

City Council Regular Meeting Transcript – 06/22/2017

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[10:07:02 AM]

>> Mayor Adler: all right. Let's go ahead and we'll begin this. We have an invocation this morning, mark graham with mobile loaves and fishes. Allan graham is with us. We have the big cheese. Everyone, please rise.

>> We know that you have empowered us with the gift of discernment, particularly in one of the most diverse communities in the entire United States of America, and may our diversity be welcomed. May it be understood. And may we come together as a team in what we all collectively believe is one of the greatest cities ever, to do the work that you are calling us to do in order to create and maintain the awesomeness of this city. I ask, father, that you bring your spirit to be with these men and women up on the dais, that their discernment is your will, and I ask for all of us in the community to come alongside these great servants and support them, even though sometimes our ideals may be different. We lift all this up to you, and we ask you to pray and be present in this community. Amen.

>> Mayor Adler: Mr. Graham, thank you for everything that you're doing to help with the homeless challenge in the city.

[10:09:02 AM]

It's a great project. Thank you. All right, council. We have some changes and additions, corrections. Number 5 is withdrawn. Item number 27 has been recommended by the euc with an 8-0 vote, commissioners Boyle and Zell absent, with one vacancy. Item number 33 I have joined as a sponsor. We have some items that have late backup. They are two, three, four, six, seven, 32, 35, 36, 40, 43, 49, 55, and 58. We have some items that have been pulled. Item number 3 has been pulled. That is going to be a staff presentation. It is only going to be the staff presentation heard at a public hearing in August. Also pulled is item number 8 by Ms. Houston, item number 14 has been pulled by pool, alter, and Houston. Item number 15 pulled by -- mayor pro tem tovo.

[10:11:12 AM]

Item number 30 has been pulled by Ms. Pool. Item 33 by also Houston. And item 43 Ms. Garza.

>> Garza: Mayor, I don't -- external.

[Indiscernible]

>> Mayor Adler: Chef Sanchez here? Jeff Sanchez here? There's only one speaker on that. Do you want to pull it?

>> [Off mic]

>> Mayor Adler: Let's goad and -- go ahead and pull 43.

>> Alter: Mayor, I wanted to add \$200 to the impeachment March, item 38.

>> Mayor Adler: Noted. I also have item 35 being pulled by speakers. Item number 41 is being pulled. I think we had item number 40, the charter of U commission? Is that being pulled by alter and Casar? Is that correct? Is that correct, councilmember alter? Yes. Okay, item 40 is pulled. Item 34, which is the city manager benefits, the number that gets filled into that blank is \$300,804.

[10:13:21 AM]

Okay. So the items that I have being pulled are number 3, eight, 14, 15, 30, 33, 35, 40, 41, and 43. We have some people to speak on consent agenda. Let's pull them down. Mr. King, do you want to come and talk to us?

>> Mayor, thank you, mayor, mayor pro tem, councilmembers. Mayor, on item 43, if it's being pulled for speakers and if I remove my name and it will not be pulled for speakers, then I would be willing to do that.

>> Mayor Adler: Let's pull that just so we can make sure everybody knows what they're voting on.

>> Okay, all right. So the items -- mayor, I wasn't able to keep up with all the items pulled so I'm not sure which ones --

>> Mayor Adler: I think number 2 would be the one that -- ppa for wind.

>> Okay. I'm just speaking in support of that item. I think the sooner we can get to green renewable energy as a hundred percent of our energy generation is really important for our community. There has been climate change that we're dealing with right now. You've heard on the news how we're having heat waves in our southern part of our country and other parts of the world. I think the sooner we get there, the better for our community and for our planet. Thank you very much.

>> Mayor Adler: Thank you. Gus Pena.

[10:15:23 AM]

>> Mayor, can you prompt me on what numbers -- items of the agenda?

>> Mayor Adler: I think I have you on 19, 20, 22.

>> You pulled item number 35 for speakers?

>> Mayor Adler: Yes. 35 has been pulled.

>> Okay.

>> Mayor Adler: I didn't get that date. Go ahead.

>> Can I speak on 35 or no?

>> Mayor Adler: You can speak on it later.

>> Okay. All right. Item number 22 is having to do with the -- first of all, let me -- before I forget, mayor, it is my custom to like you also to identify people here that are visiting. I'd like for everybody to recognize Joseph Lang, he's with troop 441. He's here to community service in order to get his community merit badge. If you could stand up, Mr. Lang, and be recognized. Give it up, clap for him.

[Applause] I love it when we have people we can recognize. Item number 22 is having to do with any baby can funding, increased funding, any more money that we can give or allocate to any baby can, this organization helps out a lot of the infants and the families. So -- I'll keep it short, mayor. I wish we could give some more other than 36,000. I know there's a contract, but anything we can have for this type of initiative, especially for the children, it's very important for them to grow up to be healthy, productive adults and help us dynamic like me, older known get through society. Thank you very much for that and I look forward to speaking on the other items.

>> Mayor Adler: Thank you. Is Jeff Sanchez here? Is Zenobia Joseph here?

[10:17:26 AM]

>> Yes, mayor. I think is there just one item that you want me to speak to now?

>> Mayor Adler: I think number 20. Number 20.

>> Thank you, mayor, councilmembers, I'm sylvia Joseph. My comments are specifically related to citizens communications. I wanted to know, mayor, how difficult it would be to actually type the names of the citizens a week before as opposed to requiring us to sign up two weeks in advance. I understand that the problem is that the speakers are not listed on the agenda. Was that the conflict? Do you want my question?

>> Mayor Adler: It's part of that reorganization of that issue, of the agenda issue.

>> Right. And so I guess the question that I have is, why should the citizens have to sign up two weeks in advance? That just seems like a pretty long time. At the legislature you sign up for a bill on the day that the committee has a hearing. It's different, I know, in every governmental body or entity. At Travis county commissioners court you sign up for citizens communication before they convene so two weeks seems like a pretty long time. Did you consider any other options?

>> Mayor Adler: I'll let you go ahead and have your debate.

>> I'm not debating.

>> Mayor Adler: No, no, no.

>> I think it's pretty extensive. Two weeks in advance seems like a pretty long time when you consider that in other governmental bodies you sign up the day of or a week is a reasonable amount of time. So to capture all of the citizens, I was just wondering if the staff would

[indiscernible] It's not more than ten names. If they're not able to include that in the agenda with the minutes the following week when you approve the minutes, or if they could attach it as a separate item, at least a week before the agenda is published for the citizens. So that's my opposition, is that I think two weeks is extensive and it actually prohibits individuals who want to participate.

[10:19:31 AM]

>> Mayor Adler: I understand. Thank you.

>> Pool: Mayor, could I just add a point.

>> Mayor Adler: Yes.

>> Pool: I think what is actually intended by that and I'd have to look to see if the language is clear enough. We're opening the setup two weeks in advance to give additional lead time. We haven't shortened it. It continues on until the day of the meeting.

>> So the citizens -- can you just tell me when the citizens are supposed to sign up now? Because it's a little confusing reading the backup materials.

>> Pool: Our city clerk can answer the question.

>> At some point it would be helpful if you can clarify for the public so we would know when we're supposed to sign up. It's just confusing. Thank you, mayor.

>> Mayor Adler: Thank you.

>> Tovo: Mayor.

>> Mayor Adler: Yes.

>> Tovo: I would invite our city clerk up to clarify that.

>> So the change before you is to accommodate posting the agenda two weeks in advance. If we don't move the registration period back, then the names would either have to appear on a addendum or not appear at all on the agenda.

>> Mayor Adler: Yes, mayor pro tem.

>> Tovo: I want to clarify. Thank you, Ms. Joseph, for your point today. I wondered about that myself, whether that's going to cause confusion for citizens, but this is really the only option. Once the council voted to move back the agenda posting date, which I did not support, this became a necessary change. The reality is that at least in days past the citizens who want to communicate have to pretty much call that first day to get a slot. I think that's los angelesened up a little bit with some of our rule changes so you will have up until the council time to sign up if there are still spots available. I want to make sure the public understands. That's just for citizens communications spot. You always have an opportunity to come down the day of and testify on any items on the agenda.

[10:21:36 AM]

I appreciate the comparison to the legislature but I think that's more comparable. If there's an item that we're voting on you all have an opportunity to come down the day of the meeting and sign up here, but citizens communications does take some planning and now it takes more preplanning. So I hope, as I said, I think -- I think it's one of the necessary changes when we decided to move back the agenda posting date, and, you know, I look forward to seeing how that works out. Again, I'm -- I didn't support

it. I think it's going to be complicated and confusing and whatnot for all of us who are getting items on the agenda but we'll see how this works out.

>> Mayor Adler: Ms. Joseph, this is an iterative process we're doing, so we're changing lots of

[indiscernible] To watch that and help us watch that. This is an evolving process. Thank you. Okay. Those are all the speakers that we have to speak. Yes, mayor pro tem.

>> Tovo: Mayor we do have item 21 where the representative for the applicant has some points to read into the record.

>> Mayor Adler: Okay.

>> Tovo: Take it up right after consent?

>> Mayor Adler: If they're just being read into the record real fast, they can go ahead and do that.

>> Mayor, members of council, my name is Richard

[indiscernible] I'm here on behalf of the applicant on the encroachment agreement. The point of reading this on the record, the four seasons had ideas and concerns related to the encroachment agreement. We've agreed these would be read into the record. First subject to approval by the Austin transportation department, in my reference, we, that would be the applicant would find the traffic law enforcement officer to help direct traffic in and out of the four seasons during peak traffic trips, commit to shortening the duration of the land closure to 25 months and use reasonable efforts to shorten it to 18 months, commit to no illuminated signage on the roof top, use reasonable efforts to mitigate dust and degree, including cleanup and air placement -- provide a cell phone contact for the four seasons representative, if there's a construction issue, periodic meetings with the four seasons residence, any outdoor facilities at the hotel will comply with city's sound ordinance, we will screen the air conditioning equipment from view from the four seasons and on our driveway with Cesar Chavez we have an arrangement with transportation department after I call it the three strikes rule, I don't think the number has been determined but after the hotel is up and operating if that driveway is not operating and blocking traffic on Cesar Chavez we enter back into conversations with the transportation department about the design of the driveway.

[10:24:36 AM]

With those agreements the four seasons residents have agreed not to postpone or oppose the encroachment agreement to date. Thank you.

>> Mayor Adler: Does it -- the points are read into the record.

>> Tovo: Mayor, I believe we have a representative representing the four seasons today, and I assume from talking to them that they are in agreement and I just appreciate I think allowing for this one-week delay allowed for that agreement to be reached. I appreciate entertaining the motion to postpone and for the applicant for the four seasons hoa and the work you did over the last week.

>> Mayor Adler: Great. Thank you. We're now back up on the dais on the consent agenda, we're pulling items three, five is withdrawn, eight, 14, 15, 30, 33, 35, 40, 41, 43. It should be noted on item number 34 that the effective date is -- of the pay increase is June 25 of 2017. Yes.

>> Alter: Item 14 I would like to have executive session.

>> Mayor Adler: We'll do executive session before we talk about that. We will also do executive session before we talk about item 41. Okay. Any further discussion? Is there a motion to approve the consent agenda? Ms. Garza makes that motion, seconded by Mr. Casar. Any discussion? Yes.

>> Flannigan: I would be shown voting no on 38.

>> Mayor Adler: Okay. Anything else?

>> Houston: Mayor?

>> Mayor Adler: Ms. Houston.

>> Houston: I'm abstaining on 38.

>> Mayor Adler: Okay. No further debate, let's take a vote. Those in favor of the consent agenda, please raise your hand. Those opposed. Unanimous on the dais with councilmember troxclair off today.

[10:26:38 AM]

That gets us then to our consent agenda. As people please -- as you leave the room please leave quietly so we can continue. We're going to hold off on the --

>> Kitchen: Mr. Mayor.

>> Mayor Adler: Yes.

>> Kitchen: I don't know if you want to take it in order but I can tell you item 2020 we just have three speakers and it's probably a quick item.

>> Mayor Adler: Let's see if we have some stuff that might be less speakers. What about item 8? If everyone can please -- thank number R 8

[10:28:48 AM]

HAS YOU PULLED THAT, MS. HOUSTON.

WE HAVE TWO SPEAKERS ON THAT ONE.

DAVID KING, DO YOU WANT TO SPEAK ON THAT?

>> [INAUDIBLE].

>> Mayor Adler: MS. JOSEPH, DO YOU WANT TO SPEAK ON THIS?

>> YES, MAYOR.

THANK YOU, MAYOR, COUNCILMEMBERS.

I'M ZENOBIA JOSEPH.

MY COMMENTS ARE SPECIFICALLY RELATED RELATED TO THE ROUTE ITSELF, MAYOR, ROUTE 820, WHICH IS THE NEW RAPID BUS THAT WOULD LEAVE THE AIRPORT.

THERE IS FUNDING LANGUAGE IN THE BACKUP MATERIALS AND I WANTED TO ASK SPECIFICALLY IF THE AMOUNT THAT APPEARS IN THE BACKUP MATERIALS IS JUST FOR THE SHELTER, THE \$546,480.

IS THAT JUST FOR THE SHELTER ITSELF?

>> Mayor Adler: WE CAN HAVE STAFF SPEAK WHEN YOU'RE DONE.

>> CERTAINLY.

SO MY CONCERNS SPECIFICALLY ABOUT THIS PARTICULAR ROUTE IS THAT IT HAS UNINTENDED CONSEQUENCES AND I WANTED TO ASK IF YOU COULD ACTUALLY AMEND THE AGREEMENT TO INCLUDE THE COST OF THE ROUTE WITH HOTEL OCCUPANCY TAXES, CONTINGENT UPON RESTORATION OF THE ROUTES IN NORTHEAST AUSTIN.

SPECIFICALLY THERE'S A ROUTE NUMBER 20 WOULD BE ELIMINATED IN ADDITION TO THE 100 FLYER THAT CURRENTLY OPERATES.

THERE ARE 29.8 RIDERS TO ROUTE 20.

I KNOW THE NUMBER DOESN'T MEAN ANYTHING TO YOU.

THE REFERENCE POINT IS HOW 183 AND LOYOLA LANE.

SO THE INDIVIDUALS IN THAT AREA, UNIVERSITY HILLS, WOULD NOT HAVE A BUS.

THE ONLY BUS THEY WOULD HAVE THAT WOULD OPERATE UNDER CONNECTIONS 2025 STOPS RUNNING AT 6:49 P.M.

SO IF YOU PUT UP THE SLIDE FOR ME, PLEASE.

COUNCILMEMBER HOUSTON ASKED DURING THE WORK SESSION ON TUESDAY ABOUT THE PUBLIC INVOLVEMENT PROCESS AND WHETHER OR NOT CAP METRO WAS RESPONSIVE TO MY CONCERNS AS IT RELATED TO THE ROUTES IN NORTHEAST AUSTIN.

I WANT YOU TO SEE FOR YOURSELF AN EXAMPLE OF WHAT PUBLIC INVOLVEMENT AND THE RESPONSE FROM CAP METRO HAS BEEN FOR CERTAIN CONSTITUENTS.

THEY DID NOT RESPOND TO US IN THIS MANNER, BUT FOR THIS SPECIFIC CONCERNS FOR THE MUELLER RESIDENTS, THEY ACTUALLY IMPROVED THE ROUTE.

SO I HAVE PROVIDED YOU WITH THIS EXAMPLE FROM THEIR BLOG.

WE DID NOT GET THIS INFORMATION FOR 392 OR ANY OF THE ROUTES IN THE NORTH LAMAR NORTH LAMAR TRANSIT CENTER.

NEXT SLIDE.

NEXT SLIDE.

[10:30:35 AM]

THEY ALSO PROVIDED THE MAP.

THEY PROVIDED THE COST PER RIDER, THE RIDERSHIP AND THEY ALSO PROVIDED ALTERNATIVES FOR THE INDIVIDUALS IN MUELLER, AS WELL FOR COUNCILMEMBER KITCHEN'S CONSTITUENTS IN TWO DAYS FOR 50 INDIVIDUALS. FOR THE 574 CITIZENS THAT SIGNED THE PETITION IN NORTHEAST AUSTIN THEY DID NOT RESPOND UNTIL MAY 8TH THEY RODE THE BUS.

NEXT SLIDE.

AT THE BOTTOM YOU WILL SEE THAT I DID FORWARD THIS INFORMATION TO THE FEDERAL TRANSIT ADMINISTRATION.

I GAVE THIS TO YOU LAST WEEK AND I KNOW THAT I SHORTCHANGED THE MEMBERS ON THE RIGHT SIDE OF THE DAIS, TO YOUR LEFT, MAYOR, MY RIGHT.

SO I JUST WANTED YOU TO BE AWARE THAT I AM CONCERNED BECAUSE OF THE WAY THAT THESE ROUTES HAVE NOT BEEN EQUITABLY DISTRIBUTED ACCORDING TO TITLE SIX OF THE CIVIL RIGHTS ACT OF 1964.

YOU CAN REMOVE THE SLIDE.

WHAT I WANT YOU TO UNDERSTAND, MAYOR, IS ON TUESDAY, TRAVIS COUNTY COMMISSIONERS' COURT DID APPROVE TWO BUS ROUTES TO COMPENSATE INDIVIDUALS IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY.

THAT'S SPECIFICALLY THE LOYOLA LANE AREA, DECKER LANE AND COLONY PARK.

HOWEVER, THOSE INDIVIDUALS THAT ARE RELYING ON THE 820 NOW, WHICH IS AT THE SPRINGDALE SHOPPING CENTER, THAT'S COUNCILMEMBER GARZA'S 5.8 MILLION DOLLAR BUS ROUTE, THEY WILL ONLY HAVE THOSE BUSES THAT TRAVIS COUNTY COMMISSIONERS' COURT APPROVED ON TUESDAY, WHICH IS ROUTES 233 AND 237.

SO WHAT I WANT YOU TO UNDERSTAND IS THAT MY CONCERN IS THAT, YES, YOU ARE PROVIDING THE SHELTER AND AUDIO SO THAT THE PEOPLE THAT ARE RIDING THE BUS FROM THE AIRPORT KNOW WHEN THE BUS IS COMING, HOWEVER THE INDIVIDUALS THAT GENERATED THE NUMBERS FOR THE ROUTES ARE FROM ROUTE 20, WHICH IS 29.8 RIDERS AN HOUR.

THE SYSTEM AVERAGES 25.

IT'S SPECIFIED IN THE SERVICE EVALUATION FOR CAP METRO JUNE 2016.

SO I WANT YOU TO CONSIDER AMENDING THIS INTERLOCAL AGREEMENT TO INCLUDE THE COST OF THE ROUTE, AND IF AT ALL POSSIBLE TO INCLUDE THE HOTEL OCCUPANCY TAXES WITH THE CONTINGENCY.

THOSE ARE MY REMARKS.

IF YOU HAVE ANY QUESTIONS I'LL GLADLY ANSWER THEM AT THIS TIME.

>> Mayor Adler: THANK YOU.

>> YOU'RE WELCOME.

>> Mayor Adler: THANK YOU.

THOSE ARE ALL THE SPEAKERS WE HAVE.

MS. HOUSTON, YOU PULLED THIS ITEM?

>> Houston: YES.

AND IF MR. SMITH COULD

MR. SMITH, THANK YOU FOR BEING HERE.

CAN YOU HEAR ME?

[10:32:50 AM]

>> YEAH.

>> Houston: THANK YOU FOR BEING HERE THIS MORNING.

AND I WOULD LIKE YOU TO RESPOND TO MS. JOSEPH'S QUESTION IF YOU HAVE AN OPPORTUNITY NOW.

>> WELL, THE AIRPORT HAS NO SAY IN THE ROUTE THAT CAPITAL METRO RUNS TO OR FROM THE AIRPORT.

THE NUMBER OF PASSENGERS UTILIZING CAPITAL METRO AT THE AIRPORT HAS GROWN OVER THE LAST COUPLE OF YEARS, SO WE FELT THE NEED JOINTLY TO EXPAND THE BUS STOP.

SO WE CAME UP WITH A DESIGN AND A PROGRAM TO EXPAND THE BUS STOP, WHICH THE COUNCIL AUTHORIZED BACK IN JANUARY.

AND THE AGREEMENT THAT'S BEFORE YOU TODAY IS JUST MEMORIALIZING THE AGREEMENT WHERE WE'RE SHARING I.T. ACCESS TO EACH OTHER'S SYSTEM IN ORDER WHEN THE BUS STOP OPENS IT CAN HAVE LIVE FEEDS TO KEEP PEOPLE UPDATED ON WHEN THE NEXT BUS WAS GOING TO ARRIVE AND GIVE THEM ACCESS TO THE ROUTE MAPS AND THINGS LIKE THAT.

>> Houston: AND I APPRECIATE THAT, MR. SMITH.

