have some questions about that and I think that would be appropriately through a committee. But I guess I would just ask the extent to which the other ones require lengthier discussions or whether they are questions we could handle either in a work session or in the Q and a process.

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>> Houston: And I think that since this is our third council that these are the kinds of questions we need to kind of figure out because I'm not at the point that I know which one goes where now, but I think these kinds of conversations we'll have a better idea whether this is something we even need to deal with in the future. >> Mayor Adler: So you pulled this item in particular and wanted to introduce the question as much as it is to talk about this particular issue. And I guess the information that it sounds like we would need and we might be able to have by Thursday would be for staff to take a look at these and see which ones are time sensitive, which ones aren't. I could also take a look at these and see in terms of committee appointments and how they would be sent to committees. One of the things I hope we have, we have the schedule that has been taken out and we haven't had a chance to discuss that. I would hope from coming out of this meeting we sort of have a working committee on transition. If a few offices would be willing to assign a staff member or something to work through a transition committee as we work through that we would have a place to have folks look at how we move into these committees and how the committees are operating so that in a realtime way we could be seeing how they work. So logistically, in answer to your question, I wonder if what we could do on Thursday is ask the staff to come back and tell us with respect to these items which ones are time sensitive and then on Thursday we could then take make a motion to either approve some -- approve them or send the ones that are amenable to being -- amenable being sent through a committee between now and Thursday can either ask questions on the board

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or come thinking of the ones that they would like to see go to a committee for further conversation. >> Tovo: I couldn't tell if I was being recognized or not. I would just ask our assistant city manager if he has an idea at this point which of these are time do you are the staff gathered here today have a sense of which ones might be time sensitive? >> The staff would, if you want to go through each one or we could provide a memo today or tomorrow on all the issues. >> My thought was 32 some pretty big ticket items that probably have been part of some discussion with previous councils, but we've not discussed at all. And my concern would be if we're going to go on and hear them before the full council on Thursday,

that would probably need to have pretty good discussion on? Some of these items today. >> If I could just add that as you all have launched we've sort of pushed some of the work load and now you will start seeing the wave coming because the \$3.2 billion operation we have here. So that's there's that balance between sending things to committee, which is legitimate to discuss in a level of some of these you will have a lot of questions on versus we got stuff to do. So that's the balance we're looking for. >> Mayor Adler: How about you give us that when it's pulled. But the staff here let get a high level statement of where they are, going to Ms. Houston's statement on let's orient or selves and we can decide whether or not to have a longer conversation knowing if it's not time sensitive and a big issue, it may very well be sent to a committee on Thursday. To take a look at it. Will that work? All right. So let begin that way on

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number two. >> I'm the direct are of the city's contract management department. And [lapse in audio]. Item number 2. The methodology that we have selected to construct a new parking garage out at the airport. So it's not actually awarding a contract or obligating any funds. It basically allows us to move forward with a construction manager at risk solicitation for the project. >> Mayor Adler: Okay. Does anybody have any questions about that? >> If I may, Rosie had sent out a memo on that. It's a pretty complicated issue, the difference alternative bidding process. So you have that background and a lot to absorb, but she did give the background information as well on the alternative delivery methods at our disposal and why this is probably the best choice for the airport project. >> Mayor Adler: This is like if you hire someone to do construction you can hire them and they bill you on a cost plus basis, whatever the cost ultimately is whatever their profit would be or their contractors fee. Or you can hire somebody for a set amount and if you hire someone for a set amount, if it costs more that's their risk. If it costs less they end up making more money. Those are generally speaking the two ways to do a contract? >> Kind of really, really generally on construction manager at risk, really generally. Typically what you see on construction projects at the city of Austin it's a low bid method where we do 100 serious complete design documents, we issue a bid, we open the bids and the lowest responsible bidder is who we award the contract too. I would say that's how we do about 99% of our contracts. When we have -- state statute does allow us certain alternative delivery methods and they're called alternative because they are different than what we would typically do with

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construction and those include construction manager at risk, design-build, competitive sealed proposal, job order contracting and design build civil works, which is the same kind of concept as design build, but if specifically for civil projects. For each of those methodologies there are different things that are good and bad about them and I tried to lay all that out in the memo that I sent you. Specifically for each of them we have to come and ask for authorization from the governing body before we can issue the solicitation. So that's what we're here today to do is simply say may we please have the authority to go out and issue a construction manager at risk solicitation. So you will see the contract again when it comes back for award, and at that point we'll be asking for -- specifically since this is a construction

manager at risk solicitation we'll be asking for authorization for preconstruction phase services, so we will bring on a construction manager parallel independently to our design team that you will also see a contract award for in the future and they'll work kind of in tandem and together to help get a better set of construction documents. Then you will see the contract again when it's ready to actually go into construction where we will bring either the total construction cost limitation for the project or different individual construction packages depending on how the project progresses. >> And why did you pick this method? >> The construction manager at risk methodology is really good for larger projects. It allows us to bring the construction manager on and have them work alongside with the design team. It helps us to get a better put together project, the construction manager performs certain services during the preconstruction phase to help look at constructability to make sure that what the design team is proposing is really going to work on this site. It allows us to kind of get a jumpstart on the construction process and to have a more cohesive team to work on the project. It's been successful. This building that we're in right now was done construction manager at

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risk. The central library that's under construction right now is construction manager at risk. Water treatment plant four was construction manager at risk and the system control that we did for Austin energy a couple of years ago was done construction manager at risk. >> Mayor Adler: Okay. Mr. Renteria and then Mr. Zimmerman. >> Renteria: This is just a question. Do y'all provide -- do you do any research on these companies that y'all hire whether they're paying health insurance and liveable wages? >> Because this is a construction project for the city of Austin, then they would have to comply with our prevailing wage program. So that's -- if it's a project that's using any federal money then that would be Davis bacon, but it the same basic concept where they do pay prevailing wage and we do monitor and enforce that. >> Mayor Adler: Mr. Zimmerman, then Ms. Kitchen and Ms. Troxclair. >> Zimmerman: I've been involved in some of these large projects from the high-tech commercial side and generally the at risk as opposed to the lump summed by not to exceed, it really in my opinion puts our council in the worst possible position because you could save a lot of money and have a tremendous project if you from trusted vendors, trusted supplies, consultants, people that know each other, they know they're competent, they have a track record of maybe decades of experience of delivering projects well. And if all these trust relationships are in place and they're all proof, then the at-risk model is vastly superior because what happens in the lump sum bidding is all the contingencies and the problems that you cannot possibly predict. It's not humanly possible to predict every possible complexity and problem. So the person who is bidding

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has to pile in a bunch of contingency charges that increase the cost of the project. But the problem is if you have the opposite situation where there are new people, you don't have trust relationships, you're not confident of the competence of the players, you get the opposite situation because now there's no - there's no lump sum that the project has to be completed with and so the project overruns could pretty much continue ad nauseam because there's no fixed price. So I guess I don't like being put in this

position of being asked to make this decision because I don't see how it's possible for us to have the information to make the right decision on that. >> If I might add to that. We do have significant controls in place to help ensure that we don't have cost overruns in the respect that councilmember Zimmerman is talking about. So initially when we first do the solicitation for the contract and we hired them, we only contract for preconstruction phase. And so we're only -- we can back out of that. We don't have to go to construction with them if we find that we can't get to a price that we think is good, that through our due diligence and the construction manager's due diligence we can't get to a point of agreement we can back away and we can take the plans and bid them through the traditional method. When we do have the proposal that comes in for the construction for the contract, the nice thing about this particular methodology, perhaps more so than any of the others, is that it's an open book. We have the ability to go in and to look at everything. We have the ability to review all of the bids that they received when they issued the bids to bring on the construction trades. If we find that, you know, they've decided to hire on truelove and we really think that truelove may not be the best contractor to work on this. We would like to pay extra to get Mr. Smith, then we have the ability to do that through the negotiation process. So we have a lot of -- it's

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a very open process, it's a very communicative process and we get to get our hands into the details as much as we might possibly want to get us to that level of comfort where we're ready to come and ask for the construction to begin. >> Mayor Adler: Okay. Ms. Troxclair? >> Troxclair: So this item was one that I was hoping to talk about today just because of the cost. So can you tell us as far as the timeline for this particular project goes, I mean, \$120 million is quite a bit of money. So where -- what is the timeline for the project? >> Sure. So with approval of this particular item we would issue a solicitation for the construction manager. And that process to get them on board takes about six months to get, you know, five to six, depending on how the process goes, to issue the solicitation. It's a two-step process. So we would do the first round, we would evaluate them, we would do the second round of interviews and we would bring them in and make a recommendation back to the council for award of the contract. Once that comes to play again we would only be executing an agreement for that preconstruction piece. I don't know what that dollar amount is because I don't know how the pricing will come back. But that -- it will be some figure significantly less than 120 million. So [lapse in audio]. I don't have the exact time frame on that. Then we would bring back a construction project. And -- or the construction piece. And that's when you would look to start expending more significant dollars on this particular contract. >> So the \$120 million that is expected, is that money already budgeted? Where is that money coming from? >> I will let Mr. Smith answer that because he's the director of our aviation

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department. >> Jim Smith with the airport. The money isn't currently budgeted because it's not going to be spent for quite a long time. So it would be an upcoming budget. And for this particular project we would be doing another bond sale to raise the capital funds to put into the budget to do that somewhere down the road once we get approval and we know what the timing of this overall process

will be. >> Troxclair: So how is the -- if we use the low bid process 95% of the time, so we're only one percent of the time we're using this kind of different process, but it seems like ear using this different process on the biggest projects in the city, but it concerns me that it seems like the main difference between those two processes is that one has a specific budget set from the beginning. And the other one we adopt really know what budget is or when that's going to be set. So is it appropriate for us to be hiring -- who sets the final budget? I mean, is it -- how is the final cost of the project determined through this process? >> So we have -- at the city we'll have internal staff that helps to estimate and that's how we've come to what we think is a project of 120 million. We don't know the exact final design of the project so we don't know what the structure will actually cost. We won't have that until after we've got the construction manager even on board because we will bring in doesn't team and the construction team in parallel. So the design team will be a group that we will hire through a qualifications based selection process. They will help us determine and design the actual structure and that will give us one of the things that comes with that is concrete information about what we can expect on the pricing. When we have that, then we

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start to bring in the construction manager and they help us take the theory that the design team has put on paper and bring it into actual construction trades that will deliver the project. And through that they'll have to propose on who the different construction -- who the teams are, who the subcontractors are going to be, who is going to do each of the different pieces and what the sequence is going to be and that will help us to determine what the final construction price is. And so one of the things that is one of the main differences and benefits that we get when we do one of these alternative delivery methods is we get to select based on qualification. We get to select based on more than just price. We get to look at their experience. We get it to look at their record, we get to look at their prior -- their history with doing work at the city of Austin. We get to look at this whole myriad of factors that allows us to bring in someone that we hope is going to be more hylely qualified or the most highly qualified to help us do this work. Whereas with the low bid it's -- it's the on lowest response and responsible bidder. So while we can make sure that they -- [lapse in audio]. That they're a really good fit for this kind of work. That they've done this kind of work before. That this isn't the first time that they've attempted a project of this nature. >> Troxclair: Of the one percent of the projects that do use this process, how many of thunderstorms projects stay on budget once the budget is set? >> If you would also talk about the guaranteed maximum price, I think that would help. >> Sure. When we go into a

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construction -- we've gone through preconstruction phase and we're getting to go into construction. The construction manager will guarantee a -- propose a guarantee and it will be based on either a piece of work or it will be on the whole project depending on how the project develops. And once we execute an agreement for that guaranteed maximum price then that is functionally the same thing as their bid price and that's what we hold them to. And that's where the risk comes in where they're accepting the risk. They're accepting fact that they've put together this price. They've thoroughly examined the design

documents. They've put together a team that will be able to deliver that construction price for that -- construction project for that price and that's when we have that kind of final number that we hold them to. >> But that's after they've already been hired and working on the project for a long time. So it seems like loose no incentive for them to keep the price low. What incentive is for them to make sure the maximum price is as low as possible? >> I think simply it's our willing to accurate with them for that because we go through all of the reviews. We're right there with them kind of hand in hand as we get to that guaranteed maximum price. And if we see -- it's a negotiated effort. If we see when they come in that there's caveats and exclusions and limitations they want to put as part of their proposal, we have the ability to cut those, to negotiate those out, to make it clear that what we want is what we're going to get with a firm price through our negotiations. >> What I can add to that is a cost reimbursable form with a guaranteed maximum

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price. As Ms. Truelove said before, we only go into what is expended. What goes into it is very often a shared savings provision so the incentive to the constructor, the construction manager, is to bring that project in at a lower price because when you talk about shared savings and they get a percentage that's basically pure profit. So the city benefits because we get a contract -- a construction manager working in its own best interest to cut its costs so we can realize a larger profit through the shared savings provision. As Rosie also told you, the risk then is put -- once that design is at a point where we can get a maximum price I think this speaks towards councilmember Zimmerman's comment before too is that when you contract on a firm, fixed price, the contractor is going to put risk -- he will build risk into the project and therefore you're going to pay for at a fixed price basis for things that may not happen. Under a [lapse in audio]. You're not paying more for contingencies and unforeseen conditions. To answer the question that you asked before, the two projects that I've had experience with with the city are plan plant 4 and that was a guaranteed maximum price contract where we had 20% drawings. During the execution of that contract they were able to redesign some components of that project without it adding increase to the cost. Whereas if we had this under a fixed price agreement we would have had to pay for that. Plus because of the complexity of the system, we would have seen a bid under a firm fixed price that was a lot higher than what we actually got under the gmp's. >> Houston: What are the gmp's. >> Guaranteed maximum price.

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I'm sorry. So we were able to bring that in because we managed the risk in conjunction with [indiscernible]. It will be brought in with a variance of probably about three percent, which for a project of that size is really quite remarkable. The central library, all the elements of that project are all under contract, all under guarantee. Guaranteed maximum price. So we've already excavated that project, haven't had any significant changes. So there is no reason to expect the project is not going to be delivered within the guaranteed maximum price that we have with the construction manager right now. So for these large, complex projects, not only do you save time because you can get the work done before you have a complete design, you also save money because you're not paying the contractor to

absorb risk. >> So I guess any original question is what percentage of the projects who use this process come in at or under the guaranteed maximum price. >> Well, given the range of experience they have with the city of Austin, because [indiscernible]. And plant 4 was done -- will be done within three percent of the cost, of the original contract amount. >> Troxclair: I know we're veering off into a different project now, but if it's the same idea -- now I have questions about the central library because I understand that the library is pretty significantly over budget. So I know that I think that the original bond for that project was \$90 million and we're spending over -- now we've spent over 120 million. That's what I had understood kind of following that process. But is there something that I'm missing about that project? >> Well, I think the central library is a good conversation to have separately from this. I will -- there's a difference between cost and

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budget versus what things were approved. And that project is always estimated at 125 to 130-million-dollar project. The fact that there was a lower amount of money written in the bond ordinance doesn't change the fact that there was an initial cost estimate. And it's a good conversation for -- I think for another time. >> I guess it just speaks to the level of intricacy that this process is involved in. So I have a couple more questions, but I guess just my preference is more that we're going into this is I guess to second councilmember Gallo's request that this particular item be [indiscernible]. >> This particular item, because it's just the authorization to start the process, we might potentially be able to buy some time. I mean, the sponsor is here to speak to any schedule issues that that might cause for them. >> At the airport the parking situation is not going to be impacted by a couple of weeks. Months, yes. We're going to have a severe problem. We ran out of parking at the airport this Christmas and we are going to run out this fall of parking, or at least both Thanksgiving and Christmas. So parking is desperately needed, but a couple of weeks one way or the other isn't going to make a difference. If it drags out, though, for a couple of months on making the decision, we will be impacted and it will affect our customers. >> Mayor Adler: Ms. Kitchen? >> Troxclair: I have a couple more questions, I'm sorry. So do we have a set price of what we're going to pay the contract manager? >> No, that's part of what they propose. And that's an evaluated component of solicitation. >> Troxclair: Okay. I guess this is just part of a policy discussion then going forward. It seems like this particular process allows us to enter into contracts and

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construction contracts without having any kind of [lapse in audio] For the council to have moving forward. >> If I could had, I was reminded that it's important to answer your question on the library. That project has also absorbed other elements of work. There is the extension of second street, the second street bridge, some work on the bikeway trail as well. So when we have that conversation about that particular project, I think we need to break down all the elements because the library component itself varies not substantially as you would believe based on the total contract cost. >> Mayor Adler: Ms. Kitchen and then Ms. Pool. >> Kitchen: I just had a follow up to councilmember Renteria's question. He asked about the prevailing wage as well as health coverage and I didn't hear an answer about the health

coverage. He asked that the contracts were -- people that you contract with for this work are required to offer health coverage to their workers. >> The prevailing wage has a component that also looks at their benefits. So we don't require health insurance in our contracts. That's something that came up at one of the earlier policy discussions that we had, and I think the law department was looking at the feasibility of that. But right now that's not a requirement to require health coverage. There are other insurances that are required. And when you look at prevailing wage, what we look at when we assess their compliance looking at the wages that are paid and looking at any benefits that are paid to those employees. >> Kitchen: So if I'm understanding correctly, health coverage is not required. >> Correct. My apologies for neglecting to say that earlier. >> Pool: I have some experience on being on city commissions with the results

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of low bid choices in contract management and I think that only being required to go with low bid frequently leaves a lot of expertise on the table that -- maybe a slightly higher price in the beginning would have mitigated or certainly would have gotten a cost benefit from. So I appreciate the fact that this is a contractor manager at risk is the term. >> Construction manager. >> Construction manager at risk. And I would just point out that also that the economic development in Austin is in large part based on us being able to fly people in and out of the city and park them. I mean, the airport is a really important function that the city has, right? It sounds like a fairly complex expansion is going on at the airport. Not only will we be looking at more parking, but I think there are new terminals going to be built, so the expansion at the airport is significant and long range and is this maybe the first in a phase approach for expanding the airport? >> The airport when it was built in '99 had a design capacity of 11 million passengers. We finished at 10.7 this past year. We'll be 11.5, 11.8 next year. So we're going to exceed the capacity of the airport. What we are in the process now is putting together a number of projects that will take us through about 2025 to the next level of about 20 million and change in passengers. They involve -- the projects we have going on today currently is a five-story garage you can see as you pull into the airport. As to the rental car facilities, we opened a new customs facility recently and in May we will open the second level of that facility, which is the T.S.A. Screening checkpoint. We already have under a construction manager at risk project to design an eight to nine-gate expansion going out to the east Gates. And this project that we're

