

Audit and Finance Committee Meeting Transcript – 5/16/2016

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 5/16/2016 6:00:00 AM

Original Air Date: 5/16/2016

Transcript Generated by SnapStream

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[9:08:49 AM]

>> Tovo: Good morning. Thank you all for being here. We are just waiting for enough councilmembers to get a quorum and then we'll get started right away. Thank you, and I apologize for the delay. Okay. Good morning. We're going to go ahead and get started. This is the meeting of the city council audit and finance committee and the time is 9:09. And we will start by -- with a motion to approve the minute of the audit and finance committee. Vice-chair troxclair moves approval. Councilmember pool seconds that. Is there any discussion? All those in favor? >> Aye. >> Tovo: And that was unanimous with councilmember Renteria off the dais. Next is citizens communications. And our first -- it looks like we have three speakers. Our first is lance parisher. Mr. Parish. And then next will be Katherine Fendrick. >> Thank you. Hello. Thank you very much, councilmembers, for having me. My name is lance parisher. I am a resident in ora's district. I'm a civil engineer here in the community and I wanted to discuss something with you about the town lake animal center, which I think you may be hearing a lot about that today. So the town lake animal center experiences a lot of

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leaking from the cracks, gaps and water being able to seep in through the roof. And it's been an ongoing thing. And I've called a couple of people to ask about sealing these things up or potentially reconstructing pieces of it. And the -- kind of the general response is there's no funding for it. So I would like to ask the audit and finance committee if there's any way to look into these things to allocate different funds. Not a capital improvements project, but a general maintenance and upkeep thing for the facility. What's happening is a majority of the dogs, if not all of them, get wet when it rains. And I know that there is a flooding area that it's in. I'm not asking that. That's a completely separate issue altogether. This is just holes within the roof. So if it's your house, there's a leak in it, you fix it. So that's kind of what we're asking for within this thing. Also, the neighbors, the facility, they have fans installed above the kennels and last year Austin had about 120 days where the temperature got above 90 degrees so potentially -- at installing something like that. So that's pretty much all the ask is from you. And we're just asking for some general funds to cover -- do some improvements to that facility. And I have handouts if anyone would like to see pictures. >> Tovo: Sure. Thank you. Thank you for being here. And I should also acknowledge councilmember Houston who chairs our council committee on health and human services is also joining us today. Okay. Ms. Fendrick. And our last speaker for citizens communications will be will McKinney.

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And it sounds like there's one more. >> Thanks for your time today, mayor pro tem and councilmembers. I have a couple of handouts that might be instructive to look at while I'm speaking. I'm sorry, I only brought four copies. So I'm an Austin resident and a volunteer at the Austin animal center. And I want to thank mayor pro tem's office for setting up a meeting with me with Burt Lumbreras' staff. I appreciate everyone's service to date. I'm here to share several observations I have about the Austin animal center with you all because I know that you are quite interested in our tax dollars being used as efficiently as they can. And citizens bringing any concerns to you about government programs that are not operating as efficiently as they might be able to. So I have three issues that I wanted to highlight very quickly. The first one is, as you I'm sure know, on May 21st, 2015, item number 24 from council. Approve a resolution directing the city manager to take steps to increase opportunities to let dogs out of their kennels while housed at the Austin animal center and to provide a report on long-term options to improve animal welfare at the Austin animal center and to increase the animal service office's online capabilities. It's been 12 months since this council resolution and in your handout the one I gave you, eight and a half by 11 one, what you will see is a picture of a way that

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staff and volunteers eye to track when dogs get out of their kennels or don't. It looks like this. It's a bit hard to read. But anyway, this is from March 31st. It's 1:30 in the afternoon. There's 56 kennels and nine dogs have been out. At Tlac, there's not currently one full-time paid dog walker. So the second issue I want to bring to your attention is I'm not sure that there's enough transparency in how Austin animal center management reports their progress or lack thereafter of this resolution to you and to the full council. The second attachment is the 2016 animal services report. So you can look at this report, it's three pages, quick and easy to skim through. I don't know if you all currently see it or the commission may just see it and bring issues to your attention. But anyway, not in anyplace is the three-page report is a discussion about what progress is being made towards the council resolution. So my third issue is the agency as you probably know has an 11.7-million-dollar FY dollar budget. As you know there's two chiefs, one deputy chief and five full-time paid volunteer coordinators. [Buzzer sounds] So anyway, some food for thought. Thank you for having me today. >> Thank you. We appreciate your comments. >> And Ms. Valles Trejes will be our final citizen. >> Good morning, mayor pro tem and councilmembers. I'll wait until you all get that handout there.

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If y'all look in the -- at the animal enrichment program there was 75,000 budgeted for this year. Halfway through the fiscal year only \$12,000 of that was spent. It still has a remaining balance of roughly \$60,000. As Katie said there was a resolution passed on May 21st of last year directing the city manager to, quote, take steps to increase opportunities to let dogs out of their kennels while housed at the Austin animal center. I volunteer at the main location. There are still many days where dogs don't get out at all. While our ultimate goal is two walks per day, right now our goal is to make sure all the dogs get out at least once a day. An easy solution, especially looking at the amount remaining in the animal enrichment program, is to hire two contract dog walkers. If you look at the second page I kind of spelled out the numbers and expenses. So proposing two contract dog walkers, each of them work 30 hours a week. Most likely during the week seems like we have a lot of volunteers on the weekends. They will be working for \$13 an hour. That comes up to \$780 a week. Roughly 3120 a month. And for the three-month trial that we're proposing that would be a little under \$10,000. So I think y'all have heard me talk about this before. There are a lot of dogs -- some of these dogs have been house trained so you just

