

## City Council Work Session Transcript – 06/06/2017

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>> Mayor Adler: All right. Let's do a work session. Today is June 6, 2017. We're in the board's commission room. It is 9:13. We have some pulled items. We have no briefings. And then we have codenext consultants here to go through some codenext questions. Let's see how quickly we can get through the work session. We have two members of council that are away today on city business. I think related to cap metro. Councilmember kitchen and councilmember Garza are doing that. We thank them for their leadership in that. Let's see if we can work our way through this. Let's work quickly, if we can, so that we have time to do the code next issues. >> [Indiscernible]. >> Mayor Adler: We're not starting with codenext. >> We're not starting with the code next issues? >> Mayor Adler: We're going to see if we can get through the other issues and let half the room go. Economic development pulled by Flannigan. >> Flannigan: We can skip that from now. I saw the qa was responded to this week. I want to review that before I ask more questions. >> Mayor Adler: Sounds good. Fire, you pulled that? >> I wanted to let my colleagues know I will be proposing an amendment to that, that will include two council representatives on the coordinating committee. That would be chosen from the four districts that are -- have constituents who live in esd4. So that is district 1, 10, 7, and 6. I would like since the bulk of the taxpayers are in 10 and 1

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for the first round, for those to be from 10 and 1, but they would be chosen in conjunction with all four councilmembers. We are working on the language for that. My preference is for them to be voting members of the coordinating committee. There have been oversight issues in the past, and we think it is very important that the taxpayers who are involved in this have a direct say in the process. So we will be putting that forward on Thursday. Otherwise, I would like to commend AFD and afd4 for working diligent lie to address -- diligently to address all of our concerns with respect to the merger and do it in a way that respects the commitment to the firefighting procession of all of the sd4 firefighters. >> Mayor Adler: Ok. Thank you. As soon as you have a draft of that, to post that, that would be great, too. Ms.

Houston. >> Houston: In addition to that, mayor, there are concerns I have about annexation and future annexation. I don't want us to get into an interlocal with the nsd4. That is where the merger comes from. I don't want us to then go out and annex the property. I need to have conversation, probably on Thursday with the annexation people about where that is on their plan, in my part of the esp4. >> Um, I want to add that they do have a plan, as I understand it, within the contract for dealing with that eventuality, because some of the areas may be annexed, I don't know specifically for your area, but there was a way to account for the funding shifts that would be involved with that. >> Mayor Adler: Ok. Thank you. Next item was -- did anybody intend to pull item 11, which

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is the city manager task force? It wasn't pulled. So that is not something that will come up unless you think it needs to come up. That means people like your work. So thank you. The next item is number 15 - >> Houston: But if they're here, could we not hear from them, get an update. I mean they're here. >> Mayor Adler: We could. >> Houston: We're paying them anyway. >> Stephanie: -- >> Tovo: Not all of them. >> Mayor Adler: You want them to answer questions? You want a presentation? >> Houston: I would appreciate it, where we are, what's going on. >> Mayor Adler: Ms. Houston? >> Houston: Thank you all for being here today. Could you give us a very brief overview of the progress you've made so far? >> Good morning, can everyone hear me. Thank you, the most important progress we have made as search consultants -- can you hear me? I'm sorry. The most important progress that we have made is that the task force has been convened. Sitting to my left is the chair of the task force who will report back on this event. >> I'll just give you a quick update. The task force has met one time. It is an excellent task force. Thank you for your appointments. And I want to introduce Sandra Kirk, who is the vice chair of the task force, as you know. We have devised a work plan in response to the resolution to advise for the search. It has four major components, there is a copy in the backup. One is to collect electronic input from the community, for people that don't have time or inclination to come for a public hearing.

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We want to provide electronic opportunities. We're working with city staff on that. Steve can elaborate. Reaching into the city of Austin organization and determining what staff feels is necessary if the profile for the next city manager. Third component is public meetings. We'll do four citywide public meetings where we invite stakeholders to come share perspectives in what is needed in the next city manager. And the fourth component is that each task force member will work with your offices to conduct one in-district meeting. In total, 14 public opportunities and ways for people to weigh-in. >> Mayor Adler: Thank you very much. Do you have anything else while you're here that you think we need to know? >>

Think we're in good shape. >> Mayor Adler: Good. Looks that way. Thank you. Next item is item 15, parks and recreation. Troxclair, Flannigan pulled this. You'll start, troxclair. >> Troxclair: Hi. Thanks for being here. Can you remind me what -- I saw in the prior council action -- I haven't had a chance to look at it, but before I ask questions there, what was approved in January -- or on February 2, the council resolution, what did that say. Did it list specific -- >> At that time, councilmember, we received direction to bring back action items specifically by June 8 on the full breadth of items before you from the task force. What we have posted today for action is some of the tools in the toolbox that the task force felt the department needed on parking fines,

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illegal vending and adopting limits put forth by the task force. >> Troxclair: Are all of the task force recommendations being adopted or only certain things that staff agreed with? >> So the items before you councilmember are ones that required code changes or the task force felt needed to be codified. For example, for the limits for events, a number of those have been adopted through histories, some by policy. One of the limits was initially adopted in the holly master plan from the dais. It is putting those in transparency and creating a process to exceed those limits. >> Troxclair: I appreciate the work of the task force. I know that there are a lot of good recommendations in the report. The limiting the events to 24 days a year zookeeper and 17 days a year at festival beach, auditorium and Mathias shores. Does that impact any events we have now? Are we already at our limit on those days? Or -- >> That's a good question. The task force spent quite a bit of time evaluating the events we had. Of course, the initial direction from council was to see if there was a recommendation to remove, alter or relocate some of the events. After the task force studied the events, it was difficult to make a choice on which of the legacy events, if any, would move. What you have got includes future limes through attrition and all of the existing events are held harmless at this time. >> Troxclair: How many days -- how far are we from that limit, if 24 days at zookeeper, how many days are at zookeeper. >> We're at 29, the recommendation is 24 through attrition. >> Troxclair: What about those that are 17. >> At festival beach, 18 going

[9:22:54 AM]

to 17 and auditorium shores, we're at 20 going to 17, all through attrition. >> Troxclair: So I guess -- I guess that means that there is no -- ok. Ok. I was looking at some of the pictures that were included, I guess in the backup about illegal and unpermitted vending examples. If there are things going on that are already illegal or already unpermitted and we have evidence of it, why -- I guess why can't we just enforce the existing regulation? >> That's a good question. The current code is not clear enough. All of our enforcement powers, majority for parks are in our rules, which means administrative enforcement

only. Sometimes that can limit us from messaging and when needed, a ticketing perspective since it is park rules instead of city code. >> Troxclair: You are shaking or nodding your head. >> Yes, so this would essentially make it easier for the enforcement during a special event or during any other regular park day to go in and ticket and or tow through code instead of it being just a park rule. We frown upon you parking on the great lawn, but now you can be ticketed rather substantially. >> Troxclair: That is an existing rule that is not in code so you don't feel like you have the teeth to enforce it? Is that the issue? >> That's correct. Part of the task force recommendations included review of our existing tools in the toolbox. And one of the -- that had been clear to staff and task force agreed with, our code was not clear when it comes to use or illegal parking in the

[9:24:55 AM]

park. Right now, the existing ticket is \$30. Most will tell you I will jump the curb and go park there because it will cost my \$20 to park six blocks away. They'll tell that to officers that help us with enforcement. This would create a stronger tool during special events only, so we had messaging and tool to help with enforcement in the parks. >> Troxclair: I know there is efforts to also make sure people aren't -- people aren't allowed to park in the surrounding neighborhood. So what -- I mean, what are we doing to make sure there is ample parking in a convenient and appropriate location? >> Part of that change -- this is just the parkland component, where we realize the most damage when people park on green spaces or under trees. That presents a lot of damage to the park system. It is different if you are parking on a paved area. The second tool coming forward from the transportation department will be the discussion about event parking in the neighborhoods. But that also means that we're going to be working aggressively with organizers to make sure shuttle services and messaging are being utilized. We have a lot of expense that organizers pay to use shuttle systems. If they're not utilized that is a loss to the city and congestion and traffic. We'll work to implement those. >> Troxclair: I'll let councilmember Flannigan ask questions. >> Mayor Adler: I notice on the schedule, we had codenext 9 to 10. As soon as we finish this, we'll go to codenext and then come back to pulled items. >> Flannigan: Help me understand how it was decided to reduce and how much it was decided to reduce the numbers of days. Is there a cost calculation. Impact, data why 24 is better than -- 20 is better than 29. And 17 better than 20?

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Is there is a way to balance what there are. >> The largest achievement was creating something that the diverse members felt brought balance and not based on a loss or increase in rev view. It was -- revenue. It was the task force at large. Members from the community, representation from event organizers. It is

what the task force brought balance to the situation. We received consensus agreement on that. >> Flannigan: Ok. One of the concerns about the way the days are counted. The events are substantially different. When you look at zilker and acl is six days and trail of lights is 14. I mean, that is a substantially different type of event with different type of impact, with a different value to the community. If you just look at 29 to 24, from the community's perspective, I think you go ok, 24 seems like a lot. But 14 of those is trail of lights. It is also a different time of year and a different level of related impact to the community. I feel like it's a little bit too much of a blunt object these days limited when you're considering especially to zilker that 14 of those days is train of lights. I think it would react differently. Also on festival beach, some of the events are just open. I mean, I just went to the dragon boat races. People were still using the trails, still running through the park. It was only impacting one little section of it as opposed to the provide festival or veg fest, which is contained entirely behind the fence where the pavilion is. They're treated exactly the same in terms of number of days to the park, even though the impact and accessibility to the park is dramatically different for the way the events impact the parks themselves. I can appreciate the parking impact is relatively similar

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between the events. If we have not yet addressed the parking situation which is what I heard, I'm not comfortable limiting the days until I understand better how the parking is going to be addressed. The impact to the park is so dramatically different from event to event to event. The main one that jumps out is trail of lights because it is a large number of days for zilker, but substantially different value. Not to jump ahead to 15 or 16 too much. But in this case, we're limiting the number of special events. Item 16, it is only closed events that we're limiting. Now we're creating a situation where some parks will have events of any kind, open or free or not, accessible or limited, versus public square where we limit the closed events. Makes sense to limit the closed events, fenced off or you have to pay to get in. That makes sense to me. But I'm troubled by approving the number of days when I hear there are parts of this yet to be deliberated -- at least for us to deliberate. Am I saying that right about the parking? That's coming back to us. >> Correct, a number of tools in the toolbox. Some in parks, some in transportation. They're running parallel courses, some take more time. Obviously, the parking in the neighborhoods will take stakeholder involvement and additional meetings. Again, that is one of the tools we're asking for. This is a component that will bring us elements. To the number of limits and set in each park -- I may lean on the co-chairs over here. Part of the discussion was not on impact, it was a little bit about equity. What we have are three areas that have been predominantly historically used for all events in the parks for the city. It was starting from a perspective of everything is put in three locations, broaden our scope, bring forward recommendations about creating an interest and

[9:30:57 AM]

almost an economy in other areas to spread the love to events in other areas and get to underserved areas as well. >> Flannigan: I think we had that conversation about this earlier in the year. I was also not satisfied with the proposed list of additional venues. And I think the word "Equity" is a troubling one to use in that conversation when we talk about the most likely expansion of events bases all being in east Austin. Equity has a lot of different meanings here. I'm not in support of approving this until we know all the rules until we have it all laid out in front of us. I want to be sensitive to the neighborhoods that have continued and walkable access to the facilities, but at the same time, I don't see a lot of folks from the entire city leveraging these metro parks, which are citywide, benefit parks. Is the special events that provide value to other parts of town. There is a balance to be had. Until I see what the parking requirements are, I don't see how this solves any problem when the primary concern is the parking impact. >> Mayor Adler: Mr. Casar. >> Casar: This is a question I key off what Mr. Flannigan said. Y'all don't have any distinction in what we posted in the past between paid events and fenced off events and those that are open and free events or is there some? >> We defined events based on the area being used within a park. So like acl, the park is fully closed. The fence goes around the entire thing. Kite festival, no fence, wide open, it's an event day. Trail of lights, it is partially closed. We leave about 60% of the park open during 14 days.

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So that's kind of the way we went about it. Instead of going do you know the path of is this a for profit or nonprofit event, which is a harder thing to delineate, we went based on access to the park by the public and how much of that is taken away during an event. >> Casar: Help me more with this. How did you count kite festival versus acl, which seems to be -- you have to pay a decent chunk of money and the thing is closed off. The other one you don't pay anything and can walk anywhere you want, as long as you don't step on somebody's kite, which I have done. >> [Chuckling]. How we did it, acl, six event days and kite fest is one day. It is fully open. We didn't give consideration -- >> Casar: There is not extra consideration given that the park is indeed available and open, there is just lots of people with kites. >> Correct. >> Casar: I will think about that, but before I jump to any conclusion about what my thoughts are, help me understand -- I mean, there is a significant difference between those things, but drafting policy is complicated. You worked on this a long time. Help me understand what the tradeoffs were between thinking about an open and free event and not distinguishing that in the limitation compared to a paid and fenced off event? >> Each of the events -- I will keep using those two events. Each of them has a very different impact to the city. The kite festival is 88 years old. It is a historical event. It is, you know, we went -- we started down the path in this task force of do we try to separate what a cultural and historic event is, but we couldn't define it. It is hard to do. Acl has a very different benefit to the city.

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More of a financial and more of an economic impact, but also it's, you know, live music, cultural thing as well. You can see where the two intersect, and it is hard to say, this one gets considerations that this one doesn't. The difference between those two at the end of the day is a lot pays a ton of money to rent the park. They pay a per ticket fee to the parks department. They make donations to parks foundation and to the parks and recreation department. The kite festival and the nature of that, they donate money to communities and schools. And to Bobby Jenkins' family foundation. They have different goals, different purposes. But at the end of the day, they each use the same park. One closes the park, one doesn't close the park. I don't know if this is helpful at all. >> Casar: Right. What I was trying to ask is just about the last sentence. I understand it is very difficult to judge -- if there were certain bands I like, I want them to play all the time. If there were other bands I would never want them to play. Getting into subjective stuff is difficult. >> It is. >> Casar: What is historical, what is a legacy, all that stuff. Put that aside for a second. Was there discussion -- so you can accelerate me through the thinking process, what is an objective description, whether or not you can walk into something for free, whether you can access the park, those aren't subjective. Y'all chose not to differentiate between fenced events and nonfenced events and ticketed and nonticketed events. I'm asking your best reasoning for that. That seems like something you would have a conversation about and that is not subjective. >> Right.

