

City Council Regular Meeting Transcript – 04/21/2016

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[10:04:01 AM]

>> Good morning, I'm mayor pro tem Kathie Tovo. I represent city council district 9 and we're going to go ahead and get started this morning. As most of you know mayor Adler is out of the country on city business related to the smart city grant. Some people will -- he will be not joining us today and I would like at this point to invite father Paul Ybarra from St. Ignatius martyr church to lead us in the invocation. Welcome. We appreciate you being here. >> Brothers and sisters, we lift up our prayers and our work today to god our father, and that he inspire us with his vision of authority, that he enable in us a preferential love for the poor and the afflicted, that we may see as god sees, and have the courage to act in accord with the common good, that we may be filled with a passion for justice, that our steps may be sped along the way of peace so that every people and nation will taste on Earth some share of the fullness of your reign of justice, love and peace. In god we pray, amen. >> Tovo: Thank you so much. As I mentioned, the -- I'm prayer pro tem Kathie tovo, I'm filling in today for mayor Adler and I'd like to call this meeting of the Austin city council to do on. We're in the city council chambers and the time is 10:05. I'm going to start by reading into the record the changes and corrections for today, item 2, please add the language recommended by the electric utility commission on a vote of 10-1 with commissioner ray off the dais. On April -- it was recommended by the resource management commission 7-0 with commissioner Metzger and Santiago absent.

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Item 8, please change the percentage from 9.95 to 22% so it should read by meeting the goals with 22% mbe and 1.81% WBE participation. On item 17, the correct vote is not 7-0 but it's actually 9-0. And item 27 is withdrawn. We do have some late backup for items 11, 26 and 36. I'm going to read the nominations and waivers into the record. For item 26. The nominee for the commission on veterans affairs is Molly may porter, and she was nominated by council member Casar. So that covers our changes and corrections, and our late backup item. Our consent agenda -- let me just say generally about our time. Today I expect that we -- we don't have a huge number of items pulled from the consent agenda so my expectation is that we likely may be able to break after citizens communications until we come back for the Austin housing and finance corporation, so we'll see how things go. That's -- to the public I would say that's not -- that's not a commitment, it's just my expectation. So the consent agenda today consists of items 1 through 34 with some exceptions of items that have been pulled. Council -- council member Zimmerman pulled items 4, 5, 11, 12 and 17. Again that's items 4, 5, 11, 12 and 17. Item 9 was pulled for speakers and 24, but we have, I believe, just two speakers on that. Is Mr.

Pena here? My guess is he's in the lobby, but let me ask if James Ross is here. Okay. So those items will remain

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on consent. 32 and 33 have also been pulled for speakers. Thank you. Our city clerk has informed me that 6 also needs to be pulled from the consent agenda because it's related to item 5. So that leaves us with 4, 5, 11, 12, 17, 6, 32 and 33 pulled from the consent agenda. Are there any other items that anyone wishes to pull? Council member kitchen? >> Kitchen: I don't wish to pull but I'd like to make a comment on item no. 23 at the appropriate time. >> Tovo: Fine. Council member kitchen is going to make a comment on the consent agenda at the appropriate time. Anything else? >> Mayor pro tem? I have a quick question on item no. 16. >> Mayor Adler: Council member Houston, do you think we can leave that on consent and just ask that quick question? >> Houston: Yes. >> Mayor Adler: Okay. Super. Then just remind me to do that at the appropriate time. Okay. I'll entertain -- yes, council member troxclair. >> Troxclair: I just want to pull item no. 18. I just have a couple questions. >> Mayor Adler: Okay. Anything else? And we do have two speakers on the consent agenda, and I believe our first speaker is Mr. King. >> Thank you, mayor pro tem, council members, I'm speaking of item no. 23 regarding the contract to get rid of the backlog on the sexual assault DNA cases at Austin police department. I think this is a very important priority. I hope that you will approve this. And I hope that on an ongoing basis that APD will

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have sufficient funding so that we avoid any backlogs in the future. If we do these DNA tests on a timely basis we could potentially avoid other crimes that may be committed because we don't have those tests done in a timely manner. So I think this is a top priority and I hope you will approve this unanimously. I do wonder, though, about why there are no qualified minority vendors on this, and I see that so often on so many of these contracts, and I know you all have spoken about this before but it doesn't seem like we're making much progress in trying to make sure that the minorities groups are able to get these contracts and bid successfully on these contracts. So I hope you'll keep working on that as well. Thank you very much. >> Mayor Adler: Thank you, Mr. King. Mr. Pena? Gus Pena? Mr. Pena, if you are out in the lobby, now is your time to speak on the consent agenda. I'll entertain a motion on the consent agenda. Council member Garza. Council member Gallo -- >> Gallo: I just have a note on the consent. On item no. 3 I want to be shown as abstaining. >> Mayor Adler: Let's get a motion on the table. Garza moves approval of the consent agenda. >> Second. >> Mayor Adler: Council member Renteria seconds it. Council member kitchen, you had a comment to make and then we'll go to council member Houston. >> Kitchen: This is on item 23. I felt it was appropriate since this is sexual assault awareness month just to make a quick comment on that. You know, this is significant opportunity for APD to address the backlog of sexual assault kits by allowing DNA profiles to be entered into the F.B.I. Profile combined index system. So aside from the timeliness in meeting the grant deadline, clearing the backlog as soon as possible means that these investigations can move forward, and this is absolutely crucial in terms of identifying possible offenders, and of course

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analyzing crime scene data. Evidence generated will be used to help investigators across the country generate leads to help solve crimes, and so it's imperative that we take advantage of every opportunity, including this grant opportunity, to solve these crimes. Justice for the survivors means more than their

attackers be identified but that these predators will be apprehended and prevented from violently assaulting someone else, and I want to thank the work that the police department does in working to prevent and address sexual assaults, and I think it's appropriate that we are moving forward with this item today during sexual assault awareness month. And as a previous speaker spoke, we will be working with our police department to make sure that they have the resources they need to address these -- these crimes and to address these sexual assault processing. >> Mayor Adler: Thank you very much council member kitchen. Council member Houston? >> Houston: Mayor pro tem, I have a question for APD about this. The sexual assault grant was awarded in 2015. When in 2015, and can someone tell me why it took us this long to get this started? >> Mayor Adler: I believe we -- >> Houston: Because this is -- this is a crucial issue. >> Yes, mayor (indiscernible) I'm with the forensic division. I brought bill givens, forensic manager. He has broad-based knowledge on the questions you have so I'm going to let him speak. >> Good morning, council. The reason -- good morning, council. The reason it took so long is because there's a lot of red tape with the federal government to get everything measured out. We had - - we have processes within the city that we have to go through to get these contracts in place. It took us some time to

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really identify how many sexual assault kits we had in our evidence room to be able to -- to determine what that number is, and then taking the number of sexual assault kits we have with the money that we had and trying to figure out how many could we actually process. It just took us a little time to get that done. So with approval of this contract, we should be able to start prepping and sending out our sexual assault kits. >> Houston: Thank you. >> Thank you, ma'am. >> Mayor Adler: Council member kitchen? >> Kitchen: Thank you, sir, and I'll be contacting you, we can work together to see what other resources you all might need in the future, because, of course, this is a very important item. So thank you. >> No, we appreciate it. Thank you. >> Wait, before you go. >> Mayor Adler: Council member Zimmerman. I see you. >> Zimmerman: Thank you, mayor pro tem. We asked some questions on this and we got some backup information in the q&a process, and I want to read from the answer I got here from staff. DNA kits are being sent out are old sexual assault kits that were never forwarded to a laboratory for testing and some kits date back to 1990. >> Yes, sir. >> Zimmerman: 1990. Okay. So further on in here -- it seems like a long time. I'm just confused as to how something could be sitting on a shelf for that period of time. But it says down here further, it says these cases were never submitted to a laboratory. Here's the key part, based on the discretion of the investigator, and dependent on the circumstances surrounding the case. And that kind of makes sense to me. We have professionals in law enforcement, right, that work on this stuff. It's not in a vacuum. We have professionals that collect samples and they warehouse them whenever they do. So apparently somebody decided that this kit ha hasn't been -- hasn't been tested since 1990, that it was not worth testing based on the discretion of the investigator in the certain circumstances. Can you comment on that,

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or -- enlighten me a little bit more about what that means. >> I'm not an investigator. I'm in the laboratory, but from what I understand with the process, those cases are all vetted, the victims talk to the -- the witnesses are talked to. At some point the investigator makes a decision on -- it could have been that the victim was uncooperative, that they determined that the offense didn't actually occur. The victim may have refused to prosecute. What's -- prosecute. What's happened is in Texas the senate bill came out a year and a half ago that said regardless of what the outcome of that case was, we will be testing our sexual assault kits. So this is our initiative to get those sexual assault kits tested to see if

there's something that was missed along the way. >> Zimmerman: But also -- I mean, my concern here is we have had people that have done time in prison because of false testimony regarding sexual assault. Correct? That's correct. >> Yes. >> Zimmerman: Somebody swears under oath that person sexually assaulted me. They go to jail. Years later, my bad, that didn't happen. >> Mayor pro tem -- >> Mayor Adler: I think I'm about to make the same point. Did you want to pull this from consent? Because it is on consent -- >> Zimmerman: We don't need to talk about it. We can move on. >> Mayor Adler: I appreciate that, council member Zimmerman. All right. So thank you so much, sir, for your additional information. So let me just see, is Mr. Pena here? Okay. All right. So we have a motion for the consent agenda on the floor with a second. I'm going to read council member Zimmerman's points and council member Gallo, I think you had -- ah, council member Houston. >> Houston: Yes. Thank you. And this is just a quick one for -- regarding historic

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landmarking commission. If someone could explain to me about the Willie wells house. When you say it failed, exactly what does that mean? Did the property owners not take care of it? What -- kind of just briefly. >> Mayor Adler: And this is item 16. >> Yes. Good morning, mayor pro tem, council members, Steve Sadowsky of the planning office -- historic planning office. It failed inspection because it has not been taken care of for several years now. We have a new owner on that house who will be filing an application for a certificate of appropriateness to make those repairs, so we're very optimistic that in the years to come, that Willie wells house will pass the inspections. >> Houston: Okay. Thank you. The only reason I pulled that is because Willie wells was an African American baseball player here from Austin, Texas, and so as you know we keep not having black houses be historic, and so I was concerned about that one. So thank you for that information. >> Yes, ma'am. >> Mayor Adler: Yeah, and that's actually in the Bouldin creek neighborhood which is in district 9 and I'm just so pleased to see it with new ownership and with an owner who's really committed to making sure that it remains a landmark and preserves that history. Okay, council member Gallo. >> Gallo: I just had a quick question of staff on 3, if staff is here. >> I'm bob getter, director of oust resource recovery. >> Gallo: Thank you for being here. I was trying to understand the transfers, concept of the transfers, and it looks like in order to complete the repairs for this landfill it's about -- from the information we got in answers was about a \$1.2 million cost. >> Yes. >> Gallo: And so it looks like that there is still a reserve balance in your fund of almost 5 million. So I'm trying to understand why the existing reserve fund would not be enough to

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pay for the cost of those repairs. >> And the best person to answer that question is my financial manager, Jessica Fraser. >> Thank you. >> Hi, Jessica Fraser, chief financial manager for Austin resource recovery. So the ending balance in our operating fund has to be moved over to our capital fund in order to be used because the landfill is considered a capital asset. So this is just a technical way to get the money to that -- to that place, but it's still the same funding that we're using. >> Gallo: Okay. So it's not asking for additional funding? >> No, it's just moving it from our operating reserve balance over to our capital budget. >> Gallo: Okay, and there's not enough money in the capital budget right now to be able to fund this project? >> No. >> Gallo: All right. Thank you. >> Mayor Adler: Council member Gallo, you had said you had another point on the consent? That was it? Okay. I would ask the record to reflect my vote against item 27, and I'm going to read council member Zimmerman's -- >> That was withdrawn. >> Mayor Adler: Thank you >> Tovo: Thank you very much. I apologize. And council member Zimmerman's votes on specific items are as follows: An abstention on item 2, voting against item 3, abstentions on 6, 7 and 9, and 16 -- vote against 22 and abstentions on 23 and 24. Is that right, council member

Zimmerman? >> Zimmerman: Item 21 I show -- >> Mayor Adler: No, that's an abstention as well. >> Zimmerman: Oh, that's an abstention. Thanks. >> Mayor Adler: Council member troxclair? >> Troxclair: I would like to pull item no. 24 as well. And -- is it an appropriate time for me to read my other votes into the record? >> Mayor Adler: Yes. Thank you. >> Troxclair: I would like to be shown voting no on item no. 2 and abstaining from items no. 25, 3, 10 and

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28. >> Tovo: Ms. Goodall? Do you have that? So let me ask again, item 33 item 32, rather -- is Mr. Pena here or Mr. Ross? If not that item will go back on the consent agenda. Mr. King, I know you signed up to speak, and you've already had your time to speak to the consent agenda, if you'd like to come back and speak quickly, let me just remind everyone who signed up on item 32 or 33, these are items to set the public hearing so I'd ask you to Quinn your comments to why we should or should not set the public hearing but let's not get into the merits of the -- >> Thank you, I thought they were going to be pulled so that's why I didn't speak earlier. >> Tovo: That's why I'm giving you another opportunity. We've lost our two speakers and this is going to stay -- just item 32 is going to stay on on consent. >> My comments are going to be, I just hope that -- I don't see why we should be wasting time setting public hearings for for these kinds of waivers that I believe are not in the best interest of our schools and our school children. That's my main concern. And if we do these -- by doing this, we're just -- we're just sending the message that it's okay, bring your waiver on down, and I'm worried about that. And, you know, the -- for me it's going to set a precedent. We -- we've been approving these waivers, and how -- if the next business is just down the street in this business that gets a waiver, if they come in seeking a waiver, why wouldn't we give them the waiver too? I'm just worried about that. And why do we even have this regulation on the books if we're giving waivers so frequently on this. I just think -- and I would ask one other thing, is that if you're going to set a public hearing for this or even vote on it when it does come up for the hearing, that it require super majority vote to approve it. Thank you very much. >> Tovo: Thank you, Mr. King. Any other comments on the

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consent agenda? >> Mayor pro tem, you called my name? >> Tovo: Multiple times, Mr. Pena. So you are -- since you're here now, if you'd like to come up and speak on the consent agenda. >> (Indiscernible) I'm not late. And I'm sorry, prompt me with what items, please? >> Tovo: Okay, Mr. Pena, you are signed up for -- have to find my earlier notes here. >> I apologize for -- >> Tovo: 6 -- let's see, 6, 11, 9, 12, and this item which would have been pulled for consent but I just really put it back on. Item 32. So if you could cover those items I think that's most of -- most of what you said. >> I'll do it quickly. Good morning, Gus Pena, and I apologize, the rain caught me. I'm walking. The other items I'm for, item 32. I've been keeping in touch with torchy's located around the school area. But I want to say this much. I don't know the owners but I do know the representative, but they do a good job of ensuring that there is no abuse of alcoholic consumption or whatever, and everybody that I talk to, because I went down there to all the torchy's, believe me, even the one on south congress because that's where my nephews went to school. So they keep a pretty good tab on who they serve, how much they serve, and they're pretty good neighbors, corporate neighbors. I don't even know them but the issues, I want to say, they're darn good at monitoring, monitoring is very important, close to a school. Had I -- I'm a former IRS investigator, sheriff's academy class of 93, bailiff at criminal and municipal courts so I know the laws very well. I want to let you know they do a good job. Anyway, mayor pro tem, sorry, I will not speak on the other issues because I'm for them, but thank you and keep up the good work.

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>> Tovo: Thank you, thank you for joining us here. I appreciate it. Council member Renteria? >> Renteria: Yes, I -- since we're going to be voting on this item 32 on consent, can you put me down as no because I did talk to my school board representative and he did mention to me that they don't support this kind of variance -- these kind of variance waivers for alcohol near their school. Thank you. >> Tovo: Thank you, council member Renteria. All right. Any other comments? Council member Houston. >> Houston: Please show me voting no on 32 and 33, to set the public hearing. >> Tovo: The record will reflect those no votes. And if I inadvertently said anything about 21, please note that that is staying on the consent agenda. All right. All in favor? With the multiple exceptions as noted. >> Gallo: And did you note my abstention on 3? Did you get that? >> Tovo: I believe the clerk received that earlier. Are there any no votes on the consent agenda? Fine. It looks to me like item 35 is something, so that passed unanimously with the exceptions as noted. Can we take up item 35 as if it were a consent item? Do people have questions about item 35? Otherwise I'm going to leave it for discussion. Well, let's try it. Council member Renteria, do you want to lay this out for us? >> Renteria: Yes. >> Tovo: It's a nonconsent committee item but if it's not going to generate much discussion I'd like to dispatch with it. Do you have many questions? Should we leave it where it is? >> (Indiscernible). >> Mayor Adler: Okay. -- >> Tovo: Okay, that's fine. And so just for the record, our time certain items today

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are 10:00 zoning matters, of which we have none. At 12:00 we're going to have citizens communications. We're scheduled for the Austin housing and finance corporation at 3:00, and public hearings at 4:00 and then at 5:30 we'll break for live music and proclamations. Today's performers are the Austin community college choir. So item 4. Council member Zimmerman. You pulled this item. >> Zimmerman: Thank you, mayor pro tem. Let me get some notes ready here. I would request a point of privilege for about one or two minutes if there's no objection. The reason I'm pulling these items together, there's about 190 million -- just short of, I guess, \$2 million of extra spending, including the defeasance of bonds, which I have no objection to, because it saves taxpayers money, but we have an affordability crisis in the city. The crisis is for the people that have already moved out because they can't afford to live here, and our utility bills are a part of that affordability crisis. And I wish I didn't have to say it but I need to connect the dots. When we borrow money, the cost for our constituents here go up. And when I bought this up on Tuesday, I made note of the item 4 statement that says there's no unanticipated fiscal impact. That's on the agenda item. So when you borrow money, there is a fiscal impact and our constituents are going to have to pay the bills, so there is an anticipated fiscal impact. It's true that there's not an unanticipated fiscal impact. The city staff, some people know how much our bills are going to go up. But we have to stop doing this to say there's no unanticipated fiscal impact. We need to report what the fiscal impact is, and we need to include the fiscal note and not say a fiscal

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note is not required, because our bills are going to go up if we approve this additional debt, and that fact -- that important fact, that affordability fact, is left off of the information. So with that let me -- let me ask, if I could, if we could get a little more confirmation about the late backup. I think this backup came in to me at 8:47 A.M. This morning. So if I could ask the director, please, to talk about this Texas water development board financing. It shows here a rate increase of 1.7% on our water bills. We just got -- thank you for bringing that information, but we just got it a couple of hours ago, so I'd appreciate it if you would just kind of go over that. I'm reading here, it says under twdb loan financing a rate increase of

1.7% with an estimated average monthly bill impact of 9.7 cents each year would result in estimated total monthly bill increase of 68 cents over the seven-year implementation period for the average customer using 5800 gallons of water per month. Month. >> Tovo: City manager. >> Before you respond, I want you to come, Elaine, and talk about this issue of fiscal impact relative to council member Zimmerman's questions earlier. I think Greg's question is a bit more specific than what I just alluded to so would you talk about that, please? >> Yes, I will, Elaine Hart, chief financial officer. We have been looking at our fiscal notes given some feedback that we've recently gotten from the council and from the city manager. Many of these rcas that you're seeing today have been in the works. From a staff standpoint, the application for the loan does not have a fiscal (indiscernible). That's all this action today does is apply for the loan. We have supplied the

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additional information that was requested by council, that with the information -- that would be information that we would have brought forward at the point that we were asking you to approve the loan. And we will continue to work with staff and review these in more detail to ensure that we provide additional information to the council so that they can make the decisions that we're asking you to make. In this particular case we felt like the rca was accurate, but it did not go into the circumstances. Were the council to approve the loan being taken out. That's a subsequent action. Once we file the final application with the Texas water development board, there is an approval process. They won't choose our projects until July. At that point we would work on financing agreements with bond council and the financial advisor, financing agreements between the Texas water development board and the water utility, and once those were ready for council to review them, we would bring those back, and those would have a fiscal note, and they would have all of the -- the run -- the debt service runs that were related to the financing agreement would be brought back at that time. But this action today, although it might result in the council approving the loan in the future, this action today does not have any fiscal impact, and that I think is -- but we will continue to work on these fiscal notes and appreciate your feedback. >> Mayor Adler: Thank you very much, Ms. Hart. Other questions can for Ms. Hart? Oh, yeah - - >> If I could, quickly. >> Mayor Adler: Well, I think you asked Mr. Lazaros a question so we'll give him an opportunity to answer it -- >> Zimmerman: I'd like to follow up quickly with a brief comment with respect to what was just said. And that is that in our common sense daily life, we don't go and apply for loans

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without some understanding we'll be able to repair them, that we can make good use of the money and repay it. I hear a lot -- the city manager has told me that our staff is spread too thin, and so why would we go and apply for a loan that council might later reject when they find out that it's unaffordable or it's -- maybe there is a chicken and egg problem, but for us to know whether we want you to apply for a loan we need to know what the impact might be because if we don't want to make that loan we will be wasting your time to apply for the loan. >> Tovo: Thank you, council member Zimmerman. Mr. Meszaros. >> Council member Zimmerman, in regards to the backup information, these are follow-up answers and responses to some of the questions and discussion in the work session. For item no. 4, the Texas water development board advanced meter infrastructure application, we did an illustrative study if we were to borrow money through additional revenue bonds, compared if we were to borrow money, I will just extratively through the water development board we wanted to demonstrate the difference between those to give a sense of value. The difference between the two under the example that we used would result in a savings for the -- between our traditional borrowing and Texas water

development borrowing of 5.25 million -- over the life of that loan. We then went on in the response to give an illustrative rate example of that borrowing compared to Texas water development board. If we were to borrow that money on our own we estimate that over a seven-year period that would result in a 72 cents per month increase in a typical residential bill, about 10 cents per month each year for seven years, versus if we borrow from Texas water development board for that

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same application, it would result in about 9.7 cents per month increase each year, for a total of 68 cents at the end of the project. And I just would add, the utility is going to invest in meters. That's what utilities do. We have a quarter million meters, and we see our meter inventory aging and one of our thoughts were if we're going to be investing in meters, now is the time to at least start to consider moving to a more innovative modern meter system and we thought it would be better to be first in mind for low cost money rather than rate too late. That's why we moved for the application. I mean, I appreciate the sense that we're -- you know, we're not totally right for this in the sense that we don't have all the answers, but that would be the first step in the project that we would take, is to do feasibility and certainly work with our public utility commission, the council and the community on the -- what we see as some of the advantages of the digital meter system. But there are still, you know, many miles to go for that network. >> Tovo: Thank you. Council, is a motion for items 4 and 5 which are very similar and we have no speakers? Council member pool? Is your motion to approve those items? >> Pool: Yes, it is, mayor pro tem. Thank you. >> Tovo: Council member Houston, is that a second? Are there any last comments? >> I move that we divide the questions of 4 and 5. I have some separate concerns about item 5 that are peculiar to item 5. I'd like to divide the request between 4 and 5 and vote separately. >> Tovo: If the maker of the motion and the second are fine on that. Let's just vote on no. 4 to kind of move things along. Any further comments? Council member Gallo, on item 4? >> Gallo: Thank you, as we talked about in work session I think it's really important for the public to understand that this is not an approval of a particular meter, the smart meter process. It just begins -- begins the -- the application process for the funding. If the council -- this will

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come back to the council. Is that my understanding? That's correct? I think that's what you said in the work session. >> Yes, in several -- in several different forms and ways, not only how we might finance this but then the actual details. You know, we'll give the council updates as we're working through the process of designing a system. You know, before we do any bidding we'll come to the council -- or come to the council, public utility commission, update them, keep the boards and commissions up-to-date. There will be several milestones in the next several years before we're anywhere near position to move forward with this project or not. If in the end the value relative to the expenses is not there. >> And thank you for mentioning that because obviously the cost-effectiveness of any program we want to move into will be very important and we will be able to -- there's a pilot. My understanding it's being done right now on the smart meters in riverplace, I believe, and so we certainly want to get the results of that pilot and understand the cost-effectiveness of being able to move to the system. But I just want to make sure that the public understands this is not approving that system. This is just approving the process for funding the system if we determine at a later date when it comes back to council that this is something that we want to do. >> You're absolutely correct. >> Gallo: Thank you. >> Tovo: Council member troxclair. >> Troxclair: I wish that this had been something that would have gone to committee. I know we've had a lot of discussion about what's -- what should go to committee and what shouldn't go to committee, and I know that line is sometimes difficult for staff to really understand where the line is.