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picture their -- they've been there overnight, they're waiting in their kennel to go to the bathroom and when they're waiting and waiting and waiting and sometimes a whole day goes by without them getting out of their kennels. And what we're talking about is kennel breaks. We're not talking about a mile walk or anything like that. Generally volunteers or staff will just take the dogs out of the kennel into a play yard and play with them and that's plenty, and that only takes about 10 to 15 minutes. With these contract dog walkers we could get a lot of dogs walked and less burden on the volunteers and it's pretty much basic care for the dogs. Thank you so much for hearing me out and thank you for your service. >> Thank you, Mr. McKinney. >> Tovo: Ms. Valles-trejes. >> I also have a handout. >> Thank you, madam chair and mayor pro tem and councilmembers. I'm here to support what Ms. Frederick and Mr. McKinney just talked about and I'd like to point out two things. First of all, on this donations fund report you will see that there's a line item for \$50,000 for the heart worm program. And as of March 31st of this year zero dollars had been spent. After six months they have not spent any money on heart worm. And the reason is because there's also \$50,000 in the operating budget. And there has been absolutely no discussion of this issue at the animal advisory commission, which

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is why we're coming to you, when we cannot get these issues discussed in the forum of the people that you have appointed to discuss it, we need to come to you. I would prefer to have a conversation at the animal advisory commission. Why is there \$50,000 in the heart worm program out of the donations fund when you already have \$50,000 in the operating budget, but you don't have dog walkers and we can't spend money on dog walkers when you have this money. Now, this isn't the only source of funding that I think is available. But it one of them so I thought I would point it out. I think it's obvious that there should be a discussion about that. The issue that I've brought up before and I'll bring it again, up at the top there's a 72,000-dollar transfer out of unclaimed spay-neuter deposits. Those are animals that were either adopted or returned to owners unsterilized. If we have them at the animal center let's fix them while we have them. If we don't get them fixed because they're too sick or too young and the person pays a deposit and doesn't come back and claim their deposit, let's take that money and use to fix another pet. Don't use \$72,000 in unclaimed spayed, neuter deposits and use it for heart worm and other items like animal enrichment that aren't being spent. We have money to fix things. Let's have the animal advisory commission have discussions on these issues. I know you have an item on the animal advisory commission later today. I will not speak again because I've already done what I said I have to say. I hope you take that into consideration. Thank you. >> Tovo: That is our last speaker for citizens communications, I believe. Let me just double-check. It is. So that brings us to our

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agenda. The update on the Austin general obligation bond sale schedule. >> Good morning, mayor pro tem and councilmembers. My Georgia Sanchez, assistant treasurer in the treasury office and I'm here today to provide an update on the annual general obligation bond sale and the related bond sale and approvals to that sale in August. By way of a reminder, the property tax rate that is said each year during the budget consists of two components, the operations and maintenance tax rate and the debt tax rate. The debt tax rate covers principal rate and that's by our general obligation debt. We have three types of general obligation debt that we issue. Our voter authorized public improvements bonds with a 20 year term and our non-voter authorized bonds, certificates of obligations and contractual obligations. We have 1.4 billion in outstanding and go debt currently and we issue debt once a year prior to setting the

tax rate. This bond sale occurs in August, but planning for that sale began much earlier. Work on the upcoming bond sale began in spring 2015 with the release of capital improvements program plan. This was a five-year plan and the first year of that plan was used in the formation of the capital budget. The capital budget was approved last September and it provided the annual capital budget appropriations and a reallocation as a funding source. It allows a project to begin now and get funded later. It's consistent with IRS regulations as well as our financial policies regarding cash management. Results in lower interest costs because we aren't borrowing the funding at the

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same time that the project is only getting underway. And I'll go into more detail shortly about the next steps to issuing debt, which are the notice of intent, the preliminary official statement, the bond sale and closing. First I'd like to go through the total planned August sale. \$156.3 million. We will request council's authorization for this sale on August 18th. The sale details currently are 63.8 million for public improvement bonds from the 2012 and 2013 bond programs. 29.2 million for transportation, 18.8 million for parks and 5.8 million for health, public safety, cultural, as well as \$10 million for the affordable housing. Our certificates of obligation has currently envisioned 83.9 million for home buyouts, library and Seaholm. And 8.6 million in contractual obligations for technology. I wanted to point out that the entire 156.3 million supports projects and appropriations already approved by council. Again, due to reimbursement resolutions that are in place we're matching for the most part, the spending on those projects with the funding identified to support that spending. The bond sale follows the expenditures in this way because the use of the reimbursement resolution is a cash management tool. After this August bond sale there will be 131.5 million in remaining voter authorized bonds to sale. That's nine million from the 2006 bond program. 87.5 million from the 2012 bond program and 35 million from 2013 bond program. The first official action will come to the council on June 9th. We will request approval of publication of the notice of intention to issue certificates of obligation. And state law requires publication of this notice

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in the paper. Once a week for two executive weeks no less than 31 days prior to the bond sale. The resolution includes a description of the projects being financed. It sets a maximum dollar amount to be issued. And it states the anticipated meeting date for the bond sale. It allows voters time to acquire a petition of five percent of qualified voters should they decide to protest the sale. After that publication we will move into preparation of our preliminary official statement in July and August. This is a document that has all of the offering details about our bond sale. We will ask for council approval to sell the bonds on August 18th. And you will see our bond sale schedule finalized at that time with all the debt service requirements and analysis for your approval. Very early in October of 2016 we will have closing or delivery of the bonds and that's just the mechanism by where we receive the funds for our 2016-2017 fiscal year. And that concludes this annual update of the upcoming sale. I'd be happy to answer any questions. >> Thank you, does anyone have any questions? Councilmember Renteria? >> Renteria: Thank you. Can you tell me the 2006 bonds? Said they're going to be 9.0 million left? >> Nine million left to issue. >> Renteria: How come we still have that amount? >> Well, any bond program that you have is going to be issued over a five, six-year period and that's planned out. Some projects will go earlier than others. The 2006 bonds that we still have to issue are relating to funding for public safety as well as Mexicarte. >> Tovo: Can you explain what the public safety piece was?

