

## City Council Work Session Transcript – 06/16/2015

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>> Mayor Adler: Are we ready to go ahead and start? No? We almost had a quorum. >>> >> >>> >> >>>  
>> >>> >> Mayor Adler: We're going to go ahead and start and convene the Austin city council work session. Today is Tuesday, June 16, 2015. The meeting in the boards and commissions room, Austin city council, 301 west second street, Austin, Texas. The time is 9:12. We're in work session. We have a lot of items that

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have been pulled. Being removed from the pull list, unless someone wants to keep it on, would be item number 6, which is the aviation question. Ms. Houston. Also being pulled from the pull list is item number 29, which is the renaming of the tennis courts. Also item number 32, which is the interlocal agreement on Parmer. And item 63, which is the facilities space planning program that we were briefed on earlier. Ms. Tovo? >> Tovo: Mayor, I would like to add back on -- or remove from being pulled item 2. It's my understanding that the Austin energy staff who were here to talk to us are actually scheduled this morning right at this very same time to have a meeting with some of the community advocates who are working to achieve a better solution there. So I'd like to have that back on and not talk about it this morning so that they can go work with the advocates to see if we can come up with a little better plan for Thursday. >> Mayor Adler: Okay. That would be good. >> Houston: Who pulled it? >> Mayor Adler: She's wanting to add to the pulled list. >> Tovo: If they can hammer out a solution there. >> Mayor Adler: We will remove item 2 from the pulled list. Ms. Troxclair, yes. >> Troxclair: Item 5, are we talking about that item in executive session today? >> Mayor Adler: Gentlemen, we'll talk about item number 5. In executive session we have a lot of things that are listed. My suggestion is that in executive session today the ones that we really need to

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talk about would be waller creek and water treatment plant 4. And potentially the purchasing contract involving the entity that had ties to the military, if that is -- if that is an issue. Those are the three. The mercer case was something that was put on here at the request of Mr. Casar, who is not with us today, but he wanted to let me know that he had done some additional work and is fine with proceeding with the recommendation as it was -- not recommendation. He's fine proceeding. He no longer needs that pulled so I've told legal that we don't need to bring back outside legal counsel. We may just touch on

that ever so briefly so that I can relate that conversation. So we're not going to bring legal counsel for us with that. And given the aviation item being pulled from the pulled list by Ms. Houston, we have the opportunity to discuss that in executive session, but I'm not sure we need to unless you do. So we may not need that one pulled as well. >> Troxclair: Okay. So I don't need to discuss item number 5 then. >> Mayor Adler: That's correct. >> Troxclair: Thank you. >> Mayor Adler: We'll also go through executive session. Also item 73 and 74 in the same way and 104. Those were all pulled.

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We're zipping through. >> Kitchen: I have a few to add that I didn't make it yesterday. But they're quick. I don't expect them to be long. 94, 95 and 97. I'm interested in hearing from the committees on 94 and 95, on the status of those two and 97 I just want to ask the council their feeling about that one. >> Mayor Adler: Okay. All right. So what I'm going to do here with respect to as we move through this item, I'm going to call up the items that were pulled. I'm going to ask if there's a second person that would like to have that heard at this point, if there's a second person [indiscernible]. We'll get back to that list at the end. There was -- just to make sure that there's at least one other person that wants it to be brought up earlier in the meeting. So we'll go ahead and start then the first item we have is item number 4 pulled by Ms. Houston. This is an agreement concerning the hazardous waste collection services. Mount [inaudible - no mic]. >> Houston: I'm sorry. Let me start all over again. Thank you so much for being here. I pulled this because I

[9:17:51 AM]

didn't see a fiscal note. >> Hi. Yes, this is bob >> Mayor Adler: I had a feeling it would be just that fast and then the staff could -- then the staff could go. That gets us to that gets us to the sworn position, item number 7. Is there anyone who wants to hear that now, the vacancy position? We'll come back to that. Item number 7. >> Houston: Mayor, let see if I understand. What you're trying to do is find out if we want to take them up now, if there are two people, or if there's not two people then we'll put them at the end and come back to them because they may take longer. >> Mayor Adler: They may take longer or have one person who wants to hear about it and there is one person who potentially wanted to leave and I wanted to give people the opportunity to do that. >> Tovo: If nobody wants to talk about vacancies,

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I'll put it back on. Mostly I pulled it because we didn't have an attachment supporting that item. So, you know, I needed that additional information which we got yesterday. So again if nobody wants to talk about it, I'm fine. >> Mayor Adler: Then I think we're fine. That gets us then to item number 13. Is there it a second person who wants to hear item 13 at this point? Okay. We'll come back to that. Item 14? We'll come back to that. Item 17? >> Tovo: Actually, mayor, I'm going to put mine back on. I don't need the staff, but I want to talk to my colleagues if we have an opportunity. >> Mayor Adler: About item number seven? >> Tovo: But I don't need the staff to stay. >> Mayor Adler: The staff doesn't need to say for item number seven. We'll come back to that one, come back to 14, 17. Item number 18, we'll come back to that. [Indiscernible] For item number 30? >> We can come back to that one. >> Mayor Adler: Item number 35? We'll come back to that one. Item number 57? We'll come back to that one. Item number 60, we can come back to that one. The next is item number 78, short-term rental. >> Tovo: I'm sorry, mayor, did I miss 63? >> Mayor Adler: 63 I had called that. >> Tovo: Sorry, I missed that one. I would like to talk about that. >> Mayor Adler: Let's talk about item number 63.

[9:22:05 AM]

That was I think an item that Ms. Houston had pulled and depulled, but let talk about item 63. >> Houston: I pulled it because I understand what's going on now. >> Mayor Adler: Let's talk about 63. >> Tovo: I slipped in under the new procedure. I did have a couple of quick questions. Let me find mine. There were a few things that I wanted to talk about within that -- within your description of the charge. The first was that the consultant would be looking at the potential for non-city use for our facilities. And I guess I want assurance that that is not going to be a priority over a city use or a municipal purpose. You know, we have some tracts that may not be as highly utilized as they should be, but I hope that they will be tasked with figuring out first whether there is a city use or another municipal purpose for that tract. I'm thinking of the Austin energy tract, for example. That may be identified where they to do a survey as a tract that's underutilized and I would agree, but I don't want them to immediately go to non-city uses before they really consider how we could best use that site for the city. And I don't know if the consideration was for lease for non-city purposes or sale for non-city purposes, but I'll just say, you know, I think we should -- a lot of the vacant land we have or a lot of the city tracts we have are in areas where we couldn't probably afford as reasonably to purchase those tracts again and I don't want to see them moving out of city hands without really serious deliberation about how we could utilize that tract. >> Mayor pro tem, Greg Canally, deputy CFO. That's exactly right. In terms of this one piece of the scope to look at

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underutilized assets, certainly over the last year or so there have been conversations about similar facilities, ones that could be looked at for other uses. The idea behind this is to actually take a comprehensive look at some of these -- some of these sites that have been talked about as potentially not having the current use on them. And so all this exercise would do is really try to have a comprehensive discussion about these various sites. And as we work through the council committees and come back to the full council to look at all these facility issues, just to look exactly at that issue is the ones that we would ideally keep the city use and also keep as city use, but currently not -- potentially not for the current existing use. There might be another city use for the site. So all this is an opportunity to look at these issues and kind of report back out on them, but really not make it a recommendation about selling them or divesting from them at all. Just with their other uses within the city that we could utilize them for. >> Tovo: And then I also had a question about the time period. There's a reference in here to over the next nine months or something like that. And I am concerned about one or two of the things on this list, including the Daugherty arts center which we had an opportunity to talk about last week. As I mentioned last week, there are some potential tracts that might become available that would require a faster turnaround time than a nine month study and coming back. So I hope if there are real estate opportunities that present themselves that might match some of what they're looking at, I hope you would not delay coming back for nine months were we to get the opportunities. >> Certainly. As you know the real estate office and Lorraine are good at looking at our

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opportunities. This was first initial step at looking at our actual space needs and trying to do things comprehensively. Certainly we know when it comes to Daugherty arts and other areas as well when an opportunity arises that we can match up the timing, we can do that -- we believe we'll have the flexibility to do that. This is really about initiating this discussion, working with stakeholders so that if we

do find an opportunity for a location for any of these facilities that instead of having to come in after the fact and figure out how things could work on any specific site we started doing some of the prework that would make our decisions and the decisions and the recommendations coming back to you a little more informed. >> Tovo: And then two more questions we have on this week's agenda it talks about identifying a location for the sobering center. And I know there has been some discussion about the work group about that already -- not the work group, the stakeholder group about that already. Would that fall into the scope which is now described as public safety, fire, police, to assist on that month? >> Mayor pro tem, in the current recommendation before you the scope item, the 490,000, is focused on our existing facility so that would be in essence a new ask so it would not be included in that amount, but we could certainly work with cbre and see if we could assist with that and see if there could be an amendment to another work authorization to add to that. They were focused again on the development pressures regarding the headquarters and the issues going on on 183. >> Tovo: Okay. I appreciate that. And last question is the -- I did want to make sure my

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colleagues know -- I don't know if I made this point last week that we talked about this at audit and finance. It did go to the audit and finance committee before it came to work session before it hit our agenda. The one we're talking about now, 63. I think it's my fault that I did not submit -- I did not submit the information on 92 so that you all would know what items we already heard at audit and finance. I'll pipe up and do that as we hit them. The lease for the restaurant, which I think is a high priority and a fast priority, but are we actually -- are we actually paying cbre Ellis to identify a tenant and is that the way things ordinarily develop or would they not just get some of that lease. I don't know anything about leasing restaurants but in most other circumstances the person who assists in finding a tenant just takes part of that lease once they sign a tenant. >> In terms of the -- from a real estate transaction we are bringing on the brokerage assistance with cbre and the city's representative in bringing in a restaurant tenant. And so we wanted to make sure that we had the ability to take those closing fees, not knowing who that tenant would be and how the actual transaction would go down. Ultimately that selection will be coming -- the selection of the restaurateur and the financial arrangements around that restaurateur would be coming back to the council. [Indiscernible] And working with James we felt to have that authority on the front

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end was the proper way to go. >> Tovo: Might it be that we're also going to find when that contract comes forward that part of that -- part of our revenue from leasing that space is also going to be allocated to the broker or is this the total amount we're responsible for and then we'll get to keep all of that revenue for the restaurant once they've identified a tenant. The later? We'll get to keep all that? >> We will get to keep all of the -- the lease proceeds that we will get from that restaurant space and again just to reiterate, this is an incredibly new space, an incredibly unique opportunity where it's located in this building along shoal creek, and we have really a fantastic opportunity to get something that will I think make all of austinites very happy. But once those funds come in, those funds will stay with the library, will help offset the costs of the building and the maintenance kind of similar with how we have done here at city hall. We think it's the right path to go down. We did kind of put our toe in the water [indiscernible], and that's why we thought this is a very specialized market and getting -- having the ability of cbre, who has such great local connections and presence in this industry to help select ultimately what we believe will be a very unique opportunity for Austin. >> Tovo: Thanks. No, I'm not questioning your decision in seeking that level of expertise to find the tenant. I'm really trying to figure

out whether we're also going to be responsible for providing some of that revenue to cbre Ellis or if this is total. And it sounds like you're saying this is the fee and when the city signs a lease all of that revenue will accrue to the library. >> The norm in this tenant

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business is the broker would get ongoing fees associated with that. And in this case we've negotiated your getting a one-time fee for that and the city would keep the rest of the funds. >> Tovo: And actually since we're talking about the library, will the restaurant revenue stay with the library or will it go into the general fund? >> It -- the first thing we have to do is get the restaurateur in -- >> Tovo: I have every confidence that will happen. >> And understand the terms of the lease and how we have to structure it. There will have to be an allowance for finishout, to finish out the space, the city, under the current contract we'll get the shell completed. But yes, our expectation is that those funds would -- >> Tovo: Would stay within the library? >> That would be our interest in having it stay with the library because we look at this as an opportunity to manage this new library facility in a full life cycle context which means that the level of service facility and we think that is appropriate not only in terms of the great central library, but over time as we make future investments in our facilities we want to do that in the context of full life cycle. Generally speaking call it doing a better job at asset management if you will, but certainly in terms of these facilities. We think it's important to up our level of service on behalf of the residents that use those facilities. >> >> Tovo: I con durr and I think it's a great idea. I assume since -- if it works the way the parks work, when they receive revenue for events it just goes into the general fund. We've asked our taskforce to look at that and I think it's a policy change that we may need to consider in advance of the parks taskforce. Maybe we can put it on our agenda to talk about. I think that's a policy change we should make. I guess likewise this would also -- this would also require council action as I

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understand to make that change and I think very supportive of that. >> Pool: I would add to that I want to be careful if we make a policy change that we don't end up pitting one library against another if the money is going to stay in one library and not shared across, then there will be some unintended competitions happening. And -- [lapse in audio]. So anyway, profit centers individually. I want to really have some thoughtful discussion about that. >> Mayor Adler: Okay. That was item number 63. Anything else on this item? Thank you very much. Item 73 and 74 we're going to deal with in executive session. That gets us to item number 78 on short-term rental. I think that's where we were. I assume we have two people who want to hear this covered now? What we were doing, Sheri, I don't know if you were here when -- as I'm calling these out I'm making sure that there are at least two people who want to hear the item. And if there aren't, it's not like it goes away, it just goes to the back. So we're going to see if we can hit early ones that have more than one person. But short-term rentals is one of those. >> Gallo: I think that's a good plan. This resolution was proposed out of our office with co-sponsors to specifically address the issues of lack of enforcement for short-term rentals that are not in compliance with the current ordinance in code. And ask the city manager to evaluate the situation and come back to us by mid August. We would have loved to make that a faster time frame,

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but because of the fact that we don't have Kuhn meetings in July, actually the August 13th meeting is the first council zoning meeting that we would have after this point. So that's the reason for the timeline. Like I said, I would have loved it push it up a little bit faster. It's a problem out there. We need

to figure out -- this is specifically addressing the non-complying short-term rentals in whatever category they're in, but they're in noncompliance either through the number of occupants that they are housing or the fact that the uses are nonresidential uses such as wedding venues, pay to play party venues, et cetera. We heard from a lot of neighbors that have been really frustrated with some of the short-term rentals operating not in compliance in their neighborhood and they're just not feeling like there's much movement in the way of being able to either pull the permits or if they don't have permits get them shut down. This resolution is specifically to address the enforcement component of the existing ordinance. It was not my intention at all to bring forth an ordinance that would bring up the discussion of short-term rentals. If other councilmembers would like to do that then they need to come forward with a different resolution, but this one is specifically to address the issue at hand with enforcement. We heard a presentation -- talking a little bit about the timeline so after our committee meeting yesterday what we proposed was this would come back before the council on the 14th. It would then go to the committee meeting following that, which is -- I think that was the 17th or 18th and then it would come back before council on the 20th. Our thought is by the time we got the city manager's recommendation on the 13th we might probably have some changes to the existing

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ordinance relating to enforcement of [indiscernible]. And my guess is that we'll be hearing possibly from other departments in addition to code compliance. Code compliance did make a presentation yesterday to our committee meeting and had some suggested ordinance changes that they felt like would help them with enforcement. My guess is that we may see some additional ones from those or as we talked to other people it may be that some of them we do, some we don't do. I don't know at this point. But that's the timeline process and our goal is to really have a careful, thoughtful analysis of where the issues of enforcement are coming from, whether it's internal or can be fixed and already have the teeth in the ordinance or whether we need to tweak the ordinance a little bit in the ordinance area. So that's basically kind of the overall -- the ordinance that's been passed out to you, the resolution addresses a couple of things from yesterday's committee meeting. Councilmember Renteria had some suggestions that ended up being -- I don't think they -- this one doesn't -- this resolution doesn't have yours in there. >> [Inaudible - no mic]. Graduated it's the three portion of that. I just wanted to make sure that those were entered into here from yesterday's meeting. So it does include -- and also, I think councilmember kitchen had a few changes that were included in this. So this is not exactly the same version that was passed out at the press conference last Thursday, it's very close, but with some new additions that I think make it even better. So that's basically where we are. >> Mayor Adler: I watched

