

City Council Work Session Transcript – 10/11/2016

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 10/11/2016 6:00:00 AM

Original Air Date: 10/11/2016

Transcript Generated by SnapStream

=====

[9:13:59 AM]

>> Mayor Adler: All right. We have a quorum. So today is Tuesday, October 11th, 2016. It is 9:15. We're in the boards and commissions room. We're going to call this meeting to order. We have a quorum. Pulled items, I didn't have any items that were pulled. Councilmember Renteria would like to talk about items 10 and 11. Also number 7 briefly. And then we have some briefings. We have a briefing on the Asian international delegation outcome. We also have on our agenda the grove, as we have listed that each time. I wasn't here last week. Mayor pro tem, was there a specific briefing coming for us today on that? >> Tovo: There's not a briefing. I think there's intended to be a council discussion about affordable housing and uses on the site. Possibly one other thing. I'll have to check my notes. Excuse me, noise. >> Mayor Adler: Houses and uses and noise. >> Mayor Adler: That's our agenda this morning, with respect to the three quick items, to address those. And the mayor pro tem has a couple. On item number 7, which was the amenities in the mobile home parks, it's a sentiment that certainly I am in favor of kids having that, at the same time I want to make sure that we vet what the impact would be of doing something like that. So as I do on items that come from council that are

[9:16:01 AM]

prescriptive in what they do, I've talked to councilmember Renteria about asking staff to take a look at this and come back to us with recommendations and what the ramifications are of doing this. It's the most affordable housing we have in the city and I want to make sure that it's still attainable. And just from a general policy basis on the council, I'm uncomfortable with that kind of prescriptive policy coming up to us that hasn't been through kind of a more general public vetting. So I would anticipate bringing the same kind of amendment that I bring that asks staff to take a look at it and look at the direction that -- the policy direction as indicated as well as alternatives and get the ramifications. You wanted to talk, councilmember Renteria, about items number 10 and 11? I'm sorry, councilmember? If there's further conversation on 7. >> Garza: So we're done with 7? >> Mayor Adler: Yes. We're not done with 7 if people want to also talk about it. >> Garza: I just wanted to chime in. Of course it's always great to vet things, but my understanding is that this has been implemented in another mobile home park that in my district, as a matter of fact, that -- and they were able to do it. So I'm open to seeing what the amendment is, but I think that we have a good example of them being able to implement these benefits for their community and keep their prices affordable. >> Mayor Adler: And I would hope that we would be able to do it. Any further discussion on 7? >> Tovo: Yeah, I guess I would just say I agree with councilmember Garza. I'm open to the amendment, but also open to moving forward if there's a council will to do so because I think these are some good provisions. >> Mayor Adler: Okay. Mr. Renteria, you wanted to

[9:18:01 AM]

talk about 10 and 11? >> Renteria: Thank you, mayor. I have a lot of concern. You know, when the applicant met with the community they were -- one of the biggest concerns was that there was not enough affordability offered in this development. You know, it's gone from industrial to muv and office building I was hoping that we could have got especially something than the 10 percent and 80 mfi. I was hoping that with 40 years, I was hoping that they would give us -- we could work -- there's a lot of what we call questionnaires. There's the we're giving a lot in my community there and the big concern is that the affordability that's being offered at only 10%. This rezoning also includes an office building and an apartment complex. And if it was just about two or three blocks west, it would fall under the tod, which would have given us 10 percent on each building, office building. So that's why I'm hoping that we could maybe postpone this item for a couple of weeks so I could get with the applicant and discuss and see if we could work something out. If not, I -- we do need some industrial areas there, in that area there. So I don't mind keeping it industrial if we can't work something out. Okay. Anything else on 10 and 11? Mayor pro tem? >> Tovo: Sorry, I didn't have the resolution in front of me. Can we backtrack to 7 to a minute? I wanted to be sure, mayor, I understood what you were going to suggest? Are you going to suggest that the code amendments not

[9:20:02 AM]

be initiated, but the staff come back to us with a memo or something like that? >> Mayor Adler: I have no problem with it being initiated, but I want the staff and the vetting process to not be prescribed as to exactly what it is that it does. I want there to be flexibility built into the process. So I'm uncomfortable when we, say, come back with an ordinance that does X before we have a vetting process to determine whether X is the best way to handle that or whether there should be other things associated with that. Sometimes our staff thinks, I believe, in my year and a half, that when we initiate an amendment like this that's two directional, they don't think that they have the flexibility and the public comes in and doesn't have the ability to be able to broaden the scope. So the amendment that I suggested on things like this in other situations allows for my reading of it a greater ability for the issue to be addressed, the policy question to be addressed, the direction to be considered. But to allow for the staff or the community to come back and say we hear what you are trying to do, but we haven't given you an ordinance that does that, we think we have an ordinance that does this instead. And whether they would come back with that or not, I don't know, but I want to build that into the process so it's something that makes it a little less prescriptive on what the end result should be. >> Tovo: Okay. We can certainly I guess have that discussion on Thursday. To me community open space is pretty -- I'm not sure how else you get at it if you don't name it. Just to the sponsors, I'm not a sponsor on this, so I have to make my comments here today. Spinning of these particular details are really important to achieve and so I hope we will not lose -- regardless of what happens on lose, I don't want to lose some of the particular details because I think they are what are lacking at some of our mobile home parks.

[9:22:05 AM]

>> Mayor Adler: I'm not saying any of these are not good ideas and I don't have any problem at all specifically telling the staff to take a look at whether there should be -- take a look at putting in a requirement that it has fruits and vegetables in it. And it might be something that needs to be part of it, and/or it could be that it comes back and says you have to do one of these three things. If there are three co-equal things. Or maybe we require them all. I just don't know. And I'm uncomfortable with

something surfacing at a council meeting where we set that kind of policy decision. So I'm not saying that I oppose any of these things or that these things shouldn't be in the final resolution and final ordinance. And as I read this, these things all make sense to me and it certainly makes sense to me that these would all be in the final ordinance. It's just a question of how prescriptive we are when it first surfaces before there's been a vetting process. The concept of vetting allows for me to hear things that I could not personally have anticipated or thought of and I want to make sure our process allows for that. >> Tovo: Thank you. I appreciate the explanation. I guess for me some of these issues have been vetted by the children and families task force and other bodies, and I think it's consistent with that. Anyway, I appreciate your thoughts about the ordinance change. >> Pool: Mayor? I agree with what the mayor pro tem is saying. I think what we're doing here is listing the amenities that we would like to see included, and I think it's well within our policy framing to do that. And it doesn't limit -- it doesn't limit the staff to bringing us this information. It does say the council directs the city manager to the extent feasible to process the amendments described in this resolution. I would fully expect our professional staff would come back with additional suggestions. If there were other things, I suppose we could manage

[9:24:07 AM]

change the first sentence in the be it further resolved to say that we'll do -- but not limited to doing the following. But I think it's definitely within our framework to lay out to staff what we want to see -- what we want to see included. And I think this is a really great list. There may be some other things to include, but I don't see anything in here that I would want to take out. >> Mayor Adler: And as I read this list, there's nothing in here that I wouldn't expect to see in a final ordinance either, but I don't know that until it's been vetted. And I know that there have been some stakeholder groups that have talked about this kind of thing for a long time. But in a vetting process we go beyond just the particular stakeholder groups that have worked on something and they bring it to the broader community and we put it on notice to the whole community that this is something that's going to be discussed on that people who weren't involved in the process have the opportunity to do that. And in a language that I've offered in the past is neutral, councilmember pool, it is the kind of language that you just said, but a reading of this resolution asks the council to initiate an ordinance that does these things. And it doesn't ask staff to come back with additional things. It doesn't allow for new things to be-- to arise in that vetting process. It doesn't allow for the possibility that when one of these are discussed, there are unintended consequences of it that as we sit here we can't think of. So the amendment I bring' is similar to the one before that makes it a little less prescriptive, but certainly allows staff to come back with exactly this, if that's the best way to address the problem or the challenge that we have adopted. I just think that it's best sometimes as council for us to say we want to

[9:26:07 AM]

sure that is sufficient -- make sure that there is sufficient facilities for kids at mobile home parks and to say that there are healthy food options present at mobile home parks. That there's insufficient parks for kids who live in mobile home parks. And now having gotten that challenge or that policy question we now give to the staff and say please come back and tell us how best to address that. I think sometimes we might limit the effectiveness of what it is that we're trying to solve when we not only do that, but we go a step beyond that and we say, and this is how we have the concern or challenge that we're trying to address. And again, it's not just this issue. It's this kind of thing I'm most comfortable going to staff and saying these are the challenges we're trying to address, please -- we would like your recommendation and we would like the community to comment on the best way for us to meet these challenges. Yes. >> Garza: I guess I just see it differently in that when we're writing policy, it's more than just we are

concerned. It's we've seen what's happened, we want to fix it, and in this case we had an example where we did. We were able to -- this is basically almost codifying what we did in another situation that we will see coming up over and over again. So we're saying hey, we have this model that worked. Let's apply this model here. I'm just -- I don't think we're saying anything different really because my understanding of the process is it goes through that vetting process. The staff will come back, we say we want a strong ordinance that says this and the staff will come back and say, okay, here's your ordinance. And doesn't it go through boards and commissions and there are several opportunities for whoever has any concerns to come and speak about what their concerns are? And then all those issues float to the top and then

[9:28:08 AM]

they make it into our backup and then that all comes before us and we read the backup and we know what all the issues are and we decide. I -- I feel like -- I don't want us to send down a watered down version from the git-go. It's like we negotiate with ourselves and we send a less strong intent from the git-go when there is a process in place to do everything I think that you're asking them to do. And anybody has -- every stakeholder has an opportunity to speak to their concerns and we'll know all those concerns. >> Mayor Adler: And maybe we're saying the same thing, but as I read this, the staff has asked to initiate an amendment that does these things. And I want the staff and the community to be able to come back and say there's also four other things that would help you meet this challenge that are not listed in these four things. And I recognize that we have a model that's really worked. And that may be the best model. There may be things that other cities have done that actually meet that same challenge in a better way. If there are I would like them to surface and I would like the community and staff to know they can come back to us with a recommendation that not that not only has these now, but has eight and this is how you approach that, but in Denver they approached the initial a different perspective, in a different way, and we think that that might be a better way to achieve that. So I think that giving them this goals makes it really specific in terms of the kinds of things that we're -- I think it helps better understand the challenge that we're trying to address. So I'm all in favor of those kinds of things. I just would like us also to be clear that we want this process to maybe come up with things that we haven't thought of or best practices in other cities that we don't know about. It's more of that, I don't want to water down anything. In fact, if anything, I'd like us to come up with even better ways.

[9:30:08 AM]

I don't know what they would be. I don't know -- maybe there aren't, but if there were, then I would like -- and I would like it to be clear for everybody involved in the process that that is invited and encouraged by virtue of the process. And even if that's the kind of thing that could bubble up, someone reading this might not know that. And someone trying to execute this may not know that we also want them to take a look at that too. So the amendment that I've offered in the past in this situation is very neutral and I don't think waters it down at all. But just allows for all that other stuff to happen. Anything else on this? Anything else on 10 and 11? Mayor pro tem, you had something. I think you wanted to pull 5 and #. Let's pull 5 real fast. >> Tovo: Yes. I just wanted to very briefly not just, but just really -- not to discuss, but really to explain these two resolutions. One deals with tracts of land that are -- that aid owns. The other deals with tracts of land that the city of Austin own, but they're both very similar in that they're directing staff to look at -- to kind of move forward with some of the initiatives that we've been exploring. And so I just wanted to answer any questions, if there were any, about first about the resolution that deals with the Austin independent school district lands. This relates to an action that we took at the joint subcommittee last week. Over the last -- really the last -- I guess last fall the joint

subcommittee of the county, city and school district set one of its goals for the year to begin moving forward on creating a collaborative affordable housing development that

[9:32:09 AM]

would be geared toward possibly -- possibly geared towards family and children, but certainly geared toward workers at those three entities. And so we've had a couple of briefings over the course of the year. Some pretty specific looking at particular tracts of land that were not named, but looking at what might be possible on three publicly owned lands, at least one of which was the school district's. So this would launch the next step and the resolution does two things. One is that it follows up on that joint subcommittee action, which is to direct our staff to move forward and continue working with our school district and our county staff partners, but really to develop a proposal and kind of come up with a package by December. And so that is responsive to the action that we took at the joint subcommittee. The county will be taking up that issue possibly next Tuesday and then the school district board, the school board, is going to take up that very same action within the next couple of weeks too. And that's kind of our typical process at the joint subcommittee. We usually pass a resolution and then each of the representatives go back to their individual body and have a similar course of action from their whole group. The other piece of the resolution is actually a -- is a resolution that as my staff were walking the halls getting sponsors, the mayor's staff was walking the halls with a similar resolution. So we're -- I think we're -- we had both come up with the same -- really the same action and the same idea of directing our staff. So I want to give credit to the mayor because we're really working on that piece together. And that is to direct our staff to look at the list of properties that aisd has put together and move forward in making their recommendations about which tracts, if any, the city should submit proposals on, again with the