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That's okay. I'm happy to -- >> I'm happy to get that back to you. >> Tovo: I can follow up after. Mr. Canally. >> It's working now. You just can't see the color. Mayor pro tem, that is related to -- 2006 included funds for a new substation, new public safety police substation as well as municipal court. We have already purchased some property, but as you know we've been before council to talk about a new approach to some of our facilities, so as those play out hopefully over the next year we'll determine when and if to sell those remaining bonds. >> Tovo: Councilmember Houston. >> Houston: Thank you. I think it would be helpful when you bring this before council because I was going to ask the same question about the 2006 bonds. If you will detail what those outstanding bonds are so that people know, and what they were supposed to and what they were supposed to construct. >> I'll be happy to do that. >> Houston: Good. >> Tovo: Okay. I believe that was all the questions for you. Thank you very much for the presentation. Our next and last item are the proposed changes to the board and commission bylaws. So I will welcome Ms. Estrada to walk us through those proposed changes. >> Good morning. Deana Estrada, the boards and commissions coordinator. And I passed out some paperclipped items, including a spreadsheet. There are three boards bylaws that I'm bringing before you today. They include the board of adjustment, the zoning and platting commission and the animal advisory commission. I thought I would start out with the board of adjustment and zoning and platting because the changes that they are requesting don't

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require ordinance changes so they will probably be simpler than the animal advisory commission. The board of adjustment bylaws, as you know the sign review board was dissolved by council in December of 2014. So the language that is struck through in the board's bylaws that I handed out to you for board of adjustment would remove all references to the sign review board and replace them with the board of adjustment as they have been done already in city code. And that's a fairly easy change. Article 7-f talks about what constitutes a forum. This language that is in the spreadsheet as a proposed amendment would -- has not been included in city code, however the board of adjustment thought it would be -- they felt there was appropriate to add that section because it's already included in state law and is including judicial precedence, and that is in preference to the three-fourths vote necessary and how -- and for purposes for calculating a required super majority that would exclude any vacancies that the board is currently experiencing. With all of our boards and commissions, vacancy is part of the quorum. And that would not include the vacancies. As I mentioned, this particular amendment is not listed in city code, but it is already in state law and the board felt it was appropriate to add it to their boards' bylaws. Article 7-f is the same justification. This discusses what is -- what must be effective for a

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board action to be adopted and it talks about the number necessary for a quorum and the necessary requirements for zoning variances, special exemptions and administrative appeals. And a three-four super majority. Are there any questions on the board of adjustments amendments? >> Pool: So just real quick. State law has the quorum Numbers to be calculated on the number of appointments? >> Yes. By two-thirds, I believe. I think -- do we have David might be able to answer your questions. >> Pool: And a follow-up that maybe he can take a swing at too is could that also apply to other boards and commissions or is it just for board of adjustments. >> Good morning. David sorello. The state government code 211, the overall zoning statute, also contains provisions that speak to a board of adjustment. So to answer your question, a board of adjustment requires a 75% affirmative vote in order for -- for example, a variance to pass. And so the actual law that speaks to the overall number required

for a vote to pass, that speaks to that number being reduced is actually a court decision. It's the Garity versus city of Alamo heights case. And the court stated in that case that in super majority cases or where that type of vote is required, which is typically the case in a board of adjustment case, where there's a vacancy or where there is a required recusal, then the nominator in this case for board of adjustment, the number 11 is

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reduced by that vacancy or by that required recusal. A mere voluntary abstention would not reduce the denominator in that case. I hope that gives you an overview. >> Pool: No would an absence, right? You are specifically to where recusal would be required and where the position had not been appointed? >> That is correct. But a voluntary abstention or an absence would not reduce that denominator. >> Pool: And does this provision, because of where -- does this court case because of where the statute that it had challenged only apply to land development or board of adjustment or would any of our other commissions be covered under this? >> That I'm aware of it would only apply to the board of adjustment. And I say that for example with the planning commission or the zoning and platting commission, even though they have many powers that are assigned to them in duties, they that I recall do not have a super majority requirement. Typically their votes are passed with a simple majority. So the case that I cited to you, the Garity versus the city of Alamo heights, only found the scenarios where the denominator is reduced. It applies or is triggered only where there's a super majority vote requirement. >> Pool: So would that then apply in a zoning case with a valid petition on it that -- to make it? >> Yes. Just before the council, that's where the super majority requirement is triggered. >> Pool: Gotcha. Which is why it's on council to have the super majority to overturn those decisions is because of that element of state law. >> Yes. >> Pool: Gotcha. Thank you.