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proposing here would be to construct an additional parking garage next to the one which is just about to finish up construction that would be used for parking for rental cars and that's the one that we're talking about today. But you will be seeing a sequence of projects beyond the ones I've just enumerated at the airport to point where it can handle 20 million passengers a year. >> Thanks. I wanted to point out that the airport is significant from our economic development perspective and making sure that the projects are built properly. And that the risk is managed and mitigated and cost runs are minimized. I would be looking for the approach on the contracting that would take best advantage of those three things. Thank you so much. >> Houston: Thank you for being here today. We're new, but we're not scary. You can

smile. [Laughter]. I'd like to go back to how we're going to finance this project. And you said that you were going to sell some bonds. Could you explain that a little bit more for me, please? >> Well, everything which is spent at the airport is no tax dollars involved. So the airport is designed by federal standards to be self-supporting. So the airport itself through its parking, its concessions, its rental structure to the airlines, all those things raise the revenue that we pay for not only the operation of the airport, but the capital expenses. So we have to have sufficient revenue streams to justify either going to a bank to borrow money or going to the markets to do a bond sale to raise sufficient funds to support all these capital projects. And at the same time we have to moderate how much we're spending so we have in the industry they call it a cost per plane passenger. Ours is roughly about 860. That's a competitive issue

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within the airport industry because if one airport allows their costs to go too high, then airlines don't want to fly there. So at the same time we're spending all this money, we have to manage it successfully so that we moderate our cost structure so we continue to attract flights to come to Austin. So it's a delicate balancing act, but the bottom line is there's no tax dollars go here. This is all funded by funds raised at the airport. >> Thank you so much. >> Mayor Adler: Any other discussion on this item number 2? Thank you. Item number 7. This was pulled by Mr. Zimmerman. >> Zimmerman: Thank you, Mr. Mayor. Is there anyone here from the river place neighborhood? I had a couple of communications with constituents in river place, but I don't know if anybody could get here. I guess they're not here. Thanks for coming, Greg. >> Mayor Adler: It does raise an interesting question. At work session the custom has been not to have a public hearing. So -- >> Zimmerman: It's not public, it would be my invitation. I invited some people to come. >> Mayor Adler: The question is how do we handle that situation in terms of people that are being invited. My understanding is that there was a vote of the council to leave the Normal rules to allow [lapse in audio]. And if it works we'll continue that process. >> Zimmerman: So I don't know if anybody has the Q and a. We asked several questions, so I guess I'll just go over those. The questions that we asked on agenda item 7, it seemed to me that the figure was large and the reason for that is when I was the president of a utility district in canyon creek, we

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waged a very long, complicated, protracted legal fight against the city of Austin that lasted seven years. It went through district court, third court of appeals and then the Texas supreme court over a period of seven years and the total bill on that was \$900,000. Which had to be paid by the city because the city was wrong. So \$777,000 seems like a lot of money for a rate protest from river place. So we asked that question. Then I had some other questions about the firm Webb and Webb about their past performance. And I think this -- is this the same group that's working on a rate protest by some wholesale customers? >> That's correct. >> Zimmerman: Do you have the Q and a? Could you speak to these points? >> Greg mazarus, Austin water director. I would probably ask law to join me in some of this discussion too. Councilmember, I read them, but I don't have it with me. We might have to -- >> Zimmerman: Okay. The premise for the people that don't know, so river place is in the process of

annexation and it's not exactly like what happened in canyon creek, but there's still a dispute over interpretation of the law and the fact that these river place taxpayers still have mud bonds, is that correct, that they're still praying for? >> Yes. > >> Zimmerman: So there's water and wastewater infrastructure that the city utility has basically taken control of, is that correct? >> Yes. A little more history, and Bart, you may have to join in here and help me. Back a few years ago the city identified river place mud as an area to annex. They put you them on the annexation plan. That followed up a negotiated process where the city and the mud agreed through a strategic partnership agreement that both parties came together and consented to the annexation under certain terms and conditions that go

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well beyond just water and wastewater issues, but with with regards to water and wastewater they agreed to be assumed by the utility at the beginning of this year. The actual annexation is still three years in the future, Bart? >> December of 2017. >> And that we would take over the retail operations of the utility. They would become a part of our utility. Would become a part of our retail rate structure, which is an action that occurred last fall. Then ultimately they would be annexed. And here after we took over and the utility took over and raised them up to retail rates, they have filed an initial petition with the public utility commission contesting those rates. Is legal legal agreement with Webb and Webb would provide support services up through a contested rate hearing. That might not be necessary. This might be -- it may not move forward in the way that it has been filed. There's a current process underway for a judgment. I think it's just filed with the courts today to dismiss this case. Webb and Webb is also our law firm that represented us in a much larger case, rate contesting case. That currently being heard right now literally, this week. I will say I was sworn not to speak about that case when I gave testimony last week, so I can't go into a lot of detail about that case until it's completed probably at the end of this week. But Webb and Webb is a part of those. >> Thank you. If the question is about the amount of money for Webb and Webb, when we hire outside counsel we try and look at several things, the expertise of the law firm involved. We try to look at the economics involved. We look at the work load and the capacity of the people in the in-house law practice. And so this firm has done

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water utility work many times in the past and as Greg says does represent the city right now in an ongoing hearing. Which is in trial right now. So this firm is somebody that we would recommend. The lawyers are awfully expensive on the outside. You've mentioned that before, but I think you said before and councilmember Zimmerman we've had a rate utility case that happened with Austin energy, we hired a law firm for that case as well because it's something that outside expertise is used in and it was substantially hire than this amount of money. Our goal is always to come in lower than we ask for the authority to spend. This is a budget that they provided to us as Mr. Mazarus said to go through a contested rate hearing. If we're able to resolve is earlier, then we'll spend less than that, which would be our goal. >> Zimmerman: You answered the question, but to be clear you're satisfied the Austin legal department is satisfied with the work that Webb and Webb has done in the past. So you're confident that they're the right company to use going forward. That's what I'm hearing? >> That's correct. That's

our recommendation going forward. >> Zimmerman: So let's just -- a few more facts about the case here from the perspective of the constituents. Their contention is because the city is using the mud infrastructure that it still has outstanding debt payments that they're required to pay. Have you looked at the rate case, Mr. Mazarus? Is there a contention of why they want the rates lowered? At the there is a contention that this is the water and wastewater that they're taking over without compensation, that their water rates need to be lowered to compensate for that. They're also telling me and I've seen a couple of water bills. It's not unusual to see a 300% increase in water and wastewater bills from what we were paying before.

[11:25:01 AM]

Are you familiar with the magnitude of the billing increases? >> Yes. I can speak to some of those matters. One, again, I would encourage -- there's a broader perspective here in terms of the spa and all the items that were negotiated as a part of the strategic partnership agreement that both parties consented to. This was a known fact that the utility would take over this area that they would go up to our retail rate. This was communicated repeatedly. This is not a surprise or shock. Bart, you might have involved directly in the negotiations. For mud bonds and then keeping some of their mud assessments after annexation and I don't know all the particulars, but if you use small amounts of water to moderate amounts of water our rates are very competitive and often lower on the water side. If you are a very large water user, if you water your grass a whole bunch you pay a lot. If you look at this case that's exactly what happened in require place muted. If you're a small water use, 5,000 gallons, 7,000 gallons, rates will go down to the water side or go up a tiny amount. A lot of the users on the estate lots on river place mud are using anyplace from 10 to 20 I'm times the amount of water of an average Austin water customer and the way our rate is set up that they pay much higher for that amount of water use. So there are instances in this area where they will pay substantially more under our rate structure than they would under their rate structure. I would add too, councilmember, that although we've only taken over the city or this part of the system for a few months this

[11:27:03 AM]

area has this water quality problems. We were a wholesale customer of this utility. We had purchased the Winchester and the glen lake system several years earlier and were receiving wholesale water from river place mud and had water quality problems, we were working to correct those problems. Just in the last few month since we've taken this over we put considerable dollars into improving this system already. We cleaned over a ton of algae out of their systems. We've modernized all of their systems in terms of scada monitoring, long monitoring. We know if floor problems or overflows. They are cleaning out tanks. Their filter systems need to be redone. This isn't just a system we're standing still on. Our Austin pairs are putting money into this now that it's an Austin system. We will ultimately convert the system to our water supply where they will get presoftenned water out of their plants and will ultimately decommission the plants here. They will have an overall water quality with more reliability. They're getting value beyond just us taking this over. They're getting all the benefit of Austin water. >> Mayor? >> Zimmerman: Mayor, with all due respect I was at the neighborhood meeting with the water

utility came and that's not really what was discussed from the mud point of view. They contest those statements that they're not true. But we'll agree to disagree. >> May I jump in to let us focus on the question at hand, which is the hiring of the outside counsel. I'm happy to answer any questions that you have about that. And of course we're defending you all in the rate case and we're going to do that as best we can and we'll do that in the proper -- >> Zimmerman: I think this speaks to the question, though, of even if this is a legitimate expense. I mean, there's a presumption here that the city is right in their position that these residents should have been annexed and charged these higher rates. I'm contesting whether that's true. >> Mayor Adler: How about if we pick this up in

[11:29:03 AM]

executive session? >> Zimmerman: I don't understand the questions. I don't think people understand the issues here. That the neighborhood of river place did not ask to be annexed. I think that's at the core of the problem. >> Mayor Adler: Two different conversations. One is a conversation about the issues that present and what the public needs to know. We probably shouldn't be on this dais setting out facts. I think you may have just made yourself a witness in the case. [Laughter]. >> Zimmerman: I represent river place and their best interests. I do. So if that makes me a witness for my constituents, I probably concur. >> Mayor Adler: Probably a conversation -- that confidence we probably should have in -- a conversation we should have in executive session. But other than that the broader issue without regard to the specific facts of this case. Any further questions or information about this? >> I have a couple of general questions. How much staff or how many attorneys do we have on staff within the city? >> The litigators, we have eight lawyers for the whole group we have almost 60 lawyers. We have 10 lawyers in our prosecutor group who do all the class. >> We have a group of land use lawyers and a group of municipal operations lawyers. Into litigation, the lawyers for Austin energy, I think six lawyers devoted to that. I think that is all the divisions. >> Sowhat was the total? >> About 60 lawyers. >> 60? And we don't have attorneys within the city that handle these kind of water -- >> It is a good question. We have one lawyer, Mitra muhadi she and maria Sanchez, that I believe is here are working on this now. We haven't had a lot of rate cases in the past. We haven't had a water rate case in a long time. That is an expertise we

[11:31:03 AM]

haven't developed. Given the fact that this is the third one, we're in trial right now on one. This is one that we're developing to work closely with web and web to partner with them and learn that expertise and perhaps do this in-house next time. >> If the city is dealing with the same issue that we are contracting outside attorneys we try to develop the expertise so we can handle it in the future. >> Yes. >> Ok. Good to know. >> I want to say one more thing about the strategic partnership agreement, the spi. I can tell you from talking with voter, because I do that a lot. They think of the negotiations with the city of Austin like they would think about negotiating with the 800-pound gorilla. The way you negotiate with an a 800-pound gorilla is you hope you walk out with your limbs after giving them everything they want. Negotiations aren't negotiations at all. >> Mayor Adler: Any further comments on item 7? We move to the next item which is item 10. Ms. Gallo. Thank you. >> Good morning. So a couple of

questions that we had on this particular

[11:33:05 AM]

item. One of the things that we've been very aware of, because of e-mails coming into our office is the Austin pets alive. And what we'd like to have a little bit of discussion on this impact. It is not mentioned in this documentation. So what the impact would be. And then -- I'm just going to kind of go through all of the questions, because you may want to answer them in one fell swoop. And the other issue was that this was to be reviewed by parks and rec board today, this evening; is that correct? So we would want to make sure that we received that documentation prior to Thursday. It just seems like it would be nice to have more time to review that, before we were asked to decide on this. And then the other question was when the Lamar beach metro park master plan is scheduled to be complete. And then we want to ask also -- these are questions that have come in from our constituents, and could you provide a brief history on why the previous council requested to double the term of this agreement? There has been a lot of dialogue with why we're talking about doubling the term of the agreement that we've had in the past. So those were some of the questions that we've been asked that we would like to have some help with. >> Sarah Hensley, directly of parks and recreation. I have the assistant directors that have been involved in some capacity. The impact to Austin pets alive, this is more about the term of the agreement. And their ability to raise funds once the master plan is complete and be able to make improvements to the fields. So the impact to Austin pets alive is not anticipated to be significant, however, the feasibility study that we are under -- we should be receiving the feasibility

[11:35:05 AM]

study that looks at that land in totality. Meaning the whole area, which is parkland. We should have in our hands in the next two weeks, which will tell us what can be done there at that property. Meaning, we know that it's in the floodplain. We know that there is underground utilities. We know there are overhead utilities. The feasibility study will in fact help staff know what can be put back there on that property or built and where it could -- what things could be built, if any, because of the current ordinances that are in place, meaning, you have to have a variance if it is built in a floodplain, things like that. That's number one. That feasibility study should be in our hands in the next two -- in the next two weeks. We actually have it, and we're reviewing it to make sure it has all the information. This item is being heard tonight at the parks and recreation board meeting and they'll have a recommendation for the council, asking for action. And I think I wrote down your questions. But the master plan. The master plan kicks in after the feasibility study. Once we have the feasibility study, we want to share it with your partners from Austin pets alive, the Y, and west Austin youth association. The neighborhood and aid. We want to bring them all together and see what indeed the feasibility study tells us. And then, from that point, we will then kick in the master planning process. So it has not begun and probably will not begin for another, you know -- I'll let Cora give you more information on that. >> Cory Wright, assistant director for parks and rec department. More information on the time line that might be helpful to you. The rfp was released February 16. We're going to have a presolicitation meeting on the 25th of this month, the proposals are due by March 19.

[11:37:06 AM]

And then we'll be before the parks board concessions committee in April. We hope to be before council in May of this year. So that gives you some sense of time line for the master planning process. >> If I may answer, I believe the question -- oh, Kimberly McNealey assistant director parks and recreation. If I could answer the final question or I think it's the final question about what was the impetus to double the agreement. So the original agreement asked for way -- was dictating that way have six years from the time they signed this agreement in August 2013 to complete construction. And then we had the Presler extension. The road that's being considered. We have this master plan that's being looked at so we can determine the highest and best uses of all of our partners at that space. So the concern that way brought forward to the former council is that six years from 2013 to do something without knowing what the master plan outcome is, and being able to raise the funds to actually construct and rebuild the fields that are there is not ample time. They were concerned that six years from 2013 -- and we're already in 2015, and we don't have a master plan giving them guidance as to what it is they can and cannot do at the fields, just wouldn't give them enough time to fund raise and actually complete construction. So they requested from the former council consideration for allowing them fund-raising time, permitting time, and then actual construction time. That's why the request came in 10 years from the time that

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the master plan is adopted. With that being said, they're also saying if we're going to be investing significant dollars, and we're continuing to maintain and will continue to maintain and offer programming, we're hoping that a longer-term contract could be provided to us, because we can't get started on what we had planned. And we're looking for something that's a little more long-term to make sure that our investment is actually utilized by the individuals that have participated in this program over the long-term. So it was via a resolution that was passed August 7, 2014, that council asked us or directed the city to renegotiate the contract -- specifically to a 50-year term, with a 25-year extension. And specifically for 10 years to have -- to have 10 years after the master plan to construct, to fund raise and construct the ball fields that they would be using. >> Mayor Adler: Yes, Mr Mrs. Gallo. >> Gallo: Thank you for that. I don't want to come across as negative at all. I coach there, my kids play there. I think it is a wonderful organization that provides a great service to the youth of Austin. My concern is, I think we have a lot of issues here, I understand the extension of the time frame to be able to build, but we're actually doubling the lease term at the same time. And this seems like a perfect -- and we have other reports and master plans that have not come to us yet. This seems like one of those perfect opportunities of something that definitely needs to go to the council committee to be evaluated. There is also concern that -- how the Austin pets alive and the shelter is addressed

[11:41:07 AM]

within whether it's the agreement with way to do that, whether it is the agreement with the city to do

that. I think that's an issue that we just didn't see addressed here. It seems like unless this is something somebody says to me this needs to be done this Thursday, it seems like there is lots of backup information that is still yet to be provided and discussion that needs to happen that taking this to council committee would be the appropriate route. >> Mayor Adler: Can you speak to the issue of how time sensitive this is? >> As I team, I believe that -- Sarah can back me up -- this would certainly be something that we can make happen. We don't have any issue with bringing it before a council committee. We don't have a master plan, so way is not in the process of constructing anything right now. They're waiting for us to make a decision on this agreement. And so therefore -- or a decision on this amendment, so therefore, I believe that it would be appropriate, and certainly we would be able to provide you more information. And I think that Ms. Cora Wright would like to add to that. >> I would say I concur with that to bring it back before the council committee would be more than appropriate. The master planning process that is underway will contemplate, first of all, existing users so we might have some sense about their future plans as well as potentially other park users. So that will give us sufficient time. The master plan, again won't come back to council until may of 2015. >> Mr. Mayor? >> Mayor Adler: Ms. Houston and then Ms. Pool. >> Houston: I have a question about the west Austin youth association. >> [Indiscernible]. >> Houston: How much do they contribute for the usage and how much land do they currently have? >> Currently, they're