[9:37:00 AM]

Um ... So access is something that we discussed. That's the difference between the fenced and nonfenced event, right? We -- in weighing the two, there is obviously a benefit to not fencing the park. Right, it is accessible to everybody, even if you don't want to go to kite festival to fly a kite, you can or pick up pecans or whatever it is. The only way that we use the metric that you're talking about was to apply it to the amount of days a park is actually closed. Does that make sense. >> Casar: But when -- are you counting the kite festival as the park being closed. >> No. >> Casar: Help me understand. >> It is an event day because by definition, a special event is a gathering of anybody more than a thousand people. >> Casar: When we go from 29 to 24. Are we going from 29 to 24 event days or closed days. >> Event days. >> Casar: When do you use closed day as opposed to event days in this. >> For more information. We put together a matrix that is done before and after an event to assess how an event operator functioned during the event. Almost a report card. One of the boxes to check on there was the park open, closed, partially open. Your weighted on that differently. At the end of the day, you want the best score you can. The kite festival, they're going to have a bit of a bump on their score because they're not closing the park. >> Casar: The scores help you keep your days. >> Help you keep your days, assessment to potential park damage. How it can be better year over

[9:39:00 AM]

yeefr. How the parks department can decide on a new event, perhaps and the impact it will have on the parkland itself. >> Casar: That is helpful. The place you came to -- David looked like he wanted to save you a couple of times during that. >> David? David looked like -- >> Casar: Where you came to, you wanted the ordinance tries to reduce the number of event days and event days are counted regardless if it is open, ticketed or not. You give extra grading weight to those that are free and open. >> Yes. >> I'm trying not to use up my one-minute time limit today. No, but I was going to mention the matrix, too. In terms of spreading the love, that was an issue in previous council meeting, a discussion about other parks and why they didn't have opportunities to have big events. That helped inform our task force in terms of what other opportunities might exist out there. So although we did recommend limits and to attrition, we did also provide alternative locations, not that that was an exhaustive list or only list, but something to move the ball forward in saying there are some potential other opportunities. They will require investments that other communities and the city would like to have in their parks. I think that was an important consideration. There is love, but there is downsides to having a large event in a park next to your neighborhood. Part of the recommendation is saying, here, go put the events in somebody else's neighborhood. We're seeing in a neighborhood in the city wants to do that, to have other opportunities, then here are some things you might want to consider in going through the process. Part of the consideration is that there would be a robust

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public process for those neighborhoods surrounding the potential park. In terms of what kind of events, the number of event days, the same things we're talking about here how are you addressing parking and access? Part of what we also heard is that the so-called good days were that it is not too hot to be in the park, they're taken up by event days. Regular park users that might want to use that park may be crowded out. We heard that as well. We heard a lot of different input. We weighed all that together. The park is a metropolitan park, but also a park for regular users that want to go down there and throw the Frisbee on the great lawn. If it is booked up through most of the good days, cool days, the days you want to be there and not burning up, we had to consider that, too, in terms of how we might want to adjust the number of event days and when those event days might be, you know, more balanced. >> Mayor Adler: Ok. I will pause us here. I will apologize when we laid out the schedule in codenext, I had not seen. There was a time when we committed to the community that we would talk codenext, 9:00 to 10:30 there are people that tuned in to see that. I apologize to them and to you. We should have reversed the order. I will ask you to stand by. There are a lots more councilmembers that want to discuss this. I ask the code next team to come forward. >> Tovo: Mayor, if now is a good time, I did post this online, the draft schedule. And why don't I go ahead and distribute it. >> Mayor Adler: That would be good. I copied that from your posting and handed that out as well. >> Tovo: Ok. Thanks. I got here a



few minutes late. I brought copies. >> Mayor Adler: The only difference is I put into the calendar the 20th and 21st, the yield or density bonus conversation so it was actually on the page. I understand that comes out in

[9:43:07 AM]

the middle of the month. That is the topic that is most important to me to make sure we discuss. >> Tovo: It certainly sounds good to schedule it. On the 21st, I think we will be hard-pressed to get through all of that content. Maybe we could allocate more time in the work session or something along those lines. >> Mayor Adler: We may very well. If we have too much stuff, we have to pick which one is most important. Of those things, I would vote the highest controversy. We can move it around as well. >> Tovo: I have to say as an area -- >> Mayor Adler: They're all important. >> Tovo: Looking at my district, what I'm hearing by the hundredfold almost, from every area of my district is grave concerns and grave questions about ways that the mro posed maps -- proposed maps would override the plans. I will really strenuously advocate for having a discussion. The same is true in looking at districts 1, 2 and other districts, though I'm most familiar with mine and not as familiar as I need to be with my own district. As I look at other people's districts, the same is true in your areas as well. We have to, for the community's sake have a conversation about when there were choices and decisions proposed that would override standing neighborhood plans and what the rationale is and if that is a policy to support. >> Mayor Adler: I probably misspoke. I don't know that any is more important than the other, we need to figure out how to daylight all the topics. We also have August. We can certainly extend the number of hours to take

[9:45:08 AM]

advantage of having the consultants be able to address those issues. I put it on there because it was important enough that I didn't want it to fall offer or be crowded out and to force us into the exercise of finding more time, if we need more time in order to discuss all of the things that I think are real important to discuss. >> Tovo: We certainly need to understand the affordable housing piece. Again, I think we really need to find -- I think we may be you and I can look and see where we can carve out additional time. I do think -- it is important -- I mean, there were a lot of different conversations we could have had. I tried to kind of triage the ones I thought would be of most benefit to the staff and consultants as they went off and started revising. You know, for me again, the neighborhood plan question is just one I'm hearing from every part of my district and some of y'all's districts as well. >> Mayor Adler: I'm hearing that in districts all over the city as well. Ok? Let's go ahead and begin the conversation today. The issues that we had set for time lines, correction process, forge atting of the -- formatting of the next draft code and public process and communications. Do you want to hit the time

line at a high level? Did you have a handout? I want to get through this point as quickly as we can, but the question associated with this is can you give us context for what it is that is happening between now and April? In the larger process. We also hear about smaller

[9:47:10 AM]

plans, we hear about corridors not in the plan. We hear about activity centers that are not part of this plan and nodes. There is also questions about if we were to adopt something in April, when does it become effective. So at a high level, would you take us through time line? >> Mayor and council, Greg urnsy, planning. It is a high level of what would happen if the code was adopted next year. April of next year, November of next year. There would be an effective date of the ordinance. The ordinance probably wouldn't become effective on the day you adopt or 10 days after. There are things staff needs to do on our end before that happens. One is to make sure, although we might be working on this before the date, that we dew point update our computer systems to accept the application. There are changes proposed in the code. There need to be changes in the software programming that would allow the applications to be submitted. We have something called technical criteria manuals. These are manuals that have specifications, they also have procedures that we would follow that affect the code, and basically, they speak to how the code is implemented. These be may be anything from a typical fire hydrant, sidewalk profile, procedures of putting in erosion controls. There are other manuals that deal with transportation issues, utilities, as I mentioned, there is also a discussion right now of having an administrative manual that would actually be new to address some of the issues that are in codenext. So the idea is that once the code is adopted, we would be pretty far down the road, I think, with the criterion

[9:49:13 AM]

manuals that we really only need to insert the section numbers to match the code and most of the larger issues council would be discussing after first reading would be incorporated in the discussions with the different departments. There is a piece on training. Training not just for staff, but also training the community. So they become more familiar with the code. We are in partnership with Travis county, under state law, there is a code that we jointly share which Travis county called title 30 deals with subdivision regulations. We have to finish our regulations before we can really approach them of changing their regulations to match. Right now, we're working on the north shoal creek plan. This time next year it will be in the rose Dale plan. The last four or five directors was given direction to initiate the neighbor planning process in the '90s. We would start a new planning process using a small plan tool, and that would be looking at different parts of the city. I have staff right now, that are coming up with

some criteria for what that would look like, we would share that with the commission and council. I think councilmember kitchen, although she's not here, she asked to be briefed on that later this year. We would be prepared to do that. But the idea is that we would go and move forward with that. Between doesn't 2018 and 2019, we continue training, do an assessment of the code. If there are things we did not see, clarifications, corrections we would probably bring those forward. Those would actually be placed in the code. And we would probably initiate two small area plans that would be in different parts of the city. It could be corridor plans, centers that were already in imagine Austin.

[9:51:15 AM]

I will have a team that I will have since rose Dale will be done and another team that I will have currently assisting on codenext. I will utilize those staff to move forward. This is a high-level, welcome your comments on this. This is kind of a post-codenext adoption date of what we would be doing. >> Mayor Adler: Ok. Any questions on this? Council? Can you post this into a backup? >> Yes, I can. I will make sure you get a copy to the clerk. >> Mayor Adler: Councilmember alter. >> Alter: There is quit a bit -- quite a bit of confusion with the code next and others that see their neighborhood changed in terms of the zoning right before their eyes as they're being asked to do a neighborhood plan. There is a lot of confusion over the value of that process which has been a process, that as a neighborhood has watched happen in other the neighborhoods and now all the plans are upended. Asking them to put in time to do a neighborhood plan at the same time asked to review and comment codenext is problematic. I don't know what the right answer is, but I want to flag that that direction has problems within the context of the larger process. And it has been something that that neighborhood has resisted for a long time and there are questions about the value of that process, given the broader context and how much change is being proposed in codenext for better or worse for that neighborhood, without them having a say at the same time is a very confusing set of messages that we are communicating to that neighborhood. And you know, maybe councilmember pool and I will work with you, that neighborhood straddles us.

[9:53:16 AM]

I want to flag that there are some problems in the way that we are approaching that and thinking about that with respect to that plan, which is separate from codenext but part of that we're discussing. >> Mayor Adler: It seems to be priorities. It seems like the first place you might want to do the plans is some of the corridors covered by the 2016 mobility bond. [Indiscernible] North Lamar, and Burnett lack one. It might be a little to have on that now, but some point in the future conversations to put it where it is strategically going next. Ms. Pool, Ms. Houston. >> Pool: I have been spending time offline trying to figure out how to manage the enormity of this assignment. I think we actually have some

answers right in front of us. That is that we always talked about placing density on corridors and retaining the character of our neighborhoods. So what I would like to suggest is we find a way to shift our focus on what do the corridors look like, which is what I think the mayor is saying. And then I would like to see -- it may be on our list of topics, but we have to start talking about the uses that are assigned to the various different zoning categories. And that's where a lot of the concern is being raised. Because it looks like commercial operations can happen inside of a neighborhood, our policy at the city is not to allow that to happen, with some small exceptions like home offices. But when you look at the list of uses, it is very long. And so I'd like to see us have

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a conversation about the uses. Particularly within the neighborhoods. I think that we can address many of the concerns that people are bringing to us simply by doing that. Maybe have a more direct one-to-one change. If it is sf3, and it becomes t-whatever, with the uses pared down, and keeping in mind we're talking about neighborhoods which we promised everybody we would retain their character and protect. If we look at the changes to the corridors -- and we have a lot of corridors -- and do a more simple translation of the only single-family family zoning nomenclature to the newer transit nomenclature, I think we can lift a really heavy burden that's on us currently. What is happening is we're going parcel by parcel by parcel, dissecting them, finding out what is wrong with them and dissecting them one by one by one. I don't think that is what is intended to do. Finally, on this, this must be done from border to border throughout the entire city. I know we have the small area plans as part of the time line, but we need also to be talking to our residents that everyone is sharing in this effort. There aren't any parts of the city that will be left out. >> Mayor Adler: Ms. Houston. >> Houston: Thank you. Can you explain to me the effective date of the ordinance. I heard you say after adoption it would be 90 to 180 days. During that time, what would we be using? The whole code? >> The existing code is in effect until the effective date of the new code. Staff is not suggestsan overlap of the -- suggesting an overlap of the new code.

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We would be using new code at some point after adoption. The suggest is 90 to 180 days, to allow the manuals to be updated. There is a process they go through to take a minimum of 180 days to complete. There was old code and new code. It wouldn't be within like 10 days, it is somewhere like 90 to 180 days out. >> Houston: So in some of the areas where there are increased entitlements under the old code and under the new code, I doubt that, but that is a possibility. A developer could come in and give you his site plan, preliminary site plan under the old code and we would honor that when we're 180 days

out? >> We probably need to talk with the law department when the last set of new codes came in effect in the '80s. We pretty much honored the applications as they were filed. They stayed under the old code. The project person going through a process. And get the old code, and get the building permit and come back and realize we have to revise the plans under the new code. We would work on the language, work with law department and have a recommendation for you on that. That would be part of the ordinance as well. >> Houston: Ok, thank you. >> Mayor Adler: Anything else about this? Mayor pro tem. >> Tovo: I have questions about a different element of the time line. I wrote them down because I thought I have to leave. I have a little more time. I have gotten a lot of questions about the time -- well, let me hop to it. The comment function for the online code draft. Will that actually be shutoff after Thursday or will people still have the opportunity to use the online comment for the

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draft code beyond Thursday. >> It will not be shutoff. They can continue to use it. >> Tovo: We need to communicate that out. I have gotten a few e-mails this morning, saying, you know, to that effect, telling neighborhood associations or other community organizations you only have until Thursday to support it through the online draft. I don't know if there is language on the site itself that needs to be altered or we just need to communicate >> Alter: can I clarify on that, is that the function is still available but it's my understanding that procedurally, the -- what was communicated was that your comments that came in after that would not necessarily be incorporated into the first draft -- or the next draft. >> That's correct. We're collecting comments. We've been collecting them, I guess, since it's been out last January. But the comments that we have are being collected, shared with staff, and the consultants to prepare the commission draft. We would still receive comments after that and for the deals with affordability, since that's the 16th, June 16th, we've extended time for comments to July 14th to receive comments on the affordability piece. So there's still time to provide comments on that. I think if there's some glaring error that we see along the way, we would probably present that to the commission and staff would acknowledge that and present that to the commission and the council as well. So we're not going to dismiss those comments, but we need to at some point gather all the comments up, take a look at all of them and then create that commission draft. >> Mayor Adler: Okay. >> Also, the last week, too, after we had a discussion with council, we did take the chapter with the most