I GUESS MY QUESTION IN THE Q AND A HAD TO DO WITH WERE TRANSIT RIDERS, TRAVELERS AND/OR EMPLOYEES, INCLUDED IN THE DESIGN, AND YOU SAID, OF COURSE AS YOU JUST SAID, THAT WE APPROVED THE DESIGN BACK IN JANUARY.

WERE THERE ANY OPPORTUNITIES FOR THE PEOPLE WHO RIDE THE BUS TO PARTICIPATE IN THIS PROCESS?

>> WE DEALT DIRECTLY WITH CAPITAL METRO ON THIS.

WE HAD A DESIGN COMPETITION SO THREE ARCHITECTURAL FIRMS FROM THE CITY'S ROTATION LIST PARTICIPATED, GAVE US THREE ALTERNATIVE DESIGNS, AND BOTH REPRESENTATIVES FROM CAPITAL METRO AS WELL AS THE CITY REVIEWED THOSE THREE DESIGNS AND WE SELECTED ONE THAT WE FELT WOULD BEST FIT THE AIRPORT ENVIRONMENT.

SO NO, IT WAS REALLY STAFF OF CAPITAL METRO AND THE AIRPORT THAT PRETTY MUCH SETTLED ON THE DESIGN.

[10:34:30 AM]

>> Houston: AND I APPRECIATE YOU BEING HONEST ABOUT THAT.

WHEN WE FIRST STARTED, THE AIRPORT DOESN'T JUST BELONG TO THE AIRPORT OR THE CITY OF AUSTIN, IT BELONGS TO PEOPLE WHO COME IN AND PEOPLE WHO LIVE THERE AND WORK THERE.

AND SO I ENCOURAGE YOU NOT TO ENGAGE IN PROCESSES WHERE YOU DON'T INVOLVE THE PEOPLE WHO ACTUALLY USE THE TRANSIT STOP.

I SAW THE GUITAR, AND THAT'S GOING TO BE CUTE, BUT DOES IT WORK FOR THE PEOPLE THAT HAVE TO USE THE BUS AS THEY'RE COMING INTO TOWN OR EXITING TOWN AND THOSE WHO WORK THERE THAT USE THE TRANSIT TO GET THERE?

SO WE HAVE TO HAVE THEIR PARTICIPATION BECAUSE THEY'RE THE ONES THAT ARE GOING TO BE STANDING UNDER THE GUITAR, TO MAKE SURE THAT IT SERVES THEM WELL AND IT KEEPS THE RAIN OFF.

AND WE'RE NOT DOING THAT.

IT'S JUST LIKE CONGRESS BELONGS TO EVERYBODY, IT JUST DOESN'T BELONG TO A PART OF AUSTIN.

SO WE'VE GOT TO DO A BETTER JOB OF INCLUDING PEOPLE WHO USE TRANSIT IN THE DECISIONS THAT ARE MADE BY THE AIRPORT AND CAPITAL METRO IN THE OUTCOME.

THE OTHER PART IS CAPITAL METRO'S PART, BUT I JUST WANT TO REMIND US THAT TALKING WITH STAFF AND TALKING WITH THE ARTS IN PUBLIC PLACES FOLKS DO NOT SAY THAT WE'VE HAD COMMUNITY ENGAGEMENT.

AND THERE ARE A LOT OF PEOPLE WHO RIDE THE BUS.

I WAS GOING TO RIDE THE BUS MONDAY, BUT I CAN'T FIGURE OUT HOW TO GET THERE FROM DOWN HERE.

BUT I'M GOING TO DO THAT ONE DAY.

BUT AGAIN, WE HAVE TO INCLUDE THE PEOPLE THAT USE THOSE AMENITIES.

AND THOSE PEOPLE ARE THE TRANSIT RIDERS, AND THAT DIDN'T HAPPEN IN THIS CASE.

SO THANK YOU.

AND THEN, MAYOR, I GUESS I WANT TO REALLY ENCOURAGE CAPITAL METRO TO LOOK AT THOSE ROUTES AND THE IMPACT OF THE ROUTES THAT MS. JOSEPH HAS TALKED ABOUT.

[10:36:07 AM]

>> You ride the 20 down here, and it will have some significant impacts on the people west -- east of 183. So I would hope they would really take a look at her concerns.

>> Kitchen: Mr. Mayor? I would respond by saying that I'm happy to -- I just sent a text. We're going to meet again with Ms. Joseph and also just to let -- help people understand that connections 2025 was adopted as in concept. Those routes were not cut. They have to come back to us before we have that kind of conversation. But I understand the concerns that are being raised and although the cap they haven't answered all of her concerns so I will be happy to meet with her.

>> Houston: Thank you, councilmember kitchen.

>> Mayor Adler: Thank you. Is there a motion to approve this item number 8? Ms. Garza makes that motion, seconded by Mr. Renteria. Any discussion? Those in favor please raise your hand. Those opposed.

>> Houston: I'm abstaining.

>> Mayor Adler: Ms. Houston abstains, others voting aye, Ms. Troxclair off the dais. That gets us to item number 15. 14 we're going to hold for executive session. Mayor pro tem, you pulled item number 15? Okay. Mr. Pena, you're here to speak on this? Do you want to come and speak on it?

>> Mayor, councilmembers, gust Pena native east Austin night, United States marine Corps veteran. In 1986, Ortega elementary was -- low ems, sober know economic students to achieve economic excellence.

[10:38:20 AM]

Martha Ortega was the principal, I served on the cac, I was appointed by the superintendent on the dropout prevention reduction task force. This item on the agenda is very, very beneficial. It has worked for Ortega and I know it's about data. But we need data in order to improve quality of life issues. We need data in order to provide services. So veterans for progress, and we just added 95 more members in our organization, Mr. Mayor, councilmembers. I would like to say this. I told y'all I went to Washington a week and a half ago and we will have the secretary of veterans affairs coming in to address all of these issues because a lot of these young people might be potential veterans and they want to improve the quality of life for the veterans and these children that will benefit by this. Anyway, I just want to thank

you all. If any questions, I would support this. It has to be -- it has to be data driven. Has to be issues cleared up by data and this was something positive for news the community, support it, and I want to thank Kevin Johnson director, and all of y'all who were involved. I know there's gonna be some questions, gonna be some counter balances but, you know, we're supportive. Thank you.

>> Mayor Adler: Thank you. Jeff Sanchez. Zenobia Joseph.

>> Thank you, mayor, councilmembers. I'm Zenobia Joseph. My comments, mayor, specifically as it relates to the science technology engineering and math contracts, is that I know when this item came before council the first time.

[10:40:26 AM]

I asked about actively scholars, and so I would just want staff to acknowledge whether or not they reached out to the university of Texas at Austin engineers or any of the scholars in the education department since we are trying to reach students. I personally did reach out to houston-tillotson university and they weren't responsive so I'm not advocating for them particularly, but I am concerned that you have the university of Texas at Austin scholars, African-American males in particular, and, again, what I would want them to disclose transparently is how many white graduate students will benefit from this \$100,000 in order to find programmatic items for the students of color, specifically African-American and hispanic youth. And so that's my opposition, is that I have talked to the staff in the past on this item when it was first before council. But I didn't see -- anywhere in the backup materials the number of graduate students that would benefit and also whether or not they reached out to any of the other universities besides the UT ray marshal center. Texas A&M would even be able to do this work but I'm more concerned about the fact that you've passed the institutional racism report and then here we are funding \$100,000 that will benefit predominantly white graduate students at the university of Texas at Austin. So if staff can clarify the outreach effort and their efforts to reach minority scholars, I would appreciate it. Thank you.

>> Mayor Adler: Thank you. Those are all the speakers we have. Staff wants to come up and talk to us? You pulled this, mayor pro tem.

>> Tovo: I have a -- several questions. Mr. Jones, can you walk us -- or can you just help us understand, last year during the budget, we approved \$50,000 for an evaluation of sorts, of this sort, so this is the returning, or is this in addition to?

[10:42:34 AM]

>> Kevin Johns, director of economic development. There are actually two contracts originally proposed interlocal agreements with the ray marshal center, excuse me, for 50,000 and with the lbj school for 50,000. And we were asked you to back and look at the scope of services on both of those. So in light of the new regional workforce plan, we're going through the city auditor's audit of our workforce contracts, which is requiring us to have outcome-based products, that is, how many people get jobs, what are their salaries, how much taxes do they pay, and the council's resolution on chapter 380 agreements, which includes a look at workforce and whether those tools could be used for workforce. We've combined those former two contracts into one contract that would look at two things. Is this too much information?

>> Tovo: Yeah -- yes. If you don't mind.

>> Please.

>> Tovo: My colleagues may want all that information eventually. What I'm trying to understand, last year during budget the council allocated \$50,000 to look at evaluating youth programs. Is part of this contract including this piece?

>> Yes.

>> Tovo: The contract before us today. Okay, so it went from 50 to 100 so you've expanded the scope to include adults as well. Is that right?

>> Not exactly. There were two contracts. There was an interlocal agreement with the lbj school, and there was an interlocal with the ray Marshall center. We have combined those. So there's -- it has always a hundred thousand, but --

>> Tovo: With were they both approved? Was one the one that we were not going to support and then we postponed?

>> Neither were approved. They were both postponed.

>> Tovo: Okay. I'm seeing some -- I thought that there was 50,000.

[10:44:37 AM]

There was money approved in last year's budget to do the Austin technology stem program.

>> That's right.

>> Tovo:

>> The -- yes, that's correct.

>> Tovo: Okay. Okay. So then -- okay, thanks. That's helpful. So I have a couple -- you have a lot of specific questions. I guess my basic general question is, why we would do this outside of the budget process, given the time frame. But if we want to do it today, I do have some very specific questions. As I understand -- thank you for taking the time to, you know, provide us with some more information through the statement of work. I have -- with regard to the youth program evaluation, it talks about -- it talks about looking at the four districts in all four Austin school districts. We have something like seven or eight. Which of the Austin school districts that this would survey?

>> This would survey all 92 title 1 schools within the city limits of Austin. And it would look at what stem entrepreneurship and creative programs were offered to those students and find out what is the gap, that is, how many students were not getting access to the stem programs through the creative programs.

>> Tovo: So it would -- have you talked with the school districts about whether they've -- so it would be all of the school districts, not just four of them?

>> It would be all the school districts within the city limits. All 92 title 1 schools. This would be the first comprehensive inventory of what is going on in every school that relates to the stem pipeline. So that we could find out now how many kids are getting access to the 40,000 jobs out there perpetually that they can't get access to.

[10:46:41 AM]

What nonprofits are doing, which nonprofits are reaching which kids, what are the schools doing? What are the 20 biggest corporations doing? So that we can know who is doing what. Right now there's a lot of people asking for money, a lot of people doing different things. But at its very core we're funding things and people are funding things without empirical data, that is, we don't know, in the four title 1 schools of councilmember Flannigan's district, we don't know exactly what is going on there. We don't know whether apple is helping them, what -- whether the nonprofits are helping. We don't know in any of the districts what is actually occurring. We've got -- we think over a hundred nonprofits. We've got incredible programs for internships. But we don't know who is doing what. And so with the regional workforce plan coming forward for your all's review and potential funding as soon as either August or October, plus we're going through our own audit of our two and a half million dollars of workforce contracts, it's very timely for us to take a look at the return on investment. And so that's why you have this before you now, it's timely. We're kind of in a crunch time with this new regional master plan coming forward with the existing audits being reviewed and they're saying, your processes are working fine, but we don't know whether people are getting jobs. We don't know what salaries they're getting.

>> Tovo: Before we talk about the adult piece of it, I just want to really be sure that I clearly understand the youth piece as it's described in the scope of work. It is looking at the different stem programs and

developing a baseline of what currently exists. It's not going to fund any youth programs and it won't be evaluating those youth programs. It's really taking an inventory of what exists, as I understand it.

[10:48:45 AM]

Is that right?

>> Yes, that's right.

>> Tovo: Okay. And then -- and I guess I would ask you, what -- I'm still not -- let me just say I'm still not sure why the city would engage at this level of expense without involving the school districts in doing -- in creating that kind of partnership.

>> Well, the school districts --

>> Tovo: It's a pretty costly analysis of sort of what's out there in these different school districts. And I wonder if e3 alliance or any of the other organization that's operate within this space have done a similar analysis in setting -- in surveying what's out there for kids with regard to stem.

>> I'd like to answer that. I think that the ray Marshall center contract would interview all the schools, would interview all of the nonprofits and has already a good relationship with them. All of the workforce organizations. At least ten to 20 of the largest private companies that are doing it. And create an architecture, a system. In terms of the -- our public outreach, of course I've reached out to all of the major organizations, including cann, leadership Austin, United Way, the workforce solutions board, capital idea, all of the major organizations, the school systems. But the actual day-to-day work would be done by the ray Marshall center, where they would find out what everybody is doing so that we had a roadmap. Because right now we're funding things instinctively but what we're looking at here is a more far-seeing, but technically possible way to look at how we fund workforce in the future to create this pipeline for kids, but also to look at the roi, to look at what is this -- does this really mean for kids that want to get into programs or adults that want to get into programs?

[10:50:58 AM]

There's overlaps and there's gaps. But we think that this is an astute, caring, innovative approach to how we take a look at providing empirical data for the mayor and city council to make decisions in the next couple of months as the new plan comes forward, as you decide what you're going to do with the chapter 380 agreements. You've specifically asked us to look at whether that tool can be used for

workforce training. Without having this data in place, it's going to be very difficult to have benchmarks and have metrics.

>> Tovo: Are you working in conjunction with the central Texas afterschool network learning all the time? As I recall they came to the joint subcommittee and asked -- they were potentially going to ask for funding but then I think they secured private funding to do an analysis of what the afterschool opportunities are in very much the same way. Is this operating in conjunction with the systems approach that they're taking to look at what exists out there for youth services?

>> They're an excellent program just like the wonderful programs the city of Austin is doing in internships and the schools. What we hope that the Ray Marshall center will do and we have not negotiated their contract but we would absolutely make sure that they interview every single person, every single organization that you want interviewed because we want to create a comprehensive interview inventory, because others we don't know what we're funding and who is -- funding and who is getting money from whom. Later, you can make decisions on what to fund but I think at this point we want to find out who is doing what and what are the metrics that you might want to consider.

>> Tovo: The mentioned I mentioned them is they're not a provider, they're kind of an umbrella organization of providers and I -- and I see Kimberly Mcnealy here, maybe she can provide more information.

[10:53:01 AM]

It was my understanding they were undertaking a kind of inventory of youth programs within our area.

>> Kimberly Mcnealy, acting director for parks and recreation.

[Indiscernible] Used to be c10, used to be schools out central Texas, it's now officially learn all the time is an advocacy group advocating for quality youth afterschool and out of school time programming. While they had at one time thought they would like to do something very similar as being described, there has been no funding appropriated through learn all the time to do a comprehensive review of stem programs throughout the central Texas area. What has been done has been completed by c3 -- I'm sorry by e3 alliance and e3 has done an out of school program time review of all of the school programs that are associated with summer camp and out of school, and they are not -- they are not categorized by the type of program or the vehicle or the subject matter. They're categorized by who is having a program and where are they located throughout the city if that makes sense.

>> Tovo: Thank you. Some of that exists. Councilmember -- it looks like there might be other questions. I have questions about the adult piece of it as well but I'll yield right now.

>> Houston: Thank you. And thank you, Mr. Johns. I have since I've been on the council and been on the health and human services council committee had some concerns about duplication and the lack of any kind of systemic way to figure out who is doing what when. Some of the programs that the city of Austin funds we've been funding for over 20 years and we don't have any really good outcome measures, we don't have any really good metrics about which people decide, do you continue to get funding or do we switch funding because the emphasis needs to be on something else. So I welcome this non-biased, objective review from the Ray Marshall center, and could you talk just a minute about how the conversation we've had about using young students who look like the folks that we are trying to service, as we put a system in place to ensure that the stem opportunities are available for all title 1 schools.

[10:55:18 AM]

I'm now having to go to each one of my large business owners and have recently with Samsung and applied materials to say we need to get a better handle on how the kids in my title 1 schools and all my - - and all my schools are title 1 -- are being provided those opportunities so they know -- at an early age so they know these careers are available to them. Can you talk a minute about the conversations we've had about the graduate students?

>> One of the big issues that we have, as councilmember has scribed, is that -- described, is that we're a 51% minority city. There's 132,000 people that live in poverty in Austin and 30 to 40,000 are children. And so at the councilmember's request, we began interviewing some of the major companies on their affinity programs so that be hispanic engineers that would do the tutoring to hispanic children, black engineers and scientists who would do the tutoring and give the talks to black children. And so embedded in this whole initiative is to have like leadership of hispanic engineers and scientists and entrepreneurs and black leaders in the same genre. So we have -- we've reached out to the black ministers union. We've reached out to all the major corporations that are participating. About ten corporations have agreed to participate in this inventory and potentially cyst in this. Of course we're reaching out to Houston-Tillotson. So this is an ongoing part of the process to make sure that we have a very thoughtful system put in place so it's not -- it's not kids of color only relating to adults who are not of the same ethnic background.

[10:57:28 AM]

So we've been very thoughtful about doing that. We have very good responses from the companies and from the stem organizations and the schools. They're all on board.

>> Mayor Adler: Further discussion on the dais? Ms. Garza.

>> Garza: I would just respectfully push back on the idea that we're funding things instinctively or we're funding things without data. Much of our social service contracts include metrics, many of our contracts include some kind of performance metrics. And I assured the same concerns as the mayor pro tem -- I shared the same concerns as mayor pro tem with using a hundred thousand dollars -- data is great. It's great to have data. I don't know if that's the city's place to be funding getting that data. I think that would be great if UT could get us that data without us having to have this contract or, you know, many times there's philanthropic organizations that can fund that. But I -- I just wonder how many capital idea people we could fund with a hundred thousand dollars where we've seen the success of it. And the concern that these programs are reaching some people but not others is more of a capacity issue. They don't have the funding to serve more. They have 20 slots and those 20 slots get filled because of a capacity issue. That's why I've advocated for increasing our contract capacity. It doesn't seem that it's -- anyway, I'm -- I have concerns, too, about -- and so were you saying that this information -- they'll be able to do this -- this hundred thousand dollar contract in a month to inform our budget discussion?

>> Let me, councilmember, you raised a very good question. I'd like to address one very important point about the empirical data.

[10:59:31 AM]

A lot of these organizations that we support, of course they're providing some data, but they're not providing financial data. So if an organization trains an individual and that person graduates with either a certificate or gets a job, we do not know what that person's salary is. We do not know whether they're making enough money that they don't need an affordable Austin, subsidies from Austin energy, that they don't need the public health department services, they don't need the criminal justice system or they're not involved in the is jail. We do not have the kind of information that tells us we do not have the information -- that we're reducing the number of people who would otherwise would have to pay for subsidized housing as an example or the amount of taxes they generate. So we don't have a true return on investment for any of the projects that we're doing. It is true we know how much it costs to train people and we know if they get a job quite often, not always, but what we're trying to do is a different level of systems analysis. Because with this regional master plan coming forward, it's an effort to try and quantify how we can get 10,000 people out of poverty. That's what you're going to be presented with as a challenge. So what does that really mean? Does that mean we're going to increase taxes? Is it going to increase costs? So I just want to say that the empirical data that we are putting together has not been provided before. So there is that very important piece for your decision making in the future if you are going to fund something, in the future you would know what is the return on investment for funding. If it's \$50,000 to train somebody, if the return on investment is \$75,000 in avoided costs and taxes, that's a very smart thing to do.

[11:01:32 AM]

So this is -- it's an educational piece that just really hasn't been done before. So I just wanted to make that point that very few of the social service delivery organizations have that measurement. They don't - they're not thinking along those lines at this point.

>> Garza: I guess I'm still not sure that data -- how do you quantify moving someone out of poverty. So even if it costs the city 75,000 but they end up having a \$50,000, we've moved a person out of poverty and in a way that's kind of priceless. So I'm still not sure -- and if the data shows we're moving them into jobs to the private sector that is only [lapse in audio] No control over what private -- a private firm pays. So I'm still very uncertain of how this data will be helpful. I applaud the overall goal, but with such limited dollars, I feel like a better investment is in the programs that we have the metrics, we know the successes, they come from the economic development dollars to help programs like

[inaudible], we know they work, why not invest them in those where we could start changing people's lives now?

>> I would like to just add one point because preparation for this meeting we did work with John Hocken Yoes. And if we were able to move 40,000 people out of poverty, making \$49,000 a year, as, you know, according to the

[inaudible] And the county. Then that means that they wouldn't qualify for the benefits, the subsidies that we would normally apply to people who are under that limit. And if we did that and we just avoided the cost of using the city's public health department, the return on investment according to the study is the city would have a net new \$38 million a year to spend.

[11:03:45 AM]

So we're talking about the potential for scaling up a different kind of revenue model for the city. If we continue to spend on workforce, which we need to do, but not knowing the ROI and we don't move people out of poverty, then the return on investment is -- it's essentially -- it's unsustainable because the kids will move into poverty and then you just replace the people who have graduated. So I apologize if I'm a little passionate about this. I hope I've answered your question the best you could.