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estimating -- when we originally started this agreement, they estimated a \$4.5 million capital investment, which would be to refurbish the fields. Depending upon the master plan, that amount could -- we don't anticipate it decreasing, but certainly, it could increase. And on an annual basis they contributed \$200,000 to maintenance and programming, which over a 25-year period, that is approximately \$5 million. And then of course over a 75-year period, that would be approximately \$15 million that would be contributed. >> Houston: How long have they had the parkland now? >> Currently, way, per an ordinance in existence, they're considered a youth SP sports organization. I apologize for not knowing the exact ordinance number. There is an ordinance that dictates how our department, the parks and rec department works with youth sports organizations. They're currently on a year-to-year contract. Which means every year, we reevaluate the services that they provide and we allocate the number of fields that they need to provide that. And I believe that we have been in a relationship with them -- please, I have to double-check, but it is at least 25 years that this department has been in a relationship with this organization so it has been a long-standing relationship on a year-to-year basis. But we have never not renewed their agreement in accordance with that ordinance. >> Houston: My next question is how much land do they have as opposed to pets alive. >> I have to calculate it. I calculate it in field space,

[11:45:09 AM]

I don't know how that calculates into acreage. If I could get that information to the council, I could calculate that in acreage instead of field space. >> Houston: Will pets alive land space decrease or stay the same? >> I believe the Austin pets alive space and waya space would be dictates via the master plan,

but I can tell you what it is currently. >> Mayor Adler: I would anticipate, probably since they have the ability and flexibility, that this would probably end up an open space for this particular question as well as the master plan question and the larger pets alive question. Ms. Pool? >> Pool: Yeah, thank you, Mr. Mayor. I want to say I welcome having the master plan issue moved to the [indiscernible] Committee. I think that is a really good place for it. The work that Austin pets alive, I think they are looking at continuing to operate from that location. So one observation about that, and then one question. The observation I have is understand that the fund-raising that Austin pets alive has been undertaking is fairly far advanced and they've raised a significant sum of money to build a new building that is an advance of what is there now and on a smaller footprint. That is my understanding. Does that track with your understanding? >> This is Sarah Hensley director of parks and recreation. I'm not aware of that. I do know that one of the reasons why -- I will be very frank. I know rusty knows it. I've been very frank with him. This is public parkland. And so as we were looking at the use of this land, that is why we are doing the feasibility study. The new -- the current ordinances, when this building was built years and years ago did not have to meet the

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current ordinances that are in place. Now to be able to build a brand-new building with a footprint that is the size of 40 to 50,000 square feet will most likely compromise, quite frankly, the ability to build more recreational amenities on this land. We have always planned for a 5,000 square foot adoption site there, which would meet the spirit of what had been articulated, which was an adoption site. Not a shelter, which we have in east Austin. It certainly will come before council and will be council's decision, certainly to take, but they are fund-raising. I don't know to what capacity, and I know that their wish and desire absolutely is to have a larger facility, which I absolutely understand. But my biggest concern here -- and will certainly be one that we share with the committee is the balance between youth sports, general public park land and an animal adoption center or an animal shelter. And that's really kind of the extent of it. And what -- I'm hopeful that this feasibility study will show is where is the buildable space outside of the actual ordinances that are currently in place, building on top of utilities. And the other one is, if it is the desire of council to rebuild a facility, what size and where and what's the appropriate location outside of the floodplain area so we don't have the current problems that they're experiencing which [audio skipping] Which is really hard for them. They end up having to run in, scramble in, take care of the pets when it's flooding. Our goal is to see how we can fit the best of everything there and meet the needs of the public as a whole, which will be a real challenge, I'll be real frank. >> Pool: I appreciate that and look forward to taking up the issue in the committee. I make note that any concerns with the flooding can be

[11:49:13 AM]

mitigated with new construction. >> Mayor Adler: Anticipating that this will end up in that committee should we move on to the next committee? Let's do that. That gets us to item number 12, pulled by council members Houston and Gallo. >> Houston: Thank you mayor. If council member Gallo wants to do 12 and 17 at the same time. It is both about the towing issue. Thank you all for coming today. There

has been a lot of information on television about towing and about some of the perceived misuses. And I don't know about my council colleagues, but I've gotten many e-mails from people who have experienced towing that they felt was a little shady, if I can use that term. And so I'm wondering about on both of these, if you could give us some background information, kind of quickly, overview, and then some [audio skipping] Specific questions. >> Good morning, council, Brian manly, chief of staff for the Austin police department. What you have before you is a project that has been underway for whquite a while for the police department. What we see this as is a program to use our towing services more much efficiently, reduce the time officers are waiting on tow trucks, reduce the time of the major roadways, therefore creating additional crashes and additional traffic delays. Currently, the way our system works using crashes as an example. We have a rotation system where tow truck operators that meet the city's requirements are placed on a rotation list. When an officer responds to a crash scene, he will make a request for a tow truck off of the rotation request list, unless the motorist has a

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specific wrecker that they choose. That wrecker may not be the closest wrecker at that moment. It takes to clear the roadways. And therefore, again, creating the residual traffic backups and potential additional crashes in the area. What a managed program offices is it offers a vendor that will come in and manage the towing services for the city of Austin. Our local tow companies will still have the ability to contract with this vendor and be the actual service providers. This will be a gps-based system. So when an officer actually makes a request for a tow truck, the vendor will know immediately when is the closest tow truck and therefore we expect the response times to crash scenes to be significantly reduced. We currently allow, under the operation, as it is run now, 45 minutes for a tow truck to arrive on the scene of a crash under a managed program, that would be reduced to 20 minutes. And experience in cities that have switched to this type of a program have seen dramatic decreases in response times for tow trucks to the crash scenes. Some additional benefits to the city, currently, when an officer makes a request for a wrecker, they have to contact the communication center. The communications dispatcher has to route the request over to another operator, who then has to contact the to truck operator and that stream has to reverse getting word back to the officer on the street which tow company is en route to get the paperwork. Under a managed system, it will be done through the system, it takes the operator out of the loop. They're able to focus on the 911 and dispatch traffic. We see significant efficiencies that we will realize in the communication center. Again, as mentioned earlier, the officers not having to have those lengthy wait times for the tow trucks because instead, they will be getting the tow truck that is closest to the scene. The one thing that will change

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under this, the rates that motorists are charged, council sets those rates. Those rates are in place. What you will see here, though, is an amendment to the ordinance that will allow for a \$25 fee that will be added to each tow. That fee is to pay for the managed program, to pay for the vendor that will come in and take on all these responsibilities. \$22 of that fee would go directly to the actual company that we have proposed, and then the other \$3 fee goes to the individual tow company that was selected. So

again, the program, as we see it, is almost dragging us into where we should already be. A lot of major cities have already gone into this. We believe the efficiencies that will allow us in our officers' time, our dispatchers' time and what we really expect to see is the residents will see the roadways cleared that much quicker, traffic restored to Normal pattern and reductions in wait times. >> Houston: So let me ask a question, the proposals you're presenting to us on Thursday will only be to clear crash scenes, not to tow other -- >> No, this will be the entire tow program. It will be our impounds, all of that, it will cover the entire program. >> Mayor Adler: If -- >> If I may add it does not include the property property impounds -- private property impounds. >> Some of it is. And some of them work in the service district and some are impacted. The \$25 extra fee on top of the two hundred some dollars and going way south to pick it up is a financial issue for the people in the hospitality and service industry. But I thought a couple of years ago, we had a practice where we had a tow trucks that were stationed at various locations throughout I-35, especially so they could respond quickly. Does that not work anymore?

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>> That is not as effective. It is still in place. That is the traffic incident management program that we have. You do see tow truck operators staged on the side of 35 in the major traffic areas in the morning and afternoon. That has made an improvement, but this is taking it to the next level of allowing that efficiency around the clock, not just during rush hour time. In the times time frame, we expect 20-minutes and outside of that rush hour period is 45 minutes period. Under managed period there will be a 20-minute expectation 24/7. So it will increase that efficiency. >> Houston: Tell me how you came up with this amount. First, is this a revenue generator for the police department? >> No. This does not -- this is the \$25 fee. 22 goes to the vendor and \$3 goes to the tow truck company. The city will continue to engage in the revenue sharing that we do currently, and so the city will see no net change to revenues, based on what's proposed in this program. >> Houston: Tell me again, the cost that the vendor will charge? >> The vendor -- the fee the vendor will charge will be \$25 per tow. >> Houston: How much are we paying the vendor. >> The vendor will make the money off the fees to tow -- >> Houston: Ok. >> You mentioned about some of your constituents having to go south to pick up their vehicle. That is one of the other benefits of this program, we'll have wrecker yards, I believe we will have them in three different locations across the city. It will be more convenient for residents to get to their vehicles. And again, they'll have a 24/7 phone line, so we can tell where their vehicle is. And we'll know where their vehicle is at all times because of the gps technology

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involved. >> Mayor Adler: Ms. Gallo. >> Gallo: I experienced a tow. And the church arranged for the lot to be reserved. It wasn't, my car wasn't there when I came out. It indicated the whole process how difficult it is. The signage and phone Numbers, it took two to three hours to locate who it was and get a live body to answer and tell me where we could pick the car up. So I'm looking forward to that particular component really being improved because right now, it is -- it's not very good. Just so I understand and I think council member Houston asked this question. So this is not -- the \$25 -- the amount that we're going to pay the towing management company is not going to be paid by the city, it's going to come out

of the \$22 of the 25 additional charged; is that correct? >> Yes. >> Gallo: Sounds like a great idea. >> Mayor Adler: Ms. Troxclair. >> Troxclair: Towing in general generated \$3 million a year? >> I believe that is correct. >> Troxclair: Where does that money go? >> I believe it goes back into the general fund. I have to defer on that one as to where it goes. It does not -- yeah, I'll have to check on that. >> Troxclair: And do you know, on average, is there going to be any change in the average cost for a tow using this vendor? Like the companies that they use through this program, versus the companies that are -- that y'all are using? >> You as a council will set that rate. We come to you. If there is a request for an increase just prior to the previous council ending their terms the actual issue was brought before the council

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because the towing industry was requesting an increase in the fees to be charged. As a council, you have control over the rates. >> Troxclair: What is that fee currently, do you know? >> For what kind of tow? Page 2 of three of the proposed ordinance. >> Mayor Adler: Mr. Zimmerman. >> Zimmerman: Is there some pressing reason why this needs to be voted on Thursday instead of giving a public safety committee a chance to look through it and better understand these issues? I have had like council member Houston, I've had people call me and complain about predatory towing practices. It would really help us if we could spin up on the issue and understand it better. Is there some absolutely pressing issue that has to be voted on Thursday. >> Outside of the fact that our practice is currently not as efficient as it could be and we try to capture as much of our officer's time not on this. We have been able to get an extension with our current tow providers that we could continue to operate. I think a lot of the citizen input you all get, I believe you used the term predatory practices. That is based on private lots contracting with the private tow companies and that is not at all part of what we're doing here. >> You're right, a very different issue. You're right. Just a final question. [Audio skipping] About these things in terms of transactions. What this really is, is a transaction. Like a credit card transaction or a customer service transaction. It just looks to me like the charge is really high. That it could be five or \$10 instead of 25. But again, I don't have enough information to know if \$25 is a reasonable number. That is another reason I would like a chance to look at it

[12:01:22 PM]

more. >> Mayor Adler: Ok. Mr. Casar. And then Mr. Garza. >> Casar: I would like to second the concern, to have time to look at the appropriate fees and what they look like across the country. I would like to direct the conversation briefly to item 17, in particular, the vendor that we are -- that has been suggested which is auto return. I received a note from someone in the community that they had been -- that somebody under the same name of auto return had been in the news because the Pennsylvania state police terminated an agreement with a company by the same name. Do we in evaluating the proposal look at other jurisdictions or other occasions in which they -- you know, how they have done in working with other jurisdictions? >> Mayor council member, Casar, jaim Ferber with the [indiscernible] Office. When we generate offices in response to request for proposal, we look at their background and capacity to perform. In this case, that was done. In terms of the specific of the evaluation, I don't have that with us, but we can certainly circle back with the council members to give you detailed breakdown

of what background was evaluated across the offers. >> Casar: That would be helpful to know, when my staff looked that up in particular, one of the reasons for the cancellation of the contract was increased time for the Pennsylvania state police. I think that this management -- towing management idea sounds great for freeing up officers, I know that is something critical for my district to have officer response time better in our area while protecting the budget. I want this to serve the intended purpose. If this vendor has the history of doing that, I would be excited to work with them. I would appreciate a chance, perhaps for our committee to look into that history. And also, the united road

[12:03:23 PM]

vehicle management solutions which scored 84 compared to nor, which is a Texas base company, instead of California based company. If anybody from adp, if we choose to move this committee, could tell us what the difference is. Because I'm still not so clear about when a 10-point difference means they woulding significantly less in value to the city or slightly less in value to the city. I would also like to understand working with a texas-based company, if they're out of Dallas, what the service might be and the level of service. I will most likely move for this to go over to the public safety committee [audio skipping] On Thursday. >> So now, when somebody is towed, they call 311 to find out where their car is. Is this going to change that? If it doesn't, it kind of keeps dispatch in the equation; is that right? >> The vendor themselves will have a 24/7 number that people will call and find out where their vehicles are. [Audio skipping] In the gps that is in the trucks will be part of the program. >> How do you the people know who the vendor is and who to call? >> That is up to us to publicize that number and oftentimes -- we're not talking about the private tows that are coming off of lots when people contract privately. That is part of the signage in the parking lots to display what is towed and that here. We're talking about the impounds, crash rotations, things of that sort. >> I understand that. It says it is for accidents and other tows, that's not private. What is -- >> That's our impound. Say we come across a vehicle that is abandoned on a high-speed roadway and we deem it a danger, we will impound the vehicle.

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If we make an arrest of an individual that is operating a vehicle, we will have to impound the vehicle if there is no adult to give it over to. Those are considered noncrash instances. >> In the noncrash, nonprivate instances, if they call 311 and ask where is my car, what are they going to be told? >> We'll refer them back over to the tow management company. It may take a public education campaign to make sure people are aware. Obviously, if we were there when we impounded the vehicle or more importantly when we impounded the vehicle or had not yet been transported by E.M.S. When we took their vehicle during a crash, we would provide that information to them with all of the paperwork. >> But if they're not there -- >> They'll -- >> They'll be routed to 311. >> Until we get the wording out that the appropriate group to call is the companies. >> I'm sorry I didn't introduce myself. The management company will still track those. They're not going to be charged the fee for those, but they'll still have all the tracking for any time your car is towed in the city of Austin, if you contact the management company by phone or website, they'll be able to locate your vehicle for you. >> Mayor Adler: Believing that the will be to send it to the public safety committee, should we move to the next item? Let me say,

council, there is lunch in the rooms back there. At any point, if we wanted to break for that, we could go ahead and do that. Let's go on now to item 13. It is another public safety item. Pulled by Ms. Gallo.

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>> Thank you, thank you for being here. I just wanted to make sure that I understand that this is grant funding and there is no cost to the city -- nothing that I located that there would be a city cost involved in this? >> No cost, whatsoever, no matching funds, it is a complete grant. >> Mayor Adler: Thank you very much. Next item we have is item number 16. >> And that's the same question. >> Mayor Adler: Same question. >> Oh, 14. >> I believe they're both the same grant. I think you have to authorize both to actually set this grant. So yes, there is no matching on that. >> Thank you. >> Mayor Adler: So item 16. Pulled by Zimmerman and Gallo. >> Zimmerman: Is Juan here, is there somebody connected to the minority business zone. Juan, you're here? How do I do that? Do I make a motion to ask him to sit down. >> Mayor Adler: Mr. Zimmerman moves to allow a member of the public to address us. Is there -- >> I'm sorry. Are we on 16 now? >> Mayor Adler: We're on item 16. >> Ok. Thank you. >> I just have a question, is there any kind of a time constraint that we might consider putting on this so it doesn't get protracted? Considering the number of items that we have ahead of us? >> Mayor Adler: Let's see how this goes, but we'll be mindful of the time. Ms. Tovo. >> Tovo: I don't have a strong objection, I don't think this would be a regular practice. This is a Thursday council meeting. I don't want people to feel like they should be present in a work session and try to get access at a time where really we typically don't have public comment, it is really for us to talk with one another. I'm happy to hear the speaker,

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but I would like this not to be the regular way of Busi business, otherwise we need to publicize this to the public to have it as a regular way of business. >> Houston: Is this something we have to take action Thursday and have more time to look at. >> Mayor Adler: If we have a public conversation, if you could frame what it is this issue, why you pulled it, why it is up, what people will be speaking to, that is helpful. >> Zimmerman: One of the things I gathered from going through several of these, there seems to be an advantage given to city staff who can come and present all their information, but any information that might not concur with what we hear from city staff, all that testimony is excluded. So it almost looks like even though this is a so-called public hearing, we only hear from one side of the issues that are on the agenda. It is almost like a rehearsal that would benefit the staff, and then the public doesn't have a chance to get their points. So we're already kind of on the road thinking in one direction, prior to getting to the public Thursday meeting. So that was the intent behind -- it is invitation, of course. It is not just as you say, everybody comes down and starts talking. If you had a particular point and somebody you wanted to speak on an issue, you would invite them, and I would like to hear from them. >> Mr. Rent terria, and Ms. Tovo. >> I think maybe we refer this to a committee. Instead of having a work session where we are inviting people, because everyone wants to have their input. If we're going to allow that, we might as well say we will have a regular meeting. If there is going to be that many questions and we want some alternative speakers from the audience to speak, then we should just refer this to a committee. I think --

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>> Council member Gallo, is that fine with you -- is this a time-sensitive matter. >> Houston: That is all I needed to know. >> [Indiscernible] When we schedule the meeting to [indisc [indiscernible]. >> Turn your mic on. >> A couple of weeks no, that's not going to make an issue. If it drags on a couple of months, yes, it would be an issue for the airport. >> Zimmerman: I think we should be able to get it to the committee and back again. >> Gallo: I pulled it with the hope that it would go to committee. >> Mayor Adler: Would that work if we sent it to committee. >> Zimmerman: I think that is agreeable. If I could see who came to speak on it. I know Juan is here. Is there anyone else. >> [Indiscernible]. >> Zimmerman: Ok. >> Mayor Adler: So the issue here is that we want to make sure that there is a proper hearing of this, and that it is not time rushed and that the committee can actually take a look at this and maybe perhaps even take a look at it in a larger context than just this one issue, that's what the committees give us the opportunity to do. We can't take that action here, to be able to do that. It would be a motion on Thursday to send this to a committee. Ms. Tovo. >> Tovo: I would say we have a couple of citizens that have spent almost two hours here. I'm happy to hear from them, as I said, but I -- I guess council member Zimmerman, we need to figure out how we're going to use this time in our work session. And I don't regard this as a public hearing. I know you just used that term. I mean, if I'm going to invite people to talk to the whole council, I'm going to do that for Thursday or for our committee meetings. You know, I think there may be times that we want to, as a group talk about inviting somebody -- a member of the public to present to us in a session, but I guess I