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comments, which is the zoning chapter, and we put it in a smaller file. So people, if you had an older browser, older computer that you could download that more easily and then provide comments on that, so that has been available since last week as well. >> Mayor Adler: My understanding, you've also

changed the functionality. It's about to go live so people can see not only the questions but the answers. >> Yes. That's on the council tool. >> Tovo: And that is now live. It's -- we're talking about the council q&a? Yeah, there's a little brown box on the codenext site. It doesn't have answers yes, but it has the questions that were submitted. I have a whole lot more. I'm never at my computer and haven't had an opportunity to submit them. I'm going to highlight one of the questions because been asked many times, including at the session on Saturday where we had, I think, 300 people and people -- almost all of them submitted comments or questions. But the question that keeps coming up again and again is, who is evaluating the comments that are coming in? And what is the process? Have you set up a team? If so, who is on that team? Is it an interdisciplinary team at the city of Austin, is it codenext staff, is it codenext staff and consultants? So who is on that group who is evaluating the comments and making decisions about which get passed on to the consultants? >> So it's a combination of the consultants and city staff and it wouldn't be just city staff from planning and zoning, it would include staff from transportation, development services, utilities, fire, the housing department. Because the comments that we're receiving on the code actually affect many different departments, and so we would be asking for their input from all these departments to consolidate and then staff would present

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the commissions -- their draft and that will be the staff recommendation, and then that information would eventually get to city council. >> Tovo: Great. So through the q&a, I assume that you'll let us know exactly which departments are going to be included in that? I would strongly urge historic preservation be one of them on there. You didn't mention watershed but I assume they're part of it as well. I think it would be useful for our city demographer to weigh in, especially in looking at the comments as well. Okay. So one more about time line, I think. You know, the -- I guess the very big question that all of us are hearing -- and I know we're all getting lots of email about -- is the fact that this is a big document, it's complicated, paradigm shift for most areas of our city moving from our current code to a form-based code, almost everybody I've spoken to, even architects and engineers and others who are really familiar and speak this language are struggling to understand it and to really be able to measure the impact of it. And, you know, I've been listening. I listen to the joint subcommittee last week of the zoning and platting/planning commission and I guess also the boa or maybe it was just the planning commission and I think several of those commissions have sent us letters to this effect but the overwhelming message is they're all still reviewing it, trying to understand it and trying to measure the impact and they need more time and we're certainly all hearing that from community organizations too. So I guess I just need to air that question here. Does it really make sense, while we have all of these parties who are still deeply involved in trying to review what we've got down here, knowing that they've also

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submitted questions -- I heard yesterday that somebody in my district tried to sign up for a meeting. The meetings for district 9, the one on one meetings with staff for district 9 are full through November 30. So we've got a situation where people are trying to get information, trying to review the information, asking questions. I completely understand why some of them haven't gotten answers yet because it's the same core people on your planning staff attending tons of meetings. You're here, you're in the community doing meetings. I understand you don't have time to respond to all that, but while we have people who are still actively involved in trying to understand so that they can get to a point of providing useful comments, does it really make sense to hand this draft over for the revision now to the consultants? I would strongly urge that we consider a time line that is more sensible and extend the comment period. For the draft code. As a former editor, I know when people are still reviewing and offering suggestions for revision, it doesn't make sense to start editing. You've got to allow that review process to really happen in a full way or we're going to go back and have to repeat it after the next iteration. That's my concern. >> Mayor Adler: So my sense is, to respond to that, is, one, I think that I'm not going to approve and I don't think anyone on this dais is going to approve a code that's not ready to be -- to be adopted. That said, this is a process that's been going on for four years now, three years. It's costs many millions of dollars, and I like the fact that it is now totally engage the community and the process is moving forward. I think this could take, however, much time as we

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want to give to it. I think that people are learning more and understanding better, and I don't think that now is the time to move off of the schedule that we have. I'm comfortable with an iterative process that takes the comments that's been achieved at this point and to be able to issue new code and new maps because I think it will respond to some of the recurrent questions that people here, recognizing that there will be multiple iterations of those. We've had, you know, a thousand people send in several thousand issues at this point and I think that it would be really helpful for the community to have those responded to so that they can see those answers. I think we are real -- I think that there are a lot of people in this community that are truly rolling up their sleeves and are working on this, that are raising really good questions and really good concerns. And I think that the consultants and the staff have the opportunity to be able to respond to those in this iterative process we have set up. And I think that the time line that we've established is keeping everyone focused and motivated, and I think that it's -- with the comments that have been received we have a chance to have now an advanced version of this and I'm anxious to get that next advanced version of this so that people can begin to respond and to work with that as well. I think a lot of the angst in the community -- and there is a lot of angst in the community on this --

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deals with some things that seem almost objective in nature, in that I think that the sessions that we've agreed to set on -- work sessions like this and on Wednesdays, when we actually start talking about, is there really a difference between [indiscernible] And t3 because I know there is a lot of angst in the community about that and I think having an open discussion about that may either point to that's a significant problem we can't move past or assuage the concerns that we have. I'd like the process to run at this point in order to see which one of those is it that that happens. So for me, I think it's important that we try to stay where we are, recognizing at the end of this process, the end of this time frame, I will be voting -- I won't be voting for and I don't think my colleagues will be voting for a code that's not ready. >> Renteria: Thank you, mayor. I agree with you. I think it's time that we go to the next step, you know, even going through that big manual there is a lot of unanswered questions to be coming and I think the longer we stay working on there we're going to get further behind. I really want to see the revision part of it. I'm ready for it so that I can go and take that to my neighborhood, my community, and ask them what they think about the revision on it. You know, we have so many questions that are coming in, and there's no way that we can give them that answer because we haven't seen it, you know? When it comes to affordable housing. I've gone and looked at the page there, the density part of it, so we need to have that information to come back with what the recommendation is gonna be

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so we can start looking at it and really start making final -- these decisions. >> Mayor Adler: Okay. Ms. Houston. >> Houston: And, mayor, I wish there was a way that we could do -- have some kind of flexibility in this. You say that you've been working on this for four years and, yes, we have. We have been working on this for four years. Staff has been working on this for four years. But the community has just been working on it since January. And so you have some expectations for different parts of a community of that different expertise, different educational levels, different understandings and that's not even a part -- that's part of what makes Austin different, is that every part of the city doesn't have architects and developers and land development people and attorneys. They don't. We have to import people from other parts of the area to help some parts of the district understand what's going on and how to review what's being presented, the mapping. So the inflexibility of this is what is making my head hurt because I'm getting calls from people who are just now beginning to get engaged and, again, don't have the same kinds of expertise as other parts of the city and so I'm asking those people, can you do this next week? Can you go and work with this neighborhood? Because it is a very complex proposition that you're asking laypeople to understand in a very short period of time and this is going to affect their quality of life for the rest of their lives and for generations to come and I think we need to be flexible. I don't think we need to have a hard stop. I understand what you're saying, but that's for a group of people who have been working on this. When I hear our commissioners saying they need more



time and they understand what's going on, to me that's a signal that the folks -- some of the folks that I talk to don't

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understand and are gonna need more time. I don't know what that amount of time is. I don't want to belabor it forever because then people get tired of doing it and then they drop off but there's got to be some flexibility for people who have different learning styles, different understanding styles and different access to expertise. >> Mayor Adler: Councilmember alter. >> Alter: I, too, am concerned our councilmember Garza are saying they -- commissioners need more time and I'm also concerned about the heavy lift we're asking of our citizens on their own. Something occurred to me, I haven't vetted this but I'll throw it out there because I wonder if it will be a halfway point that will make people more comfortable, as it's laid out, when I have my codenext meetings we have version 1.0 we're look at now and what goes to the commission is version two and there's version three that comes back to council. What if we add another version and say we're gonna have a version two that goes to the commissions based on the feedback we have right now and then they're commenting on that. Then another draft after we have their comments goes to them again before it comes to us. My worry is that we're not ready to go to planning and then to us without another step in there. And so I don't know if that would be something that would allow people to feel like there was gonna be more time in the process but also allow the process to move forward. Because I think part of the problem is many of us who have been engaging as far as we're going to get with this code until the corrections are mail fraud, until the stuff that we already know about with this code is updated based on the knowledge that we have gained and because people have been engaged we have so much knowledge that if we added that other version -- I mean, this is our own deadlines, our own, you know, process here. We could change that. And I think that would

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respect the work that the consultants and staff have done, allow them to keep to certain timetables and rhythms that they have but give us that extra draft in there that would allow the community to feel like - less like this is coming down on a train track that they can't get on to that train and engage in. >> Tovo: Mayor? >> Mayor Adler: Mayor pro tem. >> Tovo: I think that really would get to the heart of the issue. So I think that's a very good suggestion. I mean, a lot of anxiety is that there will be one big rewrite this summer before it goes to planning and commission and while there may be more changes those will have to happen between planning and council and it seems to me that there really are -- there really does need to be at least one more draft in between or one more draft process of submitting comments.

And I have a quick question that just got texted to me by one of the cag members. You know, just as an example, there's a list in here of the tracking matrix of trainings that have carried over. I received a couple page paper identifying things that didn't carry over, that were changed. You've got community members trying to triage their focus, and not so much look at the areas that were identified as carrying over but there were some gaps on that tracking matrix you know what I'm saying? So there were some changes that have been -- there are some wording changes and some other things in sections that are marked as just carrying over. So, you know, there are -- I guess I offer that example just to say that we will find more things that people want to comment for, but they are kind of focusing, because of the tight time line they're focusing their attention in certain ways but do I think that would address it. I'm completely comfortable with this deadline as long as I know we're going to have some more time. Our planning commission and our zap and our boa are some

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of our best experts in land use here in the city of Austin and I want them to have an opportunity to review the revised draft and perhaps through that process have some additional questions, additional comments from the community and then another iteration. The cag apparently was not able to meet there -- this is the question, their -- to meet on may 24 because of a posting error and so apparently they were only able to get through about half of their issues last night. & Have set another meeting for the 14th. They have asked for a deadline extension to submit their comments and haven't heard back yet. This is just an opportunity to ask if our citizens advisory group for the codenext could have a one-week extension. I feel like one of my former students, the dog ate their homework. [ Laughter ] >> After the little storm last night, they started late, went a little late and they did ask more time. I don't know the date they're asking to come back because they were running out of time. They were talking about a couple different dates. It's something I probably need to talk with the consultants and see how that affects the deadline but there probably might be a way we can get those comments in because it's just the cag and they were -- I think they had 26 issues that they were pulling and they're halfway through their -- list so there's only an additional 11 or 12 items they have left so there's probably a way we could accommodate that. >> Mayor Adler: I would hope so, asking for an additional week, I would hope we'd be able to accommodate that. >> Yeah. >> Mayor Adler: And it's our schedule so I think that, you know, when we get to that place when we have a draft back and the boards and commissions are taking a look at it I think certainly that's something we could take a look at then, explore what that does overall to the time frame we have, but I for one would not be ready to be doing that now because

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I don't know whether or not that's going to be something that as this evolves it's going to be something that we need to do. Ms. Pool. >> Pool: Do we get -- do we have the schedule for the dates for the meetings in the fall when it will go to planning commission? >> The draft we anticipate would come out the third week in August. In September, probably sometime after labor day, we would start going to the zoning platting commission and the planning commission and that we had in the schedule. We've had for a while now projected that they would finish their work by the end of October. I think the last Tuesday is Halloween, and then they could have a joint meeting on that date and they could take their action seated together, separate before those dates. We'd spend the month of November basically getting that information together, prepare for council, and then we anticipate coming to council right now tentatively is December 7. If there was a desire to create another draft, I guess based on the commission's action, I would probably have to add to the contract because I'm not -- right now in my proposed budget I'm not scheduled to go through another drafting of another code draft and it would probably take some time to gather the additional set of comments if it's the idea we're going to take an additional public comment. If it's limited to the commission comment that would be less, but we were handling it in a manner similar that we have other code amendments or zoning cases where we'd present to commission the case, we would take their recommendation, staff recommendation, present that to council. So it would take I think a little bit more time certainly to create that additional draft, if that's what the council desires. >> Mayor Adler: Okay, council, we -- go ahead.

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>> Pool: First, the draft was essentially written by our staff. Is that right? >> Yes. It's written by the consultant and staff. The consultant wrote various chapters. Staff -- like the environmental piece, our watershed department drafted most of that language. And then both staff and the consultant author order other chapters. >> Pool: Depending on which pieces are further along than others it may be that -- I'm just going to whether there needs to be any extension of the contract. We don't yet know that, that that would be necessary or even what that would look like. >> That's right. I'm making my recommendation to city manager based on a tentative schedule which I've scheduled all the way out until next year, the adoption of the code. After talking to the consultants, we talked about the time line that I presented last year that envisioned the three drafts, the draft that came out in January, the commission draft, and then we called the adoption draft, which would be one that would be prepared after council acts on first reading, possibly after second reading but that would be the final version that would be adopted. >> Pool: The one commission you haven't mentioned is the environmental commission, and we have talked about adding them, a presentation to them so they can have a look at the green infrastructure and any of the areas, especially flooding, he have a flooding subcommittee. So if we need to do a resolution to add the environmental commission, we would be happy to do that -- >> We can go back. We've presented already to the environmental on commission. I was there with Aaron wood. >> Pool: I'm talking about in the fall when we go to our land use commission. >> If there's a desire to go back to several commissions, that would just take more time and if we're incorporating their

recommendations, then it would need to go back to the commission to get the benefit of what the environmental board said. So ideally we would want to

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go back to the environmental we might want to do that before we go to the planning commission and zap. So we could probably do that this summer if -- if the environmental board really wants to have some more questions or if they want to comment on the action taken by the planning commission and zap, then we'd be going to the environmental board and then back to planning commission and zap, if council wanted to hear the commission's consideration of the environmental board's recommendations. >> Pool: And I think they, do and I think we do. Mayor, maybe this is something that we can take up offline, try to work this time line a little bit more because pushing -- you know, trying to interject the environmental commission before the land use commission's reviews probably isn't the most effective use that have review so rather than make any abrupt decisions about that right now, I'd like to think about it. But we do need to add the environmental board to the reviews. >> Mayor Adler: And I hope, too, they're engaging now. >> Pool: Oh, they are. >> Mayor Adler: On this. Good. Let's go -- before we lose people here at 10:30, can you touch base on the issue of the corrections process? I mean, the corrections process -- or the public process and communications. >> Tovo: You had specific questions about the corrections that were on the website. I'm forgetting kind of what they were but they were more -- >> Mayor Adler: I didn't have any on the corrections process. >> Tovo: Oh, I thought did you. >> Mayor Adler: I had some on the formatting and codenext process. >> Tovo: Formatting. >> Mayor Adler: Which I think we've already addressed. So -- >> Tovo: Councilmember Houston, if I could, councilmember Houston had said something, and I translated that into corrections process. I think the question -- I'm trying to remember what it was. A couple sessions ago, I -- as I remember it, it had to