But this is such a -- such a major decision, and I do, you know, understand council member Zimmerman's points about understanding the financials would have been a good thing for us to do before we made the decision to apply. You know, I'm not making a statement about smart meters or -- and maybe this is the best way to fund them, and I understand your point about needing to invest in new infrastructure and new technology, but it's just

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hard when these things are kind of -- when they're sprung on us, and it is a big policy decision. So I don't -- I don't think that there's an interest, probably, in the rest of the council in sending this to committee now, but I guess when it comes back I hope that we'll have lengthy discussions at a council committee and at work session before we make any major decisions that are going to impact people's water bills. >> Tovo: Council member Zimmerman. >> Zimmerman: Thank you, mayor pro tem. Just a couple more quick things here. So let's talk about the typical customer that has a 5800-gallon water usage. That was the average bill that was listed here in the notes. And so what percentage of that water bill is currently debt -- debt payment? I've heard numbers of around 40%. 40% of our water bill is paying for existing debt? >> I would have Dana Andres come up. I don't recall the difference -- 40, 50%. >> 40 and 50%. So this might add 1% additional to that? Do you have any idea -- >> It depends on the whole life of the debt. Each year we retire debt, we defease debt, we refinance debt. So the portion of the bill that goes to debt can vary. We do -- we are forecasting a stabilization of our debt service, the amount that we're dedicating to debt service over the next few years will be fairly stable. So the amount -- the percentages we would not see rising significantly over the next five years. As we retire debt, defeased debt. It's like you take new debt, old debt goes away. It's somewhat of a complicated -- >> Zimmerman: It is. I'm going to vote to get rid of the 18 million in defeasance that we have on another item. I'm in favor of that debt defeasance. That's kind of what you're referring to now. >> Yes. >> Zimmerman: One final note on this. In my view, it's the council's job to decide whether it's worth it for our water customers to borrow money or not. But the way this has been

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presented to council, in your comments, the decision to borrow has already been made, so the council here is limited to a decision to borrow traditionally or to borrow through the Texas water development board. And to that point the big advantage of borrowing from the Texas water board is we save 9.25 million, was the number that I heard. So again, this is -- part of my objection is the council is not making a decision to borrow money. It's only being asked to decide do we borrow money traditionally or do we borrow money from the Texas water development board. And I'm going to be voting against this because our water bills are already out of control. There's no evidence here that the smart meters are going to be a guarantee fix. I don't even see inaccuracy for the smart meters, are they 99.9% accurate, are they only 97? 98? I see no evidence in here that we're going to get more accuracy out of the electronic metering, no targets and goals. I don't see it. So we're committed to borrowing money. We're not committed to getting any specific improvement in the measurement. Unless I missed it. Did I miss it? Is there -- >> Tovo: I think we've had an opportunity to talk about what action is before us so I'd prefer we not get into a discussion about smart meters, we're not really posted for that. City manager? >> Respectfully, I do indeed think you missed it. I don't think the decision has been made. I think that staff has done the analysis of what they recommended to council based on business needs and what they think is in the best interest of the city, with respect to all of these matters. They've come to you in the form of a recommendation, which ultimately this council gets to decide about, and that's what's before you in regard to these issues. My staff is saying that, you know, these items recognize a business need

and they think that this is the best course of action and that's why they're making the recommendations that they're making. Is that not correct? >> That's correct, certainly

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from a financing perspective. Texas water development board only takes applications once a year, and we didn't want to miss it and give -- so yes. >> Mayor Adler: Thank you. >> Tovo: Thank you, and I hope we're moving toward making a decision right now. Any last comments? >> Houston: Mayor pro tem, I want to say again, I understand this is an application. I understand that with our aging infrastructure and with all the new things coming into town, that we're going to have to do it one way or the other, and you're bringing forward your best guess as to how it could be done efficiently and less money -- less impact on the consumers, if we had to do it on our own. So I appreciate that. And I'm going to vote for all of these because it's an application, just like if I was going to go buy a house, I would try to get prequalified before I go. I'd have to fill out some paperwork. So this is what you're saying, is that we're just going to make an application. We may or may not get it. If we do get it, then it comes back to the council and the commission. So I'll be voting for all three of those. >> Tovo: Council member Gallo. >> Gallo: And thank you for the comments. The -- what we are doing now as council member Houston said, is voting for the process. I appreciate you bringing forward the opportunity to be able to get a loan at a lower cost, which is something that we all need to be sensitive to and embrace the ability to do that. When this comes back to us, though, I would hope that when you -- as the program is evaluated, that the cost savings for the department in not having to have the labor to actually go read the meters physically, will be played into it, because I am going to be very unlikely to vote for things that increase people's utility bills, but I think what we're looking at hopefully is a system that will actually reduce the department's expenses from a physical manual labor standpoint in reading the meters. So I look forward to that conversation coming back to us when appropriate. But hopefully this will be a

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program that I actually -- actually will help reduce the cost of reading meters and will be a cost savings for our citizens in their utility bills. Thank you. >> Tovo: Thank you. Council member Houston. >> Houston: (Indiscernible). >> Tovo: Yeah, that's a good idea. All in favor? All opposed? That passes on a vote of 9-1 with the mayor off the dais. And the one is council member Zimmerman. >> Zimmerman: Thank you. >> Tovo: Okay. We're going to move on to item 5 and let me just say we may need -- we've got about 8 items left on the consent agenda. We may need to revise my expectation that we might have a break this afternoon. Item 5. Council member Zimmerman? You had a question. >> Zimmerman: I do. This is going to be limited to the reclaimed water, and I'd like to call attention to the back side of of item 5 where there's a loan schedule table. It says wastewater plant improvements and reclaimed water projects, and I want to call attention to the section of that table that starts with the decker line main cemetery main, Burleson, onion creek, et cetera. It's my understanding that these items, they add up to about \$38.6 million and these are -- this is the portion that is dedicated to reclaimed water system. Is that right? >> The piping and pumping of the reclaim system, that's correct. >> Zimmerman: Good. Thank you. And so I want to quickly draw attention to something we researched in our city charter in article 7. I'd like a legal opinion on this from our legal staff, if I could. And your comment as well. And it has to do with -- with our bonding power of the city. So obviously the city has power to borrow money. We borrowed money for the unaffordable housing bonds. We borrow money for many purposes.

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Those are the general obligation bonds that everybody is familiar with and they go on the ballot. But in sections 11 and 12 we talk about revenue bonds, in 11, and in 12 we talk about revenue bonds for conservation. And here's the point I want to make that is extremely important. Revenue bonds, under section 11 here, have to have a majority of voters for an election held for such purpose. That's in section 11. I'll read it here. Such bonds shall be chargeable and payable solely from properties, et cetera. All revenue bonds issued by the city shall first be authorized by a majority of the qualified electors voting at an election held for such purpose. That's section 11. But in section 12 there's no requirement for voters to vote on bonds. It's interesting. So if a bond is for conservation, there's no legal requirement for it to go to the voters. So here's my question. Because the reclaimed water, we've already established that the reclaimed water is not really conservation, because under section 12 it says conservation means to save money. Let me read this. In order to conserve the energy producing resources, water resources, wastewater treatment facilities of the city, and therefore to save money of the city, the city shall have the power to borrow money. So I would agree with you completely that if the reclaimed water system, the way we envision it working, if it saved money we could borrow the 38 million without having to go to voters. But because it does not save money, because it's going to increase our water bills, because we have to subsidize it, I don't see that this particular thing is legal. So I'd like an opinion from our city staff as to how reclaimed water, which is presumably conservation, it's not conservation under the definition of section 12, because it -- it does not save money, it costs

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money. >> Council member Zimmerman, we'll be happy to get back to you on that, provide some legal -- >> Zimmerman: I think they're going to want -- >> Tovo: It looks like she's going to -- >> I think I can help on this. For both Austin energy and Austin water utility, we no longer issue revenue bonds. We use our commercial paper program to keep our interest costs lower, so we issue short-term notes, and then we issue refunding revenue bonds, so they don't require the voter approval. In addition, the state law for revenue bonds does not require voter approval. The charter is in conflict with that, and we've had opinions from both city attorneys and bond council that the state law prevails over our charter in those cases. But we are not issuing revenue bonds. These are Texas water development loans. They are not revenue bonds, and when we finance our utility projects, we are using our short-term note, that is called commercial paper. It's just a funding mechanism. >> Tovo: Is there a motion on this item? Council member Houston, do you move approval of item 5? Is there a second? Council member Renteria moves to second this item. Council member Zimmerman? >> Zimmerman: I think I'd like to speak against the motion and ask one more quick question here. So I appreciate that answer. Can you show me in section 12, or 11, where there's a distinction between commercial paper and long-term bonds? >> Tovo: The term is revenue bonds and commercial paper is not a revenue bond. All I can say is I don't have the opinion in my hand, but we have had city attorneys and bond council advise us that -- that section of the charter does not apply when we issue commercial paper or refunding bonds. >> Zimmerman: Okay, well let me quickly read this again. The city shall have the power to borrow money for

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the purpose of constructing, purchasing, et cetera. And when I read through this, I do not see any distinction between bonds -- revenue bonds and commercial paper. You're making a distinction that does not exist from a plain reading, and so it looks to me like a way to circumvent what the law demands. The law says if you're going to borrow money, that you're going to have to have a vote on it. It doesn't say that as long as do you commercial paper instead of a long-term bond, thrrmp you don't have to have an -- therefore you don't have to have an election. To me that's a construct in a city opinion in

our staff and city bureaucracy that's a way to circumvent the law. I'm very concerned with this. If you call it commercial paper, oh, it's not revenue bonds because it's commercial paper. No, it's borrowing money. Whether it's commercial paper or long-term bond it's still borrowing money. >> Tovo: Are there further comments on this item? Commissioner troxclair. >> Troxclair: Similar question to the item we just voted on. Will this come back to council? This is approval for application. Will this come back to council and we can vote on it at that time? >> Yes, it will come back as a bond and each project as it bids will come back to council and you could determine if you want to do additional projects in addition to the borrowing itself. >> Troxclair: Thank you. >> Tovo: All in favor? Any opposed? That passes on a vote of 9 -- council member Zimmerman votes against it, and we have council member Casar and mayor Adler off the dais. Item 6, we have one speaker, Mr. Pena, would you like to come address the council before we get to our questions?

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>> I don't have anything to discuss. Thank you. >> Tovo: Thank you, Mr. Pena. Council member Zimmerman, do you have questions for staff? Staff. >> Zimmerman: I'd like look to move for defeasance -- >> Tovo: Zimmerman moves passage of this item. Is there a second? Council member Houston seconds that. Any other discussion? All in favor? And those are council member Houston, Gallo, kitchen, tovo, Renteria, Zimmerman and pool. Any opposed? And council members Casar. Mayor Adler off the dais, and council member Garza, and council member troxclair. Thank you. All right. Item 11. We have no speakers. Council member Zimmerman, you pulled this. >> Zimmerman: Thank you. I have a couple quick questions. >> Mayor Adler: Quick question. >> Zimmerman: This won't be too involved. The question I have here was on the agenda item, the main page here. The 380 million. Let's see. Tax-exempt bonds, series 2015 a, not to exceed 380 million. My question was, when we -- when you authorized that, it's up to -- you know, it's not to exceed. It doesn't mean you have to issue all of that debt. So my question was, all -- was all the 380 million issued? Was it all sold as debt? >> What 380 million? >> Zimmerman: The one on the agenda item, in the first sentence. >> Agenda item 11 is for series 2016, not to exceed \$295 million. I think the -- >> Zimmerman: Am I on the wrong item? My documentation is screwed up here.

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>> This is agenda item -- >> Zimmerman: Sorry about that. Hang on a second. Okay. My papers are screwed up. I apologize for that. So the 295 million, let's see. The series 216, okay. So is it -- again, help me understand the commercial paper aspect of this. So, is this what you were referring to before, were money was borrowed with commercial paper, and now you're converting it to long term debt? >> That's a piece of it. This transaction couples a conversion of the commercial paper, plus a refinancing of existing debt for savings, much like refinancing your home motor badge -- mortgage to get a lower payment. We're combining the two aspects, up to 295 million, of that, 190 million will be the conversion of the short-term commercial paper to long term, and then we'll have the remainder of the -- I think it's 105 million -- left as our maximum for the refunding the bonds for savings. And that amount of what refund will depend on the market conditions on the day that we price the bonds. So it gives us some flexibility, but there is a cap. The ordinance sets a cap of the combined amount of 295 million, which we do not go over. >> Zimmerman: Okay. So can you explain why a defeasance of debt, which could -- well, it does decrease cost -- why is that blended in? I don't understand why these are merged together. It's causing me some heartburn. If you would have split these out -- it's really common sense to approve defeasance, because

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that clearly saves interest and money. But when you merge these things together, it's not so clear. >> It's typical for us to bring these as a package. We did that last summer with the general obligation sale. We had both a new issue and a refunding combined. It's because we use the same underwriting group. We group them, they package them as one large sale, and they market the bonds as one series. We certainly could have done that differently, but that's not been our customary practice, to separate them. The savings on the potential refinancing portion of this, based on market conditions on March 28th, was about \$12 million. But, again, that savings number will vary with the market conditions every day. >> Zimmerman: But, again, going back to our city charter and the authorization to borrow money, it's very clear that we have the power to borrow money for defeasance, to pay off bonds to save money. That's abundantly clear that that's authorized. We don't even need to vote on it. It's common sense. No one would be opposed to that. But if you merge another issue with this practice of issuing commercial paper so that you don't have to call it a revenue bond, and then converting it to long-term debt, to me, that skirts the law. So you're blending something that's very legal and common sense with something to me that looks like it's skirting the law. So do you have an objection to separating those out to make it clear, you know, what we're doing so we can vote on these items separately? >> I would seek the counsel of my financial advisor and bond council on these. It's been a very common practice for us to group these, much like other municipalities do. These transactions are highly regulated. We have our own bond counsel. We have disclosure counsel that

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advises us on security and exchange commission disclosures. We have underwriters. We have groups, a variety of firms in the underwriting teams. They also have their own bond counsel that advise them. So there are a number of folks that I would need to consult with before I would agree to separating these items, which has been our practice for 20 years. >> Tovo: I'll just say that I'm not interested. I'm not going to support separating them out. I'm going to support voting on it as our financial experts have proposed. >> If I may, Elaine, I'm wondering, separating out these transactions, would that just increase the cost associated with carrying them out separately? >> It would, and it would increase the staff time to break out the two into two offering documents. You would market the offering documents differently to different investors. And it would -- I think the investment community would question why we would break them out. They're used to seeing us group them together. It's typical in the municipal bond market. >> And it's more cost effective for us to do it this way. >> I believe it is, yes, sir. >> Tovo: Thank you, city manager and Ms. Hart. Is there a motion on this item? Councilmember pool moves approval. Councilmember kitchen seconds it. All in favor? Councilmember Houston, Gallo, Casar, Renteria, tovo, and pool in favor. Councilmember troxclair and councilmember Zimmerman opposed. Mayor Adler off the dais. Thanks so very much. That brings us to item 12. Is there a motion on item 12? Councilmember kitchen moves approved. Is there a second? Councilmember pool seconds it. All in favor? Councilmembers Houston, Gallo, Garza, Casar, tovo, kitchen,

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Renteria, Zimmerman, troxclair, and pool. Unanimous on the dais with mayor Adler off the dais. Item 17 was pulled by councilmember Zimmerman. >> Zimmerman: Thank you, mayor pro tem. I've got a purchasing question here. Director Scarborough, terrific. I need your expertise here. We asked some additional questions through q&a. I think this started out with one simple page here, and I asked Ms. Lorr to provide additional information, which she did, which we just got recently. Let me ask quickly,

how does purchasing consider a response as responsive or not? When you put out a proposal, and you ask for deliverables, how do you assess whether the statement of work -- the answers to that request, whether it properly addresses the deliverables? How does that work? >> Mayor pro tem, councilmember Zimmerman, the determination of responsiveness is going to differ from one solicitation to the next depending on the requirements set forth in the solicitation. Purchasing staff will conduct a preliminary evaluation. Normally, that's going to be associated with the completeness of the bid or the proposal, if it includes pricing, if it includes the signed offer sheet, if it includes surety documents and so forth. So, after an initial, kind of, cursory high-level responsiveness review, then we'll hand the bids or the proposals over to either technical evaluators, in the case of bids, or an evaluation committee, in the case of an rfp, and they will then evaluate the responsiveness of an item to the programmatic or technical

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requirements set forth in the scope of work. In this case, given the professional service exemption, that type of evaluation would not be done against a solicitation or a statement of work, if you will. Rather, it would be done on kind of an informal analysis conducted largely by the customer department in their review of the various providers of these services available in the marketplace. >> Zimmerman: Okay. So that mostly makes sense. Can you tell me who it was that evaluated this particular -- this is awu-179. I'm quoting from 0500, scope of work. I think I'll go ahead and put this on the overhead. That might make it a little more clear. But could you tell me who evaluated this for responsiveness to the scope of work? >> Again, because this was not a competitive item, there was not a competitive evaluation, so to speak. So, I will have to defer to staff and to representatives from Austin water to identify exactly who did the evaluation. >> Zimmerman: Thanks. >> This item is in support of the utilities integrated water resource planning, our long-term water supply planning, as a part of developing the scope for that process, working with the council-appointed task force, we determined climate change risk was an appropriate service component to add to long-term water planning. We further went on and determined that at most consulting, led by Dr. Catherine, was the professional service provider that was uniquely qualified. She's had extensive experience already in Austin, particularly in very unique and complex work to down-scale climate models to better estimate impacts on evaporation, weather, stream flows. And that's exactly the type of analysis we want to do across a

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broader basin of the Colorado system, so we could better assess the potential risk associated with various climate change scenarios as we look into the next hundred years of water supply planning. So it was Austin water staff, predominantly Teresa, myself, Daryl, that made the determination to select her as professional services for this. >> Zimmerman: Thank you very much. I want to draw your attention to the overhead here. This is the deliverables from the scope of work, and I highlighted a couple of things. >> Tovo: Councilmember Zimmerman, let me pause you for a minute. There is another question on the dais. Does this relate to a point that he has just mentioned, or do you want to wait for councilmember Zimmerman's -- >> Gallo: I'll wait until he's complete. >> Zimmerman: Thank you. So these are the deliverables. Your colleague, councilmember Houston, was water availability modeling. >> Houston: Thank you. >> Zimmerman: And it is very, very important. It's very specific. I want to draw your attention to deliverables, forecast for stream flow and evaporation. Most of the statement of work of the seven pages or whatever it was focuses on stream flows in the context of the Texas commission on environmental quality, tceq. They host the website. It's a modeling program that tells us how much water would be available, right, if everybody exercised their water rights based on the amount of

incoming streams coming into the reservoirs. Very, very, very critical and important modeling programs maintaining by Texas A&M. I think the civil engineering department. So this is a very, very specific model with specific inputs that was requested by the scope of work. It also says forecast for evaporation and monthly precipitation, is what you see here. Now I'd like to put up the second slide. This is the answer. And if you push it up a little

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bit, where it says deliverables -- at the bottom of the page where your fingers are. Look at the bottom of the page. Here are the promised deliverable from the at most. They're going to tell you winter temperature, summer maximum, cumulative annual precipitation -- not monthly, but cumulative, the days of temperature over a hundred. If you flip it over -- could you flip that over on the back side? There's a little bit at the top. Show me the top more. There we go. Nights per year below freezing, etc. Number of dry days, number of days per year, average precipitation. In other words, in the specific deliverables that have been promised, there's nothing that answers the request for specific inputs to the water availability model. Nothing. And so according to what's written in our documentation, we could pay \$116,000 and get nothing that we asked for. And I want to ask my colleagues to please take this seriously, and postpone this item until this can be cleaned up. To me, this is an embarrassment for our city, that our documentation has specific requirements that answer to the work, omits everything that was specifically asked for. And we're supposed to vote yes and give the consultant 116,000. >> Tovo: I'm going to ask him to respond and then call for a motion. If you'd like to make that motion. Councilmember Gallo has a question, too. >> The doctor's work to forecast climate change scenarios and localized impacts on flows and evaporation rates is being paired with the previously approved agreement the council authorized to have an aggie, Dr. Richard, who is a well-known

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modeler, the modeler that the city of Austin has used for many years, he'll be working hand in glove with Dr. Hejo to take her modeling to forecast changing flow stream rates, precipitation rates, and plug that into his W.A. Modeling capabilities. And the two of those together will be a linkage back into the plan. So we were trying to communicate through some of that scope, the work would have to work hand in glove with the W.A.N model. We think we have a world-class team to do integrated water resource planning for the city of Austin. >> Tovo: Thank you. Councilmember Gallo. >> Gallo: Thank you. So, I have a couple of questions on this. Really, more from a cooperative question than anything else. You know, it just strikes me that these issues would also be lcra issues. Are they not doing any research or funding research to evaluate these questions, which addressed to evaluating the water supply under various climate scenarios? >> Yes. Lcra does water supply planning. They have modeling of the use of the system. We meet with lcra on a regular basis. There's a technical committee composed of water supply planners and engineers from both agencies that work collaboratively and meet on a regular bases. And we'll be sharing data as we're looking at our water planning, as they are doing their water planning. However, we think it's appropriate that Austin water do some of its own water planning, kind of assessing its own risk, maybe developing strategies to address those risks that would be, maybe, unique or stand alone from some of the strategies that

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lcra would be conducting. >> Gallo: Okay. >> It was also council direction to do an integrated water resource planning through previous direction to the utility. >> Gallo: Oh, I definitely agree with the

integrated water resource planning. I think that's very appropriate. But what I'm concerned about is are we duplicating efforts for evaluation of the water supply under different climate scenarios. It just seems like that lcra would certainly be concerned with that, and certainly be doing research for that. And we could use their information to develop our plan versus paying somebody to duplicate the same information coming in. So that would be a question related to lcra. And also we have one of the largest research universities in the country located in the Austin, and I just wonder if we've reached out to the university to see if they can -- if they have faculty already evaluating the impact. So, two questions, lcra and UT. >> Lcra has not conducted the kind of climate-level analysis that we're planning. They, in general, have not spoken about climate change risk analysis. So that is not a resource or analysis that they have performed. We do consult with local resources, including university of Texas, and some of our task force members have asked us to reach out to UT professors, which we have done. We will continue to work with them. We'll have Dr. Hejo work with them, also, but, we believe given Dr. Hejo's experience with us in the past -- she is a texan, she works at Texas tech -- that she's the best match for this particular work that we're doing. And then as I mentioned, also, Dr. Hoffpower is out of Texas A&M. >> Tovo: Is there a motion on this item?

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Councilmember Zimmerman. Are you making a motion in. >> Zimmerman: I'd like to make a motion to postpone this item to the may 19th city council agenda. >> Tovo: Is there a second for the motion to postpone this item? Councilmember Gallo, are you seconding that item in. >> Gallo: I would, basically to get better information to see if lcra is already doing and paying for research, or evaluations that we could use rather than the possibility of duplicating that effort. And also, to get some information back with -- from your collaboration with UT so see if there are faculty members will already doing the same type of research. If there's a possibility of saving our taxpayers money because we could use the resources we already have in this community to get the same information, I would like to give staff the time to reach out and see if that's a possibility and come back to us. So I would support the motion to delay that to see if we can get additional information prior to spending one. >> Tovo: Councilmember pool? >> Pool: I would not be in support of postponing this item at all. I think that a key point is that when our staff contract with experts to bring us information, then that means that we have direct access to their expertise. And the report results would reflect specifically the needs of the city of Austin and our ratepayers. Anything that might be done by a university or a research institution that they bring along with them is helpful, but the lcra is not looking, for example, specifically at the city of Austin. So I would vote no on a postponement for those reasons, because I recognize the importance of having this expertise directed by our staff. >> Tovo: I agree. And as a sponsor of the

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resolution that gave rise to the integrated water resource management plan, and some of the other related efforts, I think this is really critical to move forward. Let me see if there's anyone else who wants to speak to the motion on the table first, councilmember Zimmerman. Councilmember Renteria. >> Renteria: That's not going to affect anything -- not going to interfere with the contract? I mean, there's no -- really, urgency to doing this contract right away? >> This is a part of the total integrated water resource planning. The council had authorized the main consultant, Smith. We plan on coming back with the final scope of that in the next few weeks. We had hoped to start the actual integrated water resource planning meat and potato work this summer. I think if we delay this, it may push it into the fall. And our task force is eager to start. But there's not an imminent delay other than, you know, we've been working on this for over a year. The integrated water resource planning task force voted unanimously in

favor of at most consulting, as well as our commission. We would recommend moving forward. In answer to your question, if the council wants to delay, there's no overly burdensome risk to that. >> Renteria: Thank you. >> Tovo: Councilmember Zimmerman. >> Zimmerman: Thank you, mayor pro tem. So you mentioned the commission approved this. Do you think any of those commission members had a chance to look at the statement of work and the deliverables requested versus what was pledged by at most, or any of those -- I haven't had a chance to interview them on this yet. But did any of those commission members examine what was requested by staff, and what was promised by Atmos consulting? >> I can't speak to what each commissioner reviewed prior to their vote. The integrated water resource planning task force reviewed this thoroughly. They had a presentation by Dr.