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would -- I would prefer that those be sort of a lengthier presentation that we need to feel like we schedule on Tuesday, rather than individual comments about agenda items because I would rather have that happen in an organized fashion on Thursday. But again, since we have two people that have been here for almost two hours, I'm comfortable hearing from them. >> Ok. >> Mayor Adler: Do you want to give them a chance to talk. >> Zimmerman: I would like to have them come forward, if they would and have a brief discussion on the item. >> Thank you, council members, Juan orridez. >> Hang on for a second. >> Does this have to be voted. >> Mayor Adler: I asked if there were any objections. >> I didn't hear you ask. >> Mayor Adler: All in favor of allowing the speakers to address us. Aye, anyone opposed, nay. So without objection. Please. >> Thank you council members, my name is Juan hoyra Felix. I'm with the U.S. Hispanic council and trade alliance. I'm here to answer questions on item 16. >> Mayor Adler: Ok. Do you want to phrase the issue? >> Zimmerman: Well, I think we had one question that we put into the q&a and it was the difference between the bids was less than 1%; is that right? I think it was like 0.1%. >> 0.4%. >> That is a really small difference. I would like to ask your perspective on how the bidding process was done. I know there is maybe some confusion about vendor codes or product codes that go into the bids and whether it was put in through the automated or manual system, can you speak about that a couple of minutes? >> Yes, sir, I would be glad to. The bid is broken up in two sections. The first section is an immediate purchase and

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installation of displacer for the airport. The purchaser SHAWN Willet, has expressed this is a -- cost is the only determining factor for this bid. And so in the first section, section a, the company that came in second actually came in lower than the company that is signified by staff to award this crack. But in the second section, where the bid requires -- as is needed purchases, the second place winner had a difference of an \$11,000. And so when you average that together, the difference between the second place bidder and the first place bidder is \$3,000 or 0.04%. So I'd just like to say that the second place bidder is a local, home owned business. And the contractor that was -- that is being recommended by staff is -- is in Illinois. And they will send a project manager from Detroit, Michigan, when we have a company that's here, just 10 minutes away that can make local decisions. And then as far as the subcontracting opportunities that this item says that there are none, I'm not an expert in technology, of course, but even I know that you can sub out the labor for this. The equipment can be purchased and for the labor can be subbed out to a local company. So this seems to be a little bit of an ongoing problem that we've uncovered. With purchasing in some of the

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items that are coming here to council before you. Our colleague, Aleting planks with the Asian contractor association expects there are half a billion dollars -- billion with a B, of open contracts with no subcontracting opportunities. This is in quantities -- nor nonprofessional services I'm sorry. In commodities 144 mbe as 162 wbes so when purchases like this come out and there is no subcontracting opportunities, clearly, there is a mistake, because there is. Labor is one of them. That can be subbed out. But in your documents, that's not indicated. And so once the originators of these services code these projects and what they need, once it gets into the pipeline and then it gets to you here, there is no other opportunity or there is no other entity that is looking or questioning ab these purchases. That is why we, the minority trade alliance monitor the contracts because we point these out. So like I said, I think there is a little bit of a process issue involved here where procurements need to be looked at a little bit closer that are coming through the purchasing department. >> Ok. And who is with you? Could we hear. >> This is the owner of the qi system. >> Mayor Adler: Ms. Tovo. >> Tovo: Is this going to violate the no contact rules in any way? I would hate for this company to be disqualified. We're not posted to have public comment. >> We're in a public meeting so it is ok. This is unusual to have this

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comment here. >> Mark Gutierrez, I'm here to support -- I was invited to come here. If there are questions, I'm here to answer questions. As you mentioned, we're a local company here in Austin, in business 25 years. We enter bids and win bids all the time. It is a shame that we're a home-grown company, local to Austin, and companies are getting contracts from illinoises or Timmons airport. >> Mayor Adler: Ok. It is computer discount warehouse. Cdw, computer discount warehouse. I bought a computer from them 30 years ago. Been around a long time. >> Long time. >> In the q&a I asked if there were reports for the local Austin presence. The answer came back, from the agenda office with the qa.

Local presence could not be considered in the award, while qa systems has an Austin address they're not located in the Austin corporate city limits, which is the requirement to qualify for local presence consideration. >> Our office is located in the city limits. We're 10 minutes away from the airport. >> Ok. >> So then I guess that's an incorrect statement. >> When we found out about the proposal for award, we contacted [indiscernible] Ibia and her response was the only factor was cost. That was her answer. >> Ok. Well, I guess -- our expectation is that this issue will go to, I guess a committee. It is our expectation -- we can't vote. >> Of course. >> One final question, you may not be the right person to ask. I want to call your attention to items 16 and 17. If you have an agenda handy. I notice for some reason on item 16, if you read though it says authorize award and execution of 36-month contract, et cetera. Item 17, it is the same

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language, author award, negotiation, execution or to someone, tegso or another qualified offer. Why is that language "Or another qualified offer" why is that language not present in item 16? Can anybody answer that for me? You see what we're talking about? >> Good morning, mayor, council, robin Harris with the law department. And just so I'm clear, council member Zimmerman, the question is: Why in number 17 you're able to choose from more than one bidder; is that right? >> Zimmerman: That's correct. >> The way that the purchasing statutes work, depending on the type of solicitation that we're doing, you're authorized to select a request for proposal, multiple proposals come in, if the council decides that somebody who is not the recommended vendor is -- provides the best value for the city, you're able to choose that, that particular vendor. For the type of vendor in number 16, I believe it was bid what's called an ifb, which is just the lowest responsible bidder, the only thing that the city is taking into account there is the cost. So because that's the only determining factor, in awarding that contract, then that's the only contract that can be awarded. Now, always within council's authority to decline to accept a contract or enter into a contract with the vendor. >> Zimmerman: So the way I understand it, it has to do with the type of purchasing?

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So along what you said. The low-cost bidder, the only question is the lowest cost bidder. If there is a question of fact as to who the lowest cost bidder actually is, that would open that back up? In other words, if the council disagreed with the assessment by purchasing, that it was actually the lowest cost bidder, maybe there was another low-cost bidder that they didn't look at or we disagreed with their findings, then would we still have the ability to pick another qualified vendor? I'm trying to understand the process a little bit. >> You can reject all bids. >> Yeah, and it is something that I believe Mr. Scarborough may be able to talk about, the process. But once the bidding part is closed then that's the bid that will go on. >> Yes, mayor, council member Zimmerman. When we're conducting an invitation for bids, that's the document for competitive sealed bidding process. That is essentially where all of the offers are considered equal, based on their responsiveness to the requests and solicitations. Then we reward to the lowest. It is the lowest form of government procurement that we do. When we conduct evaluations based -- excuse me. When we conduct solicitations based on rfp, or competitive sealed

proposal, we evaluate based on criteria. Those would be experience, your method of approach, an element would also include price. So when we -- when staff makes the award recommendation for an rfp, we're going to give council the recommendation to include the option to go with a contract award decision that was other than staff recommendation. So that could be one of the other offers based on their score or their proposal. Our evaluation is going to be based on the evaluation criteria as set forth and as

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was communicated to the public and to the offers. >> Zimmerman: Ok. Fair enough. Do you guys have anything else to add or are we done? >> I'm anxious for this to go to the committee. Local preference is something we would like to look for as far as contracting. >> I have a question. >> Ms. [Indiscernible]. >> You said for labor, the local subcontractors, is the goal of that more to S subcontract so your company would subcontract maybe and that would allow the ability to give more jobs to maybe minorities or is it just a price thing? Because all city contracts have to pay prevailing wages, that really doesn't affect bottom line, subcontracting options? >> I can speak more about that. The way it usually works, if there are subcontracting availability, a company will subcontract out to a lower company that doesn't have presence here in Austin. Subcontract out to a smaller company here in Austin, that would create more jobs and labor here in Austin. Even though the company considered somebody outside of Austin, it would stay here in Austin. >> It doesn't affect price? >> No, they bid the project on the said price and have to stay within that price. >> Mayor, I have one last question. >> I think I recall a state statute that enables us to bid in some situations and give preference as long as they're in a price point if they're the local business. Is that something in this requirement that we can use that statute. >> Council member Casar, it is local code 271.905 and

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275.901. We can provide that to you. There is the allowable local preference process. And in it, we describe that the headquarters or the offer, branch office, one of those two things would have to be located within the corporate city limits of Austin. And to assist offers in determining whether they met that criteria or not, we provide access to a gis or geographic information system profile tool, where you can input the address that would be associated with your bid and determine if you would meet that criteria or not. That was available online while the solicitation was on this [indiscernible]. >> That is helpful, it sounds like there are disputed facts in this case. I look forward to hearing it in committee. >> Are the corporate city limits different than the regular city limits? >> Mayor, council member troxclair, as a recent transplant from Arizona, I am slowly coming to speed on the gog geographical difference between the Arizona -- but they are different. Would you be able to elaborate on there? >> There are some areas that some parts of city government has jurisdiction over, some unincorporated areas. For example, if something is outside of the corporate limits, they wouldn't be able to vote in a city council election. But they may still -- the city may still have jurisdiction for things like water quality, development, some sign regulations, that type of thing. Not familiar with where this location specifically is. >> The advantage of being able to take into account being local, the limitation to corporate limits did I

understand that was set by state law? >> That's correct, it is currently set at 3% by the local government code for most

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bids. There is an allowable up to 5% for some specific types of bids as well. >> Mayor Adler: But it has to be -- we can't set the limit O ourselves? It has to be corporate -- >> Set the limit as far as local? >> Mayor Adler: If you wanted to allow a company that was in our annexed area or if we wanted to find a location for central Texas advantage. >> Elaine hart. I think I have the information in the backup. To get the local preference in this case, the jurisdiction had to be within the city of Austin, limited purpose annexed areas or for full purpose so it would have to be in the corporate city limits. >> Mayor Adler: Is that set by state law or is that just the requirement that we put into this bid as a city? >> And Mr. Mayor, specifically I don't have the statute. I would have to look at that, you know, more closely and determine if it's -- >> Mayor Adler: I would hope that the committee would take a look at that issue when the committee had that. Any further questions on this item? Now, there are six other items, Ms. Gallo, that you also pulled. And let me ask this question before we break for lunch in case it means that people might be able to leave. There are six other items that you've pulled, 19, 20, 21, 23 and 26. Are there all similar? Issues? You. >> Gallo: This would all be the same question. I would prefer they go to committees unless there is a reason that staff feels like they need to be responded to more quickly? >> Mayor Adler: Is there a time issue with respect to 19, 20, 21, 23 and 26? Can someone speak to that? Ms. Kitchen? >> Kitchen: I would also with regard to item number 20 I would like to agree with councilmember Gallo's concern because that's -- appears to be a pretty open-ended contract and I would like to see that go to committee.

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>> Mayor, councilmembers, I have some information with regard to the urgency of those items if you would like to -- >> Mayor Adler: Please. >> Okay. For item 19 for the construction of A.D.A. Ramps throughout the city, currently there's no contract available for that purpose. And if we are delayed in implementing the new contract, the additional cost would be 22% more than the new contracted rate. >> Mayor Adler: Say that again, I'm sorry, can you move the microphone? >> If we delay the new contract -- [lapse in audio]. If we delay the new contract, we would be conducting spot buys, market buys on an install by small basis and historical through that would -- based on our records that would show a roughly 22% increase cost to the city. That's item 19. >> Mayor Adler: Okay. >> Item 20, Austin energy is in need of the services of -- the demand side management utility consulting services. Currently they're doing out with these services and conducting the analysis on their own with the access to private sector expertise. So their ability to perform these analysis are going to be limited until the new contract is awarded. Item 21, for parking garage equipment and software, for the July 31st planned equipment upgrades and replacement, we're under a 120 day extension on the existing contract now. And the new contract is not

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awarded and left to -- to negotiate the provisions of the contract we may miss the expiration of the current contract. By the summer. Item 23, current contract expires March 11th, if we are not able to authorize the contract we could experience a lapse for engine repair for the navistar engines. And item 26, the offering acceptance period for the quotes received under these cooperative contracts has a finite life, and those quotes would expire if we go beyond short-term extension. If those quotes expire we could be subject to different pricing that would be higher than what we currently had. It was a moderate risk, but a risk nonetheless. >> Mayor Adler: What about item number 22? Which I think is listed for the same reason, Ms. Houston? >> Jerry calk, fleet officer. Item 22 is for the purchase of a van. It's going to be an mobile animal adoption center. Typically on these things we're buying off of contracts, but we're we're requiring build out updates on most types of equipment. We run these things through in packages so if we miss that manufacturer buildout date for a government

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purchase we would wind up having to buy off the lot essentially from a dealer, which would be a significantly higher price. That's the same issue that we would be facing on item 25, 26 and 27 where almost all those units are replacements for units that have reached essentially the end of their effective life cycle. Some of them are new units or add units that have been approved, but we run these packages through based on past experience with manufacturer's buildout dates where the dealer builds specific models within certain time frames in the year. >> Mayor Adler: Was item 22 something we received a grant from outside money to buy a specific van? >> I do believe -- yes, I believe that was based on -- okay. >> Yes, we did receive 150,000-dollar grant from a foundation last summer and -- >> Mayor Adler: For the purchase of this van. No city funding. The grant comes in, the grant goes out. >> Correct. >> Mayor Adler: So my sense is this, the council is trying to learn about these things and we're trying to learn the systems. And I think it might be helpful between now and Thursday. I know there are reasons for each of these. And there are reasons do it now. The question is are we prejudicing the city if we were to delay it, to pause on it, to have the ability to take a look at it. In some of these it sounds like there is an interim or a temporary contract in place. Could we extend that by four weeks to allow the process and not suffer dreamt AI situation, or is it the kind of thing where if we don't act now we'll head to a different pricing schedule and we'll lose opportunities. So maybe if it's something you could take a look at on these items before Thursday and send us a note on that, in the meantime we could

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take a look at the schedule of committees we have and see how quickly you might be able to get it to a committee and then back to the council so that the council could have that information on Thursday as well. Would that work, Robert? Ms. Troxclair? >> Troxclair: I have kind of a specific question about item number 16, which I know we've moved on from, but I think y'all would be able to answer it. It's specific to this question, but I'vestein it a few other places. In this particular contract, the initial contract of 719,000 and then up to two renewals of 200,000 which equals 1.1 million, but the item says not to exceed 1.6 million. So there's like 500,000-dollar gap. What is the reason for that? >> Mayor and

councilmember troxclair, that's a wonderful question. When we establish contracts, the typical form of a contract is going to be a fixed price, but because we fix the price over the initial term of the contract, typically 12 months, there's the possibility of price changes throughout the aggregate life of the contract. So we anticipate those changes based on the market, based on most applicable indexes and we estimate the amount of funding to request based on the possible changes that may occur throughout the life of the contract. There are also in the case of requirements contracts where consumption is known upfront, but it's estimated in outyears. We apply that estimate over a period of years to come up with the amount to request authorization for so that we're not coming back to council again and again every time. We also put in an estimate to cover variable items that are within the scope of the contract. We have access to them

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through perhaps a percent of discount or what have you. We have it available, but we don't know what quantity or the consumption amount is at the initial time of award. So all of those things are kind of taken into consideration when we establish the estimated aggregate value of the contract. >> So for budgeting purposes is the full -- is there a hold on the balance of that money? In future budget? Do we budget for the full 1.6 or we budget just on a yearly basis based on what we're actually expected to spend that year? >> To my understanding it's just for that year. >> Troxclair: Thank you. >> Mayor Adler: Okay. I would add to that list I think item 29 as well. Ms. Tovo, did you have something? You raised your hand? And then Ms. Gallo? >> Tovo: I did. Just in terms of the ones that we've just discussed, I would concur with the comments that have been made before about number 20 in talking with my -- or reviewing information from my electric utility commissioner. And my staff. Continuing that I have a large number of questions about that particular contract and believe it really deserves a larger discussion at our Austin energy subcommittee. Within the context also of the taskforce that's been working to look at energy efficiency specifically and also I'm aware that it went before the euc last night and was not approved. So I think we will need more time on that. But I do have concerns about some of the contracts you've mentioned. It strikes me that probably our staff have at our request moved a lot of the items that would have ordinarily been in January to this agenda and we are -- it sounds like we're up against some deadlines that are going to have real impacts in terms of the cities finances if we don't move forward with some of those. So I assume that this was part of the request that you just made that when we get that memo you will be really clear about what the financial implications are going to be. I don't know whether it's --

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whether there really are, as you said, it's a moderate risk of whether or not those quotes would expire, but it strikes me there's a staff cost because I would assume like most of these contracts and the negotiations have required a fair amount of staff time that didn't begin this month, it probably began six or nine months ago. And so that's -- I hope to the extent you can, you can tell us a little bit about that too. But the one that -- the the other one -- there were a couple of deadlines that are -- that I thought were concerning the 311 and then the accessibility one is I think I heard you say would go up 22%. And

after reading the backup on that, we certainly want pedestrians in our city who are mobility impaired to be able to have that signal. So I think some of those I would like to see move forward on Thursday. I think that was -- [lapse in audio]. Things like that that will have a big increase in cost and be -- mean that we are not as accessible as -- don't have a safe streetscape as possible. I think we should try to move forward on. >> Mayor Adler: I think the intent of the review is to take into account the considerations that we would want to know in terms whether or not to send these initial ones or some of them to committees. Go ahead. >> Tovo: Just one more thing I meant to mention. I think everybody got a Mel mow from the fleet officer about the fleet purchases. I was just mentioning to councilmember Gallo, I think we had a fairly recent audit in the last year or two about fleet services. So I'd be happy to try to track that down if anybody wants more information because I think that audit talked about kind of a schedule and how fleet services maintenance fits into that. If that's something you've had an opportunity to share lots of information about in