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do with the items that were being identified and addressed on the website and how people -- how you were communicating with the public about those issues. Councilmember Houston, am I even getting close? >> Houston: I have no clue. >> Tovo: And how -- and how will the staff are deciding what to immediately jump in -- I'm starting to now remember as I'm talking about it, how staff are identifying the issues where they would immediately jump in and fix versus things that would be pending? >> So right now, on the website, we have two tools that citizens can look at that might help them get additional information on codenext. One is on the -- basically those corrections. I think we talked about being the top five but we've created that, that you can go and look of things that we already identified as being incorrect. I think it has on there that, for instance, the mcmansion regulations it, said the lesser

of .4 or 2300 and is really is the greater of those two. So that's one I know that's on there. We're going to update and provide some more additional information on that. I think we're kind of waiting to see what the comments are but they're based collectively on the most questions we've been receiving on the code. Then there's the faq. So we have a question and answer under faq in codenext and that's being added to as we move along so hopefully that's addressing some of the questions that come in that people have that they either cannot find something or they just have a question about it. So those are tools that we are using. Then certainly the council q&a one, I think we're looking forward having that also to help the public as well. >> Mayor Adler: Okay. With respect to the -- go ahead. >> Tovo: Sorry, I was trying to capture what I remembered of that question but I have my own, a question submitted

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on Saturday. How long in the next drafts of either the maps or the code, how long you indicate edits? I know on the maps you're doing the green bars, but what is your intention for the next draft of the code? Will it be a red lined draft of this one? >> I think what we'll end up doing is going section by section saying and saying did this section change? Why did it change? And this is what it is. So people will be able to see line by line the code. If a section has changed. But not only see what the language may have changed but why it was changed. >> Tovo: So it will be a red-lined draft but annotated with the rationale? >> We wouldn't be providing a red line because I think we'll have a lot of red lines throughout the whole thing. It will be a document that goes through each saying saying this was updated, what was changed, why it was changed. >> Tovo: Can you make the red line available? For people who have gone through 2,000 pages I think they're really going to want to see what is -- presumably you'll have a red line so -- >> Let me speak with our consultants and then I'll come back and -- when I talk to tomorrow we can talk about that. >> Tovo: Sure. I may be the only reader who wants the red-lined version but I bet there are others in our community who are going to want to know rather than sort of sit down to it ayou? Start with a whole new draft reading through, I think -- my guess is we're gonna have a lot of people who would rather see where it's changed in the text just to save themselves some time in the review. >> Mayor Adler: Okay. At a really high level if you could speak to the formatting question. I understand that you said that if you get just a little bit more time you could come back with an example or something that we could see. So I'm going to hold off on the conversation about the formatting but at a really high level can you just speak to that issue? >> I think at a high level,

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in our discussions with the planning commission and the zoning and platting commission, there was a desire to have both the two different zoning tools that we're providing, the non-transect Zones and transect Zones, have the information presented in a more uniform manner so the formatting sees when one is looking at the t3 neighborhood zone is more similar to the way that one sees the lm-dr zone being presented. So we had a chance to present some formatting options to planning and zoning in terms of what that might look like and we are going to take a little bit more time and refine it and get you all a draft to see so you can see what that would look like. The hope there is to have a user whether they're a non-transect zone or transect zone be presented the same information in the same manner so we'll be working on consistency of language and consistency in which the information is presented. >> Mayor Adler: Okay. Thanks. Your light is on. Did you want to say something? Okay. Councilmember alter. >> Alter: Yeah. I want to go back to the process. We've done several meetings meetings in my district, heard from a lot of people and also from the commissioners and, again, I think there is an angst that's there because of this lack of the interim step that if we simply added that other step of this other version there would be a lot more confidence in the process and a lot more confidence in the outcome, and given that we do not have our affordability preparation -- prescription, which for many of us given the answers we got the last time we had this discussion that said two wildly different things. On one hand we heard that the density bonus was gonna be on top of what was proposed in the transsecretaries and on the other hand we heard you would only get the limit -- the limit in the transect includes the density bonus

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and those are two wildly different things in terms of what they mean for what this code means. If you come to the community and say you're going to add this density and there's gonna be all these ways it's affordable, the community is open to that density. But when you come in and say you're gonna have the density and just adding 500, \$800,000 houses, there's a lot more resistance to what that means. Since we don't have the affordability prescription yet, we are then gonna do another draft without that affordability prescription and that interface has to happen at some point. And I understand we need to keep moving, I understand the consultants and staff is ready to make their next draft but without that, without that knowledge, feeding into the next draft without another step that the planning commission can look at, I don't know how we get a draft that doesn't come to council that is not subject to all shorts of shenanigans. The goal here and I think the consultants and staff and community shares, it is to have a simpler, clearer code that allows us to grow as we need to grow to accommodate our population. And if the next draft is so clear and perfect, then we'll have to make very minor changes for our next draft and there will be no big issue. If it's not, though, then we have an opportunity for these commissions to look at it and help us to refine it. I'm worried about them spending any more time on this draft which we can see needs refinement and that was the purpose of the process but let's let the process go and add this other time period so we can have more confidence in where we're going and where we end up and so we can truly feel like at the end of the day when we're voting that we're voting

on something that really solves the problem that exists and not one that we made up. >> Mayor Adler: Ms. Pool. >> Pool: I just wanted to refer to everybody's reading, the environmental

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commission had passed a unanimous motion on may 17 requesting that that commission be included in the review of -- in the presentation and the review for codenext and it was also supported by the staff who staffed the environmental commission. So if we need to have something in the form of a resolution from the council to have that included, then I'd be happy to lead on that, but I don't really think we need to do anything formal. We have a formal request from the environmental commission. I can read it if you want. >> Mayor Adler: No no. I'm just looking because I want the environmental commission, I want all the commissions to take a look at this and I think we all do. Ultimately it's the sovereign boards that this kind of ordinance goes to to come to us. So in the formal process that's what happens. But there are lots of really important considerations that we need the environmental board to weigh in, as we do many other boards and commissions. And I hope that they do, and let's take a look at the calendar to make sure that they have that opportunity, not just them, but there are multiple boards that have different elements that different people prioritize in different ways that all need to weigh into this process. >> Pool: So I think what I'm seeking here today is just some certainty, given the formal request that came a month ago and on the fact that, you know, it is conceivable that every single one of our 60-odd boards may want to weigh in at some level, there are half a dozen or fewer that really need to be specifically included, and I'd just like to get some certainty so that our staff can then prepare for that rather than kind of leaving it sort of unsure. >> Mayor Adler: I'd be happy to work with you and with them to see if there's

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something we can propose to the council to take a look at. >> Pool: That sounds great. Let's do that. >> Mayor Adler: Okay. Any further discussions on the codenext items that have been identified for today? Mr. Casar. >> Casar: I turned on my mic before you said the last couple of words. Not for today. I miss a chance to hop in when we were talking about schedule. For next week, where the resolution is -- I believe next week where it's slated to discuss one of the couple of resolutions on affordable -- on affordability and preservation of housing, that was the one that was recently sponsored by the mayor pro tem, we had a resolution that we passed I think in December of '15 if my memory serves me right about affordability analysis for the different new housing types and how that -- how that can help further or hinder affordability and fair housing. And so I just wanted to pop up on the message board and flag for folks that that -- that I've been asking for staff to give us an update on that resolution as

well. I think those are the two resolutions that we've passed that have most directly spoken to codenext in the last couple of years and so if it's not for that week, I would like it soon but since that's -- we already have a -- since it's somewhat related resolution and it's speaking to a council directive, I thought that might be a good place for it to fit so I just wanted to flag that. >> Mayor Adler: Mayor pro tem. >> Tovo: Well, I wanted to -- I have one more thing on public processes and communications. I have -- first of all, I want to say I think, you know, especially since it's the same core group of people attending the meetings and responding to questions and responding to council questions, I just wanted to commend you. I think you're doing a really admirable job under a very, very challenging schedule. So thank you for all the work that you're doing to be responsive. I do -- I will need some kind of answers to provide to my constituents who are trying to sign up for meetings and see that the only available time is

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beyond November 30, which clearly is kind of late in the time frame to be useful. >> Mayor pro tem, I think we are planning to do additional office hours, but we'll probably be -- after we kind of go through and finishing our district meetings, we'll probably be more available to do some of the constituent groups and get more out in the community itself. So on a smaller group basis. >> Tovo: Okay. I think that's good to know but on the one on one, which is useful to people, again, district 9 is capped out until November 30, according to the email I got yesterday. Public processes and communications, I also wanted to take a bit about one of the things that people came up and talked about on Saturday -- and, again, just talking with people from multiple different districts, I see a need for kind of a one or 2-pager really outlining some of the changes from existing zoning to what is proposed. There is still confusion about Im-dr, t3, t4. I know we're going to as a council talk about that, but people are reporting back that they're asking about that even in the one on one sessions and hearing t3 is just like sf-3 and that's really just not accurate. I mean, it may be the most similar category, Im-dr maybe the most similar category but people will experience changes and I think we need to be really clear about what those are. So, you know, my office may try to pull together something just to provide, but it would be probably better if it came from the staff. I think what people need to understand throughout our entire city is the way the unit count will change on every tract because it's my understanding every residential tract will be able to accommodate an Adu under the proposal and idea we should clarify that. Almost Im-drs will be able to accommodate three units, some of those tracts can now only accommodate one or two.

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So, again, that's a shift and it may be a great shift for our city to take but people need to understand that it is a change from what you're used to. The parking reductions throughout the city -- again, I just feel a



need for some kind of chart that says here's what's currently allowed in sf-2, here's what's allowed in sf-3 with regard to unit count, with regard to lot size, with regard to parking requirements. People need to understand that mcmansion throughout the whole city will change, more drastically for those in transect Zones but it will change for everybody because of the loss of the step back -- or the sidewall articulation and some other issues. I mean those are some of the main ones. Compatibility, again, that is changing throughout the entire city, especially in the transect Zones but in the other areas as well. So, you know, again, I just feel we really do need to be able to explain this very clearly to people so that they can fully assess what this -- what the code will mean for them. And so, you know, I know -- again, I know you're working as hard as you can and asking to create another document is challenging. Again, we may take a stab at it in my office and send it to y'all to vet but people are asking the same questions over and over again and not -- and it is not -- it just is not accurate to say it's just like what you've got because there isn't anybody that I'm aware of, absent some of the nccds, perhaps, who have been assigned a category that is exactly what they've got. >> Mayor Adler: In case anybody is watching be talking about mcmansion to be able to see how that relates in the old tools and how it relates in new tools. Also tomorrow compatibility that relates in the old tools and the new tools. And then on June 14th, a week from tomorrow, there

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will be real specific conversation that focuses on the differences between t3 and lm-dr and the like so that -- I'm hearing the same questions from all over the city and it's important for us to daylight them here. Yes, Mr. Casar. >> Casar: I wanted to second what the mayor pro tem mentioned. I imagine you have a set of frequently asked questions that have really been seen sort of throughout the city as you've done our different district meetings. And while some frequently asked questions may be different in different districts, I imagine that there is -- that's something that would regularly be helpful for me to be able to arrive at a community meeting with so that I don't have to consistently field them as easily as just being able to hand out, I imagine you're going to ask these five questions first and then we can get to the -- >> We might be able to condense the favorites of the frequently asked questions. We have that tool online, but we can gather up and see what we have to maybe create that tool. >> Casar: That would be helpful. Thank you. >> Mayor Adler: I think that would be helpful as well. Mayor pro tem. >> Tovo: Again, I would push for a real detail oriented answer. I'm looking at the faq I have. Our compatibility standards included? They're incorporated into the individual zoning. Again, I think they are, but not to the same level and people need to know exactly -- you know, exactly what is -- how they're incorporated, how they're -- really, what is the change from what is currently there and what is the same? And then, you know, again, I think the same is true in the publications that I've seen with regard to the residential zoning categories. People need factual -- you know, factual, detailed information about what those changes are. >> Casar: And I would concur, for example, I was at a meeting yesterday where somebody said, well, if you look at it quickly, cottage court looks like it could go to six units but there needs to be the specificity that you need X amount of square feet of land to actually get

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to that many so that people really know, can contextualize instead of just looking at something quickly. So I would say that maybe if we can have more surface-level faq and one for folks with more depth of knowledge, I think that would be helpful. >> Mayor Adler: I'm hopeful that the conversations that we have on the things that I just listed will be one that gets to pretty significant detail for people that are watching where that is their concern that they've expressed. Anything else? On codenext?

Councilmember alter. >> Alter: Thank you. For the public process and communications, one of the things people have been wondering is does it make a difference to stop if you have 20 comments on the same thing or is it really the quality of the particular comment and people are just wondering, you know, if they see the comment is in there 20 times do they have to put in the same comment? How are you valuing that kind of feedback and quantity? >> I think we're going to look at frequency and the quality of the comment. I think we have different types of comments. We've had comments that speak to generally about the code and different sections. We've had people actually point out some things that if it is just -- we know that it's a correction and they already have seen it as a comment, as a correction that staff has acknowledged then they probably don't need to comment on that again. But if it's one they feel strongly, I think they should make that comment. It might be similarly worded or they might have a different take on the comment on that particular section that the prior person did not make. So you could have two, three people comment on the same comment and have a slightly different opinion on it. >> Alter: Okay. And then how are you tracking the changes to the maps over time? >> So with the maps that we have, we've put out one set of corrections. We envision that we'll

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probably have another set that will come out and it will be on there in a similar manner. So the people that -- when you get online, you start looking at it, you'll be able to see if the map had changed from the original one that had been issued and it will probably be a different type of identification tool that be used next week as opposed to one that we just had. So if there's been changes you can see what those are from the original set. >> Alter: Okay. And then I just wanted to flag that for my district there are two issues that maybe we can talk offline on. One is, you know, the pods were just zoned P.U.D.S. We have a lot of P.U.D.S in my district, existing and new, and I think there is concern about what that looks like over time. As we change to a new code and adapt to that. There is also a lot of unzoned land. So those were ones that I would want to kind of daylight that we can talk about offline. And then at what point are you going to provide guidance to people who are looking at this and are concerned about the fact that when the zoning changes their structures may be non-compliant and they may want to do renovations? So that's another thing we're hearing a lot about is, you know, I'm not going to be

compliant and what does that mean for me as I try to go to do renovations and also then what does that mean for staff? What does that ultimately mean for council in terms of where we're going to have to be -- if we're making all these people non-compliant because we're changing it, what does that process look like? >> I think we can do that. Currently we have a lot of structures and uses non-compliant today with this code. Hopefully there will be some actually addressed in the new code to bring them more into compliance. Yes, we can certainly work with and provide that information. >> Alter: Okay. Thank you. >> Mayor Adler: With respect to the questions, those are all good questions.