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Hejo and her qualifications, and the work we would be doing. They went into one to two hours of discussion with her in terms of her scope and approach to these services. >> Zimmerman: In that one to two hours, nobody bothered to look at what we were asking for on paper and what she was delivering on paper? >> Councilmember -- >> Zimmerman: In an hour and a half. >> Tovo: Councilmember Zimmerman, that's not what -- >> Zimmerman: Okay. But the documentation is completely out of sync. What we're voting on and what's in front of us. I think this is important. Look. I found out about this yesterday. We pursued this pretty heavily. I had to make multiple phone calls. I did finally get the information, the deliverables requested and what was pledged. I immediately called the Icra to find out if some of this work was already being done. They're going to get back to me imminently. So, again, I don't think we should rush this through. I think Icra should have a chance to comment on this and tell us if there's already work being done. I think councilmember Gallo is correct that there's a very good chance we could get this work done without paying a hundred thousand dollars. And, again, the proposal from Atmos does not meet and is not responsive to the deliverables we requested. >> Tovo: Councilmember pool. >> Pool: Thanks, mayor pro tem. I'm just not in favor of a postponement if the dais wants to postpone this one week would be the most I could vote for. The integrated flood mitigation task force is going to be making a report to the public utilities commission in a couple of weeks. And the open space environment sustainability committee was also going to hear from them, but instead, we are going to join that committee to hear the report and the results. Bastrop county has flooded three times in the last 11 months. We have some real issues with flooding in our community and in central Texas. And if there is even one small

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piece of this study that can help us try to make better plans and mitigate, we need to get started on it, and we need to do it with all due haste. So I am not for a postponement. I'm also not for not doing it, because as I said previously, I think it's really important that the city control and have access to the experts to answer specific questions that we have that relate solely to the city of Austin, and none of the other groups have that remit. My only concession would be is if on this dais you want a one-week delay, I might be persuaded to vote for that. But otherwise, there's -- ultimate -- a special urgency around this topic. Thank you, mayor pro tem. >> Tovo: Does the maker of the motion want to amend his motion? >> Zimmerman: I'll accept a one week instead of may. What would that put it to? We have -- >> Tovo: I don't believe we have a meeting next week. >> Zimmerman: We have one on may 5th. That will give us plenty of time to hear back from Icra. I'll amend that to may -- the 5th if there's no objection. >> Tovo: The motion on the table is to postpone this item until may 5th. All in favor? And all -- let me just say that's councilmembers Gallo, troxclair, and Zimmerman in favor. I'm sorry, councilmember Renteria, were you also in favor of the postponement? >> Renteria: [Off mic] >> Tovo: For the postponement.

Okay. All opposed to the postponement? Councilmembers pool, tovo, kitchen, Casar, and Garza. So that motion fails. Is there another motion on this item? And I should say, councilmember Houston off the dais, and, of course, mayor as well. Is there another motion? Councilmember pool moves approval of this item. Is there a second? Councilmember Casar seconds it.

[11:22:47 AM]

Well, they both raised their hand. All in favor? Councilmembers Garza, Casar, --kitchener, tovo, Renteria, and pool. Opposed? Zimmerman, troxclair, Gallo. Councilmember Houston is off the dais with mayor Adler is also off the dais, and so that motion passes. Thank you. >> Pool: And mayor pro tem. >> Tovo: Yes. >> Pool: I brought a long a bit of information. There was an article in Texas monthly. It relates to Catherine hejo, and she was profiled by Texas monthly on -- I guess it was the April -- it says may 2016. It's a real nice article. And I asked my staff to make copies for everyone on the dais. I think there might be a couple extra copies. I'd like to add that to the record so it can part of the support on record for this item. It talks about Texas tech's Katherine hejo is one of the most respected experts on global warming in the country. She's an evangelical Christian trying to connect with the very people who most doubt her research. Too bad the temperature keeps rising. Thanks. >> Tovo: Thank you for that additional information, councilmember pool. Councilmember Zimmerman. >> Zimmerman: Thank you, mayor pro tem. I'll do my own brief point of privilege here. I went and reviewed the tape from a year ago with Dr. Catherine hejo. I had objections to some of the climate science she was putting out. She referred us to skepticalscience.com. And skepticalscience.com is a website dedicated to slandering and attacking world-class scientists who disagree with the political agenda of man-made global warming. You can go to it yourself. It's got some scientists on it, a few. But a lot of journalists, computer scientists, former policemen. It speaks very poorly to somebody's professional credibility to refer me to a website that attacks world-class

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scientists with political activists. >> Tovo: Okay. Moving on to item 18. Let's see. Who pulled this? Was that -- councilmember troxclair. We have no citizens signed up. >> Troxclair: There was language I hadn't seen before, I wanted to make sure I was understanding it from a contracting perspective. So it sounds like -- so the item is asking for 7.9, increase in labor cost, supported by the the --bureau of labor statistics, it will provide security posts. I understand the need for Se security, I guess to protect our water infrastructure. So, I want to understand, is this money -- I guess it's an additional \$1.5 million. Is that solely to cover the five additional employees? It sounds like it's to cover five additional employees plus maybe an 8% pay raise for the existing employees. Is that right? >> Mayor pro tem, councilmember troxclair, that's accurate. It would be to cover both the additional staff and the equitable price adjustment. >> Troxclair: So was there something in the original contract that allowed for -- I mean, that would have required us to make that adjustment mid-contract? I guess it was last amended -- when was the contract last renewed, or amended? >> The last amendment was December 11th, 2014. >> Troxclair: Okay. So was there something in that that provided for that kind of wage increase? I didn't remember seeing that in any of the other contracts. >> Sure. Mayor pro tem, councilmember, the -- a common approach used by government procurement across the country is to allow for periodic price adjustments based on unknown factors in the

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market. And that allows us to enter into term contracts over an extended period of time. If you ask a

contractor to hold their pricing over a long period of time, they have to assume a certain amount of risk and volatility in that market. They have to put that in their pricing. That can often cause an over-assumption of risk, and, therefore, we pay disproportionate pricing compared to the market. So one way to offset that risk is to allow for periodic re-examinations of price. And a best practice in our industry is to tie that re-examination to an index. This this case, we tied it to the bureau of labor statistics. Certain industries pay their people across the country in certain fields. And so when our staff were requested to review an increase, we looked at the bureau of labor statistics increase over a period of time and determined that there had been an increase in labor cost in this area. So we allowed the increase based on what the bls index was telling us. >> Troxclair: Okay. And so then another additional language in the item says if the city is unable to amend this contract, the current contract will no longer have sufficient funding and will terminate early. Is that common language? The point -- I can understand if you're talking about a long-term contract, you know, five, ten years, of course wages are going to change. Even shorter than that. In this case, it's not a particularly long time. It's been, I guess, less than a year and a half. But is it typical that we have in our contracts -- I mean, the point of a contract is for both sides to agree to terms, and to agree to follow through with those terms for a certain amount of time. Is it typical that the people that we're contracting with can

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back out of a contract, even though we're continuing to meet the terms that have been agreed to? >> Typically, no. If a contractor requests to conclude the contract early, and it is advantageous or desirable to the city to do so, we can do a bilateral amendment to end the contract's term early. The approach that the city has used to manage multi-term contracts is a bilateral amendment to extend the term. That requires both parties to agree to the terms of the contract. So in this case, the contractor requested an increase. We are recommending allowance of a modest increase associated with bls index. If that was not authorized, then we would certainly extend to the contractor the ability to extend the contract or amend the contract, extend the contract without the increase. They would be obligated to do so because of the bilateral amendment approach that we use to manage multi-term contracts. >> Troxclair: I'm sorry. So bilateral doesn't mean -- I thought you just explained bilateral meant both parties had to agree. >> Right. >> Troxclair: So if we don't agree, shouldn't that mean that they are required to move forward? And I'm really -- this brought the question to my mind, but I'm really asking this for more of a global perspective. >> Sure. >> Troxclair: Because of course we evaluate the levels of our contracts and everything every year or so when we renew them. And, of course, during our budget process and other things, too. /And I did think that this was unusual. So I want to understand if there's something different, or something that I'm missing about this contract that makes it unique. >> Yeah. I think just looking at our other multi-term contracts, and this contract, I think what makes this one a little bit different is that it exhausted

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its funds. It's existing its funds faster than was anticipated. So that behooves us and the department, customer, to extend some additional energies in trying to analyze and better predict what our consumption's going to be over a long period of time. If you have a contract that's four, five, six years long, once you get two or three years into that contract, you may realize that your needs are much bigger or much smaller than you thought they were going to be at the beginning of the term. That seems to be the case in this particular contract. We and the customer underestimated the amount of consumption they were going to do, thus the need for the request for the increase. That, in addition to the bls index increase. The example -- and back to my explanation of the bilateral contract term

approach to managing multi-term contracts, this allows the contractor and the government to part ways at predictable segments of the contracts instead of allowing the relationship to become so negative that we are propelled into some kind of adversarial or litigious circumstance. Until waiting until the problem got so bad that we both wanted to depart the contract, we focused the checkpoints. In this case, the contractor felt like they weren't making enough money to preserve or continue with the contract as-is, so they requested an increase. We reviewed our index according to that increase, and we're recommending an adjustment to go forward. If that's not authorized, we can still extend to the contractor the request to extend the contract on the old pricing and the current Ts and Cs. And if they agree, we can extend the contract. But if they don't agree, then we would have to let the contract expire and immediately proceed with a new solicitation to bring in a new contractor.

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>> Troxclair: When would this have expired or been up for renewal? >> I don't . . . So the original term was two years. It would have expired next January, 2017. >> Troxclair: Okay. >> So we're fine. It's just that they're requesting additional -- the five additional positions, and the bls index increase going into the next term. >> And so I hear you saying that sometimes there may be unexpected expenses. In this case, it seems like the contract is for salary for a small -- a relatively small number of employees who I would think have pretty predictable expenses. I mean, what -- again, is there something -- what is the point of having a contract at all, I guess, if our contractors can back out at any time? And I think you said something, four to six years or something like that. It's been less than a year and a half. It would've been up for renewal in January anyway. And I don't see anything in this particular contract that would have caused unforeseen, huge expense increases like a flood or some other issue. I mean, it's just a salary for a small number of employees. So it doesn't seem -- I understand the reason for the process in the circumstance that you're describing in a long-term contract with unforeseen expenses. But I don't -- I'm not seeing that this contract meets

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those -- that criteria. >> I understand your perspective in that regard. What we try to do more and more often is to get in front of these contract expirations so that the city preserves as much leverage as possible. So if we can work on the next extension of the contract nine months in advance, six months in advance, and we're not able to resolve our differences, or attain the authorization that we need, then we have the ability to get the new solicitation on the street, get the new offers in, and have that new contract before council in a sufficient amount of time. So sometimes we do have to work well in advance, and we're attempting to do so here. Balancing our contract provisions in a multi-term contract is both an art and a science. Certainly, some governments across the country take a unilateral approach to managing contract terms. They extend the term at the discretion of the government. If the contractor needs a price adjustment, then the contractor will request the price adjustment based on the provisions of the contract that allow them to do so. If the contracts don't allow it, then they can't request an increase. It's been the historical practice of Austin, based on my review of our business and how we manage multi-term contracts, that we're a little bit more balanced and friendly to our contractors with regard to allowing them to make requests, allowing them to right-size contracts to the market. What we'll typically see as the biggest driver of increases in a contract is going to be associated with labor and the cost of labor, and particularly in the local cost of labor. >> Troxclair: Okay. And I appreciate that you'll -- I'm sure that you use your judgment in making these recommendations to us. It just also occurs to me that if we're putting these contracts out for competitive bids when they're first put out to bid, or even when they're up for

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renewal, but then they come back within -- and we choose someone who is the most cost effective, or meets all the criteria, including the one that makes sense from a cost perspective, but then they come back in a relatively short amount of time and significantly increase the amount of the contract, it just makes me wonder if it skews the competitive bidding process. >> We agree. And whenever possible, we hold these requests to very strict scrutiny so that they don't reasonably exceed the amount of the initial estimate and the competition that was held there. That's one of the reasons associated with the 25% rule that we observe. If a contract so exceeds the initial estimate, then there's a need to check back in with the council to make sure that that's still the direction and the desire of the city. And if it exceeds it too extensively, then we would move to truncate the contract's term, end it earlier, or let it end at the next segment and take it back out for solicitation without exhausting all options. >> Troxclair: Thanks. >> Tovo: What's our motion on this item? Councilmember Garza moves approval. Is there a second? Councilmember pool seconds it. All in favor? >> Zimmerman: I would like to speak against the motion. >> Tovo: Councilmember Zimmerman. >> Zimmerman: Thank you. I agree 100% with the concerns that councilmember troxclair has brought up, but I would go a step further. This is a dangerous thing for this council to do, to set a precedence of saying we'll take the low bidder, but then later the vendor can come back and request more money. And now it'll be up to the scrutiny of city staff, bureaucrats, to decide if they want to be friendly to this particular contractor and award them more money. This is a very dangerous thing for us to do.

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It's not fair to other companies who did a more accurate bid on what their cost would actually be. It punishes people that are more honest about their cost. And it provides for cronyism. I don't know. From our legal staff, everything the city does is legal. I can't understand why this wouldn't create the cause of action for other contractors to come in and say, wait a minute. We made an honest bid for what this was going to cost. We got undercut, and the city awarded more money to the company that deliberately undercut us. >> Mayor pro tem. >> Zimmerman: Isn't this a concern legally? >> Tovo: We have an attorney here who will address that concern, and then I'll recognize councilmember kitchen. >> Mayor pro tem, councilmember Zimmerman, robin Harris with the law department. As far as legal risk for making this kind of change, I'd say there's not legal risk, because as Mr. Scarborough said, it's based on an aboutive measure, the brewro -- an objective measure, the bureau of labor statistics built into the contract initially. The city and contracting party agree to terms when they're building that contract. It would've been the same for -- I mean, it could've been the same for any vendor who bid on the contract. >> Zimmerman: Okay. >> Tovo: Excuse me. >> I wanted to also address your question, because it appears from the information in the backup there was a change in the scope. We added a person on here so that -- you know, there was a difference in that. And, of course, the city staff is coming to the councilmembers to make the decision about the change. So that's always going to be your decision as a council. >> Tovo: Councilmember kitchen. >> Kitchen: Oh. I just wanted to ask councilmember Zimmerman to refrain from making -- personal attacks on our staff. I appreciate him bringing up questions. And those are certainly appropriate. But we don't have to assume that our staff is going to -- I forget the exact term that was

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used. But it was disparaging to our staff, and I don't appreciate that. >> Tovo: Thank you,

councilmember kitchen. I think I saw another hand. Councilmember Houston. >> Houston: And I appreciate councilmember troclair's points, because as you were laying that out, it does raise some concerns for me about how this will be perceived. And so thank you again for bringing those issues up. I appreciate it. >> Tovo: Mr. Scarborough. >> Mayor pro tem, if I can clarify further, the ability to request an equitable price adjustment is a long-standing, well-established practice. The federal government, many state governments, and local governments across the country use this practice. And to then take the requested increase and compare it to a market index, in my professional experience, is the best practice. We are not exercising personal discretion other than to interpret the contract the way it is written, and comparing the request to an outside index for either recommending or recommending against the requested increase. So as far as I've seen other price adjustments clauses handled elsewhere in other governments, this is a very solid approach. >> Tovo: Further discussion? Councilmember Houston. >> Houston: And so what would happen if we -- if the council should vote no? What would happen? Would the contract just end early? >> The contract is currently set to expire in January of 2017. If the contractor did not wish -- it's bilateral. They have to agree, we agree to extend the contract. If they do not wish to go forward because for whatever reason the pricing is not allowing them to retain this business, then they would let us know, and we would not contemplate extending the contract beyond its current expiration. We would immediately begin preparation for the

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re-soliciting. >> Houston: Okay. >> Good morning, council, Anna, chief administrative officer for Austin water. In addition, we'd like to point out that if this item is not approved, the five additional staff being requested to add to the staff would not move forward. And we are requesting those to strengthen our security posture at our various locations. >> Tovo: So to clarify, I assume that's -- I mean, it is a security measure. And in your estimation, we need that additional security to provide the best assurance of safety of our water supply. >> Yes, that's correct. >> Tovo: Thank you. Further comments or questions? Councilmember Zimmerman. >> Zimmerman: Thank you. I have a quick question on that. But when the scope of work changes, it means we need to put another offer out for bid. Because if you're saying that we need more personnel and more security, that means the scope of work has changed. So the original scope of work is not valid. If the city says, well, what you bid on originally is no longer sufficient, you're basically changing, now, the process. And so, again, the people who bid on this originally say, wait a minute. If you're going to change the scope of the project and you require more work, we'd like another chance to bid on it. So this is a way to not open the contract for bids because the contract scope of work has changed. >> Tovo: This seems like ground we've covered before. And some points that have been made before. So are there any other additional new? >> Zimmerman: I have a final new point that's an old point. A year ago, I protested the 3% across the board pay increase that was in the forecast budget. And we went to the bureau of labor and statistics, the bls. We noted that according to the bls, the median income in this area had raised -- .8%. I was told by the municipal resource director that bureau and labor statistics, that's not a source that is used or considered by the city.

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The city rejected my claim that we should look at the bureau of labor and statistics, because the city doesn't use the bls statistics. If you want me to find it on the tape, I can put it back up. And so now suddenly it's okay to use the bureau of labor and statistics, I guess because we want to be friendly to contractors. I ran on a platform to be friendly to taxpayers, and in friendly to taxpayers, I'm voting no. >> Mayor pro tem, if I could clarify further. The index that the contracting officer will select for a given contract is the one that best reflects the market for that contract. If our colleagues at hr determine that

that particular index is not most reflective of government employees, then I would defer to their discretion. But for review of compensation to individuals that work in this field, the contracting officer, when they conducted the solicitation in 2013, determined that the bls index was the best for this particular contract. >> Tovo: Okay. Thank you. Councilmember Casar. >> Casar: And I would assume that we ensure that when we make an increase based on labor costs, that that increase actually winds up in the pockets of the employees and security guards? >> Councilmember, this contract has been subject to living wage since it was awarded. But to the extent that the increase is passed along to the employees, the provisions of the contract don't necessarily spell out that the entirety of the increase would go to the employees. But that's certainly something that we could inquire about and determine to what extent, or the amount of the increase -- how much of it is being passed to the employees. As it pertains to their wages, or to their benefits, or to other parts of their

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compensation. >> Casar: So the contractor could ask for an increase to their contract amount based on increased labor costs, but could ostensibly not pass that money along to the laborers that he is suggesting that they need more money for, specifically. >> That is technically possible, but we have the ability to request certain cost data if we're concerned about the compliance of the contractor within city policy. So in this case, living wage was applied to it, so we would be able to request for certain cost data. But we need to respect the contractor's and the city's relationship with regard to their employees, and their accounting systems as compared to our ability to request information that may not be associated with the material --terms and conditions of the contract. We request. I don't know how much we can demand that they provide us in this regard. >> Casar: And I understand this is just one small contract, and this may be a more systemic issue that I'd just like to take up. >> Sure. >> Casar: Because ostensibly, one could take a look at the bls, see an increase in labor costs in our metro area, request an amendment to a contract to get extra money, but not necessarily pass that along to the workers that ostensibly were the people that were asking for higher wages. >> These things are possible in the market. And we try to predict them and to take the pressure off of contractors in these longer-term contracts. Certainly one approach would be to adopt a unilateral technique for managing multi-term contracts. That would be driving risk into these longer-term contracts and perhaps push up the initial price of the contract. And the initial price may look unfavorably compared to the market. The -- market. >> Casar: I understand that part of the balance.

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I'll follow up with you, but it seems to me interesting that we could be allocating this additional money for those wages regardless of whether it's a living wage policy, if these security guards are making \$15 an hour but the labor market has gone up 7%, a contractor could ask for that 7%. But we aren't sure whether that 7% actually winds up with those security guards. Systemically I know that's a different question, but something also for us to think about given this particular example. Thank you. >> Tovo: Okay. We're ready to vote? All in favor? Councilmembers Gallo, Garza, Casar, kitchen, tovo, Renteria, and pool. All opposed? Councilmember Zimmerman is opposed. Any abstentions? Councilmember Houston and councilmember troxclair. Councilmember Houston, did you have a -- did I -- miss recognizing you for a comment? Okay. So that motion does pass. Colleagues, we have speakers on enough of the items before us that we will certainly be returning after lunch. My guess is that on item 24, which is the contract related to graffiti removal, that we'll have a significant council discussion about that, as we did last time. Is my assumption on that correct? That's item 24. I believe we have time, either to take up 24 or 33 before we break at 12:00 P.M. For citizens communications. We don't have time to

do both. We do not have time to do 24, though there are only two speakers, if there are questions that council have. Item 33 is an item to set the public hearing, so our discussion on that is pretty limited. So, unless anybody objects, I'm going to jump to 33. Is that fine? Okay.

[11:51:05 AM]

Mr. Peña, you're our first speaker. Did James Ross arrive? John Lopez? Mr. Peña, you'll be followed by Ron, and David king. Let me remind all three of those speakers. We are voting today only on whether to set the public hearing. If you could stick narrowly to the matter before us, without getting into the merits of the actual variance. >> Okay. Good morning, mayor pro tem, councilmembers. Again, I will stick to the basic specifics. And will support setting a public hearing. And, again, just as a reminder, a friendly reminder, we have people monitoring this type of situation. Anyway, for the public hearing to be considered. Thank you. >> Tovo: Thank you, Mr. Peña. Thank you for sticking so narrowly to the topic. Mr. Thrower and then Mr. King. >> Mayor pro tem, councilmembers, representing the applicant. Just asking for this project to get set for a public hearing so it can go through its due process. We have a few hundred people that are going to be supporting this endeavor. I'll do my best to keep them as nonspeaking supporters when the time comes. If you have any questions, let me know. Thanks. >> Tovo: Thanks. We certainly welcome public participation when it happens. Mr. King. >> Mayor pro tem. Thank you, councilmembers. I would ask that when the public hearing is actually conducted, that the council would request information be provided during that hearing regarding the number of these waivers that have been granted over the past ten years, the location of where these waivers have been granted, and any information on the negative impacts of granting these waivers to the public schools that are adjacent to those businesses that have received these waivers. I think that information would be very helpful and informative. And then to also publicly inform the public of the specific criteria that was used to either deny or approve that waiver.

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Thank you very much. >> Tovo: Thank you very much, Mr. King. Is there a motion on this item? Councilmember Garza moves approval. Councilmember Casar, did you want to second that? All right. All in favor? Councilmembers Gallo, Garza, Casar, kitchen, tovo, troxclair, Zimmerman and pool vote to set the public hearing. All opposed? Councilmembers Renteria and Houston. That motion passes. Mayor Adler's off the dais. I would suggest since we have seven minutes that we get started on 24. We do have two speakers. I believe one is not here. Mr. James Ross is still not here. Mr. Peña. You are our first and last speaker on item 24. >> Mayor pro tem, councilmembers, Gus Peña again. I remember back in the '80s and '90s, the city of Austin had the youth at risk doing graffiti abatement. I was kind of perplexed, and actually, was not aware that there was going to be outside services provided. What are we going to do with the students that normally would provide these services, and students that are at risk, doing a good job of it. Is this going to affect any other programs that the city has, or Travis county? And that's all my question is, concerns about that. Thank you. >> Tovo: Thank you, Mr. Peña. I think we did discuss some of that in our first hearing, and I've forgotten what the answers were, but I believe -- I'm not sure if our staff -- we'll follow up with you, Mr. Pain California. Peña. Maybe we have information here. >> Eric, billing services

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officer. This contract is for facility maintenance to city buildings only. It does not affect the health and human services program that uses the youth to abate graffiti. >> Tovo: Thank you for reminding us of

that. Is there a motion on this item? Councilmember pool moves approval. Is there a second? Councilmember Houston seconds it. Any additional comment? Councilmember Renteria. >> Renteria: I just want to ask a question on this contract. I noticed that there was a bid that was lower than the second one. And I know last time we brought this up there was a discussion about it had to be a certain percentage before they could consider the second bid. What happened there? What was the difference? >> Mayor pro tem, councilmember Renteria, this particular item came before you at the previous council agenda, and was continued so that -- or was withdrawn from the agenda so that the staff could look into some of the allegations that were being made by the incumbent contractor. While we found no evidence to sustain the allegations, we felt like having a separate set of eyes in the form of a hearing officer just to take a look at the allegations would help us make sure that nothing was missed. While making preparations for the hearing, the low bidder, that was part of the previous recommendation, sent us notice that they no longer wished to pursue this opportunity with the city. On their withdrawal, we notified our customer billing services, and the second low bidder, and we proceeded to revise the council authorization request. >> Renteria: Okay. Thank you for that answer. >> Tovo: Yeah, thank you for asking that question. Councilmember troxclair. >> Troxclair: So if possible, I want to put a copy of the

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letter that we received from the lowest bidder up. Does someone have a copy down there? >> Troxclair: So, yeah. Just to refresh everybody's memory, the contract was up for renewal. The person who had the previous contract did not come in as the lowest bidder. They were the second-lowest bidder. The staff did not recommended awarding of the contract to them because although they were local, they did not meet -- they were too -- they were significantly more expensive than the lowest bid. So we had a conversation. But she was upset about losing the contract. And we had a conversation about this last week or two weeks ago. We decided to postpone it to address her allegations. This is the letter we received from the company that was the lowest bidder. It says, the graffiti abatement procurement was opened in December of 2015. What should've been an extremely easy award has dragged on for four months, with a request to extend our bid for an additional two months, after already granted a 30-day extension. Unfortunately, we will be unable to extend our bid for any further length of time. Having been in this business for over 40 years and being one of the largest graffiti abatement contractors in the country, we have never had this length of delay on a bid award for a protest without merit. It is more apparent the city of Austin does not wish a contractor from an outside jurisdiction, even when it is cost effective to have them. Having met all of their requirements to bid, submitting the lowest responsive bid, extending the time for the bid to be evaluated and having explained verbally and in writing what the apparent misunderstanding was seems to have fallen on deaf ears. We do not wish to begin a

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contractual relationship when we are battling forces working behind the scenes to prevent that relationship from ever coming to fruition. In order to save any further time and money justifying our position when it is clear we are not wanted, woods maintenance services, inc. Withdraws its bid so the city of Austin may continue on the path they have obviously chosen. We are releasing the city of Austin from any obligation to award the procurement to our company. They remain free to do whatever it is they are of a mind to do. We wish you the very best in this endeavor. I mean, I just -- I can sense the frustration. And I can so understand his frustration that we have a city process in place. We have a fiscal responsibility to the taxpayers to accept bids that are the lowest cost, and that provide the best service. The competition is a healthy thing to make sure that the city is getting the best service for the lowest cost. And to have these private companies spend their time and money, you know, four to six months

now, having to justify -- they were the winning bid! We should be excited to work with them. And instead, I feel like we've run them off because of delays, and because of -- I don't know. I guess some people may feel bad for the previous -- I mean, I feel bad for the previous bidder, too. And I'm sure that there was, maybe, some other work with the city that she could've done. But I just -- this is why people are so frustrated with the city of Austin, and why it's so difficult to do business with us. And I think part of the reason that the cost of doing business in Austin continually increases, because this is -- I mean, we're talking about a \$100,000 contract here. They had to go back and forth with us for four months and withdraw their bid. Disappointed in the way this

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transpired, we're stuck paying more for a service than we could have two months ago. >> Tovo: Councilmember Zimmerman. We're at 12:01. Our commitment to the public is to break at 12:00 P.M. >> Zimmerman: This is take 30 seconds. I voted in favor of delaying this. And I am now frustrated for the same reasons that councilmember troxclair pointed out. I mean, when anybody comes and alleges there might be a violation of our procedure, rules, or process, I always want to give the benefit of the doubt to the person who's concerned that the process is being properly followed. But in the weeks that ensued, I never saw any evidence that anybody did anything wrong. And the result is that an apparently qualified bidder who followed the rules dropped out in frustration. I'm abstaining from this. Now it's a mess. >> Tovo: Councilmember Casar. >> Casar: The last point I make would be that, while I understand the frustrations of this bidder, you know, the council needs to feel comfortable that the process was followed. I think we chose a very short postponement period for our staff to work it out. And the accusation that things are happening behind the scenes such that in some way we're picking a preferred bidder, in my office, I can probably speak for the entire hallway, is blatantly not true and seems to imply there's corruption involved. All this person had to do was wait until today and we would've chosen them. So it speaks to me of just grow up a little and wait another week. I think everything was fine. >> Troxclair: Thank you. Councilmember troxclair. >> Troxclair: I do want to point out that our staff did say at the last hearing that they found no evidence of the accusations the person was making. We already had that information, and the council still chose to postpone the contract again.