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the past and it may exist in a written form that's digestible. >> Mayor Adler: Would you go ahead and send that to the councilmembers? >> City auditor or somebody else? >> Tovo: I remember having some pretty lengthy discussions request you about this and I believe that some may have happened in council meetings in the laugh year or two, but I thought there was a fatherly recent audit. >> There was recent audits of different aspects of the fleet business. The most recent I recall was [indiscernible] And so on. And our current processes are all based on responses to those audits and complying with the recommendations made there. And this memo that we sent you tries to explain the purchasing process in a little more detail. So I'd be glad to answer any specific questions if I can that anybody might have. But again, we send -- as we go through the process, the budget process, the budget is approved for the purchase of vehicles, was done in the budget approval. And then we package these things in order to get the best efficiency in presenting the packages to council. We'll present one package, the initial one that comes through for you is like our emergency vehicle purchases. This one is on a number of different types of heavy equipment, and it covers a bunch of different departments, item 25 does, 26 does and 27 does. So they're all designed, the whole process is designed to achieve the lowest possible cost that we can find and the greatest efficiency in milking sure the -- making sure the customer departments have the efficiency they need and can

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do their job without any impact. When we place an order on some of these types of equipment, it can take up to a year to get delivery after the order is placed because we are having to insert that order into the manufacturer's build process. And a complex piece of equipment can sometimes take a year to get delivery on. We try to do our entire process to maximize and optimize the service that we're giving to the customers, the end users of this equipment. >> Mayor Adler: Okay. Thank you. Ms. Gallo? >> Gallo: So just a couple of questions I have about some of the specific items then. On 19 -- and this is really more just to help increase our knowledge base, but what jumped out to me on this particular documentation was the huge substantial difference between low bid and the high bidder. In the cost. So

that's one question is what is that indicative of? Is it ad by process that perhaps is not clear to some of the vendors that are bidding? Is that just the way the market works? That seemed to be a very large difference between those two? And the second question was just trying to analyze when you give us this information how this results in the resolution that we're going to authorize because if you look at the bid amount, which was 69,000, and that's for two years, but then we're seeing not to exceed 160, I'm not getting the math to work. And then why would the two 12-month extensions be at a higher amount? So just a couple of, like I said, knowledge questions more than anything else, please. >> Sure. Any time in evaluating prices, whether it be an ifb or rfp, we note the

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differences between the prices bidder or proposed, and if the pricing for one or some of the offers is remarkably high or remarkably low, that is something that draws our attention, something that we look into. In this case the specifications for this material are established by federal code, established under the Americans with disabilities act. I looked at the scope specifically when we received the question and what I saw was that the specs that we've used in the past, they were established in 2012, so they're fairly recent, but they have been tested before. They are standardized specifications, prescribed by law. And when we look at the pricing there were general consistencies throughout the offers received with one outlier. So you will typically see either a high end priced by our proposal or a low end or both. And those -- if they're not reflective of the general offer -- prices are all over the place with all the offers you may have some ambiguity with your specifications. In this case it looked like we had an outlier bid and it looks like the specifications were sound give then they were established based on federal code. With regards that the things established here were based on a first time procurement for a term contract -- in the past we were purchasing these plates on a specified amount as we needed them. So it was a 500 count the last time we did the procurement. This time it was over a period of time. So we have a good idea of how many we're going to require in the initial term of the contract, but as we -- as we discussed previously, we anticipate a

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certain amount of price change over the aggregate life of the contract. We also work into the contract any additional units that may be -- other than standard. So if we have a standard size plate for a given sidewalk, if we need a narrow plate or if we need a wide plate, if we had varying requirements for unusual installations, then a percentage of those requirements are also worked into the price. So there's a fair amount of experience based estimation that we use to construct the aggregate value of the contract based substantially on the initial requirement, but estimated out throughout the life of the contract. For this particular one it sounds like we could provide you with some more detailed explanation to show you exactly how this amount was constructed. And we'll be glad to provide that for you. >> Gallo: It was just a question of I see the low bid and it doesn't mathematically relate to any of the Numbers. Thank you. >> Sure. >> Mayor Adler: Okay. So if you will look at those pulled items, any particular questions other than will general questions we have about ability to send these to committees? Ms. Kitchen? >> Kitchen: Not a question, but just for future reference it would be helpful

to us to understand any action that boards and commissions have taken. When they come to us it would be helpful if they reflect any boards and commissions. >> It generally does do that. You will see in changes and corrections if an action happens post -- after it's posted, you will have items been approved by Uc. We'll tell you that in backup or in changes. >> Kitchen: I just told it would be on the list as opposed to backup. >> Mayor Adler: Okay. Ms. Gallo?

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>> Gallo: I did have a question on 21, please. >> Mayor Adler: Okay. I notice that this was a sole -- >> Gallo: I notice this was a sole source bidder. Is this the current provider of the service and is there a reason that we didn't have anyone else bid it? >> Mark tester, director of the Austin convention center department. Yes, it is the current provider and the maintenance of their equipment. >> Gallo: And how does this compare to the current contract we have with them as far as the dollar amount? >> I think it is fairly consistent. >> Mayor Adler: Okay. Then we'll move on. Let's take a break. It is now 10 until 1:00. Do you want to break until -- half an hour, 1:20 or 1:30 to come back? What's your pleasure? Half an hour? Let's say 1:20. 30 minutes we'll be back here. Thank you very much

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>>> >>> >>> >> Test test test this is a test, this is a test of the Austin city council captioning system. >>> >>> >>> >>

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>> Cyral: A. >> Mayor Adler:, all right. It is 1:43, we are back from recess to our work session, I think we're up to item 32. Item 32 is something that I pulled. Just so that I could understand the larger context for this. Item 32 looks to be a planning study that we are participating in with Travis county and also rodeo folks, which also involves planning for a portion of the property up at Decker Lake, which made it also possible for Decker Lake planning for something that is now in front of us. So I was trying to understand this in the context of the larger tract of land and where we are just to learn more about what was happening. >> Good afternoon, again, Core Wright, assistant director for the parks department. The study that you were referring to, the Travis County Expo Center feasibility study and just so that you know, the department has entered a partnership with Travis County and the rodeo to conduct a feasibility study on the -- on the best future use of the Expo Center and the land that surround

it. When we think about this particular area, we're looking at the expo center, which is sitting on about

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128 acres of a larger park, which is about 1800 acres. There are four structures out there. There's a Ludecke arena, show barn, banquet hall and the skyline club. We have been in partnership with Travis county for many years. There's an existing agreement of a 50-year lease between the city of Austin and Travis county. For the use of those facilities, the current agreement expires in 2033. The purpose of the feasibility study is to not only look at our current uses which have worked very well for us but to also look at the market and feasibility for future uses of that particular -- those sets of facilities and the grounds that are surrounding it. So we have recently like the prior council approved the authorization for us to enter an interlocal agreement between the city of Austin and Travis county. As I mentioned Travis county like the city of Austin has pitched in \$50,000. [Lapse in audio] And is -- look at recreational needs in the area, obviously to hear, to get stakeholder input and at the end of that process be able to have some informed input from the community as well as the other recreational amenities and the interests of the community at large. And then bring that back for council consideration. >> Mayor Adler: So how broad a conversation can you have in the study that's otherwise targeted? We're looking at another use of Decker Lake, it's been suggested one of the reasons to do it that way because it brings economic development to the area. Will this study look at the economic potential of this

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part of the parkland? >> This study is truly focused just on those facilities and the land that surrounds it, the immediate land. We're still talking about 120 acres or so. So from an economic standpoint, the feasibility will cover a market analysis of the industry trends for facilities such as this. It will also compare these facilities with other like facilities, not only in the local area but beyond and it will look at market gap and demand analysis for recreational experiences. So, for example, will it continue to operate as it is? Or is there an opportunity to expand the use of these facilities for broader entertainment reasons, broader recreational experiences? So not the broader economic perspective, but for the future use of these facilities? >> Mayor Adler: We're looking at what's the best use of this property as it is currently improved. >> That's it is currently used. However, the consultant is going to be asked to give us, you know, more information about how it could be used more efficiently and bring better economic impact to the city at large. >> Mayor Adler: So would a study like this, so there's -- there's a proposed development hotels, golf courses, that are part of the same parkland but not adjacent tracts. >> It is part of the same parkland because the park is 1800 plus acres. This is on the south end of the park. So when we consider that we actually have some pictures for you to take a look at, but it only includes this segment of the park. It is not really intended to consider the highest and best use of the entire 1800 acres. >> Mayor Adler: And does this analysis look at the other use of the park that's proposed in terms of what impact that might have on

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this study area? Or do they have to be independent of one another. >> This study does not consider the impact of the other parts of the park on this area. >> Mayor Adler: Okay. Ms. Houston? >> Houston: Thank you, mayor. We're only talking about the expo center. >> Yes. >> Houston: That we operate together. It's unfortunate that all three issues came up. We've got the master plan of colony park, we've got the redevelopment or reframing or the repurposing of the expo center and then we've got the golf course. All of them are independent, none of them came together to say how do we do this collaboratively and look at the whole picture because it's going to impact that entire neighborhood, each one of those will be impacted. And I just wanted to make that clear that it's all of them independent. >> Mayor Adler: Okay. Ms. Gallo, then Ms. Pool. >> Gallo: You know, this also brings up another discussion that I hope we'll do in the couple committees, but as we talk about Austin and affordability, certainly supporting local businesses and helping to keep their employees employed and working is something we ought to be sensitive to and I just -- I really struggle with the concept of hiring consultants that are from out of town. I just -- I just would think when I look at this list and we have somebody from new York, New York City, someone from maple grove and somebody from Chicago, it just seems like that there would be a learning curve that would be required to really understand Austin and Travis county and the area and the impact and the results of things that we do and the impact on our citizens. And so we perhaps have talked about this in a work session, but changing our point system or maybe even changing the bidding system so that a local -- we give a local priority, but also giving maybe a monetary

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difference priority for local businesses, when it's a dollar amount difference, but just the discussion of how do we really help local businesses participate better? Like I said, when we're talking about an impact on something, a facility that is so important to our community, it just seems like companies that are from this area already understand that and can help us expand that conversation even better. I'm just struggling with trying to understand how somebody from New York City can really understand our rodeo and the impact it has on youth and scholarships and what goes there and horse shows, it goes on and on and on. >> Mayor Adler: Ms. Pool? >> Pool: I don't know if this is for staff or maybe councilmember Houston, would it be possible to have an overarching look at the three different projects? At least they would happen simultaneously and there could be some cross pollination or the -- to how, you know, a larger view of the three projects? >> Well, as you know, I talked about how we live in silos, not only do we live in silo, but sometimes the city lives in silos and this is an example of that. How that comes together at @this point, colony park is two years down the road. With their master plan development. So they're not going to wait up for that. Some little things may happen, but they are already -- they've done their community engagement, they've got their plans, they know what's going to happen on the other part of the land. The golf course at Walter E long is -- that's my preference in calling it that. It's not Decker Lake is the lake but the park is Walter E. Long metropolitan park. I want to make sure we give Mr. Long his due when we talk about his park.

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That's going on now. We're going to have a conversation about that in a couple of weeks. And so I'm not sure we could hold that up. This came up kind of bubbled up during the last council and so there was no integration of that at that point so we could have that conversation. Let's look at holistically of what the impact is going to be on the neighborhood and how we can make sure we don't have any unintended consequences. So I appreciate your question. I'm just not sure how we could do at this point. >> Well, it sounds like from the timeline that you sketched out we wouldn't want to either slow down colony park or in fact speed up something else. Because I do think the issues are sufficiently complex that we need to give them time to roll-out. What might happen is some co-committee meetings on topics where there is a cross-topic integration and then have -- because I agree with you, it's an attempt not to be in silos and maybe we can try it here. I would like to have the master plan -- I don't know if -- well, we'll talk about it in the parks committee. How about that? >> Sounds good. >> Pool: Okay. >> Mayor Adler: Any further conversation on this item? >> Mayor, I just wanted to give a response to councilmember Gallo's comment. With respect to this particular master plan, one of the requirements of the consultant is -- [lapse in audio] -- Plans whether it's the parks department's long range plan for parks and recreation to look at area -- area businesses and to be informed about what is happening at the local level. I'm also reminded that part of the scoring criteria did recognize local businesses,

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so there are additional points in that regard. So in reviewing of all of the plans, it also includes to review the -- the colony park plan that's been underway and I will share with you the neighborhood housing department did participate in the early stakeholder input process for the master plan that we're doing, the feasibility study that we're doing with Walter long. So the extent that we've been able to incorporate all existing plans and communicate across the lines, we've done the very best we can. And we're fortunate to have Travis county join us on this particular goal of doing what we could do to expedite the improvements for the existing facilities out at Walter long. Without that we would not have been able to even come to the table because of a lack of funding, so I thank you. >> Ms. Houston? >> Okay. >> Houston: Councilmember Gallo I appreciate that, because I too am concerned we spend so much money going outside to people who have no clue what life is like in that part of the world here in Austin, Texas. I think the AT&T center in San Antonio did this several years ago. It was like the exposition center and they converted it into [indiscernible] I don't know who they used but just breaks my heart when we see our tax dollars going to new York City. >> New York City! >> Anything else on this item 32? Ms. Tovo. >> Tovo: Just a quick question, Ms. Wright you may have mentioned this already in the beginning of your discussion, am I right in remembering that part of what the rodeo was considering was developing a hotel on that property?

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>> It's been a long time since -- >> Not [multiple voices] Not with are to this feasibility study. >> Tovo: I thought quite a long time ago some of the rodeo representatives were making rounds with councilmembers, I thought they had some kind of a vision of what -- what some of the elements they were considering. >> I wouldn't be able to refute that. But for certain this particular feasibility study

does not include a hotel component. >> Tovo: Thank you, I will go back and see what I have. Certainly maybe remembering it wrong. At least as this -- >> Mayor Adler: I seem to recall a presentation from those folks that had much grander plans for what could be done for that portion as well. >> Tovo: Right. Certainly I think given the other conversations going on about what might be possible in that area in terms of economic development opportunities and amenities certainly seems to be -- >> There have been some conversations about -- pursuing joint use, that's why I mentioned AT&T center, I mean AT&T center in San Antonio, the university didn't seem to be interested in helping do that. But I've not heard of any hotel but they were looking at other kinds of partnerships to keep the rodeo here and not move it to some other place. >> Gallo: I think the other thing that's really important. The rodeo is obviously a very important user of this facility. I used to ride and train horses and we had a lot of horse shows there. I know there are a lot of other uses and the things that I would want us to be very sensitive to is to what happened when the coliseum here was torn down and the events center was built.

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It was a lovely, more modern newer bigger center, but priced out a lot of the users. I think as I hope that as part of the conversation that we understand and visit with the other uses the rodeo is very important and very supportive and there are a lot of other people that use that facility, also. So thank you. >> We will move now, thank you very much, thank you. >> Mayor Adler: Item no. 33. Ms. Kitchen? >> Kitchen: I pulled this out for a brief conversation in case this makes sense for folks. This is the item where we're talking about our appointments to the -- to the water task force. And so I just wanted to -- to raise this in case it was useful for us to have a conversation about the appointments in terms of coordinating who all we're appointing and also just to get a status report from people. And raising that -- the reason I'm raising that is I'm just struggling myself with if there's a mechanism that we have for coordinating who we appoint, I'm not quite certain how or if there's a way to do that. Also I just note from the previous resolution, there was a list of different types of experience or expertise that were identified as useful for the folks that would be participating. So I think you all probably have that. I can go over it if you'd like. But I know that previous councils have used work sessions sometimes to talk about appointments, so again I don't know if this is something that people want to talk about. I just pulled it for that. And I also just wanted to let people know that for district 5 I do have a number of folks that have the kind of experience and the experience talks about

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different types of customers, a whole range of different types of customers and also talks about significant expertise with water efficiency and -- and innovations and I do have a number of folks in district 5 who have participated in the previous water task force that, you know, I can make available to folks if they are interested or if you are in need of that. >> I could mention that I have -- I will have a nominee, an appointee for that one on Thursday's agenda. My nominee is Kate zurenner, she lives in district 7. She has background in water policy and her unique angle on it is she is currently working with Samsung, one of the biggest water users in the city, on how to work with Samsung to reduce the amount of water that they use. I wanted to bring in looking at the lineup of the folks that have the

credentials for it. I liked the idea that she had expertise and experience working with large -- [lapse in audio] -- >> Mayor Adler: May very well depend on who else it is that other people are appointing to make sure that gaps are filled and probably we all feel the same way, that if we all do it in a vacuum, we could have some -- a collection of really qualified people but not hit the different voices. So euc really like the idea of figuring out some kind of process to be able to kind of see everybody before anybody ends up getting appointed so collectively as a group it makes sense. Ms. Tovo. >> Tovo: Yeah, I think that's a great idea. I have already made my appointment and I'll talk a little bit about her. But I think that's

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councilmember kitchen said in the past we kind of use our work sessions as talking about a way of who we appointed, who we were considering appointing. I did appoint Jennifer walker she severed on our last water task force, she was very instrumental in helping development a lot of the recommendations and drafting some of that report. She's also deals with regional policy issues related to water and I would just mention if -- I think that I may have mentioned it, I apologize if I'm repeating myself. Jennifer walker and several others who were involved with the last task force are involved in this policy issue generally did pull together a list with some recommendations and that is available on the message board. I think there's also information up there with some brief biographical information. If you are still interested in reviewing that, that's up there and the intent was to provide some ideas and I think they have worked to craft a pretty balanced, you know, people with different levels of expertise so that we could make sure that we have it balanced. >> I can share that I'm looking at appointing Lauren Ross. She's an environmental engineer and you may recall I know we've had lots and lots of people come before us, you may recall she spoke to the panel of one of our previous policy pan yells and talked, you may remember this part, she talked about Los Angeles looking at becoming a sponge, I remember that part. She has many, many years of experience relating to water and innovations in that area. I also think that jenny [indiscernible] She's in my district, also, she may be on the list put on the message board. I want be able to appoint her because I only have one appointment. But if any of you all are still looking. She's a consumer advocate particularly related to water rates. I think she's currently involved with aarp but also worked in the past for other