>> Garza: You haven't. Did you say this data would be available before our budget discussions that start in about a month?

>> It would be available probably September, October when the regional master plan comes forward, which is probably on the [lapse in audio] And the decision making at a critical juncture. That's why it's

important that we get started now because we're kind of Teed up. We could do this, but I can't say we could get it done within [inaudible].

>> Garza: For the budget discussions.

>> I just don't know that at this point.

>> Mayor Adler: My sense on this is is that the need that we identified last year when we put money in the budget for this and talked about it still exists. Having just now participated with the county judge and the workforce solutions and other groups we have a lot of people doing a lot of things in the workforce area. We're spending money, the county is spending money, workforce solutions, the state is spending money, and the whole idea of the regional plan was to get the community to get more focused on what it was it was doing and to make sure that we were directing the money and resources in a way that best leveraged the successes we wanted to have. That part of the process I think worked really well.

[11:05:46 AM]

We have that regional workforce plan that's coming back to us. I'm still not convinced that we know which ones of the groups, which ones of the things are the best ones to put money in. And quite frankly, even some of the names of the groups we hear most often on this dais, there are people that suggest different priorities or different organizations that should be used. And now we have a different metric to be able to measure against. Now that it's focused really in the whole community giving more line behind these middle skill positions and these middle skill positions focused primarily in three areas, being I.T. And health care and nursing and in skilled labor. So I was a little confused on an answer you gave to the mayor pro tem when she was asking is this really just an inventory of programs, and I'm not sure I support just an inventory of programs. Then I read the workforce -- the work plan that's in our backup where it actually speaks to looking at the different programs and looking what works relative to the metrics that have now been identified in the community. I really want to see us focusing not only our two and a half million dollars but the county's millions of dollars and the workforce solutions millions more of dollars on what gives us the best return. We have 60,000 middle skill jobs that are going to be available over the next five years and we have 40,000 people in our community that should be eligible for those jobs but are not. And we need to do that, and the regional plan sets the goal of getting [inaudible]

[11:07:53 AM]

People out of poverty into these middle skill jobs. It speaks of 30,000 people being brought into that area. And I'll tell you as we were going through that process, that kind of imprecise of what's working and best place to put the money we need. Is this \$100,000 going to answer that question?

>> It will to a large degree. In doing the inventory, and unfortunately I do expand on the answers, I'll try to be specific, in doing the inventory, they are going to identify what everybody is doing and what their success rate is. So it does answer that -- that very important question.

>> Mayor Adler: Okay. And just to have everybody measured success differently. To have one that would measure success across organization

[inaudible] Would give us that we have right now because everybody's program is successful the way that they are measuring their program. And to have an institution like the Ray Marshall center and say we're going to have one yardstick, how do you measure up against this yardstick would be an incredibly valuable thing. Ms. Pool.

>> Pool: I'm looking at the project deliverables and schedule and it looks like the project, if we were to approve it, would begin in August, project implementation plan proposal would be the end of September. I think that means September 30. I think that date is wrong. Reported submitted -- it looks like a final report would be April -- again, I think that date is wrong -- 30th of 2018. So in answer to what my colleague was asking about what would be available in time for our budget, I think I've had a number of conversations with our good friends at the Austin chamber of commerce, doing a lot of stem work and job training and retraining work, and it just feels like this isn't ready for prime time at this point.

[11:10:17 AM]

I don't -- I understand we want to do workforce development, but I don't -- I don't see this. And I don't completely understand the city moving in that direction when we have plenty of needs already that we haven't completely fulfilled funding for them. And so I -- I'm not inclined to support, but thanks.

>> I would like to say, of course, I've spoken and gotten the support of all the chambers of commerce on this project, all five.

>> Pool: And I appreciate that and I'm sure that that's true and we are being looked at as a source of funding, and right now I'm just not sure that on my priority list with our limited revenues currently that - and I would want to know -- I think I would want to make this decision during the budget process. That's the piece that I'm hesitating on.

>> Mayor Adler: Mr. Casar.

>> Casar: Are folks from the ray Marshall center here to give us sort of their view on why this adds and whether there are other funding opportunities or whether we're the prime funding opportunity to do this kind of work?

>> We have a representative available this afternoon, but not here this morning.

>> Casar: Okay. My -- one other question for you, then, is that in the Q and a you do talk about the gap analysis as you describe, but it also says there's going to be recommendations for increasing and improving the pipeline for those students from title 1 schools. Can you talk a little about how much you think this will go into recommendations on how we can improve as opposed to just the survey and the inventory?

>> Absolutely.

[11:12:18 AM]

The fact that there's not a system in place now, that it's kind of hit or miss which students connect to which companies will be resolved by this. So the idea will be to have the ray Marshall center map out all of the availability of stem, all of the availability of entrepreneur and to have at least 20 companies that will step in we've already spoken to that will step in and will make available different resources. For example, silicon labs is real keen on providing tours to eighth graders. To show the kids what is done at silicon labs. Google, looks like they could do the similar kind of analysis. The process would lead to a technology agnostic system so if kids wanted to be a derivative trader or they wanted to make robotics, they would have pathways to do that through the existing cluster industries that we have in Austin.

>> Casar: Mayor, I see a real need for us to have -- figure out thousand best build the pipeline towards a lot of these jobs in the community and having some research that helps us figure out where we're -- where our programs are not covering the -- analysis on whether or not we need to have capacity issues to cover those gaps or needs to be new types of programming all seems to make sense to me. Still not completely clear to me whether or not -- maybe it does, maybe it doesn't, I may feel most comfortable being able to ask questions of society researchers or ray Marshall this information going to be here this afternoon.

>> Mayor Adler: Let's do that. Let's hold this item until this afternoon and we'll bring it back up then.

[11:14:19 AM]

>> Thank you very much.

>> Mayor Adler: Thank you. I'm sorry? You want to ask another question --

>> Tovo: If I may. I want to be able to think through this. It seems to me like what is happening with the youth programs is different from what's happening with the workforce and I think that's the substance of the question I got an answer to. I think for the workforce for adults you're evaluating the different programs. But maybe the ray Marshall center can give us for information, but what is happening with the youth programs would be an inventory of what is existing. Not creating the program at silicon labs, not evaluating these programs. As I read the bullet points, it is looking at -- looking at what is existing and then suggesting an organizational -- I won't take us through the bullet point, but it is about producing a baseline report of what is existing and what metrics we could use to evaluate stem programs among youth.

>> The objective of using the university's resources at the ray Marshall center is to lay the foundation for a new system, to make recommendation, find out what is going on out there currently. What do we need to do, how are people measuring success, propose the success, and the success that we're looking at is a financial measure, which is how we would look at the adults, see how much they are making, what taxes are they generating, and then apply that to the youth pipeline to measure outcomes based upon the economic value to the city.

>> Tovo: Okay. I guess I just wanted to clarify that as I read the scope of work it is different for the adults than for the youth. Can you help me understand, though, capital idea as one of the workforce programs we fund does a pretty significant and robust analysis of the return on investment. I assume other workforce programs do as well.

[11:16:20 AM]

And so I just pose that as a question, maybe the ray Marshall folks can answer why would we do another analysis of that sort.

>> I have the project manager for our workforce contracts, David Culligan, we could do that now or later. I'm flexible.

>> Mayor Adler: Let's hold and do that later so we can bring all those questions. I would like to hear from David on that. And part of it is coming up with a single metric. Capital idea does that, different organizations do it -- differently and one of the questions I have is what is the appropriate metric to be using in being able to evaluate the different organizations. But we can -- go ahead.

>> Tovo: I was just going to say I look forward to the afternoon conversation, but a key consideration for me, as councilmember Garza said, we have very successful programs. As I understand this is coming out of, I guess, the money that still remains in economic development for this year. And it is -- you know, we know some successful programs, we know some successful youth programs, we know some successful

workforce programs. It is a significant question about whether we invest in programs or whether we spend \$100,000 evaluating kind of what exists and what our metrics are going to be going forward, especially among organizations that are doing evaluations.

>> Renteria: Mayor, I'm going to support this because I really want to know where we're spending our money and how much we're getting back in I mean we're spending, what, \$3.4 million last year on capital idea and we're saying we've got 80 people that are graduated from this program. I don't know what happens after that. I mean what did they do? I mean no one -- when I was growing up and I got

[inaudible] To go through these programs and got a job with IBM, and no one knows that I went off to be a homeowner, paid my taxes, raised my kids up to be responsible homeowners also and they are paying their taxes and they are working.

[11:18:35 AM]

But no one knows what the other person, what happened to the other people that were competing with me that didn't get those jobs. Where did they end up? Did they become successful? These programs are -- you know, we've been investing millions of dollars over my life time on these type of programs and I really don't know, you know, what are we throwing money at. Are these programs really that successful that -- you know, it just -- there's a lot of need out there, but we need to find out exactly where to invest our money and what would that investment bring back to the citizens of Austin and this country.

>> Mayor Adler: Okay. Let's go ahead and pull this off until this afternoon.

>> Is there a time --

>> Houston: Mayor, I would like to also ask that Stephanie Hayden with the Austin public health because that's where most of our contracts come from being available this afternoon to help us figure this out.

>> Mayor Adler: Let's see if we can pull it in close to 2:00.

>> I have a question in terms of getting the people from the Ibj school and the ray Marshall center. Do you have a time --

>> Mayor Adler: About 2:00 work?

>> About 2:00. Thank you.

>> Mayor Adler: We can pull it back up then. Let's go to the next item. Item number 30.

>> Kitchen: Mr. Mayor, if it's acceptable to councilmember pool, maybe we could hold off on that one. I guess I'm trying to get to item number 35 before noon. There's really only two speakers and they are here and need to leave.

>> Pool: That's fine with me, mayor.

>> Mayor Adler: Okay. Then let's go ahead and take a look at that.

>> Kitchen: Are we ready to proceed with 35?

>> Mayor Adler: This were like seven people signed up for organics. That may get pushed. Then we'll go then to item number 35.

[11:20:45 AM]

>> Kitchen: Mr. Mayor, I'll just -- I apologize.

>> Mayor Adler: Make a motion on 35?

>> Kitchen: Yes. Thank you. I'd like to move passage of item 35.

>> Mayor Adler: There a second? Mr. Renteria seconds that. Do you want to go to speakers?

>> Kitchen: Yes, I can speak briefly to what this is. This is following up on a recommendation by our veterans affairs commission which relates to creating a one stop shop for services of veterans, a creation of a veterans resource center. What the resolution does is it directs the city manager to complete and prepare and then present back to council a business plan within six months of the date of the resolution. The business plan will address things like needs, costs, potential funding and work steps. Will also include a needs assessment that demonstrates

[inaudible] To exist and how to approach narrow gaps as well as approaching metrics. We've also included in work steps to be considered in the business plan the recommendations from the veterans affairs commission, and there's a number of those. And finally we made sure to councilmember alter may have suggested this, but we made sure to recognize that in looking at the work steps we -- including the assessment of possibility of federal, state, county and private funding sources.

>> Mayor Adler: Let's go ahead to the speakers. Mr. Peña. You have six minutes if you want it. Time donated by David king.

>> Thank you, Mr. King, for the additional time I. I hope I don't have to use it. Mayor, councilmembers, I am a United States Marine Corps veteran and, you know, I -- I have a problem with the veterans affairs commission.

[11:22:45 AM]

American legions, veterans of foreign wars, the womens auxiliary -- womens veterans auxiliary organization has not been contacted with any of this, and again we're talking about, for example, the prior issue about communication and how much, well, we don't know -- we have one of the biggest organizations here in austin-travis county. Veterans for progress. We're well known in Washington. Well known here in Austin, but we're very active. This hasn't gotten out to the appropriate veterans organizations and I would wish and hope that in our best interest y'all are doing this for us and I appreciate it very much, but we need to know more information about this and we haven't got it. Excuse me, bad English. We haven't gotten it. We haven't received nothing. So my concern is this, please address it with the vfw's and American legions and especially the womens veterans auxiliary unit to be involved in this decision. And I thank councilmember pool and whomever else was involved in this because this has been needed for a long time, but darn it don't do anything without having to allow the veterans involved in it. We're talking about processes in the prior item and agenda, and it ain't good process until you involve us veterans. Us veterans. I can tell you about homelessness, I can tell you about being unemployed, I can tell you about a lot of things that y'all don't know about what we do know about. And I speak daily, daily with my veterans. Speak daily with all vfw's and American legions. I would ask you speak better with us, I applaud this but include us also because you are talking about us. Thank you very much.

>> Mayor Adler: Thank you. The next speaker on this is mitzy Wright.

[11:25:01 AM]

Not going to speak on this. We're back now --

>> Kitchen: Mr. Mayor, I think Joe Sanchez signed up.

>> Mayor Adler: We've been calling Mr. Sanchez all morning. He hasn't been here.

>> Kitchen: Then that's it.

>> Mayor Adler: Mr. Sanchez here? Thank you. We're now back up to the dais. It's been moved and seconded. Is there any further discussion on this item? Those in favor? Ms. Houston.

>> Houston: Well, I would like to just reiterate something that Mr. Peña said is that although this came from the commission, it would be helpful to ensure that the veterans program and the city and I'm sure they are part of that commission, but there is something to be said about a group of people doing -- and maybe they had public hearings, Mr. Peña, and we didn't know about it. If there were public hearings available, I support it, I just wanted to make sure we had a date in there to bring it back to council. But I think there's some reason to say we need to get in touch with some of the veterans organizations to make sure it's what they want.

>> Mayor Adler: And one of the reasons -- I mean I notice that this initially started out as a request from the veterans commission just for support for a specific proposal, but the resolution that we're bringing is much broader than that. It begins with first a look at what the needs are, which I would imagine and hope would be a broad survey. So the solution that's proposed by the veterans may be one way to achieve that. There may be better ways to achieve that. That broader conversation exactly what you are talking about I think is where this needs to begin. Ms. Pool.

>> Pool: Directly to what Mr. Peña was saying, if you look on page 3 of the draft resolution, paragraph 3, it says -- well, the business plan would also consider and address but not be limited to -- and 3 is to invite veteran service providers to have representatives available and will provide but not be limited to veteran service providers like the Texas veterans commission, workforce commission, veterans administration.

[11:27:14 AM]

I think the intention is for it as it is often with us on this dais, we are trying to throw the nets as widely as we possibly can. And this does say that even if a group is named in here, it's not limited to these. Surface and bubble up. So you include that. I support this. My veterans affairs commissioner had worked very diligently on this, Pete Salazar, and I really appreciate the strong work that he has been doing with that commission for the last two and a half years. Thank you for bringing this.

>> Kitchen: Mr. Mayor?

>> Mayor Adler: If we're all in favor, we move quickly through this because we can get one item that has eight speakers before we break at noon or we could hold off that until --

>> Renteria: I just want to say that my wife is a veteran so -- and she's been very active [lapse in audio]

>> Mayor Adler: Okay.

>> Kitchen: Two seconds. I need to thank Jason

[inaudible] Appointee to the veterans commission who brought this to -- and that's all.

>> Mayor Adler: All in favor of item 35 raise your hand. Those opposed? It's unanimous with Ms. Troxclair off the dais. We have a half an hour. I think we might be able to -- we can either do the briefing or the collection issue. Probably one of the two. Preference? Item number 30, organics collection. We have 30 minutes, eight people speaking, we probably don't have the time. Let's do the briefing the Austin energy.

[11:29:23 AM]

There are people who have signed up to speak but we're not going to take speakers. We had said we're going to bring it next time unless you would rather speak now instead of in August which I doubt would be the case.

>> Pool: Mayor, just to add for that because Mr. Shalabam spoke at our meeting and this is a followup to report to full council, I did ask staff be cognizant of the short amount of time. I may maybe a maximum of ten minutes each would be plenty.

>>> Just waiting for the presentation. I'm the vice president of strategy technology and market operations at Austin energy. And with me is commissioner Karen Headen who runs the electric utility commission. And we're here to present a presentation that we presented on Monday at our committee meeting that basically lays out the recommendations from the stakeholder group that the eoc formed and also just a couple of cost slides as well for these recommendations. I've been over this slide quite a few times, but really it's the goals for the resource plan and these recommendations are on top of these goals.

[11:31:24 AM]

So we still have to achieve all these goals by 2025, and what the working group worked on is incremental goals to 2027. The working group was formed for members of the electric utility commission, resource management commission, industrial customer and commercial customer representatives, other community members that are interested, low-income representatives. It was a 14-member panel, I think, and it was very, very comprehensive. We met 14 times in a space of approximately eight months and staff was really there to support so these ideas were debated over a long period of time, provided a lot of data and this is the recommendations that we came up with. Just a little update since Monday. Debated recommendations at length on Monday evening and voted to approve the recommendations. And then the resource management commission on Tuesday night did the same thing, had a long debate and voted to approve the recommendations. They also emphasized that we should be studying more

[inaudible] Such as 80% renewable and carbon free to be brought back by the 2019 update. I'm going to at this point turn it over to commissioner and she's going to go over the recommendations of the group that she liked.

>>> Affordability was foremost in our minds and meeting the affordability set by the city of Austin as well as goals for climate protection.

[11:33:26 AM]

The affordability goals limiting to 2% rate increase system wide and gls for rates to be in the lower 50th percentage statewide and we're on track to meet that this year. We made recommendations on several different programs. Generation overall, local solar, energy efficiency and demand response, the process that should be used and electric vehicles. Our renewable energy target, this working group set a commitment to get to 65% renewable energy by the end of 2027. Many members of the group thought we could do more and so we included study the possibility of a 75% or 80% goal for 2027. We are concerned about a glide path meeting the goals. Decker power plant we agreed to target ceasing operations and beginning retirement of the decker steam units with steam unit 1 after the summer peak 2020 and unit 2 after the summer people of 2021. With fayette we agreed to affirm the previous goal established in 2014 and to begin the retirement of our portion of the fayette project in 2022. In local solar, the group recommended maintaining existing goals with at least 70 megawatts cuss sided with at least 100 megawatts customers cited. In terms of the budget there was a commitment by Austin energy to 7.5 million each year [inaudible] For 18 and 19 and a commitment to \$5 million a year for fiscal year 20 and 27. Through 27. Additional programs, there was a commitment to enhance incentives and programs for affordable housing projects by 2018, and a commitment to study and possibly pilot a utility managed rooftop program that requires no investment from customers.

[11:35:44 AM]

Basically like San Antonio is doing right now. There was a goal of maintaining 800 megawatts of efficiency and demand response by 2020 and a commitment to is thousand megawatts by 2027. And there were some qualifications on that subject to methodology changes pursuant to the measurement and verification consultant recommendation. And the 2027 goal will be reevaluated on completion of the study and there will be an assessment of the potential to do more. 110 -- I'm sorry, 1100 megawatts by 2027. Additional recommendations, Austin energy will budget at least 2.5% of gross revenues for demand side management. And to work with stakeholders to make sure future goals are budget based rather than just megawatt based. Commitment to achieving at least 1% of energy savings and to directing at least 15% of the demand side management budget to existing and potential programs for low-income and hard to reach markets in the multi-family and single-family areas along with small businesses. Updates. We've been doing on a path to do updates every two years. The groups thought it would be okay to go every five years with Austin energy rerunning cost analysis for the existing plan and providing an update on progress every two

[inaudible] Reports going to city council and commissions. The plan does not designate in terms of renewables, for example, between wind and solar and suggesting the least risk acquisition of renewable resources should be used to develop an optimal renewable portfolio standard.

[11:37:50 AM]

And it was recommended that Austin energy explore both long-term and flexible short-term renewable energy contracts to provide affordable renewable solutions for customers. And I'll turn it back to call and there was a lot of compromise by everyone involved. Not everyone got everything they wanted and there are people who think that we can and should do more so I will wrap up with that.

>> Thank you, commissioner Hayden. So I'm going to be brief, just go over a couple of cost slides to give you, you know, order of magnitude what it's going to cost to achieve our present goals and what it would cost to achieve the goals recommended by the working group. But let me say that with the recommendations that we will get from the working group, if approved and those become

[inaudible] By 2027 we will be between 85 and 90% carbon free. It's not diminimus. That gets us pretty much all the way there because we will be retiring our biggest coal emitter and retiring decker and receiving 65% renewables. We have a nuclear plant that dispatches around [inaudible] So if you put all that together, really our carbon footprint from a load perspective is only about 10 to 15%. We'll be almost there by 2027. Additionally we received quite a few questions from the Monday meeting that we had. We've been working on the questions and I think they will form a good [inaudible] For a more detailed presentation for the August 10th meeting that we'll have. So we'll have a more comprehensive kind of slides on costs and risks and what we would be achieving from the recommendations. Let me go first this side over here.