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We have put on the agenda the schedule as it's been laid out but the staff and consultants have asked that if we have questions that fall under those categories, if you could post those to the bulletin board, given everything they're doing, the best way to ensure that they actually answer the specific question under that heading that you want to have answered would be to post that. So I urge everybody to go back and take a look at that as you see questions, when you're hitting this area, make sure you discuss this. And when we call that tonic up, we'll start with those questions that people have daylighted that they've had a chance to take a look at and make sure that they address. Anything else on codenext? Mayor pro tem. >> Tovo: I know we need to move on so I won't offer my rationale for this. I just want to say I'm not sure how the code survey -- how you intend to use the code survey but I want to register that I have some concerns about the level of information that's being conveyed in it and actually a couple of the assumptions or the assertions that were embedded within the question. So, again, I know that we don't have time to kind of go into that today and depending on how it's going to be used, it may not be worth our having a conversation about it. But I just want to register that. >> Mayor Adler: Okay. >> Tovo: And I guess if you know -- if you have a quick answer about how you're intending to use that survey, that would be helpful. >> I can follow up on that. >> Tovo: Ongoing. Thanks. That is a city survey that got sent out. Is that right? >> That's something that we have available at the open house that's people can log in and use or use online. Yes, it applied citywide. >> Tovo: Okay. Just in particular, I think it was the -- well, there were a couple things that were distressing to me, but the characterization of neighborhood plans as a patch work, it didn't exactly say patch work of regulations but it sounded very similar to that.

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It was a patch work of something. Anyway, it just -- it -- I thought it really mischaracterized the kind of contextual area planning that neighborhood planning expenses there were -- again, I had a more general concern about the way in which the survey lays out -- doesn't necessarily provide quite enough

information about how each of those measures was achieved to really, I think, exact the kind of response that would be useful. But, anyway, I appreciate -- again, I appreciate all your efforts. That was just not -- I have some concerns about the survey. >> Mayor Adler: All right. Thank you very much. Thank you, guys. We'll see you tomorrow. Thanks. Let's go back then to the issue that we had pulled, which was the parkland issue, if those folks are still around. Okay. >> Long time no see. >> Mayor Adler: We missed you. >> So if it would be okay with council, I just wanted to -- as we restart the conversation and folks begin to sit down, I just wanted to give you a couple of

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points for consideration. And I wanted to just remind everybody that we are here today because this was an extensive community-driven process and so the things that we are bringing forward are very systematic and deliberate and they're not the whole enchilada, they're a small bite. Because through this community-initiated process, there's an expression that parks and recreation will take that information and implement it in the appropriate manner. If we were to wait until we were able to take care of everything, this could be something that wouldn't happen for another three years, which would definitely not meet the community's expectation. So it was our desire to bring forward bite-sized pieces, very systematically, that we thought would help us improve the events process over time and to add pieces to that to finally meet the entire recommendation, the entire -- the entire process at some point in time. I just wanted to remind everybody of that. I also wanted to talk about the fact that we are trying to codify what status quo is and then be able to make some considerations for the future because the task force did tell us that they would desire in three particular locations, three very specific locations that are along the water, the zilker park space, fiesta garden space and vic Mathias auditorium shores space. We know there's a certain number of events there and we want to codify the fact those will remain until and unless there is some attrition and what the community has asked us to do is not begin to add more events to that space. And so fiesta gardens currently has 19 and it will continue to have 19 unless through attrition it moves to 17, vic Mathias shores, auditorium shores has 20 and will continue to have 20

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unless attrition and it will become 17. And zilker park has 29 and through addition will move to 24. I wanted to set that stage so we can continue the conversation to make sure we were very clear in how we were trying to move this forward in a way that made sense and that would satisfy the community but would also give us the appropriate amount of time to reengage when appropriate, i.e., the parking, we need more time to be able to work than but we didn't want to sacrifice the opportunity to do

something because we needed more time to do something else. Hopefully that makes sense. So with that, our team is prepared to take on your questions again. >> Mayor Adler: Thank you. Mr. Casar. >> Casar: Oh, I would just flag that I really appreciate the work that the department did and community members did and -- between now and whenever we make a decision on this, I'm just going to spend a little bit of time learning a little more about how we've incentivized those open and less ticketed events and figure out how I feel sort of on that front. Going to be setting limits to try to figure out how those limits might be most flexible for those folks that aren't fencing people out and aren't selling tickets. Maybe y'all have already adequately addressed that to my liking or overaddressed it or underaddressed it for my vote. I want to flag it for the community and also for my colleagues that's something I need to better understand and will post anything on the message board if I come to anything conclusive that I would take up on that front. Then I haven't asked what questions on this here but I'll actually take this offline with the staff. Also, I'm interested in just double-checking -- checking how it is we treat sort of first amendment events and issues compared to those that aren't. And so but that's --

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hopefully that's all sort of been covered and I will touch base with the law department. I'm just trying to make sure we are as respectful of that as we possibly could be as we limit our public spaces. >> Councilmember, I'd just say I think the matrix would be a good place to look because that's where we have these levers that you can adjust to identify those characteristics that you just mentioned. So I think the matrix would be a good place to look to see if it has those factors included and that they're weighted appropriately. That might be helpful to you to -- it would be helpful to me for sure to hear what you think about that. >> Casar: Thank you. >> Mayor Adler: I think on that point for me there's a balance I think the task force, as I understand it, was trying to look at, and that's how I read the report. You want the parks to be open for everyone. You need to take into account the concerns of the people that are closest to it because they're dealing with challenges other people aren't, and those are the parks that are approximate to them. Same time, the parks are an asset that the entire city, those are city-wide assets, and they also provide different kinds of events for different kinds of people, and as we just saw, they raise revenue to help fund park -- pocket parks and parks all over the city that if we don't use these facilities, we're not going to be able to do. So there's always going to be a balance in these things. >> Casar: And just from my own an he can dolt doltial of kids -- polling of kids and adults, talk about what we manage and I talk about parks, large events like the trail of lights and the kite festival really are what

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kids up on Braker lane come down to zilker so I just need to get my head around that to understand both the respecting the challenges that it might present to folks that little around zilker park but also in sort of a new district representative system trying to honor and respect the fact that those things are also great things in that that is -- I have parents say we're going to take time off, get on the bus and do whatever we have to do because that's such a special thing because there are a lot of people. People go to the festival because there's tons of femme flying kites. That means there's lots of people parking but that means there's also a lot of people that want to go to be around all these other people. Just so working on that. >> Mayor Adler: Got it. Ms. Troxclair, Ms. Houston, Mr. Flannigan. >> Troxclair: Before we leave that subject really quickly was there any thought to maybe creating a system that we are going to allow this many closed events and this many open events? Rather than grouping them all into one category? >> Yes. What we didn't want to do -- what we kept coming back to was respecting the events that are there currently and not -- and not trying to displace an existing event. To try to accommodate something that doesn't close down the park fully, like something else does. That's a roundabout way of saying something. We didn't want to give special consideration to other events if it meant having to displace a current event, like an existing event. >> Troxclair: But, I mean, we're not displacing -- so we're not displacing events because we're doing it through attrition. So could -- was there thought given to applying that same concept to two

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different categories? >> No. There wasn't. >> Troxclair: Okay. >> One thing that I might add is that when we talk about an event being open to the public, I think that that's wonderful, I.e., the kite fest. However, if I happen to be an individual who is an ultimate Frisbee player or soccer player that area is essentially closed to me to use as I normally use on a Sunday afternoon because it would be inappropriate and frankly quite rude for me to be in the middle of playing ultimate Frisbee or I would be disturbing that event. And so when we talk about open events I just think it's important for us to consider that there are some people or individuals who would ultimately be displaced on that event day, because they don't get to use the park in their Normal manner. It doesn't mean that we shouldn't do it. It's obviously -- something like the kite fest I think is for the greater good of bringing the community together and has great benefits, but I wanted to add to that that even though it's an open event it doesn't mean that the individual who uses that space gets to use it the way that they enjoy it. It just means that it's open to them, but they have to go find somewhere else to go that particular day to play ultimate Frisbee or soccer. >> And I guess I too will just spend some more time over the next few days trying to wrap my head around it, but it just seems like if trail of lights is 14 days and the -- and acl is six days and we're trying to get to a goal of -- and we're trying to get to a cap of 24 days, we're really only talking about four days for any other events that might -- four days a year that people who are playing ultimate Frisbee might be displaced. It just doesn't -- I mean, we're really only talking about four days, which for any other events besides trail of lights and acl, which seems really narrow to me. But -- my -- two other questions really quickly.

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Or really a question and a comment. The vending -- I know we haven't touched on the vending yet. Do you need a permit right now to sell anything in the city? >> Correct. You do have to get a concession permit to operate in the park system. >> What about just on the sidewalk? >> Yes, ma'am, outside of city hall. >> Correct. Yes. >> So the people who are doing -- so the people who are selling things outside of -- on the street outside of a park, they're already in violation of something? Is it similar to the idea -- something is a rule somewhere but not necessarily in code? >> Yes, ma'am. The process for concessions and parks is administrative, and again, we don't have a code tool, and I'm glad you mentioned transportation because they do have a codified fine for illegal vending in the right-of-way. We don't have that clearly for parks, so we're asking to have that same type of fine. >> For vending? >> Correct. If it's operating on the parkland component, so we've got a really good codified system for the streets and sidewalks, but for parks it has historically been an administrative process where we don't have a clearly defined penalty if you're operating and don't respond to, you know, relocating when you're vending outside of an event. This will give us a tool and the toolbox that we can use during events. >> Troxclair: But what if -- so if you're just on the sidewalk on Barton springs outside the park, that's already not a park. >> Correct. >> Troxclair: Situation. >> Correct. >> Those people are already doing something that I guess is not legal. I don't know. I personally don't mind if somebody wants to sell me a water bottle for \$1. [Laughter] , Instead of the \$3 it might cost me inside the park. I feel like people should be able to do that but it sounds like that's a different subject. >> I believe so. >> Troxclair: And then my last comment is I know -- I

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mean, I agree with council member Flannigan that it's kind of hard -- I mean, I see both sides, that you want to -- you don't want to wait on the whole package when there's things that can be done do you to address things that the task force has identified but there's in other piece of the conversation that we don't have in front of us so we don't have the complete picture. And I do think that the parking issue is something -- is something that I'm concerned about. I know I have seen -- I don't really know where it is in the process, but I have seen the reports that were potentially going down a path where parking in neighborhoods near Zilker or see a lot of traffic during peak times might be permanently, I guess, not allowed? And although I feel for the people who live in those neighborhoods, and I know you're one of them, David, who might have -- who might have cars parked on their streets, you know, during -- during those events, I also feel like it's -- and I'm one of those people too. I live close to the greenbelt and I am people parking in front of my house every single weekend, probably at least three times a week I have cars lined up in front of my house, so I get it, but I also feel like I'm really lucky to be able to live so close

to a place that so many other people have to drive to, and I can just walk out my door and go right to the park or go right to the greenbelt, and that is one of the reasons that we chose to live there, is for that proximity. So I just -- I just hope that we keep that in mind going forward that we -- that we really have to balance -- that the streets -- the city streets are -- everybody pays for them and within -- within reasonable limits I feel like we need to allow people to park there and not -- and not -- you know, and not have certain neighborhoods take complete ownership of streets in their neighborhoods. >> Well, I appreciate your

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comment, council member troxclair. You know, I think there might have been some misunderstanding about the initial concept, but it would be -- these no parking signs would -- right now we have temporary no parking signs that go up, you know, before and during -- right before and during and right after the event, so we've got that model in place, and that's really -- those signs are based on safety issues so that the narrow streets in the neighborhood, we have parking on both sides, you know, all the way down the street where you can't -- there's only one lane of traffic. That becomes a safety issue. So that's the way the signage is done today, really primarily for safety, not to make them off limits to anybody who wants to park there. So that's what this new program would be really intended to do is to try to look at it from a safety perspective and then get to a model -- there would be a permanent sign there but it would only be in effect during a large event, during just these few large events at zilker, for example. All the rest of the time it's regular, you park there just as you would do any day, and those folks who would live in the neighborhood -- who live in the neighborhood and during an event and if they're on one of these streets that has the no parking, no event parking, they would have a permit for their car so they -- their guests could park on the street. So I know -- and this program -- that's kind of initial information and there's going to be a public process later this month where the details will be released and they're going to take input, but that's kind of what I understand the model would be. So it's -- theoretically it would be less expensive and the city co-sponsors many of these events where we have these temporary signs so there's an expense related to what we do now that we incur for the current strategy that we have for no parking, and this new model would be less expensive and I think more effective and achieve the goal of making -- of safety as the priority, not to limit folks' able to park.

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So thank you. I appreciate your comments, though. >> Mayor Adler: Ms. Houston? >> Houston: Thank you. Thank you, and thank you for all the work you've been doing on this. I don't know if anybody remembers the late 2014 when I think it was the U.S.A. Cycle cross event occurred at zilker park. I didn't



know about it until I got sworn in in my email -- I didn't even know I had email at that point, and the email was just flooded by irate people about the damage done. I thought that would have been perfect at -- they don't have the hills, we have heritage trees, they've got cactus if they fall. We've got all kinds of things. It's a wonderful place to have the race going on, but you all had -- because they wanted the skyline and the pretty things, but Walt E. Long metropolitan park is over a thousand acres and it is probably the -- I don't know about -- it's larger than Johnny Trevino. So it's probably one of the largest metropolitan parks in the city and woefully underutilized, woefully underutilized. And so I'm thankful and I'm appreciative all the business you can push out to Walter E. Long. We welcome them and willing to have them. I had a question on the handout that you passed out on page 6473, where you talk about rating for hotel access. Bom road is probably the closest and Johnny Trevino is further east than Walter E. Long and we have hotels close to us in manor and one on highway 183 south, and so I'm not sure how that got, you know -- how that got -- they're so close to each other. In fact, Johnny's park is a little further east than Walter E. Long.