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consumer advocacy organizations. >> Mayor? >> Mayor Adler: Yes, Ms. Houston. >> Houston: Councilmembers, I agree there's some way we could kind of talk about the appointments. But I want to make a comment about not creating a system where you have to have credentials to serve our community because I can only speak to my district. I'll be able to find someone but that person may have the willingness to serve and be willing to speak for the community that they live in, and they may not have the cognitive or content ability that you all are looking for. So I just want to make sure when we're doing this, we're not setting people up for failure. I want to be able to have new voices and new ideas and new different opinions to be able to come to the table and not be recycling the same people over and over again. So I just want to make sure that when we're doing this, we are not setting up, our

boards and commissions up, where people who don't have that kind of credentialing that you are looking for would be able to serve and serve effectively. >> I couldn't agree more. The list of folks that was in the previous resolution really was focused on customer representation and the list included folks like low income renters and homeowners, high volume commercial, occasional institutionals, small businesses, the whole residential customer, so it -- there was the previous resolution really emphasized the need to have all types of customers on this, so I thank you for bringing that up. Garza I agree councilmember Houston. I think that speaks to the mayor's viewpoint of doing it holistically. Maybe an engineer and this engineer and then fill those holes with people who don't have that expertise and so I

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am very interested in the process that would allow us to do this holistically. >> Mayor Adler: Maybe with respect to this committee, maybe if we all try to look through name, come up with names, maybe at our next work session, a week from today, if that works, then people can say these even come with two names or three names, so that depending on who else was being appointed for them to maybe try this committee at the next work session to have that conversation to see if we can come up with a panel that's a good group. Does that work? >> I would just say Mr. Mayor that I advised Kate zurenner that I am appointing her, so I would like to move forward with my appointment. >> I will have one here next week. A request already. >> Mayor Adler: Okay. >> I have a request, too. I probably won't pick mine until I see who everybody else is doing. Just to try to help fill those gaps. People who have already committed or already made selection that's fine, that's great. To the degree that other peopling want to hear the conversation on this next work session, let's see if we can do that then. That gets us to the next item, 33. >> That was 33. >> Mayor Adler: 35. I pulled. 35 goes with item 40. It's the item that we talked about earlier. 35 and 40 are both designed to try and have us make the best use of the next five months as we go to the next budget process to -- to make sure that -- as a group we have the bandwidth to be able to push. I think we're all finding in all of our offices there's a lot of constituent stuff to be dealing with. There's lots of agenda items that are bubbling up on our plate. As we start assigning things

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to committees right now, as we're going to learn we're going to see a lot of detail in the committees as we can see. I'm just anxious for us as a group to be able to push bigger, broader items, too. I had originally proposed to do this in a way using a -- a foundation so there wouldn't be taxpayer money, tried to set that in a way that was very transparent. I think that -- that's the will of the community to do it that way. While I got a lot of concerns about that, I found pretty wide-spread support for us having the tools to be able to move forward with this proposal into three components. Three in my mind. One to be able to bring on additional bandwidth that we can start [lapse in audio] To do homestead districts. These are people that would be more shepherds than anyone else, these are not policy people. They are not dictating policy. They're people who will wake up every morning and go to sleep every night, focused on big goals for the council. Working with the committees and taking the ideas through the committee or being -- being sent in the direction by committees, but things that hopefully at the end of all of our terms my hope is that we can say we only did a good job with constituent work or a good job

with running the business, but we are able to really help to -- to do big, important things for the community. Three component, one is to have it with positions that the city manager says exist on staff right now that have already been funded but at this point they're not -- at this point are in the budget

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but are not filled. That would be the first component. The second component trying to be responsive to some of the conversations that we've all heard on the dais where some of us are actually going into our own pocket in order to be able to perform the services that we think should be able to perform in the districts that we represent. That the city manager said they can find in the budget because sales tax revenues are higher than what had been budgeted or anticipated and then the last except is to ask the audit and finance committee to take a look at what is the appropriate staffing needs on an ongoing because of as part of the budget process that we're in now. So that in the next fiscal year we can be in the best place to ensure the success of the 10-1 system. But I would urge the couple to allow us to move forward on this now so that we make the best use of the next six months. As well. Item 35 to ask the council to approve item 40 on Thursday. I pulled this item in case anyone wanted to ask me any questions about it or talk about it. Ms. Garza? >>> I can certainly understand the need for more staff, learning the job myself and googling that contract at risk thing last night and at 11:00 at night. My concerns are -- are possible unintended consequences even though we have the best -- the best intent at heart. You did address they would not be policy makers, but I guess they would like more clarity on what exactly a shepherd would be doing.

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Because I was afraid that it would be policy making and that's what we all worked really hard to get here to do. And so I just -- I don't want the unintended consequence of diluting our voice and because I -- [lapse in audio] A lot of times where I don't agree with my big brother Zimmerman. [Laughter], so I'm wondering how that shepherd will help shepherd a policy or issue that maybe joy I don't agree with or another councilmember doesn't agree with. Is there a specific like job description of these people? I have more questions, but that's my first. >> I have a question, too, but go ahead. >> Mine is related. This is about how we as councilmembers can work with these folks at our request. So my thought is -- when I -- when I -- opportunities, potential opportunities I see is like the mobility committee. If there's someone on your staff that I could work with to help extend the efforts of the committee or perhaps bring some -- some additional experience to the table. >> Mayor Adler: I see that, the larger and broader happening during the audit and finance committee during the next couple of months, during the next budget period but it would be somebody who would help with the public engagement task force that we've set. It would be getting up every morning, going to sleep every night, thinking about affordability, trying to make the affordability test

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for something that's actually working and successful. We have boards and commissions that are doing

great jobs in the city, but there are people that have other jobs. You know, they are trying to do other things. These are people that I hope would be -- the people that we would hold accountable and responsible for actually moving us forward, mobility I think would be another. [Lapse in audio] -- Another great example. Interim bandwidth -- [lapse in audio] -- It's really the power of bully pulpit, us as a group setting a community value, a community direction. The staff doesn't have that. I mean, they're great and they have, you know, policy expertise but there's a -- there's a piece that we perform as a group and we're the intersection to the -- to the community. Part of it is we all don't have a lot of time here. When we were elected we had 48 months. We're now in month 46, you know. So -- so it's -- I recognize that all of our offices are the same. Council offices have always delivered great constituent services. And that's a value in this community. But it would be possible if you wanted to to spend all of your time doing constituent services. We have all of the issues that bubble up on to our plate, agenda items that are set that aren't necessarily the agenda item that you ran on that we each ran on. But are items that people have been working on in the community for months or years and just so happens that this Monday they all

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hit. And now we have things that are going to be sent to committees, we're all going to be working on committees as we learn, you know, we're going to do, you know, committees coming out of this meeting are going to do fairly deep dives on -- on purchasing items that are -- these are really important stuff, too. Just collectively as a group, the voters in this community I believe voted for change. And they voted for change because what was happening wasn't working. They voted for change because we've gone from 24th to fourth most congested city in the country. They voted for change because 53% of African-American kids in the city live in poverty and 44% of hispanic kids live in poverty. They voted for change because the gap of affordable housing and people that can afford it, as we saw in the deep dive is growing, it's not being managed. There are really creative ideas that are happening in other cities with social impact bonding programs a little bit in Denver, nobody has figured out how to do that at a municipal level. [Lapse in audio] I think that collectively when we decided -- people voted for change with 10-one, they wanted additional voices. They voted for change when we all ran for election, all of us, most all of us, but perhaps even all of us ran on a platform of change to do things, to do things differently, to really end up in a different place. And I'm just trying to think of ways that we can engage and do things that will end up with us being able to move the ball forward. This is not an attempt to take a power away from districts or to voices away from districts. I would hope that in everything that I've done I've tried to -- to convey a message differently. Different than that. And what I'm proposing here is just an interim step. So it's something that gets

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us into the next budget cycle and then it can -- we can have a broader conversation, but people I think expect us to do change. They expect us to not do things as it was done in the status quo. They expect us to achieve results. And new directions. Next speaker, Mr. Renteria. >> Renteria: My basic concern when you brought that up, your proposal that, you know, I have a lot of questions about, you know, how

we're going to measure the progress of -- of these added employees and, you know, when they come and report, are they going to report to the whole council? That's one of my questions. I'm really favoring supporting this because after reading today's paper about, you know, the Austin being first in economic segregation, really concerns me. Because, you know, this is something that's really going to have a big impact on our city if we don't do something immediately on that. You know, we need to really start focusing on, you know, getting this Austin and, you know, spreading that -- when I preach I say not only shall we look at, you know, making people race -- you know, integration, but also, you know, economically we should have that kind of mixed community where we have the low income and the high income all living all over town, not just segregated to one section of town. That's what I'm seeing happening because we're heading to a point in our lifetime where, you know, all of that work about

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busing and integration and [lapse in audio] Now we're segregating [lapse in audio] Minorities, you know, there's, you know, poor people doesn't, you know, it's all over. I mean it's not just bla black/white/brown. I mean -- if that's what you can accomplish then, you know, through your committee, your added employees, that's going to be concentrating on that item, then I would really he -- I would support it. >> Mayor Adler: It's not me. It's us. It's not me. It's us. I think collectively as a group we've already begun to establish that. Together we did the committee system. Together we formed the committees. Together we formed them. There are things that we're doing together as a group. There will be things we disagree on. There will be things we disagree so. But there will also be things that we can join on together that can really make a big difference. We need to find those. Who hasn't spoken yet? >> I just wanted to note that it's no -- it's really not a surprise that the budgets that we came into office that were waiting for us, which were crafted by the outgoing council didn't anticipate or give -- they wouldn't know how we were going to expand the uses of our offices. The requirements that we have with our discrete districts to be in there and focused more specifically and more often in our districts than was before. It's an entirely new system. Between now and when we craft a budget, we have to be able to -- we have to meet the need and I feel like [lapse in audio] -- like I don't have the capacity. [Lapse in audio] Saturdays and at night, and everyone is doing really good work and it's built on a foundation that the city staff is providing for us to learn all the issues.

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But I know that the initiatives that I want to undertake are larger than the day-to-day and it has a much longer range. I have a number of things that I would like to dig into that would be a big benefit, specifically for district 7, but also the city as a whole. And the only way to do that is to have the additional insights and expertise and hands that it sounds like we will have in particular with the committees that we are all in charge of. And so if I have the option to have an additional person to help with the issues that will come out of open space, I will absolutely take that. I know that I have more work than even that one person could do, combined with my staff and the work that we have -- the workers that we have here at the city who are all doing an amazing job. I just appreciate the opportunity to think about -- to think about how things are done at the city in a whole different way. And I can blue

sky that and think outside of the box and know that I get to kind of carve the new trace and I look forward to doing that. >> Mayor Adler: Ms. Houston? >> Houston: Thank you so much. Thank you for thinking about this from a high vantage point. I also appreciate the fact that you were able to take the issues that people had with the first proposal and come back with something different. Equity is one of the things that I'm going to be talking about as we start -- well, I think equity should be a part of every committee. It can't -- I don't know how we can function very well if we don't have that. But the concern that I have, I didn't have a choice into who these people are going to be, they have already been chosen and if this is a change, if it's the new way of doing business, it would have been my hope that we would have been able to say who do you think will make

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this kind of shepherd or do you have names of people that -- that would make good shepherds, however we define shepherds. But at this point that's not an option for me. So whatever shepherd I have in health and human services, I'm going to try to live with that shepherd. And I hope that shepherd will try to live with me. But I think the next time as we think about these things, this is an opportunity for us to get different voices in the conversation and a -- in a different way and -- and I'm not sure that that was done this time. But I appreciate your efforts because -- because I'm still wet. I'm not drowning yet, but I'm still getting awfully wet. >> Mayor Adler: Ms. Houston, point well taken. I can guarantee you I have learned a lot over the last couple of weeks. Anyone else? Ms. Tovo? >> Tovo: Yeah, I want to say that I appreciate you reevaluating the way in which these positions would be funded. That certainly does address a lot of concerns that I heard. It doesn't address all of them. I know I raised this in your last session, I think it's maybe come up again since then. But I appreciate, I appreciate the intent of having the policy -- having these additional staff support the activities of the council. But the -- but the way in which this is structured is that they are your employees within the mayor's office. And I, you know, it -- we have a city manager, a county -- I mean a city clerk, the municipal clerk, and what's the fourth? I have suddenly forgotten? >> The auditor. >> Tovo: Thank you, the auditor. Who report to the council as a whole and in just a matter of structure, those are the only employees -- it's just difficult for me to understand how employees within your office will be able to serve the entire council. And it's just -- and as I

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mentioned in you are our first -- in our first hearing, I really do appreciate the work that you're doing and the policy work that you're doing. It's not a lack of confidence or a lack of comfort with you personally. But this -- but we are setting in place a structure that will continue long beyond any of us, you know, as long as any of us are here. So I mean as I understand the proposal, and I do have some very particular questions, but if these positions are being transferred to the mayor's office, that's where they'll stay short of an action to remove those. And I just think we need to ask the question of if I add four positions to my office or yours or, you know, if one of these 11 members has an additional four or five staff members, how does that change the way in which, not just our council, but the council in four years works together, the council in 12 years works together. It does change the shift -- the way in which

we make decisions. [Lapse in audio] So it doesn't address that question and I don't know if you have done any more thinking about how this -- whether there are other structures available to us. >> Mayor Adler: I hope is that in the audit finance committee, you take a look, the whole committee takes a look more broadly at the expectations and the responsibilities of the 10-1 council and what will be necessary to make the council and the committee system function well in order to deliver to the community what the community has asked us to do. This is intended for us not to lose time. And I don't think that we're deciding something here that becomes a given for the next 20 years.

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When I hear the concern, but I don't think that's what -- that's what's happening here. I think we're trying not to lose the next six to eight months, we're trying to push things forward because the challenges are real great. -- That we have. The needs coming from are real significant. And I appreciate the vote of personal confidence. Even against the back drop of the larger -- of the larger -- the larger concerns. I just would like to see us -- we're going to be working through the process. We're going to know a lot more about these committees over the next two or three months that would inform the kinds of decisions that we'll ultimately be making. Mr. Zimmerman, Ms. Troxclair and then >> Personally, I guess I'm a little miffed. I thought item 40 was going to supersede 35. >> It is. >> I thought we had given up on the idea of the better Austin foundation. >> We have. I haven't pulled it from there. I left it here so we could discuss it. But 40, I will not be presenting 35, but will just be moving item 40. >> I guess as a pragmatic question, what would be the difference between accepting volunteer here? You know coming into your office that's paid for by better Austin foundation or anywhere else? In other words, for each one of us in our district offices, we can accept volunteer help to come in and work in our district offices, can't we? >> Yes. >> But we already have that ability. >> Yes. >> So the other thing -- >> I think the only other person precluded from doing that right now is probably me, just by virtue of the public statements that I have made with reference to this. >> In terms of a foundation is

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going to have donors to make it work, and the donors are going to have an idea of what makes Austin better. Obviously my donors have a very different idea of what better Austin is. It may be opposed to what your better Austin donors think. >> And what I said is I'm not going to use better Austin to fund staff positions working in the city. >> I'll let somebody else talk for a minute. >> Mayor Adler: Troxclair. >> Thank you for listening to the concerns of the community and the concerns of other council members, and making an effort to try to come up with a solution that is workable for everybody. I do still -- and as I said at the last council meeting, my main concern has been regardless of how this is funded, this is a huge discussion about balance of power, and even if your intention is to have five additional staff people that are helping all of us, the reality is that they will be -- we haven't had input into who those people are, we don't have a lot of direction on which policy initiatives they will be working on, and at the end of the day it will be your final decision. So we'll all have to see -- we would have to see how that process works. But through this conversation, I mean we all got elected on making these changes and having big ideas, and addressing affordability, or pursuing the homestead district, or

improving mobility, but it seems like from our conversation that we had today, all of us, all of those issues, all of the issues already have either a structure for leadership or a council member who has taken it upon

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themselves to take a leadership role in those areas. So Delia has the affordability committee. And you're working on mobility. And so each of these big ideas that you talk about, one of us is already kind of either working on or going to be working on through their committee. So it seems to me like this is an argument for us to have more staff in our individual offices because the council members taking the initiative in these policy areas and each of these big ideas. I guess I don't see -- if I had an additional person in my office, yes I could improve my constituent relations, but I could also assign that person to cover the economic -- [lapse in audio] >> Economic opportunity-related issues. So I am not understanding yet, and maybe you can help explain what having these staff members in your office accomplishes that we wouldn't be able to accomplish, the individual council members having more staff in our own offices. >> I think you have asked the broader question and I think that the audit and finance committee should take a look at that question. These are not leaders that are going to take away the leadership function of the elected officials that sit around this table. That audit is not their function. And it may very well be that the audit and finance committee says that there should be a staff person that is hired associated with each committee. That way we could start the next fiscal year as part of the conversations. It could be that the audit and finance committee says that the

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number of staff people per number of constituents they have. My staffing right now leaves me one staff member for every 176,000 constituents I have and different others have different ratios. But I'm not trying to -- I'm just trying to >> But the concept of having a staff member for each committee, I think, is a great one to discuss. Ms. Kitchen. >> I would just like to think in terms of, you know, my hope is that what we can do and, you know, maybe this overly optimistic or not realistic, but my hope is that we can become a council that really moves forward together. And that would be very different. There's a lot of pressures on us to act individually, to think in terms of one person's power over another person's power, and that's the way things normally work, but it doesn't have to be that way. I think that we can all work together, and from my perspective, at this point I'm willing to give it a try. I'm not concerned about where the person sits who helps me because I think that I can work with that person and they will support the efforts of all of us. Because it's not about me, it's about all of us.