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>> Okay. I can go on to zoning planting unless there was action wanted -- you wanted to take action separately. >> Tovo: Do we want to take action separately? >> Pool: I guess the other alternative would be to just have one motion for all of them? >> Tovo: Yes. >> Okay. >> The next board is the zoning and platting commission and I've also provided a copy of their board's bylaws in your handout. There are two sections of their board's bylaws that they would like to change and this is article 8-b and 8-c. This relates to the rules and requirements for working groups and committees. The language currently states that each committee shall consist of at least three board members appointed by the chair of the zoning and platting commission. The board would like to -- the commission would like to change that to be amended that the committee designations be a vote of the entire body. And that also relates to article 8-c that the committee would -- shall appoint a committee member as the committee chair with that member's consent. I spoke yesterday to the zoning and platting commission chair Tom Weber and he related -- he asked me to pass on that this was just to have inch at the table agree to the committee assignments, especially when there are many more people who would like to serve on a committee than seats that are available. Now I can go on to the animal advisory commission. The reason -- this one was listed separately and last is because the amendments that are being requested -- would have to change city code. In February of 2016 -- I've also provided this in your handout. In February of 2016, the animal advisory commission

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made approved recommendation to council requesting that the bylaws be amended to include the

words "And commissioners' court" after the words "Advise city council" on animal welfare policies. In addition to that they also requested that there -- that the board be composed of 13 members to include 11 appointed by city council and two members appointed by the Travis county commissioners' court. I would like to state that I didn't pass this out and I apologize for it, but a letter from the county, the Travis county judge Eckhardt's office was sent to our -- to council -- to the mayor's office in June of 2016 that stated that they would like to include this before we began transitioning over to the 10-1 boards. I think it was just lost in -- as we were transitioning, there were a number of board appointments that needed to be made, so this wasn't added -- this wasn't seen at least by me until earlier this month. The animal advisory commission went ahead and made that recommendation to include the two additional members from Travis county and that is what I'm bringing forward to you. I understand councilmember Houston may have an additional amendment to provide. >> Are there any questions regarding what Ms. Estrada has said so far? >> Tovo: Councilmember pool? >> Pool: I see that Ms. Fleming -- the Travis county health and human services director, is here. Would you just like to speak to the -- at the addition of two appointees from Travis county and just offer your -- >> Houston: Could we hold on -- please come to the table, but could we wait

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until I find of lay out what I've got another amendment that I'd like to discuss. >> Tovo: And we do have four speakers as well. >> Pool: The question I was going to ask and you can hold on it until we're ready for it. It looks like Travis county supports this and has people that they could appoint, so I just would like your input on that. Thanks. >> Good morning, mayor pro tem, councilmembers. Thank you so much for this opportunity. Yes, we are very much in support of it, and I guess this might be a good opportunity to say our initial request for two did not -- we weren't informed by the opportunity to have more than two. We were sort of thinking about the fact that the commission had 11, it would probably be better to have an odd number, so two made sense at the same time. So we are not in conflict with the two versus the four recommendation. >> Houston: And that's my amendment is to allow the county commissioners' court to have four representatives. We've said we have a history and a precedent set where other commissions, rather than having 13, have 15 with four being appointed by the commissioners' court, but I'll wait until we hear from the public and then -- I can't make an amendment, so I just wanted to make that statement that that's going to be my amendment at the time that we bring this up to have four appointed by the commissioners' court. >> Tovo: Thank you. All right. Let's go to our speakers. Our first is Mr. Larry tucker. And our second I have registered Ms. Valles-trejes. I know you said you wouldn't speak again, but you may if you would like to. You would like to?

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>> Sorry. Mayor pro tem, may we speak together? >> Tovo: That would be fine. You're both registered and you would together have a total of six minutes. >> Okay, thank you. Well, thank you so much. I wanted to give -- my name is Larry tucker and I am the past chair of the animal advisory commission and I am currently on the commission as the commissioners' court's appointee. And also councilmember Casar's appointee. A little back story. In 2008, I believe it was the end of 2007, maybe the beginning of 2008, the commission asked for a change to the bylaws to expand our scope of work from being limited to chapter 823 of the Texas health and safety code, this was very redistrict strict active and basically to commingling species, from sick animals to healthy handles. We asked the council to expand our scope of work to include recommendations on any animal welfare issues within Travis county. The council granted us that scope of work expansion and we began working on the no-kill plan. So that change in the bylaws led to the successful implementation of the no-kill plan and us becoming the largest no-kill

city in the United States. So that change was really great at the time. What we failed to do was amend the section that allowed us to advise the Travis county commissioners' court. We still can advise under the bylaws of Travis county commissioners' court on chapter 823 of the Texas health and safety code, but we failed -- it was an oversight, I believe, that we failed to change the verbiage in the bylaws to expand our scope of work to advising on animal welfare issues within Travis county. >> Good morning, commission members. David lundstead, current chair of the animal advisory

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committee. I think it's fair that I correct one thing before we start. The recommendation that you have from the animal advisory commission is to expand our scope to advise the council. Our recommendation at this time does not include adding any members. So I do not think that it would be proper for you to take a vote on that. >> If I could clarify. To advise the commission. >> I'm sorry, yes. Our recommendation is to expand our scope to advise the Travis county commissioners' court. We have not taken a stand or taken a vote on adding members to the commission, and I would hope and ask that you approve the expansion of our scope today and then refer the number of commissioners back to the animal advisory commission for us to make a recommendation on that and bring it back to you at a later date. In our mind it was an incremental process. There was no point in adding members if we're not able to advise the commissioners' court. So we wanted to get the bylaws changed so we could do that. And then the city has an interest in working with the county to get all our animal ordinances in line as far as tethering, selling puppies and kittens at flea markets and so forth. We've informal discussions with Ms. Fleming and some very productive ones, but we would definitely like to see some of those ordinances brought in line with the city before we approve of adding members to the commission. Any questions? >> Tovo: I think you still have a little bit more time if you had another comment, Mr. Tucker. >> No. I would just like to reiterate what the chair has said, and that we expand the