[9:34:11 AM]

notion of looking toward them for affordable housing, for other community benefits discussions that we've been having. Because we're combining two different things into one resolution, I wanted to explain that's what's going on and that part of it is something we would do in partnership with the county and the school district. The other part is something that potentially the city would approach on its own. The other resolution deals with city-owned lands. And we have -- I've tried to name the various resolutions that have been related to this issue. We've had a series of resolution asking our city manager and staff to look at exploring different options, either particular tracts or more general searches for -- for city-owned land that would be appropriate for affordable housing development. And it's my understanding that there are some additional tracts that may be -- that maybe didn't fall within any of these that could be particularly appropriate for affordable housing. So this is an attempt to really move forward again, taking the work that the staff has already done, have already done, and coming back to us with one of our projects that we might get to work on. I think publicly owned land offer some of our best ways to create affordable housing that will remain affordable permanently. So I think these are really important projects to get on. We've talked about this a lot in the the past and just need to get started. So that's it. I just wanted to lay out the differences there and again to give credit to the mayor because we were working on the same -- partially the same resolution and you were kind enough to join mine. >> Lest there be any question, I would be happy to join yours. >> Tovo: And I would be happy to join yours. >> Pool: I have a question and then a request. Can you tell me what you mean by emergency shelter? Is that for people or animals? >> Tovo: Thank you for clarifying. People, yes. We have -- as you're

[9:36:11 AM]

probably aware, we have far too few beds for the number of individuals who are experiencing homelessness. I think the largest increase has been with regard to women and children. The women and children's shelters in this city are at capacity and have waiting lists. So this would be an attempt to ask our staff -- it would be direction to our staff both to look toward more permanent housing opportunities, but also if there are any tracts in our portfolio or in aisd's that would be appropriate for emergency shelter as well because we do have a gap there right now. >> Pool: That sounds great. My request would be to add me as -- I think there's a slot available for a fourth co-sponsor. >> Tovo: I have to double-check that, but -- >> Pool: I cording to this there is -- according to this there is. You have three. >> Tovo: If there is room, yes. It had the same sponsors as the other resolution so that one I thought had five, but -- let me regroup on that. Thank you for your support, councilmember pool. We'd be delighted to add you. I know you're a big supporter of these issues. >> Mayor Adler: Okay. Yes, councilmember Garza? >> Garza: I assume this is going to go on consent so I want to thank the mayor pro tem and the mayor for thinking this forward. I think it's a really exciting idea and if we can do it it will really move the needle for us on supplying more affordable housing and keeping our teachers and working class families here in Austin. So I'm really looking forward to seeing how this all turns out. >> Pool: Mayor, if there's room on the one that you led on as well, I'd like to add my name as a fourth co-sponsor. >> Mayor Adler: You would like to be added as a co-sponsor on both of them if there's room. >> Tovo: There is not room on the one. And I believe -- I will have

[9:38:12 AM]

to check with my staff about whether councilmember Houston is indeed a sponsor on 8 first, but thank you, councilmember pool. >> Mayor Adler: Okay. Yes, councilmember Gallo? >> Gallo: And, mayor pro tem, thank you for doing this. I think this is really important. But I've got a question. We talk about -- we focus on Austin independent school district, but we have a lot of other school districts that are within the city of Austin also. And I was wondering if you had discussed that, if it would be appropriate to add the other school districts also on particularly to 5. I just know that -- and councilmember pool, I think some of hers is pflugerville. I think I've got Leander and cedar park: I was just curious if you had discussed that and if there is a potential to expand those. It is such a wonderful concept, it would be ashamed to leave out some of the other school districts that are also -- that councilmember pool is shaking her head like that's not an option. >> Tovo: I would say this came out of the joint subcommittee which has just those three partners and it typically has had just those three partners because aid has so very much -- if you look at the percentages, aid is really our largest school district. It's certainly our largest school district within the city of Austin, but the portions of those other school districts, while they're very important, are much smaller percentages. And my thought is that there probably will be a legal impediment to doing so because the housing would be aimed particularly at the workers from these different entities. It would be -- we're still exploring what the legal ramifications are, but aisd -- we're proceeding at this point thinking that we would do it on aisd land, so that is kind of one of the things that they would be bringing to the table. And so that would give us the ability probably to restrict the housing to aid

[9:40:12 AM]

employees. If we start adding other school districts in I'm not sure how that changes changes the equation or what they would be bringing in. While I'm very interested in there exploring that concept of how we would work with the other school districts on an item like this, at this point this is the resolution

that the joint subcommittee passed and it was limited to those three entities. Going beyond at at this point is not something we can do without going back and renegotiating. >> Gallo: But that would be possible future conversations. >> Tovo: I think it could be future conversations about a partnership with some of those other entities. And again, the idea here is that each entity would bring something to the table and so we'll have to talk about what that might be from those other districts. Perhaps they have land that would be appropriate to use as well. >> Gallo: All right, thank you. >> Renteria: Mayor, I really want to thank mayor pro tem and the mayor for working on this. I have been working on trustee Mathias and others for working on the campuses. We're losing population. The other school districts are hurting because they are having to build more. A lot of our people are lower income and lower middle class people are moving out to these school districts and they are on a building campaign over there. They're trying to make up kids coming to the district. We have been throwing that concept around and we had encouraged Dr. Mathias, our trustee that represent our district to work in keeping the land in their possession and a community land trust so that it would be there in the future. And we need to work with school district because this is something that's a great

[9:42:12 AM]

opportunity for us. >> Mayor Adler: Okay. Great. Those are all the pulled items that we have. We'll move now -- I'm sorry, yes. >> Garza: I wanted to comment on 33. My office has tried to reach out to the district and we haven't been able to get in touch with them. So I will either be asking for a postponement or a only on first reading. I just wanted to give a head's up. >> Mayor Adler: Okay. Yes. >> Tovo: That reminded me that I had one too. The item that would remove a restrictive covenant. From the tract along Rainey. Item 37, sorry about that. On Thursday I likely will be asking for a time certain of about -- probably about 2:00 P.M. Just as a head's up. And my staff is working with the stakeholders, both the developer and a lot of the stakeholders along Rainey on some possible traffic mitigation solutions. They had a productive meeting yesterday, so I'm hope you will by Thursday we'll have a good - - hopeful by Thursday we'll have a good discussion. >> Mayor Adler: Councilmember Casar. >> Casar: I had a quick comment on the citizen body for the manager search. I haven't received much communication from folks in the community generally about it, but just thinking about this tummy self yesterday, it's -- about this item myself, it's obviously a very important issue and I'm not saying that anything in the resolution would necessarily hurt our search, but I just want some time to think about potentially and ask folks about if anything we are doing could impact the candidates that we yet and the process that we go through. I just want a little bit more time to think through that. I'm not in any way implying

[9:44:13 AM]

that this resolution would hurt that process. I'm just -- it's just so important and I don't know what the time constraints are that it's something that I would potentially like to just talk to more people about and find out if there are things -- ways that we can make it -- make this really, really help with that process. I'm supportive, of course, of having a citizen group as we have talked about for some time, but I guess it's just a big issue and I wanted to -- to get a sense from people if there's organs for us to move on -- urgency for us to move on it on Thursday so that I can reach out to folks and really work on it. >> Mayor Adler: Sorry. First, I don't feel a need for us to decide anything this week. At the same time, the question we -- the mayor pro tem and I put something up on the board, which generally we were following had never been adopted by the full council. Although we had discussed that at a couple of work sessions. So the question was, shouldn't we adopt something at some point and I think the answer to that is probably yes. I would be real eager to hear the input of the search folks that come in to help us

do that process because there may be best experiences, as they've gone around different cities, things that have really worked or not worked. I would like us to have that opportunity. I don't know if that means that we have to adopt something to push forward, subject to those later discussions or whether we can just touch it at this point and say "We're in the middle of the rfq listing, let's let it run its course." You know? The thinking again in terms of where we were with respect to that is -- you know, a -- we want -- this is Austin, Texas. We want to have significant community and public input in the process that we have. We are also getting advice from people that do

[9:46:15 AM]

personnel choices like this at the highest level. That tell us that -- that to the degree that somebody's name becomes day-lighted early in the process, might very well limit the people who would apply for this job. So that may very well be that there's somebody who is in a really strong and important position or job where they are. And they wouldn't put that at risk until they knew, for example, that they were a finalist for the position. So there's a tradeoff and a balance in terms of -- of those two things. The way that we had set this up was thinking that, you know -- we had talked about this in an earlier discussion of the council at work session. That we're trying to find that -- that good point. You know, it might make sense for us as a group to just pick four of us that become kind of the -- the operating function. But my sense was that everybody wanted to be involved in that and we might not be able to pick four of us to do that because everybody wants to be involved because it is such an important decision. But if we make it just a committee of the whole, the thought was that would add greatly -- that we might not have the bandwidth to be able to do our job as councilmembers and still also do that job. So then the concept came, well then let's do as we said where everybody picks somebody. My hope is that collectively we'll recognize that there are certain expertise and reach that we want to have on that group, and it may be collectively as a group we can come up with seven or eight people that we would collectively entrust this to. And I think we should at least give that a -- a shot to see if we can and make sure that we have the disciplines and the reach of the communities represented to be able to do that. We had talked about that group being kind of -- kind

[9:48:16 AM]

of marshaling the community input and then helping to get that back to the council. The wider community being involved at two really important stages, the first one is setting up the -- the profile, what are we looking for in a manager. And then the second one helping us actually look at the finalists for the position. Because again if we have the community involved earlier with all of the applicant pool or all of the semifinalists, we're hearing a lot that that would limit the people that would apply. Then the question is in that middle area, how early does that group, the middle group kind of get involved and what are -- what do they have, what are the expectations for confidentiality with respect to that group. But anyway that's how we got to where it is that we -- that we got to. Before we would finally decide on something, I, too, would like to hear from the -- from the -- whatever search committee or search committees, plural -- I mean search firms, firm or firms, that we -- that we ultimately end up with. So I'm not sure. I don't feel a pressing need to decide something this week. But certainly could participate in that if we felt like we needed to give some direction. Mayor pro tem? >> Tovo: Well, I think -- I know councilmember Houston is coming. She had another work obligation and will be joining us. She did make some comments about this last week, so I hope we might be able to have the opportunity to circle back to this item if there's an opportunity to do so later to hear her thoughts on it. You know, I guess that I -- absent the -- the issue that you were just discussing about whether -- about the revealing of the names

and whatnot is sort of a separate issue. For me I would want to have this public committee, even if their scope was just limited to talking with the community and hearing what some of the criteria they

[9:50:17 AM]

think should be in the job description for the next city manager. Even if their scope is extremely limited, I would still push to move forward with a group of that sort so we can get that kind of community engagement. In a way that's very different from our having public hearings about the issue. When we have community member, they tend to have fuller discussions, they have networks out in the community, they can really have a broader conversation than sometimes we can at council. I would say, you know, like the mayor, I'm fine with not voting on it next week, but I mean -- this week, but I would say if we're going to have a public community group, weighing in on this issue, I think the sooner the better, because it will take us some time to do our nominees and to kind of see how to balance out that group and make sure that we have a robust group that covers various segments of the community. So there's a certain amount of -- of time that it takes a group to gel and begin to work well together. So I would want to see that group come together as soon as we can. We are already, you know, we are already several weeks out from having those nominees. So maybe if there are questions about the scope, maybe we figure out what scope we can all live with and move forward and then, you know, isolate what some of the question marks are. >> Casar: I agree entirely on your comments there on public input. I think the challenge is if the scope is going to include some of the other parts of reviewing finalists versus just being public outreach folks, we might be looking at a -- different kinds of appointments. If we are looking for somebody that really is going to be working on who the city manager -- what a city manager should be and look like and bring expertise to that versus somebody who can really go beyond public hearings as usual and do deep public conversation and public outreach, for me the scope really influences the -- the selection of the group in some ways. So again if -- if there isn't urgency, part of me thinks, well, I haven't heard very much from folks about this, maybe it's just