[11:39:51 AM]

This slide depicts the long-term costs associated with meeting our present goals. This is the 2014 plan. In order to achieve that plan, we still have work to do. We've done quite a bit of work, we've achieved quite a few of the solar projects that we have committed to getting, about four of them now are either being built or have been commissioned. But we still have work to do to get to the 2014 goals, and as you can see to achieve those goals, we still have an incremental \$250 million net present value over the next, so this is to 2025 so role the next seven -- really the next seven years. We haven't achieved those 2014 goals. So whatever recommendations that do get approved on top of the 2014 plan would be incremental to this \$250 million. And if you look at the first bar that says 65% renewables, in order to achieve that plan, you would incur an incremental \$17 million net present value. So that puts you \$250 million plus \$17 million above that. There were calls for increasing to 75% renewables right now. That would be another incremental \$37 million. So that's sort of how the long-term math works out. Just -- and the next thing I'm going to go is what are the cost impacts of the next five years because that's quite important over the short-term, what will we see from cost and rate perspective. Any questions on the recommendations from the working group? Okay. So looking at short-term costs, so this is over the next

five years, this is the incremental costs that we will see over budget in the next five years. This is due to the actions of the 2014 plan that we haven't achieved as of yet and some of the incremental costs that we would incur due to the working group.

[11:42:05 AM]

I would say that a lot of this is market. Our power supply adjustment is backwards looking and we've been looking at an extremely cheap market. And that market has been firming up lately so we predict going forward that our psa, power supply adjustment, is going to go up. So about 60% of that red bar which depicts power supply adjustment is due to market prices rising over time. The other 40% and I think the exact numbers is due to renewable projects that we will be signing on in order to achieve the 55% renewable. The blue bar is an increase in base rates or base rate costs that we would see above budget over the next five years. We won't be changing our base rates so really this comes out of cash at the end of the day if we do incur those costs. Most of the blue part of the bar does actually come from actions the euc working group and that's really due to retirement of decker and some of the solar budgeting costs for local solar. But with a fairly firm date now for retiring decker, we need to start depreciating that asset on our balance sheet and need to pay off the debt and that's what that blue bar depicts, those costs. And the green bars are cbc, those are energy efficiency programs and value of solar costs that flow through that. So that's -- that's really a look of where we are. So the incremental costs above what we see in our budget would be on the order of 20 to 50 to \$70 million depending on the year. A good rule of thumb for Austin energy is every \$15 million of incremental costs is about a 1% rate increase.

[11:44:08 AM]

This from a rate perspective, so these are incremental -- the red bar is where we see our rates right now as far as our budget, and the purple bar is what we see is going to happen going forward with our new forecast. So on the Y axis, that's your sense per -- all in average system rate and then the years on the X axis, and we see sort of that incremental 50 to 70 million dollars that we talked about, that's embedded in the rise over the purple bar. It's hard to predict what happens with a competitive metric where we have to be in the lower 50% of rates because that depends what other utilities are doing and sort of a backwards looking metric. But looking forward to the 2% rise per year, even with these rate increases we should still remain below that 2% mark. And that's what that blue line depicts. That's really is that I was going to talk about when it comes to costs.

>> Casar: Can you repeat for us the rule of thumb on cost --

>> Our revenues are about \$1.4 billion. So 1% of that is about 15 million.

>> Casar: Perfect. Thank you.

>> Any other questions? Thank you.

>> Houston: I'm sorry. Did you mention while I was out what would be the cost of the differences to the ratepayer? If you went to the more accelerated schedule rather than what the working group recommended.

>> So -- because the market is getting more expensive over time, we are seeing market prices go up, we expect that our rates due to that would go up about 2 to 3% on average for the next few years.

[11:46:10 AM]

That's mostly due to market actions and also due to the 2014 plan actions that have not been achieved as of yet. Most of the actions of the working group are outside that five-year window. They happen -- because it's an incremental 5% to 65% so -- 55 to 65% so these renewable projects will probably occur outside the five-year window so you don't see a lot of costs in the next five years coming from the recommendations of the working group. The only one that you really see is the decker debt payoff and depreciation. Those costs we will see -- they are base rate costs, they are costs in our base rates and we can only change our base rates if we do a rate case so we don't see those rates actually go up until we do a rate case in about five years. That cost will come out of our cash.

>> Houston: So is that 2 to 3% each year or just 2 to 3% over the five years?

>> Well, it goes up from where we are 2 to 3% and then it stays on that line. So there will be 2% of 2% every -- it's compounding. But it won't be like a 10% rise over five years. Sure.

>> Mayor Adler: Thank you. Anything else on this item? I want to thank you and both commissions for a lot of work that went into this, everybody involved, thank you very much.

>> Thank you.

>> Mayor Adler: We'll set this back in August.

>> Pool: Mayor, do you want to announce we'll have a public hearing on August 10.

>> Mayor Adler: Is August 10 the date to have the public hearing? Is there an answer to that question? Is August 10th the date? Set the public hearing for August 10.

[11:48:12 AM]

>> Pool: And we'll also take this back up for adoption or revision as the council may choose. The report, if we want to adopt it, approve it or --

>> Mayor Adler: The public hearing will be set for a public hearing and action on August 10th.

>> Pool: Thanks.

>> Mayor Adler: Okay. We don't have time to do the organics collection issue. Do we have -- and the charter commission we're going to be doing -- let's do the charter commission. Item number 40. Charter review commission.

>> Pool: Great. So I think that staff is working to fix the date on the resolution. We talked about it in the work session, but I'll go ahead and move approval of item 40. I believe there's some late backup.

>> Mayor Adler: And you've handed out a revised edition on the dais?

>> Pool: The only difference is they have underlined the additional be it further resolved which was our attempt to incorporate the requests from a couple of different offices to receive stakeholder input on other matters related to the city charter and may include in their recommendation report ideas and comments.

>> Mayor Adler: It's the same language, it's just underlined. Is there a second to the motion to approve this item number 40? Second, Ms. Kitchen seconds that.

>> Pool: We need to change the date. That June date has been a sticky burr and I had offered up August 31st at our work session on Tuesday. So I would like to make that amendment.

>> Mayor Adler: This is on number 2?

>> Pool: And the other -- yes, paragraph 2.

[11:50:12 AM]

Then the other --

>> Mayor Adler: I'm sorry. Now I found it. On number 2, the June 22nd date gets moved to August what?

>> Pool: 31st.

>> Mayor Adler: Any objection to that change? Hearing none, it's incorporated.

>> Pool: The last piece, another sticky burr, mayor pro tem, mayor pro tem is one of the co-sponsors of this, but I just haven't been able to get her name added officially, so maybe this time.

>> Mayor Adler: Let the record reflect the mayor pro tem is joining. Mr. Casar.

>> Casar: I would like to propose an amendment I hope would be friendly. On number 11 of the be it resolveds, I suppose, I would like to add the language to make the sentence read the scope of the commission's work may be expanded by the council by a resolution and then here would be that additional language, and the commission may request such an expansion of scope.

>> Pool: I consider that friendly.

>> Mayor Adler: Okay. And the commission may request an expansion of scope.

>> Pool: Such an expansion.

>> Casar: Such an expansion of scope.

>> Alter: Does that mean they have to --

>> Mayor Adler: Any objection to that language being included.

>> Alter: Does that mean they have to come back to council to get their request granted?

>> Casar: Correct. This would not change the fact council would have to pass a resolution to expand the scope. I appreciated what councilmember kitchen had mentioned during the last -- during work session which is if there's ideas that come up for future charter amendments, they can include that in their final recommendations, but some things that seem obvious at the beginning I would not want to make them wait until the end and this would give ability to forward those to us early.

>> Alter: Thank you.

[11:52:12 AM]

>> Mayor Adler: Any objection to that change? Hearing none, that's included. So there would be two different ways the commission could come back, either request a change of in scope or the last be it resolved clause. Further comments?

>> Alter: I this an amendment which I think is a friendly one. Just to make it so that nobody who is a registered lobbyist can serve on the charter commission and I passed out the language that was prepared by legal. I would like to move that. The following language be inserted at the appropriate place in the resolution. No person is eligible to serve on the commission who is registered or is required to

register as a job use under chapter 48 or employed by a person registered to be required to register under that chapter.

>> Pool: I see that as a friendly amendment.

>> Mayor Adler: Any objection to that amendment being included? Hearing none, that amendment is included as well. Any further discussion on this motion? From councilmember pool. Those in favor please raise your hand. Those opposed? Off.

>> Pool: Thank you everybody.

>> Mayor Adler: That takes care of item number 40. We're six minutes away from -- we could try the -- I'm sorry, what? 33. Do you want to try to handle 33? Mr. Peña, are you still here? Do you want to speak on this?

>> What item?

>> Mayor Adler: Item 33.

[11:54:12 AM]

>> [Inaudible]

>> Mayor Adler: Sounds good. That gets us up to the dais. Ms. Houston, you pulled this.

>> Houston: I just had some questions about cost. Were not included in the backup.

>> Mayor Adler: Is there staff here that can speak to costs? Mayor pro tem.

>> Tovo: Mayor, if I could just offer by way of clarification, one of the things this resolution would do in the be it resolved we're directing the city manager to estimate the total costs. We do have some information from past ciclovias that were done in Miller and dove springs. Total cost 50,000, we've asked for some information which I may have in front of me about how it breaks down. Actually I do have -- I do have that information that I'm going to pull together here in a minute. The costs on congress would be more expensive because the likely -- the likelihood, and I think staff responded this way in the Q and a, access along congress avenue so that would require police or others personning the barricades. I'm introducing that new word to replace manning. Personning.

>> Houston: Staffing.

>> Tovo: That's much better. Staffing the barricades. There would be additional costs. The past events aren't necessarily -- they will give us some guidance but they won't really tell us how much it would cost to do on congress. That is one of the main directives that this resolution asks is to please go estimate the

costs and then come back and recommend whether or not it would be eligible for an exemption to the downtown moratorium.

>> Mayor Adler: Doesn't authorize, it --

>> Houston: I understand that, but there have been some others done in the past and I was wanting information on what those costs were to try to figure that -- to try to gauge whether or not this is something that --

[11:56:20 AM]

>> Mayor Adler: Do you want to ask staff?

>> Houston: There are two of those agenda items here. We just passed one, but this one would be a bigger amount of money.

>> Mayor Adler: Okay.

>> Tovo: I've got the costs. Maybe Mr. Meno does as well. I have the costs from 2014 ciclovía.

>> Mayor Adler: Past costs.

>> I believe it was around 27,000. From one estimate I saw. But I'm not real sure. But this would be considerable more because it's a longer area and a lot more streets to block off and accesses for other areas.

>> Houston: Do you remember -- do you remember where the last one was? What area was that in?

>> East fifth and sixth streets east of 35.

[Lapse in audio] About 28,000, but I think there was -- I think that [lapse in audio]

>> Tovo: Mayor, I think the answer returned in Q and a was a total of 50,000. Am I remembering that quickly? That's for I assume all three of the ciclovías that have taken place. The one that I've got in front of me from 2015 was viva streets and I think that took place in Mueller. The fees waived were 5,259, payments for police and costs and stand by costs and barricade costs to the transportation, police and ems departments respectively were 13,850. So there were 13,850 payments authorized to those other departments and then fees waived were 5259. That was for the one in 2014.

[11:58:24 AM]

And then dove springs we had on our agenda today, I'm not sure if staff has an estimate how much that one was and you just cited an estimate for the other. But again the collective costs that were identified in the Q and a were about 50. So that --

>> That is correct, collectively, yes.

>> Tovo: So I think then we would need to get staff to help us understand, if that Juan was 27 and the one from front of me was 18. I'm not sure it's adding up quite to 50. Even with dove springs included.

>> Well, dove --

>> Mayor Adler: Go ahead.

>> I think a big part of it was just the different areas.

>> Tovo: Sure. The costs are going to be higher in certain areas.

>> Mayor Adler: But I think in answer to Ms. Houston's questions, we've got the data out. What we estimate to the next one is what this resolution is about, so let's not try to figure it out while we stand here, since that's what the resolution is asking for. There's been a -- did we ask for a motion? Let's ask for a motion. Motion to move item 33. Mayor pro tem. Seconded by Ms. Houston. Let's go ahead and take a vote, if there's no further discussion.

>> Tovo: Can I just say one quick sentence about it?

>> Mayor Adler: Yes.

>> Tovo: I think the past ciclovias have been really fun community events. I think this one would be as well, so I look forward to the staff coming back with their recommendation and with their estimate of costs. The nice thing about these are that they are events that are not intended to kind of draw visitors into our city, but they're really for austinites and for the neighbors who live around them and kind of creating a fun community-filled space for a day, and allowing people to have an opportunity to really experience, in this case, congress avenue in a way they don't. So I think it could be a great thing for our community.

>> Mayor Adler: Is this background aclovia or ciclovia.

>> Tovo: I should have reached that. I've heard it a invite of ways.

[12:00:26 PM]

>> Mayor Adler: Okay.

-- I've heard it a variety of ways.

>> Mayor Adler: Any further discussion on this item 33?

>> Casar: Mayor, not to make anyone nervous, I think it was a few years ago Mexico City starting shutting down their equivalence of congress avenue regularly on Sundays. While it was pretty difficult at first, now it's an institution and people love it, and there's nor people on it now than there would have been cars then. And so, you know, I think -- you know, this is obviously not a proposal to close --

>> Tovo: We're starting small. Start with one.

>> Casar: No, but I just think that it is -- it is a really special idea, and I appreciate that we've been trying these in different parts of the city, and having one on congress I think would serve the interests of people from all over the community that love congress avenue, so thanks to the organizations that have worked on it and to the mayor pro tem.

>> Mayor Adler: Ms. Pool.

>> Pool: Actually, I love this concept, and I think I must have read the same article that you did, councilmember Casar, because it made me think that we should in fact look at possibly closing congress avenue maybe twice a year to have it just be pedestrian and bicycles, and we could celebrate maybe the 4th of July and maybe the winter holidays, I think there's something related to the lighting of the tree at the capitol that also closes down portions of congress avenue. I'd like to explore that. I think I did mention it to folks with downtown Austin alliance a couple months ago. I think that would be a positive benefit for our community. Maybe we can work on that.

>> Mayor Adler: Yes.

>> Tovo: Apologize. One more quick thing I forgot to mention. I appreciate the idea and the advocacy. As staff consider whether this would be an exception to the moratorium downtown, there have been concerns about street closures and the impact on anybody's surrounding those areas of street closures.

[12:02:27 PM]

And so I think bike Austin has done a great job of reaching out to the neighborhood associations that represent the neighborhoods that would be most significantly impacted, potentially, by such a street closure, and they did secure the support of both the south river city citizens neighborhood association, as well Bouldin creek, as well as the downtown Austin alliance and south congress merchants association. So I think that really speaks to the way that the community is viewing this kind of an event. Given concerns about street closure, I think that's significant to see that level of community support.

>> Mayor Adler: Okay. All right. All those in favor of this item 33, please raise your hand. Those opposed? Passes unanimously, Ms. Troxclair off the dais. Those are all the items we're going to consider when we come back this afternoon. Council, we have five items on our consent agenda that we're going

to have to pick up this afternoon. We're going to begin as soon as we come back with a discussion about the workforce development issue first, and then we'll probably do the organics item next. Excuse me. But we're going to be trying to book this afternoon in order to catch back up. We're now going to go into citizens communication, after which we'll go into executive session to discuss the mex carte matter. Let's invite up speakers. First speaker is Anthony walker.

>> He's on his way.

[Indiscernible].

>> Mayor Adler: Okay. Then Mary Owens. On deck is going to be Rachel pry.

[12:04:33 PM]

>> Hello. My name is Mary Owens. That's me two years ago, talking about the same thing that I'm here to talk about today. That was three years into trying to solve the problem that I'm still trying to solve. I would like to build an 18-inch tall garden wall on my property. That's the wall I want. It's like a wall that used to be there. The reason why I want it is because there's a lot of water that exits the street. The water should not be exiting the street, and when water exits the street, it enters people's homes, which is very problematic. I have looked into open records. I think part of the problem is there's a crushed pipe a little ways down from me that has not been fixed, and then there's some additional water in the neighborhood. But I would really like to put back my wall. I've spent a lot of money on engineering. When I purchased the property, it was mostly paved. I've reduced the impervious cover. I have added sumps. I had an easement modified because the city permitted the previous owner to add an addition over a easement for a pipe, and I had the language changed. That's impervious cover that I removed. This is me living in a house that's under construction because I'm trying to get through the permit project. There's the old wall. I would really, really like to put the wall back. I am at a point now, the impasse is watershed so I can do it after they finish the draining or Kenny, but frankly, that doesn't help me right now, and they want a licensing agreement for rights that I gave the city. I can't do it because I have a mortgage, and the mortgage company says no. I can't buy back the rights that I gave you. They also want me to put in a deep detention pond in the back of the property. I can't do that because there are two very large trees, and frankly, I just don't want a large detention pond that will immediately fill with water. So they very generously offered me the option of having a much larger shallow detention pond in my entire backyard, which is also not acceptable.

[12:06:36 PM]

The amount of water that you are letting exit the street will fill the detention pond immediately. It will just devalue my property. It serves no drainage purpose to anyone. Thank you. I really appreciate how friendly staff has been, and the eight-week e-mail return time has just given me a lot of time to think between messages. And just the amount that I've spent on engineering, I've just learned so much. It has been so educational, I -- I'm just motivated to be involved in my community and I am done with this hair shirt. And I really hope that either y'all have some answer to the water leaving the street, or maybe since the decisions that are being applied to my property aren't in code, it is all at the direction of the fine folks of watershed's best judgment --

[buzzer sounds]

-- That maybe y'all can encourage them to take a different path in this situation. Because I'm tired. Do y'all have any questions?

>> Kitchen: I know that you've been through a lot to this and we've talked with you from time to time, tried to help move it along. What I can say right now is I know Mr. Guerrero is in the audience and prepared to spend some time with you right now. Hopefully that will be helpful.

>> I've been told an answer is imminent, since I reported it the five years ago.

>> Kitchen: Yes.

>> And the previous owner was told 20 years ago an answer was coming, so while I'm super happy to talk to him, I am still very dubious.

>> Mayor Adler: You now have the manager telling you that she's also going to take a look at it.

>> Thank you. Thank you so much. Thank you for your time.

>> Mayor Adler: Okay. Thank you.

[Applause] Okay. The next speaker that we have is Rachel pry. Okay? And on deck is Sylvia Mendoza.

>> Hi. My name is Rachel pry and I am the president of my neighborhood association, heritage hills, and that's in district 4.

[12:08:43 PM]

I'm speaking here to ask council to consider the recommendations from the matrix report and from the mayor's task force on institutional racism and systemic inequities with regards to police funding. I think that with police funding directly applying those funds to programs that we have seen in the rundberg area have an impact would be increasing the amount of mental health officers we have in our area. We have a large population of people experiencing homelessness and expanding the host program to help

bring services to those individuals would be really helpful. Also, bringing back the movable walking beat. It was really something that I could see every day when I drove along my streets, to see police officers walking the streets and engaging in the community they were serving. That also was really helpful. And then just requiring police officers to engage in community policing and community engagement is really important. And through that encouragement of community engagement, I think it's helpful for us to look at policies of the past like the curfew laws and how those affect minorities and how that is breaking the relationship between police officers and the community they're serving, versus building those relationships, which is something that we really need in our area, and that we, as a community, should be encouraging and supporting. So that's all I have to say. Thank you.

>> Mayor Adler: Thank you very much.

>> Casar: And thank you, Ms. Pry, for everything you do.

>> Mayor Adler: Sylvia Mendoza and pinaki Ghosh is on deck.

>> I want to thank mayor Steve Adler and Kathie tovo.

[12:10:52 PM]

Forget monotone. I'm here to thank mayor Steve Adler, Kathie tovo, and the following councilmembers. Ora Houston, Delia Garza, Pio Renteria, Ann kitchen, Jimmy Flannigan, Leslie pool and Ellen troxclair. I'd like to thank you for your pleasant disposition and allowing my speech the last time I was here, and someone over there for your undivided attention. You know who you are. Everyone was present and accounted for except for Greg Casar or

[indiscernible] So evidently, he doesn't take this business communication part seriously, or he may just have a grudge against me. But by stepping out, he is punishing the other speakers who are here, for citizens communication. If you cant stand the heat, stay out of the kitchen. Don't cook so you won't get burned. If you do research, you can hear for yourself, as I got called from Washington, D.C. While illegal immigration was being debated about on the white house floor. This is not a rhetorical question. I know in. The federal government and I have been working on illegal immigration way before y'all were even interested in it. Now since illegal immigration is out of control, some think it should be accepted. Well, not me. Americans were originally entitled to certain benefits. Now they are being passed over by illegals because of their anchor babies. It's illegal invasion. Had they get public housing and other benefits before other Americans, Americans who were born and have been here for years, and veterans also, and American homeless. They are my priority. This is for those American homeless who evidently don't have a face.

[12:13:08 PM]

Well, seems Greg Casar left again so I'm going to have to come down here on him next time. I gave him a second chance. He's going to wait and hear something next time. All of y'all.