[9:40:11 AM]

and the committee did good work on this issue yesterday. Thanks to the committee for that. Any further discussion on this? >> Houston: I'm grateful to add that we have unregistered homes in here because that's a problem. And many -- [indiscernible]. ... And to do anything about that. >> Gallo: Our intention is to fix that problem. Thank you. >> Mayor Adler: Ms. Tovo? >> Tovo: I appreciate the sponsors for bringing this resolution forward. I wanted to mention that at our committee yesterday we also looked at the recommendations that the staff have brought forward and they have been working on this issue and for a long time identified several areas in which our ordinance needs to be strengthened. So the other action our committee took yesterday was to initiate -- to ask the staff to come back on that August 20th meeting with a resolution initiating those code amendments that would be needed to affect the changes they recommended. I'd be happy to talk [lapse in audio] And identify some places where our ordinance is not as strong as it needs to be to provide the kind of enforcement tools that they need. Irrelevant. >>

Gallo: Just to be clear on the process and I think we confused everything else in the world along with us. Our expectation is the recommendations that came from the code compliance department would come through the city manager as part of his recommendations to the council on the 13th so that that would give the council from the 13th to the 20th to be able to ask questions and talk before we actually look at implementing the changes that we need to implement to fix all the problems. So we just wanted to make sure that the rest of the council that perhaps wasn't as deeply involved in the

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discussion as we were yesterday had time between the presentation of those and also the time at which we would act. >> Mayor Adler: I think that's good because it gives the council time -- each councilmember to be able to vet those changes. >> Gallo: That's the intention. >> Pool: The conversation on str's also talk about Adu's and the crossover, where it occurs? >> Gallo: We did talk about that in the committee meeting yesterday. And there was some discussion on that yesterday. So the str ordinance would be specifically dealing with str's. Whether or not the str's are included in the Adu discussion would be the Adu discussion. >> Mayor Adler: And the Adu is the auxiliary dwelling unit. >> Gallo: Excuse me. >> Mayor Adler: No problem. >> Accessory dwelling units. My apologies. >> Pool: So the direction I would like to go on that is to make sure when we talk about the accessory dwelling units and short-term rentals that the ordinance is really clear on when an accessory dwelling unit can become a short-term rental or when it cannot. So I see those two categories blending. And for the sanity of many residents in the city and the serenity of their home lives I'd like to make sure that we fully explore that -- those topics and talk about the nexus between them. And clearly define when the accessory dwelling unit may or may not become a short-term rental unit.

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>> Tovo: Thank you. We did talk about that. I believe the accessory -- let me say one thing before I forget. And that is that the presentation that we received yesterday does outline the suggested code amendments that we have asked staff to bring forward on August 20th. So I would encourage my colleagues who are interested to take a look at that presentation, which I assume is available online, and look at the recommendations on pages seven through nine because those are part of what will be returning to us on August 20th for our consideration with regard to short-term rentals. The accessory -- so we did talk about that. As a committee we just passed recommended -- recommended the passage of the accessory dwelling unit planning committee recommendation on first reading on Thursday. And one of the issues that we've flagged in need of further attention is the short-term rentals piece of it. Right now the planning commission recommendation prohibits type two short-term rentals, which are the properties that are being used as short-term rentals 100% of the time, but it does not -- it really doesn't account for how the new accessory dwelling units -- this is my opinion now. For how the new accessory dwelling units that might be built under loosened restrictions could be used for short-term rentals. If I'm a property owner and I build an accessory dwelling unit in my backyard and take advantage of loosened restrictions I can use that 100% -- that structure 100% of the time as a short-term rentals because that falls into a type one category. So I think we are certainly going to have further discussions about that and I'm going to propose that we consider some different categorization for our short-term rentals so that if we are taking action to loosen our restrictions to create more housing opportunities for austinites that we ensure that those are going to be used as

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housing opportunities for austinites and not as mini hotels and backyards throughout Austin. [Lapse in audio]. That needs more work. >> Gallo: It actually relates to the -- >> Kitchen: It actually relates to the Adu's and if you want to take it up as an extra item, we can. You mentioned that the committee was thinking about asking the council to pass on first reading only. My question would be would it simply make sense to postpone it? Because is there a reason that it has to be passed on first reading Thursday? We have a huge agenda and it obviously needs more work from the committee, which is great. I think it's really -- I really support the committee's continuing to dig into those details. But if we don't need to take it up tomorrow, -- not tomorrow, Thursday. Sorry. If we don't need to take it up Thursday since we have such a long agenda, my suggestion would simply be to postpone it. >> Tovo: I'll defer to our vice-chair, councilmember Renteria. >> Renteria: That's a -- I don't have any problem with delaying it. It's been over a year now and I kind of feel that, you know, if we are delaying it for the purposes of -- because the agenda is so busy or we're just trying to delay it so we don't have to deal with it. That's my feeling on it. But I have no problem delaying it to August if that's the will of the council. >> Kitchen: My thought is I leave it up to the committees, what y'all think because if you feel like we need to have a discussion on Thursday, I'm certainly open

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for that, it's just that if there's not a need to have that discussion on Thursday and y'all are still -- feel like you're making progress, that was the reason for my suggestion. >> Mayor Adler: Maybe that's something -- I know that Mr. Casar, who is not here today, coming out of this committee with you, he's giving a speech, but maybe his staff can get word to him over the day and he can post something on the bulletin board if the two of you could talk and if we could postpone it and then not have that conversation, that would be something he would want to do, then y'all could let us know. Ms. Gallo? >> Gallo: As a committee member, I would also support that. I do agree that it's a really full agenda and the -- this needs to be thoughtful discussion that's not rushed because of time. But I do have to give a compliment to you because of the way that you handled as chair of mobility the taxi that was -- had lots of components as parts of it, I think that was the committee's idea that when we begin to, that we'll address certain components within each reading so that there's not one discussion of everything. So accolades to you for setting a good example on how that can be handled with particular situations that have lots of components that need to be addressed. >> Kitchen: Okay. Whatever the committee feels is appropriate. >> Zimmerman: I just wanted to concur with pitched's remarks, but it sounds like there's a consensus coming -- with pitched's remarks, but it sounds like there's a consensus coming. >> Houston: Mayor, I wanted to mention one other issue for some people in the community is that there are times when past city councils have created ordinances or resolutions that are unenforceable by our staff. And that puts our staff in very difficult positions and it also puts the neighbors in very difficult positions. So the issue of accessory

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dwelling units becoming flipped into short-term rentals is something [lapse in audio]. >> Mayor Adler: Sounds good. We'll move past this item. The consensus seems to be for Mr. Casar's office that we could be -- just have the committee deal with this, but I want to give him a chance to weigh in since he's not here. Seems to be moving that way. Next item is item number 83, which is the way item. It was pulled by Ms. Pool, Ms. Houston and myself. I had pulled this because again I was -- I'm just unclear about this. We have a park master plan that's happening with respect to this Lamar beach area, and I had thought that we were going to see how that review went before we started making specific decisions. This is already leased for 25 years and I guess I just didn't see the reason and I thought we were going to wait

until we could see things in total before we -- before we moved. But it comes back on to the agenda again. >> Pool: I'd be happy to speak to that. First off I wanted to draw y'all's attention to the message board where we put in -- I'm sorry, that's a different resolution. So the primary concern was that uncertainty has a way of deteriorating support for projects and organizations, and the uncertainty of waya's future at Lamar beach has created a really difficult environment for them to go forward with their fund-raising. I do have a change to the way resolution where I am adding request that we accelerate the master

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planning process. I think that the director of parks and rec has said it might take about nine months and I'd like to add an acceleration to that so that we can move this forward. I did meet with public works and the parks department to look at the Pressler extension, the fact that the double deck of I-35 may be coming down first street. I had some suggestions about how to handle that. The parkland that extends from the old green water treatment plant property all the way over to beyond Austin high, and it's very complex and all of these projects hang on that master plan. So I was hoping to accomplish two things, one not to delay the funding mechanism that the west Austin youth association and the effort that they're putting forward, they have been maintaining that property for many years. And the children that they -- on the soccer team and the different ball fields come from an array of Austin zip codes, all the way from 78701 to 78759 and all the way out. There are about 25, 30 zip codes. And it also serves over 60 zip codes in the greater Austin area when you include all of the programs at exposition and the zip codes beyond the city limit. So they have a huge investment in that property and they had begun positioning themselves to raise a significant amount of money. And delaying it until the master plan was done and coupling that with not accelerating the master plan process was going to undercut their ability to go out and the certainty that they were needing in order to -- for donors and philanthropists to be willing to put large sums of money into it. At the table will be the

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school district, way, Austin pets alive. They certainly have a stake along with the city and the various neighborhoods, old west Austin is concerned about the access south to first street and so forth. So this was an attempt by the way supporters to try to budge this a little bit so that they could move forward. They have reduced their ask to 35 years down from 50. I think there may be some willingness to reduce that a little bit more, but I was hoping to remove the uncertainty from their fund-raising process in order to help them, which fundamentally and ultimately helps the city as well. >> Mayor Adler: So I want to be real clear for the record, I'm a real big supporter of way and I think that that's a great location for way and I -- the services they provide across the community I think are great and there's a tradition. It's almost like an iconic organization in the city so I'm real supportive of way and I would support the acceleration of the process because there are so many things right now that seem to be joining on that. What I would like to see then would be the acceleration, but not the entering into the lease and accelerated so we can get back to them real quickly. There are lease questions I need to be able to reconcile and have explained in my head what we do in terms of long-term leases in park area was an issue that came up in decker as well. And I think that the community wants us to have a consistent policy, whatever our policy is with respect to long-term leases -- or not leases, but licenses or permits or use agreements, whatever they're called. I just want us to be consistent as we do those. So I would support an acceleration just because I

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think it's real critical. My personal view is I would like to certainly see a master plan before we started. This is a strong organization and I can't believe that they would lose support. It deserves support and it's a strong constituency that it has. So I want to get them a certainty just as quickly as we can. So I would support the effort to accelerate the park process. >> Pool: Okay. We'll work on the resolution further. >> Mayor Adler: Okay. Ms. Gallo? >> Gallo: It did this go before parks and rec commission? I assume it did. >> Pool: It had full support coming out of our committee. >> Gallo: Not your committee. Parks and recreation. >> Pool: Pard? >> Gallo: No, the parks and rec board. >> The answer to the question is yes it went to the parks and recreation board. It was supported in that they -- the parks and recreation board supported that -- one of the acts of way -- asks of waya or the resolution that came forward from the previous council was that you increase the time of the agreement to 50 years with a 25-year extension. And that you don't begin the planning -- you don't begin the -- the clock does not continue ticking on this agreement until the master plan is complete and the Pressler extension was complete. So the original -- [lapse in audio]. ... The 25 year, 10-year extension, but not starting the clock ticking. So the agreement wouldn't -- they wouldn't have to begin their process of building until after the master plan and the Pressler extension were completed. And so the difference in the resolution that's coming forward now is a compromise perhaps between the 25 and

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10 and then the 50 and 25. And it came down to with extensive conversations it came down to the 35 and 10. So that is what the parks board recommendation was. But please know that the parks board was never -- it was never offered or never suggested 35-10. That was something that way and councilmembers and the council committees worked through. >> Okay, I was a little confused. Maybe the recommendation of that board could be supplied on Thursday to our backup. It looks like from our notes, the board didn't support the extension of the term to 50 years, or the 25-year extension. I was going to say -- >> I'm sorry, I didn't hear anything that you said. >> Gallo: No worries. I'm just reading my notes, and it looks like the board didn't support the extension. >> That is true. They had sent 25 and ten. But they were not -- the parks and recreation board, it was never suggested to them -- they only had a or B. They didn't have a choice C of 35 and 10, which was negotiated after the parks board had an opportunity to weigh in. >> Gallo: Thank you. I was a little bit confused. >> Pool: And I believe the full backup will be provided with this item when we get our packets for Thursday. >> Mayor Adler: Okay. >> Pool: The document, if you want to look before it gets posted, would've accompanied the last council meeting where this was considered, which I think was -- I don't remember what the date was. But it was in may. I believe. >> It was the second council meeting in may. >> Pool: The second council meeting in may, okay. So that's part of the backup on

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that for that council meeting. >> Mayor Adler: We could hold this off until we got the master planning done. >> Absolutely. Just for a point for clarification, item 47 on your agenda this week is a request to approve the contract associated with the master plan for Lamar beach. And so, our department, through conversation, should this be approved on Thursday, is committed to working through our processes, which include a minimum of three community meetings and a number of focus groups to make sure that we have the appropriate community engagement. But we are working very hard to produce something by the springtime of 2016. So, that works -- that's what our acceleration looks like, is to have a final document to come back before council in the springtime of 2016. So, giving us the go ahead on item 47 will help us accelerate that process, with something coming back in spring 2016. >> Mayor

Adler: Any further comments on this? Ms. Houston? >> Houston: I needed to ask a question. We asked for a policy, I think, regarding concessions, lease, what else do we call them? License agreements. And so, because there's a lack of equity, which is what brought this to our attention before, in the way we handle park land. And so, I just would like, as we develop master plans, to come up with some idea of some people give a percent of the revenue. Some people, even though they're nonprofit, they pay something. And who pay something, who pays nothing. So, I would like to have something to kind of make sure we're being equitable across all parkland. >> Mayor Adler: Thank you very

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much. Next item, item number 84, the sobriety center issue. Again, Ms. Tovo, I'm just trying to figure out. Staff can come up on this. Let me again repeat, I'm a supporter of the sobriety center concept, and I want something to move forward. I want us to be able to approve this in the context of, you know, the other issues we're deciding, as well. And I see that there was a resolution that was passed back in -- last year where the city manager was asked to present an implementation plan for this to move forward. And I know that the stakeholders don't yet see the implementation plan. And I read the resolution that you have filed as a way to -- the only question I have is, what's the quickest and fastest, and most efficient way to get from here to there? So I think -- because I support getting from here to there. And I'm just trying to figure out what it is that's happened so far, and where this is in the staff, and why there's not an implementation and funding plan from staff at this point for us to approve or to consider. So I don't know if there's staff that can address that, or Ms. Tovo, if you can address that. >> Tovo: I'll start, I'm sure the staff will want to fill in. The report we got tees up most of these issues. It is -- the planning group that's been meeting has spent a lot of time looking at best practices at other cities like Houston and San Antonio. They've identified the remaining

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issues. Our staff have been very involved. Staff from the police department participated regularly. We had representation from the city manager's office. I mentioned, maybe last week or the week before, I've forgotten, but, there was representation from my office and from the county, from our community partners. So there's been a good group working together on this issue. It's included city management and city staff. It was the -- several of the members from -- who have been most involved in the work group have suggested this as the best and fastest method to move forward to get to -- that they suggested two representatives from the city council, two from the county commissioners court, and several community representatives together to hammer out the remaining items and tee that discussion up for our respective entities. Now, it will certainly require the city manager, were we as a council to approve those decisions, it would require the city manager, our city legal, our county staff, to hammer out the implementation details. But the idea is that there are several -- there are three remaining areas of decision-making at this point. Location, funding strategy, and governance. And there was just a belief among the work group individuals who have been most involved that the fastest way to get some -- to tee up the decision for the council for the county commissioners, etc., would be to have the policymakers from those