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bylaws first and then we begin to discuss at the commission level how many members we add. And there's a clear misalignment in ordinances between the city and the county. So we have city staff driving to a designated area and then they have to stop and turn around because they can't go any further with certain ordinances that would benefit the county as well. >> Tovo: Okay. Thank you very much. So as I understand the letter that we received from judge Eckhardt, it sounds as if there is currently a seat that is supposed to be representing Travis county. So this in some ways would just make that a more formal process. Ms. Fleming, did you want to speak to that? >> Yes, mayor pro tem. Thank you. So our understanding of the city ordinance is that a seat is not specifically designated for Travis county. It indicates that councilmembers may select an individual who has Travis county interests. And so in previous years the commissioners' court has identified an individual that we then sent over to the clerk's office and our understanding was that councilmember Morrison at the time would then appoint the recommendation of the commissioners' court, which as you can see does not necessarily identify a seat for Travis county. It actually, you know, depends on a councilmember's willingness to forego their own appointment in favor of the commissioner's appointment. >> Tovo: Thank you for explaining that. Councilmember pool, did you have a question? >> Pool: No. I was looking at a couple of the documents we have backing up the item February 15 of this year has the ask, which was a unanimous vote, which is what Mr. Tucker and

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Mr. Luninstead are talking about. We anticipate voting on a recommendation to add positions to our commission at a later date. And then the second document signed by judge Eckhardt talks about that Travis county is willing to make up to four appointments, which I think must have been a result of the conversations at the health and human services committee. So that explains the different -- >> Houston: And it actually started in may of 2016. You have a -- of 2015. You have a copy of the letter to the judge where the judge asked for two so that they can advise. I think the Travis county commissioners' court transfers about \$1.64 million from the county treasurer to animal services. And at this moment they have only one voice that is appointed by city council member based on their recommendation. But it seems reasonable that while these conversations are being held that they have no seats at the table to represent interests that are outside of the city of Austin, about 28% of the county is not in the city. And so it seems like they need to have a little bit more representation, as they're having those conversations even about how to expand the commission and how to advise the commissioners' court on animal service issues. So that's why the two were added because the judge asked for those last year. And then because that's a strange number and most of our other commissions that were expanded have four places, then that's why the amendment would be to add four to make a total of 15 on animal services. >> Pool: So the first actual document was from may of '15. >> Houston: Correct. >> Pool: That is also from judge Eckhardt and it has support for two. Okay. And the total budget for animal services is -- is

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that 11 million? >> Houston: 11 something. >> Pool: And the amount -- I'm looking at a metric, at a percentage. The amount that Travis county pays into our accounts -- >> Houston: 1.4 million. >> Yes, roughly. And I do know we have 17 requests. So I can send you -- I can send out to this committee the actual for fiscal year '16, but also the requested dollar amount because I think it may be -- it might be a little less than that amount, but I'm just not -- I don't have the exact amounts. >> Pool: Would you say it's about 10% of the total budget? >> That would be fair, I think, yes. If I may add a comment? So I think the commissioners' court interest and certainly the recommendation that staff will be making to the court should this be approved is that we would continue to include a citizen representative or a couple of citizens representations, but we would also like to bring to the table representatives of some of the smaller cities within Travis county. Under your former animal services director Abigail Smith we have begun a process of convening the small cities within Travis county around animal services issues and we have had several conversations with them about how we could work more cohesively around animal services issues and we have a plan now with tawny Hammond to continue that work. And to have representation of some of the smaller cities on the animal commission would contribute to that opportunity for us to work better together. >> Tovo: So I have a question and I'm not sure whether this should be directed at Mr. Lundinstead or Mr. Tucker. Could you help me understand your commission hasn't taken this up at all? And would you have a concern about having some

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representation? It seems appropriate to have some representation from Travis county. >> Yeah, the the commission has not discussed it and taken a vote. I think we're on the same page as far as wanting the page as far as wanting the county to -- we're thrilled that the county wants to have more representation and to work with the city more because we've never really had that before. We would just like for you guys today to approve our recommendation so we can advise Travis county and then let us go back and bring a recommendation to you for two or four members. After we have that discussion. >> Mayor pro tem, picked add if I could add to that. That there are discussions about how many appointees and where the appointees come from. For example, having another municipality, a village or a city represent --

have a seat in the current state that this ordinance -- that the bylaws are in, and advising Austin city council on policies and procedures with regards to animal welfare seems add to me without advising the Travis county commissioners' court. If we're having other municipalities sit on the city of Austin's boards and commissions, you would think we would expand it to also advise the commissioners' court. I can't imagine having other municipalities sit on city of Austin boards and commissions for the sake of advising Austin city council on policies and procedures. >> Troxclair: So I guess we still have two other speakers, but I haven't heard anybody, either on the committee or in the public raise concerns about adopting the ability for the advisory commission to advise the commissioners' court. And it seems to me like if you're asking for that power