>> Mayor Adler: Thank you. Pinaki Ghosh?

>> I'm going to wait for the bell.

>> Mayor Adler: Oops.

>> Thank you for being open-minded last time and giving me your undivided attention. Americans first and foremost.

[Buzzer sounds]

>> Thank you. >>

[Applause]

>> Mayor Adler: After pinaki Ghosh, the next speaker will be Carlos Leon.

>> I have a presentation. I'll talk a little bit about codenext and what is happening with density. In codenext, there are three primary concerns. One is development of the new code. Another is implementation of the new code with existing density. And the last one is zoning parts of the city, using the new code, which will be density by rights. In 2002, in zip code 78721, density was added in the form of cottage lots, which translates into 65% impervious coverage. And when you add it actually to newly -- newly developed subdivisions, with all the roads and everything, the impervious cover goes up to 18%. And this really turns all the lands into speculative tools. So what happens is that in this study from Texas A&M, came out a couple of months back, is that the poverty level in 78721 went up by 5% and the home ownership went down by 6%.

[12:15:13 PM]

These are actual data. And contrary to all claims of values going down, you will see 78721 had the highest increase in valuation, and the ever and that Medina value you see of \$235,000, that's actually somewhere around \$200,000 now. But that happened just after we put in the cottage lots and it continued for 15 years. So, what is happening in my own neighborhood, for the user of these cottage lots, because what happens is that the entire land becomes speculative, and some company called big red dog, or whatever, is trying to actually build on top of a creek. They are actually trying to cover up the creek and build on top of the creek. So unofficially, I have been told that in order to stop a creek, you

have to build a dam. I do not know how you build a dam to stop the water off a creek. But it is not a creek, according to the city, because it doesn't have a name. And also, see what happens, the number one and number two, it presents two existing households who are going to lose their houses. Tim Watts [indiscernible], that's the only team he has in his life, number two, the owner, he is active member of U.S. Army, who is often placed in Afghanistan and Iraq. They do not have time to come here and speak for their houses. That's why I'm coming here. But the real challenge has been, if you look into the history, we were provided some rights by our plat man, like this is our plat map assigned bit city, and there are variance -- there are all different kinds of rights which we are provided. Now, what is fundamentally we have done, we have taken away the rights so people do not have to do things called vacation, plat vacation, which requires 100% of the signature of the citizen, of the subdivision owners. We have taken these rights away. And we have said that we are not going to follow this.

[Buzzer sounds] So can I take ten more seconds, please?

>> Mayor Adler: Finish your thought.

>> Ten more -- what I am requesting, everybody, in codenext, learning from the destruction of east Austin, please focus on concern number 1 and 2, which is doing the new code and assign complimenting the new code, based on its existing density, before you go and do the Zones of parts of the new code, upzoning in part of the new city.

[12:17:33 PM]

>> Mayor Adler: Thank you, sir.

>> Thank you.

>> Mayor Adler: Next speaker is Carlos Leon and Dr. Barry Haymore is on deck.

>> So I'm Carlos Leon. I live in Austin, Texas, June 22nd, 2017, so speak what's right.

[Speaking Spanish] First and foremost, [speaking in Spanish], document on screen now. This modern world worldcomic from the Austin on screen now says this reality is an online simulation, testing how much stress democracy can take before collapsing, explaining why trump is president. But Obama ignored constitutional law to regime change America, to rewrite our history and culture, to repeal national liberty rights and replace them with a deep state, globalist, sharia law slavery, happening today by delegitimizing trump's presidency and obstructing his administration. But Kenyon Obama's presidency was the fraud, with his fake birth certificate, making him the perfect catalyst for the simulation, and unqualified, ill informed, cognitively impaired, whose erratic behavior left citizens disoriented and anxious. The comic then asked at what point does the simulated population realize there is something terribly wrong with the reality they inhabit. Camera on me now. We're already there.

[12:19:36 PM]

Elon Musk, Philip K. Dick, David Icke and Bank of America say we're likely living in an artificial reality like the matrix of quantum worlds in a superposition multiverse, probabilistic space, which comics like Flash, Dr. Strange, and the Crisis of Infinite Worlds series explained. And Berkeley physics professor Murray Gell-Mann wrote about in this month's Scientific American journal. Truth is stranger than fiction. Like billionaire Bill Gates saying on 60 Minutes, aliens from outer space are already here, and have been for some time, like the alien collective "We" who wrote about the course of human events in the Declaration of Independence from 1776. May God help us humans defeat the enemy among us here. In Jesus' name I pray, Amen. Thank you, Lord. God bless Texas and the United States of America, and truth and justice.

[Buzzer sounds]

>> Mayor Adler: Okay. Next speaker is Dr. Haymore. And then Richard Viktorin.

>> I don't know how the system works. May I --

>> Mayor Adler: Give it to the clerk. She'll hand them out.

>> There's a copy for each of you.

>> Mayor Adler: Thank you.

>> I bring you unhappy news. There's three paragraphs. I will read paragraph 1 and 3 to stay within my three minutes. Please reread paragraph 2 yourself. It is extremely important. My name is Barry Haymore. I have been working understanding a living in Austin more than 12 years. I'm a Ph.D. scientist with 49 years of professional experience. I am almost 72 years of age and live in south Austin mere the intersection of William Cannon and Menchaca.

[12:21:42 PM]

My wife and I have been married for 48 years and we have seven adult children. Apparently on the 12th of September, 2016, in south Austin, the police were called and as a result, one of our sons, who suffers from mental illness, was taste tased in the upper shoulder and face by an orthopedics. This tasing caused his head to hit the pavement and concrete with such great force, causing him to suffer traumatic brain injury, subdural hematoma, a fractured face, discolored broken nose, broken teeth, and severe damage to the upper lip. After he was taken to St. David's hospital, he remained in a coma state for four days. After being in medical institutions, a cost of \$320,000, my son was released into my care on the 30th of December, 2016. The following five months with my son were extremely difficult. Many injuries

to his body have healed, but not the injuries to his brain. The main problem is the traumatic brain injury that has left him unable to take care of himself and unable to make sensible life decisions. He cannot work. His personality has so changed that I hardly recognize my son. Secondly, my son still suffers from the effects of mental illness but now more extreme. Frequent episodes of psychosis are replaced by near constant psychosis. The alternates of the episodes have become more extreme. He cannot live independently and must be taken care of for the remainder of his life. Other than living with me, the only other options for him are to live and die on the streets, or in an institution or jail. His current condition is worse than being dead. I -- it is really so. Please read. Chapter 2 or paragraph 2 is extremely important. Number 3. For -- four days after the tasing incident on 16 September 2016, I filed an open records request with A.P.D. I have gone back to A.P.D. Every month thereafter, requesting information about the incident.

[12:23:45 PM]

I have been denied, totally denied each and every month, too little of nine months. Responses by A.P.D., at A.P.D. By Kathie Campbell and multiple responses by Renee Moore led to nothing but endless excuses. The June denial came from Claudia Martinez, who told us simply to wait another month till July. We have been patient to a fault. The open records system at A.P.D. Is very badly broken. I promise you. The citizens of Austin deserve much better. This is the reason I'm here today. We need full, unredacted copies of police records and we deserve to have them now.

[Buzzer sounds] You know -- you know as I know that justice delayed is justice denied. Closing sentence. Members of our family, especially our son, are suffering greatly, owing to the regrettable actions of A.P.D. Police officers. This should not be so. I've got a lot of opinions and they're informed. Maybe it's for another time. Thank you.

>> Mr. Haymore?

>> Yes.

>> Kitchen: I'm so sorry you and your family have gone through this you know, I'm the city councilmember for 5:00 and my staff will be reaching out to you. I've got your contact information here.

>> Yes. All my contact information is there.

>> Kitchen: Okay. Thank you.

>> Thank you.

>> Mayor Adler: Richard viktorin. Then the last speaker we'll have will be Anthony walker.

>> Mayor and council, Richard viktorin, audits in the public interest. We believe the circuit of the Americas has committed financial fraud against the state of Texas in their annual tag from the reimbursement fund. In five short years, over \$100 million have been diverted from the government calls for speculation to the circuit of the Americas. \$100 million. In June of 2011, primarily because of our investigation, by a 4-3 vote, Austin closed our treasuries, Austin's tax collections from the circuit of Americas, only the state funds the event at this time.

[12:25:53 PM]

As you enter the budget season, as negotiations and balances wind down for your budget priorities, as you divide up and agree on scarce available revenues, when the balance is \$4.5 million, I hope you will remember those monies would not be there, but for audits in the public interest. My investigation. And the vote of four councilmembers who did not cave in 2011. In 2013, after major attendance fraud was exposed, the state began requiring attendance certificates signed by the chief executive of the local government. In 2015 we noticed that Marc Ott, our city manager, began signing certifications with a notation, to the best of my knowledge. More than any factors out of state attendance drives the reward from the state. I made open records request to know how many payments, authorizations manager Ott signed with reservation. What we have here is the state of Texas establishing financial control to protect public funds, then manager Ott's control with a big cyi. One surmises to insulate himself from criminal prosecution. On September 8th, 2015, state auditor I should report 16001 on the major events trust fund, confirming the lion's share of our findings from 2011. It was, however, program audit and not an audit of any specific recipient. There have been show audits, not a one, of any events at the circuit of Americas, despite an abundant markers, significant number of risks, Ott's exposed asterisk included. The reimbursement program absolutely has an audit clause. Does not not strike anyone on this body's sense of social justice, we put our citizens in jail for comparatively petty offenses. Not paying traffic tickets, while at the same time we may be serving as a conduit, the city for financial crime, significant risk of financial fraud against the statement of fact.

[12:27:53 PM]

The investment partnership at the circuit includes at least two billionaires, red McCombs and John Paul. Not one audit in five years, over a hundred million dollars in public funds, primary and secondary education is the pauper's child when it's compared with the ease with which coda draws their funds. They have to have audits every year, every single school district in this ask state. Not one event, not any year have the public funds expended of the circuit of me, been audited, over \$100 million. Shame on the

city of Austin for being party to graph, potential graph, turning a blind eye to fraud-laden payments to the local billionaire's club. Thank you very much.

>> Mayor Adler: Thank you. Mr. Walker.

>> [Off mic]

>> I want to say -- you know, I had the opportunity of my lifetime to visit many places, but I have not ever been to a place where trying to fight the struggle have been so tough, in Austin, Texas. In order to fight the struggle for quality of life, you've got to be a strong general in the battle field. There's no one been more stronger than my dear brother, the naacp brother. You've been on the battle field. You know, one day -- I know today is not that day -- I wish I had like 20 minutes that I can talk to y'all as a group, and I promise you, I'd get enough information that would lead you to the promised land. You know, Austin city council, I want to let you know that your Austin transportation, public transportation is on the verge of collapsing. Their ship is sinking. Don't you believe for one minute all is well. I know there's some people that sit on capital metro board, it's not against them as a person, but the citizens, the voters of Austin, don't have faith and trust in capital metro board. They are not respected. You know, I guarantee you that if the voters in Austin can do one thing, they will regret and take back approving the Austin metro rail because they know when they look at it, the way it's designed, that they would never benefit from it.

[12:30:06 PM]

There was a study done a few years ago about Forbes that says Austin metro rail is the worst investment in American history. It doesn't matter how many cars you buy, how many stations you put down by the convention center, it's not going north, east, south, and west. The metro rail ain't nothing but a fraud. Due to justification in Austin, Texas, especially east Austin, the ridership on the public transit is declining because the people are being pushed so far east, and the further east you go, you get south San service or no service at all. There are people that have to walk 45 minutes to the closest bus stop. A mile and a half, one way, to the closest bus stop. Or there are those that have to catch a taxicab to the closest bus stop. But still, they only cater to a certain group of people. If they look at the lakeline train station and the bus terminal -- bus terminal, that is to benefit those coming from cedar park. But what they did years ago, they [indiscernible] But we still cater to them. They got the multi-million-dollar park & ride. Who benefits on that most in those coming from pflugerville. What did pflugerville do years ago? Voted you out of the service area. Each and every one of y'all should have a designated person that sits on the capital metro board fighting for the best interest of the people that you serve. If you don't have that, then they don't have a good representation. But I'm going to close on a good note because I want to let y'all know you did a good thing a few years ago. When Uber and Lyft came to Austin, you stood your grounds. I commend you for that. The greatest thing, voters backed you up. Uber and Lyft might be back but they know they can't do whatever they want to do. But what I want to do is ask y'all, when are y'all

going to come together as a group and stand your ground and fight against the racist, hatred that divides this city among racial lines when it comes to quality of life in Austin, Texas? Does anybody have any questions for me? May god bless us all.

[12:32:14 PM]

[Applause]

>> Mayor Adler: Counsel, we're now going to go into closed session and take up three items, pursuant to 551.072 of the government code. We're going to take up real estate matters related to the Texas facilities commission, item 14, and pursuant to 551.071 of the government code, we're going to take up that item number 14, as well as item number 47 which teams with the public use funding with bond funds, agreement with the mexcarte museum. If there's no objection, and also item number -- what was the other number?

>> I think the mexcarte was 41, not 47.

>> Mayor Adler: You're correct. That was 41, not 47. Thank you. I would anticipate we'll be back here about 2 o'clock. Without objection, we will now recess for executive session.

[Executive session]

[1:56:35 PM]

[?Music playing?].

[2:58:07 PM]

>> Mayor Adler: All right, council. Let's pick this thing back up. While we were in executive session, we took up two matters pursuant to government code 551.071. We took up legal issues related to items 14 and 41, which is also the same as 47. We are now back out of closed session. It is 2:58 and we're going to proceed. Let's pick up with the economic development issue. That we had. And I think that we had wanted to hear from Dr. Heaton with the Ibj school and then after that David Coggin, if you will come up and talk to us about how this might relate to the economic development incentive that we're working on. Sir?

>> Howdy, I'm David Eaton, faculty member at the university of Texas Austin, the Ibj school of public affairs. And the ray Marshall center is also part of that school. I'm happy to speak on anything anybody wants to ask me about. Wants to ask me about.

>> Mayor Adler: Talk about what the scope of the study is. We had heard it represented that it was going to help us come up with a single metric by which we would measure the performance of various -- performance of various initiatives helping with workforce. I don't kw if that's true or not or how you see that happening or what else is envisioned by the \$100,000 expenditure.

>> Well, ever since Ibj, there have been quite a few training programs and nobody likes to evaluate it, but the problem is how can you tell whether the training is successful.

[3:00:14 PM]

And there are both quantitative and qualitative elements. First if people are trained, they get jobs, do you have reductions -- if people get employed, do you have reductions in the social services that they otherwise would use and do they have income that generates taxes. So there are ways of measuring the savings to the city as well as the income to the city, but you can also evaluate the cost benefit for the individual, what's the outcome for them, to potential employers, what's that benefit, and also for the city. So there's that quantitative side. But another element that's very important and should be part of ongoing assessment of training is looking on a qualitative sense for the multi-generational consequences of training. What's happening to people and their families. And by having focus groups it's possible to talk with people and find out those consequences so you're getting both the numbers and you're getting some quantitative information. And when you do that a few times with a few groups, potentially with employers, with participants in the program, with trainers, if you get the same information that's reinforcing it, it's pretty convincing intelligence that things are moving in one direction or another. So the strategy is to develop an approach that can be used for any training program so you could ask training programs this is information you could collect and you could report. You ought to do that. And so it's trying to get at ways in which you can then measure for any training program whether the outcome for the individuals and the city, whether it's worthwhile and will allow you to compare among programs.

>> Mayor Adler: Thank you. Other questions on the dais? Councilmember pool.

>> Pool: Welcome. How are you?

>> Great, thanks.

>> Pool: Good to see you here today.

[3:02:16 PM]

So I'm wondering if the city for budget purposes were not able to find the funds in order to participate, our budget proposal -- our budget forecast is really tight this career, do you think this work could continue without our participation?

>> Well, the work that would be involved would involve people, graduate students who would be doing work. It would be a diverse set of graduate students. And tipped we on occasion want to pay our graduate students who are doing work, so this is not a circumstance where it can be absorbed since we would be employing people. So I'm not sure that if there's not funding that anything would occur this year. It's a political choice of whether this is worthwhile for the city council or the to the to do this year, that's your choice. But training and getting people out of poverty is an important element. So many of our students are very interested in that both graduates and undergraduates, equity issues, training, getting people out of poverty, this is a vital thing. So our students are going to be interested in this next year this year. This is something they would like -- many people would like to be able to work on as careers.

>> Pool: And you can proceed with these as with the students involvement whether they receive a stipend or not.

>> No, no I'm not. I'm not going to ask a student to work without any money. That would not be appropriate. So no. In other words, there are many times when the lbj school can co-fund by providing faculty time, things like that because we're employed. But this is not a case where this work is going to be done by graduate students under supervision and there would be nothing if there's not funding this year. This year it wouldn't happen.

[3:04:18 PM]

But there may be a circumstance if you decide to defer it or whatever, I know this is a subject people would like to work on. But this particular element, this evaluation, I would not ask a graduate student to do that without money.

>> Pool: Okay, thanks.

>> Mayor Adler: Sorry. Councilmember Garza.

>> Garza: You mentioned the focus groups to examine generational effects. Are there no studies that show the likelihood of, for example, if my father goes to college the likelihood of further generations, do we not have that information already?

>> There's not much information looking at those transformations. Those people who had that experience know from their own personal, family experience, but as -- I'm talking about looking at a particular program. One of your programs and drilling in detail and looking at what's happened in that program and the participants in that program, what have been some of the consequences. So that kind of focused examination I'm not aware of there being such a study. Germany has been doing this for a long time, Israel has been doing this for a long time where they embed training into the high school and college education. Where they will have some information, but not on the family transformation. Even that the focus group that kind of qualitative information I'm not aware of it. It may be, but I'm not aware of it.

>> Garza: I guess that's surprising because it doesn't seem like -- it seems kind of obvious that if you have a parent that does some kind of training that betters their life that trickles down generationally, but I'm surprised there's not that information. You stated that your programs, you don't have the information on our programs. It's my understanding that these are programs -- they are stem programs - - they are not just city funded programs.

[3:06:25 PM]

The scope of the work is every single stem program in the city?

>> No. First, there are two pieces to it. Heath prince, who actually could better answer your question whether there's any literature out there which focus groups have looked at intergenerational, he wasn't in town so councilmember Garza, I'll ask him that question and get back to you to see if there are studies of that kind. But no, the intention here is to take a look at a program with substantial numbers that you are -- that is now a city program and to look in detail at the money that's been saved by services that have been reduced and the income that's been produced by people being able to have employment and keep employment because that information is accessible on incomes that's released under certain circumstances. And to look at the multi-generational performance of a program to look in detail to set an example of how it could be done, how evaluation could be done on a cost effective basis by other programs.

>> Garza: Just to be clear, you keep saying a program. Do you mean you are going to evaluate one program?

>> That's my intention. If you have a 400 person program being able to drill down and do that and demonstrate -- this is demonstration of a methodology that could be applied for training programs elsewhere. But to -- to get down and get the detail, it's going to take some effort, so yes, probably a program. There are other evaluations that have gone on with county programs. The heath prince for a decade has been working and the ray Marshall center has been evaluating county programs, but they are not getting to this level of detail. So they are not doing focus groups in the program and they are

doing a look at some of the economic performance measures, but not as deeply as we intend in this exercise.

[3:08:26 PM]

>> Garza: So it was presented a different way. It was our understanding that it was a citywide look at every single adolescent stem program in the city, every single one of them to show how we are serving the people in the program, not we, nonprofits maybe because we don't have social service contracts with every single nonprofit, and how we were connecting that to the pipeline into actual jobs. And so what you're describing is significantly different from what we were told before.

>> Okay, the -- I mentioned that -- that heath prince is not here. That's his piece of it. He's doing that piece. So that's accurate what you've described. His part is to look across the city at all the stem programs. So he is looking at that, but I'm not able to represent exactly what he's doing, but that is accurate for his piece. I'm doing the other piece.

>> Garza: So his piece is an inventory.

>> Yes.

>> Garza: Just a basic these are the programs and this is what they do.

>> I'm -- I can't accurately represent exactly the details because I don't know. He's not here and I'm not familiar with the details of his proposal. I'm sorry.

>> Mayor Adler: Mr. Coggin, did you have something?

>> I think councilmember Garza's questions pick up where we left off trying to address mayor pro tem's questions. The scope of this study does split into two areas where one we're focused on current workforce programs but also look ago the the stem ecosystem to get an an inventory of programs through the city. The need to address this from both ends. Just as you are trying to address the digital divide with telecommunications, economic development is looking at how it is we can get individuals currently in need of a job especially those who are in poverty into jobs today by providing the skill sets or upgrading the skills that they need.