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city, aisd joint subcommittee. That group has been very effective over the last few years in empowering its representatives -- its elected representatives to go forward, come to some policy decisions that then proceed forward to the respective councils. And that's been -- you know, I think that serves as a good

model. The work group, where this to be approved on Thursday, is not going to get to the point where we have a solution. I don't think anybody expects that we're going to sit down and, you know, and draft an interlocal agreement. It's just about, kind of, coming to some big decisions that we could then recommend to our respective bodies. >> Mr. Mayor. >> Mayor Adler: People talk. My uncertainty, as I look at this, I think this ought to be -- I'm trying to figure out, it looks to me like having done this great work on the sobriety center implementation, it's great work. At this point, we would give it to the manager and say, "Do this." And if there's a disconnect in terms of getting this done, then I want to figure out what that disconnect is. And if it's real quick and real close and it's just a question of you or other stakeholders having a conversation to give that direction, I'm just concerned about setting up another stakeholder group in order to be able to move something forward. We ought to be able to move things forward at this stage without having to need to do that. I'm just trying to figure out the best way. I would really like someone on staff to address that issue, too. Do you want to -- >> You can go. >> I certainly understand how important this project is, and certainly support it. I know the police department, the chief Acevedo, they support it. Going back to the resolution of

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March 2014 that stipulated the charge to staff, I think that the chief and others I just referred to, I think, just prior to the report being delivered, there was some sort of an update or briefing to the council. Then the report was delivered. And then subsequent to that, there were one or two presentations that were made to the health and human services, you know, committee, as I recollect. So, I think in terms of responding to the 2014 resolutions, the steps that needed to be taken, relatively speaking within the timeframe that was expected, have occurred. To the extent that the effort has slowed, was in recognition of the change in governance here. And that there needed to be time for people to settle in. Likewise, with respect to the commissioners court, I think there were a couple of changes over there. Having said that, I know the team that worked, the stakeholders that brought this effort to this point, now we're at a place where they are poised and maybe, I think, even working on the -- next several steps, funding, location, governance structure, recognizing that therefore overarching policy issues associated with that that this council and our partners would have to come to terms with. And I've had some conversation more recently with the chief in light of this current resolution that's before the council. And after we considered all of the issues, we think that we're in a position to be responsive in these areas, and any other related areas within the next 180 days. That is the timeframe within which we're working to address these larger issues. And obviously, there will be

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other issues that we will address and respond to along the way. But the big three here in terms of location, governance, structure, and funding plan, we would be poised to come back and report to the council within that timeframe, which we think is ultimately responsive to the rest of the intent of that original resolution that our council gave us direction back in March of 2014, mayor. >> Mayor Adler: Ms. Kitchen. >> Kitchen: This is an item that, you know, I serve on the psychiatric stakeholder group. It's an item that came up in yesterday's meeting. For those that aren't familiar with that group, it's across multiple entities that deal with issues related to psychiatric issues. And the center is something that's important to them because many of the -- there's a relationship. The proposal is at odds with working -- with the city manager. And I -- councilmember tovo has recommended. I think there's a long history with this issue. And I think bringing it forward and having two councilmembers and two county commissioners work on it is not a reflection in any manner on what the city manager is able to do. I just think it would help -- it would greatly help to move this project forward. And so, I think I'm

understanding what councilmember tovo is saying, and I think I support that, given the conversations I'm understanding from the other partners in the community. And I believe the county commissioners have already approved this approach, if I'm correct about this. So. >> Mayor. >> Mayor Adler: Manager. >> I guess I just want to follow

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up with what I was saying. I do believe this would work. You know, that I ought to be doing a conjunction with the appropriate staff, the police department, our finance department, and others on staff. I certainly think that the work in regard to these matters ultimately are matters that clearly need to be discussed by council, because they do have some broad policy implications. But I really don't think that this is work at this point that -- as I understand, the kind of task force here that would be being put together can actually do. Because it requires subject-matter experts within our organization. And I subject within the county's organization, as well. Certainly there could be a relationship between us, those that are going to be focused on the details, the substance of these issues, working with, engaging with a group like this, or not. Simply directly reporting back to the council. But on the front end relative to this work, that is work for the city manager and staff to do. >> If I'm understanding correctly, it's a six-month timeframe that you are talking about? Did I hear that correctly? >> You did, 180 days. >> The timeframe for this -- I'm a little concerned about six months. The timeframe that's being proposed is much shorter than this. And so, in fact, it's proposing a way to work towards a -- I believe it's in time to include in the next budget. So, I'd be concerned about a six-month timeframe. It seems like a very long time.

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>> I'm concerned about a time period that's shorter than that, quite frankly, just based on, you know, my assessment of our capacity to do it in a timeframe that's substantially less than what I said, in light of all the other things that we are currently doing. I think there are -- even in terms of the 180-day timeframe that I alluded to, I think there are some implications for the '16 budget. I think we would include some resources to support our effort in the course of those 180 days. But, I think 180 days to respond to something this significant, and the kind of analysis that would be associated with site identification, the financial analysis associated with any capital investment in o&m over the long time, as well as governance structure. And when I say governance structure, I'm not just talking about the relationship between the two governmental units. Programming issue, as well, that requires the expertise of the folks that are going to be running it. Our police officers and officials, staff from the county. And so, I don't think, frankly, that it's reasonable to think that -- at least from my perspective -- that we could get that amount of work done, that level of analysis done across all of those issues, in two or three months. I think 180 days is reasonable for what's involved here. >> Kitchen: So you would be thinking that this would not be up and running until the next year, is what the impact of that would be. Next budget, before we could even see the sobering center up and running? >> That's likely. The work hasn't been done yet. And certainly, I need to have more conversation, you know, with the police department and others. But I'm -- what I'm specifically

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speaking to, that may be the case. But what I'm specifically speaking to is my assessment of the work that is involved yet, and the amount of time that it would take to get that done. >> Mayor Adler: Ms. Tovo. >> Tovo: Yeah. I think I want to echo one of the comments that councilmember kitchen made

earlier, which is that, you know, this resolution is by no means -- should by no means be taken as a -- working on this. But, this is a high community priority, and I think it's fair to say that community members have really driven the process to this point with lots of support from our staff and our city management. But they have done a lot of the work at this point, and I think we've got some very good data and evidence, and information about programming. And I would say I believe it should be one of our high, high city priorities to see this up and running quickly. And if pulling together a work group of six or so folks gets us a little further down the road so that we can hand it off to our city management with some clear recommendations, then I think that's a benefit. But I guess I would also like to hear from some of my colleagues who haven't spoken about this, because I need to get a sense of if you're willing to -- whether you would support the structure we've identified, or whether there is a preference for handing it off to city management. And if it is the latter, then I'm going to work with my sponsors to consider whether we should bring this forward at all, or spend some time individually hammering out some of the issues and bring it forward with very clear timelines, because six months is

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not what I -- last year, hammering out some of these very issues. And I've gotten it down to some key decisions at this point. >> Mayor Adler: Sir, do you have anything that you think is relevant to this issue, in terms of timing or process? >> I'm just here to answer any questions you have. I've been on the committee since pretty much the start. So if you have specific questions, mayor, about where we are in the committee, we're here for that. >> Mayor. >> Mayor Adler: Yes. >> Houston: Unless you have a question? I support the sobering center. I think that we find ourselves at a nexus of a whole lot of things happening. And having worked in state government for a while, it's -- when those things happen, we tend to get out of balance. We've got a huge budget priority coming up. We've got the sobering center that needs to be worked out, that still has some issues that need to be worked out. From not a stakeholder's responsibility, perhaps, but from an administrative kind of structure. And so I think -- I can only speak for myself. I am overwhelmed about how much we are going to have to do in the next couple of months, and I don't know how we task staff with getting something done without giving them the appropriate amount of time to bring back something that we can all agree on. And so, you know, 180 days sounds reasonable considering what every else that staff is having to do, legal is having to do, finance is having to do. I mean, police department is having to do. And it just happens that it all came about at the same time. And I'm willing to drop it in your lap, Mr. Manager, and then give you the right amount of time for you to get back so that

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we can plan. Because this is part of a budget process, and so, we have to have the right kind of information before we can vote on including it for next fiscal year. >> Mayor Adler: Ms. Pool. >> Pool: It sounds like there may be some decisions that are really close to being made. Is there any way we can pull out the items that are close to complete where there is community agreement in the report, and then allow additional time to work through the rest of the items so that we can do a little bit of both? Because I agree, there is tremendous community interest in moving this forward. And to the extent that we can, I would advocate for that. So, possibly, one way to help with that is to separate out the items that are closer to a decision point, move forward on those, ask and allow the additional time that the manager has indicated that he needs. >> Mayor Adler: I wonder if it makes sense, Ms. Tovo, before Thursday, for you to visit with the manager. And if the two of you could come up with a path that got us there as quickly as we could possibly get there, and you're in this process. You've been there -- I don't know if that makes sense or not. >> Tovo: I'm happy to do that. I think, though, I just want to step back a

bit and say part of the intent of this resolution is to bring together a few folks who we think could make some recommendations and come up with that glide path so that it can be handed over to the administrators to do the rest of the work. I think if we hand this over now, you know, you have several people. And I'm one of them, who have stepped up and said, we're willing to focus real concentrated energies on this in the next couple months and see where we can get to. And I would just submit to you that if we get nowhere, and we realize it has to be in the hands of city management to get

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any further, we've not lost time because the city manager's priority right now is the budget. So, this wasn't an attempt to throw a lot of work, necessarily. I mean, clearly we would need staff support. But, it was an intent to kind of pull together. Have some sense of formality to the structures, which is appropriate since we're doing intergovernmental work. But to see if we could get it a little further down the road so that it could be handed over to our respective staff so, one, first come to consensus among the governing bodies and then be handed over to staff. I think you're right. The county commissioners, at least in the process of considering this structure and may already have done so. So, maybe that's -- >> The understanding at the psychiatric stakeholder meeting -- >> Mayor, I just have a quick question. And so, you feel it's necessary for council action to keep working on this until you get it to a place where you can hand it off to the city manager? >> Tovo: I believe part of the intent was -- and I wasn't involved. This was really a recommendation that came forward from the judge, bill Bryce, some of those who have been most integrally involved. It was their suggestion that this might be a mechanism for moving forward. I've lost track of what the question was. >> Houston: Do you need council approval to continue to work toward -- >> Tovo: We do not. We do not. And so, I don't think so. But, my feeling is that it would be slightly better to have a more formal endorsement of -- we

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as a council support this concept. We support the couple people who have been recognized by our body as appointees to that group. And so I think having that little bit of confidence expressed by the council would be helpful. Again, since we're working with community partners, and with our colleagues over at the county, I think it's nice to have a little bit of a formal structure about it. But, no, we could all just sit down and see where we get to informally, and then bring something forward. I just think it would be a better path. I think it's a better path to have direction. >> Mayor Adler: Any further discussion on this item? >> Tovo: That's the only reason I was interested in hearing from my colleagues if they have concerns about the approach. >> Renteria: You know I do support this center. My wife has been working on this for over a year, also. And it's a very good program. But I also understand what the city manager was telling us, that he does need some time, you know. I want to make sure that this gets done the right way. But I don't see there's any conflict if we set up this resolution, because it just looks like these two, the county and the city and whoever, are just going to be meeting and identifying a location, which is going to be probably the hardest part of this whole process, is finding a location that there's going to be people that are willing to have it next -- in their neighborhood, you know. So, this is going to be a very difficult process. So, I support what, you know, this resolution is trying to do. I don't think it's trying to do -- actually set up a plan. That's my feeling. But I'm willing to accept what the managers have to say on that. >> Mayor, I think you may have said it earlier, suggested earlier that perhaps, mayor pro tem and I could chat a bit.

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I'm not sure I understand the full meaning of the language in the resolution, because it does say the parties to determine a location, to develop a governance structure, and determine a funding plan. And so on the surface, that sounds like pretty specific to me. But, in the course of your discourse today, I think I heard something from her that suggested something higher-level than that. So I'd like to have the opportunity to really have conversation with her about that, and through that get some clarification about intent. >> Mayor Adler: I would support that. It's going to be coming up on the agenda on Thursday. My personal interest is figuring out what is the most direct path between here and there to get it back to us to consider among priorities. The next one is item 87. This is setting a public hearing for August 6th. Ms. Houston, pool, is there another person that wants to hear that at this point? Then we'll come back to that. Item 93 is the -- quarter penny. >> I'd like to come back to that one. >> Mayor Adler: Come back? Okay. That gets us to item 94 was not -- staff is here to talk about it. That's the concrete pour issue. Is there a second person that wants to hear that discussed right now? Ms. Kitchen. >> Kitchen: Yeah. I pulled that item. I would just like to understand from the committee how they

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handled this item, and if they feel like they have addressed the concerns that were raised by the community with regard to it. >> Mayor Adler: We're on number 94, which is the ordinance related to -- >> Kitchen: I'm asking for a report from the committee, just to give us an understanding of what the committee came up with, and how that relates to the concerns that were raised by the community, so. >> Tovo: Actually, I should defer to the vice chair. And then I have some comments. >> Kitchen: Okay. >> Tovo: I don't want to put him on the spot. But, we, as I recall, voted to forward it on to council without a recommendation. I will speak individually -- presented us with some useful recommendations. They do not go as far as, I believe, they should in protecting the -- the real noise and disruption elements of concrete pours. And so I will be bringing forward some amendments to that on Thursday that are more consistent with the recommendations of the downtown Austin neighborhood association. But that will also provide -- and I think residential stakeholders were comfortable with this -- they will provide, also, a process where if there's a situation where a concrete pour cannot stop, they have the ability to get a variance or a waiver. >> Mayor Adler: Okay. Further conversation? Mr. Zimmerman. >> Zimmerman: Thank you, Mr. Mayor. I might be the only person on the council here who has spent ten-hour days in summer heat moving and finishing concrete. And as a humanitarian affair, I

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would recommend a councilmember go and pour some concrete in the hot summer sun, and have some compassion on the people who do this brutal, labor-intensive work and bring that into consideration when we're talking about working in nighttime hours. It's a serious job. And I think there are health risks to demanding that people do this in the hot summer sun. If there's some place to put a little compassion in for the people that do the work, I'd like to see that go into consideration on this. >> Mayor Adler: Further comments on this issue? Ms. Tovo, if you're going to bring amendments, please post them or circulate them as quickly as you can so we can vet them. >> Tovo: Part of why we forwarded it without a recommendation is, there was a sense that it would require some discussion at council. Is that my -- >> Renteria: You know, I -- you're not the only one that has worked with concrete. >> Zimmerman: Congratulations. >> Renteria: And roofing in the summer. So it really is -- I do have compassion to my brothers out there that are -- and sisters that are working very hard in this. It's -- you know, it's a hazardous job because of dehydration and the constant need for breaks. At night, it's a lot cooler. And unfortunately it's a job that has to be done. We're going to continue to grow. And we just can't stop it. Unfortunately, Austin has a very bad traffic problem. And there's certain times that you have to pour

concrete. You know, you don't want it to dry up on you really quickly. And those are the kind of things

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that, you know, our workers are faced with, and the developers, to try to work hard to try to make sure that their workers are working in a safe condition. So, that's my take on it. I really -- you know, I know we have to come to a compromise, because, you know, I've also been on the receiving end where concrete noise and beeping and construction, living next to it can drive you kind of insane, so. This is one of those kind of things that, you know, I -- you know, this compromise is what -- that came out. I'm supporting that. So. >> Mayor Adler: Okay. Any further comments on 94? Ms. Troxclair, and then Ms. Pool. Ms. Pool and then Ms. Troxclair. >> Pool: I think we all are in that place. After a certain time, I think 10:30 on Sunday through Wednesday, 11:00 on Thursday, and midnight on Friday and Saturday. And this is an attempt to balance both the growth and the need for people to do the work when it's not so taxing physically in the middle of the day. And it's also, I guess, better for the concrete if it's not done in the heat of the day. But also to recognize that since the late '90s, we've had a tremendous up-tick in residents living downtown. And to balance those needs. So, my understanding is that's what this ordinance is do, is recognize the health and safety of the construction workers, which I think we are all in agreement, that that's a concern. And then also to ensure that people who are trying to sleep because they are working during the daytime hours, that their sleep is not unnecessarily or -- it's not -- the noise is not exacerbated during midnight hours.