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to advise the commissioners' court that it only makes sense that the county also has representation. I guess I'm still not understanding why you want the actions to be subsequent. To me they seem very interconnected. And like what you said, if you're going to be advising the city, then it should probably only stay in the city. If you're going to be advising the commissioners' court, there should probably be representation from the county. >> The county does -- Larry is the county appointee. >> I have been since 2006. >> Right. >> We went before the county commissioners and they took a vote and they approved Larry as their commissioner. The problem is he's also tied to councilmember Casar. And the county, rightfully so, would like their own representatives not tied to a councilmember, which makes sense to me. But like I said, we see this as a process, step-by-step process so we would like to get the ability to recommend -- make recommendations to Travis county and then once we have that then we would like to make the recommendation to add additional representatives. But is not like -- they do have representative, and that's Larry tucker. So they're not without representation. >> Troxclair: I guess I'm still not understanding the reason for the step by step. To me they're very interconnected and they should be done together, either we take a vote on this today and add more -- and add more Travis county representatives or we postpone the vote on your ability to advise the commissioners' court until there's a recommendation made. But I don't -- >> It would be fine if you want to postpone it. My point is that the recommendation that we sent to you was only for that. >> Troxclair: You just wanted to make sure we understood that. >> So I don't know what -- >> Houston: Chair? This -- the addition came at the request of the judge of

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Travis county back in 2015. So this has taken a year to even talk about two additions. As we negotiate how we're going to advise the commissioners' court, it's only right that they have representation in that conversation. And so if it took a year for us to get to two, can you imagine how many years it might take to get to an additional number? So to me it's yoked, the judge has asked for this for a year now and nobody has taken action on it. This seems the appropriate time to do it since we would be changing the bylaws anyway. And the mayor doesn't have a problem with it at all. >> Tovo: Ms. Estrada, did you want -- >> Thank you. First I apologize. There was a reference in the recommendation about the two members, but it did say that they wanted to bring it back to their commission. Aapologize. I received the recommendation from county judge Eckhardt at the same time. So that is my own miscommunication. I apologize. If it were a recommendation from our office since it would -- since -- I do agree that it would be best to bring it together or to postpone altogether. And the reason being is because this would require an ordinance change that went in front of council and then it would require another ordinance change regarding the membership, if the membership is increased. An option that could be just -- what I'm thinking about is an option that could be recommended is if this does proceed, then the animal

advisory commission could make a board recommendation in support or opposition of the two versus four members that are brought forward to council. >> Pool: it seems like a step by step process thing to me, and I understand that the original letter from last year got lost in transition and

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didn't actually surface until recently. So it seems appropriate from a procedural angle for me. That we first agree that there will be Travis county, official Travis county input into the process. Because it sounds like while there is and has been an appointment from Travis county that hasn't been reflected in the bylaws, so we need to do that. Is that right? It hasn't been specifically in the bylaws. >> I don't think it's in the bylaws but it's reflected in city code. >> Pool: So we're putting it into the bylaws with this action here and I do think it would be useful from 43 perspective to get input from the commission on the additional members. And I understand why it would be an even number because we have odds, we want to have -- maintain the ability to have a majority vote. So I would be okay with either postponing this today or allowing the recommendation to go through and then tasking staff and the animal services commission, advisory commission, to go back and give us a recommendation on how many from Travis county -- and it would include discussions with Travis county it and it may be that we get to the number that councilmember Houston has suggested, but I really would like to hear from our appointments on the standing commission at this time. So -- and I understand what you're saying, Ms. Estrada, about it would be two changes to the ordinance, which makes sense then to just simply postpone this and allow the group to have those additional discussions with Ms. Flemming and we can have Ms. Houston come back with this. She may even be able to bring back the recommendation from everybody. >> Tovo: Councilmember Houston and then we should hear the other two speakers. >> Houston: Right. And thank you. And I appreciate the comments

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that you've made, councilmember, but the issue for me is that Travis county has no vote. They have one vote in the issue that's going to be discussing how many people will be allowed to be appointed by the commissioners court. Because that's the only vote, and that's something that the city has appointed to the commission. So I find it difficult for us to say that we are not going to move it together because they need to have a vote on how many people are there. And without having more representation on the animal services commission, then they're outnumbered 10-1. And so I think that if we're going to do something that may not be in their best interests but I think the county puts a lot of money into this animal services commission, and I think they need more of a voice, especially for those 28% of the people that are outside the city limits. And so I would rather us go ahead and at least amend it to say two and then if they want to have that discussion with the two plus the one person that's currently on there, that gives them at least some ability to have a conversation about what their needs are in the county and how they can coordinate those needs and make those -- if you look at my district in two and three, we have more complaints about animal services than any other districts in the city. Most of those people are outside in the county. So I don't see how we can -- in the sense of equity say that we're just going to allow one person to represent the county and may not have the county's best interests. I don't know that, but it seems to me like we need to have more representation as they make those decisions. >> Tovo: Councilmember Renteria, it looked like you had a question. Then I would like to go to our next two speakers. >> Renteria: Well, first of all, I always look at myself as being part of the county so -- but I do like that idea

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about, you know -- how soon can y'all come back with a recommendation if we postpone it now? >> We could put it on our June agenda. >> Renteria: So we're -- we'll be -- will we be able to hear it in June or. . . >> Tovo: City auditor, would you mind reminding us when our June meeting is. >> June 22. >> Tovo: When is your -- >> We're the second Monday. >> Tovo: So that gives us enough time. >> June 23rd is your last meeting for a while. That's correct. As a full council. >> Tovo: So we'd need to have it on that council Thursday. Okay. Let's go ahead and hear from our next two speakers, and that is Ms. Falstreyes to be followed by delwin Goss. >> Thank you again. >> Thanks again, madam chair and councilmembers for the opportunity to speak to you. I'll repeat my name, it's pat falstreyes, and I did serve on the animal services commission for 15 years and I served on it when it was first created and when it was first created it had 13 members. We had seven appointees from city council and we had -- I'm sorry, we had eight appointees from city council. We had each councilmember appointed one and then there was an at-large appointment and then we had five from the commissioners court. And that made the 13. So we did have a system where each member of a body that was affected by the decisions had a chance to sit and talk to each other and report back to their members. In my opinion, it worked much