[3:10:38 PM]

Speaking about. You will see this broken down in the last two paragraphs of the rca. The second portion of the actually I is where we pick up in the back end and focus on our workforce of the future. Looking at

our population of minorities, especially those that are within our title 1 schools. What types of services of outreach are in place to help make sure that they are receiving the education, especially in stem related areas so we will have a workforce that will connect to these jobs here in Austin in the future. I hope that answers your question. So two different data products would be coming from this.

>> Garza: I'll -- I'll yield after this, but I think this is a great idea. It's, like you said, important work to understand these issues of poverty, but with the limited resource we have as a city where we can invest directly in those programs that directly -- I'm more interested in programs that directly help people, and we know some of those successful programs and we fund some of those successful programs. And with limited dollars if we could use that to fund some of those, I would prefer that.

>> Absolutely. So let me further reduce that to agree with you more. We do have some great programs that we fund and we've worked very hard and we've created some great partnerships that are nationally known. Unfortunately some of the deliverables that we receive are not as direct as we feel council needs to understand these partnerships so that you can continue to scale those partnerships up in the future. Especially as relates to workforce development. So as we're looking at potentially putting more funds into some of these programs in the future, what are the direct outcomes especially in areas like east Austin. So that we are addressing equity properly. We can tell you about participants who are graduating from these programs, but unless these participants pick up the phone whenever one of our service providers calls them to follow up on a monthly bimonthly basis, we don't get the information from them that says you are able to better your quality of life.

[3:12:52 PM]

You are able to connect with a job that helped you to bring your family out of poverty. But by doing this type of research, we can drill down and find the performance measurements that we as the city need to be able to provide you a better picture of is this type of service what you need to address poverty for workforce development from your economic development department.

>> Mayor Adler: Did you have something? Councilmember alter.

>> Alter: Thank you. Welcome, Dr. Eatton, nice to see you. Is part of what we're doing here is to develop the types of measurements we would use across different programs so that we can have a consistent measurement for each of these programs?

>> Yes, particularly looking at the money that's saved and services that do not have to be spent and in income that is generated because people are employed. Looking at those hard numbers so that you'll be able to assess across the training programs whether this is generating net income to Austin. And it's not training for just putting money in training but there are -- there are values -- financial benefits to the city by enabling people to get themselves out of -- to get themselves employed and improve their lives.

>> Alter: So part of what we're investing in here is the capacity of any of these programs to use a common measurement to be able to show the effectiveness of their work which is valuable not just to the city so that once they can adopt this measurement, which somebody who has the knowledge and skills to develop will have developed, they can then apply that more easily in their case because they can just input the numbers essentially to come up with their performance measures so they can communicate to funders whether they are philanthropists or federal or state or local funding? Is that part of what we're doing here?

>> It is. The idea is that if -- if other -- if any training program can see how they can effectively measure all of these elements and report them so they can visualize how they do it and they do it, that provides you consistent information for you to make judgments among training programs or whether to invest more in training.

[3:15:11 PM]

That's the intent.

>> Alter: So if I was running a nonprofit and didn't have these measures, it would be hard to communicate my effectiveness without these kinds of measurements.

>> Right. You are talking about the number of people who graduate or stories about individuals, wonderful stories, but still you're dealing with that level of evidence. Yes.

>> Alter: Thank you.

>> Mayor Adler: Mayor pro tem.

>> Tovo: Thanks so much for attending this afternoon to answer questions. So with regard to the piece that you are looking at, you talked about evaluating one program. Do you know what program it will be of the ones the city has funded?

>> No, I'm open to look at whatever program would be considered the most useful and the best example to be used for others. So I'm open to that. I don't have an idea at this time, no.

>> Tovo: And I see on the statement of work some discussion about looking at best practices and poverty prevention and looking at and evaluating programs that have been in place since the war on poverty. Are those part of your task or is that kind of a broad -- I mean is part of what we're doing asking you to look at the more general topic of evaluating programs from a war on poverty?

>> Yes. Yes, ma'am.

>> Tovo: Can you help me understand that piece of it, please?

>> Okay. Well, it would be useful to go ahead and there are some things that are produced for publication. But publication is not the only source of information. There's a lot of great literature and there's a lot of information of training programs in different countries that it would be useful to try and see to in effect answer council person Garza's question more effectively to say we've examined this literature and found the following kinds of detailed evaluations, and the idea is can we find parallel assessments of our training programs in other countries or other parts of the United States, particularly if we could find them and be able to then get best practices.

[3:17:21 PM]

So anything that's done here is consistent with and with the -- and with intelligence from those other detailed program evaluations. So the intent is to have whatever is done here to build from and contribute to that training evaluation assessment approaches.

>> Tovo: So your piece of the grant which deals with workforce development will be an actual on the ground practical looking at some program yet to be identified, and I guess I'll ask economic development what they are going to suggest where we have had 400 participants in the same program, and you will interview them and those around them to try to -- to try to measure the success of those programs and from that develop some metrics. But the other piece of your program as I understand it is a much more general academic search of best practices from Ibj -- from the time of the war on poverty until now.

>> That's accurate. And it doesn't have to be 400. I just picked a number.

>> Tovo: I think it said three.

>> Whatever size is considered appropriate, I think we can work with -- we can drill into that particular program and its participants and its employers and the outcomes of those programs.

>> Tovo: I guess the statement of work said 300. In that ballpark. Mr. Culligan, what is the program you are going to ask the Ray Marshall center to evaluate?

>> Currently we have two different contracts, one for short-term occupational development with skill point alliance and the second through capital idea. We would assess that with the Ray Marshall center and see which is the best fit.

>> Tovo: And I know capital idea does some analysis, does skill point do the same? I feel they've presented us with that information in the past.

>> They've presented you with information but it's much like an impact analysis. You receive a number in terms of a ratio for your return on an investment.

[3:19:25 PM]

Unfortunately that doesn't go as deep as we would like to go and it doesn't provide the types of performance measurements that we need to see to show direct impact. Kind of like looking at our web loci analysis when we look at our projects here. You do receive that information not just -- only from capital idea, I've only seen that from capital idea, not from skill point alliance.

>> Tovo: So that information already exists nor capital idea. We might extend it to skill point. Would you be asking the Marshall center to verify existing research on this topic?

>> We would go deeper. There's information that's not provided by capital idea in their current analysis because of the lack of participant information, which I mentioned earlier. And some unemployment insurance information that can't be captured by the organization as well. So this would allow us to go deeper and collect more of those solid performance measurements. And if we have the opportunity to look at skill point alliance as well, we would do the same.

>> Tovo: So I guess my other question is whether -- if there were an interest in, say, having the Austin piece happen but maybe the more general kind of literature review, academic, what is really more of an academic research project about best practices, could you limit the scope with a smaller budget?

>> Well, actually the budget had teased out that portion and I was hoping to have that portion, the literature review and the broader evaluation done with participation by a local foundation. Portion was the deep drilling within a program and getting that information. So the existing budget has -- it would be looking for additional funds to do that broad assessment of other programs.

>> Tovo: So what is in our statement of work as task 2 that we just talked about is actually not part of what we would be funding?

[3:21:29 PM]

>> At this time that's correct.

>> Tovo: So what we would be funding then, your portion would be the workforce part interviewing participants, and that part is \$50,000?

>> Well, it's also -- it's not just the interviewing. That's the qualitative part. The Kwan at a -- [inaudible] To assess the economic impact, taxes generated to get down to qualitative and quantitative.

>> Tovo: Have you explored the option among our participants in that regional workforce plan of sharing in this cost?

>> We've not. I can say this just doesn't support that regional workforce plan. I think it will also support findings coming from the auditor because we are looking at audit of our workforce development programs and we're already hearing the need for smaller performance measurements and we couldn't agree more, that's why we have this in place. We also think it would be very helpful -- a stronger workforce development program that addresses the continuum of poverty we're seeing and hearing economic development as we go through this chapter 380 process.

>> Tovo: The reason I said, several on the dais and you and Mr. Johns talked about how integral this research will be to our workforce plan which is something we're developing with other partners so it would be a natural question and natural possibility of funding of sharing that cost to say, hey, partners, do you regard this as valuable before we -- as we move forward with our original workforce plan, would you like to share in the cost of this.

[3:23:39 PM]

>> Sure.

>> Tovo: But I guess that's not been a conversation with our regional partners.

>> We've not connected with them. We saw the value of the -- this type of product for multiple programs here within the city. It is something that we could connect with the county to see if they are interested this that type of research, but again we always focus on unduplicated participants within our programs so they may need more information from the type of research that's being provided by the ray Marshall center so they may add to the scope of work rather than contribute.

>> Tovo: I have a couple questions about the youth part.

>> Casar: I have questions on the youth part, but I'll ask my adult questions. The capital idea evaluations are done by the ray Marshall center; isn't that right?

>> Correct.

>> Casar: And so how will this work build on the work that the ray Marshall center -- sounds like we're talking about that in a vacuum as if ray Marshall hasn't been working on this several years in a row. Talk about how these are inter linked and particularly from the ray Marshall center, if you could say what y'all have found insufficient about the work y'all have been doing on this specific topic and why this is important or different.

>> In the past when the ray Marshall center has worked with these different service providers, they've collected information from those service providers because those service providers are commissioning the study. Then those records go into ray Marshall, ray Marshall is able to look at the data and then process a return for the city's participation in those programs, but also how that program is able to

leverage the city's investment. So they don't only share those returns with the city, but they also look to some of their private investors and other companies as well. This type of research goes beyond that participant information that's provided from the service provider.

[3:25:43 PM]

We would be meeting with participants, we would be talking with them about some of their setbacks, what were they able to achieve by going through these types of programs, what type of job did they get, how were they able to retain that job, how did that job change the trajectory of that family trying to come out of poverty and if they were successful. From there we would look at a benchmark of different performance measurement and some of the different programs that we see as strong programs throughout the nation or throughout the world so we can better figure those performance measurements for our future programming.

>> Another way of answering that would be that the typical evaluation is a secondary evaluation, you're working with data from a program and aggregating it and analyzing it. This is going to be gathering quantitative and qualitative information that is not typically included because we're going to work with city departments to try to find out the services that have not had to be spent and looking at the income and taxes and other sorts of things that are not typically reported. So this is -- this is collection of new information that's not typically collected.

>> Casar: Thank you. My other questions have to do with the youth services.

>> Mayor Adler: Mayor pro tem, do you want to ask those questions?

>> Tovo: Yes, thank you. I'm still trying to sort out how what we did in last year's budget interacts with what we're contemplating doing today. So during last year's budget, through economic development, we authorized the tech council to develop some stem programs.

>> Uh-huh.

>> Tovo: I asked this question earlier this morning and I think the answer was no, but in looking back at the approved budget, it does appear that we authorized \$50,000 to the Ray Marshall center for the Stein --

[3:27:53 PM]

>> Yes, you are correct. Those dollars are within our budget but this is an interlocal agreement so we would have to come back to council to be able to have that type of agreement take place between economic development.

>> Tovo: So this is -- so what we're contemplating today was partially approved -- was approved but at a lesser amount in the budget. Is that accurate? This morning I asked that question of Mr. Johns if this is the same item and I think he said it was not. But in looking at the approved budget, I see clearly the city's contribution to u.t.'s ray Marshall center to support the Einstein project was listed at 50,000.

>> Sure. We were both under the impression they were postponed until we came back to council with a different scope of work. But we do still have those dollars remaining within our budget.

>> That study was never implemented and so the expenditures were never made.

>> Tovo: So it was approved during the budget. When you came back it was postponed and here we are back today, but at an increased cost.

>> Correct.

>> Tovo: Okay. All right. I do continue to have questions about the youth part. It sounds like we're not going to be able to drill down on that. Maybe councilmember Casar's questions will clarify some things.

>> Mayor Adler: Let's find out.

>> Casar: I only have one that I hope is a basic enough question which is that I kind of heard back and forth between what's been sent to us and what different folks at the mics have said, is this a gap study that then is supposed to show us where some of the -- an inventory to show us where some of the gaps are or is this an inventory and have some gaps and do real work on what the city or anybody else should be doing to address those?

[3:30:01 PM]

It's okay if it's not B. Clearly I would prefer to address gaps. It's part of our job. But if it's not doing that, that's okay. I just want to know because I want to have the expectation set so that a year from now we're aren't talking about recommendations on how to address the gaps and we are frustrated saying I thought that's what the other study was doing. Is this a survey of the programs, of the gaps or a real recommendation on what to do with the gaps?

>> I don't wish to speak for heath prince, but I think it is B. I think it is both a survey and eventually leading to recommendations. That is the mission of the ray Marshall center. They are going to want to have some outcomes that are useful for the city for making some future judgments about potential

investments and choices that may come to you. So I presume it is B, and unless anybody tells me otherwise, that would be the only reason to do it is to have something useful come out of it.

>> Casar: Thank you.

>> Mayor Adler: Mayor pro tem.

>> Tovo: One last question. Is the -- is the statement of work actually the interlocal agreement?

>> I'm sorry is it what?

>> Tovo: So the item on our agenda today is to approve negotiation and execution of an interlocal agreement. Is the statement of work actually the interlocal agreement?

>> No, we would use that to craft the interlocal agreement with the ray Marshall center.

>> Tovo: Okay, but you're asking for approval today to negotiate and execute the interlocal agreement, but that is not part of our backup as far as I can tell?

>> We haven't finalized the terms of an interlocal agreement. It would be for the amount of money that you authorize, assuming that you authorize it, and it would be consistent with the scope of work and any other direction from council.

>> Tovo: I guess the reason I'm asking is the statement of work we have in here I've been asking questions when and some pieces don't appear to be part of what we're actually moving forward on right now because they would be dependent on other funding.

[3:32:09 PM]

So we're being asked to -- to approve negotiation and execution of an interlocal agreement that's based on a statement of work that is broader than what actually is the scope that we're going to ask of the ray Marshall. So I just wanted to clarify that piece of the interlocal whether it was somewhere where we could review it. Thank you.

>> Mayor Adler: Any further discussion on this item 15? Is there a motion to approve? Ms. Houston. Mr. Renteria seconds. Any discussion? Those in favor please raise your hand. I'm sorry, mayor pro tem.

>> Tovo: Yeah, I really do appreciate all the back and forth and the question today for the reasons one of my colleagues mentioned earlier, I believe we are in limited budget times. Last week we had a very vigorous discussion about the resolution I brought with regard to child care and decided to defer discussions about where it ranked in a priority list until the budget, and I think this too would be more appropriately handled in the budget. But generally I am -- I am wholly supportive of our efforts to create and craft and support programs that impact people who are -- are in need of higher incomes and I

especially am supportive and have been throughout all the time I've been on dais of supporting youth programs. But I just can't find my way to seeing that supporting an analysis of all of the youth programs in the stem area, that that is going to be more impactful than actually funding them, nor am I convinced that we're -- that we're not duplicating an analysis of our workforce programs when one of the likely programs that would be evaluated does an extensive evaluation. I appreciate the work of the ray Marshall center, I appreciate our economic development department's interest and intent and mission, but I am concerned about this expenditure.

[3:34:17 PM]

>> Mayor Adler: Ms. Houston.

>> Houston: It's my understanding that there's money in this year's budget for this so this is not a budget request, this is just an authorization -- am I correct? Okay. Thank you.

>> Mayor Adler: Is all \$100,000 in this year's budget? Yes. Staff confirmed -- yes, mayor pro tem.

>> Tovo: I just need to clarify. We allocated 50 in last year's budget. I assume that the other 50 is part of extra funds in economic development, but I don't believe -- I didn't understand from our question and answer that we allocated 100,000.

>> Mayor Adler: It was kind of like passages when we didn't approve money in next year's budget, we did let the city department find existing money.

>> Tovo: That's what I assume is happening, that they are using existing funds from something else for this, but it's not -- we did not -- we allocated 50,000. We did not allocate 100. So that would be money that would carry forward into budget stabilization reserve and we would have available for next year through our fiscal year allocation. If they have remaining funds at the end of the fiscal year, we would have an opportunity to allocate those next year.

>> Mayor Adler: I think we're treating this is same way we're treating the passages child care if we approve this.

>> Sure, I can answer that question. If you recall last year when we came forward with that 100,000 request, we had cost savings within our department that we were looking to apply to this project. I can tell you that a similar contract you mentioned earlier with atc we were not able to meet those deliverables within that for year one so we wanted to focus again on a similar related matter within the stem ecosystem which that entity was going to help us to address. We were pivot on thing that money to this request. To be able to close in for the \$100,000.

>> Mayor Adler: Thank you.

[3:36:17 PM]

Those in favor please raise your hand.

>> Garza: I want to make an amendment to the motion. I would ask that we approve negotiation but to bring the interlocal back to us. I think we're spending money and we don't know what program they are going to be researching and I think there's still a lot of questions. So I would ask that -- I would make that amendment.

>> Mayor Adler: Ms. Garza makes this to take out execution and just say negotiate the contract. Is there a -- I'm sorry.

>> Garza: Bring back the interlocal so we can see the specifics.

>> Mayor Adler: Bring back to council for approval before execution. Is there a second? Ms. Pool seconds that. Is there any discussion on this? Those in favor please raise your hand. Mayor pro tem, Ms. Pool, kitchen, Garza. Those opposed? It's the others on the dais. It does not pass. Troxclair not here. I'm sorry, how did you vote? For the amendment, that's five, still not enough. We'll now continue on. Let's take a vote on the item. Those in favor of the item raise your hand. Opposed? Gashes is a, pool, mayor pro tem voting no. The others voting aye, passes with Ms. Troxclair off the dais. Thank you. Let's go to the next item. Let's see here. We have item number 14 which is the capital complex master plan. Is there someone that will move approval? Mr. Flannigan. Is there a second in Mr. Renteria.

[3:38:17 PM]

Any discussion? Those in favor please raise your hand. Yes, kitchen.

>> Kitchen: This is the capitol complex item. I wanted to explain why I'll be voting no. The reason I'll be voting no is it's not a statement on the value of the project itself. It may very well be a very important and valuable project for the city. The reason I'm voting no at this point is for a couple reasons. First, I believe that two days is insufficient time for such a complex item to analyze. And more importantly, there's really -- there's been no time for the public to comment for us. And I'm particularly concerned about the fact that we're talking about 6.9 million in unrealized revenue. Again, which may be appropriate, but we have no time for public response to let us know what they think nor do we have time ourselves to analyze that. This is counter to the way we have been talking about doing business here, which is to provide enough time for the public and for ourselves to fully analyze an issue. I do not believe that my vote of no and I also do not believe that a postponement would cause any harm to this

project or to the facility commission, and so I don't see any reason why we have to take action today. So that will be the reason that I'm -- that I am voting no today.

>> Mayor Adler: I'm sorry, Mr. King, did you want to speak to this?

>> Yes, mayor. Thank you, mayor pro tem and councilmembers, I agree with councilmember kitchen, sorry, brain freeze there for a second. Sorry about that. But I do agree with her. There's been no time for the public to look at this. It may be a very fine project and I'm not speaking against the concept here at all, but this is -- you know, the taxpayers in Austin, Texas subsidize the state of Texas.

[3:40:28 PM]

These buildings, she's state agency buildings here and I know the workers there live here, some of them, and they benefit our economy. I understand that and I'm not -- I'm not being critical of the project. What I am concerned about is the short time frame for public input. There's been no public input. And there are consequences that the public needs to know. If we're going to waive these fees, shortcut the process, the development process, what else are we going to do. Are there going to be compatibility with adjacent neighbors that we have to waive? What are the impacts and the neighborhoods need to understand that before we move forward with. This is not the only item that has come up at the last minute where you the council only has one day or one meeting to look at this because the deadline is facing you. We need to change that right there. That's a problem. I don't think it's fair to you to put you in that position. Not to mention the public who you represent. So why couldn't this day come forward with this sooner? Why does it have to be done now. There needs to be a policy that any item that you are going to look at is emergency is really a life-threatening something to do with life and safety. This is not one of those issues. This is going to have serious impacts and I think we need to look at this and particularly given that, you know, the taxpayers in Austin subsidize the state government, the state agencies here. They do not pay property taxes. That means those property tax burdens come on us. And you know we're dealing with a property tax burden that's onerous. Rent renters and homeowners pay those proxies and I want to make sure we get a good deal with the state and the fact we subsidize the electric rates that the state pays and the property taxes they are not paying those are considered in the deal we strike with the state here.

[3:42:31 PM]

And I think the public agrees with me on that to a large extent. And I think that's important for you all to consider that. Why should we just check the box as particularly given that the state is bashing Austin and they are about to go through another round of doing that. So, you know, this needs to be delayed so the

public has time to look at this plan and figure out how it's going to impact them and provide input to you about what things you should tell the city to do when it goes to negotiate with the state. Thank you.

[Buzzer sounding]

>> Mayor Adler: Thank you. Any further discussion on this item? Ms. Kitchen.

>> Kitchen: I also just wanted to clarify, I'm not certain if I made this clear, but I do not believe this causes any harm to the project or the commission. My understanding, and I asked this question specifically, was that they needed a decision from us into August. So that's why I think it's appropriate to wait and provide more time and that's why I'm voting no.