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>> Mayor Adler: Thank you. Ms. Troxclair. >> Troxclair: This is a tough issue. And I guess I just wanted to comment and say that we hear again and again the amount of time that it takes for projects to get off the ground and go through the city's permitting process, and actually get up and running is contributing to the affordability issue, because the longer it takes for them to be built, the higher -- the more it costs for the labor, the higher prices are going up. So, I just want to understand, especially if there are going to be amendments made that change the staff recommendation, I would like to better-understand what the impact would actually be on the projects that we have ongoing, how many would be impacted, what kind of time delays that would cause between the start and finish of the project. I don't know if that's information that we have, but I feel like that's another part of the equation that we need to consider. >> Mayor Adler: Okay. Ms. Houston, did you want to talk? Your light is on. Mr. Zimmerman? >> Zimmerman: One more comment on that. I was kind of hoping this could be approached in the same way we approach other problems of noise. Because I think the -- late at night. And so, this is not unique to concrete pours. Sometimes we have, you know, special events. We have live bands that are out. We have various parties and stuff that go on late at night. And the noise and the lighting is what keeps people up. And so, it was my hope that if we could mitigate those problems and shield off the light and keep the decibels down below what a night club does, that we shouldn't single out concrete pours or construction. >> Mayor Adler: Further

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conversation on this issue? >> Another question for the committee. I'm trying to plan for Thursday. So was there a public hearing at the committee, or do we expect to have pull public comment on Thursday? What's the thinking on this one? >> Renteria: We had a hearing. >> Kitchen: Are you guys thinking that we would be doing the eight people commenting on this Thursday, or is that . . .? What's appropriate for Thursday? >> Renteria: I don't think there were that many speakers that spoke in our committee

meeting. >> Tovo: As I recall -- and it was now two and three meetings ago -- I believe we had a hearing. >> Kitchen: Okay. >> Tovo: And then at our second meeting, the staff came forward. I should say, we had public comment. >> Kitchen: Okay. >> Tovo: And then at our second discussion of it, there were -- we pulled one or two people up to provide information. But the staff recommendation is considerably different from what it was prior to the public comment. And so, I believe we even had a discussion at our -- comment based on the fact that the ordinance is substantially changed. >> Kitchen: Okay. >> Tovo: From what it was to what the recommendations from staff are now. >> Kitchen: Okay. >> Tovo: I think we're going to need to hear from a broader range. That was part of why we forwarded it on without a recommendation, knowing we had to open it up again at council. >> Mayor Adler: Maybe the thing to do is four each side. But, given the circumstances, let's see how many people show up on Thursday and see if there's something that makes sense for us to fashion. >> Kitchen: The only reason I'm asking is it might be helpful for the public to understand how we're going to approach it ahead of time, so they don't come with certain expectations and then we do something different, that's all.

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I don't know that we have to decide it right here, I'm just suggesting that -- I don't have an opinion about how it should be. Whatever the committee thinks is appropriate. I just think it might be helpful to let the public and us know ahead of time what's the thinking. >> Mayor Adler: Ms. Gallo. >> Gallo: Trusting our memory, so much as going through our mind, is a challenge. But I do think that since the meeting, staff was going to have a conversation with the concrete pourers. One of my questions was, I wanted to make sure that the decibel limit that staff was recommending would allow the concrete pouring within that decibel limit. And then I think there were some other things y'all were going to visit. You might talk about that a little bit. But . . . >> Greg Guernsey, planning and zoning department. Yes, we're going to have a meeting, actually, tomorrow, with concrete folks and the music office, and from development services staff and talk about the staff recommendation, and also talk about the survey to clarify what staff's opinion is of the survey of the various Texas cities and the concrete associations. So, we'll be able to report out on that on Thursday. I don't have, obviously, the results from the meeting. It's going to take place tomorrow. >> So, there was a lot of conflicting information. There was a survey of the different Texas cities that indicated that they didn't have policies that allowed concrete pouring. The concrete pouring companies said, we pour in these cities. Staff was going to do more investigation to figure out, you know, how that was happening. One of the options that we talked about that we have is to delay a decision until all of these details are worked out with all the stakeholders. And then the interim ordinance

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would stay in effect until the council addressed that. So, depending on, kind of, where you are with your conversations, that's also an option, too. >> And mayor and council, there are two ordinances in your backup. One is a staff recommendation that comes forward. And should you choose to do first reading or postpone the issue, there's also a second ordinance in backup to extend the interim ordinance for another 90 days. So you have the maximum latitude to do whatever you want to do. >> Mayor Adler: Okay, thank you. Further conversation on this issue? Okay, we'll move to the next one. >> Gallo: I don't know if I heard an answer to my question about how we were going to handle public comment. Is the committee going to work that out and then let us know, or how're we going to do that? >> I think -- >> Kitchen: Okay, thank you. >> Reporter: Mr. Zimmerman. >> Zimmerman: Councilmember kitchen, on that, I thought we had the rules. And if something was heard, if there had been a hearing, we were limited to eight speakers. >> Kitchen: Unless the council as a group wanted to decide others. >>

Zimmerman: I thought we quit deciding others. >> Kitchen: I'm sorry. I'd have to go back and double check it. >> Tovo: Mayor. >> Mayor Adler: I think part of the concern was, if something had changed substantially from the public hearing date, it would be something we would discuss. I heard the suggestion that it had. >> Right. >> Mayor Adler: So in my mind, then, we would be fashioning something. And part of what makes it hard for me to predict is, if I have eight speakers tomorrow or ten speakers, my vote would probably be different than if I have 60 speakers. And I just don't know until we got there. But I understand the issue. And what I'm also considering, if we're going to have more amendments coming up, I'm real

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concerned that we're going to find ourselves on the dais trying to write policy. Part of me says if this isn't ready to go yet, maybe we should extend it for 90 days, have it go back down to the committee for the committee to then hear those amendments so that they can be vetted, rather than us on the dais trying to vet them. >> Zimmerman: I would agree, because we need to let the public know if we're going to limit it to eight speakers. There's no point in a whole bunch of people showing up. I guess that's -- that's to your point. >> Mayor Adler: We could extend it the 90 days. My preference would be, based on the conversation thus far, we have a proposal coming to us that's substantially different from what the public hearing was on. And we've been told to expect additional amendments. My preference would probably be to vote to approve the 90-day extension, have it go back down to the committee, and have it come back to us. >> Renteria: I would agree with that. You know, I do need more time to to -- and -- to see the new -- how it would be written, so. >> Mayor Adler: Okay. Ms. Troxclair. >> Troxclair: In that case, if the decision is made to extend the 90 days and send it back to committee, then it may work for us to continue with our limitation of eight speakers, because they will have an opportunity to have ample public comment in the committee, I would think the committee would open it back up. >> Mayor Adler: I would support that. Further conversation on this item? All right. Let's move, then, to item number 95. Which was the recommendation to support 2.5 version. I think that was the recommendation of the committee from yesterday. Is that right?

[10:45:11 AM]

Is there any discussion on this issue? >> Pool: I just wanted to note that there was some language that was left out of the minutes from November 20 of 2014. And I posted the link to that council meeting on the message board yesterday, and included the language. It was a friendly amendment to a Chris Riley motion. And I just wanted to highlight what that would be. It comes in on the next to the last whereas, after the approach 2.5 that's in quotes. And the phrase that would be added is "And included a focus on green infrastructure and sustainable water management. " that language was agreed-upon in November by the previous council. Documentation that came forward, and that was caught by a member of the code advisory group. And I would like to have that added in just as a reversible error, I guess. So, I'll have that amendment on Thursday. It's already been posted on the message board. >> Mayor Adler: Okay. Ms. Gallo. Did you want to talk? Okay, it looked like you wanted to. Okay. Any further conversation on this 2.5 matter? >> I have a -- >> Mayor Adler: Ms. Kitchen. >> Kitchen: I apologize, but I have the same question with regard to, is this one where we're expecting to limit our testimony to eight or not? >> Tovo: That would be my recommendation. >> Mayor Adler: This one seems pretty straight-up and hasn't changed. >> Kitchen: That's something we would let the public know, then? Okay. >> Mayor Adler: Okay. With respect to the earlier

[10:47:11 AM]

conversation we had about the mobility appropriation item, just the quarter penny, we haven't talked about that yet. We were going to come back to that. I want to point out to the council that Mr. Casar has posted some comments on the public board. And I think he also supports the additional time for the Adu conversation, which we talked about before in terms of the committee. Which means that Greg, somewhere en route, probably has his computer open. [ Laughing ] >> He's watching us. >> Mayor Adler: Hi, wherever you are. We'll continue on to the next item, which is item number 96. This is the Adu matter that we had talked about earlier. I guess we had talked about postponing the short-term rental unit. I just pulled this up because -- was this something that had gone to the committee as well? >> So the short-term rental resolution will be heard at council. >> Mayor Adler: Right. >> We kind of lapsed into an Adu conversation. >> Mayor Adler: Okay. >> As part of -- >> Mayor Adler: 108 so that they can take a look at that. Then I don't have any questions about it, with the process to run. 104 is going to go to the executive committee. That gets us to item 107, which is being postponed by staff. >> We had the 97, also. >> Mayor Adler: 107, the substandard lot question. 97 is the drainage charge issue. Ms. Kitchen? >> Kitchen: I pulled that just because I wanted to talk about the timeline.

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And it's really a question about whether -- and I haven't had a chance to talk to councilmember troxclair or councilmember Zimmerman if they would agree with this, but I'm wondering if we can allow some additional time to bring it up next week. And the reason I'm asking that -- if we need it. Because this afternoon -- at our last council meeting where we talked about the drainage fee, the council as a whole identified about five or six issues or concerns about the drainage fee. So we've had one meeting already with staff last week. We have another one scheduled for this afternoon. And then we have our committee meeting tomorrow. But then the very next day is the council. And so we have no opportunity to bring back any changes in a work session. And I'm not -- I don't know yet if we're going to work through everything on Wednesday or not. So, we certainly wouldn't want to delay this to August. But if we do have another meeting scheduled for Thursday that we could put it on, I'm just wondering if that's an option. I guess I'm asking that question. And -- after we had our meeting, just to give a little more time to think about it. >> Mayor Adler: So I think we have one more meeting scheduled next Thursday, the Austin energy meeting that we always seem to be moving past, move back. I'm trying to remember what it was that we set. >> Kitchen: Yeah, there was something else. Two other things? >> Mayor Adler: Red bluff is going to be just a push, I think. I can't imagine they've had a chance to be able to sit down and actually work through those issues yet in terms of that road relocation. And I don't remember what else we moved to the agenda. >> It seems like there were two items. >> Mayor Adler: Boards and commission appointments, we also allowed to happen on that day. >> Kitchen: Okay, okay. Well, my thought would simply be that, you know, we may find on

[10:51:13 AM]

Wednesday that we don't need that. But we also may find that it would actually make it smoother for the full council if we put it next week. So, that's -- I'm just raising that as a question. >> Is there staff here who can tell us whether or not we'd still be within -- >> Kitchen: As long as we addressed it next week, instead of this week, we'd still be okay for staff. We wouldn't want to put it into August, certainly. >> Joe with the watershed protection department. Certainly there's a sense of urgency to approve the rate structure so that we can have the information and billing ready to go for October 1st. I think if we can get to -- close on this coming Thursday and have a sense of where we're going, that would be advisable. I think one week, you know, delay, we could probably with work with that. And we may start

some of the implementation based on what we hear on Thursday. >> Kitchen: My thought is not to hear it on Thursday. That it goes to the committee. My suggestion is it goes to the committee on Wednesday, and if, at the end of the committee we feel like we need more time to talk about what the language would be, we push it back to Thursday. That's what I'm thinking. Push it back to the 24th. >> We can work with that. >> Kitchen: Maybe I'm raising something -- >> Troxclair: Based on our conversation at the last meeting we had with staff, I feel like there were some questions that were -- there wasn't necessarily consensus. >> Kitchen: Right. >> Troxclair: There were new questions raised. It's a very important issue. I know we're on -- know we're on a tight deadline, but it's going to have huge impacts on everyone in Austin. If we need another week to make sure the changes are thought through and we have an opportunity to discuss them at work session, that would be my preference. >> Kitchen: Okay.

[10:53:14 AM]

>> Mayor Adler: Okay. 104, executive session. 107 has been pulled -- will be postponed. 108, my sense is that it will be sent to a committee, together with 96. That gets us to 109, which is the boxwoods deal. Is there a second person that wants to hear that at this point? Okay. Then we'll come -- is that a yes? >> Yes. I'm a second on talking about that. >> Mayor Adler: Okay. Then let's talk about 109. Ms. Gallo. >> Gallo: The reason I pulled this is, you know, once again, my message will always be consistency and equality, and policy. And I know we took up an issue on a variance for the CVS or Walgreens or whatever it was. And there was no objection to that from that school district. And so we passed it, passed the waiver, agreed to the waiver. This particular situation is a waiver for the same situation, but the aid opposes it. And so I'm just trying to understand what our policy is on that. I mean, we have rules for a reason. But I want us to make decisions in an equitable manner. And so we've granted waivers for this in a little bit of different circumstances. We had asked staff -- and I don't know that they have the information yet or not -- but, you know, how many waivers have previous councils agreed to in this particular situation. Doing

[10:55:15 AM]

waivers to circumvent rules, and that we don't do them equally throughout the whole community. Since we're new at this, I'm trying to figure out what's been done in the past and what the reasonings are for them. >> Thank you. >> Gallo: This sounds like a great restaurant in a wonderful area. I know your children go to school at that school. I just have questions on how we're handling this across the board. >> Thank you, acting director for development services department. We share your concerns with regard to consistency as to how these waivers are processed. With specific Numbers, as well. We do have an unwritten policy with regard to the waivers. And the policy is pretty much what you've seen these last two instances. If aid does not protest the waiver, then you'll find that then we look at it and determine whether or not we want to recommend it or not want to recommend it. There is no policy that says staff has to weigh in on these waivers. Now, if aid does protest the waiver, then we're going to go ahead and protest it as well and not recommend it. That's our unwritten policy. And we've been able to apply it consistently across the board for these waiver processes. And it may mean that we need to write the policy down so that way we can make it very clear. Chris, is there anything else you want to add to that? >> No, other than it doesn't come up that Austin. It's just a coincidence we had two, last year there was only one, before that, there were not any. >> Tovo: What happened with the one -- because I remember one that was withdrawn. Was that, Mr. Johnson, was the one that was processed last year withdrawn, or did it actually come to council? >> Victor, development services,

[10:57:16 AM]

yes. I believe the one last year was withdrawn. >> Tovo: Okay. You know what, I know -- this is really complicated, because I think in general, I support having a policy and sticking to it. And I think the waivers should be considered on an individual basis. I mean, the good thing about it is that it does not track with the land, it tracks with the business. So we can make those kinds of individualized decisions. On the other hand, there are people watching how we're handling waivers to see whether or not they should bring forward theirs, or bring back theirs, as the case -- may be. How we decide on particular waivers will influence whether or not we see some others. >> Mayor Adler: Mr. Zimmerman. >> Tovo: I'm also a foodie. It's a compelling restaurant, but it is very close to a school. >> Zimmerman: This seems to me like an intensely local neighborhood decision. I don't know who in far northwest Austin and Avery ranch, who's going to even know what's going on in boxwood. So, I think this is where a city councilmember -- we're elected in our local districts to take care of the local needs. And make these judgments based on what our constituents are asking for. So, I'd like to defer to a local councilmember, because I don't see that my district has an interest either way. I'd like to see what the councilmember decides to do, and I'd like to support that, make it a local decision. >> Mayor Adler: Ms. Houston. >> Houston: I understand, councilmember Zimmerman, what you're saying. But we're all concerned about our children and the impact that having alcohol sales close to our children may have. I would, rather than granting variances, I would rather us look at the policy and see if

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the policy needs to be changed, because I'm going to vote against this because there's a policy. The policy is within 300 -- what is it now, I forgot from the last time. Is it 300 feet? 300 feet from a school. So when that policy was enacted, there must have been some rationale for that to happen. And so until we change the rationale and change the requirements, then I'm going to be voting against variances for alcohol sales. >> Mayor. >> Mayor Adler: Ms. Pool. >> Pool: I'll just note that if we do dig into the policy, we should look at the distance requirement, because currently, it's as the crow flies, the 300 feet. And in fact, the pizza which is across the street are actually physically closer to the elementary school, but, as the crow flies, they're a little bit further. And so, the walking distance from the elementary school to the front door of the various restaurants that are in this area is considerably greater than 300 feet. The policy says 300 feet as the crow flies. Of I agree, there are things that need to be looked at in the policy. But I also recognize that the neighborhood is not opposed to this. They have a milk and >> The kids come in Houston to the same owner. And that is outside of the restaurant. The restaurant is closed during the daytime period when the kids are there. And we're also talking about elementary schoolchildren whose opportunity to enter a restaurant and buy a glass of -- a the neighbors whose kids are surrounding this area are not opposed to the restaurant.