[9:52:17 AM]

because it's been so well thought out 245 it's exactly what -- that it's exactly what we should do. Part of me is cautious enough to understand that anything we do now could impact things down the road. If there's not a rush on it, I sense I'm not the only one that probably hasn't dug in deeply into this particular resolution as I should. If we could deal with it not this meeting but the next one, then I would hope that gives my staff and other people's staff enough time to -- to think about it a little bit and talk to folks. >> Yes, councilmember pool. >> Gallo: I would be happy to -- about half of us are engaged in other activities right now that's taking a lot of band -- bandwidths. I did have a question for staff, though. I see Ms. Hays out there. How close are we to identifying or beginning negotiations to execute a contract to hire the search firm. >> Good morning, Julia Hays, human resources department. The rfp went out and the deadline date for responses close date is November 1st, Tuesday, November 1st. So at that time we will have all of the rfps in and we will begin the process of evaluating for -- for the criteria and the additional processes to identify the search firm and our search firms. So you have at least until November 1st until those rfps are due into the purchasing office. >> Pool: Because my thinking is that the -- the group that we assemble will be instrumental in working with the search firm on the search criteria. And the values that we want to -- expressed in the document that -- that's then used for the search. I assume that would be one function. So we could even -- so we have time in order to come up with the right people. Probably wouldn't even need to be the first of November because if that's your deadline, you still have time that you need in that schedule to go through them

[9:54:17 AM]

and rate them and evaluate them. >> That is correct. >> Maybe even December. >> The search firm could, if this council so chooses, could participate in providing you the kind of expertise and feedback that may lead to answering some of the questions relative to the scope of the type of people that you want to include. So depending upon the level of engagement that you would like to have with that search firm and identifying that group, you can also do that as well. >> Pool: That's a great piece of information. I hadn't thought about that. That the search firm itself could help us kind of formulate the appointments. So, mayor, yeah, I would be happy to -- to hold off on this to delay. I don't see the urgency right now since we don't yet have the responses back on the rfp. Thanks. >> Mayor Adler: Okay. Those I think are all of the pulled items that we have. We are going to ask -- the briefing now on the business delegation trip to Asia. >> Good morning, mayor and council, Kevin John, director of economic development. We are very pleased to be here to -- to speak about the -- our effort to use cultural diversity in Austin as an economic strength, both locally and internationally. As you know, 50% of the city is a minority for a lot of those people, they represent diaspora from other countries where they're not the minority. We have found it very effective to unite all Austin in economic development both locally and overseas to use that diaspora who speak the language, understand the rules, the businesses to expand the businesses in Austin to both generate additional tax

[9:56:18 AM]

dollars as well as create new businesses that are multinational, as well as create jobs. So we think that given the environment today, with so many issues of communities becoming separate, and arguing. And with the issues that we face in poverty, we feel like that this, using the Asian, black hispanic chamber to unite the city in an effort to -- to attract global investment here, we think it's a very effective way to go forward. We have, as you know, put together a strategic economic plan that won the world's top award in 2013, it's on our website, I hope y'all have a chance to look at it. That does demonstrate how we work with minorities and how we work with different diaspora in the city to make a difference for everybody in Austin. We have five divisions. Cultural arts, music, redevelopment, small business and global business. This is a small piece of the global business unit. But we think that it's critically important to -- to -- mobilize all of the populations of Austin to be our vanguard in a very competitive global environment. With that, I'm going to -- before I turn it over to David and Casey, who is going to make the presentation, I would like to say that we have representatives, delegates from the Asian trip that are here with us. These are local businesses here today. And it's not just Asian members, there were members from the entire business community of Austin that participated. Some of them needed help to break into the market. It was very effective for -- for those few who are aware of how global travel works, governments are critically

[9:58:19 AM]

important. So quite often, if just businesses go there, they don't get the same respect. So we think that it's very important that we have local elected officials on this and other trips. So with that I'm going to turn it over to David Culligan, our manager for global business, to give a brief overview and then turn it over to Casey, who was the representative on the trip who did the organizational work, David, great. >> Good morning, my name is David Colligan manager for business expansion in the economic development department. I am joined today by Casey Smith, our international program manager, we're going to provide you more of our outcomes from the recent business delegation that we hosted through Asia. As Kevin mentioned, economic development department is tasked or tagged as the prosperity

engine for the city of Austin. And within that, the global business expansion division is tasked with the program of work that seeks to provide access to opportunity for austinites. We provide these opportunities by acting as connectors that are focused on the growth of a competitive and a resilient economy. We serve as liaison between business and governments, securing jobs, investments and tax revenues in our city while positioning Austin's industry, assets, human capital and our reputation in the global marketplace. So to do this, we focus in on three different audiences to develop our services. And economic development builds, executes and promotes programs that create a better future for all of austinites. Helps our businesses and entrepreneurs to reach their full potential and energizes our diverse communities and neighborhoods. So how does international actually connect to that focus and that audience? Well, today we can tell you that as Kevin stated it's very important and we believe that our diversity here within the city of Austin is an economic development asset.

[10:00:20 AM]

20% of our foreign population -- of our population is actually foreign-born and since we are sharing outcomes related to our business delegation to Asia, it's probably important that I note that this is also the largest part of our -- of -- the quickest growing part of our population. The Asian audience. Each day we know that 1700 austinites are flying internationally. And that figure has increased 48% between 2014 and 2015. Austin Bergstrom recently celebrated two new direct flights that are traveling abroad and we are continuing to work with our partners here within the community to try to find more connections to international locations. Businesses in Austin are exporting 10.1 billion. Mostly, to Asian countries like China, Taiwan and Malaysia. While that figure may seem big, it's relatively small when compared to some of our other peer cities within the state of Texas. Our goal within that 2013 program with for the international program is to build up our exports. What we're going to explain to you today is one of the activities that we outlined within that plan and some of the successful outcomes that we have already seen within the past few weeks. Additionally, we're working with our partners here within the community to expand these activities to be able to reach more of our businesses, to help them to explore more international marketplaces. And that's through our atx bound initiative, which we're going to be telling you more about in the future. We have recently tabulated that 712 businesses across the city were actually international firms. And that's more important to you all because we know that there's an average of 45 international firms in each one of your districts. What's even more significant is 87% of these businesses are small businesses or they are considered small businesses for the number of people they employ. The types of services that we're going to outline to you today are traditional

[10:02:21 AM]

only offered by federal institutions, which do not have a strong presence here in Austin. So the -- solely Austin is one of -- looking to energize parts of our neighborhoods by working with merchants associations and we're also being able to work with our international relationships to look at different cultural amenities that we can provide to those different districts. And our division is continuing to look at the different benchmarks that are available to -- to continue our delivery of services to outreach to these smaller businesses and continue to provide more value to the businesses and citizens as well as the neighborhoods within our city. So focus more on the actual exercise of the -- of this delegation, Casey Smith will now tell you more about your outcomes and program delivery. >> Hello, I'm Casey Smith the international program manager in the global business expansion division and economic development. I report to David. As David was explaining, one of our calls to action is to help local businesses, local Austin companies expand their footprint internationally, helping them get into more than one economy so they are not solely reliant on the Austin or Texas or U.S.A. Markets, that they have

the stability to be in more than one market. Additionally we help international businesses welcome them into Austin that can fill our industry gaps. So to do this, we focused our programming around two inbound activities and two outbound activities. And this -- this presentation is on the outcomes of one of those outbound activities. So one of the components of what we do to support local companies and their pursuit for international expansion is to bring delegates, local businesses, to these international markets so they can actually interact in a face-to-face way with -- with international programs -- international businesses. And in July we put together a delegation to Asia, which

[10:04:25 AM]

included 17 days of a blend diplomatic meetings and business meetings in south Korea, China, Singapore and Taiwan. We brought 12 Austin businesses with us, one city staff person, which was me, our partner, marina [indiscernible] The directive director of the Asian chamber of commerce and of course mayor Adler who led the delegation. Each of the 12 businesses that participated were vetted through an application process. One to make sure that we had a group of businesses present diverse, as well as businesses that were actually ready to do business. We additionally had limited resources so could not accommodate more than 12. Okay. So our purpose behind this delegation as well as international delegations going forward is to ensure that we are always exploring trade and business opportunities, David mentioned that we have a -- we're sort of behind the curve on our exports, so that's one of the things that we want to work on going forward. And to do this, we're connecting local businesses to our international contacts, which include international distribution partners, investors, and sales points, provide access to high ranking government officials and business leaders, which -- which is more easily done when we bring elected officials with us on these delegations. And elected officials can leverage and have the approximate are to open doors. The small and medium sized businesses can't necessarily do on their own. We are cultivating business relationships abroad and promoting the Austin brand, which in the Asian market is particularly important as Austin was relatively unknown. So, of course, we are arranging relevant one-on-one business meetings for the delegates that participated. So how do we arrive at Asia? As this is one of the very few international business delegations we have ever done. Well, we did this by partnering, working alongside our co-planning partners, the Asian chamber of commerce. We had both heard from industry that we weren't doing enough work with Asia or in Asia, so we set out to gather input from local

[10:06:26 AM]

stakeholders and community members to figure out where exactly in Asia we should go, as it's not a small place. With this input from industry and the community, combined with the Asian chambers connections already in place in these different markets, plus our relationships with sister cities and science cities in Asia, the relationships and timing were primed for reciprocation. Some of the tasks that each of the planning teams took on are listed on this slide here. Our office worked closely with our municipal contacts to arrange relevant business and diplomatic meetings. Often our 17 days went from 8:00 A.M. Or earlier to 10:00 P.M. Or later. There were so many people we needed to talk to. And we encouraged our atx bound members, the five chamber of commerces that David was talking about earlier to promote this to our membership, which they did. So we did have that diverse delegation that we were looking for. And sort of the unglamorous thing that we provided but was very important was the group ground transportation, so we could actually get to all of the meetings together. That was part of our duties. The Asian chamber identified Austin hosts to help the delegation navigate the different cultural and linguistic customs. These austinites had the know-how and connections to actually make some of those meetings happen for us. They also -- the chamber also reached out to their business

contacts abroad to help line out the it 10 itinerary as well, one-on-one business meetings, posted it to their membership. Marina's members even did a cultural training for us before we left so we had a better understanding of the cultural customs that we were about to step into. Some of the delegates had never been to Asia before. If they had been, they hadn't been in a business capacity, so it was a very helpful warmup. So it was and really is a true collaboration. We are still working on some of the outcomes that we're trying to achieve. But now we'll get into the one that's we can already say we have already

[10:08:27 AM]

accomplished. So on the left side of the slide, you will see all of the names of the businesses that participated in the delegation. And on the right side I'll go through just a few of the highlights of things that actually occurred while we were there or immediately after we returned. So the casulo hotel, owners, Sam and Kevin Chen participated in this delegation. You may have seen the hotel, it's an Austin original off of south I-35 on the east side, they have recently developed a franchise model for their hotel. Their goal is to expand across Texas, the U.S., potentially international markets and they went on this delegation to find investment for their franchise, which they actually got. So they got investment from China and Taiwan and in the next couple of days during the texas-china summit which is here in Austin, I know all of you have received an invitation, I hope that you will be able to participate in some way in that texas-china summit. But Sam and Kevin are welcoming an additional potential investors into their hotel. As they continue to thrive, their revenue increases, that increases our tax base which is a win for Austin. Another one of the delegates that joined us, ishan Jang, the founder of mamma English, her target market is Chinese moms of toddlers. She did a great job of making the most of her participation. We she would two focus groups while we were in China and saw on the flight home she looked at her analytics on her app, she said Casey, look at this I had 300 before I left Austin, I have 6,000. Just in five days that we were in China, they had really made a huge bump in her organization and her company. Now is continuing conversations through tools like wechat and the focus group that she was working with. When we were there.

[10:10:28 AM]

Big win for her. Texas growth fund, which is a local regional investment center authorized by the United States customs and immigrations agency to develop projects around eb 5 Visa funding, secured two, \$25 million agreement while we were in Asia for developing multi-family and student housing right here in Austin. Rob, who is the principal of Texas growth fund, is continuing to work with other agents he met while in Asia. I know that he just returned from a follow-up visit just this weekend in Asia. So very excited about that. And for our city, we signed four agreements to further assist in the creation of smooth communication and channels of commerce. Between Austin businesses and these international cities. These are the Korean creative content agency, also known as coca, the city of [indiscernible], science and technology institute and the national organization of innovation andent present entrepreneurship ship called spring. These offer access to international partners to industry expertise to additional venture capital that's different than what we have here in Austin, so it's a win for us because we now have access to these other markets and these other contacts. So our goal is to work on building on these relationships to -- that can benefit creatives, research and development, and entrepreneurs by providing our network of international contacts and through ongoing projects in each of these locations. So as a result of these outcomes, here's what we plan to do to take advantage of this momentum. Of course we will continue providing ready opportunities, whether that's investment event or joint venture related to Austin businesses. We'll continue to share information and communication with our atx

bound partners, we will continue to develop mayoral and council-led outbound business delegations at least twice per week.