>> Mayor Adler: Okay. Any discussion? Let's take a vote. Those in favor please raise your hand. Those opposed? Ms. Houston voting no, Ms. Kitchen voting no. Others voting aye. Ms. Pool abstaining. Garza abstaining. Troxclair off the dais. So two opposed, two abstaining, it passes. Let's go to the next item. Next item -- are there consent items on the 2:00 agenda we could dispense with?

>> Item 48, consent. Npa2016005.03. Related case 49, also on second and third reading.

[3:44:33 PM]

The next case to be for -- for consent is item 50. We discussed this item at the last meeting and there was discussion about the recapture of the historic tax assumption on this. I have checked with the Travis county tax assessor's office and have confirmed with them if the property were to be what was aphyd on first reading T cad would notify the assessor's office and it would be their job to capture the last three years taxes. I did confirm what we discussed last time. Next item 51, also for second and third reading. I can also offer consent postponement to August 10th case number 52, npa-2016- 0016.01 and item 53. Both postponed until August 10. 54 and 55 are related. My understanding on this from speaking to councilmember Casar's office there's a request to postpone to August 3rd, 54 and 55.

>> Mayor Adler: What was 48 to 51? I'm sorry.

>> 48 to 51 approve all four on consent on second and third reading.

>> Pool: I have a question.

>> Mayor Adler: Ms. Pool.

>> Pool: The items 52 and 53, this says staff postponed to August 3rd. Did you say August 10?

>> Yes, the applicant is unable to attend the August 3 meeting.

>> Pool: Thanks so much.

[3:46:34 PM]

>> Flannigan: I'd like to pull 49. 49 pulled. Consent 48, 50, 51, 52, 53, 54, 55. Ms. Pool makes the motion. Is there a second? Mayor pro tem seconds. Discussion? Any discussion on the consent agenda? Mr. Casar.

>> Casar: Discussion on two items, briefly on 54 and 55, that was the constituents there and the neighborhood asking for that postponement so I appreciate us doing a consent postponement on that as is our tradition and hope -- I know the -- some of those neighbors and the applicant have agreed to meet over the summer and hopefully will have resolution when brought back so thanks to the dais for that and to the applicant for being agreeable. Then also on the item 48 is a consent, right? 48 and 49?

>> Mayor Adler: 48 is on consent.

>> Casar: But not 49?

>> Mayor Adler: 49 has been pulled.

>> Casar: Then I'll wait to talk about it then.

>> I'm sorry, I Ms. Read the text. It's actually August 3rd for 52 and 53.

>> Mayor Adler: 52 and 53 August 3. And 54 and 55 are all four postponed until August 3.

>> That's correct.

>> Mayor Adler: Okay. We have some people who have signed up to speak on some of these consent items. This first one, 54, has been postponed, will be postponed till August 3rd. Elizabeth Ackerly, is she here?

[3:48:35 PM]

Do you want to wait until it's postponed to speak? Thank you. Item 55 same thing? Sounds good, thank you. Okay. The consent agenda has been moved and seconded. Any discussion? Yes, mayor pro tem.

>> Tovo: Yeah, I wanted to thank our staff for looking into the historic rezoning issue. It's my understanding actually that two of the last three years the applicant did not claim the historic designation so there would just be one year of taxes coming forward. And it is also my understanding we've been looking into it with city legal about whether we can actually extend that beyond three years and it does appear that we have the ability in state law to do so. And so I just wanted to notify my

colleagues that I do intend to bring forward a code amendment to that effect in August. To extend the provision back so when somebody comes forward and rezones a piece of property for which they've been getting an historic exemption, we have an opportunity to collect back taxes beyond just the three years.

>> Mayor Adler: Thank you. Let's take the vote. Those in favor please raise your hand. Those opposed? Unanimous on the dais and Ms. Troxclair off. Let's pick back up where we were. That gets us to item number 30. Item number 30 is the organics collection matter. Since we discussed it this morning, we've had additional people sign up to speak. And we have some speakers to speak on this. This was pulled by councilmember pool. Do you want to say anything before we get to speakers?

>> Pool: I would just like to signal after we hear from the community and anybody wishes to speak that I'll move to postpone the item with the additional direction for staff to negotiate the contract and return to council August 3rd with a negotiated contract for council consideration.

[3:50:38 PM]

So we can hear the input today and that will be the motion I will make.

>> Mayor Adler: So a couple thoughts on that. That would be helpful. These matters have come up before on repeated occasions over the last years and as a council we said before we approved a contract we wanted to hear back the more broad policy questions about how we're doing these contracts and whether we should be rebidding any of these contracts and all of those related questions. We haven't gotten that report back so I'm happy to hear this is going to get postponed. I hope we get the report back in time for us to be able to learn as a council and to discuss robustly whether we should be rebidding any of these contracts as opposed to renegotiating or just entering into contracts so we can put all these issues behind us and not considering them recurrently. If we're going to have public hearing on this contract now, are we giving people the opportunity to either speak now or on August 3rd but not both now and August 3rd as is our general practice? If we're going to postpone it, I hate to have everybody speak on the contract and have to speak on a contract coming back on August 3rd as well. I think people are -- I draw out that question but we have some confused looks on the dais. Mr. Flannigan, then Ms. Houston.

>> Flannigan: Help me understand the reason for the postponement.

>> Pool: There's interest on the dais to have some policy discussion, which is what the mayor was just talking about. The work group that worked with the stakeholders and the staff have had a discussion and what we would like to do because there was only one firm bidding on this and because we are interested in continuing the rollout of the composting and the organics pickup, but we haven't negotiated it completely, we would separate the negotiate from the execute, have the negotiation take

place in July and into August and bring it back and then we would discuss the elements of the negotiation and then vote on the execution in August.

[3:53:09 PM]

>> Flannigan: So what we have before us is not a negotiated contract?

>> Pool: That's right.

>> Flannigan: So what do we have before us then?

>> Pool: We have delayed our or Robert good here is this -- here?

>> Good afternoon, James Scarborough, purchasing.

>> Pool: Could you describe the action that we're looking at today?

>> Mayor, councilmember, I believe the action you are contemplating would be for staff to proceed. And define the contract and come back to council with the actual contract as backup given some of the concerns that have been raised recently are associated with details that are contemplated but not actually available right now in the contract because the contract is not completed.

>> Pool: And that goes to things like capacity and routes and volume and that sort of thing and where the delivery would be. The additional direction that we were looking at giving to staff also was to have a one-term contract with no automatic extensions. And that would be different from the direction that was offered when this was originally posted. The interest being there to open up this contract and this request for proposal to any -- because we only had one firm previously and we're hoping that with additional discussion about these issues that more of the firms might -- so there's more competition, so we have more people to apply for. We don't know if that will happen, it may not, but this would give that opportunity.

>> Flannigan: I normally reserve my comment to the end, but I think I'm ready to move forward.

[3:55:13 PM]

I wouldn't support just doing the one year because I think any company that takes on this job is going to require multi-year guarantee in order to build up their infrastructure and capital. So I think one year is probably not a good idea. And since this just initiates the negotiation and authorizes staff to execute, if I'm understanding this correctly, yes?

>> Pool: Just to negotiate.

>> Flannigan: I think your motion -- the original item was to -- would give staff the ability to execute in addition to what councilmember pool's motion is. I'm supportive of the full thing that's post to do the agenda and trust staff to continue its conversation with the working group that's been formed and let the folks who have come to speak speak and let's close this chapter today. That's where I'm at.

>> Mayor Adler: Ms. Houston was next.

>> Houston: And I'm looking, we have been on this process for a year. This is a small business. This is not one of our larger contractors who has that kind of financial liquidity to go on and on. I think we've got a good understanding the work group will continue to work. We'll give them a three-year contract and then they come back at the close of that and if we need to refine it and rebid for the extensions, then we do that. But this has gone on long enough.

>> Mayor Adler: Further comment? Mayor pro tem.

>> Tovo: I just have a question. I thought the work group was recommending we approve the contract today. Did I misunderstand something on Tuesday? Was that what the work group was recommending on Tuesday when we talked about it that the work group was recommending moving forward with the contract and maybe differing opinions whether to do it one year or three years.

[3:57:14 PM]

But I guess I'm wondering why the work group is now recommending postponing.

>> Pool: Maybe I shouldn't have said postpone. Maybe what I should have just said is we recommend that you negotiate and bring back for execution in August. So I think I have unnecessarily confused the matter by saying the word "Postpone." We did talk about not having additional automatic renewals on this contract and I do understand the first term of the contract is for three years. And so -- so that's where we settled on that.

>> Mayor Adler: Mr. Renteria.

>> Renteria: And I also feel like we have gone long enough on this issue here and I think the more that we have delayed the more cost that we have incurred and I think it's time for us to just go ahead and settle this deal and then come back and discuss what we're going to do in the future on these contracts.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: I think as I understand it the thinking is to go ahead and take the step forward, which is to negotiate the contract. Just not execute, bring it back to execute and one of the reasons for that is because as the mayor mentioned earlier, we still have policy discussions, but the other thing that

perhaps is more important is that the -- changing the term is important that we make sure we understand if there's any need to change the negotiations as part of that.

>> Mayor Adler: Yes, mayor pro tem.

>> Tovo: Sorry, I feel like I'm missing part of the conversation. So I apologize for continuing to ask the same questions over and over again. But we're often July, I assume the work group is probably not meeting. Is it a reasonable expectation we're going to finish the policy discussion in the next month if the contract comes back for execution in August? And is it about -- and I guess councilmember pool you said something about reopening it for our bidders.

[3:59:19 PM]

Are we having a policy conversation, are we wanting to see if somebody could please help me understand what the new recommendation is from the work group, that would be great.

>> Mayor Adler: And to clarify that and to jump on that, I feel like right now I have exactly the same information, but no more information. Than we had four months ago when all these contracts came up. We had a day full of people that were speaking on the issue saying lots of things that sitting up here, we couldn't really judge or evaluate, nor could we make the policy decisions on whether we should be reopening negotiations, whether the negotiations have been fair or not or what kind of contracts we were going to do or not do. But as I sit here, I know exactly now what I knew then. So we had asked the working group to go away and look at those issues and kind of report to the rest of us that weren't participating in the group to shed some light on these issues. My understanding is that the working group may have actually had a report that was really close to coming out, and if there's a report come out that I get to read during the month of July and it answers all the questions for me, I could be in a position to vote in August. If those questions are answered in that. I don't know what I would be voting. It would depend on what came out of the policy conversation. But I'm confused too because I don't have any more information than I had back then, and back then we sat through all these questions and said before we moved forward. And I feel badly that we brought everybody back down again for a reprise of the conversations that I think we may have had in the past. I don't know.

>> Pool: So what I want to say is that is I want to be clear that we stay on track with the compost goals and the stakeholder group that we met with through the month of may and those councilmembers who joined me on the work group are all aligned on that.

[4:01:26 PM]

So we're reaffirming our commitment to this program. We need to get it right so the extra time and extra eyes on the proposed contract once it's posted will give the city more certainty, which is why we were hoping to give Mr. Scarborough the month of July to work through the contract and make sure that the specifics that he mentioned, the details that hadn't yet been available to any of us, we don't have them, would then be available to us in August. That is also why it's only negotiation, not the additional step of execution so that we can then approve those elements of the contract. I wish I could give you all the details. I just don't actually have those specs. And that's the quandary that we are finding ourselves in. I will also mention that our group worked really hard to pull together the report for everyone for today and because of other issues that came up, including the renewed controversy over issuing this contract, pulled them off of analyzing that report. So we were not able in fact to get that completed before today, which had been my goal. So I apologize for that. But if we could give our staff the month of July and into August to work through the specifics so that we actually have that information, I think we would have a better sense after that work is done on what we should do with awarding the contract.

>> Mayor Adler: Okay. Ms. Kitchen and then councilmember alter.

>> Kitchen: I would just reaffirm it's important for to us take a step today for the reasons that councilmember pool said. And I think that step, the appropriate step, is going forward with the negotiation on this contract. And that work has to happen and then I understand the mayor's concern about wanting to see policy and I respect that. So these should dove tail. These will be ready to execute at the time that that information is available and then that's why I think councilmember pool is suggesting this approach today.

[4:03:34 PM]

>> Mayor Adler: Councilmember alter?

>> Alter: My understanding from the working group and why we had allowed this contract to go forward is that we felt it was time sensitive and that it needed to move forward. And that nothing in our report was going to change the view on this particular contract. So that was why we allowed it to go forward. I would support negotiating and execute without extending the term beyond the three years, but it was my understanding that I don't believe that you're going to find things in the report that are going to change your mind about this particular report. The only thing is that our report makes changes to the aol, anti-lobbying ordinance, and that gets codified and another party that wants to bid decides to bid at that point, that's the only thing that changes. But we'll be going out and soliciting, but I don't think that gets us to our compost issues. But that is really the scenario where everything changes on this moving forward.

>> Mayor Adler: Mr. Casar?

>> Casar: So I think councilmember alter just answered my question. And let me ask this and see if it makes sense. So my recollection, and again someone correct me if I'm wrong, is this has come to us in the past and we've had negative swap recommendations. So I appreciate the working group that some councilmembers worked through. And now we have this contract up before the group is -- report has come to us, but there's positive recommendations on the swac and I am trying to see what has changed and what has changed is the group has done the work and it looks like the results of the work are saying we should do this.

[4:05:34 PM]

Is that sort of where it is that we're at. Because if that's the case I guess I want to understand what the difference is. But it looks like the work's group is complete and which is why swac has said yes, I want to understand what the hesitation is. I'm not opposed to negotiating and then executing later. I just want to -- I need more background because I wasn't there. And I don't know what happened in that time that changed it so that there were environmental and swac and folks upset, and now people on the -- that having changed their minds.

>> Mayor Adler: Ms. Kitchen?

>> Kitchen: I just want to suggest that we obviously have some more discussion to occur. Maybe it would be helpful to hear from our speakers and then continue on the discussion.

>> Mayor Adler: I really thought we would give people an election to speak now or then, but I think it's probably appropriate for them to speak now because there seems to be significant uncertainty up on the dais. Councilmember alter?

>> Alter: I wanted to say that the issue before us is the compost contract. We did receive a lot of correspondence this week with respect to biosolids, with respect to swac, but that's a different contract. So I want to make sure that everyone is aware that it's the compost one and not the biosolids one that we're talking about today because they can get confusing.

>> Mayor Adler: As I recall when this contract, the composting contract was in front of us, we had a discussion about whether or not that should move independently because it wasn't the biosolid contract. And for some reason at the time we said no, let's have them all together because there may be common policy issues or common concerns either about policy issues or about lobbying issues. And again, there may not be. This may be something independent. I just don't know because I don't know anything more now than I knew back then.

[4:07:37 PM]

And that's my only histation. Let's go ahead and call up the oaks to come up and speak.

-- The folks to come up and speak. First person I have is Nicole whellan? Is Ryan here, David butts here? I have you with 12 minutes.

>> Thank you, I think I'll be able to hit a lot of the topics that were just mentioned. Michael whellan on behalf of Texas disposal systems. In connection with agenda item number 30 there's an opportunity to pause for a moment and allow the policy making associated with waste and recycling to catch up with the working group effort while allowing the important policies related to curb side composting to proceed. I think there is, councilmember Casar, a compromise solution. The council could extend the contract contract that Mr. Gosh has with the city for one year with a rate increase that's exactly what you did withholding over the biosolid contract. This would take the contract from October 21st, 2017, which is the current end date, to October 21, 2018, and allow continuing curb side organics collection rollout, which is a top priority for every single stakeholder. During this time frame council will have an opportunity to thoroughly consider the working group's effort to forge a policy that addresses waste, including recycling and composting, policy decisions that will no doubt have a direct bearing on the proposed contract. The additional time will also allow staff to evaluate the true transportation costs associated with the new proposed, but undisclosed composting site and the Elgin site. It will give staff time to evaluate whether the different sites that Mr. Gosh is now offering have the authorized and necessary capacity. Texas disposal systems strongly supports the curb side composting program and its prompt rollout.

[4:09:41 PM]

And good policy making in which council is fully advised of the facts associated with any particular contract that may be proposed for its consideration. As we know again, the working group feedback is forth womaning. I want to detail, though. Some of the potentially big problems that we know about with the proposed contract and some of the things we do not know about. Since Mr. Gosh solicited to have the Travis county site to have receive all the materials has come to light. This Travis county site was the only site identified in response to solicitation to handle organics waste for every 200,000 households. It has less than a 2.79-acre composting area for the organics waste. Again, for over 200,000 households. This would be akin to hosting the acl festival in a pocket park. A site development permit, which is a land use document, not anything from the tceq, was issued in 2002 for a 32-acre site in Travis county that consisted of two lots where the composting area is. After the site development permit was issued in 2003, Travis county issued two new ordinances. The solid waste facility siting ordinance and the solid waste management or disposal facilities in or near floodplain ordinance. Mr. Gosh has operated the Travis county site as an exempt facility through 2014 at which time he received tceq authorization as a, quote, unification tier compost facility, which then turned it into under the Travis county ordinance a

major facility that would have to comply with those two ordinances if it weren't grandfathered. So what we have right now is a situation in which an applicant is coming to you claiming grandfathering. This is not unlike a landowner coming to you for grandfathering for land rights or money for a project while also maintaining their grandfathering status.

[4:11:49 PM]

It may be that Mr. Gosh remains grandfathered even after his new more intensive major facility use. However, that does not mean that the city council as a policy maker should send material to the site. Noteworthy is the composting area on the site is actually within the 100 year floodplain. You will be authorizing a contract for composting within the 100 year floodplain. The Travis county ordinance says that you should not have composting within -- within or within 500 feet of the floodplain. More important is the fact that the 2.79-acre area is within FEMA area agency's high flood risk zone that carries a 26% chance of flooding within a 30-year period. This is a serious risk to have waste swept away which may explain the reason for the county's ordinance. There is also a capacity issue which will need to be resolved through further staff research. The less than 2.79-acre site was the only site that Mr. Gosh identified in response to the solicitation and therefore staff support of this proposal was initially based on all of the material, all 200,000 household material, going to this Travis county site. As I indicated during the process at a zero waste advisory commission meeting, Mr. Gosh announced for the first time that the Travis county facility had insufficient capacity to handle all the volume and revealed that his company would need to rely upon a second 27-acre facility in he will begin which is referred to as the bastrop county site. It appears that he has also alluded to an undisclosed 100-acre facility that might be used as well. The challenge with the Elgin site and the undisclosed site is the city will bear the entire cost of material transportation to the facilities and we presume that staff has only analyzed this transportation cost to the Travis county facility. But not to the Elgin facility or you want disclosed facility.

[4:13:51 PM]

[Lapse in audio] The other challenge with the Elgin site and the less than 2.79-acre site is the current tceq authorization explicitly limits the material on-site to an amount much lower than the material the city indicated in its solicitation. Unless the unidentified composting facility can take much more material and has already received tceq authorization to do so, it would be hard to see a path forward that includes county site and the Elgin site. The final point that I wanted to elevate for discussion was the tipping charges that Mr. Gosh has proposed in response to solicitation. You will recall the transportation costs will be 100 yours so if there's a site out in Elgin you're paying the extra costs, which comes to about \$200 a haul. And the charge that Mr. Gosh or any composting site would have would be the

tipping charge, cost to bring -- to dump the material there. His proposed charges are between \$28.44 and \$29.99 per ton. This is the tipping fee. Based on the city's on own volume -- on the spending authorization, sought by staff for agenda item number 30 for the first three years of the proposed contract could be as little as half of the funding necessary. In fact, the proposed contract amount is approximately \$700,000 more costly than it would be if the material were brought to another facility already under contract. \$700,000. And y'all spent over an hour on a 100,000-dollar contract just a -- well, in the last hour. Noteworthy, the 700,000-dollar difference in what is referred to as the tipping charge again does not include the extra cost to transport the material out to the Elgin site. So there are several core questions that council should ask prior to taking any action on the proposed contract.

[4:15:51 PM]

One, since the rfp did not guarantee the shipment of waste and related payment for processing of a certain minimum volume of waste for composting is Mr. Gosh aware that he is taking the risk anyway that the city could ship to another facility for any other reason? That is in the solicitation. Two, when will Mr. Gosh publicly identify the location of each of the compost facilities he intends to use to receive compost the city [lapse in audio] And have them in the vicinity of those sites in Elgin and wherever the other undisclosed site is, if it's in the county or the city, I'm sure you would want your citizens to know, have they been notified that the organics by gosh would be composting over 200,000 household's compost in that area? Three, what will the additional cost to Austin ratepayers be in the waste is hauled at city expense to Elgin or yet to be identified site? Four, will the contract prohibit this organics waste to be used to compost biosolid sludge and the compost produced from other waste to be blended with the compost? And would Mr. Gosh object to the contract for these services be posted for public review before a public vote is taken to execute the contract? I want to close by encouraging you to consider extending the current contract, which is set to expire on October 21, 2017, by one year, with a rate increase. Give Mr. Gosh the rates that he proposed in his contract. This is exactly what you did for synagrow, when you held over for a year with a rate increase. And that is the biosolid contract. So the city's policy, the one year would allow us to look at the city's policy related to curb side composting and it would also be sure that the pilot program and the rollout would continue uninterrupted, which we all agree needs to happen while allowing Mr. Gosh to continue to work with the city at this time. However, we would strongly discourage you from entering into a three-year contract that leap frogs the policy which council's working group is well underway with, that may include an undisclosed site and that raises numerous unanswered questions, including whether the people surrounding the Elgin site and the other undisclosed site are aware of the amount of organics waste that will be coming to that site, especially food waste, which in particular can smell.