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So I just want us to be -- don't scare people because it's a beautiful park and it's very safe and we do have some amenities out that way, and it's not that far. We do have a lot of distance, residential development coming up, so it's probably not as far as you say it is now. So just -- just want to keep it up-to-date so people will look at that. I've been trying to get the dragon boat races out there. It's a calm -- because I've tried to get to the dragon boat races and there's no place to park, absolutely no place to park. And it's a calm lake where they could just race and have a wonderful time. I could actually park, because I think we've got like 2,000 parking spaces or something out there. So I welcome any -- any events, special events, music events that you would like to send our way. >> Certainly. And just as a reminder, we did hand this out to show on the appendix from the report here the scope of items that the task force members looked at when picking these three spaces. You know, they surveyed all of the city inventory of property citywide, and ultimately while I know our parks director and city manager would love to have funding for a master plan for all of our park spaces, ultimately the task force had to pick some. And so this shows those locations against some of those features, and we certainly appreciate that the landscape has changed out there. This is probably a year old now, actually. So some of this information does need to be updated, but ultimately some of the features such as bikeable, walkable, hotel access, proximity to major infrastructure such as highways, came into play, and then taking a look at spaces that were already under some sort of master plan or development and that weren't heavily forested as well, certainly weighed in spaces where we wouldn't have an issue with needing competition between open space and forested spaces. >> Houston: And I think

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that's important because as we go further east we've got toll road 130 and 290 and 183 south that are -- it's a perfect location where they all come together right there at 290. And we're growing. I mean, we've got Indian hills, whisper valley, wildhorse ranch. We've got a lot of developments east of Walter E. Long metropolitan park. So I just appreciated the university of Texas hosted their first female regatta this year and we'll be hosting the conference championship next year. So people are beginning to notice how wonderfully smooth that lake is and how much that helps when you're rowing. Mr. Flannigan N? >> Flannigan: I'm fine. I think we got it all covered now. >> Mayor Adler: Okay. Anything else on this one? Thank you very much. Let's go to the next pulled item, it would be item no. 16, which is the republic square park matter. >> Renteria: Mayor, I think it was both council member Flannigan and mine. Just flagging for something to get more q&a details but I know there is a revenue stream associated with potentially -- with the fencing off of republic square, but I -- similar to my questions on item 15, I just want to explore with the department if there is a possibility of us defining what low-cost ticket events might look like and having some -- if there isn't some already set aside for how many events could be at a range of ticket prices versus how many of those would be a lower cost event just knowing that republic square is a place where all different sorts of people have a right to hang out,

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especially with the bus stop there, so being able to have a variety of price points is interesting to me, but I know that there's clearly questions of revenue and how that fits into the budget, so I just want to understand that before coming up with any ideas on how to -- how to implement something like that. >> I'm Julie (indiscernible) Downtown Austin alliance. Julie Fitch with downtown Austin alliance. We have a formal partnership with the city of Austin and the Austin parks foundation. It was to master plan, redevelop and then the part that we're taking on is the operations, maintenance and programming of the park. To answer your specific question, I think most of the events that we're planning are going to be free and open to the public. We haven't really talked about the range of costs of ticketed events. That's certainly something we're willing to consider, but for the most part the programming will be free. >> Renteria: Yes, my question is the item is related to the 20 days that the park may be closed to the general public. Those would be the days that I anticipate that you mean that it would be a ticketed event because it's closed. >> Yes. >> Renteria: And so my question would be to understand -- I understand that the vast majority of the events, as you said, would be those that are open, which is great. I'm just specifically, since we have to vote in order to authorize 20 days that it will be closed, I understand that maybe some of those days you would want higher priced events to fit whatever revenue issues you want to -- you want to hit, but if some of those events would be the kind where you show up with 5 bucks and it's -- and you get to try all different kinds of chili or whatever it is. If there is some way for us to say we are closing this, you know, historic republic square for 20 days a year, but

some -- but it's relatively more accessible for some share of those as opposed to others. So that's just maybe

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something for us to just see what we can talk about or come up with in the coming two days but I wanted to pull in and mention that, just to daylight it for my colleagues, just in case anybody was thinking similar things. >> And I pulled this with 15 because I thought it was interesting that in the same agenda we were talking about closing -- or limiting all special events and the very next item it was only limiting closed events, and I thought it was interesting that we were doing both of those things at the same time, but I have no further comments on it. >> Tovo: I really want this arrangement to be successful, and I'm really excited about it and very supportive of it and I'm going to do everything I can to support it. I'm a little concerned about the number of dates, and here's why. If those 20 -- and I don't know whether -- I haven't had an opportunity to really get the answer, not because I've asked it but I just haven't delved into the contracts yet. I don't know if those 20 days are -- could all be, say, Saturdays, and so if July and August tend to be, you know, less popular for paid events and those 20 events get spread out over ten months and they fall on -- mostly on Saturdays, then you're looking at half of -- half of the Saturdays, you know, being closed off at the park, and that really does concern me. So, you know, I don't -- I don't know whether you've got language in there talking about when those 20 days would fall or how that would be balanced, but I am -- especially since that number is higher than our parks task force is recommending for our other public venues, I just -- I am really concerned about setting something in place that closes -- closes the square off. >> Pool: So council member, if I'm understanding you -- I'm sorry, mayor pro tem, if I'm understanding you, you would like for us to make sure that there is some consideration of of putting together criteria of the number of days -- I'm sorry,

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not the number of days but the weekdays versus weekends and the time of year so that it's a balanced number and we're not excluding folks all Saturdays in the most desirable parts of the year. Is that what I'm hearing you say? >> Tovo: That's the concern, and I'm not sure if you've addressed that already or if there is a willingness to do so, but that's -- that's a concern I have. >> I would believe that there's absolutely a willingness for us to have that conversation, and certainly, if necessary, an amendment to the agreement. But at this point in time I'd like to at least start the conversation and give you our word that we can come back via memo or something of that nature to be able to give you comfort that we have addressed it. >> Tovo: I sure appreciate that. Julie, did you -- >> I just wanted to say that I completely agree. We're certainly willing to continue that conversation. There's formal oversight in the

form of a management committee, which is the parks foundation part and the downtown alliance. But continuing this conversation and figuring it out, the park isn't open yet. We'll open in the fall, and we have zero days booked at this point, but we certainly want to, you know, understand the council's concerns and be responsive to the community's concerns on this. >> Tovo: Thanks. And you know the concerns -- I mean, the basic concern is just that increasingly we're hearing from our public that they want -- they want public spaces to remain open and accessible to the public as often as possible, understanding that these kinds of arrangements also allow for that to happen and for that space to be maintained at a much higher level, so it is a trade-off, but I want to be sure that we're not back in a couple years talking about, you know, answering the questions to the public about why that space is closed off so often in the most desirable months. And then I guess my second question is about the extent -- the time period. I want to be sure that we have an opportunity to kind of revisit this arrangement and see if that's still -- still the number. Is that number really necessary or can we back off in a couple years? So if you could help me understand how long we're setting in place this limit.

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>> Sure. We are setting a maximum of 20 days. We don't anticipate getting to that in the first few years of operation, but we understand that we're coming back to council annually for this approval. >> Tovo: Super. >> I would say the fact that we may not reach that in the early years may not be indicative of what the demand would be, so we would like the opportunity to get toward 20 days if possible. >> Tovo: I understand that. Thank you. That's helpful to know that it would be revisited. >> Mayor Adler: I share and concur with what mayor pro tem said as well. It's good you would figure out how to balance that in a way that everybody knows what to expect. Yes? >> Hi, I wanted to first of all applaud the parks foundation and the downtown alliance and the parks department for working together on this project. I think it's a great project and I'm really looking forward to it being open, so thank you. I just had a clarification question with respect to acl in the past when I've been at republic square for acl, it's pretty much shut down to get on the buses. How does that interface with your 20 closed days and what will acl be providing during that time period? Because it's going to be brand-newly opened and then they're going to try to invade it. >> It won't be -- well, it may or may not be completely open this year. I anticipate that the queuing is going to be in the plaza between the federal courthouse and the park, at least this year. We'll have new grass, new turf that we want to protect. I don't believe that would count toward a completely closed day because anyone can come to the park. There will be a vendor that will be open during that time, you know, the bus stop is on the Guadalupe side of the park, and that will be pretty active bus stop. I don't believe that would count toward a completely closed day. >> Alter: Will they be providing particular support for damages that may happen due to acl traffic there? >> I don't know that we have

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an agreement yet, but we certainly want to continue that conversation with c3. >> Thank you. >> And I can confirm they will be planning to use the plaza at the federal courthouse again, so putting the largest infrastructure demand on the hardscape of the plaza at the courthouse. >> Mayor Adler: Mayor pro tem? I'm sorry, Jimmy. >> I want to concur with the mayor pro tem's comments about delineating weekends, I think that same rubric might apply to the earlier conversation about item 15. I think there's a substantial difference between the community's expectations of weekdays versus weekends and if we use a flat number it's important to delineate the difference, and to troxclair's point, lights -- there are a lot of days that are low utilization days compared to what the community might look at, 24, 29, thinking that's 24 weekends or 29 weekends. So so I want to reiterate that. It's a good point to make broadly about how we're managing special events and closed events in the parks. >> Mayor Adler: Mayor pro tem? >> Tovo: Oh, yes. Regarding the queuing for a/c, I'm trying to remember if that's how it happened last year and if it had any impact on the farmers market. >> They've already started discussions again about the same layout they had last year and they're already working with the farmers market to make sure they can co-exist. That's a priority for us. >> Tovo: Great. Thank you. >> Mayor Adler: Mr. Renteria? >> Renteria: Who is actually doing the booking there? Is that going to be the downtown -- >> It would be the downtown Austin alliance, who will manage and operate the parks. But as Julie has talked about, there is a -- there's a management team of Austin parks foundation, parks and recreation department and downtown Austin alliance that will help collectively make decisions. So while the decisions of who will be using the space will be with downtown Austin alliance, if there were ever a major concern of the parks and recreation department, certainly we would be voicing that, and I'm sure we would come to -- we haven't been in a situation where with these two particular partners we

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haven't been able to come to a compromise, so I would expect that to continue. >> Renteria: And the reason I'm bringing that up is that, you know, historically, you know, this is there on Cinco de mayo, we have an event there until the remodeling happens, so I want to make sure some of these groups that have used it in the past will be allowed to use it in the present -- in the future. >> Sure. That's on our draft programming plan. It's in the backup for council, but it is definitely Cinco de mayo and Diaz yseis, we'd love to have them back. >> Mayor Adler: Thank you. Very much. Good work on this. It's exciting. Last item we have pulled is item no. 36. >> Mayor (indiscernible). >> Mayor Adler: Which number? >> 60 on the plumbing code. >> Mayor Adler: It's 36? Child care services

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>> You may have answered this already while I was out of the room. But is the grant -- is this -- this has always been through grant funds? >> This has always been through grant funds, and the funds have come from federal funds from the housing and urban development. And basically those dollars, they shifted the priority, and they only want to pay for housing and not supportive services. These are considered supportive services. And so that's why the funds came to an end, and the dollars last fiscal year, there was a resolution, and that funding came from the budget stabilization fund. >> And so even if we pass this resolution, after the end of this fiscal year, there is no more money for the program? >> That's correct. >> Houston: So -- so you're just asking for money between now and the end of the grant year? Is that what this is -- >> Well, this resolution is actually asking the city manager to look for the ongoing funding. >> Houston: Thank you. >> Mayor Adler: So maybe I'll take a look and see if I can come up with wording that expresses what I understand to be the broader intent, although I recognize this is - you might be ready to actually make the priority call now, but to set us in position where we are not but also recognizing that there might be a disruption, although it sounds like it's with the support services as opposed to the housing itself. But maybe something like something that asks the staff to find the money for a month or two extension so that the service doesn't stop, so that it can be Teed

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up in that process, but that beyond that this is an item that is a priority. We can certainly state that because I think that it is, but it should be evaluated against priority needs of past council resolutions and priority needs identified by staff and community, and other priority needs and that this resolution is not to suggest this program is against any other program. But something if it's important for us to make a statement, I could make a statement like that, and I could also consider a month or two extension, but I would like to think about that. But there's got to be a way for us to change the timing on that so it's not a recurrent deal. And I'll think about this but as a general rule I'm uncomfortable with us considering these resolutions prior to the budget. Mr. Flannigan? >> Flannigan: Other -- other monies that the city spends to fund external programs, they typically expire in the beginning of the calendar year, right? Isn't it offset from the budget? Aren't other grant programs -- >> Well, contracts have different terms, so they're not all aligned with the fiscal year. They're aligned with different terms. >> Flannigan: So are there other contracts in this department that also expire at the end of September that would then no longer continue, save for budget decisions made in September? >> There are the contracts in which last -- I mean, this fiscal year that council put funding in, one-time funding, and so there is a series of contracts that are going to end because that was one-time funding that was put in for this fiscal year. >> Flannigan: That will end in September. >> End in September. >> Flannigan: Mayor, I'm kind of with you on your suggestion, but I think there's a broader conversation to say that from a policy matter it might make sense to have all of these contracts offset by four to six months so that

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there's time for an organization to either scale back or scale up, depending on budget decisions. You know, this may be a canary in a coal mine to a larger stern for how groups are forced to or not forced to hold to a two-week window between when we make a budget approval and when the budget is enacted. >> Mayor Adler: That's a good point. Ms. Houston? >> Houston: And I just have another quick question. Because this -- this was a federal grant, are there other federal grants that because -- I'm trying to choose my word carefully here -- because of some reduction in those grants that we might be looking at the same kinds of gap in service delivery because we're not getting the federal drawdown? >> There is a potential not just for us with entities we contract with. There is also a potential for us for grants that the department receives directly. So there is that potential as well. Community services block grant, for example. That has been zeroed out in the federal budget. And so we have already started those internal conversations. So this is one of multiple things that will -- will come up at some point. >> Mayor, interim assistant manager. We have a list, I've been working with Stephanie. What we'll do is prepare a list for the mayor and council to review that shows current grants that are being funded through the federal level or passed through the state that are at risk or in question, and those -- and what times they end. And so we'll be able to give you that so you can make -- as we go through and deliberate on the budget situation, you'll be able to have all that in front of you and be able to see which ones are at risk, how they fund, who they fund, how many people they fund, so that you'll have a better -- you'll be better able to make informed decisions. >> Mayor Adler: Council member alter? >> Alter: I'd like to ask a