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>> I would conquer. I think with Ms. Houston and her respect and earlier Ms. Gallo we need a policy on this. Part of it is, I don't know what the basis is for it. I don't know if people are concerned that people are coming to buy a drink and leaving or buying alcoholic beverages and walking out with them or with sales and they can leave with alcohol. Or if there is a relationship between the restaurant where most of the sales are not alcohol. And alcohol is secondary. I agree we need a policy on this. I'm not sure we will vote against this one. I'm not sure that this one, given the support that it has " [audio skipping] And we talked about several different kinds of parameters that could be posed. I would like a committee to take a look at that issue. >> And. >> Houston: And mayor, I think there is another component in here, how does the district -- whichever district that is in that area -- how does the district come up with the

conclusion regarding whether or not they will support or oppose it? It is my understanding that aid does oppose. >> They do. >> Houston: So that is another part that I don't think we have -- that I have a good grasp on.

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>> It may be as the mayor pointed out, maybe it is the planning and neighborhoods committee for their consideration of the existing policy. We can certainly invite a member of aid. Not just aid. Pflugerville and main ISD to partake in the consideration. >> Houston: Please. >> Mayor Adler: Any further discussion on this? Ms. Gallo oil . >> Gallo: I find it interesting that the pta hasn't sounded in on it. Maybe they're not aware of it or if they don't make a stand because the school district is already opposed to it. That is a big missing component piece to me, in this discussion is the pta since your children go there. >> Tovo: This is an interesting one. It is councilmembers Gallo's district. I am happy to call the brackerwood's pta. I thought I remember hearing that, but maybe I'm confusing it with the case last week. I don't actually know that for sure. I'm happy to make a few calls. See whether I can hear whether or not the pta weighed in. But I guess I would say, too, I think it is the kind of case where the councilmember in that district can provide additional information or the councilmember in the adjacent district who may have a relationship as well. But I do -- I agree with what councilmember Houston said. These are policies. We all have an obligation to protect schoolchildren and look at variances carefully.

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And harken back to the point earlier. It may be in district 10 this week, but there may be one coming forward in your district in two months that the owners of that establishment are going to use this as precedent. So I'm going to push back against that precedent discussion, because while I think we need consistency, these are individual -- each of these is different and has a different flavor and a different set of circumstances. And I believe deserves an independent consideration. >> Ok. >> Garza: Is this a restaurant that just serves food presently? I know if is a restaurant, it normally can just only make its revenue -- it is a 51/49 percent where they can't make revenue over 51% of alcohol. A bar would be totally different where people come and get drunk. And you know -- >> Surely not. >> Garza: In a restaurant. Usually restaurants don't stay open very late. The people that come in and eat at these restaurants usually in the afternoon, evening somewhere between 7:00 and 10:00. That is where they mostly serve their food and sell their alcohol. So ... I would be supporting this one. But we do need to establish a policy on what we're going to -- how we're going to respond to the different situations. >> Mayor Adler: Thank you, Ms. Pool. >> Pool: Yes it is a restaurant, not a ball. If you look in the backup, the brackerwood association did send a letter of support to the association saying they're supportive of the restaurant being known as tiny boxwood kerrwood village. The board recognizes the

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standing policy is to object to any tab permit within a thousand feet of the school and the site is within the distance of the elementary. We have communicated with the district and had extensive discussions with the owners and appreciate the efforts made in engaging the community. Like councilmember tovo, I have folks in my district with kiddos in brackerwoods, my district is adjacent, but brackerwoods is in district 10. That is from August Terrence, the president of the brackerwood's neighborhood association, also known as happy for those that know Mr. Harris. >> Mayor Adler: Ok. Anything else on this one? All right. [Audio skipping] >> Kitchen: Let me pass these out in case folks bring them. I will hit the high points of the report and ask fellow committee members to weigh-in, if I miss or misstate anything you

want to go over. The first thing I would like to report is that this is the transition work group. And that these will be posted in the future. So that any councilmember can come and attend. We had some logistical errors in getting that done. We expect the next meeting to be posted. We have been meeting on every other Tuesday morning at 8:00.

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So -- which may change. That is what we have been doing. Anyway, they'll be posted -- [audio skipping] First off, this is working on logistical issues as they relate to implementing the ordinance change we made last January that relate to how council committees operate and how the council -- full council agenda gets set. So at the last page of this document has a running list of issues. It is under the item that says transition committee, items for further discussion. There is a running list of issues there that this working group is talking through. What we wanted to do today, instead of waiting until we were through all of the issues, we wanted to bring back some of the major ones we have been working on. That's what you see here. So very quickly, we are bringing back for discussion to the full -- to all of you, items related to public testimony at committee meetings, items related to the process of committee referral. Items related to agenda posting language for particular items. Now, should I go through -- maybe I should go through that in a little more detail? Ok. Under the public testimony at committee meeting, what we were addressing here is primarily just clarity. Clarity and standardization of language on committee agendas. So that the public was notified about how the committee was going to approach things. Unless the committee has set the item for a public hearing, under the ordinance. So again, that was a clarity. Because sometimes we're getting public comment. Sometimes we're actually having a hearing as contemplated in the ordinance on a particular issue. So we're also suggesting creating a general policy for all the committees of five

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speakers at three minutes each for the general public communication. That is what we have called citizen communication in the past, with the exception granted by the chair as appropriate. And finally, we have suggested standardized language on the committee agendas as they relate to that citizen communication. So Mr. Mayor, should I stop under each one and see if there is any discussion or keep going. >> Mayor Adler: Why don't you keep going. Then people can chime in. >> Kitchen: Under the process of committee referral, we addressed a number of parts in a number of procedural issues. First one being that items referred -- under the scenario that an item has been referred to the committee by a council vote, in other words, if something comes up, in front of the full council, and the council decides to refer that item to a committee. So we have got a number of procedures here related to whether or not the full council decides to send the item to a committee and table it or whether the full council decides to send the item to the committee and postpone it. So that's one area you can look at. Second area is referring items to the committees by the mayor or to councilmembers, what happens then. Again, these are nitty-gritty procedural kinds of details, talking about the forms and the purpose behind all of these is clarity and standardization. And the purpose behind standardization is to make sure we're all doing it the same way. Again, to offer some clarity to public and kind of mitigate any confusion from the public. So the third area is when items are referred from boards and commissions to a council committee. The fourth area is when the council committees are then referring items back to the full council. So this is pretty detailed. I would say that we're also working on a visual. A work flowchart to capture

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the detail under the process of committee referral. We don't have that ready yet today. But we're working on that also to help all of us as well as the public to understand that process. So then the final area is the agenda posting language for items. Again, we wanted some standardization so there is consistent posting language that the public can track. And the purpose there was to make sure that the public could track an item. So when a committee changes the content on the original posting, you track that by keeping the original posting and then adding additional language about what the committee is saying. So I'm going to stop here and see if you want to delve into more detail about the items or talk about them. >> Mayor Adler: It is my intention going forward to post on the work session meetings the opportunity to discuss our transition committee or our procedures. And I would ask that we add to the transition committee items to discuss focusing on making the most efficient use of staff time. Whether that means, you know, setting -- letting all the staff go subject to a 30-minute call, so everyone is not sitting and waiting for a long time. >> Kitchen: Ok. >> Mayor Adler: Conversations on these issues. Ms. Houston, then Ms. Pool. >> Houston: Thank you, mayor, thank you councilmember kitchen for the new draft. It is going to take me a few minutes to go from the old draft to the new one. But thank you for trying to incorporate some of my concerns initially. >> Kitchen: Ok. >> Mayor Adler: Ms. Pool. >> Pool: Under the committee meeting, I sent clarification that there are two things happening.

[11:15:25 AM]

One is that the language for citizen communication and how many people and how long. It is not normalized across the committees. They're different in all of them. So we need to come up with one standard statement with the number of people and the number of minutes. Then there is some interest, at least on my part, mostly when people come to my committee, they're speaking on topics that are posted on the agenda. And that's where we do citizens communication. So I wanted to highlight that. I did provide that information. It is not in here. >> Kitchen: Yes -- it is. I'm sorry. Go ahead. >> Pool: It may be that we stay with citizens communication the way it is at council meetings where it is topics that are not posted on the agenda. But I just want to have that conversation and really clear it up because I have done it both ways. I have not posted but people went ahead [audio skipping] And spoke off the agenda. We're working through it. I look forward to having one way that I can rely on, too, so I can help the public know what to expect. >> Kitchen: I think we can certainly have that conversation right now. We tried to reflect the fact that it is currently -- you will see above the bullet it says currently the language is different among council committee. So should we have some discussion about this now or do you want to take it back to the committee is that what you are thinking? >> Pool: I will say take it up back at the committees. We haven't dug into it because of more pressing issues. I think it will help everyone to have standardized language for citizens communication. And agenda posting items. You reference agenda a that isn't in this printout. We should get that. And items for future discussion, I had my committee clerk create a signup form

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for -- to take into citizen communication. And the first form didn't have for or against or affiliation. It is just a name and item number. I will provide to the transition committee an example of the form open space is using, and it does include whether the citizen is for or against an item and the person's affiliation, which I think is important. And whether they want to donate time. So that we're [audio skipping] Tracking some of the committees. >> Mayor Adler: Sounds good. Ms. Troxclair. >> Troxclair: I didn't see it in here, but one of the things I would bring up that we had discussions about in my committee is whether or not we need to have actual language before something is voted out. You know,

sometimes we have an actual resolution in front of us. And honestly there is little details that end up being the biggest points of discussion and then at our last meeting, we just had a policy idea. But no resolution. And, you know, for me -- it made me uncomfortable not having something to actually vote on. And the committee did end up voting the broad policy idea out of committee. And I think the item is coming to a full council agenda near you soon. But [chuckling] But I guess that it is something that the transition committee should probably talk about. My personal experience so far is that the wording of the resolution is important. If at all possible, even if we have a broad policy discussion and come up with the resolution and have the resolution to vote it, for me, it is important to actually have something to look at to vote on. But there seems like there is differing opinions about [audio skipping]

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About whether or not that is necessary. >> Kitchen: It is proposed for y'all's review is under the page 2, bottom bullet. Referring items back to the full committee. The third and fourth bullet gets at what you're talking about. And what the committee came up with, but sounds like we need to talk about it more here. And that's where it says it is preferable that a recommendation to the council from a committee includes resolutorial ordinance language but not required. So then it says, if a committee recommendation does not include specific resolution or ordinance language, councilmembers may submit the draft resolution or ordinance language to the agenda office as backup. So that's a very good question that you are raising. So how does everybody -- I mean -- >> Houston: Mayor? >> Mayor Adler: Ms. Houston then Ms. Pool. >> Houston: That is my concern, too. My understanding in the change of process in the way we were doing business is people would have an opportunity to give input into an issue or policy before the resolution or the ordinance was written. But we cannot -- it seems, post for a public hearing. I see that has been changed. So I guess my question is: Where does the public have an opportunity to have input before a resolution is drafted? Because it is my understanding and my hope was that we could get buy-in from having public hearing, having staff of the council and staff of the city work together to bring forth a resolution that people could agree on. But in this process as it is laid out, I don't see that opportunity. So can you help me figure out where are the public hearings held and how is that information included prior to writing an ordinance or

[11:21:32 AM]

resolution. >> Kitchen: Couple of issues going on. The first issue about posting and then we'll get back -- the first issue -- it probably needs more clarity to specifically talk about what you're raising councilmember Houston. But it says use the term public hearing -- use the term public comment, not public hearing unless the committee has set the item for a public hearing under the ordinance and refers back to the ordinance. So the committee can set an item for a public hearing and state that on the agenda. So that is how the public hearing happens. >> Mayor Adler: You know -- >> Kitchen: Before we move off that one. I have often used [audio skipping] The phrase "Public hearing." What the intent is, when they set something in the committee to be considered, there is an invitation for the public to come and talk about it and add comments before anything is approved. Then the question is: Is that opportunity for the public to participate, is that a public hearing or is that a public comment or what is it? I most often uses the words "Public hearing" but legal has come to us and said be careful -- even though it looks like a public hearing and the public's participating, that is not really a public hearing. That is a public comment. >> Kitchen: But our ordinance -- the reason that we reference the ordinance section

here 2-5-107 uses the term public hearing and it states that a committee can

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set a public hearing. So we have authority to set a public hearing by a committee by the ordinance that we passed in January. But what we're trying to say here is a committee should make it clear to the public whether they're setting a particular item for a public hearing or whether it is a public comment. >> Mayor Adler: What is the difference? >> Houston: Can you hold on -- [audio skipping] Health and human services had some of our initial hearings. We called them even though we had a resolution in front of us, we called them a public hearing because we wanted input from other people into how that resolution was drafted. So I think we really need to be clear about how the public gets in front of whatever it is ultimately drafted and sent forward to the full council as you have it on page 2, the third bullet. >> Mayor Adler: Now I'm real confused. >> Tovo: Mayor? >> Mayor Adler: Mr. Zimmerman. >> Zimmerman: I think a perfect illustration of what you are talking about -- I am glad you made that illustration. We had a public hearing on body cameras for police. I wanted to hear from the public. What we're saying from public comment, trying to collect wisdom from all sides so we might draft a resolution or ordinance. Once we have a draft or resolution or ordinance how we should have a public hearing to talk about what we put on paper and thinking about doing. So I think a great way of doing what you said, I like that is [audio skipping] Is we have a draft, now we do a public hearing on the draft. Does that make sense? I way to divide the two?