[10:12:29 AM]

In fact we have another one coming up at the end of November to Mexico visiting four different markets there, which mayor Adler is leading, thank you, on that as well. Our partner that one is the greater Austin hispanic chamber of commerce. And we'll be focusing on these three sectors so the creative sector, the advanced manufacturing and biolife sciences. Other upcoming initiatives, we can do to help Austin take advantage of this momentum are partnering with an eb 5 regional investment center. We're putting out an rfp for partnership that will assist us to better measure where foreign investment is coming in austinment and offer us a seat at the developer table to perhaps influence where some of the investment occurs. This is important to the city of Austin, this eb 5 opportunity, because it's a federally regulated program that ensures that it benefits parts of town where development is needed. Particularly in -- in areas where there's low unemployment -- high unemployment, excuse me. We'll also continue to our reciprocal soft leaning pads, which is a program that we have with our science cities, nine of them, including Singapore. This will allow us to include more accelerators and incubators so we can host and send more Austin businesses to these different markets. And in fact one of our science city partners, as I mentioned, Singapore we signed an agreement with. They followed up our visit already and announced to Austin entrepreneurs, that Singapore is open, ready for Austin businesses to come expand into Asia via Singapore, an English speaking market. We already have one Austin business that's applied for that program. We will also institute a mayor's industry cabinet. This was something that we saw an example of in Taiwan, which is a science and sister city. What we will be doing is presenting Austin -- making a selection of Austin

[10:14:29 AM]

businesses on a rotating basis so that they have the opportunity to present to the average of 140 delegations that we have come through our offices on an annual basis, so that we can demonstrate and highlight some of the breadth and depth of industry here in Austin, giving a little bit of visibility to companies that are actually ready to look into international markets. So we're excited about that. And, of course, we will continue to pursue business connections with companies that can fill our industry gaps. And to promote the Austin brand. So we're working with businesses in your districts and we welcome your support. In the ongoing and upcoming activities mentioned to further ensure the ability of Austin economy. Include our competitiveness globally and increase our tax revenues through successful expansions. Thank you for your time so we can share about the Asia delegation and the international programs. We welcome any questions. I think the delegates would be happy to answer questions, too. >> Mayor Adler: Thank you. Councilmember Garza? >> Garza: I'm just curious how one participates in the Mexico trip? >> It is open. And so -- so there's an application process for the business side of it with -- with the hispanic chamber of commerce, but if you're -- if you're interested or anybody is interested, please just talk to Casey and I know similar to the Seattle trip, not only was the mayor there, but councilman Renteria and mayor pro tem tovo were there. So it is good to have persons going to do different types of outreach. So that would be beneficial. >> Mayor Adler: I would -- I would support that as well, the Mexico trip, I would love to have as many colleagues on the dais as we go because I think it -- one, it would help the trip. So the more weight we have

[10:16:31 AM]

on the trip, and a lot of times as best as I can tell the weight of the trip is measured by the public official participation. I know that in Asia, the fact that I was there opened up a lot of doors. It meant that at each city that we arrived in, there was the functional equivalent of a -- of a state welcome. Which meant that as we began in the cities, we started with the elected officials in that city. And depending on the country, it was more or less formal, but it was something that I think ever on this delegation should see. And operate on that. Councilmember pool and I, you know, had some of these international type of meetings at the event in Paris, the climate change event in Paris, it carries weight. And even in those meetings, we found that we were able to open doors that when we left on the trip, hadn't been opened but now that we were there with the elected officials, it opened up doors as we were there. It also meant as we went to the cities and had the meetings, so the local chamber of commerce or the American chamber of commerce in that country or that city would -- would list kind of like the headliners of that and the fact that the mayor was there, I think, as an institution brought a lot more people and enabled our businesses that were there to make more and additional contact. So I would encourage everyone on the Dai to come. I would add as a postscript on that issue, I paid for my trip and I paid for Diane's trip because I wasn't sure what the will of the council would be and frankly I didn't want an article in the newspaper talking about how the taxpayers had paid money for me to go to Asia. Although I will point out for anyone that wants to go, these are not fun trips in the sense that you think of fun trips. The extent of sightseeing that we did on this trip was

[10:18:32 AM]

beyond nominal. And we were up before 7:00 meeting and we didn't get to bed until after 10:30, and it was just chalkful of meetings. And this is an exhausting trip. This trip was done -- we went to four different cities. What was neat about it, there was a core group from Austin that went to all four city, but also people that joined us at each city, which I will tell you was incredibly important for those of us that were making the whole trip. After the first city we were just exhausted. But then this whole new group of people showed up, they were energized and excited because their trip was just started. When they left they were absolutely exhausted. The next day the other group showed up, they were ready to go. I don't know if we would have made all 17 days if we hadn't had that infusion of power. But just to talk about -- so I would say we paid for the trip. But I also believe that's bad policy. Because not everybody can do that. And I would like the council to consider creating an allowance for councilmembers, the mayor's office, to be able to participate on these trips, because I think it is a real important function of our role, the way we leverage our roam and the way we do things. For example, we went on this trip to Asia, my focus and the focus of the trip was directed towards small and medium-sized businesses in Austin. Trying to expand business opportunities for them outside of Austin so they could be healthy and they could grow and they could hire more people in Austin. It was built around dealing with the infrastructure issues that we have in this city, that need attention. So we talked on this trip everywhere we went about middle class, middle income jobs. And to the degree there was any recruiting businesses to come to Austin, the recruiting was centered on

[10:20:33 AM]

middle income jobs and businesses that would locate on the east side of -- of town. We also spent a lot of time talking about infrastructure needs like housing. We were in the part of the world where there is a lot of resources right now. And we talked about -- about getting investment in our city to help with housing that's affordable. And middle income housing. And we had businesses with us that were pitching those kinds of ideas and received commitments for specific projects. I will tell you that in the general sense we also talked a lot, including with sovereign funds, about the strike fund concept that

we've talked about in terms of preserving the -- the middle income housing inventory that exists in the city. And there are conversations are continuing now. We have a whole group of investors from Asia that are arriving this week from China. We talked about that and there is a -- there is a large group of investors from China are here Thursday, program going into -- into Friday. And I'm looking forward to the opportunity to -- to see again some of those investors that we met and welcome them to our city as we invited them to come in our city. And -- and so I think that -- that the potential for this kind of trip to -- to drive what our priorities are I think as a council is real high. The trip to Mexico coming up, I've been asked it's being run by the mayor of Buenos Aires in Mexico City. There's a C 40 conference happening in Mexico, I've been asked to speak at it. I'll be speaking at the C 40

[10:22:34 AM]

in Mexico City, we are building the trip kind of around that, since I would be going to Mexico at that point. The last couple of days of November into the first couple of days of December. But again, I would love to have other councilmembers join with that. And then, last, I would say with an incredibly little budget, well, two things. First, I want to thank the people who came from businesses and helped set this up, the Asian American chamber, marina, Richard, one of our social events was at his sister-in-law's house who did a dinner for us that never seemed to stop. [Laughter], it was incredible. Then the whole delegation, was incredibly appreciative of that. But we had a group with us in each city that knew the language. And knew the culture and had contacts and that proved to be invaluable. But there was a whole group and thank you so much, it's great to hear of the business expansion that you had. I want to also thank the staff. With an incredibly small financial allocation to support this trip. It was incredibly well organized. The logistics were -- were amazing. But so were the opportunities that your office was able to open. The contacts, the meetings that were set up, I mean in some real sense it was almost flawless. I'm not sure if you could do a trip that appeared to be almost flawless, except for the fact that poor Casey had this backpack that was as big as she was. [Laughter]. And she would strap into it and -- and carry it around with all of the secret stuff, whatever, that was inside. It was amazing. But you guys did an incredible job. And just showed our city

[10:24:34 AM]

very well. Supported the delegation and me really well and then I want to say thank you for that. Councilmember pool? >> I think this is really terrific and thank you for the excellent report and the update. I am -- I am really interested in the instituting the mayor's industry cabinet, as I see that as like a really important focal point for the kind of specific look and network building and relationship building. Can somebody talk a little bit about how that would be formed? It says here it would be a rotating honorary cabinet comprised of small and medium enterprises interested in expanding internationally. I'm assuming that would be locally, the cabinet would be made up of people here locally and then the cabinet would provide opportunities to speak to incoming delegations. >> So we have as a city we've outlined target sector, target industries that we want to focus on. What we're working on with our atx bound chamber is to pull together those round tables of industry, specifically. So that we can make this invitation to all of those businesses. Yes, it will be an application procedure, but it's going to be on a rotating basis. So each quarter we'll be highlighting different businesses that are then come on call sort of as we have these international delegations come through our offices. Which really is an average of 140 a year. So there's a lot of opportunity to give our local businesses the opportunity to gain some visibility internationally. >> Pool: That's great. >> Mayor Adler: Any further discussion on this report? Thank you very much. You guys did a great job. >> Thank you very much. >> Mayor Adler: That gets

[10:26:34 AM]

us, I think to the grove. Last thing on our agenda. By the way, while we have everybody here, with respect to Thursday's agenda, we take a quick look at Thursday's agenda in terms of what we think it's going to be big issues or issues that need to be pulled. You had indicated the -- the one that you thought would best come up at 2:00 in the afternoon. >> [Indiscernible]. >> Mayor Adler: Number -- >> Likely I'll have a time certain request on Thursday that was item no. 37, I believe. >> Mayor Adler: Okay. >> Tovo: Yes, 37. >> Mayor Adler: Other than that, does anybody anticipate anything that's going to -- that's going to be significantly attended or that we need to address specially? This looks like a fairly light one this week. >> Garza: On this agenda the discussion regarding zoning council meetings, are we having that discussion? The work session? >> I'm sorry? >> Mayor Adler: Zoning council meetings, we can certainly address that. That was also picked up. I think the suggestion there was whether or not we move to zoning on one meeting a month, the question was now that we have seen that, does it work better for us to space out zoning cases rather than having them all come up at once. Mayor pro tem? >> Tovo: Well, before we move on to -- really, I'm looking forward to that discussion. I just wanted to say that I do have questions about 48 that I'm looking closely at that case. I will just let my colleagues know.

[10:28:39 AM]

I think there are issues there that require some pretty in-depth exploration. That's one of the things that I'm doing in my free time. >> Mayor Adler: Okay. >> Mayor Adler: Okay. Anybody else think anything that is going to be big that we need to specifically address? Do we want to have a talk real fast about the zoning meeting issue? Whether we have all zoning cases, whether we continue that practice or whether we give staff the flexibility to -- to more curate what we have on the agenda so that we space out controversial items? Councilmember Gallo. >> Gallo: I think staff is really important in this discussion, also, because as we are not able to predict very -- I shouldn't say very well, but we're not able to predict when items will come up during our meetings and staff is available for those agenda items for when they're going to come up, I think as we try to focus the zoning on one day, it keeps staff from having to -- having to be available all the time on all of the other days. So I would be really interested in staff's recommendation on that, too. I mean, I think from a council standpoint it's important. But I think from an efficiency standpoint and realizing that staff's availability for when agenda items come up throughout the council meeting is really critical, too. I think we want to not put an undue burden on staff if we're spreading the zoning out over multiple meetings. But that may not be an issue for staff, but I do think their input would be important. >> Mayor Adler: What do you think -- >> Jerry rusthoven, the assistant director of the planning and zoning kept. We have never until the new 10-one system done a once a month zoning items. From the staff perspective I do not feel it has been advantageous. If the result was that we were only to have to come to

[10:30:41 AM]

one meeting a month, I would say maybe. My experience has been that the other cases get postponed. I think in the last two years now, there's only been two or three council meetings that we have not had to be here. Additionally I think it leads to a disadvantage from applicants because when we have postponements, the norm used to be a week or two, maybe three. Now it seems to be a month. So I do think that's affecting them with the time is money argument. I also think that the -- that we have not had a whole zoning agenda yet. There's a lot of items that get put on the zoning agenda as well. And simply [indiscernible] Work for us, so instead of having maybe four or five zoning cases on a Thursday, you know, we end up having 25, 30, sometimes almost 50 cases because we're kind of watching them

up. From -- batching them up. That leads to a lot of work all at once, increases the chances of something being missed. Our preference would be to go back to the old system where we just kind of put zoning cases on when they are naturally ready to go and they could be on any agenda. Whether you want to consider doing that for a time certain or not. In the past I can tell you, I've been through I think three different systems, one was zoning at 4:00, then we had that changed to 2:00, and then with the once a month idea we went back to 10:00. But that's just something to consider, too. Because my experience has been that we do have a lot of time certain these days and so maybe if we decided to spread the zoning out that we would maybe pick a time certain that the zoning items would be at that time whenever time you all may choose. >> Mayor Adler: Mayor pro tem? >> Tovo: I really appreciate hearing that perspective. I wondered if that was happening on your side because I know it happens on our side, in my council office, maybe in some of the other council offices, too. Most of us have one person who primarily handles land