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So I would like to give it a try. And I would like to do things like when we think about the structure, we also think about how we identify what we're going to work on together. I would like to see a retreat, for example, where we really talk about what, as a group, and how are we going to work on that. As you were saying, council member troxclair, there's a lot of things we have in common as what we want to

do. Let's identify that as a group and get marching forward on them. The fact that one person took the lead with a particular committee, that's great. That doesn't mean that that person is going to do all the work, or that person is going to be seen as the person making it happen. We got to all do that together. And there's so much work to be done. I would really challenge us to try to think about how we restructure, work together, so we can do this in a way that's a team effort. Maybe I'm overly optimistic and maybe I'm not being realistic, but that's the way I would like to work. And I like the idea of the audit and finance committee looking through all these suggestions that people are making, and I would also suggest we do a retreat so we can talk in terms of moving together on high priority items. But I would like to get started. >> Mayor Adler: If anyone hasn't spoken yet who would like to speak. Ms. Gallo. >> I agree with council member kitchen. I think we would all definitely agree if we put our wants at the very top of the list, that we all need additional help. I don't know about the different offices and I know our budget for our offices was determined by the previous council. And, no offense, I know the previous council feels like they

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did a lot of constituent services, but I know that we are doing more. I know that all of our offices are doing more. In the last six weeks we have had 43 evening meetings with in-district groups. And it takes a lot of time to do that but it takes time to do it and it takes time to organize it. I know within each of our offices we could all use additional help. So an ability to fund that quickly before we get further behind. I come from a small business attitude which customer service is really important and the length of time it is taking me to respond to constituent needs is really concerning me, because it's not a fast response. And in the past where there really hasn't been a particular council member that services and responds and is accountable to a certain area, we now have those, so we are getting all those calls for the sidewalks and traffic calming devices and the trash that has been left at the side of the road, and that takes a response. So as part of this process, if we have the ability to get some addition funding to come into our council offices, I think that's really, really important. What I hear is a desire for a commitment that these people will also help in the particular committees, and I think that's really important to do and I certainly think that that's your intention. How we can structure and say that so that it kind of resolves in all of our minds that we're not going to be uncomfortable asking for that, but that's a given that those people will be available to use on a consistent basis would be helpful to help all of us understand that a little bit better. But as I see us moving forward and trying to get the committee structure set up and the council committees operating, I know there's going to be a huge amount of time to get them started and the work that goes into that. I agree with council member kitchen. Let's try it. I don't know if there's a way to

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throw an idea out that these people could be employed as temporary employment so that if it doesn't work for all of us to say it really didn't work, and we'll push that money into the council offices and let's do something else with it, rather than an obligation to a group of people who feel like they are permanently employed with the city. Just a thought, because I'm hearing about what happens at the

end of six months when we start talking about budgeting. >> Mayor Adler: Any further comment? Ms. Garza. >> I don't disagree with anything anybody has said here, that we need more help. And we need to think outside the box and try to think of different ways to do things, but I still don't understand what they will be doing. Are they mobility experts? Are they public engagement experts? Affordability experts, equity experts? If we don't know a specific role that we're playing, how do we know there's a need to fill if we don't know exactly what they're going to be doing. And I mean, if there was a way to -- this need that we'll look at this again in five months, I feel like not knowing exactly what the job description is and they're supposed to be experts, and I have heard seven different things of what they would be helping us with, and constituent services is an added one to that. They are just going to be getting up to speed in five months. We are still trying to get up to speed on all these issues. I still don't understand what the specific description is. I have a question about the -- where are these positions. [Lapse in audio]

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>> Is that money -- where are those positions coming from? And does that department lose that funding going forward with those positions if they decide to stay in a structure? So, yeah, those are my questions. >> Mayor Adler: With respect to the second question first, I think we have identified the need, which I think is what we do as a councilman, we go to the city manager and say to the city manager, how do we fill this need? And I think that's what the resolution says and how the resolution has been drafted. I would expect next week that the manager would come back to us for a vehicle that we could vote on that would achieve that, that would answer the questions that you have asked. With respect to the first question, these are not policy people. These are people that hopefully will have demonstrated a career of being able to Demarco -- demonstrate. A career of being able to facilitate achievement. These are not leaders, these are people that are not going to be out in front with a flag. And I suspect that we would sit down. You have an affordability committee that requires lots of different jurisdictions to make appointments. I would like to see that committee doing things, and I would like to assist you and the other committee members in making that something that is a real viable force in this community and becomes recognized. You know we have issues with respect to water in this city that would help facilitate the committee's work in that effort. I can't sit here and tell you what all these people will be doing during this period of time, other than I would try to bring really talented people that can help facilitate things, and it won't be a question of you having to seek out.

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I intend to affirmatively seek out ways that we could provide additional resources so that we can get things done. I'm not on one of the committees. And in some respect I'm with all the committees in spirit, and I'm with each of you. I want us, together as a council, to be successful. And I'm just aware of the fact that we only have a certain amount of time. We have been given this opportunity and trust for the larger community. And I want us to have the tools at each step to get it done, and I hope that the audit and finance committee for the last three years that we're together as a group, probably the last year, potentially, for some people running in two years. For the last year of your term that we have set up

things. That there's momentum moving forward so that we can be doing things. And I know, Ms. Garza, to a degree. But how the committees work right now is amorphous too. That's why I used the word shepherd. They will take assignments and goals and help us march to that. But this is still us. This is us around this table. Ms. Houston. >> So they will take projects from me as a council member? Or will they take projects from you as mayor? >> Mayor Adler: Ultimately it's me. Because if everybody is giving them assignments I will have people pulled 50 different ways, and to me operationally that doesn't work. But you and I will sit down, as I will sit down with each of you, with the committees, and the committees will come to me

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and say this is something we want to move forward. We need some help to move this forward. I see it happening more like that. >> The second question is that people, my daughter, my children have said that I can be fairly prickly, so what happens if me and my shepherd don't get along? Can I ask for another shepherd? [Laughter] >> You won't get a shepherd until you have said I'm comfortable with that shepherd. [Laughter] >> Mayor Adler: Because she's prickly. Ms. Troxclair. >> I want to point out that, to me, we're talking about two different issues. I think the one issue of the council as a whole needing -- each of the council members needing more staff in our offices. There seems to be general agreement that we feel like we could all use an additional person in the office. And to me that is a separate issue from whether or not we want to fundamentally change and shift the number of staff people that are allocated to council members' offices versus the mayor's office. That, to me, is a different than whether we could all use an additional staff person to help with constituent issues. I mean, it's doubling -- it would be doubling your staff. And just that -- considering that in the framework of the system where we just really heard overwhelmingly from voters that they wanted to decentralize city government and that they wanted us to all be voices of the districts and for policy to be kind of come from the grassroots up, to me, it was a

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broader policy discussion of how we want staff and power which equates to your ability -- I mean my staff has a big impact on how successful I'm going to be, and your staff is going to have an impact with how successful you're going to be. And we're putting staff in the office. So I think that this is a bigger policy question of are we going against the vision of the 10-1 system and fundamentally changing the balance of power between the council office and the mayor's office. I wish there was a way for us to separate those two issues. >> Mayor Adler: You know, I think that the status quo hasn't gotten us to where it is that the people wanted us to get to. The way that we have staffed offices in the past, the status quo hasn't gotten us to where it is the people want us to get to. I also ran in this election, together with all of you, and in running the election, I said that I was asking for the opportunity to be able to help empower districts, to help the council succeed in a 10-1 system. So I ran too. And I see this, and I got a fair number of votes too, as did all of us sitting here, because that's why we're sitting here. I just don't -- my hope is that we don't feel bound by the way things used to be, or the way that things always were. Because that hasn't gotten us to where it is that we need to be able to get to. So I'm trying

to propose something for us to do collectively that might help us do something new. Ms. Tovo and then Ms. Kitchen.

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>> Because I would wonder -- let me start by saying, you know, I've only been in this job a couple of years longer than -- but I will say there's always been a need for more staff. And I don't think the fact that our -- but it, you know, it probably could have accommodated three more people on my staff in the last three years. It is, in my time, always been a job where it is nearly impossible to get through all the e-mail, to return all the phone calls, to be at all the meetings and do the policy work. I mean, it is an overwhelming job. And absolutely I think the way in which the expectations of us as district representatives are very high to attend community meetings and neighborhood meetings, but I would say, you know, the expectations have always been quite high and it is a demanding job. So you're not going to get an argument from me that we are in need of more staff. I think that's always, at least in recent memory, always been true. But it is a trade off. Two budget cycles ago we got a call in July saying there would not be meals on wheels at any of our park sites from July on until the end of the fiscal year because they were out of money. We had to do an emergency resolution and identify \$75,000 worth of funding so that those seniors who were accustomed to going to the recreation could continue to eat meals at lunchtime at those centers. So it's always a balance, I think, of what we spend our really scarce tax dollars on. And I'm sure as we start talking in the budget, we'll have a lot of really good conversations around that. But, you know, I always hear from people who want to see more libraries, they want to see more parks in their neighborhood, if they don't have parks. They want to see more youth

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programs at the centers. The demands are huge and everything costs money. So, you know, that is a consideration. I think I've identified my bigger one which is really the one that council member troxclair just articulated as well. And I guess I would ask are there other organizational structures that are available to us? Are there other ways to have resource people that serve the council as a whole where they wouldn't be situated in the mayor's office or any other offices? How will those individuals interact with our current staff? You know when we're working on policy initiatives, we're working with the staff in the appropriate department, most of whom are real policy experts in their areas. You know, when we were working on the safer housing resolutions we were talking with our housing staff, working with our code compliant staff, working with community members who had more expertise that kind of filled out the staff expertise. I think we do have expertise on our city staff within our individual departments. How do those staff who are supporting, who are designated to support our individual committees interface with the policy advisers on your staff? Those are two questions, I guess. One are there other organizational structures available to us that don't raise the questions that are sort of laid out in the charter. Are there other organizational structures available to us? And the second would be if this structure moves forward, how do your employees interface with your existing city staff that

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are designated to support those council committees? >> Mayor Adler: Ms. Kitchen. >> From my perspective I see these folks as another resource. Just like my staff works with your staff and with other people's staff. They're just another resource. And then just for what it's worth, I would like to share my perspective. I'm not concerned about the balance of power because at the end of the day the mayor, with all due respect, has one vote. And we all have one vote. The mayor doesn't have anymore power than we give him. And there's just so much we all each can do, so I don't see this as giving the mayor more power over the rest of us. I don't get that. To me, we all have -- to me we all have a vote. At the end of the day, this is about a vote. And beyond that it's about how we work together. It's about how we work together to move together on issues, because none of us can do anything with one vote. We need all of us, and we do that by working together. But I just don't see this as giving anybody more power. I just wanted to share that perspective. >> One last thing. >> Mayor Adler: Ms. Houston. >> I'm sitting here thinking how would I use this person after we have had the conversation. Health and human services has a huge number of issue components and departments and divisions. And so maybe they could do some research to find out other ways that we deal with the disproportionality in health care and other kinds of things,

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medical coverage, and bring back that information to health and human services when we're talking about health care. How have other states or entities managed their coyotes? Because we have animal issues, advisory committees. I mean, there are things I can kind of begin to see that staff doesn't have time to kind of go out and do that research broadly. And the staff here is doing a remarkable job trying to keep their heads from going under right now as well because they have 11 newbies that they are trying to staff and get up to speed. How would I use that person to make sure I had the most current and the most up to date equitable data to be able to help move health and human services and all those components forward to a new and different level of accountability to the people. It doesn't help anything, but that's just what I'm thinking. >> Mayor Adler: And I think that's entirely doable that way. >> Some of this, I think, we're just going to have to give it a try and see how it works. I, for one, am willing -- like with the committees, we don't know how they are going to work and I'm willing to give them a try and do the best that I can in the structure and make it succeed with the help of all my colleagues around my table here. And I also do like the idea of sending the issue to the audit and finance committee for a more protracted in depth conversation about it while we still move forward on the interim plan. And it's up to us to make it work. And I have full faith that we

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can make this engine rev and go forward. It's what I'm going to be trying to do, at least. >> Mayor Adler: Thank you. Mr. Zimmerman. >> Brief comment, if I could. >> Mayor Adler: Go ahead. >> I appreciate all the discussions about the balance of power. I would like to submit to all of us as a body, the mayor, and all the council members, in my view the problem with the balance of powers between the elected body

and the incumbent city management. All of us serve at the pleasure of voters, we're all term limited, which I support. There are how many of us in our staff, there are a relative handful compared to 12,000 employees that answer to the city manager who has no term of office. In theory he could serve until the grim reaper retires him. I see the argument in terms of balance of power as this elected body, frankly, doesn't have very much. >> Mayor Adler: Any further comments? >> I think that you have responded to some of the concerns with two responses, one about the interim nature of this solution while the audit and finance committee talks about a longer term solution. And second about the job description of the employees in your office serving initiatives being worked on by the entirety of the council or committees of the council. And I know that right now you mentioned the flexibility and us trying to figure out how that would work would be beneficial, but my sense is that this council and I would be most comfortable if we could try to reduce it a little bit, just as you described that 25,000 to help with the constituent work in our offices, I think that however we can get that in writing and the resolution, I think, would be helpful for us

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to understand the interim nature of this as a solution, and second, the job description of those employees. I don't know if this is the appropriate step or the appropriate step would be if there were to pass when the city manager brings back a final solution, but I think it would be helpful to have that in the to be resolved section so we would have something clear to work off of on paper. >> I would like to know also that what vacant positions are those where that money is coming from? I just would like to see, you know, we're not hurting another department by taking this money from whatever these are. So that would be helpful also. >> I understood that Ms. Garza touched on that same issue earlier. Anything else before we move on to the next item? Ms. Tovo. [Lapse in audio] >> This would be a shift that upsets the balance of power or upsets the charter responsibilities, but it also just -- and so I guess my two questions kind of remain. Is there another structure that we could use that would effect this end but not call this question? And my second question will be how will, if this goes forward, how would these staff members interact with our existing staff? You know, we were looking at the minority and women who own business subcommittee, we asked our city staff to research -- you know it's an analogous situation, we asked our city staff to investigate different contracting options the city could use to address some of the

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concerns that sub contractors weren't being paid as quickly as possible. The staff researched and came back to the council subcommittee and presented four or five different structures that other cities have used or possible from other examples, and they presented that to us. So it is certainly possible for our existing staff to do that kind of research and to inform the policy work that each of us has been elected to do. And so I would like to better understand how our existing staff, many of whom have expertise in the area in which we will be doing policy work, how these additional staff would work with them and why this is a better solution than working with our existing staff and our council offices and our existing staff across the city proper. What is the mechanism? >> Mayor Adler: I would hope that audit and

finance committee would look at structures and. Engage in that kind of conversations. I would imagine the conversations with this staff would be the conversations you would have with any other staff that you're working with in order to be able to move the city forward. It would be the same as that. I just, you know, I don't see this as being about power. I see this as being about effectiveness. I see this as us having a limited period of time and we're trying to move forward on big things. I think that the voters in this last election indicated that they wanted things to be different, and they wanted us to think outside of the box. And they wanted us not only to make gains around the edges on

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contracting policy and things like that, although that's certainly important. They want things that will move the needle of the city. Again, the challenges we have are great, and I think this is a way for us to begin to approach that. My hope is that over the course of our next year and a half together and two and a half years together we are pushing the envelope and trying to find things to do in new and better way. Let me take a look at coming up with an amendment to the resolution that puts in some more of those. [Lapse in audio] >> Mayor Adler: Ms. Troxclair. >> I just wanted to echo what council member Gallo said earlier as far as we're talking about this being a temporary issue and the audit and finance committee is going to talk about whether, if we put this in place, whether it's the best thing moving forward. I don't see anything in the actual resolution that is of a temporary nature. And just knowing that it's difficult to put the proverbial toothpaste back in the tube once the government has made decisions and once full-time employees have been moved from departments, once we have hired people, it's truly something that we're going to try and see how it works, then I would like to see something in the resolution that speaks to that, that it's going to be temporary. >> Mayor Adler: I understand. Okay. All right. The next item on our pulled list is 36 pulled by Ms. Kitchen. >> I just pulled this in case anyone had any questions before Thursday, and just wanted to

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very briefly explain what I was thinking. I want to thank my colleagues for helping bring this forward. My cosponsors, the cosponsors on this particular item. I see access to health care as an affordability issue -- oops. I think it's one of the key issues for affordability, access to health care is very expensive and it, as we all know, it can drive people into bankruptcy if they don't have any. So it does a lot of time. So I think it's a policy issue as to which of our workers we offer coverage to and we have to balance that against cost and also the other options those workers have. This resolution is just a step to get started to give us the information that we need to have that policy decision later on. And it also provides for when the information comes back to run the item through the audit and finance committee as part of thinking about our budget next time. So I just bring that up in case anyone has any questions. >> Mr. Mayor. >> Council member kitchen, I appreciate you are bringing this item forward. It was an issue that was discussed on the campaign trail in district 7. There was interest in folks of my district to make sure we are treating our contract workers in a fair and measured way. And if there is any opportunity for me to take a vacant slot in your cosponsors list, I think you have four. There might be room for a fifth person. I would like to add my name if you would allow me to. >> Okay. >> Mayor Adler: Any questions on

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this? Yes. >> And the resolution language here looks particularly at our full-time/part-time, which I know was an issue under the previous council. So I will be starting some discussions with the auditor's office with us looking at other cities to ensure the employees of contractors, such as the custodians of Austin energy and others can ensure health care coverage or level the playing field for those sub contractors that do. We don't want to be putting local businesses at adieus -- a disadvantage. Ill be working with the auditor's office and if it's going to be a project that requires over. [Lapse in audio] >> But if it takes less than that amount, I will communicate with y'all that I have asked them to work on that. Because if this body does choose to increase the number of employees that we have that have health coverage we may great incentives for us to contract out more work and privatize more work, so I want to make sure we have a level field for our in-house employees and privatize work when it's more efficient and effective. >> I would just like to add that, you know, thank you for bringing that forward. These are two sets of workers that have traditionally not been offered coverage. And when we talk about people who are uninsured in our communities, I think we all know that most of them are working. And so what happens is they fall between the cracks with the kinds of things, the kinds of workers that are in this resolution that we're talking about now, as well as the kinds of workers that council member

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Casar is speaking to. >> I'm also supporting of this resolution, but I also would like to ask my colleague on this in the future if it also include the contract workers at the airport. There's a lot of workers doing contract work with luggage and stuff. I have the understanding that they're really low paid, you know, just barely over the minimum wage. And I'm concerned that they might not also be eligible to have health care. >> Yeah, and council member thanks for mentioning that. I contemplated asking Austin energy and other entities that we make policy decisions for. >> I would make it as universal as you can, pick up as many subgroups as you can and let's see what the costs are. Further discussion on this issue? Thank you, Ms. Kitchen. That gets us to item 42. Pulled by Gallo and kitchen. Metered parking spaces. >> Would you like me to go first? I simply pulled this item because I think that I wanted to flag this item as something that I believe should go to committee. And that's because I think the discussion of parking is a much broader issue. And I think we need to talk about this in the context of transportation. And I think it's premature to bring this forward. And I know it was an item that came from the -- was an item that was addressed in the previous council, so I just wanted to flag it as something that I think is appropriate to go to the mobility committee and something that I don't think we should move forward with.