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So we did have that advice from our staff that they had done their due diligence. They so no validity in the accusations the other party was making. I can understand his frustration in not wanting to continue to do business with an entity that didn't seem to want to do business with him. And this kind of example is why other businesses in the future might not apply. I don't think that this business is ever going to apply in the future to contract with Austin for any services. And I think there are probably other businesses who have experienced possibly this same thing, or others who are seeing this happen who aren't ever going to apply to do business with the city of Austin because even though they might have a great company and provide a wonderful service, it's too difficult and they feel bullied. So what's the point in spending their time and energy on? I'm looking at you, but you were the one who recommended that we not postpone it. I'm not speaking to you. I'm speaking to the general public. >> Tovo: I think you're speaking to your colleagues, because our council are the ones who made the decision to postpone. And frankly, I thought it was a good decision to postpone. And it is our discretion to postpone and to make decisions that are different from our staff's recommendations if that's our will to do so. Councilmember kitchen. >> Kitchen: Not to beat a dead horse, but I was just going to say, I appreciate your perspective, councilmember troxclair. And I don't remember everything that was said when we made this vote. I'm sure you made all those points then. We have explained why we voted that

way. It was important to make sure that the process was appropriate. So, you know, so I hope you're not suggesting now that we acted inappropriately, because I wouldn't appreciate that, if that's what you were suggesting. >> Tovo: It okay. >> Troxclair: Now I have to say -- >> Tovo: Councilmember troxclair, but if there are other comments, we're going to have to break. Our commitment to the public is that we break at 12:00 P.M. Councilmember troxclair.

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>> Troxclair: I don't think there was ever any insinuation in anything that I said that would have implied that the council acted inappropriately. All I'm saying is that I can understand his frustration, and I wouldn't want to do business either with the city after being treated the way he was treated. >> Tovo: All in favor? Councilmembers Houston, Gallo, Casar, Renteria, pool. Opposed? Councilmember Zimmerman and troxclair, mayor Adler off the dais, that passes. And that brings us to citizens communications. As our first speaker is coming up, colleagues, I just want to recognize councilmember Gallo for a couple comments. And also, I want to also just give a signal to the people who are here for some other items we haven't gotten to yet. We have five -- between 35 and 36, we have 15 speakers signed up. And so I believe that we are going to need to break after citizens communications and come back and take up those items later. If there's not any disagreement, I'd like to let the public know so that they can come back. Is everybody comfortable with that plan? So if you're here for items 35 or 36, we will be back at 1:00 to take up those items. So that gives us about 40 minutes for a lunch break. Is that acceptable? Okay. Councilmember Gallo, and then our first citizen to communicate is Mr. Llanes. So if you want to head up. Councilmember Gallo, who has a puppy. >> Gallo: I have a puppy. This is my favorite thing to do in the world. This is Watson, and Watson would've signed up to speak, except he couldn't figure it out. So he's come up to the dais to say hello. But the reason he's here -- he's an eight-week-old puppy. And he's been staying at the Austin animal shelter. And he's here to remind everyone that the animal shelter is open. He also wants to say thank you to mayor pro tem tovo for

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helping to initiate the adoption event, which is normally on Thursday, but it was cancelled today because of the weather. So it is just when the new mobile adoption vehicle comes down to city hall and gives people that live and visit our downtown area an opportunity to see these adorable little pets that want to have forever homes. And so, councilmembers, if any of you are looking for a new member to your family -- Delia left because I was telling her this little puppy needed to go home with her. Then Watson is here. So thank you for letting him be here. And we do have a proclamation this evening at 5:30 to kick off pet month, may pet month. And there will be rescue dogs down visiting with us then, and are available for adoption. So, you have a day-long opportunity to take one of these cute things home with you. Thank you. >> Tovo: Thank you. I want to recognize the staff of our animal center for really take that idea about having animals down here and just running with it. And I think fursday was a fabulous success. I think they found homes for eight out of the 11 animals who came down last month. And I know that it will continue to be successful. So thanks again to Tanya Hammond and our other staff for seeing that through to fruition. Mr. Llanes, you are up. Thank you for joining us. >> Thank you, councilmember tovo. I'm here to speak on gentrification, a tool of continued systemic and institutionalized racism. Dear councilmembers, we ask that you educate yourselves about our collective racist past, and that you participate in the undoing of systemic racism at every turn in every decision that you make. What we currently know as gentrification is the tool of a continuation of colonization and

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exploitation of the Americas by what has come to be known as white supremacy and privilege. We live in a racist country. Austin is no different. Gentrification has become so institutionalized and acculturated, we're so used to it, that most people don't know of its terrible impact on people of color. But people of color experience it every day. Gentrification is a two-sided coin. It is at once classist, with the 1% exploiting the rest of the population through acquired economic advantage. But for people of color, and particularly for chicanos, African Americans in east Austin, it is the double impact by perpetuating unchecked racist practices on these populations. Gentrification started out as genocide of native Americans and the robbing of the land by white European settlement. The bringing of African slaves, and later of other minorities like the Chinese to finish the railroads. Yet all of these minorities have always been and continue to be oppressed. At first it was with guns, germs, and steel. Now it's with the law, regulations, and the police. Systematic gentrification in the form of zoning and planning have been described by many as one of the root causes of disproportionate burdens of economic, cultural, and economic injustice upon people of color. Zoning and planning initiatives here in Austin are the fundamental and potentially most powerful legal weapons deployed in the cause of systematic and institutional racism. The history of land use and zoning in Austin that continues today, like imagine Austin, is displacing chicanos and African Americans in east Austin as an alarming wait. Dove springs might be next. Now, through these same planning and zoning initiatives like imagine Austin, we have the continuation of the colonial

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practice of gentrification of the people of color to this very day. We are here to state that gentrification, as many test manifest through zoning and planning, is a tool of systematic and cultural racism. We ask that you councilmembers educate yourselves about our collective racist past and participate in the undoing of systematic racism at every turn, in every decision that you make. You should ask yourself, does this decision perpetuate or dismantle racism? [Beeping] >> I can tell you it's across the board on every issue that comes across this dais. Our hope is that you educate yourselves on this issue and choose to dismantle systematic racism and that you work with us to create a real democracy here in Austin for all of its citizens. Thank you so much. [Applause] >> Tovo: Thank you. Thank you all. >> Thank you. I was hopeful that councilmember troxclair would be here. I appreciate it. >> Tovo: Thank you. Ms. Black. Sara black, you're next. And then after Sara black will be Kellee Coleman. >> I just want to say ditto to that last speaker. I've been in Austin -- I was raised here. I went to elementary school and high school. The neighborhoods that I lived in, when I would go there, it would be mostly white. And I would be approached by residents there and they would say, you know, when you finish pulling the weeds out of your lawn, you can come and pull them out of my lawn. They thought I didn't live there because I'm a person of color. When I moved to southwest Austin, I was learning how to drive. And here comes the police, because somebody reported me as a suspicious person when I was learning how to drive in my own neighborhood. And somewhere it took a twist

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where now Austin is -- that they are pushing us out of our neighborhoods. Because now it came to a point where, oh, you live here. The police officer was very nice back this be, but now it's, do you have somewhere else to be? Go somewhere else. Specifically that when I would call the police for crimes, the perpetrator would be the one that would be empowered by the police. So the first course would be don Haygood, where I rented from her. She's the ex-wife of an APD employee. She went to a birthday party,

and the birthday girl got \$250. So she came back to me, her renter, and she demanded \$250 from me. She said she wanted to steal the \$250 from that birthday girl, but she couldn't do that, but here I was vulnerable in her home. And so, you know, I called the police. And she made threats against me. It turned out that what she was going to do -- she told the police what she was going to do. I did not know. But she took my stuff and put it in her room. They watched her do it and then said they couldn't go and get my stuff out of her locked door. Then after I left, she filed false police reports. Nothing ever happened to her. She was never taken to jail. She was an alcoholic. She was whatever. So, because of previous police actions, I had to go to craigslist to find another rental. I went to another place. Mindy Copeland, a week after renting from her the state knocked on the door. They state they believed she was running an illegal daycare out of her house. So they wanted me to be a

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witness against her. So she decided she wanted to flee Austin, or whatever. So she demanded money from me. So she ended up doing some -- [beeping] >> Ended up doing some illegal -- I mean, filing some fake action against me. The police officer never -- >> Tovo: Ms. Black. >> Yes? >> Tovo: Thank you so much. That's your time. Thank you so much for being here with us today. Kellee Coleman is our next speaker. And after Ms. Coleman is pat valls-trelles. >> Good afternoon, everyone. So I'm Kellee Coleman. I'm a part of an organization called mamasan, a vibrant woman. And we're a part of a larger collective of folks, a coalition called communities of color united for racial justice. And last may we were able to pass the resolution around -- with two points. And the first one was the health equity programs and money. And it seemed like that process went well. It was to provide staff resources for a working group to gather information for improving health outcomes for infants, mothers, and other members of the community. And this portion of the resolution has been accomplished. And part two of the resolution that's now being addressed has not followed so smoothly as the first part. It directed staff to coordinate with the working group and city of Austin budget office staff and other departments to evaluate the impact that existing city policies and practices have on equity, evaluate best practices in other cities, and develop recommendations for addressing current race and

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socioeconomic-based inequities through the city. The recommendation should include but not be limited to the development of an equity assessment tool to be used by every city department during the budget process. We, as the stakeholders, our organizations were supposed to be a part of that process from the beginning. And we have not been. We have had conversations with the consultant that was brought in and hired for the equity office, and is working now on an equity tool. They have been, you know, merged, which is probably a good thing that the two have been merged, but even in speaking to them, the E.D. Said to me that the Seattle office didn't come out of government, it came from community, and that's why it happened. And so I asked her, so, why do you think that you guys have the answer for here? Like, you know. [Laughing] If it came out of community. And what does that mean for the process if it's not being directed by community folk? And I just wanted to remind y'all that that part of the resolution still has not been utilized or implemented in a way that we see fit, anyway. So. Thank you. [Applause] >> Tovo: Thanks, Ms. Coleman. Ms. Valls-trelles -- yes, councilmember Garza. >> Garza: I just wanted to comment. Thank you for those remarks. I have to echo what she said, you know. This resolution that we passed asked for -- it was two-pronged, and the community organization was so excited to be part of the process. And they were very involved in the health equity part of it. In fact, we were also able to fund, I think it was a little over a million dollars for that health part of it. And now I understand their concerns. There's been -- and it's because

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of the complication with the equity office. But I really hope that -- I appreciate the work that our city manager is doing and our city staff is doing to try to bring these two together. But these -- this community organization, it was in the resolution. They really need to be part of this stakeholder process. So I hope that we can include them. I know that mamasan and all the organizations have continued to reach out and speak before us, and I'm glad they have because it's important that we have push our staff to implement the resolution that we passed in may. >> Tovo: Thank you. Councilmember kitchen. >> Kitchen: I was just going to echo what councilmember Garza said. And we'll be happy to work with you, councilmember Garza, to follow up on this and see if we can be sure that the process is addressing the concerns that were just raised. >> Tovo: Thank you. Ms. Valls-trelles. And then our last speaker for today is nailah sankofa. >> Thank you again, mayor pro tem, and councilmembers for the opportunity to speak. I am here to speak on four animal issues. First, spay/neuter initiative number 1, spay/neuter on first impoundment. Second, the use of unclaimed spay/neuter deposits. Third, the stray cat return program and the lack of information being provided to the public about this program. And fourth, the failure of animal services to implement councilmember Casar's may 2015 resolution to get all the dogs out of their kennels at least once a day. Mayor pro tem tovo, councilmember Garza, councilmember troxclair, I am here to request a meeting with one or more of you, or a member

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of your staff, to request that you join councilmember Houston in placing these two spay/neuter initiatives on the may 24th human services committee agenda. Spay/neuter on first impoundment was postponed for six months so staff could conduct a survey. I believe the timeline and survey are flawed, and I ask you to put this item on the may 24th agenda so you can hear how this survey design and the timeline can be improved. In addition, I would also like you to look at the \$72,000 balance in unclaimed spay/neuter spay/neuterdeposits that are being used for purposes other than spay/neuter. This is a complicated spreadsheet that if I tried to explain it in three minutes, I would confuse myself and all of you. So I am asking for a meeting to discuss it with you so that hopefully you'll put that on the agenda. Councilmember Casar, I would like to meet with you to discuss your may 21st resolution. I was very appreciative that you did that. It is not being implemented. And I'd like to discuss it with you and how we can get some movement in that area there. There was a \$345,000 budget created with the donations fund. There's plenty of money there to do this. And five months into the year, there are budget items where the money is just sitting there not being spent, and yet the dogs are not getting out, and I don't understand why we can't fix that. With the stray cat return program, the public has a lack of information that we're even doing this. We're taking healthy, adoptable, friendly cats. And they're being put back out on the street without a rescue group being given notice or an opportunity to rescue them.

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This is not right. I am not in favor of killing these cats. I'm not in favor of those that say the only other option is to kill them. When the no-kill plan was passed, we talked about placing animals in homes. Now we're talking about live outcomes. [Beeping] >> Dumping a cat on the street should not be considered a live outcome. It should be something we work on. Thank you. [Applause] >> Tovo: Thank you very much. All right. Nailah sankofa, speaking about the Austin fashion industry railway underground boot camp. She is not here. So, that concludes our citizens communications for today. We stand in recess until 1:00, at which time we'll come back and finish up our agenda. And then, again, we do have a time

certain items for 3:00 and time certain items for 4:00. >> Kitchen: Mayor pro tem, that's only going to give us 35 minutes. Could we say 1:05? I think the 40 minutes that we talked about makes more sense. >> Tovo: Sure. 1:05. Does that sound good to everyone everyone? We did tell our public we would start at 1:00. So, saying 1:05 is fine, as long as we really are ready to start at 1:05. Councilmember Houston? >> Houston: I would like an hour. It looks like we're going to kind of run through -- if we told the public -- >> Tovo: We did. I apologize. We did let them -- that was one reason why I wanted to check in before they all left. I will say that after we conclude 35 and 36, we can't take up any other business until 3:00. So my expectation is that we will -- once we come back after lunch, and dispense with those two items, we'll have a bit of a break before Austin housing and finance corporation. Okay. We stand in recess at 12:25. >> Casar: Mayor pro tem. >> Tovo: Councilmember Casar. >> Casar: Are you planning on voting on that one item at 3:00 and then going away until

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4:00? >> Tovo: We can discuss that when we come back. We have several items on the Austin housing finance. But I would suggest, if we are to do 35 and 36, we start the housing finance corporation at 3:30 to run through the 3:00 and 4:00 agenda at one point.

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>> Tovo: We're going to get started in just a minute. As a head's up to speakers for item 35, we'll start in one or two minutes, so if you're in the lobby, you might want to come on in. >> Tovo: Welcome back. We're going to go ahead and get started. I should also say that item 37, the executive session item, was withdrawn. So we're going move on to 35 and start with our speakers on this item. Mr. Pena, who I saw just a minute ago, you're up first. Then you will be followed by David king, assuming James Ross is not here or John Lopez. Okay. Mr. Pena, you will be followed by David king. >> Thank you, mayor pro tem, councilmembers. Gus Pena, native east austinite, 2327 east fifth. Item number 35 of course is approve a resolution including the city manager as part of an ordinance being developed in response to resolution, et cetera, et cetera, relating to tenant relocation program for tenants displaced by

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development. Regarding the parameters of the resolution, I will state this: I am the co-founder of veterans for progress. We included 20 more veterans just last week, so we're at 5,750 members strong, both male and female. And just wanted to -- this is a no brainer. This is a no brainer. I don't know what taxpayer would not want to pass this ordinance for relocation assistance to these individuals who are being displaced. That is happening throughout the city. And I will say this, mayor pro tem and councilmembers, the next best or worst case scenario for somebody who is displaced or just they're tearing down the apartment complexes, is to go into a motel mode. And it is very expensive in this city when there are events like the circuit of the Americas, south by southwest. The cheapest one is \$139 per day, the cheapest. So having said that, are we, veterans for progress, do support this resolution directing the city manager including mobile home residence as part of the ordinance being developed in response to the resolution relating to tenant relocation program for tenants displaced by development. Thank you very much. And we strongly support it. Thank you. >> Tovo: Thank you, Mr. Pena. Mr. King. And you will be followed by Susana Almanza if she is still here. >> Thank you, mayor pro tem and councilmembers. My name is David king. I live in the zilker neighborhood and again I echo Gus' remarks and I hope that you will pass this unanimously. As you know, mobile home parks in the city are being redeveloped and the residents are being gentrified out of their neighborhoods. The residents are

pushed to the edge of the city would schools, mass transit, schools, grocery stores, medical services are scarce or nonexistent. Many of the residents live

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in central Austin and then must spend an inordinate amount of time and their income driving back to the jobs and then back home. And I'd already asked that you require the developers to pay the cost of these relocation funds. And require the developers to give displaced residents the option to relocate back into the neighborhoods from which they are being displaced. Some development projects are large enough, like the [indiscernible] Project, for the site to be redeveloped in phases so that the existing residents could be moved out temporarily and moved right back in and live back in their own communities. So I hope that's what we can do for the cactus rose mobile home park that's part of the Lennox oaks package project. I would ask that you have a tenant relocation project to help displaced families. It requires a developer to have a reracks plan and help families displaced as a result of development. Seattle, Washington requires a permit for development projects that will displace existing residents. Developers must get a tenant relocation permit before they can receive a demolition permit. This requires them to do this planning upfront before they can proceed to any other phase of the development of the project. Andrew Harris not until a tenant relocation license is issued. And please enact the requirement that up zoning or rezoning cases will require a super majority vote of the council for approval. If that project is likely to displace existing residents. Unlike subdivision and resubdivision cases the council has the discretion to approve or not approve upzoning and rezoning cases. And we know that rezoning and upzoning is one of the causes of gentrification. It accelerates it. I know that's not what you're trying to do when you approve those cases, but nevertheless that's the impact that it has. So I would ask that we not

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go forward as we have been in the past and just approve the rezoning and up zoning. And I would ask that it require a super majority so that we can not contribute to the gentrification that's occurring here. Again, that's your discretion. You do not have to approve these cases. So I think that will help to slow down the gentrification that's happening in our city. Thank you very much. >> Tovo: Susana Almanza. Okay. So colleagues, are there questions about this item? I see we have an amendment from councilmember Gallo. I believe, councilmember Renteria, was this an item that was brought to the housing committee by councilmember Casar? >> Renteria: This item was brought to the committee by Casar with me as a co-sponsor. Either way we could sponsored each other. This resolution is when we did the tenant relocation -- relocation, last year we weren't at that time faced with the problem that we're facing today with the cactus rose. And so there's a lot of unique situations involved and this one, which is going to take -- I feel like it will take a little bit more staff time. And -- it will take staff time, so that's why I'm submitting this resolution. This is where we're facing rv mobile home lot, including next to it duplexes and single-family housing that are rented, and they're real low income housing. We have a total population of about 54 residents that are living there. And I feel like that tenant

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relocation money was really when we voted for that last year, we didn't include mobile homes in there. And these people are faced with having to move out. There are some families in there that are paying right now for a lease to own, these two and three-bedroom mobile homes, and they're in such dire conditions that they will never be able to move them. So we need to really focus on helping these

families. You know, they're kids going to our local schools so I would hate to ever see that we're not going to help these families and make them homeless. We just passed a resolution about compassion. What we're trying to do with this resolution is make sure they get the assistance also and just because they live in mobile homes doesn't mean that they shouldn't be able to have some kind of assistance in finding them new places to stay. >> Tovo: Thank you, councilmember Renteria. Councilmember Casar, did you wish to speak to this item as well? >> Casar: I think that dealing with mobile home communities within the tenant relocation ordinance makes sense, but it will be -- I think it will present some challenges because some folks in mobile homes own their homes, some rent the home and lease on the land, and so I think we left it open-ended enough as our recommendation out of housing committee that we wanted the city staff to do their best to incorporate what they can into this ordinance and if they have any other ideas, of course, our city staff is always free to present their good

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ideas to the council for dealing with the problems that we see in trying to achieve the solutions that clearly that we're trying to get to. >> Tovo: Do either of the original sponsors want to move approval of that item? Councilmember Renteria moves approval. Councilmember Casar seconds that. Councilmember Zimmerman. >> Zimmerman: Thank you, mayor pro tem. I would like to be recognized to speak against the item. And so -- I guess there's an amendment coming later from councilmember Gallo and should we maybe have the -- well, I'll go ahead and make my comments on this now quickly. I want to call attention again to the agenda item and the fact that the amount and source of funding and fiscal note once again is blank. And I know what I'm going to be told is that, well, we don't know what it's going to cost until after, I guess, staff has maybe drafted something or proposed something. But the other perspective on that is to say, well, shouldn't the council provide some kind of upper limit on what the taxpayers are going to be expected to pay. So if we're talking about a tenant relocation program, from a high level policy view you could say all right, we're going to spend a million dollars. We're going to spend two million dollars. It should have some budgetary number so that city staff would have some idea of how to draft the ordinance because as it is now basically there's no fiscal note which basically implies that the amount of money is unlimited. It's undefined, right, and could be unlimited. So can I ask why as a council or the committee why there wasn't some constraint, high level constraint put on this? Two million, 20 million, some number? >> Renteria: This has to do with the 750 or 40,000? >> Casar: So this item is

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just giving council's input into a process and a resolution we already passed. We already asked the city staff to draft a tenant relocation ordinance, and now we are just asking for mobile homes to be included in staff's drafting of that. If you have issue with the idea that we didn't include a limit on it, then I think that you would just want to have amended the original resolution and the constraints on it, but the council chose not to do that and in my view it's wise to get the best ordinance we can from the city staff as far as recommendation and then we have ultimate say on what we want any city law to be. >> Zimmerman: If I could reply, that would be consistent. If the original resolution was unlimited then it would make sense to expand the universe of the program because it's not limited, let's just add more in. In two weeks or a month from now there could be another one that could still include more on the relocation and still more because it's unbounded, unlimited on what we can spend on this. I'm saying a terrible idea from a policy viewpoint to have unlimited owe zero that make sense? To have bounds and limits on what can be spent is fiscally irresponsible in my opinion. >> Tovo: Other comments? Councilmember Gallo. >> Gallo: I passed out, which I hope is considered a friendly amendment, to this.

Since the resolution does have a whereas in it that directs -- that references a vote that the housing and community committee did. It was not a unanimous vote and I would like the resolution to reflect that it was a vote of 3-1. >> Tovo: Councilmember Gallo proposes to amend the motion. Is that accepted as friendly? All right. So that becomes part of the motion.

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Okay. All -- yes, councilmember Gallo? >> Gallo: Now I have a comment on the resolution. It's -- the council did pass a resolution last November relating to the tenant relocation program, and as a result of that, that resolution, staff went forward and had what I would consider a pretty robust stakeholder participation, had four meetings with stakeholders in the months of January and February. And during that time the idea of including mobile homes was not part of that stakeholder process. And as we talk about predictability and transparency in the process that we go through as we bring resolutions forward, my concern is not the mobile home community from the standpoint of whether or not they should be included in this discussion, but the fact that the stakeholder process that the staff implemented did not include this community both from the standpoint of the residents and the owners of the mobile homes and the owners of the properties. So I just can't support the addition of that community at this point because they've not been included in the stakeholder process that we instructed staff to do and as we talk about making sure that the stakeholder process includes all the parties concerned. I think we're just adding a component that has not been involved in the process to this point. Thank you. >> Tovo: Thank you for those comments. Councilmember troxclair. >> Troxclair: I just have a quick question. What is the timeline? Is the stakeholder process already over? Is it possible for staff to include some of these people in the discussion? Because I too -- >> Gallo: I think that might be a staff question. And they could explain what's been done to this point and if they've even reached out to the mobile home community at this point.