[10:32:41 AM]

use it does batch their work up. In addition to the, I mean, I know this is very -- you have lots and lots more issues on your side. But, you know, when you are dealing with lots of different stakeholders as happens with even of these cases, you are then dealing with all of those stakeholders all at once for one meeting. I imagine it is just multiplied by tenfold at your shop when you have all of the different parties involved in all of those cases contacting your office all in the same week. So -- so that's very helpful information. I thought it probably was working that way, but it's kind of good to have confirmation. You know, the other way in which I think it's been a challenge certainly lately, with the zoning cases you have parties who want to come talk. Most of whom want to talk outside of their work day. Then that pushes them later and so then we have two or -- you know, if we have two or three controversial cases they all want to be scheduled after work hours. That just makes for very late evenings. As we have seen. I think we've had several council meetings where, you know, we've had zoning cases, it's really been the zoning cases that have pushed us late into the evening, we've had individuals who have been there for 13 hours who are starting to speak at midnight. So I think that it would -- I appreciate you being here to offer that feedback. I would suggest that we do that for you will after reasons that -- for all of the reasons that you have suggested including that it's inconvenient for the applicants to have to wait a whole month. To come back when their case might be ready in a week. Only the discussion cases, the cases that are on consent. There's a lot of of course behind the scenes work that's getting the documents ready, ordinances, covenants, et cetera, we have to have all of those wrapped up in time. Sometimes just because of the sheer workload, you know, something just doesn't get done, but there's no reason why it couldn't be done the next week. I don't really see a need to wait a month for that person to be able to finish their case. >> Mayor Adler: Now that we have been through the process, does anybody want to speak in support of

[10:34:42 AM]

having a -- a continuing the practice of having a zoning day? So if we were going to undo that, is there something we need to pass? I don't remember if we did that by ordinance or just did that by practice and custom? >> It was an ordinance? >> We can't decide -- yes? >> I don't remember if it was passed by ordinance, but I know that you are going to be approving your schedule for next year fairly soon. So we can make sure that we can mechanically make that work out. >> Mayor Adler: If you could take a look at that, because I would be fine telling staff you are no longer encumbered by that as of now. If it's something that -- that is just us indicating that to them. >> If I may, mayor, we have already started mailing out notices for the November 10th meeting, so this might be the kind of thing where we could

get direction to stop doing it, we will look into whether we need an ordinance or not. Just to let you know, the system is already established, might just have to unwind itself over the next couple of months. >> Mayor Adler: I understand. Just wanted to give you an opportunity to unwind it earlier than you might have otherwise. >> I was going to ask, if we are going to do this, for the council to decide if you would like to have all zoning items for a time certain or if you would like to leave them at 10:00. >> Mayor Adler: Mayor pro tem? >> Tovo: I -- >> Mayor Adler: Expect did councilmember pool did you want to talk? >> Pool: I was going to weigh in, in support of the suggestion. That's all. >> Mayor Adler: From staff perspective -- manager. >> I just wanted to note that the ordinance that adopted the current council meeting schedule did denote the next two meetings, November 10th and December 8th as zoning meetings. So we would have to notice the public. I don't know that you necessarily have to change your official calendar. But that is what the public is expecting on the official calendar that you adopted. But -- but irregardless, we have had zoning things occur on other agendas, so I think

[10:36:43 AM]

that we can proceed with -- with the change that you are asking us to do. >> Mayor Adler: Okay. So I would say if it's possible, just to put in a resolution that has us -- not this Thursday, but the next Thursday, to adopt something that says is noticed that we may have zoning cases come up on -- on other days here after to provide the public notice I think would be good so that even in terms of postponing things so that you know that you have that flexibility as you're setting up the last couple of months, we will make sure that we note it differently on the calendar for next year's calendar. >> Just for clarification, on the zoning meetings that we've had scheduled, we have put a stop to the live music and proclamations at 5:30. So I would just need direction if you wanted to pick that back up, and make it every -- every meeting that you have scheduled or -- >> Mayor Adler: Mayor pro tem? >> Tovo: I just wanted to weigh in on a couple of questions that have come up. I remember that discussion in the community about the 2:00, you know, changing things to 2:00. That was a hardship for some people. From the 4:00. But so I think given that and the interest in kind of getting cases a little bit later in the day, I would say we go back to -- we not keep zoning at 10:00 but try to have them in the afternoon as much as possible at 2:00. That would be my suggestion. Just because I don't know if I connected those well, shifting from 4:00 to 2:00 was tough for people and so if we're going to shift the system again, I don't want to start it, I don't want to have zoning at 10:00. I think 10:00 is really pretty early for people to get down here who are community members. Who want to participate. So that would just be my suggestion that we put them back to what they were before, which is 2:00. Then the 4:00 public hearings. Then I really like the idea of going back to meetings that have, you know, a stop

[10:38:45 AM]

at 5:00. Stop at 5:30 with live music and proclamations. One of the other things that's happened is that there have been a couple of times I have tried to get proclamations on and they're full. We have gone from a council of 7 to 11 and we've included fewer opportunities for proclamations. So in some of those cases we could shift them to another time, a couple it was like well if we can't do it before the event let's not have a proclamation. It has discouraged some organizations from coming and participating in the proclamations just because of the time crunch. So I would just put in a vote, an informal vote, of course, to have proclamations and live music to create those additional opportunities for our organizations and individuals to be recognized. >> Mayor Adler: Music is becoming my most favorite part of our meetings. [Laughter]. >> Plus it gives us a dinner break. >> Mayor Adler: And it gives us a dinner break. With respect to when we set it, I wonder if there's a way for us to, I don't know logistically how that would work. I like the idea of being able to handle the consent items earlier so that everybody

knows they're off the agenda. This -- and extra staff. So maybe there's a way for us to handle the consent items where there's not a public or people want that just to be approved and they don't have to think about it at 10:00, but that we won't call anything up for discussion or public hearing until after 2:00. So that we can clear out a lot of the agenda items. And everybody would know that if they wanted to talk about something, they would never have to be there at 10:00 because if there was a request to -- to pull something off the consent it would just be pulled. Would that work logistically? >> Mayor, if I could add, under the old system we would have public hearing items at 2:00. And then we would take cases that were up for second or third, where the public hearings were closed we would do those at 10:00. One thing that we have to do is include the time on the notice, you know what I

[10:40:46 AM]

mean? So you can't have a consent case that is still, you know, on first reading, it's all three readings. If you desire to get those out of the way at 10:00, then essentially we would have to notify every case for 10:00. Then I think it would just be a council -- council procedure to not take those up -- public hearings up until 2:00. But we would still be obligated to notify all of them for 10:00. Unless you went to the old system which was everything was being notified for 2:00, except for cases that were coming back the second time, in which case we don't have to notify those, just go automatically. We would do those at 10:00. That was the way we used to do it. >> Mayor? >> Tovo: What would be your preference? I mean, die want to think about -- do you want to think bit, is this something we should think about -- I was trying to give you four hours back -- [speaker interrupted -- multiple voices] >> My preference would be to do all of them at 2:00. The reason being -- I think selfishness on my part. Sometimes we're still working, a lot of times just like in a courtroom, people don't really come into an agreement, if you have ever done jury duty. You sit out there and they reach an agreement. That happens here somewhat frequently. Once you get to the meeting, that would give us a few hours to maybe see if we couldn't bring people who were very close to coming to an agreement a little bit of time to come to that agreement and then move forward. But we could live with it either way. >> Tovo: Seems to me too not only do we have staff involved in consent and discussion, we also have some representatives of property owners who are involved in consent and discussion and so having them all show up at the same time rather than two times on the agenda might be -- might be -- >> A lot of those people go to their offices first before they come here, you know what I mean? It would seem that that would benefit them a little bit by being able to get their stuff together before they have to come down here. >> Mayor Adler: I would go with the staff recommendation on this. If it's best to start it at 2:00, everything just gets noticed at 2:00, handle it that way, that makes sense to me. >> Sounds good.

[10:42:50 AM]

>> Mayor Adler: That includes then second and third readings would come back on at 2:00. >> Yes, all zoning at 2:00. >> Mayor Adler: Okay. Yes. Mayor pro tem? >> Tovo: I just wanted to comment that one of the things that I'm learning from the innovation obvious and working with them on the homelessness outreach street team the importance of iterating, evaluating and then adapting quickly to those changes. I think this is a great example. We tried something new. Some things about it worked. We are evaluating and kind of shifting gears. I think we don't do that quite enough in government and probably as often as we should. So I think this is a -- this is a good process. >> Mayor Adler: All right. Thanks. Two other things for people to take a look at. There was some conversation earlier among the cag, and then we also talked about it, councilmember kitchen, raised the idea of having a joint meeting of the cag and the council. It looks like October 19th is a good day for that. I had posted that earlier on the message board. I have noticed a meeting. And certainly however many councilmembers as can be there, it would

be great. I think that's set for like 4:00 P.M. On the 19th. And if people can go. Additionally, we had talked during the budget process about having a -- having a -- workshop or retreat for us as a council. With respect to having a discussion of priorities that would at this time be facilitated. The manager has indicated an ability to do this with a facilitator that would speak to us prior to that event. The thinking is that if we could bring something like that up we're also going to start the process we had talked about in the last budget session about doing some deeper looks at the departments leading up to the budget process in April.

[10:44:53 AM]

So that we have a little bit more time to talk budget items as we go through that period of time. Knowing more. It might be good for us as a council to talk amongst ourselves, that might serve as a filter or to help guide us as we go through that process of the departments. And the manager has indicated that if we did it the week of November 14th to the 18th, that might -- that she could work the facilitation in that time frame. That is the week before Thanksgiving. Obviously we can't do it the next week, it's Thanksgiving. We have the election earlier in the year. Looks like if we're going to do it in November, that would be the spot. So we need people to react to that. We could do it on the 17th and 18th. Which is a thursday/friday of that week. There's no council meetings set on that Thursday, the 17th. The thinking was is that we would start at 9:00 and end at 3:00 on both days, so people -- wasn't going into the evenings. So that would potentially have us go from 3:00 to 9:00 on the 17th and 18th. But it could be the 16th and 17th or the -- >> 9:00 to 3:00. >> Not 3:00 to 9:00. >> Mayor Adler: Sorry. >> They would go from 9:00 to 3:00, six hours, we would be done, then Friday a hard stop again at 3:00, if people wanted to start leaving for the holiday week the following week. Everybody is urged to check their calendars and to indicate, we will post something on the board. Yes, councilmember? >> Pool: Can I ask about the week November 7th, whether we will have a work session and a council meeting that week? That was the week that I was asking or suggesting that we not meet. We have -- that's the election is on the 8th. >> Mayor Adler: The election is on the 8th, a Tuesday and a work session.

[10:46:54 AM]

Then we have a council meeting set on the 10th. >> Pool: 10th. If the agendas have been pulled together or not, but I think probably half of us will be otherwise engaged, for sure on the 8th. >> Renteria: Mayor, on my calendar I have that the national league of cities is going to have their event, seems like it's going to start on the 15th. Ends on the -- on the 20th. Sunday. >> Mayor Adler: All right. Well then that won't work. I guess. Mayor pro tem? >> Tovo: I appreciate that. That may also involve some of our staff, so I don't know if that would be a challenge getting them there. I would be in favor of hanging on to our council meeting if that's possible, but eliminating the work session on the 8th. I think from a practical standpoint I think we will have trouble reaching quorum that day. Then again with regard to the 10th, I think that it really just depends on our agenda. >> Pool: I think that would be a good compromise. It really is the 8th that I'm most focused on. >> Mayor Adler: That makes sense to me, not having the work session on the 8th, but having the meeting on the 10th. We will go back and take another look at the workshop retreat time for the council. You know, as we start going into December, we start having people that obviously weekends starting to get full, but maybe we could look at, you know, the first week in December. Maybe there's two days in a row. Also a council meeting that week. So -- so that would have an issue -- we could do December 2nd and 3rd or December 9th and 10th. That would be a friday/saturday combination. So if anyone wants to take a look at that, going again from 9:00 to 3:00 on the second and third, friday/saturday or the 9th and 10th, friday/saturday. So people could weigh in there.

[10:48:54 AM]

I was trying to stay away from Saturdays. But I also want us to actually have this -- have this happen. Because I think it would be really helpful in terms of giving us a filter and a way to look at the discussion that we would begin in January with -- with the department. So everybody should look at their calendars, think about that. I will start a conversation on the message board for us on that. >> Garza: I'm sorry, I missed it. I came back and we're having meetings on Saturday. [Laughter]. I'm just wondering what we're talking about. [Laughter]. >> Mayor Adler: No. No. We are trying to find a time to -- see what happens when you leave?!! [Laughter]. We're trying to find a couple of days where we could have the council get-together. We had talked about having the manager is going to bring in an outside facilitator to talk with the offices and the might actually provide us a filter or framework when we start doing the department looks. We talked about the budget conversations in January, February and March. I think that was make those conversations a lot more productive for us. We're trying to find a time -- I pitched the week of November 14th, except that's the league of cities. So that week didn't work. So we're trying to figure out when else to do it. >> [Indiscernible]. >> Mayor Adler: Right. Then sponsor. Room in your budget there. >> Tovo: Since we're meeting on the weekend in December, we expect like cookies and -- holiday treats. >> Mayor Adler: In fact we're coming to your home. We'll bring in the cameras because it has to be, you know, publicly shown. >> I will chime in. This is a really great use of our message board for this kind of conversation. We get a lot of kudos for having the message board. This will be a great dialogue to have it. >> I was going to say this room is bigger than my home. It would be tight, but you're welcome.