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better to have every Travis county commissioner have someone they could appoint. As with city council some were more invested in the appointments and took more time to find someone and others less but I think it worked well. So I want to let you know there is some history to having 13 members. The other thing I want to share with you is Ms. Flemming mentioned small cities. Input to mention -- I want to mention I think of pflugerville as a small city anymore. I think of it as a medium-sized city because it has an animal shelter and recently they were going through some issues where they were thinking of negotiating with Williamson county, to have Williamson county take their animals and closing the pflugerville shelter. I think it affects Travis county. Pflugerville is in Travis county. It is part of our animal services' continuum and I think there should be a discussion about that at the animal services commission. I want to mention the pet trader orientation. That's something that's come before you at city council. I think someone is approaching mayor pro tem's office about continuing conversations about that. That involves the county. So it doesn't matter to me whether you vote on it today or next month, but I do think you need to consider having either each county commissioner have an appointment or at least two. So thank you. >> Tovo: Thank you very much, Ms. Falstreyes. I'm going to do a better job. I apologize. I'm going to do a better job on your name. Delwin gos, you are our final speaker on this item. I know I saw Mr. Gos earlier about we'll give him a minute in case he's in the hallway.

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>> [Off mic] >> Tovo: I apologize. You certainly did. So thank you for being here about us, Mr. Gos. Okay. So we have a few option brothers us. Does anyone want to make further comments? >> Houston: Well, I just want to thank Ms. Pat falstreyes for that history because that's something that we didn't know, and that -- you know, that's interesting that in historically there had been 13 on and the commissioners court had a representative that could truly and in fact represent the interests of the -- of Travis county. So, you know, I'm not on this committee so I don't have a vote in it, but, again, I have a really difficult time having people make decisions about another entity without equal representation or at least mostly representation from that other group to have that conversation with them. And having a vote. Not just a voice, but a vote. So I would be in favor of at least two, if not four. I think four is the better number because historically we have precedence set with other boards and commissions where we've add four

to that to make 15. The African-American resource committee has 15. >> The Asia American quality of life advisory commission. >> Houston: Just to keep some consistency I would suggest four but if y'all in your wisdom want to do two, that's fine also. But I think they need to have already on the committee as the committee makes these -- has these conversations about advising the commissioners court. >> Tovo: Councilmember Renteria, and then vice chair troxclair. >> Renteria: Yes. I have no problem with expanding it to four but I would like to give the commission at least a chance. It seemed like the past chair

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is a representative from Travis county and I wanted to see how -- I want them to give them the opportunity to figure out how they're going to manage that appointee with the other Travis county appointees too so I would like to delay it and I propose that we delay it for a month and give the commission an opportunity to have a discussion. And I would like to see their recommendation come back with four, but, you know -- >> Tovo: Councilmember Renteria, is that a motion to move postponement? >> Renteria: Yes. >> Tovo: For one month? Is there a second to that? Then I'm going to recognize vice chair troxclair, who had a comment as well. >> Troxclair: I guess my preference would be as Ms. Estrada suggested, that we go ahead and move this out of committee today with at least two members and then before it comes to the full council the commission can meet and make a recommendation about whether or not two or four is the appropriate number and the council as a whole can take that into consideration before final passage. But I don't see another -- I don't see the benefit of keeping it in this committee because then if we wait until mid-june and then we have to wait until our next audit and finance committee meeting and then our next council, we might be looking at August before we're passing anything. So -- >> Tovo: I think we can get it on June. >> Troxclair: I still don't see -- it seems like everybody that we've heard from kind of agrees that there needs to be representation from Travis county. It seems like the discussion is revolving around the appropriate number is two or four. So let's -- I would prefer to go ahead and pass it out with two today and we can change it to four later if that's the -- if that's the will of the council and the recommendation of the animal services commission. >> Houston: Mayor pro tem? May I ask a -- >> Tovo: Councilmember Houston, then councilmember pool. Then I have a question for Mr. Tucker. >> Houston: So I have a question for whoever the

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appropriate person is. So if the animal services commission comes back and says that they don't recommend expanding the commission, then what? Can the audit and finance committee override that or can the council override that? >> Tovo: Sure. >> Okay. I just want to make sure that that's on the record so that. . . >> Pool: Right. And we can always do that. For me the reason why I'm supporting the postponement is I definitely want the input from the people who would be directly affected in the work group so that would be the animal services commission. And I completely get what vice chair of troxclair is talking about and councilmember Houston too. So I just want everybody to be moving forward at the same pace, and the way to do that is to allow them to have the conversation -- what? -- To have the conversation at their next meeting and then us to take it back up and see what the recommendation coming out of that commission is because we don't have that at this time. >> Tovo: I'll just say, you know, I appreciate the discussion. I really look forward to hearing the animal services commission's recommendations on this point because it is -- four seems like a lot. I certainly agree that Travis county should have representation, but that seems a little out of proportion. So that's a conversation I look forward to hearing more about. Other -- councilmember Houston? >> Houston: Well, actually, if you're

looking at four out of 15 is about 27%. Of the total population on the commission. And so it's really pretty much in line about everybody else. It's not out of line. It's not overrepresentation. And, again, the fact that the consideration about advising the commissioners court -- or we're just going to hold off