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It's a very complicated -- lots of moving pieces process and resolution and idea that we're moving forward, and I just -- once again, we've made a promise to the community to always include the stakeholders as we are doing that and I feel like that group has not been included do this point. But that would be a good staff question, I think. >> Tovo: So I would invite our staff to come up and address that if they're able to at this point. >> Houston: Mayor pro tem, while they're talking about coming up and getting it together, let me say that -- and I agree that the mobile home communities were not included in the initial process. The onslaught of mobile home communities started, I think, after this process of relocation began because we were talking about apartment dwellers and specifically apartment units on Riverside that were just demolished and people having no place to go, no assistance to help them move to new housing. And then as we began -- as we have grown exponentially, we find that now we're growing into where mobile homes used to be the only option for people of moderate to low income. And so now they're being assault. So I don't think that as a person that has several mobile home communities in my district, I didn't realize it was going to happen that quickly and so now that it's happening very quickly, there needs to be some protection. I don't mind going back through a process, and now that I see somebody, maybe they can tell us where they are, to get the mobile home communities, but there are about nine, 10 of them in the areas that we're talking about, and they're all feeling some pressure from development. So now that you're ready to tell us what the process would be... >> Good afternoon, council. My name is Erin leak, I'm

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with the city of Austin neighborhood housing and community development. As you have already mentioned we have had a stakeholder process for the tenant relocation ordinance that did not specifically include mobile homes -- considerations about mobile home redevelopment. So we agree that if those -- if the desire of council is to include those within a tenant relocation requirements that we would want to reach out to that community. So I think that the question, if council would like to move forward, is whether you would like to see a -- one ordinance that includes everything that might take a bit longer so that we can have that additional stakeholder input or whether you would prefer to separate those out so that we could potentially bring the multi-family tenant relocation recommendations forward more quickly. So we can go about it either way. We'd love to get input on that. >> Tovo: Councilmember Renteria. >> Renteria: The reason why we brought this forward is that we have a situation here at cactus rose here in east Austin and montopolis, and I felt like, you know, I've been working sitting down with the developer there and we have negotiated some assistance that they're willing to pay for these residents, but we're also facing some really unique situations. We have residents that are rent to lease where they -- rent to own, which is -- and they have a long-term lease, a couple of years.

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And here we are faced with residents that are going to be asked to move their mobile homes, which is -- they're so old that they're not -- no company will move it. And we're going to displace these people and they can't take their mobile home with them because there's no way that they can move. And so I've been sitting down there with the developers and they've been trying to work out a solution to these problems. We have gone into thinking about using some city land where they can store their mobile homes there right next to it, because we own some land there. And the developers are trying to do whatever they can to help these residents, but, you know, there's just so much that they can do. They're willing to pay up to \$3,000 Perez dent to help them move, but there's some really unique situations in that I think that with using our staff to help these people find other locations and try to figure out how we can help them out, and that's why we're -- we want to include this resolution. You know, what's going to happen if we don't do that, we probably have a majority here on the council that are going to say no, we're not going to approve your land, approve your land zoning change. And they're just basically going to be left with that land there and they're not going to have the ability to develop it. And even though they may probably end up kicking everybody out, a lot of the people have long-term leases, but it will just be sitting there vacant ranland because I won't be able to support a zoning change on there if we don't figure out how to help the residents that live there. >> Tovo: Thank you, councilmember. So I think that it would be interesting to hear from either of the sponsors the answer to Ms. Leak's question about whether the

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intent is whether to hold this piece or have it come back in two separate actions? It seems like it would be important to get at least something on the books quickly, but owe. >> Casar: Ms. Leak, when you say delay, how significant would the delay be for a more comprehensive ordinance to come forward? I know that it's hard to gauge it exactly. I'm not asking you to make a promise, but generally it's hard to know whether that means a month or six. >> It depends on what sort of stakeholder feedback that would represent a successful process to council. It seems' that if we need an additional meeting or two to mobile home residents, stakeholders, property owners, would be sufficient, then we're probably talking a month would be my guess. >> Tovo: And you said one or two meetings would be a month delay? >>

Correct. >> Tovo: That seems a sufficient process to make sure that information is incorporated. Councilmember Houston. >> Houston: And we're talking about trying to get together all the mobile home communities or the transferred home communities to participate because there have been some in councilmember Casar's district, there are a couple or three in my district. Is that the group you're trying to include? >> If people have contacts or know of those mobile home parks, that would facilitate the discussions. >> Tovo: So we'll ask councilmembers to send that

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information on to Ms. Leak. So again back to that first question, what's the direction to staff? >> Casar: I wouldn't speak for everyone, but if it's for six weeks, and we can get something comprehensive, that's fine, but otherwise I have no problem dealing with this twice and getting something on the books for multi-family because I do understand that things will be potentially pretty different on mobile homes considering that could be a more complicated ordeal. And so again, I would I'm not sure how we give this direction or make the decision, but ultimately if it's short, a month and a half, you could bring it all at once, but if it will take longer I would rather start biting away at it. >> Tovo: I would agree with that. Other thoughts on it? Councilmember pool? >> Pool: I want to say that generally speaking, I want support trying to find a way to help with relocation for folks who live in the trailer parks. They are living there because their income stream is a lot lower than maybe anyone else's in the city and it's hardly fair to them to simply make it so that they can no longer live there. And if they're having to try to find land for an old and maybe broken down trailer, it may take some time too, but my sympathies will be with the people who own those trailers and are living in the trailer parks so that we can try to assist them and give them some support. As a city I think that's a value that we have. So if you need to have conversations, more extensive conversations with the stakeholders, I want to say in advance that I am sympathetic to the needs of the people who are being dislocated, which is the word I was looking for, but I couldn't dredge up until just now. Thanks. >> Tovo: Ms. League, does that provide you with enough

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direction that if you start meeting with stakeholders and it looks like it will take longer than four to six weeks that you would separate the issues so that you can return with the relocation policy? >> It does. >> Tovo: Quickly enough? Good. Thank you. Any other comments? All those in favor? Oh, we have not -- no, we did. I'm sorry, councilmember Gallo. >> Gallo: It's my understanding that we're not -- I'm a little confused at this point because it sounds like what we're looking for is a postponement of this decision for the four to six weeks until they come back and go through the stakeholder process? >> Casar: No. I think the intent is that we want to have tenant relocation ordinance that applies not only to multi-family, but also mobile home communities, but that we don't -- since the staff has been working on the non-mobile home components for some time we want them to bring that back swiftly. But if they can work with the stakeholders in the mobile home community and knots delay the process by more than four or six weeks, then they could bring something back that's comprehensive. But if the stakeholder input that you've been looking for indicates to the staff that that may take longer than four to six weeks to put together the mobile home component of the ordinance then they'll just bring forward the part that we asked for in November first and bring forward this part second. But I don't think that there is any need for delay to direct the staff that we want mobile home included in some form or fashion. That's two ways of doing things. We could have a stakeholder process to see if we even want to have a law that deals with this or we could see if we want a law that deals with this and we need to move on with the stakeholder process. I myself, and I think a majority of the body, believe that this is enough of an issue that we need to figure out how to deal with it and therefore feel comfortable directing that we

want to move forward and then the staff will have the stakeholder meetings ongoing after this. >> Gallo: So here's my concern in the logistics and

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I appreciate you understanding the concern that I have. It's not the merits of the discussion of whether or not the mobile home community should be included. It's the merits of the discussion of we're kind of circumventing the stakeholder process that we've asked to do. So my concern is that the staff has already determined a process to move this forward through the different boards and commissions and then back to the council? And they've already -- my understanding -- staff might come up and speak to that, but there is already a schedule in place to do that and it sounds like that if we pass this today, including the mobile home, that we would still be looking at a timetable that would not give us the month, month and a half, to be able to have the stakeholder? I'm just trying to understand that with the timetable you've already put out to the community with the process that this would move forward -- not would, but is moving forward as it was written without the addition of the mobile home component, help us understand that. This is getting a little confusing from the standpoint of the timeline that's already been pushed out to the community. >> Sure. We did have a timeline that actually -- that recommended getting back to council with recommendations in may, but that has already been pushed back because we're working with law on some of the details. So we have left stakeholders know that meetings have been delayed and we don't have a specific schedule. At this point we have not advertised any updated dates. >> Gallo: What about coming through the other boards and commissions? Has that also been delayed or just coming back to council has been delayed? >> It would all be delayed, so going to planning commission, et cetera, would be delayed. >> Gallo: So what I'm hearing is we would have a commitment from staff that

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would say through the stakeholder process, that would go back and include the mobile home community, would happen that the timetable being pushed out for the ordinance to move forward would be adjusted accordingly, right? And that's my concern is there's nothing in writing anywhere except that. >> Exactly. So if we need to put it in the resolution we can, but to be clear what I think we communicated with that objection would be that this timeline, staff's existing timeline, could get pushed back four to six weeks to try to accommodate those stakeholder meetings. But if it looks like the timeline would be delayed even more, then they should move forward with all the portions that don't have to do with mobile homes expeditiously and that those -- the mobile home components could move through the process after that if it looks like the stakeholder process is taking more than four to six weeks. >> Gallo: I think it would probably be good for clarity if we had an amendment -- you know what I'm getting ready to ask you. Could you perhaps come up with the language that addresses -- I think staff would be more comfortable with that too. Could you -- could we give maybe -- >> Tovo: Let me ask that question because I thought that -- if we're again just talking about when the phasing comes back, I thought the staff said they had the direction they needed on that front S that what you mean in terms of an amendment? I hate to stop and wordsmith an amendment if there's not a need for one. Councilmember Gallo, is that what you meant that you wanted to see a formal amendment regarding the phasing piece? >> I think it would be helpful from the standpoint of clarity. I think we've discussed it, but having some clarity would be helpful. What I'm seeing is we have a process in place that the timeline is being delayed a bit because some of legal questions that need to be addressed, not because we have added another stakeholder component to it, but if we are adding another stakeholder component to it, we are asking staff to adjust the timeline to compensate for that also. So I just wanted to make sure that

we're really clear in directions. >> And I think those -- both

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of those things can happen concurrently. So I don't feel like those will be -- we can work on both of those at the same time. >> Tovo: Okay. Further thoughts? Councilmember Renteria, did you have another comment? >> Renteria: Yeah. I just hope that we do pass this today because if -- if we're going to require more time, then I think we should implement a moratorium on all redevelopment of mobile home lots until we can get this answer. I know that there's some people that might not like that idea, but if we really are serious about helping these people out and are compassionate, that we're going to show them, we should consider a moratorium on all redevelopment of mobile home lots. >> Tovo: Thank you. All those in favor of the motion before us as amended -- >> Zimmerman: One more. >> Tovo: As amended with the language with a vote of 3-1. >> Zimmerman: One more remark, thank you. I wanted to express some compassion for the people who are struggling to pay their taxes and water bills and electric bills. When we talk about compassion, it seems to be limited to those who are potentially slated to receive additional benefits, and I guess I'm resentful of that because I think about having some compassion on the taxpayers who are forced to pay even more higher taxes and fees to pay the additional subsidies. So I don't think it's compassionate towards those that are forced to pay the subsidies and it's going to drive more of those people out of the city. So I'll be voting no on this. >> Tovo: Okay. Further comments? Councilmember Houston. >> Houston: Now, mayor pro tem, you may correct me or councilmember Renteria, but he says he's been working on a proposal with the people

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in this particular mobile home community where the developer is willing to pay for some relocation for those folks who can move their mobile homes to someplace else and they're trying to work that out. This is a longer term solution that sometimes that can happen. Other times we may be putting money into the tenant relocation program, which is something that's already there. To be able to support and assist both the multi-family and the folks who live in mobile home communities. Did I hear you correct, councilmember Renteria? >> Renteria: Yes, we have been working with and we're pretty close. We're right now doing surveys trying to identify the people that are going to -- are going to just take advantage of the -- of what the developer's offering right now. But there are some very unique situations there. We haven't figured out exactly because we just passed out a questionnaire to all the residents and doing a survey who is going to need the assistance. So that's what we're working on. And I also was hoping that bypassing this into the tenant relocation that we're going to be able to help those that are really in need and are going to need the assistance to be able to figure out how they're going to be able to move out of that location so it can get redeveloped. But if it's -- if we're not going to be able to help these people then, I'm not going to be able to support a redevelopment of that land until we find a solution. >> Houston: One of the other options might be, councilmember, is that those of us that have mobile home communities, manufactured home communities in our area, we might be able to work with you to see if they have some spaces there or some empty because some of them rent units that we could help move people into as well. So I'll ask my staff to get with yours because we've got several. >> Renteria: Sure.

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The developers that want to redevelop this land have been reaching out to all the other locations trying to get theirs. And there's just -- there's such a big need for -- because the people cannot afford to pay these rents in apartments. There's a waiting list for people to move into these, plus there's some that

just do not want to apt any more because they're going to redevelop that land. So they're just trying to - they're going -- they're switching to month to month instead of year to year lease so that they can in the future -- it doesn't have to put up with people with long-term lease and they can just move them out. And what are we going to do with these people? That's what we're trying to figure out. I have -- I have about four or five of them in my district and Delia has some right there on the corner of Ben white and 183. There's a big one down there. And it's just so close and convenient to the airport that it's going to get developed. So those are the things that I don't mind going out there and doing a big study, but as long as we can get a moratorium on not letting any redevelopment on this land happening. >> Houston: I see what you're saying, it's a policy decision. Because as those communities develop at the edge of our community, now the middle of our community is going out to the edge and so they're going to be ripe for plucking. And I went out and looked at your area and some of those homes can't be moved. I mean, they're just too fragile to be able to move them. So thank you for bringing this to our attention. >> Tovo: All in favor of this measure? Councilmembers Houston, Garza, Casar, kitchen, tovo, troxclair, Renteria, Gallo and pool councilmember Zimmerman

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votes no and councilmember Gallo abstains. Item number 37, councilmember Renteria, would you like to lay this out and councilmember Garza, I think you co-sponsored it, as I understand. >> Renteria: Thank you, mayor pro tem. Yes, this is another item that came through our committee. I co-sponsored it with my colleague Delia Garza and submitted this. And this is a great opportunity for us to help a non-profit group that are building affordable housing -- with the onion creek flood that happened and money that we allocate to help these people relocate, that we're helping to relocate, this is the kind of projects that is close to the onion creek area, the residents won't feel like they have to move out of town, so this is more of a type of a win-win. Basically we're not allocating or spending any money on this project. All we're asking is for the city manager to come back with us so that if we're going to be able to build this street out, and I'll let my colleague, Delia, that we can add more affordable housing and what they can put on there. So this is what this resolution is about. But I'll -- I'll let my colleague. >> Garza: I believe we have representatives from habitat here to give a presentation and they've all donated some minutes. So can we hear that presentation and then I'll move the motion and then speak to it? >> Tovo: Sure. We actually have 10 speakers on this item. Let me go ahead and call those. Our first -- why don't we hear -- why don't we hear

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from those that are involved in the project first? And that is SHAWN Compton. You're signed up to speak with time from Greg Anderson. Brian Runyon, are you here? And Andy Larkin? So Mr. Compton, you have a total of 12 minutes. Unless Ms. Snodgrass, did you want to open. >> Yes. >> Tovo: Wayne Jeremy. Okay, you have six minutes. Thank you, council, for having us here today. I'm Phyllis Snodgrass, CEO of Austin habitat for humanity. As you know, habitat for humanity has been building homes in the Austin area for over 30 years. Today the need is absolutely greater than ever. I just wanted to take a moment to remind you that habitat raises volunteers and sponsors to build these home. We work with about 10,000 volunteers a year which has a big impact on our ability to deliver affordable homes. We raise sponsor dollars to upfront the cost of building these homes and we hold a non-profit to get families into homes they can afford close to their work. We acquired this property in meadow lake from a private developer in 2013. And that was before the devastating floods that hit our onion creek area. At that time we had acquired that as a piece of land we would be using in the future and we looked at the city plans thinking that a road would get built in five to 10 years or so to be able to service this piece of

property. After the onion creek floods occurred, we started hearing from city staff asking us what it would take to build affordable homes sooner in

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this area. Austin is losing so many families in that area because of the flooding. We were going to address the loss of homes from flooding in this area and we are here today to request the city of Austin to complete the city road, meadow lake boulevard, so that we can get these homes built. I have brought members of our senior staff team and members of our consulting group here. They've got a quick presentation that's been presented to the housing committee so that you all can see what this project is going to look like. And we would be happy to answer any questions that you would have. Shawn Compton with tbq partners. >> Thank you, mayor pro tem, councilmembers. >> Tovo: Just to remind you to the person setting the clock you have a total of 12 minutes. >> I've marked that on my timer here. I will be brief. I'm very happy to be here. This has been a very, very exciting project. And as part of a team that's worked with just a really outstanding mission, and it's a mission to provide affordable housing and shelter for our community. And this is a very, very innovative project, and the first of its kind in the Austin area because up to this point Austin habitat for humanity has been purchasing lot by lot basis in buying lots and building homes and using an incredible amount of volunteer sweat equity. Well, this project is different. It's a parcel of land that allows for the creation of a neighborhood. As Ms. Snodgrass just made reference to, it's coming at a time when affordability is

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a real key issue. What I would like to do is briefly orient you to where the project is. It's east of identify, south of William cannon near pleasant valley road and the project is outlined in red. It's about 14 acres. And the section of road that is not built of meadow lake boulevard is less than a quarter of a mile. And you will also see the Perez elementary school is located to the south, which is in the catchment area where the residents or the school children living in this area will be attending. So this shows us in an aerial, it also shows reference to there's a red dot in the upper right-hand side which is E.M.S. Fire station 28, and it shows the reference to -- there's a number of unbuilt streets in this area and it shows the importance of I think the connectivity of the street. So bottom line is this project was -- you can see the relationship or the connection of the road that's not built. About 75% of it fronts and is part of the project that would be dedicated to the city at no cost. And then the remainder is city of Austin land. Here's an aerial that shows in some reference to what's going on, and this is meadow lake boulevard. And the section is -- it's a residential neighborhood collector, 44 feet of pavement. And what we have done is to make it owe work with city staff to make it a complete street, there by providing for two-way bicycle connectivity up and down the street, bulb outs and also for connection of -- for pedestrians across the street. So it's a wide street. And there's really --

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there's two conditions. And what we've done is we've -- I think in many ways we've been consistent with the mission of the city transportation department of really making these as slower -- moving the cars on the streets, but making them streets that can be addressed too. So our project, which is located here, completely -- 14-acre piece of property and the development is completely out of floodplain, completely out of all areas that is not buildable. And there's about 127 units. What we've done is we've addressed -- we've actually fronted on this street and that's because of the nature of the street design. Should this -- and we've designed with this street, as Ms. Snodgrass made reference to, that there's contemplating

that this street would be designed. Originally this project was envisioned to be completed in five to 10 years, and this project had a completely different character. As it's conceived and shown on your screen right now, it's oriented both to the street and also a number of greenways for making connections within the community, helping interact with people -- both people with people and people with nature. And should the project be -- excuse me. The meadow lake extension be delayed and we would only be able to have one stubout street from the north, we would build about 60 units. And it would be a much more auto-centric development and it would obviously not have as much open space on the interior where people can mingle and interact. So that concludes the presentation. I promised I'd be short. I left about six minutes.

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I guess in closing, as far as the street, it is a -- it's about less than a quarter mile and it's about 75% of the land that the right-of-way exists on is on the habitat for humanity property. That would be dedicated. You can see that there's a multi modal road and a safe route to Perez elementary, and the idea of bicycle mobility would be enhanced and on street parking would be provided so it would really reduce the character of a very wide road section of 44 feet, which is both the existing condition on the northside and the southside, and it would make this into a far more attractive and meaningful environment. Thank you. I'd be happy to answer any questions that you have. >> Tovo: Thank you. Councilmember pool. >> Pool: Mr. Compton, thank you so much for being here today to talk to us about this. You said that without the connection of meadow lake that this would be a much more auto-centric development. Can you explain to me what you mean by that? >> Yes, ma'am. We would have 100% of the parking kind of oriented within the development, and the way we have organized the development we're fronting on to the street -- excuse me. The homes are fronting on to the street and the streets have onstreet parking, which assists towards the required parking of the development. Otherwise we would be providing 100% of the parking on site. >> Pool: So you're making the assumption that people would park on meadow lake? >> Yes, ma'am. And that's in current code. >> Pool: Okay. Because they're fronting on

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to meadow lake. >> Yes, ma'am. >> Pool: Otherwise they would be parking in the back. >> That's correct. >> Pool: Okay. I understand. Can you flip to the slide that shows the separations and the travel ways? >> Let's see if I can do that. >> Pool: Yeah. So how far along the existing stretch of meadow lake will this -- these sections be built? This new infrastructure? There this only be on the portions that the city would add or is this going to extend along the portions of meadow lake that are already on the ground? >> What's >> This condition would be the unbuilt portion. So the unbuilt portion of the meadow Lakes so about a quarter of a mile distance. What will be helpful and I think that there's broad support for this is that pavement section, as I mention, is built both to the south and to the north and that can easily modify -- the existing street pavement can be modified to build out to the condition that's shown on section a. So the two-way bicycle lane and the designated on-street parking can be provided. >> Pool: So what you're saying take leading up to the quarter mile new section of meadow lake, which is section B, I guess -- is that the top piece? >> Yes, ma'am. Those are built in breach sections. I'll orient you if you allow much those green fingers that are between each of the units and groups of units would have access to the street and that's where there would be these bulbouts, if you will and that are shown here and

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these islands. >> Pool: How does that connect up with the existing pavement conditions? >> Both -- those aren't continuous. Those would be just small islands. Like how were earlier shown -- well, somewhat like on shoal creek, but these would be -- that's probably not a good example because those were shared use islands, if you will, between both the bicyclists and parking. So these would be -- both the existing street south and north of the development would be -- there would be the opportunity to provide for designated on-street parking and the creation of a bike lane. >> Pool: The point I'm trying to get to is if the bike lanes are separated out, that's a great idea, I'm not criticizing that, but if it's only on that quarter mile what are the indications for anybody on a bicycle leading up to that that they are coming into it? Because the way you have it the bidirectional are on one side. Are there striped lanes elsewhere or are people going to have to go from one side of the street to the other to get into the separated -- my question would be at the bottom, at the southern end of that quarter mile what happens to the people on bicycles when they get out of this quarter mile that is very nicely -- it's a nice piece of infrastructure, I'm just trying to figure out how seamless are the connections are the north and south end? Q.that's a great question. You might call this a catalyst project and it would be -- the condition would be section a on the bottom. And section a would be the bicycle lanes, should the city not pursue the continued bike lanes, those would transition back to just on-street parking, so the bike lanes would dissipate on both ends.

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>> Pool: And then are you offering -- is the development going to provide some of the funds to have this happen or is this all for the city and our transportation department to find the funding for? >> This -- this item is for the city to participate or to take this. >> Pool: And has our transportation department staff participated with you on the development of that or have you -- >> Very closely. This is actually the design that has come recommended from city staff. >> Pool: That's very good. Thank you. >> I'm sorry for my lack of clarity on that. >> Pool: No, no, that's completely fine. Thank you. >> Tovo: Councilmember kip even. >> Kitchen: Thank you very much. I wanted to clarify that we had -- thank you councilmember pool for those questions. We had discussion along this line in the committee and we ended up making an amendment that partially I think perhaps addresses the concerns that you are raising and what we did is we added -- we added language in the committee to look at the sidewalks and the other traffic improvements necessary to support safe pedestrian and bicycle routes all the way to the school. So as a recognition that the city staff needs to -- to look at the routes throughout the whole area down to Perez elementary school. >> Pool: I would be interested in making -- I'm sorry. >> Kitchen: And that's included in the resolution. >> Pool: Right, I see that here on the be it resolved. I would be interested in the cost estimates. So if we want to do this we have an early understanding of what it would -- how much it would cost. >> Kitchen: I think that's part of the -- that's in the resolution right now because it's talking about exploring the feasibility and that includes the costs. >> Pool: That's great. Thank you. >> Tovo: Councilmember Zimmerman. Did you have a question for the speaker? >> Zimmerman: I did and it's more I guess a process question. On several occasions as an

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elected councilmember I've been told we're not allowed to ask staff to spend any kind of significant resources or cycles investigating something like this interesting road project unless I get a majority of councilmembers to direct the city manager to direct the traffic department and public utilities to work on some engineering specs or some kind of rough layout of what the road would look like. So my curiosity is how did you manage to do this, this is an item from staff, it's a recommendation for council

action. >> Tovo: It's not from staff. >> Zimmerman: Do you know what my question is? How something can come from staff. >> Kitchen: It's not from staff. >> Tovo: It is an item from council sponsored by councilmember Garza and who else? Councilmember Renteria. >> Garza: It came through the housing committee. >> Tovo: I thought councilmember Renteria identified himself as a co-sponsor. It went through the housing committee and is coming to us. I think your question -- I don't think it's one for the speaker but it may be one for staff is the extent to which they will work with a nonprofit or developer in developing a plan before it comes to council for consideration. Is that your question? >> Zimmerman: That is a question, but again, if things from committee, they need to say from council instead of consideration for council action. This is very confusing. If it goes through committee can it not stay an item for council? This is really confusing. >> Tovo: I think we have begun a process of talking about those forms and putting those kind of suggestions on the message board would probably be a good way to handle it. Did you want to ask staff that question? I'm not sure that's a question -- you are welcome to try to answer but I think that's one for staff rather than councilmember -- >> Yes, councilmember, as a land planner, landscape architect who has worked with the city -- not with the city, excuse me, representing projects, developer projects and brought to the city and

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worked with city staff for well over 20 years here in Austin, this is a very typical condition of simply recognizing what are the -- what's feasible, what are the desires from the city and we do this on a regular basis whether it's the bicycle liaison, whether it's department of transportation, watershed department, so this is very typical of working with staff. And what it does is it's an efficient process to rather than having a developer submit a plan without any interaction with staff and then having to go through and having to redesign and go through a feed loop process, feed loop, feedback loop, this is a process that is just getting input and recommendations or thoughts from the city staff. This is in no way is an endorsement of city staff on this design. >> Zimmerman: Thank you for that and you answered my question I think with your first comments. If you have a 20-year relationship working with staff, you are pretty good. If you are a brand new councilmember, probably not. >> Tovo: I have some questions and I'm not sure if they are directed toward you or Ms. Snodgrass about this item. My first one is this an entirely a habitat for humanity project or are you working with conjunction with a private entity as well? >> This is a habitat for humanity project, but we do hire any of our bigger projects a consultant, working with tgb partners to help with the design. >> Tovo: Right, but there's not a private entity that is -- >> Well, we'll get numerous sponsors. In order to build the homes, we will go out and fund raise and work with numerous volunteers, numerous sponsors so we're going to be bringing a lot of habitat resources to the table to get this built. >> Tovo: Thank you. And I see in the fact sheet that it's going to provide housing opportunities for a range of income levels 60% up

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to 120 -- if I could get a clearer sense of how many of those units truly will meet our definition of affordable housing and how many will be market rate, that would be -- >> Absolutely. We looked at the median housing prices, 255,000 in Austin right now, and to qualify for that house at an affordable way, someone would have to be making 190 to 220% of median family income. So we don't come anywhere near with what we're looking at to do in this project. Habitat serves 30 to 60% of median family income. In a flood zone such as a natural disaster area like with onion creek, we can actually -- with a habitat home, sponsors go up and serve up to 80%. We even have flexibility built into the organizational guidelines to be able to serve a larger group. And then we have our subsidiary home base that we can use to build with private developers and builders from the 60 even up to 110% of median family income.