[10:50:55 AM]

>> Mayor Adler: Let's talk about the grove. So is there -- do we want staff to talk to us about housing uses and noise? With respect to the grove. Mayor pro tem I'm -- >> Tovo: The way we did the first discussion was to kind of work off the amendment sheets. I think there were one -- there was at least one or two on councilmember pool's that related to uses, I think one on councilmember Gallo's that related to noise. We might start there and then move to housing. I have some questions for housing I mean -- I have questions about the housing with regard to the pud ordinance. But we can take those up maybe after the amendment. >> Mayor Adler: Should we also try to shoot for a noon hard stop today for this meeting? So we will take the conversation as far as we can go. >> Tovo: Or a little before. >> Pool: Some of us need to leave for an event maybe at a quarter of. I want to say I went first last time, I'm happy to let anybody else go first this time. >> Do want to start with the noise? -- >> Mayor Adler: That's fine. >> Gallo: Councilmember Garza asked a really good question last time as we go through all of the amendments, it would be helpful for the council that has not been as deeply involved in all of these discussions with both the neighborhood and the applicant to kind of understand and know and even if we need to ask the applicant of whether these amendments are amendments that have worked, been worked through with the applicant so there is applicant support for if they are amendments that there has not been -- that process has not been completed and so there is still a difference between the amendment and where the applicant would be. I think that is a good conversation to have in addition to all of this, because I think it gives the council a sense of -- of where the discussions are --

[10:52:57 AM]

where there's still a gap between what the applicant is requesting and either what the amendments or the neighborhoods are looking for. As I mentioned last week, was it just last week? As I mentioned last

week, that most of the amendments that -- that we have proposed from our office have been the results of requests that have come from our neighborhood groups and neighbors and then working with the applicant to see if we can get resolution on those amendments. So one of the issue that's we heard from different neighborhood groups and the way we laid out our amendments is that we listed on a particular item that we were proposing amendments for, we listed the ask from the different neighborhood groups and what neighborhood groups those were and then we talked about what the amendments were that we were proposing. The amendments don't necessarily meet, they don't necessarily go to the extent of some of the neighborhood requests, but our goal was to try to get us as close as we could. So with the noise, our amendment number 3 -- well, there's two. Number 2 is during construction require property owner to locate construction staging areas for site development, 250 feet from the property line. Or suitable distance from neighborhoods as determined by city staff. And then amendment number 3, would say for this property increase the restrictions in city code section 9-2-3, a 2 and 9-2-4 of the code that a person may not make noise or play a musical instrument audible at the property line between 9:00 and 7:00. The current 9:00 P.M. And 7:00 A.M., the current keyed says 10:30 P.M. And 7:00. So it would be taking the

[10:54:57 AM]

current city code of 10:30 P.M. And reducing it and making it stop earlier at 9:00 P.M. And then the second one, second section of that, is a person may not operate sound equipment as a business that produces sound in excess of 80-decibels between 10:00 A.M., I think that's supposed to be 10:00 P.M. And 2:00 A.M. As measured at the property line of business, the current code is at 85 decibels, that would reduce it from 85 to 80. So those were the two noise -- amendments that we were proposing. >> How do a and B on amendment 3 fit with each other, if you are stopping -- are we talking about the same noise in a and B or different noises? >> Gallo: Under amendment 3? >> Mayor Adler: Yeah. >> Gallo: It's the -- it is the same noise and the decibel -- one deals with the time and the other deals with the decibels. >> Mayor Adler: The other question that I have, when you look at it, looks like it says there's no noise at a certain time, then you limit the decibel noise at that time, I'm just -- >> Gallo: That's an audible at the property line that has the time constraint and then there's a decibel. >> Mayor Adler: What would control the prohibition or the decibel limit? >> Gallo: So audible at the property line would be determined -- would be prohibited between 9:00 P.M. And 7:00 and then at any time the -- the maximum would be the 80-decibels

[10:56:58 AM]

between the 10:00 P.M. And 2:00 A.M. >> Mayor Adler: Okay. Mayor pro tem. >> Tovo: Since this differs from the current city code, what are the challenges going to be? I guess this may be a question for staff. What are the challenges going to be in enforcing this among A.P.D.? What will -- I assume you'll need to educate the officers that the -- in this particular area that the code is a bit different? It seems to me sometimes we have challenges with -- with enforcement of -- of noise ordinance. And I'm not sure having -- I appreciate the sensitivity to the community's concerns. I have some concerns, though, about creating, you know, a system where the ordinance has functioned differently in one part of town. >> Councilmember, Jerry rusthoven, planning and zoning. It would be enforced by the police department, this section of the code, it is their responsibility. I think there would be an issue, we will have to look into this a little bit more from whether the pud tool can actually amend this section of the code. Generally speaking, we use the pud to amend zoning regulations. Um ... And that this is in chapter 9 as opposed to chapter 25 of the code. In the past, I know one thing that we have done, I know y'all have seen it on zoning cases, is we haven't actually adjusted the decibels, but we have said a person may not apply for

an outdoor amplified sound permit. Which, you know, allows people to do certain things, that was one way of solving that. But to amend the decibel level or to amend the time as proposed here is something that we would have to work with the law department on whether the pud tool could do that. It's possible there could be separate agreements that could do that, either with the city or in private agreements. But I would have to look into whether the actual pud itself can do this. >> >> It was indicated to us that

[10:58:59 AM]

central market complies with the the 9:00. We could not ever find or no one could ever find for us the documentation that restricted them to that. Are you aware of anything? We were wondering whether it was just a gentleman's agreement that was done or if there was actually part of that document, that zoning document that did that? >> I could easily check the pud, central market pud. And it's called central park pud and see if there's anything in there about noise. But it is possible that maybe that was done through a restrictive covenant, either private or public. We can look. >> That would be helpful. There's a lot of discussion about that. Central market does it, that area does it, but we never could find any documentation that showed that was a formal agreement. >> Mayor Adler: Yes, councilmember pool. >> Pool: So my question to Mr. Rusthoven, are you recommending rather than the approach in this amendment we take a different approach, which is to change the outdoor amplified sound permitting in order to affect the limit at the time frame? >> I'm gonna say I need time to check with the law department to see if there's -- if it's okay to do this with the pud. My concern is being in different titles of the city code so I'll need to check with them to see if we can do it with the pud or if there's a different way that we can do it. I'll get back to you. >> Pool: That's great. I think the intention is to affect the change however legally we need to do it. So if this isn't the way to go but there's a different way to get the same thing accomplished, then I think there would be support for that here. >> Mayor Adler: Okay. Any further discussion? Walk us through the others? >> That's fine. I just may make a note on

[11:01:00 AM]

amendment three, that is for retail and commercial. It's not applicable to the residential. >> Mayor Adler: Okay. All right. Any further discussion on noise issue? Any discussion on uses? And/or if not uses what about housing? >> Gallo: There was -- we do have an amendment for the reducing the current minimum size for any single tenant or retail space to a minimum size of 3750. I cannot remember if we discussed that and went into those areas last week or if you want me to -- >> Mayor Adler: Why don't you talk about that real -- why don't you go ahead and talk about that. >> Gallo: So the reason for the amendment is that there was -- >> Mayor Adler: Which number is that on yours? >> Gallo: This is amendment four on page 2 of 5. It's reducing the current minimum size of 47,500 feet for any singleton a minimum size of 37,500. There was a lot of discussion in the neighborhood of wanting to have the ability to have a local grocery store there and discussion of what sizes were appropriate for a local grocery store and the 37, five, seemed to be something that would work with the retail community to be able to attract that type of local business, local store, not a heighth big box grocery store but something smaller where people that lived there, worked there could actually walk or buy to instead of getting in their cars to have to drive several miles away to get somewhere else. And just to talk about what we put in the information also some of the requests from bull creek road coalition, Ridgley

[11:03:01 AM]

and oak Mont. The analysis looked to be that the 30,000 restriction was a little too small to attract the type of retail local grocery store that would be appropriate for that development. That size of development. >> Mayor, if I may add, the staff did work with the applicant to, again, try to get away from the big box type development and that's where we came up with the original size limit. The applicant felt that was needed to accomplish this smaller grocery store idea. But the staff is certainly open to the idea of making it somewhat smaller. Our goal is the same as what councilmember Gallo has alluded to, to allow these newer style reduced size grocery stores but also to prevent best buys and, you know, full ebs, so -- >> Mayor Adler: Okay. >> Gallo: I should mention Ridgley was mentioned if you look at theirs minimum of 30,000 and I think in all the discussions we have they then became comfortable with the 37 five. That seemed to be a number that worked with meeting the goal of being able to get a local store there. >> Mayor Adler: Yes? >> Pool: If you look at the amendments that I have on page 2, the minimum square footage for single retail tenant, I'm looking at -- so the 47,500 is the current single tenant minimum for regional traffic generator which increases of number of steps and what I'm trying to do with my package of amendments is limit the number of vehicle trips into that center so that it really does become what people are talking about, which is a walkable community. So I'm trying to lower the number of commercial and office, that amount of space, and this is an area where if we can get it down to about 3500 square feet, which is --

[11:05:02 AM]

>> Mayor Adler: 35,535,000. >> Pool: Thank you. About the size of the randalls just down the street according to the Travis county appraisal district, the one that's on -- near Seton hospital, yeah, on 35th street. So on the commercial, I'm proposing a reduction in the commercial space and that links to downsizing the single tenant cap. And the larger the commercial space is, the more of a destination draw the project will be. The development currently is sized as a large town center and bordering -- closely bordering on a regional center by its size but if you look at the size of this as proposed it's not neighborhood serving. It really wants to draw from all around the city and region in order to get the number -- to fill in the size of the commercial and office. So if we want to align the project with imagine Austin and I sure do it should a neighborhood center serving the community and not a regional center, which is what it's currently pegged at. So like councilmember Gallo, I'm looking at a smaller number of square feet for commercial and office but I'm going a little smaller so we can really ensure that this is a town center and not a regional destination. >> Mayor Adler: Okay. Anything else on uses? >> Gallo: Just ask the question of staff, when we were talking about -- obviously the conversation went to the randalls on path. Do you have an idea of what that -- on path. Someone in our conversation said it was closer to 50,000. >> Councilmember, I believe -- I can look it up and see, see what the square footage is. >> Gallo: Maybe the applicant. I know maybe the applicant had done research on different locations and different places. We just -- you know, it's kind of like the noise in central park. We talked about a lot of things but couldn't actually find documentation that -- I think that would be helpful. >> That should easy for us to

[11:07:03 AM]

find. >> Gallo: Okay. Thank you. >> Mayor Adler: Okay? Let's talk housing. And by the way, before you leave, there's -- >> I'm not allowed to leave? >> Mayor Adler: There's -- respectively, one of the questions that I've been asked that I can't answer is, what is the difference between what could be built under the pud as staff is recommending it versus what we would reasonably anticipate could be built under Normal zoning? To be able to do that comparison. And I understand this might be a little bit different than the baseline discussion because there's some difference, I understand, with respect to the baseline as to whether the baseline is what is achievable, regular zoning, versus what is the zoning that

would have been on the property had it been zoned as the other property was zoned. But taking a look at what you believe, given the council, what is the achievable zoning on the tract, what is the delta between that and what is the pud recommendation, with respect to the things that indicate both burden and benefit. So how does that differ with respect to what the traffic counts would be coming on and off the property during peak hours? What is the delta with respect to the park area? What is the delta with respect to commercial or residential or office square footage? In other words, the variables that are set, I think I'm pretty well understand now how to compare the pud to existing

[11:09:05 AM]

conditions. In other words, what is it that's in the pud. But what I don't have a good feel for is how to compare that to what -- if we don't do the pud, we say we're just not gonna give you a pud here and it went to just regular zoning, what then is the comparison? So help with that would be -- >> Okay. >> Mayor Adler: Very helpful. >> We did do that calculation. So, again, it does kind of get back to the baseline to a degree, that we prepared a -- what if we went into a pud, what the staff would recommend the zoning to be on this property and we were able to calculate a raw total square footage number for that of about 1.891940 call it 1.9 million and the developer was asking for I believe in the end 2.65 million square feet total development. So we decided on that gross level. If you would like us to try to break it out further into what does that mean in terms of the miscellaneouses, the traffic -- >> Mayor Adler: That's what I'm looking for. >> We can work on that but I don't have those numbers today. >> Mayor Adler: That's what I'm looking for. I'm looking for what is the impact then of having 1.9 versus the two point whatever it is, in terms of traffic, park, affordable housing, retail, square footage, office square footage. And I'm fine with you giving us, you know, two or three different scenarios of what that would be based on different mixes, but I want you to try to look at what your sense is would be achievable with the council so that we're not -- so that we have that. So we're actually looking at what might be realistic. But I'm fine with you presenting two or three different options but it is that further breakdown I'm looking for. >> We'll try. To be honest with you, the staff doesn't have the expertise or the detailed knowledge to come up with some of these numbers when we're coming up with our baseline, we're looking at very raw numbers, just saying Oklahoma