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>> Kitchen: There are certain things -- >> Mayor Adler: Turn your mic on. >> There are certain things where there is a legal requirement to have a public hearing in front of the full council. That is the issue we were concerned about. I don't know if Debra has anything further to add. When we talk about a public hearing pursuant to the state law it has to be in front of the full council. I think otherwise you [audio skipping] You all are using the terms [audio skipping] Public comment. Any juncture you want, it is up to you all to know how many times you want them to come. We will work with you anytime, if there is an actual requirement to have a public hearing before the full council to make sure you actually do that. >> Kitchen: My thought is -- we can take this offline, but we use the term "Public hearing" in the ordinance that we passed. So my understanding is those kinds of public hearings are for purposes of the council committee, so we can use the term public hearing. I like the distinction that councilmember Zimmerman made. It might be the kind of distinction we want to make. But -- are you suggesting that we can't use the term "Public hearing." >> No, I'm suggesting that there are times when you are required by state law to have a public hearing in front of the full council. I think when you drafted the ordinance, you all hadn't had this conversation you wouldn't as knowledgeable about the difference between public hearing and public comment. >> Kitchen: We are understanding that we can use public hearing and sometimes it is required under state law under those circumstances we have specific requirements to meet. But sometimes we're using public hearing to refer to what we want -- what the committee is doing, perhaps along the lines that councilmember Zimmerman suggested. Make sense. >> Mayor Adler: Ms. Tovo. >> Tovo: Comment. I suggested that we use the term public comment and added it into the transition document. I really intended for it to

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replace public hearing in addition to in the ordinance. Here's why. I think that -- I think we have certain ones that have to happen at council, we should use public hearing in that context. We use them

interchangeably. It creates enormous confusion for the public. I think we would be better off having one phrase that we repeat when at a committee there is an opportunity for the public to speak and offer their feedback. So I really did intend to pose that as a replacement for all other language that we might use to describe opportunities when the public can talk. You know, I remember one case -- one instance where there had been [audio skipping] Lots of public -- some one member of it come back and talk during citizens communication. So I don't want to necessarily highlight that individual or the issue, but there was a resolution from council, a lot of community stakeholder input. Lots of public input. Lots of changes along the way. Lots of opportunities for the public to speak, but there was never any official public hearing because it didn't meet the criteria. It wasn't a zoning case, I guess. But because there had never been that word, we continued to hear, well you never had a public hearing. I think getting -- I think getting one consistent way of talking about public feedback is important at our committees. I would like to see us use the word "Public comment." It creates confusion. Was there a public hearing. Why only public comment? What we're trying to do is solicit feedback from the public. I would keep it general. >> Houston: Mayor pro tem, am I to understand that a public hearing is only in front of the full council? >> Tovo: My opinion would be that we reserve that term for what happens before the council in the required -- in

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that set area on our agenda where it says public hearing, where we have to set the public hearing and it has to come back and be in the public hearing section on our council agenda. We always have public comment on any other issues on the agenda, but I would reserve that phrase just for the issues that have to go in that section. >> Houston: So it was my understanding that some of the reason why we're doing committee structure is to move some of that public hearing testimony down to a committee level so we could take multiple times to hear from the public. So if they hear that public hearing is only before the 11 of us, then why should they come to a public comment section when there are only four of us. >> Kitchen: That's right. That in effect causes the concern that -- I mean it kind of negates what we were trying to do. We would also have to change the ordinance. >> Tovo: Well, we may have to change the ordinance because there are other things that are identified. I'm ok with making changes. I just -- I just -- I'm real concerned about that being confusing to people. >> Mayor Adler: Ok. >> Tovo: We have public comment on a range of things, and it -- I sure don't want to then have a situation where we use public comment and public hearing on the committee agendas that is even more confusing. >> Zimmerman: This is what we're talking about with process. This is a great conversation to have. We say commentary public comment is the initial part of the process. That comes to committee. No draft on the table of what we're proposing to do. We come, in bring, gather collective information. Commentary. The commentary in the committee develops a draft resolution or draft ordinance then we have a hearing on the

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draft. It defines a process. We start with public commentary and we move to eye public hearing once we have something drafted -- drafted out. And the committee hears the testimony and decides whether to move it to the full council. Use comment for the initial formulation. Then hearing and then decide to move it to the full council. >> Kitchen: That raises the issue that councilmember troxclair raised, which is when a committee votes something out, should they be voting out language. So ... >> Zimmerman: I think they should. That is what all this commentary was about, draft some language, have a hearing on that and then decide to move it forward. So the idea is we're getting closer to something that makes sense that the whole council would like to act on. >> Kitchen: Well should we take this back to

committee and address the concerns everybody is raising? >> Mayor Adler: I think the transition committee should talk through the issues. >> Kitchen: Is there other things you want to say -- >> I would -- >> Garza: I just want to on the process of the committee referral, if we can just clarify for me. Maybe not reading it right, but the committee chair and members still have the authority to discuss or not to discuss the item in the description. Does that mean they don't have to -- if something is posted on the agenda that they don't have to discuss it? On the first page? >> Kitchen: Ok. I'm sorry. First page. >> Garza: The council sent items to the committee. I don't know in table. It says that the committee chair or members have the

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authority not to discuss -- to discuss [audio skipping] >> Mayor Adler: Have the ability to not discuss it but if a councilmember wants it discussed by the council, we have alternate ways that the councilmember can get it back to the council. The committee can't kill anything. But they can decide as a committee, the committee didn't want to handle it. If the councilmember wants the council to do it, he has to find three other people to take it straight to the committee or something like that. >> Garza: I was concerned that the public might get confused if anything is sent to a committee it will be posted. >> Mayor Adler: The committee by its act and conduct would have to decide not to address it. >> Kitchen: Essentially what we're saying here is if the full council votes to send an item to the committee, the committee can still decide not to hear it, that's what we're saying? >> Zimmerman: If I could, what you are also saying is you are distinguishing -- I like what you are doing here. You can say the council can vote on whether they intend to hear it again, whether or not the committee acts or the council says you have to bake this better, you bring it back when it has a hearing and better processed. >> Garza: Will we notify the public in that is the intention. >> Zimmerman: I think so. >> Garza: Ok. >> Mayor Adler: Ms. Gallo. >> Gallo: I was going to make another suggestion and carry forward the thought in what was said. My concern in the process -- and I think we need a solution for it is [audio skipping] That the committee is going to take that up. And if it doesn't take it up, then I think the item needs to automatically come back to the council. Because what happens is things get referred to committee and then the committee doesn't do anything with it, and they're

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just in limbo and the public is, well, what's going on here. I do think that we perhaps need to come up with a system so that that doesn't happen. So that was my comment on that. The other comment, councilmember kitchen, thank you so much for doing all the work on [audio skipping] You had communication which is on Thursday, based on what happened on the committees. I think with the posting it would be really helpful for both us and the public to know, as it comes out as it has the section that has it being heard before a committee. It would be helpful to know what kind of communication would be allowed at the council meeting as a result of what happened at the committee. That should be part of the posting. So we see it and the public has an opportunity to see it way in advance. >> Kitchen: Ok. >> Garza: One more question. >> Mayor Adler: Yes. >> Zimmerman: I have a question for councilmember kitchen, page 2, middle bullet. Items referred to council committee. The second one says the items should be listed under the sec of the committee agenda titled potential future items not open for public comment, can you explain that a little more anymore. >> Kitchen: The thinking there is if an item -- if a board and commission is making a recommendation, there would be a process by which that would be assigned to a committee. It would go on the committee agenda under potential future actions. And that you wouldn't be taking public comment at that point, because there is still just potential future items and the committee would have to move it up to put it on the agenda. Once that is

done, there would be comments hear on it. >> Zimmerman: I think I see what you are saying. You are giving the committee a chance to schedule it. Again, this would be a hearing because the boards and commissions are bringing something specific to us?

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Right. >> Kitchen: Right wroim they're bringing a resolution or something to us, that makes sense. >> Tovo: If I may, therein lies the confusion. Sometimes what comes forward is a one statement and sometimes a resolution. If you judge if there is a public hearing whether or not coming is fully drafted. There is not a standard you can apply to that situation. >> Zimmerman: Ok. But there is a standard, right? If it is well baked enough into a resolution or ordinance then we can have a hearing on it. If it is not that fully developed then the committee has to open for comment again. >> Kitchen: The point you're raising is that the committee then makes a decision to move it up to the next stage. >> Mayor Adler: Ms. Houston. >> Houston: I was going to say that I think council committee should have the option of having public comment, because that gives us some context about what happened. We were not in the board of commission hearing when it went on. You receive a piece of paper with the referral and perhaps a resolution or ordinance. But I think that should be something that should be flexible. So that if the committee feels like they need public comment, they can post it for public comment. >> Mayor Adler: Ok. We had also talked about, as I recall, back when we were doing this, the concept that if a committee was hearing something that had been -- come from a board or commission, that the committee could invite the chair or member come sit with the council. If that is something that they wanted to do. >> Garza: I have one -- >> Mayor Adler: Yes. >> Garza: When you say item referred from the board and

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commission to the council committee, and it is -- I think that is the second sentence down or third. Therefore that mayor's office -- it says when the board [audio skipping] Make a recommendation to the mayor and the council thereupon there would be and later the mayor's office or clerk's office. >> Kitchen: Oh, I see. It should be -- well, whoever is setting the committee agenda. >> Tovo: It is the agenda. >> Kitchen: Thank you. One other thing, then. The list where it says transition committee items for future discussion, you know, take a minute, look at that. If there is more you want to add at any time, let the committee know. So we'll keep a running list. And could I have a little more comment from people -- I'm sorry -- just for a minute or two. About what councilmember troxclair raised. So that will inform us more when we get in the committee to discuss how people are feeling about when the committee makes a recommendation on whether they should have language they're voting on at the time they make a recommendation back to the council. >> Mayor Adler: Ms. Pool poil. >> Pool: I think we need to ensure maximum flexibility there. You will not always have the language. That is part of what the proceedings in the committee will be determining and highlighting. I think we can certainly have as a report out of the committee and maybe a summarization by the chair that would be captured in the minutes of the meeting what -- how the conversation among the

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committee members proceeded. And there would more likely than not be a sense of the committee that could be put into words, reduced to a document afterwards. I think we may be overlooking in the role that the committee notes and records play in this effort. I hope all the chairs look at the committee minutes to make sure they're sufficient and that they have sufficient detail. I think the detail in the notes

is really important. So I think -- councilmember kitchen, to answer your question, we need to have it be as flexible as possible. You might come with a resolution that is tweaked or not. You might not have language, but you end with language that is written there or reduced in the committee minutes and produced at a later time. >> Kitchen: Ok. >> Mayor Adler: Myself I would probably say I wouldn't want an absolute prohibition of the committee sending something forward. It may be a concept that is simple enough that it can be handled. Consistent with my fear that we are on the dais writing policy, if we get something back that is new language or get three or four different suggestions [audio skipping] Of what the language would be and then come back. I would agree, I wouldn't put in an absolute prohibition, but I would put in language that says it is discouraged and [audio skipping] And I am declined to send it back to committee if it hasn't been resolved. >> I would add to that, it is the committee's discretion to hold on to an issue for a subsequent meeting. It doesn't have to go immediately to council agenda. We might decide in the committee meeting that, you know, we took the comment this month. We want to think about it, we want to come back with

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something written for additional commentary at the next month's meeting. That would actually save the time and effort of putting it on a council agenda. >> Mayor Adler: That would be best. Rather than going up-and-coming back down. >> Pool: Have the discussion ourselves in the committees. >> There will be an early release at city hall at 3:00 today because of the weather. It that means we need to adjust our agenda, just so you know that. Not to say that we would not be here if we needed to. >> Mayor Adler: The last off the ship. >> We would be the last to leave, that would be you. >> Mayor Adler: Last off the ship. Further comment on this issue? >> Houston: I have one last thing, something that councilmember pool mentioned. Is there a time line when we have to bring things back to the council? Because we spent some time -- we only meet once a month, and with the kinds of schedules that we have, it is hard to pull in a secondary meeting. We have done that once. And that went kind of quick. But is there somewhere in this transition plan or in your thinking that says we need to bring it back the next council meeting? Because sometimes, the issues, like the smoke ordinance, that took us a couple of months. And then we still haven't gotten a resolution or a recommendation back to council. We'll be working on that. So I didn't know that we had a time line to bring it back. >> Mayor Adler: I don't think that there is, unless we have something -- the council could send something to the committee and postpone it until time certain. The council could say we're sending this to the committee and it is coming back to the council in the second week in August and the committee knows that. It can act accordingly or not

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is my sense of that. Ms. Can I haven is that yours? >> Kitchen: Yeah, we have instances where we did ask committees to look at something and bring it back by a certain date. So -- I think practically speaking how that would work is if the committee wasn't able to do that, it would suggest waiting or the council could go ahead. >> Mayor Adler: Anything else on this? All right. Ms. Kitchen thank you for taking the laboring oar on this issue, and for the rest of us. >> Kitchen: Just a reminder, we will start posting these. So anyone is welcome to come. We'll make sure everybody knows about it. We'll take the comments that everybody raised today and have further discussion in the committee. >> Mayor Adler: Ok. That has taken us through our agenda. We have several items to cover in executive session. It is a quarter to 12. I don't know now that we have gone through and people have seen what we're left now with only those things that only one person wanted to hear. Maybe some of the questions can be best asked by question and answer. But I would next go through this list and see if the person still wanted to raise this issue in this forum. Ms. Kitchen. >> Kitchen: If you will go back through the list that is fine. >> Mayor

Adler: I'm going back through the list. Item 2 was pulled from the pulled list. Four we handled, five and six are executive session. 7 was the nonsworn positions. Ms. Tovo, did you want to address that? >> Tovo: I think I can do it quickly. Again, we asked staff not to remain. I really just had a question for my colleagues. As I recall the memo, which is here somewhere, there was one position out of an amount of about 27,500 as I recall recalled for removal.

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-- Identified for removal. I want a sense if there are amendments to remove other positions that are either in progress or otherwise on Thursday. Because if so I want to spend some time getting more information about whether or not those are necessary. Can you remind -- this is 7? >> Mayor Adler: It is number 7. >> Tovo: I think I am remembering those correctly. That is my best memory. >> Mayor Adler: Ms. Troxclair. >> Troxclair: We just got this list this morning. I haven't had a lot of time to fully review it. But just on my initial glance, I am concerned about the officer real estate service position vacant since 2008. I know it says in process. But I still question a position vacant for seven years if that is a truly needed position. And I would also maybe look at addressing the two positions in the public works, [audio skipping] There is not the workload to -- I don't see why I couldn't add those two positions. Add those to the budget cycle instead of having the positions linger indefinitely to public works when we had a discussion about the fact that the positions are not going to be filled in this budget cycle. So those are - - oh, and I do, I will get with financial services and ask more questions about this, but there was -- the one position we talked about specifically

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[audio skipping] What the situation is. In the couple of minutes that I've had to review it. >> Tovo: Thanks. That's helpful to kachture, the services that the staff propose be cut. Office of real estate serveses. Is this that closes 6/25. >> Troxclair: Yes. >> Tovo: Public works, the transportation as well as the capital projects or just the capital projects? >> Troxclair: I was -- just the capital projects. But I would -- capital projects were the ones that caught my attention because those are the ones I know for sure are being transferred. I would have questions, because the transportation position -- it says not in process, reclassification pending. >> Tovo: I will assume that will come up, too. That is helpful. I ask that the staff be prepared, if we're going to be discussing each one of those on Thursday, if we get out of here on time, I will submit a question. Otherwise, if we could get more information about those positions and why management has not proposed those for cuts. >> Mayor Adler: Ok. Thank you. The next item we have would be item 13. Which is the reservoir. Do we still want -- do we want to discuss this in this context? This was you. And I don't know if it is a question better handled in q&a or whether you want to do this here. >> Troxclair: Oh, I think I did submit this to q&a. I can wait for the response. My concern is mainly focused on the commercial paper issue. We were told commercial paper is used specifically for