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on everything? Okay. I want to repeat for the record that the request came from judge Eckhardt a year ago. This came from judge Eckhardt. >> Tovo: So I would say -- and this is kind of a message to all of us -- that if we -- if the most -- if the motion to postpone is successful, we ought to try to get it -- make sure it does hit that last council agenda on the Thursday so we can give -- in June. We can give our colleagues a heads-up that there will be a fast -- I think we should make every effort to get it finished in June. Vice chair troxclair. >> Troxclair: I want to understand. So we have -- they meet on June 13? You meet on June 13? >> Yes. >> Troxclair: The second Monday. Then when is the audit? Is this coming back to the audit and finance committee? So when is the extrapolate finance committee June? >> June 22. >> Troxclair: June 22. And then it would be put on the very last council meeting before our break, which is the 30th, which will be a packed agenda, I'm sure. >> Pool: What we might do when we get the report back from the animal services commission is put it up on the message board and also -- and flag it so that our colleagues know that this is going to be a fairly quick turnaround. >> Troxclair: I just want to understand from councilmember Houston if she is okay with that postponement or if she would prefer for it to move out today? >> Houston: Because the judge asked for this a year ago, for two to be added, I would like for it to be moved out today on -- two additions and then as you described we can come back later, after the animal services commission has the conversation about adding two additional or keeping it at 13. But, again, another

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jurisdiction has requested something from us, and, again, there will only be one representative on the commission when a decision is made about adding additional members to it, which I think is unfair. And unequal. >> Mayor pro tem? Jannette Goodall, city clerk. Just to clarify, I believe -- I think June 23rd is your last council meeting before the break so you would be hearing this item on June 22 and council would approve it and discuss it the next day or -- >> Tovo: And I think we can -- I certainly think we can give our colleagues a heads-up about this discussion, as well as -- as well as the fact that this will be a fast turnaround time. Okay. Any other thoughts on this? On the motion on the floor? >> Troxclair: Well, I guess -- I thought we had talked about recently when the council passed committee changes about not having these kinds of fast turnarounds? Did we pass something in our -- I guess did we pass something that says we would give the council -- every committee would apply -- abide by the same rules as councilmembers have, to which is putting things on the agenda in a certain time? Can you just refresh my memory? >> I would if I can remember. >> Troxclair: I can't remember either. >> I don't have the new rules in front of me. I know you discussed it. Whether or not something was specifically put into the council rules I can't remember. But I know you discussed having at least a few days in between council committee action and the council action so that it wasn't rushed. But -- >> Troxclair: Okay, thanks. >> Pool: Call the question. >> Tovo: Okay. Other comments? All in favor of councilmember Renteria's motion to postpone? All opposed? That passes on a vote of 3-1

[10:17:54 AM]

with vice chair troxclair voting in opposition. So we will hear this on -- at our next audit with the expectation that it will go to council. I know that there -- I'm in the same position as the city clerk. I

remember that discussion. I don't remember if it was a hard and fast rule but I certainly would feel comfortable arguing to the rest of the council that we did hear it today, had a fairly lengthy discussion about it and then decided to postpone it. So hopefully that will allow the council to move forward if there's a will 20 -- to do so on that Thursday. >> Pool: If it happens that we have a special-called meeting of audit and finance after the animal services commission meets, then we could put it on that agenda to give more space between them. But I agree with the mayor pro tem, we have deliberated on the specifics pretty extensively today and it's clear in my mind that everyone knows that we're look at a quick aroundaround and we'll do our best to get the information up on the message board and be flexible with our time frames and also with our deliberations when it does come back to us, including, if we do happen to have possibly a special called meeting, we could advance this item more quickly to the committee. I'm not calling it because I can't do that, but we do have the ability to do special called meetings. >> Tovo: And I just want to thank councilmember Houston for being present and such a resource in this conversation. >> Houston: Well, I would want the same kind of respect if we had a request to the commissioners court, to listen to what our issues were for the constituents that we serve. So I would -- I think this is something that we need to really look at seriously. >> Tovo: I agree. Okay. It's -- my understanding that we have not yet voted on the other -- final disagreements just to clarify we still need a motion on the remaining. >> Tovo: Right. That's what I was just saying. Let's go ahead and take those up. Unless there's a will to do

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otherwise let's take up the other changes all in one motion. Yes, to the other commissions. So that includes the changes to the sign review board and to the zoning and platting commission -- board of adjustment. Okay. Well, let's go ahead and take the first page. >> Renteria: We're going to take them all -- >> Tovo: Let's do the board of adjustment altogether. Is there a recommendation for the three motion changes for the board of adjustment. >> Renteria: I move that we pass. >> Tovo: Councilmember Renteria moves to recommend to the full council these changes. Vice chair troxclair seconds it. Any discussion? All in favor? That passes unanimously. On our second change are the proposed changes to the zoning and planning commission. Is there a recommendation on this? All right. Councilmember Renteria moves approval -- moves that we recommend to council our approval of these items. Councilmember pool seconds that. All in favor. And that passes unanimously as well. And that is all the rest of the changes. Okay. That concludes our business for today so we stand adjourned at 10:20. >> Houston: And I want to thank you all for allowing me to sit in. >> Tovo: We really appreciate you being here. Thank you. Meeting adjourned.