[11:11:05 AM]

to make up a number 10 acres of gr has an far or whatever we prime that square feet. In the real world it's gonna be much less because of things like parking and ponds and, you know, just amenities and things like that. So the number that we've come up with thus far has been just kind of a gross estimate based on land area but has not been a detailed break-out of, you know, market conditions. >> Mayor Adler: What I would want you to do would be to take a look at or talk to, you know, the other people on staff to say while there's an allowable far of 1.0 as a practical matter these projects don't really get but .5 on the ground. Then use the .5 number as opposed to using what the max out could be on achievable because nobody actually builds out to the 1.0 far. >> Correct. And we have to make certain assumptions and we did with regard to -- in our previous estimate about how much of the area would be roads and infrastructure and things like that. >> Mayor Adler: Just make sure that you list real clearly what the assumptions were going into that so that someone who is trying to assess that would be able to see what those assumptions were so that they could make different conclusions by changing whatever that assumption was. >> Okay. >> Pool: Mayor. >> Mayor Adler: Mayor pro tem. >> Tovo: I'd just like to ask, can you remind me, there are so many materials in our backup I'm having a little trouble finding the baseline map that staff compiled in the analysis behind why they did it, you know, why you came up with certain zoning categories. Can you point me to which section of the PDF that's in. >> I could -- >>

Tovo: Anyway, could you get back to us? That would be helpful. >> 400 pages of backup. I know it's in there. >> Tovo: It's a real challenge. My baseline is a little different but we went through as careful an analysis as possible but we still have a divergence there so I'd like to better understand where that divergence is and why and when we get to talking about

[11:13:07 AM]

baseline I also want to be sure that we talk about how the pud ordinance was revised because it had a considerable impact on how the density bonus gets figured. >> Mayor Adler: So two different questions that I need help for because I'm unclear as to what the answers are. First there's the baseline question, what's the appropriate baseline that can be in the back of our mind while we're doing this? And the second is the question of what is achievable zoning? And my understanding is, is that you've indicated that the baseline may not be set on what is achievable zoning. That the ordinance was written to reflect actual zoning and not achievable zoning. So it could be that the baseline gets us to what you're saying would be less than -- it could be less than what's achievable. I think there are two different things. The first one is the question of what is the baseline, which has both the legal and practical question. So there's the legal question on the ordinance interpretation on that question and, second, assuming that the mayor pro tem is correct, that it's based on reflecting the zoning around it and not on achievable, I really appreciated you very publicly showed what that was in the assumptions that you used in that. It would help me if the applicant in this case or staff would take a look at what the mayor pro tem put out and say if the standard is different than the one you applied was applied, not achievable but reflective of what the area zoning was, would you come to the same conclusions that the mayor pro tem did or you would come to different conclusions? So I'd like to know that answer and I would ask both you that and the applicant that question. Second question, separate from

[11:15:09 AM]

that, is this question I asked a moment ago, which is to say I want to have a better feel for what the delta is between what is achievable and what is in the pud recommendation so that I -- so that I can see those differences. And that is looking at achievable in that scenario as opposed to what is just reflective. Now it could be that what's achievable is just reflective or it could be that what is achievable is something more than what is reflected. But that's the question that in part I'm asking and meeting the delta. Does that make sense? >> Tovo: I think mayor, why would we -- if we're comparing the pud versus conventional zoning we would look at what the conventional zoning was on that tract, not what was achievable through a zoning change. So I would -- I was assuming for a minute we were both -- that you were asking for what is achievable on that tract through conventional zoning which relies on what the staff think is the actual zoning on that tract so that both of those sets. That's why I brought up the question I did, because what they believe is actual zoning on that tract differs from what I believe is actual zoning on that tract or would be if there was zoning on that tract. >> Mayor Adler: Help me think this through and this was the difference I was asking because it was different. When we set the base level of zoning, you used the actual zoning on the piece of property. By the pud ordinance. So if we had a tract that was zoned single family, you would use single family because that's what the zoning is. But if as a tract people looking at it would agree because of what's built around it or precedent in the area would actually be a multi-family tract, then if while it is maybe inappropriate to use multi-family for the baseline discussion, because it's a

[11:17:09 AM]

single family tract, that's just what it is and that's what we use to figure out what the baseline is, in a separate conversation, I'm looking at the potential on this tract of saying we just shouldn't do pud zoning so we're not gonna do a pud. Just go do whatever you can through the Normal process. That may conclude in that single family tract that it would be a multi-family tract as it went through the zoning process as opposed to staying single family. That's what I'm trying to get a feel for, is if we say, look, we're just not gonna do pud zoning here, doesn't application we don't want to do it or our expectations in order to give it to you are beyond what it is you can deliver, just go do regular zoning, I want to know what staff thinks it is that we would get on that tract so I can compare that, what is likely to happen in the real world on that tract, versus what is the pud. So that's -- those are two separate things to me and I'd like the analysis for both of those things done because they both answer questions for me. They answer different questions, but they both answer important questions for me. >> Tovo: Now that raises a question in my mind about whether -- I have been assuming that we were -- that the staff and I were in alignment that the baseline should be set on actual zoning. But that where we differ is that what you regard as sort of actual zoning -- because the tract is unzoned we've got to make assumptions about what the actual zoning would have been. If this were a -- let me ask itly -- >> Under some changes made in the code several years ago, originally it said the baseline was existing zoning unless the staff proposed something different and the council didn't disagree. A few years ago that was changed and what it says now is that the baseline is the existing zoning unless the

[11:19:10 AM]

council decides something differently so, in other words, the burden is kind of on the council to tell the staff it's something different other than existing. But in this case it's all complicated by the fact that it's unzoned. So any presumption is just that, it's a presumption of what in our case it's what we would recommend if they went in for a pud and then in your scenario it's a little lower than that because it relies upon the adjacent zoning more than what we did in our recommendation. In both cases because of the unfortunate unzoned nature of this tract we don't have existing zoning to work off of. We have presumed zoning. >> Tovo: But if it had been single family what you would have brought forward as the baseline is single family and then the council has an option of saying actual zoning isn't as relevant to us based on X, Y, Z. >> That's correct. >> Tovo: Okay. I wanted to be -- I thought I was understanding where we diverge in our thoughts on that and that helps me clarify that. >> Mayor Adler: What I'm trying to do, now because I sensed there might have been a difference between the two, I'm trying to daylight that issue and identify where the variables are, where it differs, why it different so I can better understand. The first thing I asked them to do was to -- on the baseline conversation, help me understand where you are different from where the mayor pro tem is and I'm asking both you and the applicant to do this for me. So that we can see in a baseline conversation where those differences are and why those differences exist. That's the first thing. And then I further asked that if you have used anything other than what is reflective zoning or what the actual -- what we would presume the actual zoning would be if this tract was zoned at the same time the surrounding properties were zoned, which I think is the standard mayor pro tem used, I also want to know what you think that would be even if that's less than what you said you thought the

[11:21:10 AM]

baseline zoning would be, I want you to use the is it the mayor pro tem is proposing so I can see what those differences, if any, might be or whether you come back and say under that scenario we agree with what the mayor pro tem's numbers were. That's the second thing. And I actually lumped those two together in the first question. Then the third question has nothing to do with baseline zoning. Although

the numbers may be the same but you get there from a different place. And the second question is, what do you think would be the reasonably probable achievable zoning on this property if they went through the process? Because it may be that the baseline zoning could be all single family but we would look at it and say under the scenario I gave you a second ago -- and it may not be this tract. I'm not prejudging or prescribing anything but it's possible that the actual zoning of a tract looking for a pud could be single family but we all recognize that if it went through the Normal process it wouldn't all be single family, it might be something else. I want you to take a look at that and then I want you to determine what you think is the reasonably probably zoning this would be achievable and give us more than one scenario of that. But then compare it to the pud. In terms of those subcategories that we're all trying to evaluate this on. Traffic, parkland, affordable housing, setbacks, whatever those things are, so that we can compare those two things. That's the additional help I'm looking for. That make sense? >> Tovo: It does. I think I just -- I think I just disagree with the usefulness of comparing what we're talking about with what the tract would yield if it were to go through a zoning change. I mean, there are just so many assumptions for me embedded in what that tract could yield if it went through a zoning process. >> Mayor Adler: That's why I'm looking for the range ask when they identify the assumptions that may be clear to me too or it may had been they identify

[11:23:11 AM]

the assumptions that there's not a lot of disagreement as to those assumptions and I don't want to prejudice that. So that's why I'm asking them to go through the exercise. Because if there is a plan that generally we can say, well, this one, you know, may very well be achievable, then it might be real useful information for us to have. I just don't know the answer to that question. >> Tovo: Sure. As long as we're clear there are assumptions about what would happen in a zoning process. >> Mayor Adler: I want them to list those very clearly so that we can all see what those assumptions are that go into that. Yes, councilmember pool. >> Pool: If we can scroll back about ten minutes ago. [Laughter] I just wanted to check. It sounded like there was some conversation I think maybe you were the one who are talking about it based on something Mr. Rusthoven said. It sounded to me like the minimum amount of developable square footage on a site may or may not include roads and the other hardscape and I think this plan only contemplates the square footage that would be built. Is that right? >> The plan -- you mean the pud or the -- >> Pool: The applicant, what the applicant has proposed. When we're talking about baseline we were looking at I think originally the grove application was over 3 million square feet and then it was reduced down to a number, and the staff came in at 1.89. My calculations are more along the lines of the mayor pro tem's, which are more down at the 1.2 million because of the amount of density but it sounded like the mayor was also including streetscaping in that. >> Yes when staff did our baseline discussion we did on the sf-6 portions of the property, on the presumed sf-6 portions of the property, took a 20% deduction for roads and, you know, what developers tell

[11:25:11 AM]

us typically when they're looking at a green field development they lose about 20% of the land area in a single family type situation to roads and infrastructure. So we did take that discount. What I was referring to -- in my discussion with the mayor, in the commercial and multi-family areas we had to make assumptions about unit size, for instance, try to figure out we knee -- we knew the density limit but didn't know, okay, how large is each unit? To get towards that. So these I think are the assumptions the mayor was referring to that we'll more specific about what we presumed but, again, as the empty was alluding to they can be a wide range of assumptions so we'll include all of those but I want y'all to know it's still going to be a very raw number. >> Pool: Are we back with looking at square footage rather

than a mix of units? >> What we're looking at when talking about the baseline we're all trying to get to what is the bottom line number, not the more specific mix of uses and things that we were speaking about earlier, caps and certain types of uses, but just at the end of the day to try to say under our presumed zoning, indicating baseline, this will be the total gross number, this is what the applicant's number is, the mayor pro tem has suggested a different number. I can run an additional number for you although we prime the entire thing to be single family, things line that. But we were always looking at what the bottom line number was, not the specific mixes within that, although I think the mayor has asked us to be more detailed about that right now. >> Pool: Again the unit of measure is units? Or is it square feet? >> It's both. It's like the produce section of the grocery store, different things have different measurements and so, you know, sometimes we talk about units, when talking about multi-family, sometimes talk square footage when we talk about this. In the end for the baseline discussion our number was using certain presumptions,

[11:27:12 AM]

was a bottom line square footage number of 1.9 million. >> Mayor Adler: To be clear, this is what I was trying to go to and this is the reason I think this came up in the conversation. If we say, look, we're just not gonna do a pud, go do whatever you can do in the Normal process, if there's an area that's marked retail and now I'm gonna pull numbers out of the air, if the far that would be allowed in that retail is two and I'm pulling that number out of the air without relevance to anything, if that means they could build 750,000 square feet of retail if they maxed up the far, that would then drive lots of trips that would be generated from what they could do under Normal zoning. The first question Jerry asked me, should I apply the full far because the ordinance says you can have up to 2.0 far. Again, pulling that number out of the air. I'm not saying that's what it says. My answer back to him was, no, I don't want you to show 750,000 square feet of retail. Because even though that's achievable under theoretically as a practical matter no one is gonna get 750,000 square feet of retail on that tract. Developers don't get the full far in many instances by practice and custom they have to take out certain issue for roads, certain area for parking lots or whatever else it is so there's some number less than 750,000 that is realistic than that. I've asked him don't present the theoretical answer. Present to us as best you can what you think is real, practical, likely, probable, and I said and you can present us different versions of what that might be but identify real clearly what the assumptions are in that so that the community can look at that and manipulate them or challenge the assumptions or