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>> Mayor Adler: Mr. Renteria. >> I also have very big concerns about that. You know, the cure, we already gave him parking, reduced parking by 60% on the development. And it really bothers me because pure has stretched out into my neighborhood also. And we have already given them the reduction of 60% in parking and now they want to use off street parking to give them bonuses. So I have

a problem with that. I second to send it to a committee. >> Council member Renteria, could you tell us what cure means. >> Central urban development confines. >> Very good. >> Mayor Adler: So this was something that was discussed in December and turned over to us. And I think we can send it to a committee if that's the will of the group. Ms. Garza. >> Once the public hearing has been closed, we can open it back up? Isn't that basically what we are doing by sending it to committee? >> I think as a body we can do that at any time we want to anyway. So we can just do that. Ms. Tovo. >> I think that's a very good move. I had concerns about this when it came through in December and I think it really does require more policy discussion, more deliberation. I think there are many businesses who have provided for parking under our current code and allowing this big shift creates, in many ways, an unlevel playing field and not enough parking in areas of our

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town where we might need it. We had this discussion, was it yesterday? Where the comment was made we should build cities for people, not parking, but the reality is a lot of people drive around the city and need to park when they get there, so anyway, I look forward to seeing what the mobility commission recommends. >> My issue in pulling it was exactly the same. >> Mayor Adler: Okay. That gets us then to item 53. I think you had pulled it but don't need it pulled now? >> That's right. I think Mr. Thrower has contacted council member tovo's office to address any issues she may have on that particular item. >> Mayor Adler: Ms. Tovo. >> I didn't realize you had pulled it because I have questions, and I have been contacted. I just received a long e-mail from him. My question -- I mean, my concern about this is the same one I may raise on Thursday when we have our hearing. You notice it is the staff recommendation is to rezone it for grco. This is a property owner who, as I understand it, is getting ready to sell and wants to zone it to match the use that's currently on there. The staff recommendation, and I believe the recommendation of the zoning and platting was to zone it as gr and lo, which is a lower zoning, and more compatible with the zoning surrounding it. So it's a situation where a property owner wants to, you know, has a nonconforming use. They have a storage facility that wouldn't be allowed to operate. They wouldn't be allowed to open one up with the current zoning.

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And to me, I just think it's a planning question that we need to answer. The more recent zoning cases have been gr. I'll be more prepared to talk about this on Thursday. In terms of looking at it long range, is it in the best interest of the community to rezone this to cs so that storage unit can continue to expand or other cs uses can occupy that site, or is it in the better interest of the community to have it more compatible with the property. I'm sort of persuaded toward the latter and that area is changing and they are not cs and making it cs allows those cs uses to continue, commercial services uses to continue. So -- >> I would just say two things. One, and I didn't really intend to dig into this here. It's my understanding that if he sells this to someone who would like to continue to use the site exactly how he used it, then that person can continue with the zoning that is being requested. The reason why the applicant is requesting to change the zoning is so there's no cloud on the title and there are varying opinions on whether the permitted but nonconforming use terminology would put a cloud on the title. In this

instance I am, in fact, leaning toward approval the applicant and the neighbor's request. They are of like mind to have this occur, as long as the setbacks along waller creek are respected and protected. And I think the gr zoning on either side of this property has sat for about ten years, I think. More than ten years on one of the properties. And since 2005 and the other.

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And nothing has happened. It's an area that is not actively being updated or used. So in the interest of providing the basis for the sale for him and respecting the fact that this is on a waterway that we will have some issues with in the future, we want to make sure we don't put any necessary impediments in the environmental aspect of it. I would going to recommend we approve the request of the applicant in the neighborhood, which they are aligned in this instance. That's about all I have to say on that. >> Mayor Adler: Any other discussion on this item? The last item we have is item 62. Related to fishing. Ms. Kitchen. >> I just have a very quick question. I just wanted to understand the impetus behind this. Is there a problem we're trying to solve? >> No, actually council member kitchen, director of parks and recreation, we thought there might be, but actually I asked the staff to pull back all the stakeholders again, including the transportation department, town lake trail foundation, Texas department of parks and wildlife, and there was some other fishing constituents and see if we had a concern. And actually everybody is in agreement to have three little fingerlings open for fishing along the boardwalk so we can continue to allow people to fish but make sure it's in these alcove areas so we don't have the problem of people getting hooked. And leaving the other areas for close proximity for strollers, joggers, runners, so forth. We have asked it to be pulled because it is in the current ordinance that we can do this. >> So we don't need it. >> Mayor Adler: Thank you. That was the last item we had.

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So unless there's anything else -- let me back up. Back up. We have the conversation about the scheduling that we have. Does anybody want to address or raise any issues with respect to how we are scheduling the committees as proposed? Yes, Ms. Gallo. >> March schedule. So we have changed our council meeting dates to leave the week open for spring break. Okay? So we have three council dates in March. Usually they're the first three Thursday, it looks like. But we have left the third Thursday open, because that appears to be spring break, so we moved it to the fourth Thursday, which it looks like on our schedule is the proposed Thursday for Austin energy committee. So the question is since that is the committee of the whole, and I feel like we probably should meet in March, would there be an agreement in March for moving it to a different day once we look at the schedule for March that's not conflicting with another meeting or committee meeting. >> Mayor Adler: I don't have a problem with asking staff to earmark time on that calendar for items that would be related to Austin energy. Is that okay? >> Well, on the calendar that was proposed, Austin energy committee's meeting would be the fourth Thursday of the month. But in March, because of spring break, we actually have a council meeting scheduled on that fourth Thursday. So the question would be could we move in March? Could I work with staff and figure out another day in March to hold that committee, but it would be everyone. >> Certainly. And if I may add the intent of the ae, Austin energy council committee, it wasn't going to

be a regular meeting, because there was only two or three regular

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meetings a month. Whenever you weren't meeting we were going to put Austin energy. We weren't always going to to put it on the fourth, unless you all want to do something different, then we have to change the calendar around. The intent was the second council meeting, and perhaps not the council of the meetings of the month would be for other items. And then the hole would be for the Austin energy council committee. We were trying to stay flexible with the existing council meeting scheduled, but if you all want to change that and make that more regular, we could make that happen as well. So we could work -- >> Mayor Adler: Couldn't the default be as you're setting up the calendars to always start with the assumption. I'm sorry, couldn't the default be as you're setting up the calendars, we're budgeting time for the fourth meeting every month, we have a default check to see if there are items that could or should be handled by Austin energy, and then make them part of that calendar to the degree that the committee has items that need to be heard. >> That was my question. Has Austin energy traditionally been all day? >> No, it's been in the morning. It's usually been in the morning and been a 9:00 to 12:00 committee meeting. >> Is there a possibility to do both on that 26th? Do Austin energy in the morning and then do whatever the hold over for council, since we'll have three that -- surely it shouldn't be that long. >> Surely? [Laughter] >> We can but hope. We can but hope. But I think that's a way to do it and get both of them done. We can have Austin energy in the morning and council in the afternoon. >> So would it be the preference to do that consistently each

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month with the second full council meeting, which would be typically on the third Thursday? >> That is preserved for zoning. >> Then the third. So council, zoning, council, blank. >> And it will depend on, as we're all learning how this is going to work, how many items you have on your Normal council agenda, versus a full Austin energy meeting, with the intent that y'all didn't want to go into the wee hours of the morning, that might put some scheduling constraints. Right now it might be better to keep all four Thursday in place. One would be Austin energy. If it works that the Austin energy committee doesn't look like it has a full agenda and the other one doesn't on the third, the council meeting, we could mesh it together, but I think we should keep those options open as we see how the scheduling works. >> What I'm hearing then in March we will combine it with the council meeting that has been moved to that fourth Thursday because of spring break, but for now we will hold that fourth Thursday as Austin energy. >> That sounds good. >> Mayor Adler: Ms. Kitchen and Ms. Tovo. >> I have a couple of things. And the first thing might speak so some of the others. I think you mentioned earlier when we were starting to talk about creating a transition committee, because the other items that I have maybe could be discussed in the transition committee but I'll mention them briefly. The first thing is that the use of the sire system where the staff enters items into sire, I would like to suggest that that happen under number two or three. In other words when the council office submits to the city clerk or when the mayor assigns the item. In other words what I'm pushing towards is getting the items

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that were thrown out there in the public sooner, rather than later. In other words not waiting to enter them into sire. Maybe that's something we should discuss in more detail. The second thing is I have some concerns or questions that is a much longer conversation. But that has to do with zoning. So I think we need to have a conversation about that. I know that there's language here that. [Lapse in audio] >> I recognize that as a much longer conversation that we don't have to have right now. But I'm saying I feel like we need a transitions committee. >> I think so too. >> In particular on the zoning, I know it will be a very different conversation than other items, for a whole list of reasons y'all are aware of. So I think that is probably the first conversation that our land use planning and neighborhood committees will be having. I'll make sure that first meeting is one that is open and have some input and ideas. And I want to work with the committee members and also you all to see which cases get through. There's important language in the committee ordinance that we passed around disputed facts and mediation and issues of that nature that we want to sort of flesh out what that really means and how it looks like, specifically for that committee. I would ask that y'all have patience on that issue because it's such a hot issue, and we'll keep you posted in the land use and planning neighborhood committees on how we handle that.

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>> If I may comment on the exceptions part, what we were concerned about is that if you had a zoning case that came to you in the zoning council meeting and for some reason you all chose to postpone it, you may not want to postpone it a whole month. You may want to take a few of these on your other meeting. And we may have an item that's just so urgent that we need to bring it to you during the zoning meeting. That would not be the rule of thumb, it would be the exception, but we wanted to make sure you all felt comfortable that we would flex. Primarily the second council meeting would be preserved for zoning. There might be something that would come for. Primarily the other meetings would be preserved for other things, but you may postpone a zoning case and might not want to wait a whole month. >> I have no problem with that. I think there's going to be some cases that we're going to have to respond to faster because of -- you know. But also could I -- [lapse in audio] >> I'm concerned maybe we should start our committee meetings at 4:00 instead of later, you know, so that we can take care of issues and just in case it goes over we're not here until midnight. We could be out by 10:00. >> And certainly the committees can set their own schedule. You are assuming some foundational things for you all to talk through, and we have preserved Mondays and Wednesday in both rooms. We're going to lock that down so you all have those options of when you want to schedule those meetings either during the day or evening. That has caused some shifting of other boards and commissions and

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there is some angst with that. The council committees should take preference of these rooms and we will have to work around that. >> We want to create an opportunity for the committees to decide when they want to meet. They could start at 4:00, 6:00, or 8:00. And then we have some during the day. The

day meetings could be 10:00 meetings or 2:30 meetings so the committees can have the flexibility to be able to do what fits best. >> The only thing that I would ask in terms of scheduling the committee meetings is if we could all try not to schedule them at the same time. Because I know that we all have our committee assignments but I know that we're also going to want to participate in other committee meetings. If we could try not to do that. Right now the days shown on the calendar, try to schedule your other meetings in the time slots indicated and that will prevent that from happening, because there's only one committee in each of those time slots. >> Mayor Adler: Ms. Tovo. >> I have a couple of quick things. One, I believe that the audit and finance committee will probably meet the fourth Wednesday during the day. And I think we're looking at kind of a morning time. I understand that maybe one of the morning -- there is a daytime slot for public safety, so you and I can talk about what time you're thinking about, but I pulled the audit and finance members and it sounds like that's probably when we'll meet, for the most part, unless of course we have a hearing that needs to be scheduled in the evening. >> You are saying on an on going basis? >> An ongoing basis. >> When was that? >> Probably the fourth Wednesday in the morning. I think our time slot was the fourth but there was another committee looking at that time slot. >> You have moved to the Wednesday that is public safety? >> It appears that public

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safety's daytime meeting is also on that Wednesday. >> So if it works with your committee to move to the fourth Monday? And we would then clear that runway as well, so that might be something. >> That's your Monday. >> The oh, do you think there will be more public interest in the public safety meetings in general? I think people want to go to those as opposed to audit and finance. >> I think -- I mean, public safety citizen committee is pretty well attended, it seems like. I never say but there's always lots of folks down here. >> Maybe we should have those in the evening to make sure more people can come. >> You have a set evening time. Is your committee okay with moving your day slot to the fourth Monday? >> Do you have a feeling on that? >> I feel fine having it on that Monday or that Wednesday considering it's not a week that traditionally has as much council activity. People can't see this piece of paper, our evening meeting for public safety would be on the fifth Monday or Wednesday. So they set up a space for us to have those evening meetings. I'm happy handling the items that are more administrative in the morning on either Monday or Wednesday, but I'll leave it up to others. The fifth Monday or Wednesday we could have our evening meeting. My only issue was having evening meetings on those Mondays or Wednesday, is we have economic opportunity in housing. >> Mayor Adler: Let's go ahead and do that. If you would like that change on the deal, just switch the daytime slot for audit and finance and public safety. And that way we have cleared the runway. You have the flexibility to go in the afternoon if you want to. >> I was just going ask a question.

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There's two daytime slots, right? A morning and an afternoon? >> The fourth Wednesday you would have audit and finance and your optional space. So we will have to work on what's in the morning and what's in the afternoon. >> Yeah, we can do this offline. >> Yep. >> Mayor Adler: Go ahead and do it so it

can be published in a way that's predicted for the public. >> I'm sorry. And just for the public, I'm sorry, I haven't had a chance to talk with everyone, but I'm thinking that mobility, that slot from, I think we have -- you're saying that we have the room, so we could start at 4:00 and go to 6:00 some days or 4:00 to 7:00 or 5:00 to 8:00. I think it will be important for mobility to have some time in the evening but we can vary that on when we need a public hearing. I hope that's okay with everyone. >> One thing I would like to bring up, I said in a memo yesterday, we have had some commissions that were worried about moving from chambers to boards and commissions. I talked to Ms. Garza about that, depending on your agendas, if we expect the environmental board to have a lot of citizen involvement and the mobility committee didn't have as much, maybe we could flip-flop. So we would try to work with boards and commissions and your council commission and try to look forward to who is the most citizen intensive and put that in chambers and put the other here. We're trying to be flexible, if you all will work with us to see how this works so we can accommodate some of the boards and commissions and some of their concerns as well as we move forward. >> Related to that, my thought was we would be starting in April. Or maybe that varies by committee, since next week is March. I wasn't thinking of starting

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mobility next week unless my committee members are just dying to start it next week. >> Maybe we could work after everybody leaves. All four of my committees are on two days. I want to make sure. And I'm sure we can make that happen. >> Mayor Adler: Ms. Tovo. >> Just a couple of other quick things. Several people have asked me when the zoning meeting, the council zoning meeting will happen. Are we anticipating that those Thursday devoted to zoning will be starting at 10:00? Regular time? And it's not clear to me, the transition committee sounds like a great idea. It's not clear to me what the next steps are. Are we to indicate our interest in participating? Does that kick off soon? The committee on committees. >> The committee on committees. And does anybody else want to play on that committee? >> Yeah, I'm probably interested if I could manage the time. >> We'll do that and we'll just gear that up to kind of monitor and let it go. Okay. >> And then may I mention one more issue that we don't need to discuss, but July traditionally hasn't been scheduled with council meetings, it's a time where our staff might take vacations, our city staff are preparing the budget. I know it seems like it's a long way off, but since this is sort of the week of scheduling camps and vacations and everything else, if we're going to make a change to that it would be helpful to discuss it as a council soon. >> Mayor Adler: Does anybody have a problem with taking off the month of July? >> Nope. >> Makes sense. [Laughter] >> Ms. Houston moves to amend it to make it March. [Laughter] >> I know people plan their Summers around it.

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>> Just plan on July being the month we take off. >> Our first budget work session back would be on June 30th -- no July? >> We start in April. >> Sorry, I'm asking when is our first day back after our break. >> After July. >> I have a vacation that I'm working on moving. >> I got it right here. >> I have a budget work session on the 30th of July. >> The 30th of July, yeah. >> You have the most constraints on your calendar now. >> Mayor Adler: Say that again. I missed that last exchange. >> I'm sure it will work. >>

Mayor Adler: So we are off then from July 1st through July 29th, is that what we're saying? >> Yeah. >> Or I'm asking if that's the case. >> Mayor Adler: Because we're scheduled to have a budget meeting on the 30th. All right. So from the 1st -- yes? >> The last council meeting is scheduled for June 25th so you would be off from June 25th until July 30th. >> Okay. >> Mayor Adler: But there's a meeting on the 30th, right? And there's a meeting on the 25th. >> Yes. >> So the 26th of June we're off through the 29th of July. >> Mayor. >> Mayor Adler: Yes. >> I think I should probably clarify. Just to the public who is watching, in the month of July, it's not that you won't see a public service or staff member, people typically schedule vacations. There will still be activities happening, at least in district 9 office. There will be gaps and we won't have full council meetings. >> You could still plan to do the council meetings. >> And sometimes they do happen in July. >> Mayor Adler: Anybody else have anything else to discuss on

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the agenda? Then we are adjourned.