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infrastructure. There are a couple of things on the agenda where commercial paper is being used for operations and maintenance. I want to understand the difference of when we use commercial paper for what purposes. But if you would rather just get with my office, that is fine, if nobody else has that question. >> Mayor Adler: Answer that question, briefly. >> [Indiscernible] >> Mayor Adler: Speaker on, please. >> [Indiscernible]. We only use it for capital improvements. Reservoir improvements are capital improvements. These are reinvestments in rehab -- rehabilitating reservoirs. >> Troxclair: For

engineering and design services. >> That is part of the capital investment. >> Mayor Adler: Thank you very much. Item 14. Is that the same kind of question? >> Troxclair: Oh, I can ask these separately. >> Mayor Adler: 17, same? >> Troxclair: That's me, too? >> Mayor Adler: Uh-huh. >> Troxclair: Oh, I just wanted to understand -- I think part of the reasoning given in backup -- so this is a home that was donated or piece of property that was donated to the city. Was originally, I think used to -- as a homeless shelter to aid the homeless and donated to the city and now we're going to renovate it and use it for additional capacity for the convention center? Is that a correct [audio skipping] >> For use by the Austin city convention center. >> Troxclair: My question is

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if this land is in a good location or property, were there other purposes considered and use for the convention center was the thing that was identified as being the most useful or in most need of? Or were there other purposes to be used for the city that were considered? >> So this particular facility was part of land that was put forth for walker creek development with waller creek conservancy. And during that process, this particular facility was deemed to be the best and most appropriate use for it. Is supports the creation of world class public space that not only enhances the downtown but also enhances the position of the Austin convention center to host certain events. >> Troxclair: Do you know, about how big is this structure? >> Councilmember, I don't know the square footage. I can get the information to you. >> Troxclair: I'm guessing that with the price tag at \$750,000, I was -- I don't know how large of a structure that would be. I'm wanting to understand, if this is additional meeting space for the convention center, it seems like this would be significantly smaller than anything available at the convention center. I want to understand the background more. It seems like we have -- like I said, a piece of property in a really good location. >> There is additional uses besides -- in this design, beyond just the one building. [Beeping in background] It is tied into the landscaping and trail as well. That is more than just the renovation of the building. I would defer to acm Edwards. >> Sue Edwards. This is not my project, but I can add information to it. This particular house was an old house that has been moved to the convention center's property probably -- oh, I want to say 10 years ago and

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it has been sitting because there was not enough money to renovate it. When the waller creek conservancy was formed, it became part of the waller creek conservancy district. The convention center wants to use it for a small amount of staff, I believe, but mainly for social events. So that when they have conventions and the convention wants to have a small social event that they would have it there. Michael bomfall conburg who is working with the convention center and the conservancy is helping design that whole particular area of the park. [Audio skipping] And there will be a facility to make it a very comfortable social facility for the convention center. >> Okay, thank you. >> Mayor Adler: Okay. >> Houston: I just have a quick question. Can you tell me where on the convention center site this property -- this house is located? >> It's across red river to the west. It's directly across and about in the middle of the block where the convention center is on -- I mean, over to the east, I'm sorry. The convention center is on the west side of the street. This house is on the east side of the street. >> It's just south of the moonshine. >> Houston: And it's been there for a while. I know where it is. Thanks. >> Mayor Adler: Thank you very much. Number 18? Ms. Gallo, you pulled this. >> Gallo: My question was really for staff just to understand where this was. It's my understanding that the way finder system is a series of signs for downtown to guide pedestrians to local venues. And what I'm looking at, this money is coming out of the transportation department, is what our backup says.

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And it is basically intended for pedestrians. I would guess the majority of them would probably be visitors to our community. We spent almost half a million dollars just on talking about it, and design, and I don't think that covers the hard cost of actually installing the signs yet. And when we have so many infrastructure and transportation needs throughout this community, speed control, paving and potholes, the list goes on and on and on. And -- on. My concern is we spent half a million dollars talking about this and had hasn't been implemented yet. I want that to be part of the budget process. We have so many transportation needs. So the question would be, number one, the amount that we have spent so far. And number two, trying to understand why this has been put in transportation's budget versus convention budget, economic development budget, visitors budget. It just seems like it's for a specific area, targeted to a specific population, which is probably tourists visiting our community. And we just have so many needs transportation-wise through the rest of the community. I'm just trying to understand. >> Certainly, transportation department. This is a project that is -- was developed through the planning group, the planning department, planning and zoning as part of the downtown redevelopment concept. It has a transportation focus in that it is being funded through revenues generated or fees generated through the parking fund. And so, yes, it comes through the transportation department. But it's generated through the parking fund, through the meters downtown. It does help transportation in a couple of ways. One, it helps direct people to

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locations. Part of the function will have parking way-finding as well as the pedestrian way-finding. And so, part of the plan is that it will help people get to their destination faster, which will do two things. One, keep them from circulating around the block or looking for available parking in a parking garage. And we know from other cities that reduces the circulating driving. But then also enhances the pedestrian environment so that people can leave their car parked longer periods of time. In other words, if you bring your car, park it once and then use the way-finding to help direct you to the location of where you might go so you know what's in close proximity. Correct, there's been a lot of work to do to design. What we've learned is there's actually a lot of design work in conceiving how to direct people. It's designing the patterns to get people to where they go. The transportation department provides the funding for that. The hard cost, as you said, the designs are getting ready to be manufactured. Public works is doing the installation. I'll leave it to the director. >> Gallo: That would be great. What's going to be the cost to get this completed? >> In a future meeting, the first days of installation, [ inaudible ] Million dollars. Part of the cost was for the development of the master plan and the design standards. Those won't change -- fully implemented, become less and less a percentage of the total. Any time you start a phase program, it look like it disproportionate soft cost. As the whole program is implemented, it will become a

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more reasonable percentage of the total. >> Gallo: What would be the total cost, 1.3? >> As I remember, \$1.3 million. And the cost of this, with this amendment, is 400 -- total cost is \$428,000. So -- >> Gallo: That's for the design component. What's the total cost it the project? >> About \$3 million. >> Gallo: 3 million. Okay. >> Mayor Adler: Okay. Mr. Zimmerman, and then Ms. Houston. >> Houston: Be my guest. >> Zimmerman: Okay. This underscores some frustration I have. I guess, this kind of program or mapping, way-finding is more useful for a congested downtown area. This kind of stuff drives my suburb constituents crazy. As councilmember Gallo pointed out, we have incredible transportation needs, real

infrastructure, real projects like congestion relief. To me, this conveys the idea that we've raised a white flag on solving the real hard problems, let's put in a sign system. I'm going to be voting against this and any other program that's not focusing on our real serious, core problems. Let's take this money, hundreds of thousands, million dollars here and there, pool that money and start tackling our real congestion problems. We had a town hall, and I was grateful that we had some public works people come out. They did a great job. David did a very good job. We were talking about Anderson mill road. People were talking about the danger there and the accidents we've been having. The point keeps coming up, there's no money. Well, there's some money right here that our constituents think would be better-spent at least on an engineering plan for widening the Anderson mill road. I know we have projects like this all over the city that are a much higher priority than this in my opinion, so I'm going to

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be voting against this. >> Mayor Adler: Okay, Ms. Houston. >> Houston: I don't have a whole lot of people in suburbia, but the same concerns are for people who have been in traditionally low-resourced areas, as far as the infrastructure needs that they have identified. And so, it's hard for me to be able to explain why we would spend this kind of money in a very specific, very narrow focus location, when there's so many elderly people need sidewalks. They're walking in bike lanes because we don't have money to do those kinds of things. So, this may be already too far along to stop. But I think as we begin to think about what we do for visitors in the future, we remember >> That has been first approved by the council in the downtown plan itself. There were consultants hired to work through the process, helping to plan the way-finding. And there has been a lot of money spent over the years. It's been about five years in the making. So I just wanted to share that information with you. I do not disagree with anything that any of you have said, but I would share with you that there has been a Progressive amount of money spent during the last five years, because this was incorporated into the downtown plan and approved by the council at that time. >> Mayor Adler: Thank you. Ms. Troxclair. >> Troxclair: So this particular contract, I guess the total authorization is \$428,000. But this is still professional services. Are there going to be more costs incurred going forward to complete this project, and if so, how much are we talking

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about? >> As I stated before, councilmember, there is a contract for installation coming back to council with the \$1.3 million. This contract includes construction phased services for the engineer, because we are putting structures in the right of way, to oversee the installation of those signs. >> Troxclair: So in order -- if -- so in order from today until completion, our vote tomorrow will really be committing about one point -- over \$1.7 million to the completion of this project. >> The vote tomorrow is to complete the construction documents and to provide for future construction phased services. The matter for installation has not yet been presented to council. >> Troxclair: Sure. Be if we approve this -- there's no point in going forward with the step in front of us if we wouldn't go forward with the step after that. We are talking about a lot of money that we're committing to see the completion of the project. >> As Mr. Spillar and I have stated, the total project cost is \$3 million. It's being done in phases. I think if you're stating that you want to have a full awareness of what the total project cost is, then that's a reasonable statement to make. >> Mayor Adler: Okay. Further comment? Thank you very much. The next item we have is item number 3. This concerns the city's practice of -- I understand, giving a pass to people older than 80 years old. You pulled this, Ms. Houston. >> Houston: Yes, I did. It's not a big item. I think we got some late backup. There are about 40 people, \$34 for people over 80. It's one of equity. Does everybody in the city of Austin that knows about this have an opportunity to apply for it, and does everybody have

to come before council to get that

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approved? >> So, Kimberly, assistant director, parks and recreation department. In 1993, the parks board -- which I believe was called the parks and recreation advisory committee -- passed a recommendation to allow citizens to be able to have this opportunity when they turned age 80. I beg your pardon, 85. In 2003, it was revised to turn 80 years old. It was reduced by five years. Once you reached the age of 80, you could have this opportunity. Each time this comes forward, there's criteria. You have to be nominated by somebody else in the community. And the community -- the individual has to put forth some information about why Barton springs is a beloved location. So, after that, it comes forward to council on individual approval, and it's approved via an ordinance that allows council to make the decision whether they want to waive the fee and allow the lifetime pass. And it comes before council each and every time. >> Houston: Mayor, I love mayor Cooksey and his wife. They're fine people. But this is one of those examples of systemic issues. Everybody doesn't have that opportunity. They have to get nominated. They've got to -- it's not free for everybody in the city that's 80 years old. They've got to spend our time affirming that. And so I think that's something that we need to look at so that all people over 80 have that same opportunity. And that's something that the staff can approve. I don't know -- it sounds like that's an elitist thing that they have to come before council. And so I have a concern about it. It doesn't make sense to me. >> Mayor Adler: I'll refer to that open space, because I also read the thought of everybody in the city over 80 years old using

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Barton springs, I just love. So with the parameters that you're suggesting, I'll send that to open space to take a look at just making it automatic for that, and see what the implications are of that. >> And if I can just ask you, over 80, someone nominates and then there is a tie-in for why that person would, in fact, go and use Barton springs. >> Absolutely. And just for full --transparency, the record from 1993 is held in historical records. So when I received the notification that this would be pulled, I didn't have enough time. What I wanted to do was pull the 1993 record to see exactly what the thought process was. And when we come back to open space committee, I'll be able to provide that information. And we can look at it more thoroughly. Because it's not housed in our department, I wasn't able to get my hand on the record from last night to today. >> Pool: What I would say is, I think we agree. We should let this item move forward. I'd be happy to have my committee see if it can be an administrative approval. It would be good to bring to us so we can have an appreciation for what the context was. >> Sure. And if it would be permissible by the council, I'll do all of the research and then bring information for consideration. >> Mayor Adler: I'll refer it to the committee. The committee can deal with the issues. >> Zimmerman: Thank you, Mr. Mayor. Our expectation is we'll refer the agenda item to committee N committee? >> Mayor Adler: No, the policy. >> Zimmerman: I'll be voting against this. I'd like to see the whole item moved to committee, not just the policy. >> I want to be clear with your referral, mayor, that if anybody

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in the city that's 80 years old and over wants to go and swim, they should be allowed to do that. Okay. I don't need people to recommend them. I don't need them to come before us. >> If they can swim -- applauded, encouraged, and celebrated. And I'm glad that this is going to go to committee, because hopefully a keep it simple plan will exempt them from having to pay it, not from having to go through this whole process. >> Mayor Adler: To be clear, we -- I'm going to vote for item 30. Separately, I'm

going to be referring this policy question to -- five. This is a revenue contract raised. >> My notes real quick. Item 35. Okay. All right. Can you -- so, this item allows Austin water to contract with a local company to cut, bale, and sell hay, and harvest and sell pecans. Okay. Yeah. I just need some more backup. [ Laughing ] >> I'm Jane, assistant director in Austin water with this program. And we do not have a discharge permit for the treatment processes. So we use the water from the site to irrigate the land. And that water -- in the land we grow the hay, which is a good use of the water. And it's got the nutrients to allow the hay to grow. We do not have the equipment or the staff to be mowing and baling the hay.

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It's an opportunity to outsource within the community. A farmer comes in a couple times a year and cuts and bales the hay. He sells that. He keeps the profits from that, but pays us for the opportunity to be able to come in and harvest that hay, as well as pecans. >> Troxclair: I guess I'm still not understanding why -- in the business of growing hay. I mean -- >> We're not in the business of growing the hay. We're in the business of beneficial reuse of our products. And at Hornsby bend, we take the yard clippings from Austin resource recovery and combine that with bio-solids and compost to make dirt. A byproduct is the water that comes out of the process. Because we do not have a discharge permit, it would be much more expensive to send it to another plant to treat and send back, so we use it to irrigate the land. The beneficial product from irrigating the land is the hay that we produce, that is then used within the community. Whatever we grow there we'd have to cut and take care of. This allows us to outsource that. >> Troxclair: Okay. You said we don't have a discharge permit. Why not? >> Because we're able to do it without the discharge permit. This isn't one of the primary plants, but the sludge from the other plants is sent here for processing. We take the water out of that sludge. And as we process the sludge. And rather than put it back into the river, we don't have the discharge permit because we haven't needed it. We don't need to put it back in. It's a benefit, again, to the environment. >> Troxclair: And we're harvesting pecans on that same property? >> Yes, ma'am. >> Troxclair: And hay and

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pecans, how did those come to be the things that we grew on the property? >> I believe the pecan grove was already there. We're just maximizing the benefits. The hay, we're out east of town where it was mostly agricultural from where it started in the '80s. And so that's a product that one, you don't have to be concerned about up-take, even though the water is allowable use for agricultural products. It's going to be fed to animals. So it's a good use of the property, and the appropriate crop for it. >> Mayor Adler: Ms. Pool. >> Pool: Do the horses that the APD has, does the hay go to feed them, possibly? >> The farmer then sells the hay, or contractor. They don't sell it back to us, so we don't use that. I don't know. >> Pool: I understand, they sell it on the market. I think what -- where I was going with that was, maybe we could look at a connection between feed for the horses. I don't know if this is even appropriate for them. But it's a question, and it would be great to see what the staff who are stabling and caring for the equestrians for the APD, if this is something that had occurred to them. Thanks. >> Mayor Adler: Okay. Mr. Zimmerman. >> Zimmerman: Quick question. What geographic area, what district does this touch, city council district? >> I'm not sure. >> Zimmerman: You don't know where it is? >> We are out past the airport on 969. >> Houston: If it's in 969, it's in 1. But I don't know how far out you are past the airport. 963, are you past that, Austin

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colony? >> No. We are on at the west side of 130. Actually, it's just southeast of 130 as you go. It's north of highway 71 and south of 130. >> Houston: That may not be in -- >> I'm not sure we're even in city limits. I believe we're in the county out there. We're not in the city limits. >> Zimmerman: It's not in the etj? It is an etj? >> Houston: It's not in the district. But I want to follow up. Mayor, may I? >> Mayor Adler: Yes. >> Houston: I want to follow up on councilmember pool's suggestion that we have a conversation with the Austin police department and their mounted unit. Because we just approved something for them a couple of months back to house and feed the equestrians, and equine. And I'm not sure how much we're paying for the food that they're getting. They may take special food. But if we have hay, and we are selling it on the open market, I don't know why we couldn't give it to the horses. [ Laughing ] >> Mayor Adler: All right. Are we ready? [ Laughing ] >> Mayor Adler: Let's move on to the next one. The next one we have is item 57. Ms. Troxclair, do you want to discuss that one here, item 57? >> Troxclair: Oh, no. >> Mayor Adler: Okay. >> Houston: Yes. This is pretty quick. It's a large amount, but I'm concerned about the timing. It looks like we're right here on the cusp. There you are. [ Chuckling ] It's to be reviewed by the

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electric utility commission on the 15th to resource management commission tonight, and then we have to vote on it tomorrow. I mean, Thursday. So explain to me why the timing is so short. >> So, this contract replaces a contract that's expiring. It was actually issued in two parts. One part of the contract expired may 15th. The other part of the contract for weatherization expires June 23rd. So absent the ability to move forward with contractors that will support the Austin energy -- and our ability to weatherize homes. And I'm happy to say we have a number of homes that are in the pipeline, but one of the worst things that we can have happen is to have to suspend a program because we don't have the contractors there to perform the program. We went through a very lengthy analysis. I would note that there will be an amendment to this rca to add an amendment and a correction to add in two additional weatherization contractors. That will bring the total number of contractors to 13. >> Houston: Can you remind us what rcas >> Request for council approval, I am so sorry. >> Houston: And is this something that came to council before and we didn't have time, or had some more questions and that's why it's coming to us so late? >> It's a very lengthy process in terms of the solicitation of bids and finalizing the compization for the work -- compensation for the work to be done. That took quite a bit of time. I'm sure James can speak to more details as it relates to the weatherization contract proposal. >> Councilmember Houston, mayor, members of the council, James, purchasing. This was a very well-attended procurement. There were lots of interest.