[11:29:14 AM]

change them. >> Pool: I think within that work, which, you know, I guess would be useful is how much of it then would be dedicated to residential and commercial. What I'm aiming for is lowering the office and the commercial so that we can pull up the residential and more specifically affordable, the number affordability units that are on the site. When we lower the commercial and office, that also lowers the traffic impact. And if we increase the affordable units and residential, that also gets at a goal that everybody around the table has indicated that they support. So we may be talking about total number of square feet, but we also have to then subdivide it and say we're gonna assess, say X is for residential and Y is for commercial, because otherwise the numbers, I don't know how much meaning they'll have applied to the site or if that will move us toward getting to the recipe that we're kind of -- that we would like to see. >> Mayor Adler: Similar questions neighbors have asked me that I can't answer is, if we ask for three times the amount of affordable housing, then the applicant has proposed -- which I would love to do because I'd love three times the a housing. The question asked by some of the neighbors if that means that the developer does not use the pud because for whatever reason he doesn't think he can

make the pud work with that requirement that we put on it, what happens then? And I said, well, if he doesn't want to do the pud as we've laid it out then he doesn't have to do the pud as we've laid it out. He can get regular zoning. They said what does that mean if he does regular zoning, what does that look like? So that I can take that into

[11:31:14 AM]

account in terms what it is that I'm demanding of him in the pud. And I can't answer that question. I can't answer the question of if we don't do the pud then what is it that is likely or probable to happen and I can't tee up or frame that work, and I know we're not gonna be able to get a definitive answer to that but we would say based on these assumptions this is what it would be, based on these assumptions this is what it would be and that would just help me answer that question and also help me understand what it is that could happen on this property. >> Pool: So I think then that to get to what -- which is slightly different question than I thought was being asked actually. I think what Mr. Rusthoven is doing is comparing the different levels of -- for the baseline and how many square feet would be -- could be built there. >> We looked at the number for two different reasons. One was for the purposes of baseline and the ordinance with regard to the required affordable housing. And secondly it was just to analyze the pud. Yes, we've been talking about people about all the details you just mentioned but we also as staff are want to go look at it from just a very bottom line number, what are they asking for square footage-wise, what do we think they could get, what would we recommend for standard zoning, and what's the difference between those two? As I talked last time we were at a million square foot difference between what they were asking for and what we felt our recommended zoning would be so we then analyzed what are they offering for superiority versus what they were asking for and then that's how we came up with our bottom line square footage staff recommending without getting into all the detail. To come up with our staff recommendation or baseline number we did have to make assumptions about how many units, what size those units would be. I think what the mayor is asking for, what I hear is a little more detailed explanation of those presumptions and also a little

[11:33:18 AM]

more reask assumptions than we have used thus far, which is a very gross number. I can't promise you it's gonna be finely detailed because we as staff don't have the expertise to design a project on this property but we can talk to developers, look at other approved site plans, et cetera, and try to come up with more realistic assumptions than what we used the first time. >> Mayor Adler: How that ripples through. What does that mean about parking? You've given us the big number but I don't know what that means in terms of trips. I know the big number but I don't know what that means in terms of affordable housing we can get on the site as part of Normal zoning. I -- I don't know what that means in terms of parkland. So it's what follows from that -- those conclusions that I'm also interested in. >> Pool: Then I just want to add in the reason why I'm aiming for the lower baseline is because the lower baseline has a larger delta in comparison to what the developer wants to develop. That also -- and that requires a larger component of affordable housing be a part of that mix and since that's what I am driving toward, that has fueled my support for the lower baseline because, again, the delta between the two numbers drives how much is then required under our ordinance to be listed as an affordable unit and then the number of units drives the size of the parkland that then spins off from that because we need to have reasonable amount of green space for people living there, especially if they're gonna be densely packed in, however, that -- whatever that means, the more people really does require us to provide an outlet for them and for the children who will be on this site. So that's behind my goal of

having the lower baseline, which I think if you were to look at the site, it is currently sf-3 or sf-2 on most of the sites. Originally in oakmont heights -- or sf-3?

[11:35:19 AM]

>> Are you talking about the adjacent neighborhoods? Sf-3. >> Pool: Sf-3. Westminster manner is something different. >> Go. >> Pool: There are a few apartments and on the other side of the creek of course is another swath of public land but that is surrounded by single family 3 housing as well. And then I'll just add in there, the last piece that I was also looking at was trying to get some higher -- some higher heights so we could get additional density toward the middle section of the site. And the land slopes down to the creek and so it -- depending on where it's sited, it may not be as imposing or -- for the surrounding neighborhoods if it's toward the center of the site. >> Mayor Adler: Mr. Casar. >> Casar: I know I sound like a bit of a broken record but from my perspective, at least what I've learned from the staff, if we want to require more affordable housing we don't have to change the baseline. We can just require more affordable housing, unless I'm incorrect. >> Tovo: I think that's a question for staff. >> I guess that's true but I'm not sure why we have veer from our ordinance in that way. >> Casar: I think what I've explained is that in the density bonus provision, we would require more affordable housing if somebody chose to utilize the extra density and then the other profession we could require more affordable housing as a baseline -- sorry, just as a component of the development period. So I would say that for me, instead of trying to figure -- instead of trying to negotiate this complex set of variables around what baseline zoning is with an end goal of getting more affordable housing, I think we have the tool before us to just set the percentage

[11:37:19 AM]

and mfi and number of units at whatever level we want and pud zoning as long as we feel comfortable that the economics would play out such that the pud zoning would be used. And so I just think that it's -- that seems really helpful to me from the affordable housing perspective to be able to set the affordable units at whatever we want, whether they use the debit bonus area or not and then not have to get into the continued sort of proxy situation about baseline zoning if what we're really trying to do is drive affordable housing, we can just set that requirement at whatever we feel is comfortable. And I mention this truly trying to help us with this question because if what we're trying to figure out is affordable housing, I'm not sure why this would be the best way, especially from an affordable housing perspective since the density bonus is a voluntary program and the other one we could set at mandatory. I'm genuinely trying to get help. >> Mayor Adler: To me, I think the point you made at the work session, I think it is absolutely right. The advantage of being in the -- one advantage of being in the position we're in is we could set everything as a requirement and not as something that's optional to the developer because we have at this point the ability to put everything into the requirements as opposed to it's a bonus if you exercise certain things. So I think that's -- we should take advantage of that. The questions I was asking -- >> Casar: I understand that. >> Mayor Adler: Were just as a guide. >> Casar: I understand. >> Mayor Adler: Gotcha. >> Pool: That was what I was gonna say, it does give a metric and then we build from the metric rather than seeming to be arbitrary. So in setting precedent and for future decisions Bau I do think we need to rework a bunch of stuff about how we are we're handling the puds and especially with all the public land, we have to go back and get that land zoned somehow so we don't have this to deal with.

[11:39:20 AM]

It's just so squishy. We have to have something more specific and concrete, no pun, to work and to base our decisions on and I think that will help our -- drive our policy decisions as well. >> Mayor Adler: And inform potential purchasers of the property. Mayor pro tem. >> Tovo: I have just a point I wanted to make and then I have a question for staff but it would probably be a question that they would need to follow up on. You know, one of the challenges I'm really having with the affordable housing piece is not just that it is in my mind not sufficient, especially if we're building in the density bonus part to this piece. Which I just have some reservations about doing. Though I would like as much certainty as possible in my mind, what they have offered should be part of the tier 2 requirements because they're required to achieve superiority on the tier 2 list and their affordable housing piece is the affordable housing part of that. And so beyond that seems to me -- would seem to me to trigger additional. But the other part I'm having is that their affordable housing piece is being met in part with seven to \$8 million worth of fee waivers. I'll need to remind me of the amount. But, you know, it is required that the puds hit all their tier 1 requirements and then among the menu hit several of those. And they're meeting one of those in part through subsidies from the city. To me that's not at all the vision of what the pud -- of how you achieve superiority within a planned unit development. I'll just say that that is extremely -- that is of extreme concern to me. And then my question is, again, because -- I mean, I've -- because there's such a huge application I'm really trying to figure out whether -- within the 400 pages we have, whether you've got any -- any kind of quick

[11:41:20 AM]

sheet that would help me know which of these tier 2 -- you know, as I look at the tier 2 requirements and, again, they're required to meet tier 1, tier 2 is a menu. Can you help me now or in the future quickly take off which of these they're using as their arguments for superiority, open space, environmental drainage, green builder, three stars or above would be hitting that tier 2 requirement for green builder, am I right in thinking that? Two stars? I just need kind of a quick sheet to understand exactly what elements among the tier 2 menu are the ones that are forwarding as their superiority elements. Affordable housing is clearly one of them. >> Mayor pro tem, we have a chart in the backup. [Indiscernible] Exhibit D, there's a chart of -- actually given to us by the applicant of how they feel they're achieving tier 2 superiority in regard to a variety of different areas. >> Tovo: Which PDF is that in? Do you know. >> The overall staff backup. >> Pool: Mayor. >> Tovo: That seems to be divided into multiple PDFs I thought. >> I'll get back to you on which exact. >> Tovo: I'm just looking. The staff report is divided into six different PDFs. >> It was too large. >> Tovo: It would be great to know exactly which PDF that was in. I think I've quickly reviewed most but I can't quite remember where that sheet is. I would like the staff's assessment -- I guess the staff's assessment is really in the comments but that would be helpful. The one other thing I wanted to say is, in reviewing the pud ordinance, again-- and we can talk more about baseline and whatnot in the future, but I was just struck again by the description of how the minimum building coverage in a pud may not exceed the baseline

[11:43:21 AM]

established without those density bonuses under 251. So I just -- you know, again, I think we've -- we may have different ways of achieving that but to me it is really -- the affordable housing right now for me is really a sticking point and we have in my estimation a ways to go before it really meets both the requirements as I see them of tier 2 but also because in part those are being met as I mentioned by -- with city subsidies. But it does not -- it does not at this point for me meet the requirements of those density bonus program, which I believe they've triggered in their exceeding of the baseline, either baseline, yours or mine. >> Mayor Adler: Okay, Ms. Pool. >> Pool: And to build on what the mayor pro

tem is asking for, I think it's also important to look at the yardstick so that if we are looking at superiority just how much, because it seems very subjective. And we're throwing out the word "Superiority" and that's being echoed back at us, saying our parks are superior, or our environmental piece is superior, or our traffic mitigation is superior, but by how much? It's the difference between a feeling grade and passing grade? Are we looking at the difference between a F and D or D minus? Because I think the intent of the pud ordinance was to have really demonstrable superiority in these projects because of the high level of entitlement that we are providing back to the developer in order to build including waivers. And if indeed we're getting to superiority in affordable housing, which the numbers are pretty low, they're less -- they were less than 10% and 5%, and I think it's kind of inched back up but it's still I think below those percentages, but if we're saying we're also only getting that because we're waiving \$8 million in fees then the city is actually subsidizing that in ways that I think are beyond what the

[11:45:22 AM]

pud ordinance intended so I have some real concerns about using tax money to pay for this development and still asking for this development to show me the community benefit that they are bringing to the table. Not that we are subsidizing. And not that we are rating as superior when the yardstick for superiority is kind of -- is another thing that's kind of swishy. When you bring us back that information, if you could give us something strong and measurable to look at, and I know that this is the staff's recommendations on things, but I want to understand and I want the community, I want the public to understand how it is that staff is relegating these to superior status so that we can interpret that ourselves and make decisions based on whether we agree with that or don't agree with that. >> We can work on that. Our attempt was to try to do that through the presentation we did at the last council meeting with respect to the different subject areas because we have a variety of different departments. I agree with you that there's some subjectivity in this. >> Pool: There's a lot of subjectivity in it, Jerry. >> Both on the staff end, as well as the council when they make the final decision. So different departments have waited on the superiority for the respective areas. But we can try to provide more detail on how they reached their conclusions for you. >> Pool: Thank you. >> Mayor Adler: Okay. Any further discussion? Anything else on this meeting? I think that was it. >> Tovo: Next one -- I think we had talked tentatively about having parkland and stormwater flooding issues on next week's agenda. Were there other topics related to the grove that we had talked about for next week? I think that was the main, though if the staff have any information we can pick up housing again I suppose. >> Mayor Adler: If anyone wants to add anything else, just combo to the bulletin board and let staff know so they know to be prepared to

[11:47:23 AM]

discuss that as well. >> Pool: In the parks piece, are you talking about environmental as well. >> Tovo: Yes. >> Mayor Adler: Okay. As soon as you can get that other analysis done, recognizing it will be quick and dirty, Jerry, recognizing it will be quick and dirty, as soon as you can get that so it will be part of the conversation, that would be helpful. All right. We will stand adjourned this work session. Thank you.