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clarification, and this is an area that's new to me, we haven't seen a lot of items on it, so forgive me. So the 160,000, is that all -- does that all go to actual delivery of child care or is it the other support services? >> It goes to vouchers, so actual vouchers, you know, roughly close to \$600 a month for the voucher. The parent has a contribution, monthly amount that they make as an investment toward that - that child care slot, so that it's going straight to vouchers. >> Alter: So I would -- you know, I favor funding this moving forward into the budget. I'm not sure about this process, which not having been through the process seems to have kind of jumped on us here. I do think that it would require more than a month or two extension. As a parent you usually have to go through like a semester thing, so you'd want to extend it at least through December so that they were starting something new maybe in January, if that was an eventuality that we had to face, so just in terms of thinking about what that stopgap is a month or two is going to be out of sync with the way that industry works. I also want to just add that because I'm questioning this does not mean that I'm in favor of the concept menu as a process. I just -- we haven't really had a discussion yet of what our process is going to be given that we had this other discussion -- we had these other discussions. >> Mayor Adler: Anything else on this? Okay. Thank you very much. Let's move to item no. 60. It was a late pull on the plumbing code. >> And I still have

item no. 8. We skipped over item no. 8. >> Mayor Adler: Oh, I'm sorry. Let's do no. 8 first since you pulled that. >> Yeah. >> Mayor Adler: Let's do

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no. 8 first. I apologize. >> And as they get it set up let me remind folks we have the curfew and truancy issues posted for discussion this morning as well. >> So this is somewhat brief and I do appreciate the work you guys have put into this program and reviewing the q&as addressed some of my concerns but the last two -- something council member Houston and I talked about at the last meeting, if we're funding the fix of code violations, do we know when those code violations really should be the responsibility of the landowner versus the responsibility of the tenant? >> Megan wells, cultural arts division manager. The information we have received from most of the folks that are in that code compliance limbo is that they feel like they're at a critical place where if they do not work to remedy those code violations, that property owner is tempted to flip that property completely and not use it for an arts usage. So the property owner is wanting the tenant to work on remedying those together, you know, in a partnership, but typically they're not willing to put a lot of money into those. It's usually most of the onus is on the tenant to do that, to preserve that arts function. So that's what we're trying to work with them on so that if we can add some relief to their pocket of money, they have to match those code compliance awards. If we can match that, that will ensure that that arts usage stays intact versus something else for that facility. >> Yeah, I struggle with this because I feel like in some cases we'll be funding the increase in equity of a property owner and not asking for it to be repaid. I mean, it's a substantially different thing to help an art program stay in its facility and that the code violations are part of that, but if those code violations end up creating more value for the property owner, there's like a repayment moment that should happen, a lien on the property, some

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type of thing where we've spent taxpayer dollars to improve a property. That's one thing. The second is in the document I saw, the rent stipend piece is for nine months. That's the limit on the rent stipend? >> Yes. >> Flannigan: Can you help me understand why nine months is the limit and if we're talking about a three-year plan? I like the part about they have to come in with a three-year financial plan and show how they're only going to need the nine months. But is nine months -- was that a compromise? How did we come up with nine months. >> That's kind of like we were striking a balance between an emergency relief source of funding and something that would get them further along the pathway to a three-year stability plan. We knew we couldn't offer relief that would get them will full three years but we knew that this would maybe be an infusion of cash relief that would help them reduce the money they've



spent in the past for these rent hikes and also pave the way for them to get to a place where they've got a longer term sustainability plan. It was a compromise. We knew we wanted it to be effective and we knew it needed to be a certain amount of time that would get them through the middle but pain point.

>> Flannigan: And this is a brand-new program? >> Right. >> This isn't an extension or expansion of an existing program? >> Correct. >> I think ultimately I will support it. I don't want to be the enemy of the good in this case and I think you've done substantial work to try and address some of our concerns, but at some point when this comes back, and I'm hoping there will be -- is there a term defined -- that's a good question. Is there a term defined upon which you come back to council with data how it worked? >> We will capture metrics at the end of the award period so we can determine kind of where it's been effective and what the response has been for those who have used it. >> I think the conversation will be a lot more substantive once that's data to show -- >> We agree with you and knew that it cooperate be - it

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couldn't be everything to everyone but we wanted to do something now. >> Mayor Adler: Ms. Houston? >> Houston: Thank you. And my question from the last time we talked was, what are the guarantees that once the property is upgraded, that the rent won't be raised and they won't flip the -- >> (Indiscernible). >> Thank you. >> For those that do have a long-term lease we would want to see that built into the lease. There's always a chance for them to build amendments in once these -- once they've got an award in place. But, you know, long-term beyond the three years, if their lease ends at three years, that would have to be a negotiated point between the landlord and the property tenant. >> Houston: And the lease -- the rent would be stabilized at the current rent and that would be part of that agreement? >> Yes. We would ask that the landlord work with the awardee to make sure that that's a provision of their lease. >> Houston: And you all will be tracking that? >> Yes. >> Yeah, we would like to see a signed lease as part of their application, if they don't have a signed lease, we would want to see their plan or conversation they had with the landlord. >> Houston: Because I have a problem with using public funds and we think we're doing a great thing and six months into it they say, you know, you got to get out. I'm selling the property. >> Yeah. >> Yeah. >> Mayor Adler: Okay. Anything else on this? Let's then move to item no. 36. >> 60. >> Mayor Adler: I'm sorry, which one did I skip? No, did you pull one that was -- it was a late pull -- >> Renteria: No, there's -- hers is late pull. There's a work session. If you look at the work session agenda there's a posting for codenext and there's a posting for (indiscernible). >> Mayor Adler: Got it. Let's do the currency and

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truancy item. >> I don't think this will be all that long. >> And I needed to say something about 60 also. >> Mayor Adler: Okay. So 60 was a late pull so I'm just hesitant -- let's make it quick. Let's do 60. Let's do 60 and then we'll pull the discussion, with the representation it will be relatively quick here. >> So staff has shared an affordability impact statement that would have -- that switched irc would have a positive impact. Can you explain how you reached that conclusion? >> Good morning, mayor and council member alter, our staff has worked with the various code development processes for many, many years, and we adopt codes typically every two to three years. The irc would have a major impact on -- on the individual homes, but predominantly just in the plumbing, if we -- because we really pretty much use the irc for everything else in the house. We've always used the uniform code because that's been the direction that we've been taken by boards and by previous city councils. The irc is adopted by every other major city in the state. There are only two other jurisdictions that I'm aware of that adopt the upc for houses. So contractors have to do business different in Austin than they do in pflugerville, Round Rock, Kyle, Buda, San Antonio, new braunfels. So they have to do business different. The piping is different, typically bigger under the uniform code. The fixture are larger and the metering is larger.

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So larger meters -- larger meters,. >> Beyond the meter are there other things that you've heard specifically from plumbers about how the costs would differ? I mean, have you consulted with plumbers about how this would affect their cost structures? >> Not individually, no. There has been testimony at the board -- at the mechanical plumbing and (indiscernible) Board. I didn't hear anything substantial about their specific costs. The home builders association has told us what their perceived cost differences are and what they believe to be their real cost differences in building, than just plumbing being, it's between 500 and a thousand dollars a house I believe but you can ask the hba about that. >> Maybe I'll submit some more questions through the q&a for that. You answered my questions about which city so I'll move on to my last question which is the ordinance impacts the code for single-family construction but not commercial buildings, is that correct? >> No, it would -- the ordinance -- there's two ordinances that you can choose from. One ordinance is the staff -- you asked us for, which I told you then and I'll tell you again is unusual. I've been here 29 years, almost 30 years, never been asked for a staff opinion apart from the board recommendation, so that's an unusual thing for us. Caught us off guard if you didn't figure that out. We -- we believe that there's a valid approach to using the irc. It's one code for all houses. Everything that you build in the house in that one book. >> Alter: Thank you, and I

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appreciate you coming forward with your opinion. >> Oh, I'm sorry, you wanted to know the difference. >> Alter: Yeah. >> I apologize. I got sidetracked. The staff representation would apply the IRC, the international residential code for all respects of building a house, including the plumbing. The commercial plumbing aspect would be the uniform plumbing code as recommended by the board. The board's recommendation is to use uniform plumbing code for all plumbing. >> Alter: And I think maybe in the interest of time and given what councilmember Pool may be asking for, I'll go offline to do what are the differences between the two codes, you know, in a very substantial kind of way, but that may be more nitty-gritty than we need to get into. >> We have a lot of that information already developed for you. We can certainly provide that. >> Alter: Okay. If you could go ahead and provide that that would be great. >> Yes, ma'am. >> Alter: Thank you. >> Mayor Adler: Ms. Pool. >> Pool: I noticed that two of our colleagues won't be here on Thursday for the public hearing and I think they were interested in being here for what they think is an important opportunity for members of the community to weigh in. And so I was going to ask that we postpone for a week the public hearing on item 60, postpone it to the 15th of June. Thank you. >> Mayor Adler: We will call it and then postpone it? >> Pool: Since we can't take any action here, this is what we usually do if we signal at a work session that we plan to postpone something that's on Thursday, then we bring it up and we remind people that we said that we were going to postpone it to a date certain and then we officially do that. That's been our practice in the past, I believe. >> Mayor Adler: Do you know if they want to be here for the public testimony or if they want to be here for the

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council deliberation? >> Pool: Their offices can maybe weigh in, but I also know that some members of the community who wanted to come and testify are also not in town. So I suppose a fallback could be that we have the public hearing but not take any action and we could say today, signal today, that we wouldn't take action on Thursday but hold any action to the 15th. That could be -- that could be an alternative. >> Mayor Adler: Councilmember Alter. >> Alter: I'm okay with either. I just want to flag that I think we're going to have a lot of material on the 15th so that it might be good to not vote. >> Mayor Adler: Generally speaking, if a councilmember is not here on something they're asking not to take a vote, I would generally exceed to that. This is a public hearing so there's been a notice posted for sometime for the public to know to come so I'd be a little more reticent about not having the hearing so that the public could come because it was posted but then not deliberating or taking action until the following week. >> Pool: I agree, and I do think that if we -- if we withhold action to the 15th, that would take care of our colleagues missing the meeting. And then also possibly give an opportunity, through email or phone calls or in person meetings for anyone who want able to make it from the community on the eighth also to come and meet with us before the 15th. >> Mayor Adler: They could certainly come in. I'd probably recommend we hold and close the public hearing so we're not having that on two days. >> Pool: I would be fine with that as well. >> Mayor Adler: Okay. Further discussion on the dais? Okay.

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Thank you. That gets us then to the discussion item on the curfew. >> Casar: So I asked that this item be posted for today's work session because I know that folks had requested the public hearing on this issue not be until next Thursday and there was some concern on the council that the decision would have to be made that day about whether to extend the ordinance or not, and so I had suggested when we made that discussion that we should post it for an earlier work session, so this is that posting so we can have any discussion we need to have today and then we also have next work session and the council meetings so that we have enough time to make a decision on that day because the ordinance will expire shortly after that council meeting, after having some discussions with A.P.D. And with lots of folks in the community, it's my -- it's my opinion that we should not extend the ordinance. For me, there are many existing programs to help work on truancy, and there are lots of ways that we can try to keep our young people safe outside of school hours or in the night hours without introduce -- potentially intrusion them to the criminal justice system. I think this ordinance was put in with very good intentions back in the '90s but there's been a the love rethinking about how putting young people too closely in contact with the criminal justice system early on can have negative consequences. So that's my opinion. I'm happy to hear what other councilmembers' opinions are. I also wanted to hand out two things. I was -- I'm going to sponsor a resolution for next Thursday's agenda, and I've already circulated it with councilmember Garza and councilmember troxclair's offices, and I think that their offices generally are

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in general agreement with the wording here to pass a resolution at the same time. If we choose not to descend this ordinance to convene stakeholders together, governmental and non-governmental stakeholders to work on truancy issues. If we don't have this curfew ordinance on keeping our young people safe. In fact, if you look at the A.P.D. Decoration when our juveniles are most likely to become victims of crime it's actually not during the curfew hours but actually at the end of the school day is when juveniles are most likely to be the victims of assault. So I think that it's important for us to start a conversation about how we can handle these issues and further policies and practices to keep kids safe and keep them in school without resorting to criminal charges. I will pass out the resolution that I plan on posting for next week's agenda at the same time we take this up. I'll also hand out some snippets of what the police department kindly put together with the municipal court on the data that I think councilmember Garza and councilmember Houston asked for during our last work session. It's got some maps showing where the violations and citations have been issued from 2014 to 2016 and I think it's illuminating information so I'll pass that around and look forward to working on that next Thursday but wanted to fulfill the promise of having a discussion the week beforehand and not just waiting until

Thursday. >> Mayor Adler: And this is set to come to council a week from Thursday. >> Casar: That's right, a week. A week from -- a week after. >> Pool: The public hearing. >> Mayor Adler: Hmm. >> Pool: The public hearing. >> Mayor Adler: Public hearing a week from Thursday with a request that action be taken that day. So this work session, next work session we can discuss this. Ms. Pool. >> Pool: Thanks. And thanks for coming forward with a program -- I haven't read it yet, the resolution to address what may be a gap, if in fact the

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juvenile curfew is not continued. That has, as I stated in our previous work sessions, that's my chief concern, that if there are some unprotected children on the street. Outside of the times that are already in the ordinance for -- like to and from school is not considered to be a violation. What were some of the other -- I'm looking at the report that Janet Jackson sent to us earlier this week. I get to the very last page where it actually has the ordinance defenses, defense to prosecution where the juvenile is traveling a direct route to the juvenile's home, the juvenile is in a vehicle involved in transportation for which passage through the city is the most direct route, the juvenile is connected with or required by a religious, educational or business trade, profession, occupation in which the juvenile is lawfully engaged which addresses some of these defenses currently in the ordinance address some of the questions that I think were raised when we talked about this last time. What if the child is walking home from school? Clearly, that wouldn't be subject to prosecution under this. And if the child is working, that wouldn't be subject to prosecution under this. I do think that it's important that our children are safe, and I would -- I was concerned -- and this may address it, that we wouldn't have any program in place to ensure that our children aren't exploited. Because we certainly don't want to be liable for that and we don't want that to happen under our watch. I would like to ask the chief to respond when we bring this up next time or maybe you have a look at this resolution and tell us if there's -- if you think that this will -- is sufficient as far as programmatic protection for children and maybe our health and human services staff or our Austin public health staff could look at it and give us a read. That's the one thing I'm concerned about. I absolutely support decriminalizing the arrest,

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should there be an arrest. Maybe there shouldn't even be an arrest but the piece about the criminality of a potential offense also worries me and bothers me and I want to remove that. I just don't want to in doing that inadvertently leave some juveniles at risk. So I think this -- I'll read it and I bet you this will tighten that up. >> Casar: We just put this together yesterday so I'll share it with the police department, public services and of course we'll upload it through the agenda system tomorrow. >> Pool: Thank you

for that. Appreciate it. >> Mayor Adler: Mr. Flannigan. >> Flannigan: Just as a data question, the two maps are very interesting, but is there -- between the A.P.D. And the aid, are there other school districts that have officers outside of A.P.D. That may also make these citations? >> On the Austin ordinance, no, I'm not sure whether pflugerville enforces their own curfew in that area, but these are the two that are relevant for what we're dealing with. >> Flannigan: Let me clarify. The Round Rock ISD schools, they clearly wouldn't show up on an aid-issued map. Do they have officers outside of A.P.D. That may be issuing these citations? >> No. We have actually a memorandum of understanding with aid that allows them to enforce this city ordinance so that's not something that you would see data points from those other police departments that are not captured here. >> Flannigan: The only authorized person, officer, representative to enforce this curfew in other school districts are A.P.D. Officers themselves? >> A.P.D. And aid are the only two that will be enforcing our curfew ordinance. >> Flannigan: So when the other school districts contract with the sheriff's department to bring in school officers, they're not enforcing these curfews? They have no right to?