So we are looking at a range of housing, but we are looking at about 50 homes being for the traditional habitat of the 30 to 60%. When we say 60, we meant the upper end of 60% median family income, and then probably 50 more homes -- 50 to 60 homes in that 60 to 80%, a little bit over. And then -- when we say market rate, we're not talking market rate, we're talking families making the 90 to 110%, maybe 10, 15, 20 houses at most. There's been a lot of studies that show a good mixed income neighborhoods are healthier than putting a lot of -- I hate to use that term, poverty housing with just all families that are struggling. You want to have aspirational housing.

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>> Tovo: I appreciate that and certainly I see the same discussion as well given that we're being asked to provide a city investment, it's really important that I be able to really quantify how many homes are going to be in the 30 to 60% and 60 to 80 so we've got a real clear understanding of what our investment -- what level of housing affordability we're investing in and how that fits with our other investments here at the city. Are you intending or have you applied for general obligation bond funding to cover this project as well? >> We have. We're using that for pre-development work, some of the site work that we've already done and we're going to continue to apply for that. That's pretty typical of any of these projects to get the land ready for development. >> Tovo: Okay. Thank you. It sounds like a great project and I'm supportive of moving forward and asking our city manager to identify the funding, but I would between now and when it comes before us in the budget like to get a sense from our housing staff of how this fits in. We are so blessed in this community to have great organizations like Habitat for Humanity and foundation communities and others that have applied for some of our existing programs, and I want to be sure if we're doing something outside of an open call for applications for funding that we have a real clear understanding of whether that's been done before. It just -- I want to be sure that we're treating our housing partners in a fair and equitable and transparent manner. And so that's a conversation that maybe I can have with our housing staff between now and our budget. But thank you very much for the work that you are doing. >> Casar: Mayor pro tem, may I follow up? >> Tovo: Councilmember Casar. >> Casar: Thanks for presenting it to the committee but I did have a followup question. Part of what made this compelling to me is you described the number of affordable units and the depth of affordability if the depth

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didn't exist versus what you could do on the site. >> Absolutely. When we first picked up that project, I think we were still thinking in the traditional habitat way of thinking of oh, let's get this land and it was a great deal, I'm so glad they did buy it at that time. They were looking to go in the neighborhood we're already in which is the meadow lake and take that stubbed-out road and do some private roads and built out about 65 homes. Once onion creek flooding happened and there became a real dire need for additional housing in this area, we went back and revisited those plans and looked at what makes more sense. We knew that that road was going to eventually be built out by the city and people were coming to us saying what can you do, can you get houses on the ground? These families are leaving, these neighborhoods are leaving Austin, can you make this project bigger. Because there wasn't enough land to make it bigger but the hold-back was the city hasn't finished its road. It's stubbed out on two ends but it never did finish that road. When we went back and hired the firm and looked at designs we were able to design a road that holds 127 units. The Perez elementary school had about 950 families that it was serving and they've lost about 200 of them. And that loss is going to continue as the onion creek buyouts continue to happen. So we're bringing 127 homes back into a neighborhood that's really been pretty much decimated. >> Casar: So with the road you could do about 50-something more? >>

That's right. The only other way we could do that would be if we did it ourselves and then subsidized that with all market rate units. To actually make enough money on those to pay for, and that's really not what we're trying to do. We're in the business of delivering affordable housing. >> Casar: So without the road you could either do 120-something units, but many

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of them would be market rate. >> That's right. >> Casar: Without the road you could do 50-something units that were affordable, but with the road we could end up having the mixed income of units largely affordable especially as far as for purchase new homes go. >> That's exactly -- >> Casar: If this does go through, would you be willing to work with our housing department to sort of memorialize if we're putting the road in we're going to be able to get -- >> Absolutely. They've already been working with us on the project because they've helped us have the funds to work with these guys to develop it so it's a very close relationship. But you are absolutely right. >> Casar: Great, then I would like to call for housing staff to make sure that -- >> We go to them a lot for funding and I know other people do so that's always a concern. But one of the reasons I think if I'm correct was that we wanted to move in this direction was that the city was eventually going to build this road anyway. It's in the master plan. It was a planned road. It was a project the city was going to take on. We're just basically saying if we do it sooner, the answer to your question how we get housing in this, and we don't put that burden on the housing department where they could be spending that money with our housing groups to build more affordable housing because we know we're not the only game in town that needs their money. >> Casar: I understand. >> Tovo: I believe our housing staff are going to come up. Councilmember kitchen has a comment. >> Kitchen: I wanted to say one thing that was very interesting about this project, it's an example of how we've talked about looking at how we plan our transportation in line with our housing at the same time. So I think this is a great example of this and, you know, could be something that is helpful moving forward. Not that you've never done this, but I think it's an example, it's a good example of how when we think about getting affordable housing and

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how we could enhance that, how fixing our transportation problems can add to that. >> Casar: The reason I wanted to call some of our staff up the reason this resolution is easily to support it's not directive to our staff to absolutely fund this road at this point, but to look into it between during the budget process and I would like mhcd to be involved in that conversation so we can see and staff can recommend in the budget based on judgment if based on affordable housing plans, transportation plans, if there is compelling reason enough for y'all to recommend or recommend otherwise on this project. So I just wanted to make sure that y'all felt comfortable being a part of the conversation to make sure that it's not just the transportation planning that's being consulted and not just housing that's being consulted, but looking at both of those plans you could tell us whether or not the city manager would recommend construction of this road through the budget. Are you guys good with being a part of -- >> Yes, Betsy Spencer, director of neighborhood housing. I think it's a wonderful opportunity in the sense the capital planning office, Mike tremble has asked to see how we can maximize all of our resources in order to achieve this kind of result. So this would be -- this will be an interesting opportunity for us to be able to look at the transportation benefits, the housing benefits, any other benefits that may come out of that to be able to provide you with information and possible recommendations in regards to how you want to invest the city dollars. So we're very comfortable being a part of that. >> Casar: Right, and I didn't mean to suggest that we need to use your limited funds to achieve the construction of the road because if it's a road we were potentially planning on building but

building at a particular time and in a particular way meeting our housing goals, that sounds sort of like smart planning to me. So my hope is when you all

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take a look at it with your due diligence that it works out that way, but, of course, our job is just to take the votes and not draw up all the plans but thank you for bringing it forward. >> Tovo: Councilmember Houston. -Yes, thank you. Could you put up the slide about the flood plain? I wasn't clear or I couldn't see it very well. Is part of the land -- in the flood plain or no? >> The neighborhood itself that we're building is totally out of the flood plain. The park area at the bottom, there's a severe dropoff and that would be park area and it's much, much higher. >> Yeah, so there's about two and a half acres of the property in 100-year flood plain, and that is -- there's no development in that area. In fact, it's well wooded and it's a great place for a park and that's the only land use that is part of that. And while I've got the microphone, so all the development is outside the 100-year flood plain, outside steep slopes, outside heritage and protected trees. It's all in the up land area. It's about seven and a half acres. >> Houston: Okay, thank you, that's what I needed to know. >> I just want to commend councilmember kitchen as being part of imagine Austin comprehensive plan, which is the first comprehensive plan in over 40 years, the chapter on -- there is not a chapter on transportation and a separate chapter on land use, they are linked. And that -- I appreciate your comments on that and this is a great testimony, if you will, to how linked those are and how the land use -- if the road is there this is what it looks like and how integrated those can be. If the road is not there how to -- to councilmember pool's comment, how that land use to be affected by the lack of

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road. >> Tovo: Thank you. Are there additional questions for these speakers? Thank you very much. Let's move on to our next speakers. Mr. Peña, Gus Peña. Mr. Ross, James Ross, still not here. You will be followed by our last speaker, who is David King. >> Mayor pro tem, councilmembers, Gus Peña again. If you remember -- some of you might not remember back in Bruce Todd's administration, we pushed the transitional housing mode. Still a lot of people were homeless then. We see more people homeless now. I fully support the -- this initiative. This entity has been building a lot of good homes for a lot of people, but we're losing a lot of people to the homeless ranks. But one of the things I would like to see also and I am supportive of building the road, completion of the road, and again the question that my veterans and our organization would ask who will bear the brunt of the funding for the -- building the road? And I think that was mentioned already briefly. Please, if you hear anything from me right now that will be positive for the communities that are losing people to the homeless ranks, we need transitional housing also. Richard Halpin is one of the best experts y'all can ever go to about housing, and I am supportive of habitat for humanity, been there for a long time, but when I ran for city council in '96 and '97, one of my big points transitional housing. We're in support of this and it's Perez, not Perez.

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I'm a former teacher and I like to correct people when they don't pronounce the names correctly. Kudos to habitat for humanity. Mayor pro tem, councilmembers, city manager, we're supportive of it. Thank you very much. >> Tovo: Thank you, Mr. Peña. Mr. King, and I neglected to call earlier Mr. Lopez. John Lopez. Did he make it? Okay. Mr. King, you are our last speaker on this item. >> Thank you, mayor pro tem, councilmembers. I'm very supportive of this and habitat for humanity and I think they do great, great service for our community here. I just have a couple questions and the presentation really

answered some of my questions that I had earlier so I appreciate that presentation. And I wonder, I was add codes and ordinances meeting the other day, other night, and during that meeting they were talking about proportion at in terms of traffic impact analysis and impact fees and they mentioned the cost estimates they use to estimate the costs for new roads need to be updated. So I didn't know if these cost estimates that we're looking at today are based on updated information or the current information. So I don't know if the number might change when they go and update the actual cost estimates for this. And I wasn't sure if the affordability is in perpetuity or just for 99 years. I didn't hear that information. Maybe I missed it. And then the -- in terms of trees, that's pretty -- I understand the comment earlier about apparently heritage and protected trees are not in the area we build about what about the road itself? Are there any trees that have to be removed and how many and what type of trees. And bus stops. Is there going to be, you know, some way for -- is there going to be a provision for a bus stop there? And speaking of traffic, will it come back with an analysis of the impact on other intersections that are in that area once these two roads get

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connected together. I think -- would there need to be any updates or changes to other intersections near this area. And would parkland dedication fees be part of this development. I think that's important for our parks to continue to get the funding they need. And will the -- so I think that's good information for us to have if we're going to invest this much money in this project. I think it's a worthwhile project, but I think we need some more information. Thank you very much. >> Tovo: Thank you, Mr. King. Okay. Is there a motion on this item? Councilmember Garza moves approval. Is there a second? Councilmember Renteria seconds. Councilmember Garza. >> Garza: Yeah, I sponsored an item, I don't know if it was a couple weeks ago, but it was to direct the city manager to try to figure out some solutions to our missing middle families. The middle income families that, you know, don't qualify for subsidized housing but still can't afford to live in Austin. And so, you know, I see this as an opportunity to help address that middle. I know we haven't gotten the report back from the city manager for the item I sponsored a couple weeks ago, but this came before me and it is in my district and I thought it was an opportunity to think outside the box. There was an article in the "New York times" I think last week and it was about San Francisco and how San Francisco is -- you know, that Austin is kind of turning into San Francisco. We have very expensive homes and we have subsidized housing and there's very little in the middle. And there was -- I think they are called board of supervisors, but one of the councilmembers said if we want to keep the middle class in San Francisco we actually have to build housing for the middle class. And that's the situation we're in right now. We have developers developing

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a lot, but they are not developing homes that middle income families can afford. I really see this as an opportunity for the city to partner and build out this road. I'm glad that Ms. Snodgrass brought up this was a road that was intended to be completed, it just hasn't yet. And in fact and correct me if I am wrong, but the city would have had to purchase the right-of-way but they are not. Habitat is giving that right-of-way to the city so they can extend this road. So in fact this is probably going to cost the city less to extend this road had we not had this agreement. So I also want to point out, I understand concerns about market rate housing, but as Ms. Snodgrass said, we ran some Numbers on, you know, 100% mfi and 120% and there's different calculators that show you what you can afford at that level, and it's around 200 -- if you are at the 100% mfi to 120, family of four, if you have perfect credit and zero debt, you can afford a home for about \$250,000. And we all know nobody has perfect credit and zero debt. And the -- in February the average home in Austin was selling for \$330,000. And so we have a significant

portion of our community that cannot afford to live in Austin. And I really believe this is an opportunity to partner and try to -- try to reach these middle income families. I also want to just add that Perez elementary school, my husband gets mad when I say Perez. Perez elementary school is a great school. You know, I love all our schools, but this school does so much for their students. I mentioned to the housing committee that they bused some kids to run the cap 10k. They do really great things for our community who come

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from families who couldn't afford to participate in all kinds of events. The idea that we can bring more families and more children can go to Perez elementary school is even another benefit to this project. I appreciate the housing committee's 4-0 vote to recommend this. This is not approving the funding, this is saying we want to see what this is going to cost and we can consider that in our upcoming budget. >> Tovo: Further comments? Councilmember Zimmerman and then councilmember Renteria. >> Zimmerman: Thank you, mayor pro tem, I'd like to make an amendment to strike one of the whereas if this would be an appropriate time to do it. I move that we strike the whereas statement that refers to the elementary school regarding south pleasant valley, it says is losing students which impacts the funding level and could be off set by promoting new house fogger families. I move to strike that. And if I get a second, I'll explain why. >> Tovo: Let's see, councilmember, that is the fifth -- councilmember Zimmerman moves to strike the fifth whereas. Is there a second for that? Councilmember troxclair seconds that amendment. Councilmember Zimmerman. >> Zimmerman: Thank you. A brief point here, back on January the 27th we had the city demographer make a presentation. One of the presentations -- one of the slides there was a rather dramatic graph that showed about five or six years of declining enrollment in the elementary schools. I asked the question at the time the school, the schools losing students, are they certain that's not because of other factors like charter school enrollment or private and home school. I since discovered with some data from the Texas charter school association that it looks like -- and I've got

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some Numbers to back this up. There could be as many as 30 -- 30%, somewhere between 20 and 30% of the students now, elementary students in east Austin, aisd, in district 1 and some others are now going to charter schools. I'm concerned this may be a false statement. Yes, students are leaving the schools, but they may be going to charter schools and to other choices. And in fact I'm in favor of this resolution, the be it resolved, I do want to see this road project estimated and come forward. So I'm going to be voting for this, but I would like to strike this because I think the new housing may not improve the aisd school situation. So I'm voting for it for other reasons so I would like to strike that one whereas. >> Tovo: So I'm going to say I'm going to vote against that because I don't think there's anything in this whereas that is not accurate. It could be if Perez loses students it will impact their funding level and the reduction could be off set by promoting new housing. It doesn't say it will absolutely be off set and I just want to say I've had an opportunity -- multiple opportunities to go out to that elementary school and it's a terrific elementary school. I've known the principal at his previous job and I have a lot of faith in aisd and its schools especially that one and so I have every confidence they are going to be able to embrace the students who will come from that housing. So -- and again, just on its face there's nothing in it that's inaccurate so I'm not going to support that. Councilmember Houston. >> Houston: One of the things about the housing in the middle is that the housing that we're building does not allow for families with children. Either multi-family or the expensive housing that we're -- luxury housing that we are building at the top of the scale and then the subsidized housing is

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sometimes located in places where there's little transportation and lack of amenities. And so I think if we're looking at housing, we need to look at getting people to school, and this is one of the things that I think that whereas speaks to. That if we're having family units, they will have children and the children need to go to the closest school in that area so I will supporting -- I will not be voting for that amendment. >> Tovo: Other thoughts on the amendment? All right. All in favor? Councilmember troxclair, did you have a comment about the amendment? >> Troxclair: I was just happy to hear you say that accuracy is your criteria for evaluating whether or not a whereas clause be included because I've had several lately that were struck by council that were 100% accurate and purely stating facts. >> Tovo: It's one, it's not the only. Thank you though. Thank you for offering me an opportunity to clarify that. Any other comments on the amendment? All right. All in favor of councilmember Zimmerman's amendment? That is councilmember Zimmerman and troxclair voting in favor. All opposed? Councilmembers pool, Renteria, tovo, kitchen, councilmember Casar, Garza, Gallo and Houston so that amendment fails. We're back to the main motion. All in favor? Councilmember Gallo. >> Gallo: We can still have discussion on the main -- >> Tovo: Yes. >> Gallo: This is really a wonderful opportunity to build those partnerships between public and private entities which not only save taxpayer dollars but they still provide really substantial benefits to our community. You know, with the city funding the early completion of the road, and I think that was a really good point which is the road is scheduled to be completed at some point but we're being asked for the city to fund it early, the

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nonprofit can double the number of affordable housing units they were planning a building and I think that's really substantial as we talk about the huge affordability issues we have in this community. I just really want to thank habitat for humanity for the positive impact that you have had in the Austin community for such a long time and that we hope you will continue to have. So thank you for bringing this opportunity forward to us. >> Tovo: Thank you. All in favor of the main motion? Councilmembers Gallo, Garza, Casar, kitchen, troxclair pool, Zimmerman -- that is unanimous with councilmember Houston off the dais and the mayor off the dais. So that concludes our -- the business that we can take up at this point. I would suggest we do have our housing finance corporation that is scheduled for 3:00 and then we have two items that can be taken up at 4:00. Colleagues, would you like to adjourn -- or recess until 3:30 and then come back and deal with the housing finance corporation then with the sums we can run right through the 4:00 agenda? I would just ask. I've polled a few of you. If you think you have more than 30 minutes of questions on the housing finance corporation agenda, we ought not to make staff wait. We should come back right at 3:00. Councilmember Zimmerman. >> Zimmerman: Thank you, mayor pro tem. Do we have speakers for the housing corporation? I think we have some signups here. I think we should consult with the people waiting to -- >> Tovo: We have Mr. Peña. Well in any case we couldn't hear from them until 3:00. Mr. Peña, you are signed up for both items. So we have two options. We can recess, come back at 3:00, do the housing finance

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corporation agenda items, likely recess again and come back at 4:00 or we could start the housing finance corporation meeting a little later and run right through our 4:00 agenda. Whatever the will of the council is. >> Zimmerman: So I would be okay either way. Mr. Peña is here. >> Tovo: Mr. Peña -- we also have our housing staff and others. I see miss Andre here. You know, we're going to be here so if we

want to come back at 3:00 and run through the housing agenda that's fine with me. >> Kitchen: I would rather come back at 3:30 just because if we come back at 3:00 and have to break again, I think it's better to have the consolidated time. >> Tovo: My concern is we lose people and end up running late. >> [Inaudible] >> Tovo: Colleagues, what's the will? Zimmerman I was going to propose 3:00. Do you want to vote on it? >> Tovo: We can't take these items up until 3:00. The two options are 3:00 or 3:30. Councilmember Zimmerman proposes coming back at 3:00. Can somebody second that for the purpose of discussion? So that I think answers our question Zimmerman 3:30 it is. >> Tovo: We are going to recess until 3:00 and come back and hopefully move speedily through the housing finance corporation agenda. [In recess].

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>> Tovo: Okay, welcome back. I would like to call back to order this meeting of the Austin city council. Councilmember Houston. >> Houston: I would like the record to reflect if I had been present for the vote for habitat -- whatever number that was, I would have voted yes. >> Tovo: Thank you very much for that. That was item 36. Okay. And now I would like to recess this meeting of the Austin city council again and call to order the meeting -- to convene a meeting of the Austin housing finance corporation board of directors. Welcome treasurer Spencer. >> Good afternoon, board of directors. Betsy Spencer, treasurer of the Austin housing finance corporation. Today we have three items before you. One is approving the minutes for the January 28th and February 25th board meetings. The second item is conducting a public hearing recording the issuance of private activity bonds for the cross creek apartments. And the third item would be to approve a resolution authorizing the issuance of said bonds. And I'm available for questions. >> Tovo: Thank you. Is there a motion on those three items? Councilmember Garza moves approval of all three on consent and councilmember Casar seconds that. And the motion I assume was to approve them as well as to close the public hearing. Let me see if we have speakers. Actually, I think we do. Mr. Pena, you are slated to speak on item 3. So if you would like to come up to the podium. James Ross? No James Ross. I'm sorry, you're also -- you're also signed up to speak on item 2 as well. Why don't you begin with item 2 and then we'll go to

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item 3. >> First of all, councilmember Zimmerman, thank you very much for trying to allow me to speak earlier. I appreciate that very much. And to you, mayor and councilmembers, you're supposed to be back at 3:30. Let's be punctual for us taxpayers, okay? I try to be punctual when we have meetings with y'all or out in the community, and let the record reflect, I'm -- that's not good. It doesn't set good policy for the people that are viewing. Anyway, item number 2 and 3 I'll just lump it together. We do need housing. This is to finance the rehabilitation of the cross creek apartments. And I thought it was literally about this funding, but could I ask Ms. Spencer to define what is the parameters of the \$60 million of Austin housing finance corporation bonds? A lot of the people do not understand that that are viewing and they asked me to come and speak and ask Tuesday whether it's taxpayer money or what type of funding mechanism is this. If it's appropriate we would like to hear it from her for the record. >> Tovo: Mr. Pena, how would you like to proceed? >> I really did. That's all I'm asking is for her to respond. >> Tovo: I would be glad to ask Ms. Spencer. I didn't want to interrupt your speaking. Thank you, Mr. Pena. >> So this is issuing private activity bonds, which functions just like debt. This is not city taxpayer dollars,

there is no debt obligation to the city of Austin. They are private activity bond debt bonds that are issued. There will be an investor and then the property owner will repay the bonds just like they would a mortgage or debt. So there's no obligation to the city of Austin.