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And we received significant response. Evaluation of that many contractors on the rfp, there was lots of time spent to evaluate them, not just on price, but it was on conversations, experience, background, and so forth. It took a significant amount of time. We wanted to get it to you before the summer break, but especially before the current contracts expire next week. >> Houston: Okay. And one other question. How are the homes chosen for the weatherization program? >> All of the customers that participate in our cap program, roughly 40,000 homes, are qualified to be considered for the process. So we reach out through our partner agencies to homes that could be eligible. They have to be homes that haven't been weatherized previously, obviously. The homes in the cap program need to fall within certain criteria in term of the value of homes. We target, councilmember Houston, the highest-energy-consuming homes. We look at it where it's over 1500 kwh for six months, so, there are a number of criteria we use to try to

help those experiencing the highest level of energy consumption. >> Houston: One more question, for the citizens assistance program, they qualify by virtue of the fact that they meet some of the eligibility requirements, and not the ones that are automatically enrolled? >> By and large, these are customers that meet the income requirements. So, these are customers at or below 200% of the federal poverty level. And that's one of the criteria that we look at. There is a program that we use to augment this that tries to reach out to customers that fall in the low- to moderate income

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status. They may be above 200%, but usually in 300 to 400% of the federal poverty level. >> Houston: Thank you. >> Zimmerman: Thank you. We heard some expert testimony. I would consider is expert. A president of an air conditioning company, I think it served on one of these boards had taken a look at this. He was critical of the way this money was being used. And his calculation showed there would not be a payback on some of these weatherization projects for 50 to a hundred years. So I'm inclined to vote against this unless I can see something here that talks about our cost-benefit ratio, what the payback is. >> I'd be happy, councilmember Zimmerman, to provide more context on that. The individual you're speaking of, who does run his own company and has for a number of years, has been critical of the -- holdover from stim-- and he was speaking to the fact that there could be a 40 to 50 year payback when you look at the energy savings from homes that go through the process and the high cost. That does not include air conditioning replacement, nor does it include refrigerator replacement. It includes the installation of insulation, solar screens, and other measures, but not those large-cost measures that have -- that relate to the longer payback that you spoke to. >> Zimmerman: Payback -- >> We'd be happy to provide that to you. >> Zimmerman: Okay. I'll look for that. >> Mayor Adler: Mr. Renteria. >> Renteria: You know, I would suggest also when you're doing these weatherization programs -- because I live in a certain house that the way it was built

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there in the late '40s, they didn't have air conditioning back then. So they were built to breathe, especially during the summer. And there's actually little small gaps between the way -- along the walls where the air is just circulates up and down. And in the wintertime, it gets very, very cold. And, you know, we're missing something there by just doing the ceilings and not filling in the insulation between the walls, because a lot of these homes don't have insulation on the walls, especially these older homes. And I went and did it myself and filled in all the walls, and I could tell the difference immediately. My electric bill just dropped, you know. It was just amazing what just insulating the walls. I had the insulation done on my ceilings and the solar screen, but the walls were just amazing. So y'all should look at that, also. >> And that is part of what is done as the air infiltration measures that are undertaken to help with the total building envelope performance. So, that is part of what is done under this contract. But as I say, there will be two contractors added. And then in the interest of maintaining the program as it is, and to be able to keep going through this year, we're looking to interest into negotiations with the contractors to make sure we can keep it up and running. >> Mayor Adler: Okay. We have two more items left. Thank you. We have two more items left. Item 87, flood plain variance issue. Ms. Houston. >> Houston: I don't know how we're going to get through Thursday. >> Mayor Adler: Because we've talked about everything today.

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>> You know, this is not even in my district, so. [ Chuckling ] But it's in a flood plain, and they're asking

for a flood plain variance. And we had these conversations in the past about policy on approving variances in the flood plain. So I just wanted to bring that to people's attention. >> Mayor Adler: And there was a wonderful staff presentation we had on the last one when this came, and I hope that this gets presented to us in that context. Ms. Pool. >> Pool: And I'll just indicate now that I'm willing to approve any new building or any new development in existing flood plains, especially as we have some severe flooding recently. It looks like it's going to happen again today. It's raining cats and dogs out is there right now. I'm not willing to -- >> It sounded like you were willing. [ Laughing ] >> Pool: Did I swallow the word "Not," is that why you're staring at me? >> Mayor Adler: Blanket approval. The line was forming as your office. >> Pool: I am so glad you guys are listening to what I'm saying. Yeah. Not willing to approve. [ Laughing ] >> Mayor Adler: Ms. Pool. I'm sorry, Ms. Gallo. >> Gallo: You get us confused all the time. We recently had one that came up that I think may have been in your district, councilmember pool, that we did deny. So that we are predictable in how we implement policy in this community, so the citizens can base their decisions on predictability, so. >> Mayor Adler: Okay. Ms. Troxclair. >> Troxclair: Question for our legal staff, but this is an item to set a public hearing. I'm guessing we're required to have a public hearing on this?

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>> That's correct, you're just going to set the hearing. You're not going to take any testimony tomorrow. >> Troxclair: Thank you for clarifying. >> Houston: I just wanted to let everybody know where I was standing. >> Mayor Adler: Thank you. The last item before executive session is item 93, the capital metro quarter penny. Ms. Kitchen. >> Kitchen: This is a recommendation from the mobility committee. And so I wanted to bring it to y'all's attention and explain the purpose behind it. I want to let you also know that I passed out some revised language that may still require some tweaking, but I wanted to give you the benefit of seeing that language, understanding that we may still have a few changes. Let me just give you background as a reminder. This addresses the 21.8 million from the capital metro quarter-cent fund that remains available for us. So the mobility committee was briefed on this item at an earlier meeting. And then at the last meeting, we came forward with a recommendation for how these funds be spent. And just as a further history, as a reminder, the previous council had spent 2 million of these funds and then flagged them as an amount that the new council needed to consider. So, the mobility committee's purpose in bringing this forward in this way was to take the opportunity with these funds to address the concerns that many of us heard last year as we were working in our districts, and continue to hear. And that's the need for district-specific local projects. And I think councilmember Houston mentioned those earlier today on another item, and so did councilmember Zimmerman. The point being is that we need to look at relatively more less costly solutions like turn

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lanes, intersections improvements, sidewalks. The kinds of things that are -- that the folks in the city feel like need to be addressed now and perhaps haven't been addressed in the past, or are ready to be addressed now to connect the system. So, the focus, again, is on the needs throughout the city, all parts of the city, addressing priorities that are identified by councilmembers for their district with the mayor. The timeline -- let me talk about the process we're talking about here. Basically, the projects we're proposing here that we work with city manager, the transportation department, and public works to identify the projects that meet the requirements for this money. There's certain parameters around this money, and a resolution includes what those purposes are. So, to work with the staff to identify projects. And then to work with each councilmember and the mayor to identify and understand the priorities within the districts. Understanding this could include citywide projects or projects that impact

multiple districts. For example, councilmembers that are hearing from their constituents across the south may identify projects that make sense across multiple districts. Or projects that are citywide. So the process would be once those are identified a proposed list would come back to the mobility committee for review, and then by August 5th. And then the committee would forward those recommendations to the council for council's action by -- the end of August. To reiterate, the projects would be identified by staff. They have to meet the purposes for these funds under the law. They have to meet those purposes, which are pretty broad. You can see them here. That the priorities, then, are

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identify priorities citywide for our districts and working with the councilmembers and the mayor to identify those. So, about our thinking in the committee. >> Zimmerman: Thank you, councilmember kitchen. You did a great job on this committee. I want to commend you for a lot of the work you've done, especially the very complex taxi work that somebody else already brought up. I'm glad you did that and not me. I thought we had a very useful discussion in the committee. And I kind of liked the language you've come up with here that we have in item 93. And I think there are a lot of constraints on councilmembers. We've had town hall meetings and people come. They're always complaining about the congestion. And our response is, well, you know, your councilmembers right now, even under the new 10-1 system have no direct input on any kind of priorities for any of the projects that have already been identified. So, I think there's some frustration with our constituents that they vote for the new 10-1. Now we have a local district representative closer to our needs, and still, they have no direct input on getting projects prioritized. I think that's frustrated for constituents. And what I'm going to hear, I know, at some point as well, this money is cap metro money. No it's not. It's constituents' money. All the tax money belongs to the constituents. And just because the city is temporarily holding that money, it still belongs to the constituents. So we're trying to figure out how to get better direct representation for constituents on solving some immediate problems. I think that was the motivation for this. >> Kitchen: Councilmember Gallo, did you want to add anything? >> Gallo: I did. And the piece of this component that is going to be really important is, you know, those of us in our districts know our issue areas, but transportation, also, I think has done a really

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good job of trying to focus limited amounts of funds and prioritize the need. So I think the important part of this is that councilmembers will have the ability to have that conversation specifically with the transportation department for their district, and together come up with appropriate ways to spend that money. >> Mayor Adler: I appreciate the work that's been done on this, and I appreciate the work done by the committee, and I appreciate councilmember kitchen saying that, you know, they're reviewing the language and it can be tweaked. I think that one of the reasons why the bond election failed last November was because people did not think that the city was looking at localized needs. And there's a certain amount of responsiveness, I think, that we want to provide and be able to communicate to the city. And I support efforts for us to do that. I do need just to say out loud that I have some concern. Less now than with the original wording. Hopefully as we move forward, we can get there. I am concerned about the concept of taking a pool of money and dividing it among districts. I am comforted by the word in the resolution that says "Equitably" across all council districts. I read that not to mean equally, although I think that's certainly one factor that can be considered in deciding what is equitable. But not the only consideration. There are -- I think as a council, we have done an incredibly good job at not becoming a politic-type system, where people have retreated to just arguing very provincially, recognizing we have responsibilities to the city generally, especially on the

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committees we serve to help facilitate everybody. And I would hate to see us ever get to the place where the concept of taking a pot of money and dividing it equally for districts to be able to apportion is the way we operate, or any permutation of that. When we look at and do research for councils that are doing the by-district system and trying to learn from their examples, that kind of thing leads to the place in some cities where a project has been -- is doing -- happening in a certain district, and it comes in under budget. And then the district councilperson says, that money's my money because that project was in my district. It came in underbudget, and they try to keep accountings, you know, to ensure the district has that money that they can spend in their district. And I'm going to treat this as, this is not a move down that slippery slope. And the things about this that provide me some measure of comfort as the wording is being developed now is the word "Equitably" and not "Equally." The fact that the councilmember, as the mayor said earlier, knows their district better and should be an active participant in that conversation, but is not the decider of that. And that the city staff is included in this conversation for the overall technical kind of efficiency priority analysis that we would want our transportation department to take into account when they are deciding projects. My ability to be able to participate as mayor in the conversation, since I represent each of these districts, as well. And then the criteria that has been established both have things that point to real localized needs, but also needs and concerns that go well beyond that. So I appreciate this work, and I just needed to say out loud that fear and my belief that with the

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wording changes, that this is not evidence of that. And in fact, serves the higher and more responsive purpose of being able to demonstrate to constituents that these localized problems are, in fact, real, and we need to move forward on those, as well. Mr. Zimmerman. >> Zimmerman: Just one more comment. Thank you for those remarks but I want to take us back to item 18 which we just discussed some time ago, the Austin downtown way-finding system. That would affect mostly district 9. That should be a decision for mayor pro tem tovo as to whether her constituents feel that the downtown way-finding system is a more important priority than something else they might want to do. And if mayor pro tem and her constituents were good prioritizing that system, fantastic. And by the same token, I'd like to see priorities like that be reviewed by the local councilmembers elsewhere. >> Mr. Mayor. >> Mayor. >> Mayor Adler: Ms. Tovo, then Ms. Kitchen. >> Tovo: I stepped out of the room for that discussion and didn't have an opportunity to participate, unfortunately. But I think you have highlighted one of my concerns with moving forward in a direction where we are talking about the allocation of resources in this way. And let me just remind you that when it comes to downtown issues, this is a major economic center for our city. I hear from your constituents, from constituents in district 3, in 10, because many of them work downtown. They own property downtown. They own businesses downtown. And they all care about the streets, and the meters, and the way-finding, because it's essential to their businesses. You know, downtown is not just -- I would say that we all have a stake, no matter what district you're in, you have a stake in the vitality of downtown, because it affects our finances here at the city, and it affects the finances of individual constituents in all of our districts. And so, if what you're

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suggesting, that every downtown project that's transportation-related come out of the apportionment

in this other funding, I have a considerable problem with that. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I think that people are all raising important concerns. I think that we have struck -- I think our mobility committee has struck a good balance here, because what we are balancing is the needs that we've heard for additional projects across the whole city, and we're recognizing the fact that councilmembers have an accountability and responsibility in their districts across the whole city. So we're balancing that with the understanding that we have to look at the city as a whole. And we're looking at the city as a whole through the participation of the mobility committee, then bringing the recommendations back to the full council to approve. So, I think that what we're trying to do here -- and I think what we're putting forward for consideration is recognizing the understanding that councilmembers and the mayor have of the districts, and the needs throughout the city. And then balancing that with the whole city council voting on the list. So that's what we're trying to do here. >> Mayor Adler: Okay, any further comment on this before we go to executive session? Then, the city council will go into closed session to take up four item. Item c2 and c7 have been withdrawn for today, pursuant to section 551.071 of the government code, the council will consult with legal counsel regarding item c1, legal issues related to the evaluation of purchasing contracts to minority and women-owned business procurement program, item c3, legal issues related to the challenge -- district. Item c4, legal issues related to waller creek tunnel project.

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Item c6, legal issues related to claims and final completion of the water treatment plant number 4 project. Is there any objection into going into executive session? Hearing none, the council will now go into executive session.

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Item c6, legal issues related to claims and final completion of the water treatment plant number 4 project. Is there any objection into going into executive session? Hearing none, the council will now go into executive session.

We are out of closed session. In closed session we took up and discussed legal issues related to items: C1, C3, C4 and C6. We also, I think those are all the on'es we took up. Therefore we are back out. There is no quorum present and I am adjourning the Work Session on this June 16th the time is 2:56 p.m.