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>> I apologize. Can you -- >> Flannigan: I think some of the other school districts bring in sheriff department folks in the Williamson county. For me I know they do. Are they not enabled to enforce this curfew ordinance? >> I'll have to check if they're brought in do they then fall under the agreement that we would have. So let me get back to you on that one. >> Flannigan: I just want to make sure there's not some data point that's missing. >> Sure. >> Mayor Adler: Ms. Houston. >> Houston: Chief, thank you all for here. When this was discussed the last time, I thought y'all were supposed to have meetings with the constituents and stakeholders. Did those meetings not happen? Because there was some public comment about why this should be -- not be adopted. And so were any meetings held with the stakeholders that spoke the last time? >> We did meet with Texas appleseed. That is the only stakeholder group that reached out and that we did meet with. >> Houston: And so nothing with aid regarding their concerns if they had any? >> They were part of the group that helped us with the initial recommendation that we are providing council as to extend the ordinance. >> Houston: Mayor, I'm -- I have the same concerns on both sides because some juvenile justice arrests lead straight to the criminal -- adult criminal justice system and that pipeline is very definitely in place. But I also have juvenile youth who are not a part of the gangs that we have who are are wreaking havoc and there's kind of been -- what do you call, expelled from school? And there are no services available because they're

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not in disallow. Now if they're in school and get sent to the alternative learning center they get support and services but if they're just expelled they're out in the streets. So there's nothing there. I don't know that this addresses those children and youth, but that's where I'm seeing the gap, is that -- and I've had this conversation with the juvenile justice judge and the chief probation officer and A.P.D. Just a couple of weeks ago, about we have repeat offenders and how do we get the kind of interventions that they need to keep them from being rearrested and put in the juvenile system because they're not going to school. You know, I have to be honest with you. Some of these kids that you see on the street are not in school. And so -- I haven't had a chance to read the new resolution, but what does that do if we take away this curfew ordinance to the kids that I'm talking about who are in jeopardy of going -- yeah as soon as they turn 17 they're going to straight to big boy jail? >> Councilmember Houston, I think what the data shows here is that, over the three year fiscal period there were 2,123 curfew citations issued and 85% of those were for first-time offenders so these were juveniles getting their very first curfew citation and so I think in a way that actually points to the success of this curfew program because these kids do not turn around and then reoffend and violate either the daytime or nighttime curfew. So I actually think the fact that 85% of these citations are issued for the first time to a child is a good sign that the system is working and that it is providing that deterrent that we want. And although we're still completely completing all of

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the data and working with municipal court to gather that, what our initial review shows is that out of those 2,123 only 85 of those actually resulted in a guilty conviction through the courts. What our data shows is that 82 of the actual curfew violations were for secondary or additional violations, and so although it's not an exact, it looks like that the numbers that are repeating the offense of curfew violations are matching the actual number of guilty findings, whereas the rest are finding, you know, diversion and then again with only -- with 85% being first-time offense it's appears as though the ordinance is having the impact we want it to have and kids are not reoffending. >> Houston: Okay. Let me think about that. I may have some more questions. >> Casar: And I appreciate the police department's work on this and respect y'all's recommendation. And I appreciate the municipal court working hard to really bring down from 2,000 violations to a really low number of guilty offenses. I think to councilmember questions -- councilmember Houston's question, I want to clarify that this would -- getting rid of the curfew would still leave open if somebody breaks the law still being charged for that and for us to still work on diversion programs for youth that get involved in criminal activities. The hope is -- at least my hope is to stop just being a young person out there being class a misdemeanor. That's my intent. But just to clarify for the community that -- and to your point, councilmember, if there are young people that get into trouble, if they are -- if they commit a criminal offense, they're

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still criminal offenses for those things, it just would no longer be a criminal offense just to be walking on the street during their curfew hours. >> If we were to catch them engaging in a crime, then, yes. The other part of this would be just the victimization, that we've also seen the victimization of juveniles decrease because they're not out there during these hours when potentially they would be -- iep I've actually pulled up some studies that actually recommend communities maintain curfews because not only just the public safety aspect but also the safety of the child. >> Casar: And I understand that portion and I think that that's where the -- that's where I just have a different policy recommendation, which is I think that young folks being out on the street could present them with dangerous situations but they also face dangerous situations at otherwise they also face dangerous situations at school and from your own data the most dangerous time to be a young person is at 4:00 P.M., not at 11:00 P.M. Or at 2:00 A.M. And so for me, I would rather focus -- try to focus as much of our energy and efforts on dealing with what those structural issues are that put youth in danger and find ways to get kids in safe places, wherever those safe places may be. Home may not be the safe place without resorting to criminal charges. It's up to the body here to decide that and I have read some of that research and understand it's a mixed bag and respect y'all's recommendation on that. I just want to make clear that if there are youth that break the law, we still have the opportunity even if we get rid of the curfew to address them breaking the law and hopefully get them into the sorts of diversion programs to keep them from continuing do that but we would just end the practice of you being out on the street as being breaking the

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law. >> And just one point on the data, councilmember, just -- we can point to the motion dangerous hour being an hours that not even covered by the curfew, and that may be because we actually have a curfew and there are many, many fewer kids out during those other hours because of the curfew and if we were to do away with the curfew we could see that swing to where -- if the curfew were no longer in place and the kids felt free to be out during those hours we might see much higher rates of victimization during those hours. Again, it's many different ways to look at the data. >> Casar: It's a chicken and the egg issue on that one. >> Mayor Adler: Councilmember alter. >> Alter: I just wanted to ask that, chief, if you have other data or information that you think would be helpful for us to make our decision beyond what you shared earlier, I fore, you know, would welcome to see that information. You're obviously working closely with the issues and, you know, as we make a decision review this I would benefit from your additional perspective if there's anything after today that you particularly want to share or data that you have found on that moving forward. I'm just curious, what is the norm in other cities, and do we have cases where they've removed the curfew that have created sort of the natural experiment that is being kind of proposed here. >> I don't have information in front of me today about communities that have done away with the curfew and what has happened subsequent to that. We will take a look at that



and see if we can find that. Then in regards to additional information I have a study here I believe from UC Berkeley and another out of a medical journal on chirp's injury rates that I'll forward those references to y'all for your review. >> Alter: Thank you. >> Mayor Adler: Ms. Houston. >> Houston: I would like to know -- don't know this -- how much is the fine or fee associated with a class C misdemeanor? I don't -- haven't had one

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of those. >> The fines up to 500 is a maximum for a class C misdemeanor, however, I'd have to check with municipal court to see what the average fine would be for those 85 that actually were found Gil. >> Houston: So is the class C misdemeanor the lowest or highest fine? >> It's the same as getting a traffic ticket. We're basically issuing a sigh takers although it's called an arrest it's basically being issued a citation. So the juvenile when stopped would be issued a citation for being in violation of either the daytime or nighttime curfew ordinance and we would transport that juvenile back home -- if they're an aid student and it's during the day we would bring them whack to school or if at nighttime we'll bring them back to their home and turn them over to their parents or another responsible adult. >> Houston: That seems a lot of money to me for a 13-year-old -- some of my kids are 13 out on the streets. So that seems like not a lot of money for not only the kid and family to pay. So are there some other options for juveniles who receive these citations? >> I was actually informed through municipal court that most of the 85 that receive the convictions actually did community service on those and there is a minimum fine that's in the ordinance. >> Houston: I'm sorry. I was still talking. Of those -- you said 85 got the citations and they did -- >> 85 actually got a guilty conviction. >> Houston: A guilty conviction, and they did community service? >> I can confirm but that's what I was -- what I had been told. >> Houston: Of the people who did community service do's we have any repeat offenders? >> I'll have to check on that. >> Houston: Would you check on that? >> Yes. >> Houston: Because I'm coming at this from a

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different place because of some of the issues that I'm having. It's about parental involvement and how we engage that. So I would be interested in how many conversations we've had with Austin health department regarding the contracts that we're putting in place and we're paying money for that, to help at-risk youth. And I'd like to know where they are in responding to some of the 85 young people that did get the citations. Did they have some interventions in place? Did they get the parental involvement? Because just giving somebody a citation and, you know, letting them do community services and putting them in the same situation that causes some of the dysfunction, it's not helping the kids. And so they need to be in school and they're not in school. So there's some pieces here that I'm missing, and I'm not

sure what the right answer is on this. If we're not charging \$500 and people have the opportunity 20 -- opportunity to do community service, I just need to know more. I thought in the in between times would have had more robust conversation about that so now we're up on the gun to get something passed. I'm not sure what the right answer is on this but I think we need to have juvenile court involved in this conversation, probation -- juvenile probation department, because they're the ones that, you know, I think deal with a lot of the young folks that are just kind of wandering at times I think they should be in bed too. That didn't help at all but that's -- that's where I'm coming from. I don't know what the answer is as far as this resolution, but there's so many more questions that I have. How are we coordinating our -- looking at youth holistically so that we're giving them the kinds of interventions that they need to stay in school, help

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their parents understand the requirements that they need to be in school. And I understand that some kids are going to work. Some of my kids go four hours a day at can academy and may be out going to work but, you know, I think they can say I'm on my way to work and y'all don't bother them about that. Charter school people I don't have a clue about and home schoolkids I don't know about but I guess that's a problem for some. But I have to look at a broad irpicture just for the exceptions rather than the rule and I've got kids that need intervention because they're not in school. >> Mayor Adler: Okay. Would you remind again, we have to vote on Thursday because why? What was the impact of -- >> The ordinance is going to expire but I think we've posted it so you can either amend it, extend it, we have all the options available. >> Mayor Adler: Okay. And if it expired we could always put it back on as well? I mean, it's just an ordinance that's just in effect. I just wanted to understand the parameters. I wasn't recommending that. Ms. Pool. >> Pool: I want wanted to add to your question. My concern was that we were up so close to the expiration date of this ordinance, which is three days later, that if we wanted to do something with it, we -- it would -- it would expire. So do you remember their conversation? Okay. >> Casar: Quick question. So if a juvenile refuses to go banning home or back to school after receiving the citation, what happens? >> Ultimately we're going to turn them over to a responsible adult. We have a policy that talks about how we deal with

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juveniles and it specifically talks about getting them back home and back to the parents. If the parents aren't home or we can't get to the parents, then we find some other responsible adult that they know, whether it's a relative or whatever, and then we have a process we have to follow. We have to check them for warrants. We have to make sure it's a safe home. We actually have to call child protective

services and they run I know it's called a caps check to do a background on the home and the person we're about to release the child to. We've got a very detailed process for how we handle the juveniles that are in our custody and then how we turn them back to either their parents or another safe location. >> Casar: That's helpful. And I appreciate that information. I didn't know about all of that. But to -- but what happens if they don't want to? Like, if you say here's a ticket, now you have to -- we have to take you back to McCallum, what happens if a juvenile doesn't want to? >> I don't know that we've ever encountered that. If you're asking whether we would take them in custody and book them, it's not something that we arrest them for. >> Casar: Right, that's -- >> No, it is not something we're going to take them in custody and make a custody arrest for. >> Casar: I just hadn't thought of asking that question until you mentioned that. >> Sure. >> Casar: That's helpful to understand. But when they -- but since -- in your experience they generally do come, that you drive them over to their home if it's outside of school hours and you run all those processes, you check for warrants, you check through CPS if the home is safe, et cetera? >> Yes. >> Mayor Adler: Yes, Mr. Renteria. >> Renteria: You were saying that, what, 85 pleaded guilty or something like that. What -- how the procedure works? Do some kids plead no contest and that's not a

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guilty plea? Do they -- what's the other option? The ones that did get tickets that weren't found guilty, are they still -- since they was charged, it's still in their records. And did they have administrative fee for getting the ticket? Or was it just dismissed or what was the procedure? >> So I'll give you the high level and then if we need to get municipal court involved we can do that. There is diversion programs in mayor, I believe it's called the Austin youth diversion program so a lot of kids go through a diversion. I don't know if you have to pay a fee to go through that diversion course and what it entails. I know that's something that's available to the youth that end up going to municipal court for these charges. Sometimes the charges are dismissed. Then there's also a deferral option that you can get potentially through the courts to where it's deferred and if you have a period without reoffense. So there's different paths that it can take once a child receives this citation. Again, with only -- from the data we show from the past three years, only 85 of them actually resulting in a guilty finding from the court. >> Renteria: And once they get a ticket, does that go on their record? What happens to it once they reach [indiscernible] Age. >> It's just like all of your juvenile records. Your juvenile records are sealed other than -- very limited individuals can get access to juvenile offenses and that's covered by both the Texas family code section 58.00711 and then the code of criminal procedures 45.0217. These talk about the confidentiality of juvenile records and, again, it's to very limited individuals that would have access to this. >> Renteria: Thank you. >> Mayor Adler: Did you have something you wanted to say? Okay. Anything else on this?

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Thank you very much. >> Thank you. >> Mayor Adler: Council, those are all the items that we had. We have one item for executive session so we'll now go into that executive session pursuant to 551.071 of the government code. >> Renteria: Mayor, I'm sorry. I also want to say I'm going to be pulling 32 for Thursday. Item 32. Because I have some concerns on that one. >> Mayor Adler: Ongoing. >> Mayor Adler: Okay. Pursuant to section 551.01 of the government code, city council is going to discuss legal issues related to e3, a sign regulation. Without objection we will now go into executive session. And we will come out just for the purposes of closing this meeting. It is 12:31. [Executive session]

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We are out of closed session, and in closed session we discussed legal matters related to item E3. This meeting now stands adjourned, it is 1:28 p.m.