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>> Tovo: Thank you. Are there any other questions from councilmembers? Councilmember Zimmerman.
>> Zimmerman: Thank you. Before you sit down, I think part of what Mr. Pena might have been asking about, don't let me put too many words in his mouth, but there are lots of ways to borrow money, as you know. And it's still not clear to me why we have the private activity bonds because there are many bond markets, many bond instruments. There's a plethora of financing options available. So I think people are still wondering why do the private activity bonds exist when there are just dozens, if not hundreds of other financing mechanisms that are similar to the private activity bonds? There are public bonds, right? The city issues general obligation bonds, for instance, that people vote on. That's one way that you can fund things. So maybe that's part of the question is they don't understand why these private activity bonds exist and why they're preferred compared to other financing options. >> Are you asking me a question? >> Zimmerman: Yes, there was a question. Why do the private activity bonds exist as opposed to other bonds that can be sold on the market and other ways to borrow money to build housing? Commercial loans, city bonds. There's dozens, if not hundreds of ways to borrow money. What is it about the private activity bond that makes it preferable to any other financing mechanism? >> The cost of capital is lower because the tax exempt status of the private activity bonds allows the borrower to borrow funds at a tax exempt rate as opposed to a taxable rate. >> Zimmerman: Okay. >> Tovo: Just one second. Sits, would you identify yourself. >> I'm mark [indiscernible]. >> Tovo: Director

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Zimmerman? >> Zimmerman: People are familiar I think with municipal bonds. There's a huge municipal bond market in the city of Austin, not the housing financing corporation, but the city of Austin issues hundreds of millions of dollars of, you know, municipal bonds. As you say, they're tax exempt so the high income investor, he likes that because he doesn't have to pay any taxes on the interest that he gets. So we understand that. So compared to the municipal bond why is the private activity bond better than a public municipal bond. >> There are two different source-- purposes for bonds. One is a general purpose, which what you're talking about. When the city of Austin issues municipal bonds. But there are also private activity bonds where the internal revenue code allows certain private functions to benefit from tax exempt financing. One of those is affordable housing. >> Zimmerman: Okay. So final point I will try to make again, voters voted for the so-called affordable housing bonds. I call them the unaffordable, unsustainable housing bonds. I believe the last election we had was for 65 million. Was that in 2013? >> I don't know. >> That's correct. >> Zimmerman: Big public election. I think it was mayor pro tem Sheryl Cole, big election. We're going to have an election, we're going to borrow money for the -- for the subsidized housing. So everybody saw that and they voted on it, but when it comes to these private activity bonds, which are additional significant debt, nobody knows about them and nobody sees them. So I think the public is confused as to why we have an election where we go for the affordable housing bonds and we have 75 million voter approved and here comes tens and tens and tens of millions of additional debt that you call private activity bonds. So people are asking why don't you just have the voters vote on all the debt. >> I'll try to clarify. This is not debt to the city, though. Maybe that's the difference. When Mr. Pena and I spoke in the hallway what he asked me

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to clarify was this transaction debt to the city of Austin. And this is not debt to the city of Austin. I don't know if that clarifies, but it's a different type of debt. It is a debt that the owner will pay back to the bank, not to the city of Austin. >> Tovo: Thank you. >> Zimmerman: Right. So finally, final point, when people build apartments and apartment buildings, they'll do conventional financing and they'll go borrow money from a bank to build their apartment buildings. So again I got the part about the tax advantages, right, of the private activity bonds, but to try to answer his question, the builders could have gone to bank of America and they could get a commercial loan to build their apartment buildings instead of going to the private bond market. They could have gone to a bank, but they have a tax advantage going to the private activity bonds. >> Right. The difference, however, is that the municipal bonds, again, I think it's who is paying the debt. And in this situation you don't have a public entity that actually is owning the project. You have a private party that is owning the project. And under the tax code they allow for certain affordable housing bonds to be issued if the borrower meets certain standards. One of those, the most important standard is to set aside a certain amount of units for low and moderate income citizens. >> And final question before you go, what bond commission is your company -- there's a law firm that will make sure the bonds are all kosher and they comply with the law and you get a commission. The bond lawyer gets a commission when these private activity bonds are issued? >> I don't know if I would call it -- our compensation is based on the size of the transaction, but I don't know if you would call it a commission or not. I've never looked at it that way. >> Zimmerman: Compensation. You get paid for being the bond lawyers. >> Correct. It's also reviewed by the Texas attorney general. >> Zimmerman: Correct. And on, say, a 16 million or 20 million bond, how much would you get, say, if there were \$20 million of private activity bonds, the compensation you would get would be how much?

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>> Tovo: If it's appropriate for you to answer that. >> Zimmerman: It's public information. >> Yeah. For this 16-million-dollar deal it would probably be salamander 100,000. >> Zimmerman: 100,000. Thank you. >> Tovo: Thank you. Are there additional questions? All right. I believe that councilmember Garza's motion included all three items. Mr. Pena, you had said initially that you were merging your comments for two and three. Are you still comfortable with that. >> Thank you, councilmember Zimmerman. You made my comments. >> Tovo: Very good. All in favor of these three items? That is councilmembers Houston, Gallo, Garza, Casar, Houston, Renteria and pool. All opposed? Councilmember Zimmerman. Off the dais is -- excuse me, all of those are director. And director troxclair is off the dais. And president Adler off the dais. >> She's coming. >> Zimmerman: Can we do that vote again so she can be included? I can't make a motion to reconsider it because I voted against? >> Tovo: If there's a motion to reconsider we can take that vote again if councilmember troxclair would like to vote on that? Director Garza votes to reconsider that item. Director Gallo seconds that. All those in favor of reconsidering that item signal by raising your hand? That is unanimous on the dais with president Adler off. Councilmember Garza, would you like to make a motion similar to the the one you made a few minutes ago for approval for the consent agenda? >> Garza: I make the same motion, including closing the public hearing. >> Tovo: Thank you. Councilmember Casar seconds it. All those in favor? The same group as before. Councilmembers Houston, Gallo, Garza, Casar, kitchen, tovo, Renteria and pool all opposed.

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Councilmember Zimmerman and troxclair. President Adler off the dais. That's our last piece of business, is that right, treasurer Spencer? >> Yes. >> Tovo: I would like to adjourn the Austin housing finance

corporation board of directors and call back to order the meeting of the Austin city council. Colleagues, we cannot take up those items until 4:00, and so we stand in recess until 4:00. And if we get started right at 4:00, we should be out of here in short order. We have two items, two public hearings at 4:00, and those are items 39 and 40. So again, we stand in recess until 4:00.

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>> Tovo: I'd like to call back this meeting of the Austin city council. The time is 4:00. We'll begin with our first public hearing, which is item 39. Mr. Adams. And we do have one extenuating to speak. >> Afternoon, councilmembers. George Adams, assistant director development services department. Item 39 is to conduct a public hearing and consider second and third reading for an ordinance amending city code title 25, title 30. Land development code to change the staff review time for development applications from calendar days to the equivalent number of business days. Define review times in administrative rules, modify the life of a site plan or subdivision application from 180 days with an available 180 day extension to one year with no extension provision. Establish a stop clock provision for development application life for related applications that require a public hearing and establish expiration dates for subdivision vacation and subdivision construction plan applications consistent with other development permit applications. I wanted to just very briefly note two changes in the ordinance since first reading on the 14th. You might remember there was some discussion that some language had been omitted from a section, and that has now been added. On page 1, part 1, section 25-1-88-a, the language now speaks to staff having the ability to add late days to the overall life of the -- if this were approved to the overall one-year life of the application. Then in part 5 the subsection Numbers have been trans supposed, part 5 is on pages 2 and 3 and those

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Numbers have now -- those letters have been corrected. So with that, it concludes my presentation. We're available for any questions. >> Tovo: Thanks. Are there questions for Mr. Adams? Okay. Yes, councilmember Houston. >> Houston: Mr. Adams, I'm sorry, you were just about to get back to your seat. I just had a question about -- what is your reasoning for postponing from 180 days. >> For changing the 180 days? >> Houston: Yes, I'm sorry. >> Councilmember, the way that it works currently is when someone files a subdivision or a site plan application they have an initial 180 days and then they have to request a 180 day extension. There is an end -- when there is an end that extension is appealable. There is an awful lot of work that goes into making that extension happen. The applicant has to provide us with a letter requesting the extension. We have to provide a letter back to them granting the extension. The new date has to be noted in our database. If there are interested parties registered we have to notify them of the extension. And so what we're proposing is to -- because most of our applications utilize more than that first 180 days. Most of them request an extension and most of them receive an extension. So what we're proposing is to just say rather than give you two six-month periods we're going to give you one 365-day period. And within that you need to get your application approved. >> Houston: Okay. And so interested parties are still able to appeal under this new regulation? >> Interested parties could

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still register, but there wouldn't be an appeal for the extension. And the reason that we feel like that's a reasonable approach, we discussed this a little bit on the 14th. Is that as I mentioned, many of the applications that we deal with request the extension. Virtually all of them get that extension. We look

back over the past four years, we had, I believe, seven appeals over that four-year period, six of those have been denied. One was upheld, but it really wasn't -- it was a quirk in the process more than anything else. So what we need is an appeal provision that really -- it doesn't yield much for the citizens. In fact, we think it creates frustration because frequently when they get to the planning commission or the zoning and platting commission to the appeal, they're told really the appeal is about the merits of the extension, it's not about the merits of the application. And that's why most of the appeals are not upheld. So we feel like trading that seldom used and rarely upheld appeal for some improvements in the process that allows staff to focus on other tasks and in many ways are clearer for the citizens who are interested in the process, we think that's a great trade-off. >> Houston: Okay, thank you. >> Tovo: Any other questions? Thank you for making those edits. I know that responded to one of the concerns I had. Okay. Is there a motion to approve this on second and third reading? Councilmember Zimmerman, you're moving approval on second and third reading? Is there a second? Councilmember Renteria seconds it. Any other discussion?

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And councilmember Zimmerman, did you also vote to close the public hearing? >> Zimmerman: To close the hearing, yes. >> Tovo: Let me make sure we didn't have a speaker. We do have a speaker. Mr. King. He did speak? Mr. King. I believe Mr. King has left. Okay. So we have a motion and a second on the floor to close the public hearing and approve on second and third third readings. All those in favor say aye? That's unanimous on the dais with mayor Adler off the dais. Our next item is the housing action plan. >> My name is Jim Padilla and I'm with the neighborhood housing and community development. The purpose of this presentation is to previously describe the annual action plan and the federal formula grant that the city of Austin expects to receive in fiscal year 2016 through 2017. This is intended an interruption to the public hearing that you're about to conduct. We also have staff from the health and human services department who will speak about grants that they administer. So what is the action plan? The city of Austin expects to receive \$11.4 million in federal formula grant funding from the U.S. Department of housing and urban development for fiscal year 2016-2017. The action plan serves as a city of Austin's application to access this federal funding. The one we're about to develop for fiscal year '16 through 2019 is the third action plan in a series of five that fall underneath the 2014-19 consolidated plan. And that's the graphic that's depicted at the bottom of this slide. In order to acquire this federal funding the city

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must submit a plan that describes the actions, activities and resources that can be used to meet the needs of low to moderate income families. And when we reference low to moderate incomes we're talking about households with less than 80% of the median family income in the Austin area. For example, 80% median family income for a four-person household is about \$62,250. Another federal requirement is at the end of each fiscal year the city also prepares an end of year report. So why is city council conducting a public hearing? The cities that receive federal formula grant funding are required to develop a citizen participation plan and that's a document that describes the efforts the city will make to encourage citizens to participate in the development of federal reports such as the action plan. Austin citizen participation plan requires two public hearings on community needs, one before the community development commission and one before the Austin city council. The public hearing before the community development commission was held on April 12th, and these public hearings are intended to inform development of the draft action plan which will be made available for public community between may 23rd and June 24th. And over and above what is required, staff has also sought input from

numerous boards and commissions. I believe all of the quality of life commissions we have either briefed or if they did not have quorum we subsequently reached out to and made them aware of the process. In addition, we have been hosting community conversations in every council district and those are currently ongoing now. And those efforts are intended to inform this federal action plan as well as the development of an Austin housing plan. And these are the federal formula grants that are part of the action plan. The first one is the community development block grant is administered by neighborhood housing and community development. The community development block grant can be used for land acquisition, relocation and demolition, rehab of

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residential and nonresidential structures as well as public services such as child care, youth and senior services. Here are some examples of projects that received cdbg funding in Austin. They include capital studios, which is an affordable housing development on 11th street with 135 rental units affordable for 99 years. Cdbg funds were used for the land acquisition. Also the revitalization of east 11th street. And the restoration of the dehamilton house which is part of the African-American cultural facility on east 11th street. The home investment partnership program is administered by neighborhood housing and community development as well, home funds will be used for land acquisition, demolition of dilapidated housing, construction or rehab of housing, home purchase or rehab financing assistance as well as tenant based rental assistance. Austin examples of home funds that work include the city's home repair fund program, which are some examples of before and after depicted here, as well as down payment assistance for eligible applicants earning 80 percent or less of the median family income. And at this point I'll turn it over to staff from health and human services to talk about the emergency solutions grant. >> Hi, I'm Tasha with the health department. I work in the homeless services, social services area. I also administer the emergency solutions grant, which is a grant specifically for homeless individuals who are at the shelters or are needing assistance to find housing. So the two areas that we fund with federal housing -- federal esg money is the emergency shelter, which is the Austin resource center for the homeless, very nice picture here on the slide. And we also fund rapid rehousing, with three agencies, to provide housing

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location, direct financial assistance and housing stability case management. In addition, there's some additional funds for the homeless management information systems. We have added some of those funds in order to satisfy some of the federal requirements for coordinated assessment, which is a coordination of all of the services in Austin to prioritize the most vulnerable to receiving the housing services. The total allocation is 637,000, and we get 7.5 administration. And I'll turn it over to my colleague. >> Good afternoon. My name is Greg Bose. I'm the manager for the HIV resources administration unit at the health department. I'm here with Hugh Beck, he is our main manager for the Hopwell program. There's about 6,000 people in the area with HIV/AIDS, and we provide a variety of services to address their needs. Everything from case management to medical care. And the Hopwell program is the main program that we use to address the housing needs of those clients. And if you kind of look at the slide, the eligible uses for Hopwell would be tenant-based assistance, short-term rental, mortgage, utilities, short-term supportive housing, permanent housing placement, facility-based transitional housing, support services and case management. The allocation is about 1.1 million for 2016 and we have an admin cap of about three percent. Any questions?

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That kind of ends the -- that presentation. >> Tovo: Thank you so very much, all of you. Questions for our staff or shall we go right to our speakers? Councilmember Houston. >> Houston: Let's go to the speakers first. >> Tovo: Our first speaker is Enrique Rivera. Our next speaker will be steward Hersh and then our third and final speaker is Tanya Lavelle. >> I have some handouts. Hi, my name is Enrique Rivera. I'm an employee of the settlingvation army and I'm here to speak in support of the plan and more specifically -- more specifically about the use of home funds to fund tenant based rental assistance for homeless families. This partnership has been in existence since 1988. It's a partnership between the housing authority, the city of Austin, the city of Austin and the salvation Army passages program. The plan is -- the funding used, tvra is a vital key to moving families from shelter into housing. It provides 12 months of sliding scale assistance to these individuals. And allows them to go ahead and use that 12 months to move toward a greater chance of self-sufficiency at the completion of their utilization of it. The program is able to go ahead and serve 55 to 60 households at any given time. In the past year, that would be 2014-2015, 257 individuals were served with 64% of them being children. Currently we have 47 households enrolled in the program with 127 individuals receiving that assistance. The program is supported through the use of the passages program, which provides case management and other supportive services like child care, lilted financial assistance, life

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skills classes, employment resources and referrals into rapid rehousing and other transitional housing and permanent housing opportunities. In addition to this, the housing finance corporation for the past six years has provided some additional funding to to go ahead and provide assistance with utilities, with utility deposits. As well as security deposits. Every year approximately 78 to 80% of the families and individuals participating in the program proceed on to permanent housing. During the time the families are involved paying tvra rents, they work on reducing debt, increasing their skills and income to once again become more self-sufficient. I'm here just once again to ask for continued support of this endeavor on behalf of -- that the city has put forward in use of its home funds and once again we're very appreciative as are all the people who receive assistance through the program. Thanks. >> Tovo: Thanks for the work that you do. >> Thanks very much. Any questions? >> Tovo: I don't see any. >> Thank you very much. >> Tovo: Mr. Hersh. And again, you will be followed by Tanya Lavelle. >> Mayor pro tem, members of the council, my name is it Stewart harry Hersh and like most in Austin I rent. And yesterday was the 16th anniversary of the council's approval of smart housing and the housing trust fund in an effort to deal with in this century the problems that we saw were forthcoming relating to housing affordability. Public investment and private incentives are needed to assist renters, potential homeowners and current homeowners either attain or retain housing that is smart, which isn't just the opposite of stupid, but it stands for safe, located and mixed income neighborhoods, accessible to people with disabilities, reasonably priced, and the T stands for transit oriented.

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In order to be successful we need to have goals for renters and owners to see what we can accomplish by 2025, roughly 10 years from now. Rental goals should be established for individuals and households at or below 30%, 50% and 80% of the area median family income as should home repair goals. You have to separate what you're trying to do through rehab and new construction from what merely is repair. And the home ownership goals should be established for 60%, 80% and 120% median family income because you really can't own a house in this town any longer if you're not at least at 60%. And there's a middle class crisis which takes us not to just 80, but 120%. Economic development goals are needed to

increase the earning power for the workforce and community development goals to increase opportunities for early childhood development. So it's not just about housing, it's about workforce training and investment, and community development. New York City is roughly 10 times our size. They're attempting to either rehab or build 200,000 affordable housing units by 2025. And we're roughly 10% their size and I humbly suggest that our goal should be 20,000 because it's proportionate to our size. It's very ambitious, we've never achieved it before, but given the demand, it's necessary. I'm also asking that homeowners and renters who have received relocation assistance through the floodplain buyout programs should have increased opportunities to remain or return to Austin as should households displaced by market rate housing development that you're talking about as part of the tenant relocation. So we have an opportunity to say what success would look like in 10 years. We can just do what the feds ask us to do and not get there, or we can try to be ambitious this year and

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really talk about you as the 10-1 council, what you think that success will look like in this community, what do we need to be doing next year and the years that follow so that by 2025 we can all be gathering together if we can still physically walk in here -- [buzzer sounds] -- And recognize that we've had success. Thank you very much. >> Tovo: Thank you, Mr. Hersh. I apologize, Mr. Hersh. Councilmember kitchen has a question for you. >> Kitchen: Actually, it was more of a comment, I guess. I just want to thank you for that testimony and just say to you and my colleagues that I'm trying to encourage people when I go out in the community to respond to the housing survey and thank you all, staff is doing a great job of getting that out there. To let us know the kinds of things that you have said, I think it's important for us to think broadly and to think in terms of what we need to do to get to -- well, to get to the needs that we need to meet basically. >> Tovo: Thank you. Ms. Lavelle. >> Good afternoon, city councilmembers. My name is Tanya Lavelle, the senior manager of advocacy in Easter seals central Texas. We are an affordable housing provider locally. We operate numerous programs in the communities for people with disabilities, including the tenant-based rental assistance program, the home buyer assistance program, hud 811 condominiums as well as home modifications. In the years the need for our programs has exceeded our capacity and wait lists are now up to about eight years. The majority of our programs are designed to serve people eight or below 80% mfi and there's a well documented shortage of these units in Austin. There are a few things we wanted to mention as Austin continues to plan for its future in housing. First we would encourage the city to dedicate more general revenue to affordable housing, via tax

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increment financing. The city of Austin is currently investing less than one percent of gr in affordable housing and we really think that it's a detriment. It's not serving Austin the way it needs to be served. There are tools the city can use to rectify the situation, including the tax increment financing system. Much of the tremendous amount of new development happening in Austin is replacing older, more affordable units with high rent condos, increasing the gap in affordable housing, a gap that is much wider for people with disabilities who also need accessible housing. By using tax increment financing as a tool to invest in long-term affordability, Austin can help alleviate the affordable housing shortage that we have without putting an additional tax burden on developers and continuing to foster those relationships. We would also like to see more investment in programs that are currently helping people with disabilities stay in their homes. As somebody mentioned earlier, we are doing the housing modeling and recertifications. There is a shortage of about 48,000 deeply affordable units in Austin and only one in six renters earning less than 20,000 a year can find an affordable place to live. A lot of this

population are people with disabilities who are living solely on social security income. There are already successful housing programs in place that the city is operating to help people with disabilities remain in their homes and live independently in their communities. Including home repair molestation programs and -- modification programs and down payment assistance. These programs offer a low cost solution to help people with disabilities live in their communities. The cost of widening a doorway or providing around \$10,000 of down payment assistance are really minimal compared to what is involved in building new construction. And those programs are really a solution that can be done now to help people stay in their homes and lessen the need for rental assistance and rental units. And finally we think the city should ensure that

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incentives given to developers during new construction are paired with aggressive benchmarks for affordable housing. There are many great incentives that the city currently uses -- [buzzer sounds] Sorry. Anyway, we would like to see that the incentives that are currently being offered to developers are really in proportion to the needs that we have right now for affordable housing as opposed to just giving a little bit. We want to see more aggressive benchmarks in the developer incentives. >> Tovo: Thank you. Thanks for your testimony. That concludes our final speaker. Councilmember Houston, did you have a question for staff? >> Houston: I did for staff. And thank you all for being here this afternoon. What I'd like to know is how are these public hearings noticed? The ones all the two of them? >> Certainly. The department issues news releases immediately before the public hearing, so that was done last week. So that was one way that folks were made aware of it, as well as all of the briefings that we've done at boards and commissions. I have a list of all the ones that we have visited. But we displayed a timeline and disciplined to them exactly what the community needs assessment is, which is the phase we're in right now, and that a requirement of that is the two public hearings that are being conducted as part of this. So we've also made all of the boards and commissions aware and have asked that -- and asked them to share that information with their -- with their social networks. >> Houston: So on April the 12th how many people showed up for the public hearing? >> Before the community development commission? I believe there were two speakers. For that public hearing. >> Houston: And we've had three today. >> That is correct. >> Houston: So one of the things that I would like to suggest is because I did hear you say that you're reaching out to all districts. I don't know how long that will take. But I would like to not close the public hearing until we get information from all districts because five people is not public,

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not in my world view anyway. >> So what I would also add is that in parallel to these required public hearings, which are federal requirement for development of the annual action plan, department is also hosting community conversations in every council district. I have that exhaustive list here and attendance at those, you know, in some instances we've had up to 30 people participate in those. >> Houston: So have you finished all the community conversations in all 10 districts? >> We have not, no. >> Houston: So my position is still the same, that we keep public comment open until we have an opportunity to hear from the public through all of the things that you all are trying to do. And I commend you for trying to do it. I think we probably started too late and I'm sure you have some kind of deadline that you need to meet, but the public hearings that we're doing today and ones you did on April the 12th is not really the public. The public hearings are what you're doing with the community conversations in every district. So I would like to get some feedback from what those comments yield. >> Tovo: So it looks like Ms. Leak has more information, but I would to ask a question. It was my

understanding from the rca that during the 30-day comment period there would be two additional public hearings. >> That's correct. >> Tovo: And so can you walk us through that? What happens next. >> The phase that we're currently in now is what's referred to as the the community needs assessment phase and that's intended to inform development of the draft document. Currently our timeline calls for that to go on until may 2nd. And so all of these community conversations that are occurring in tandem with the public, required public hearings, will be taking place up until that point. That allows staff, gives staff the community input that's needed to be able to actually draft the document, which will then be made publicly available on may 23rd. So then the draft document will be made available on may 23rd and that is another opportunity for

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austinites to review and to provide input and suggestions. >> Tovo: At that point after the draft document are two additional public hearings? >> That's correct. >> Tovo: Before the CDC and the council. Ms. Leak and then councilmember kitchen, I believe has some additional. >> Sure. I also wanted to point out that there were notices about public input opportunities in the utility inserts, so for all utility customers they were able to get information about how to provide input. And I think one thing to clarify is we're basically trying to provide a broad range of opportunities for people to provide input, so some people will never come to city council to provide input in this way, so we have an online survey in English and Spanish, paper surveys in English and Spanish. We have the meetings throughout the city as well as we're meeting with individual groups foundation communities properties. We'll be reaching out to other groups. So I would just note that this is just one of a broad range of opportunities for people to provide input. >> Thank you, Ms. Leak. Councilmember kitchen. >> Kitchen: I don't know if you have this information today but if you could provide it to our offices. I think you probably in the middle of the number of meetings that you have scheduled for the hearings, the community conversations you're having on the strategic housing plan, and so it would be helpful for me to understand how much input you're getting as part of that process, and also what's the breakdown by district and also by demographics. That would be helpful. What I've been trying to do in district 5 is really push that information out with your survey, the one-pager that you

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guys have, and so it would be helpful for me to understand how that's going. So if you could provide that information, then I'll do what I can in district 5 to help get more feedback. And to me, I think that's really important because the plan that you're talking about here is important, but that's in the context of the broader strategic housing plan. And so we really need to get input all across the community, as much as we can, for that strategic housing plan. >> So one other bit of information I wanted to add is that we have worked with Austin energy, and we actually have two elements of the survey. One is a survey that anyone can respond to, but in addition, there's a statistically significant survey that Austin energy is conducting where they will be getting input from people all over the city. They've sent out e-mails to people, to the same number of people in each district. So that's one way we will be able to really ensure that we are hearing from a broad range of people throughout the city. >> Kitchen: Yeah. I'm just asking if you could just give me or perhaps all of us just sort of a status update, then we can help you with getting people to respond. >> Sounds great. >> Tovo: Additional comments? Councilmember Houston. >> Houston: And I appreciate those extra comments because you know there's a huge digital divide in Austin, and so if you're going to use -- if the utility is going to use an e-mail survey, then that's going to miss a whole lot of people that don't have computer access. So that's all I want to say. >> Tovo: So I believe the action before us today is just to have

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heard and have closed the public hearing. Councilmember Houston, I heard a suggestion from you not to close it. However, I'm not sure how we would need to set another public hearing, and that takes some time. So is that still something that you're interested in? And if so -- >> Houston: A public hearing is still going on out in the real world. It's just the public hearing here is the one that people were invited to come here to talk about, if they knew about it. So I guess the public comment is still going on, and then we will get hopefully a report from the public comments and the conversations that are going on in the community at some point, and will that be open public comment period then too? Or will we just receive the information? >> So any public comments that we receive will be included in the draft action plan, that's -- that is something that we actually include in the appendixes so certainly, the actual transcription that's taken today of the speakers, as well as anything that we receive in writing is actually included in the plan. >> Houston: But I thought we'll get a hearing on the plan. >> Tovo: You're right. I think councilmember Houston's question was whether there would be additional public hearings, and there would be after the production of the laughter plan. Draft plan. >> That's correct. Once the draft is issued, that will issue a hearing before the council, as well as the community development commission, and we'll distribute it to 10 neighborhood centers where it will be available for view and comment there as well. >> Houston: I understand that. I don't want to belabor this, but I think when we have short time frames and then we try to gear up public hearings so that the public can really participate, and I'm sure you gave it to folks like Connie Guerrero and rosewood Zaragoza so they can participate. I think what councilmember kitchen is saying, do we have any feedback on how those things are received and how can we get

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you get more responses back from the people that this is ultimately going to affect. And you have such a tied deadline and timeline that it's hard for us to be able to cure stuff fast enough for you to get the kind of input that I would like for you to get before you have to send in a report. >> No. Thank you, no, we appreciate that and we can certainly provide Numbers in terms of participation from those community conversations, you know, at a district level. >> Houston: Because I get a utility bill every month, and I swear, I didn't see it in there. I mean, you said it was in there so I trust it was there, but again, how -- I didn't see it. >> I understand. >> Yes. This is a process that goes on year after year. Isn't that correct? >> Yes. This is a standard process that we go through year after ye. So the deadlines -- the deadline of submission is the one thing that remains the same, which is August 15th. So we always back into that with the prescribed different public hearings. So I appreciate your concerns, councilmember Houston. But what I might offer today is if we could close this public hearing, that does not keep us in any way, shape, or form from accepting more information or feedback. It is something we do all the time. There will be two more public hearings. The draft will be out there. So we can do a lot. We can gladly take your recommendations and suggestions to push the information out the best we can, to get as much feedback as we can. But I don't know that keeping this public hearing -- this public hearing open precludes us from doing all those things, and knowing that we'll have two more. But we're certainly open to do whatever you want. >> Renteria: Can you also let me know and tell us how long has this process been going on year after year? >> For the cdbg it's been 40 years. >> Renteria: 40 years, and that's including the action plan. >> Yes. Yes, sir.

[4:36:58 PM]

>> Renteria: So this is a yearly event. So as soon as this plan gets submitted, the next year starts right away. So for those that really -- really want to get as much -- make sure as many citizens have input into it, they should just immediately contacting people again and letting them know that next year we're going to go through the same process, and we need you all to come out and have input. I know that a lot of stakeholders, they always show up because they want to make sure that the funds that come in, that it gets passed out to the right groups that are providing this kind of very important services that this federal funds gives us the ability to help out a lot of people with homes, homelessness. This is always going to be a process. So even next year this time we'll be going through the same thing. >> And if I may, I think we have a really great opportunity right now with the longer process of input for the housing plan that's going to be for the next several months, so we can certainly take a look at, overall, how we get that kind of input that will eventually feed all of our other action plans. Now I'm just talking off the top of my head, but I think it's something we want to look at in anticipation that every year we will have an action plan, that maybe there's a way to incorporate feedback throughout the year so that we don't feel constrained by the guidance from the federal government, because it's very prescriptive. But doesn't it mean we can't do more. So we can certainly look at how we could incorporate that throughout the whole year. >> Tovo: Thank you very much. Council, is there a motion to close the hearing on this, with an understanding that the conversation continues? Councilmember Garza moves approval and councilmember Houston seconds that.

[4:38:59 PM]

Councilmember Zimmerman. >> Zimmerman: Thank you. I do have something to say. Could we put the national death clock on the overhead? I want to explain my vote against this quickly. So this starts out with the presumption that there's money available in the federal government housing and urban development department. So the reason I'm going to vote against this is because the federal government is approaching bankruptcy. As you see from the debt clock as of today, we're at 19 trillion, about \$252 billion, and you can see how rapidly the federal deficit is flowing and the the -- is growing, and the federal debt is growing. It says here again there's no unanticipated fiscal impact. So I guess if you anticipate that this kind of outrageous spending is going to bankrupt the country, then it would be correct to say that there's no unanticipated fiscal impact because this kind of reckless spending in the federal government is going to bankrupt our country. So I just don't think it's responsible for us to contribute to this bankruptcy, and of course what -- this program has been going on for 40 years. So we have people now dependent on this federal money that doesn't exist, and it will end. I don't know if it's going to end in our lifetime, but it's going to end. And when it does, we're going to have I don't know how many millions of people that could actually be starving to death because they depend on government programs that are going to go away because the country is going bankrupt. So I'll be voting no. >> Tovo: Thank you, councilmember Zimmerman. Any other thoughts? All right. The vote is whether or not to close the public hearing on this item. All in favor? And that is councilmembers Houston, gallon oh, Garza,

[4:41:00 PM]

Casar, kitchen, tovo, Renteria, troxclair, and pool. All opposed to closing the public hearing? >> I'm abstaining. >> Tovo: All abstaining from closing the public hearing, councilmember Zimmerman. And the mayor is off the dais still. And I believe I'll ask our clerk just to confirm, I believe that concludes our business for today so the meeting of the Austin city council stands adjourned at 4:41 P.M. Thank you all for coming. We will gather back at 5:30 for live music and proclamations. And as I mentioned this morning, we will be hearing from the Austin community college choir. So, again, the business portion of

the Austin city council is concluded. We will gather back here at 5:30 for music and proclamations. Thank you all. [City council is in recess until 5:30.] .

[5:30:23 PM]

>> Pool: All right. I think I can kick this off for us now. I think it's 5:30. I am Leslie pool, the councilmember for district 7 and I am really happy to be able to make these opening remarks about the Austin community college choir joining us today is the Austin community college choir. The Austin community college choir provides a variety of musical styles to the public in free concerts and has promoted collaboration, education and performance to music lovers of all ages and skills. The group will host upcoming concerts on April 29 and April 30 as they celebrate America with a collection of both old and new favorites. Please help me welcome the Austin community college choir singing the pledge of allegiance. All right. Here we go. [Singing].

[5:32:29 PM]

[Applause]. >> Pool: Thank you all so very much. That's Virginia halpe and she's the director of choral activities director with ACC. I want to say before I read this proclamation, one reason why I was so thrilled to do this is I have sung in a number of choral organizations and in fact Mindy Reid and I met in the early '80's. We both sang for the Austin civic chorus. Yeah. And I sang with Morris beachy with the Austin choral. And Austin has a history of Austin chorals and community choirs and this is a great addition to the Numbers that have been out there for years and I commend this activity to everyone. Join and do community music somehow if you're able to. It replenishing your soul. And I thank you all for bringing your lovely voices to us here today. So Virginia, would you like to come up and y'all can gather around? I'll read this lovely proclamation. So a proclamation, be known that whereas the Austin community college choir has provided meaningful music education and concert choir participation to scores of singers in the Austin community and whereas in addition the Austin community college choir has provided a variety of musical styles and performances to the public in free concerts and has promoted collaboration, education and performance to music lovers of all ages and skills. Now therefore I, Leslie pool, councilmember district 7 on behalf of mayor Steve Adler and the entire city council do hereby proclaim

[5:34:29 PM]

April 21, 2016 as Austin community college choir day. [Applause]. >> Pool: One thing choirs are good at is standing still. >> We practice.

[5:36:29 PM]

>> Pool: Real quick, we do get to say we have a concert coming up. So Virginia, come tell us about that. And I'll put these out for people to pick up. >> Well, I was just thinking in -- actually, at the end of last fall thinking wow, we have the presidential election coming you up and things are likely to be coming pretty hot and heavy and I thought it would be wonderful to do a concert with music that's all-American music, written all by American composers. Are spiritual, some are gospel. There's a jazz piece, avant garde. I have a bunch of different styles of music because I wanted people to remember or recognize that no matter what, we are all united in this country and we all -- even if we perhaps are born in another heritage, we're here in America and we share in this heritage in here. So I thought -- and how did I know that it was going to get like this? So I don't know. And that was my inspiration for it. I just want to

remind everybody that we're all Americans. We share this heritage and we wanted to share that music with you. >> Pool: And that's a lovely, lovely. Sentiment. Thank you very much for coming here today. We all appreciate your efforts. Thank you so much. [Applause]. >> Tovo: Even, thanks so much for being here. I'm mayor pro tem Kathie

[5:38:30 PM]

tovo. Tonight I'm going to be presenting this proclamation on behalf of Austin small business week. Austin, as many of you know, is globally recognized for being supportive to local small businesses. We're known for our unique and our vibrant small businesses. They enhance the character of our city and we're just so grateful to have such a diverse array of really wonderful small businesses here in Austin. And so on behalf of the mayor and the entire city council, I am pleased and proud to present this proclamation on behalf of the city of Austin to our economic development staff. Be it known that whereas through the successful partnership of the city's economic development department, the small business festival and capital one spark business, we jointly celebrate national small business week, may 1st through the seventh and enjoy the enthusiastic participation of community partners hosting free and low cost events, classes and entrepreneur neural sessions for Austin's small business community and whereas the numerous activities planned include seasoned speakers excited to share their business knowledge with small business owners from all industries, and whereas the vitality of entrepreneurs is so vibrant in our capitol city which ranked in 2015 as the number one city for start-up activity by the Kaufman index and number one hottest start-up scene in the U.S. By entrepreneur magazine. And whereas Austin values and supports local businesses which create jobs, contribute to the local tax base and give our city its unique personality that attracts hundreds of thousands of unique visitors a year. The first of may is a an honor to our small businesses, for-profiterring economic growth and whereas Austin culture of creation, innovation and business success strong enough to encourage community leaders to launch a small business festival, near there are I, Kathie tovo, on behalf of mayor Steve Adler on behalf of the city of Austin, Texas, do here by proclaim

[5:40:33 PM]

may 1st through the 7th as Austin business week in Austin, Texas. Congratulations. [Applause]. And I'd like to now introduce sylvia, holt listen Rabb, assistant director of the economic development department, to tell us about the small business week and the kind of activities to expect here in Austin. >> Thank you, mayor pro tem. I am happy to accept this proclamation recognizing our city, small business department within the economic development department's commitment to providing an important support for the small business community. Austin small business week celebrates the national small business week may 1st through the 7th throughout a multitude of opportunities citywide. In partnership with Matthew Pollard with small business festival and April tenewith, these events are intended to empower small business owners with direct knowledge from industry experts to expand their business. It is encouraging to see so many supportive partners aspiring entrepreneurs and business owners and non-profit resource organizations alike to provide the support. Many of you realize that small business is the root of Austin and there are over 32,000 that employ fewer than 100 people. They make up 91.5% of the small businesses here in Austin. I encourage you to check out small business festival.org to have a full array of the schedule. Austin small business week is just one opportunity to highlight our treasured assets, which is small business. At this time I would like Matthew Pollard to come up, who is the brains behind this small business week. And we are thankful for the partnership. Matthew? >> Thank you so much. Small business festival was designed to provide business

[5:42:34 PM]

owners of any genre the ability to come and learn the skills that they need to be able to make their businesses better. And we came to the city of Austin and to Capital One with this idea that wouldn't it be great if we could offer free learning activities for everyone right across the city in co-working facilities and other venue partners. And the city of Austin and Capital One came to the party and said, this is something that Austin needs and we're so excited that they did. Now we have free events happening across town with high level speakers that are Austin local, that are supporting their community. We also have high level speakers, one speaker that's the number one speaker internationally coming in to speak, as well as so many Austin local success stories that have come to share their stories, their successes and what they've learned. The people that are going to be sharing their stories are the people that started small and grew big and what we want for people to believe at a small business festival is that that is possible for every small business. So we encourage everybody from small business -- everyone across Austin to come and enjoy the sessions and learn and implement that into their business. Thank you very much. [Applause].

[5:45:13 PM]

>> Gallo: If we have anyone in the audience looking for that forever friend, this is going to be your opportunity. >> Gallo: Hi, I'm councilmember Gallo representing district 10 and it is my honor to stand before you with all of our wonderful two-legged and four-legged friends that are here today with me. This is the first official Austin Pet Month in Austin and there will be events hosted throughout the city to engage the community in pet adoptions which can start today if you were so inclined and see someone that you think should blend in to your family. Austin Pet Month gives us the opportunity to celebrate the successes, rescues and adoptions that -- the successful rescues and adoptions that make Austin a leader in compassion and animal welfare. We also want to promote the care providers, animal centers and rescue groups that support our mission. The people that you see before you with their four-legged friends all represent some of the rescue organizations that make adopting and taking home our four-legged friends that much easier in our city and we really thank them for the time and effort that all of them spend in helping to make Austin such a compassionate place to be. I want to thank Austin Animal Center, Tawny Hammond, her staff and volunteers to help with with

[5:47:13 PM]

the animals in need of a forever friend. I think she would like to say a few words. >> Thank you, councilmember, for this proclamation today. Gandhi said, and I'm just paraphrasing, that you can gauge the health of a community by how it treats its animals. And that's one reason that I moved to Austin because the values here are that people and pets matter and that we understand the importance of the two together in harmony and our community health. And so I think this is very exciting proclamation and an event and I thank Robert Shaw for his work on that. And I think the councilmember for making animals a priority and just shining a bright light on this. Thank you. And I'll also want to thank one other thing. The reason Austin is such an incredible community for pets and people is because of the leadership appointed and elected in the city and it's because of the rescues and the non-profits and the partners and the volunteers and the staff and the community, all the hard work. Thank you. >> Gallo: And we're so happy to have you in your community now. I want to thank and recognize Robert Shaw who is the appointee of the animal commission. It is through his effort that this wonderful idea of Austin Pet Month has come to be and will be held for the first time in May. If you would like to say a couple of words. >> Thank you, councilmember Gallo and thank you, city councilmember for your

support with Austin pet month. I also want to thank our amazing Austin pet month team who pulled all this together and made this possible. And of course I want to thank our rescue partners and shelter partners. Thank you very much. You know, Austin is a very pet friendly city. I'm honored to be a part of it. We love our dogs, we love our cats, but we also have a shelter in that they're overloaded, overcrowded. They need your help.

[5:49:15 PM]

Austin pet math was created to provide an awareness to adoptions and fostering opportunities. As well as an awareness to responsible pet ownership and to engage the community. Austin pet month will offer opportunities throughout the entire month of may and be located throughout the city. The events will be filled with lots of fun stuff. Not only will you be able to adopt and foster at every single event, but there will be all sorts of fun stuffs for the entire family. Some events will include veterinarians and dog trainers you can talk with. We even have a met massage a therapist, we have a guy who makes dog beer, non-alcoholic. I invite you to come out and join us and have a great time. For more information about Austin pet month and to see our calendar of events you can go to Austinpetmonth.org. And on your way out be sure and pick up a t-shirt. They're great. No cost. It's to say thank you for all that you do. And now let's celebrate pets and their people. Thank you. >> Gallo: Thank you, Robert. Actually, I like the scene of the dogs better. That was great. Mayor pro tem tovo was going to present this proclamation with me. I have to thank her for being the big instigator for once a month having an adoption center at city hall so that visitors and workers and people downtown and in city hall have the opportunity to meet some of the pets available for adoption. Thank you very much for making that happen. It's a fun event and, yes, the staff for doing that. So it's really a good event. Be it known that whereas for the first time pet month in Austin, Texas will increase

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the awareness of pet adoption and foster opportunities and whereas we encourage the community to engage in Austin's pet welfare initiatives and whereas the city of Austin is home to the largest no-kill animal shelter in the United States, providing shelter to more than 18,000 animals each year. And whereas it is important to recognize the pets of Austin who have been rescued and adopted and those who are still looking for their forever homes. Therefore Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim may 2016 as Austin pet month celebrating pets and their people in Austin. Thank you and congratulations. [Applause].

[5:54:24 PM]

>> Houston: Good evening, my name is ora Houston and I'm the council person that represents district 1. National infant immunization week is an annual observance to highlight the importance of protecting infants from vaccine preventable diseases and to celebrate the achievements of immunization programs in promoting healthy communities throughout the united States. Vaccines are among the most successful and cost effective public health tools available for preventing disease and death. Vaccines not only help protect vaccinated infants, but also help to protect the entire community by preventing the spread of infectious disease. As a parent I made sure that both children were vaccinated as infants and I followed the recommended immunization schedule for their protection and for the protection of other children they would come in contact with. So allow me to read the proclamation regarding national infant immunization week and it will be accepted by Colleen Christian of health and human services. There she is. Be it known that whereas giving babies the recommended immunizations by age 2 is the

best way to protect them from 14 serious childhood diseases. Currently the United States has the safest, most effective vaccine supply in its history. And whereas vaccine preventable diseases still circulate in the United States and around the world so continued vaccination is important to protect everyone in potential outbreaks. It is important to vaccinate children on time according to the childhood immunization schedule, to provide the best protections early in life when babies are vulnerable and before they are likely to be exposed to diseases. And whereas since 1994 national infant immunization

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week has encouraged parents, caregivers and health care professionals to participate in educational recognition and media events to increase the awareness of the importance of immunizing children before their second birthday. And now therefore Steve Adler, mayor of the city of Austin, Texas, proclaims April 16th through 23rd as infant immunization awareness week in Austin, Texas. Ms. Christian, come and accept this. >> Thank you, mostly cloudy. Here in Austin we're lucky to have a good immunization rate. But we have pockets around a Austin that have very low rates due to exemptions, people choosing not to immunize their children. We can work with the exemptions and provide immunizations to them and also increase our heart immunity throughout the city and that will do a big job in protecting not only the person who receives the vaccine, but the most null remember rabble in our community, like little Matthew here. It's important to immune size and immune size by the schedule. If you have insurance, immunizations are available at no cost to you through the health provider. We're lucky through the city of Austin to have the big shots clinics that provide low cost and free immunizations to people uninsured or have medicaid and we work with physicians, almost 100 of them in Travis county that provide vaccines to children for free through our vaccines for children community. So thank you again for the proclamation, councilmember Houston, and get immunized and protect yourself and those who are most vulnerable. Thank you. [Applause].

[5:59:13 PM]

>> Houston: Good afternoon again. I'm still ora Houston and I still represent district 1. And it's my pleasure to read a proclamation in recognition of international jazz day. In 2011 the United Nations officially designated April 30th as the day to highlight jazz and its diplomatic role of United people around the globe. International jazz day is one day each year that jazz is celebrated and brings people of all ages, backgrounds and nationalities together through music. Jazz is recognized for encouraging individual expression, creative harmonies and musical interpretations at a moment's notice. Some of my favorites are Dave Brewbeck, John Coltrane and Austin's own Tim Curry and Dr. James Pogue. Mr. Tim Robinson, Austin Jazz Society, will accept the proclamation, which reads: Be it known that whereas jazz born in the multicultural society of America is considered one of America's original art forms. It fuses together African and European musical traditions and includes the subgenres of rag time, swing and bebop. And whereas international jazz day encourages enthusiasts to celebrate and learn about jazz and its roots, future and impact, raises awareness for the need of intercultural dialogue and reinforces international cooperation and whereas the United Nations' educational, scientific and cultural organization officially designated international jazz day to highlight this international art form and its diplomatic role of uniting people in all corners of the globe. And whereas this special day in the culmination of jazz appreciation month, which draws public attention to

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jazz and its extraordinary heritage, now therefore Steve Adler, mayor of the city of Austin, Texas,

proclaims April 21st, 2016 as international jazz day in Austin. Mr. Robinson. [Applause]. >> I am -- first of all, I'm overwhelmed because I've never been to this kind of council meeting before. I've been to the other kind that last throughout the night. I'm so pleased for these people to get the proclamations. I'm proud to be a citizen of Austin for over 50 years and the great work you do. First of all I thank the mayor Adler and the council. This is the second time you've done this. We're kind of tardy compared to other jazz associations in the jazz United States given Austin is a big music city. The jazz society, Austin jazz society, was founded in 2003 due to the very generous foundation by a former musician. We still are very small in our membership, we work very hard. Every month we have an event which we do put out in -- it's publicized on our website, we're working harder. International jazz day is actually April 30th, this coming Saturday -- a week from Saturday. And we are going to put on an event at central market north at noon. Everyone is invited. If you've ever been there you know it's an open venue and very hospitable and we will have a jazz quartet led by Adrian Reese. A jazz composer. Thank you very much and thank you for listening. >> Come on, let's take a picture. [Applause].

[6:03:24 PM]

>> Houston: And just applaud for jazz at St. James. If Keith was here, in November, jazz at St. James episcopal church. >> Tovo: Again, I'm mayor pro tem Kathie tovo and I have the privilege of representing council district 9, which includes the university of Texas at Austin, so it's a special privilege to be able to present these certificates of recognition to representatives from 17 different UT student groups. And I just want to really give them a big thanks for taking the time to come down here today to city hall. You're going to hear a little bit more about the program in just a few minutes from one of the student representatives. They are all receiving certificates for their participation in a program to represent -- a program called the UT healthy student organization program. And they participated at different levels. A gold, silver and bronze participation. And so I'd like to recognize first those organizations represented behind me who received -- who participated at the gold level and those include the natural science council. Feel free to wave if you're here representing the natural science council. The Orange jackets. Texas men of excellence. Texas nutrition. Texas salud. Texas tribe. The undergraduate business council. Texas 4,000. Engineers for a sustainable world. Health occupation, students of America. The student health advisory council. And Texas public health. Thank you again and congratulations so much on your participation at the gold level. In the silver category, the hindu student association and the Texas cow girls. And then in the bronze

[6:05:25 PM]

category were campus event and entertainment, the food studies project, and smile. So thank you again. And on behalf of the entire city council and the mayor of Austin, I would like to present the following certificate of recommendation. Each of the organizations will receive their own and the wording is the same so I'm going to read the first. The city of Austin certificate of recognition' the occasion of their recent accomplishments as a university of Texas gold healthy student organization program. The organization is deserving of public acclaim and recognition. The certificate is issued in acknowledgment of the significant achievement this 21st day of April in the year 2016 by the city council of Austin, Texas, and it is signed by the mayor, mayor Steve Adler. And so congratulations very much, all of you. Again, thank you for being here. I'm going to invite William mupo to say a few words about the program and the group's participation. Thank you. >> Thank you so much, mayor pro tem tovo. We wanted to send a few thank you's, first to the city of Austin and especially Dr. Huang's office that played a major role in putting this program together, which is really geared towards working with the student organizations at the university of Texas that are emphasizing physical activity and nutrition and giving

these opportunities to all their members. I also want to thank my student assistance Mika and Eric who are here, and Max and Kendall, who couldn'ting here today, who did an outstanding job putting this together, whether it's working with local businesses for them to give discounts to students and student organizations, to also working with all the organizations. And lastly and most importantly to the student organizations that participated. These are the inaugural winners and the university of Texas is the first school in the country to do a program like this. And what they've done is

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provide these exceptional opportunities for all of campus to be healthier. And the university of Texas this fall was named one of the five healthiest campuses in the country and that's 100% due to the efforts of our students. And we know that they're going to go out and change the world because they've done it right here and we're extremely grateful for that. So thank you, guys. [Applause].

[6:10:25 PM]

>> Tovo: So at the city of Austin and all of those of us who live in Austin are so very fortunate to live in a city that has such fabulous staff working as public servants throughout our organization and today it's my honor to present this distinguished service award to Kimberly Wood on the occasion of her retirement. Ms. Wood has worked for 29 years as -- within the city of Austin organization and so we're so grateful for your service and we wish you the very best on your retirement. And now on behalf of our Austin mayor, Mayor Adler, and the entire city council, it's my pleasure to present this award. The city of Austin distinguished service award. For her untiring service and commitment to our citizens during her 29-year tenure as a dedicated employ of the Austin municipal court, Kimberly Wood is deserving of public acclaim and recognition. During her service she has been a wealth of information for internal and external customers, mentoring has been one of her passions that she has passed on to many others. Inspiring by action and word. Her ability to think outside of the box and to encourage others to broaden their scope of vision is a blessing and sincerely appreciated. Her dedication to the municipal court and to the city of Austin are awesome examples for others and she will be incredibly missed. This certificate is presented in acknowledgment and appreciation thereof this 21st day of April in the year 2016 by the city council of Austin, Texas and signed by Mayor Steve Adler. So congratulations, Ms. Wood. >> Thank you very much. [Applause]. >> Tovo: And now I would like to invite Ms. Wood to say a few words. >> I'd just like to thank the mayor and the council for this. I appreciate it. And I want to thank the court. They've been very gracious to me all this time. Thank you. [Applause].

[6:13:58 PM]

>> Pool: All right, Janis and Brandy, we're the last act. Y'all listen up. This is a good proclamation and I'm really happy to be presenting this proclamation about Earth Day to my friend Janis Bookout. The proclamation, be it known that whereas Austinites are celebrating Earth Day 2016 with a family and Earth friendly event in our city's sustainable mixed use urban village, Mueller, although some call it Mueller. Musical acts, Earth Day speakers and enormous kids zone, zen zone, local food trailers and lots of hands on demonstrations allow participants to connect with our planet and have a lot of fun. And whereas the festival is a zero waste event with at least 90% of discards being diverted from our landfills and whereas winning districts of the Austin Resource Recovery Recycle Games are being announced and whereas we thank sponsors Austin Resource Recovery, H.E.B., Treehouse, the Austin Chronicle, Kut, Kutx, Austin Energy, Austin Code Compliance, Sun Power, Balcones Resources, Capital Metro, Happy Hybrid Auto Repair, Nature House Green Products, Stan's AC, 91.7 Coop, Austin Water, Go Green Heating and

cooling, save Barton creek association, Charles maund Toyota, office of sustainability, lighthouse solar and spring-free trampoline for their support, now therefore I, Leslie pool, councilmember district 7 on behalf of Steve Adler, mayor and the entire Austin city council do hereby proclaim April 23rd, 2016 as Austin Earth day festival 2016. [Applause]. Thank you, Janis. Do you want to say anything.

[6:15:58 PM]

>> Thank you, councilmember pool. So Earth day Austin has -- considers it an honor and a privilege to produce Austin's biggest locally focused environmental festival. It will be bigger than ever this year. So we just want to say you're all welcome, come attend, come join us this Saturday from noon to 7:00 at Mueller hangar, and we'll see you at the festival. Thank you. [Applause].