[4:18:16 PM]

I would also note that the recommendation to authorize and execute truly takes us a step backwards by denying the public an opportunity to review the contracts. As councilmembers, I can only imagine the amount of material that you have to read on a daily basis. As a result, I believe publishing the contracts allows additional checks and balances through public participation to make sure that our city contracts align with our policies. I think that's been an issue in the past and I think it's one that can easily be avoided if we have these contracts published on the council agenda in advance of the council vote. So thank y'all very much. And if you have any questions, obviously plenty of people here could answer them. Thanks.

>> Mayor Adler: Thank you. Next speaker we have is Gus Pena. Next speaker we have is Steve Shannon. After Mr. Shannon we have

[indiscernible].

>> Good afternoon and hello again. My name is Steve Shannon with waste connections. We're the second largest solid waste provider in the nation. We feel like we have a dog in the fight. We want to participate in these bids. We did not because of interference,, what we anticipate will be interference. That's what's happening. The city put out a legitimate, valid bid. It just so happens one company bid. Now a company that didn't bid is campaigning about it, trying their very best to interrupt this process and award a legitimate contract. Just like any other contract that might be awarded, the people that you awarded to default, just like a default on any other contract. I don't think that's going to happen.

[4:20:18 PM]

I think the work bye-bye gosh is very good. They're honorable people, a small local business, they Ron their commitments, Mr. Gosh and his team are known frankly throughout the world as experts. I don't believe that anything which you've heard a moment ago, anything other than an attempt to derail this process, find some way for somebody to get part of the contract that didn't bid. Now, part of this, if you award 30, it doesn't give any tonnage guarantees to organics by gosh and the city can put out other solicitations in case the service agreement awarded under item 30 isn't sufficient to your needs. This protects the city. We recommend that you move forward. There's been a lot of time, effort, money spent by everybody on this. I know that I received a copy of a letter that you all received yesterday from the complainant alleging that the purpose of the working group, of which I was a participant last year, kept staff from creating city policy [lapse in audio]. My distinct impression as a member of that working group was that 95% of the people in the room felt that the purpose of the working group was to update the process and to keep people that don't bid from the interruptions and keeping these things delayed. We recommend that you approve 30 as presented by staff. I'd be glad to answer any questions.

>> Mayor Adler: Thank you, sir. Next speaker is Carlton Smith and then Donna gosh.

[4:22:25 PM]

>> Thank you, mayor, councilmembers. For the past 11 and a half years, I've been a volunteer and a business counselor with score. And I've worked with hundreds of people to help them start and grow their businesses. I've worked for Phil gosh, the owner of organics by gosh, for eight years, as he's worked hard to grow his business. Small businesses are really the heart of our economy. And earlier today I sent all of you articles that have been posted on the web. And according to these articles, Texas disposal systems, tds, has acted in a manner similar to what we have seen here today and in the past couple of months. And I'm going to quote from some of those articles that are online. Here's one from the statesman, August 31st, 2016. Quote, the judge once called it a transparent attempt by Mr. Gregory, head of tds, so delay, to complicate, to increase the cost, and with any luck to defeat a competitor. The article goes on, tds has hired lobbyists to advance its interest, spend as much as \$260,000 last year, and has a handful of lobbyists registered with the city of Austin. The articles states that one attorney, Brent Ryan, has accused tds of using permitting processes to fight competitors. Their goal is to slow down or to stop landfill companies. Now, organics by gosh has had contracts with the city of Austin since 2012 without any problems or complaints: Last June, a year ago, 2016, organics by gosh was the only bidder for a contract that you have now got before us.

[4:24:30 PM]

Tds did not bid. Tds has sued the city of Austin several times. Look it up online, simply put in tds suing city of Austin. So I ask you now, to support small businesses, such as organics by gosh, who do good work and play by the rules or do you prefer the big bully companies who come in after the bid process and smear the small competition. What do you think? Thank you very much.

>> Mayor Adler: Thank you, sir. Donna gosh. Is Anna wood here. You have six minutes, Ms. Gosh.

>> Good afternoon, mayor and councilmembers. I'm Donna gosh. I'm the wife of Phil gosh who owns organics by gosh. Phil and I live in the city of Austin. In fact, we're in Williamson woman Anne Clark's district. We pay Austin taxes and we are arr customers. Organics by gosh employees 30 people, plus or mines a few depending upon the time of year. Although we operate on a small margin, we bid on the contract with zero dollar tipping fee because we believe in the zero waste initiative and wanted to support the city in getting it off the ground. As things were ramping up and we have purchased a second site in preparation for the expansion of the program and working on the third, it was necessary to put a price on the solicitation bid for you to recoup some of the costs and to grow. We do have the capacity that states because our cash flow is site when we did our tceq application W did a small quantity. We do have written approval from the bank as was sent to each of you.

[4:26:34 PM]

So the process is we just increase our quantity as it's needed. So what we applied for was the maximum quantity we felt we would have on that site at any one time in 2017. Yesterday while you were working to prepare this meeting and doing many busy things we could have been up here lobbying your offices. We could have been calling y'all, bombarding you and taking your time B where was Phil gosh? He was under the screener welding to get it prepared for receiving more organic material. All this nonsense going on on this contract absolutely baffles me. Not that we don't like spending time and getting to know y'all, but we would actually rather be just composting. On April 18th, Phil and I sat down with Bobby Gregory and his two sons, Paul and Adam, and their business employee Ryan Hobbs. On the morning of March 2nd before the council meeting, Phil called Bobby Gregory on the telephone and reached out to him. Mr. Gregory proceeded to speak against our contract and our operations before you at the council meeting that day. My request to Mr. Gregory on April 18th was if you have a question or concern to please pick up the phone and call Phil and ask him, rather than assume and speculate and spread partial information. He said that, yes, he could do that. To this day Phil has not received one call from Mr. Gregory. Yet the nonsense continues. With the sowing of fear and incomplete information. Mate we just stop the nonsense?

[Buzzer sounds]

>> Mayor Adler: Is that three minutes or six minutes? Three? There was three more. Please continue.

>> Thank you, sir.

[4:28:38 PM]

1st it's that we don't have a contingency plan. We did. We have a second site and an alternative as well. We're [lapse in audio] Permit and legal. We needed acceptance from tceq, which is not true, we were legal. We were permitted, but we went ahead and got the documentation and sent it to you, which all of you received. Now we need a shorter term. Both councilmember alter and pool both represented that they would recommend a three-year term. So then it's that we're in the floodplain. Travis county is the only county in Texas that does not allow you to compost in a floodplain. In fact, out of 50 states that are only two that mention anything about compost in the floodplain. Many companies in the U.S. Compost in the floodplain. For example, nature's way resources in Conroe, Texas is 100% in the floodplain. They are very successful company, they do receive wasted food, and they actually hosted the state compost training camp last year. Technically on a map, yes, part of our site was put in the floodplain after we had already been composting. The pad where we compost is raised and has been raised for many years. It is

well above the floodplain level. Travis county stated that we are grandfathered and we do not need any other permitting, so I don't understand why the question. So now the issue is what about transparency? We have been transparent. We've been doing this for four and a half years on the same site that's being questioned right now. Where has tds been for four and a half years? Why all of a sudden that we have a price and an expansion on this contract for more homes any of you are welcome to visit. The city will multiple times. Those are your zero waste experts that you appointed.

[4:30:43 PM]

They have recommended, they have seen what we're doing and they support it. History repeats itself. The same scenario, same nonsense, when you've had prior curb side single stream before you. Where is the collaboration in working together that we spent several meetings discussing in the working group? Organics by gosh is reasonably -- we're noticeably different and we're noticeably better in working with and supporting others. We support and collaborate with every other waste hauler in the city of Austin. We even tempted to do this with tds at our April 18th meeting, inviting them to do something different and something better and stop the nonsense. After this we are just devoted a lot of time to a waste working group, which was very helpful and very informative. One of the key topics was collaboration and working together. Where is that here? Where has it been?

[Buzzer sounds] May I wrap up quickly, please?

>> Mayor Adler: You may finish your thought.

>> We are a small local business and we employ a workforce of diverse race and age that live in Austin. Look at what our team has been doing with very little cash flow. For four and a half years we've not been paid for processing organics. Yes, we were reimbursed for a bit on removing some contamination. We have also accepted materials from many waste haulers trying to get organics recycling off the ground for a very small fee. So all of our efforts are why? Because we support zero waste. So please give us an opportunity to do with cash flow what we've not been -- what we've been doing without. Phil and I always can go do something else, but our 30 employees depend on our business to feed their families. It's their bread and butter. We appreciate your time and your energy --

>> Mayor Adler: Thank you.

[4:32:44 PM]

>> -- Serving our city. We and our employees and their families appreciate your consideration of our solicitation so that we may continue to be a part of the city of Austin zero waste program.

>> Mayor Adler: Thank you very much.

>> Thank you for your time.

>> Mayor Adler: Phil gosh.

>> Good afternoon, mayor, good afternoon, council. I'm Phil gosh with organics by gosh. We have a local business and we live in Austin. I just wanted to say it may be legal to sow unwarranted fear. At a hard level we know it's wasteful and unacceptable. I just wanted to open. I'm glad to answer any questions or concerns. Does anybody have any right now?

>> Mayor Adler: Does anybody have any questions? Yes, councilmember alter? And you're doing this in lieu of your time to speak?

>> I do have some things to say but I think it's more important to --

>> Mayor Adler: Why don't you speak and then we'll give the council a chance to ask you questions.

>> So we're 100% grassroots organics recycling. We are for community and there are also many experts in our community. There's a lot of people that we support by recycling the organic material, their wasted food. And just to speak plainly, it's been very challenging to do it without the curb side product. There's lots of leaves in that product. There's more leaves than food so it's important for us to support those other people. So the idea of -- Donna and I skull along the lake and there's amazing synergy when you're pulling together.

[4:34:47 PM]

So what we're doing with all these other businesses, we're pulling together to make process for a zero waste. And the challenge and frustration which I think maybe y'all feel is when we keep getting stopped and we're not getting that moment. So by awarding the three-year contract, we'll support all these small businesses that we -- that we're working with. So we're proven and tested. We're not perfect, but have had a successful organics pilot program for the last four and a half years. We've learned much. We've got some new composting methods that we're adopting that are going to be very helpful to move product quicker and without problems. We've sacrificed financially, emotionally, physically, as Donna mentioned about the tipping fee. And we were glad to do it and we're thankful for the opportunity to do it. So we're committed to our employees, our neighbors and the environment. And we support the growth of many other businesses through what we're doing. We feel like we're the best value for the city to grow in a healthy way collaborating with many others that. Everybody working together for the same goal. And we feel like we're the best cost so we've provided in our rfp 100% of our product is returned to local soil in bulk or bag to heal soil, purify and conserve water. The award of this contract

will allow us to return even more contract. Part of the solicitation before you that was redacted includes a rebate program for the city --

[buzzer sounds] A rebate program to the city for product purchased by residents. So that's a way to give back five dollars a yard from the tipping fee.

[4:36:56 PM]

So the delay in this rollout has negatively impacted our business. I wanted to let you know that. And just something to notice, from my experience, politics and lawyers can create policy that prevent collaboration. And for new -- and that's what's unhealthy. I heard we want new businesses to come in. How can we support that? By promoting collaboration. So if employees do things that prevent that, it's just not helpful for where we want to go.

>> Mayor Adler: Councilmember alter, did you have some questions?

>> Alter: Yeah. I had a simple question to start for Mr. Gosh. Over the last several years, other than some peculiarities for the most part, you've had a zero dollar tipping fee.

>> That's correct.

>> Alter: You've effectively been doing for free. You may make something off the compost off the other end, but what would go into a contract of this sort you've been doing for free?

>> Yes, ma'am.

>> Alter: Okay, thank you.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I wanted to afford you the opportunity to -- positive provide some more information about some of the points that an earlier speaker said. Can you talk a little bit about the floodplain issue? I think I understood from --

>> Yes, ma'am. So I think we sent y'all an email from Travis county. And in that email that was from Mr. White. So he's with the environmental and he's the top guy. And he -- our site is approved by Travis county. And the reason being is it was grandfathered in 2002. So what happened on the floodplain was when we bought our property it had a dry creek in it and that dry creek is what's being referenced as this high risk washing everything away.

[4:39:04 PM]

There's nothing there to be washed away. The property goes like this. The property goes in a V. So that's where there's a dry creek. Sometimes it has water, sometimes it hasn't. So we've been there since 2002. And then there's -- and when they put in the toll road they changed the floodplain maps. So it is in the 100 year floodplain, part of where I built my composting pad. But how I built my composting pad is my composting pad is very high. In the back it's probably 10 feet. And we have a road that's a circle drive and it goes around the property. So at the lowest point of the compost pad is well above the floodplain. And in the last -- since 2002 we have had no flooding of our compost pad or no washing away or -- yeah. So it's -- so Mr. White sent that letter validating the situation with Travis county. There's some other issues that they raised also.

>> Tovo: And I wanted to ask you about a couple of those as well. Can you just let me know, I have a lot of material in front of me and I am not certain that I've seen that letter. When did you send that along?

>> Donna?

>> [Inaudible - no mic].

>> May 23rd.

>> Tovo: I'll look back and find that, thank you. And let's see... Could you address the concern about having another facility possibly in Elgin?

>> Yes, ma'am. So we have another site that's just north of the city, very close to downtown. We've been working on it for over two years. And I actually invited the landowners to be here today, but they wasn't able to make it. But that property is -- their heart is to support something for organics recycling. And that's what they want to do with that property.

[4:41:10 PM]

We had a contract on that property and everything was going fine, but there happens to be some details that kind of did he railed -- derailed it temporarily, but they're getting it online. So ideally we thought we would have that closed and ready, but it hasn't. So we bought a property in bastrop county, about 12 miles from our current site east of us. And so that site is 27 acres. And so what we were planning on doing is getting the product in at our current site and then we will grind it, make sure it's clean and processed, then we'll grind it and take it to that site. That was the plan.

>> Tovo: So that would be part of your operations.

>> Yes, ma'am.

>> Tovo: The site in bastrop county. And then I guess I'll ask staff later about how those costs would factor in. I think there was some concern about what the travel costs, whether those would be passed along to the city. Do you want to address that?

>> Sure, would be glad to. There are no costs. Our site is saving you money from going down south. We're about 12 miles -- 10 to 12 miles from this haul right here east. So that's where the material is going to go. We're going to haul it to the other site with our truck.

>> Tovo: Okay. So there would not -- you do not intend to pass along the costs of transporting that to the bastrop county site?

>> That is correct.

>> Tovo: Okay. Thank you. I think that -- I think those were the questions I had. Thank you very much.

>> You're welcome.

>> Mayor Adler: Other discussion?

>> Casar: Mr. Gosh, thank you so much for -- most of my questions were answered through the mayor pro tem's questions. There was one other issue that was raised that I would want you to speak to, which was a site not being disclosed or listed. Could you speak to that? And the context of that is this council has worked on other waste issues around making sure that these sites are located in places that are compatible and environmentally correct and environmentally just.

[4:43:19 PM]

So not knowing the location of the site, we tend to like to know where this stuff is going. So if you could just speak to what was brought up, that would be helpful.

>> I'd be glad to do that, the only challenge is this waste industry is kind of ruthless in how they do things. My concern is if I disclose that, that I will -- it's been known -- competition has been known in this industry to buy property right next to you and then cause more problems for you so you can't get permits.

>> Casar: I'm not necessarily asking you to disclose it. I just want to better understand what that site is used for, why we know where some sites are and where -- don't know where other ones are and just don't understand enough about the nuances to that.

>> You understand where our two sites are, correct?

>> Casar: The -- you're referencing the one that's 10 miles east of here and then the Elgin site.

>> Yes. We have one another 12 miles east of there. Our third location we've been working on is a site close to -- it's close to downtown, just north. And the purpose of that site was actually recommended by Travis county to me. As a great site.

>> Casar: That would be for future expansion of your work?

>> Correct. It's under 200 acres. And it's where there's -- it's just really ideal. There's not a lot of -- it's just really ideal for a site that could serve the city.

>> Casar: And so one thing that may be helpful for me, colleagues, is to just best understand with our staff and maybe with Mr. Gosh, since that is a future -- that isn't something that we are authorizing for you to use starting tomorrow.

>> No, sir.

>> Casar: What, if any, safeguards might be put in place to make sure that if we are hauling that compost there that that's a place not necessarily requiring the city's input, but maybe potentially making sure that there's -- in the public interest and the safeguards necessary on this site.

[4:45:28 PM]

>> Absolutely. So what it would be, we would -- the city has at any point they could stop bringing us material at any time with no reason. They can just stop or take it somewhere else. And so there's kind of no risk with going forward. This new one we would say we would save you money, it's closer than over there. You have north trucks. That was the idea with it. You would have multiple locations. It could be even tighter.

>> Mayor Adler: So it would be --

>> Casar: So it would be at the council's option to send it to the site east of here or use this site.

>> Yes. And that's exactly why we were asking for the three years so we can develop this other site, to support --

>> Casar: I appreciate you answering my questions.

>> You're welcome.

>> Mayor Adler: Anything else? Anything else on the dais? Thank you very much.

>> You're welcome.

>> Mayor Adler: So we need a motion.

--

>> Alter: Can we ask some questions of staff?

>> Mayor Adler: On do you want to make a motion?

>> Pool: I move to direct staff to negotiate the contract and return to council -- maybe I should just say in August, with the negotiated contract for council's consideration.

>> Mayor Adler: Is there a second to that motion? Kitchen seconds that. You had a question, councilmember alter? , Of staff?

>> I had a question too.

>> Mayor Adler: Is staff here? Which staff do you want? Purchasing?

>> I think they probably all could answer it. It's pretty basic, I think.

>> Alter: So in this contract are there tonnage guarantees? As I understand it there are tipping fees that we would be paying per truck, I guess is the unit, but do we tell them that they're going to get X amount of tonnage?

[4:47:28 PM]

>> Mayor and councilmembers, this is an indefinite quantities contract. So there's no commitment quantities. Staff provided estimates based on the amounts that they contemplated would be consumed under the contract over a period of time, but there are no guarantees of quantities under this contract.

>> So if we wanted to contract with another contractor as well for additional compost under this contract, if we went through the whole process of contracting with that other contract, we could do that.

>> Under separate contract, yes.

>> Alter: Under a separate contract. So is it true that the limits on our ability to do more composting in the city were, a, we wanted to roll it out and see if we could make the process work and then B, in order to have the trucks to do it, it would require a rate increase and so we wanted to spread it out over time. Is that a fair understanding. Seems like there's a limit on our ability due to composting that Toms comes from the city's side and they're willingness for the trunks to pick up and how that relates to rates. Can you help me understand that better?

>> So the organics program is a phased program. And the first pilot part was 14,000. And what we're talking about now for this year, hopefully after y'all approve this, then we can start the 38,000

customers. And then after that next year so many thousand and so on, about 52,000 or so. So until we reach the entire city. So part of the reason for that, the rates, rate increases, every time we have those, so if we want to do all of it this year obviously it's not going to happen mainly because of the facilities, the number of trucks that need it, the number of ftes or employees that's needed, and also the rate that's going to be imposed on the taxpayer.

[4:49:37 PM]

>> Alter: But if we were doing this contract and we as a council decided in a year or two, hey, we really like composting in the city, it went really well, we think this is something we want to speed up, and we were willing to raise the rates, do whatever we needed to do, the tonnage, we could do that.

>> Absolutely.

>> Alter: Then at that point we would need more processing and we might issue another contract which by gosh could also bid on or tds could bid on or anybody else could bid on at that point or at any point we could do that. If our goal is to be at zero waste, there doesn't seem to be anything about this contract, how it's set up, that would preclude us from reaching our zero waste goals faster if we decided to make that commitment, is that correct?

>> I didn't quite --

>> Alter: What I'm trying no tonnage requirements, if we decided that in order to actually build everything up, we needed to make sure we had more capacity. We wanted to have multiple providers of compost because we're going to do the whole city at a faster rate. We could put out a bid, which Mr. Gosh could bid for, all these other ones could bid, that would be on top of this contract at some later date if we wanted to make the investments needed to pick it up.

>> Sure. We could do that. We can do that.

>> Alter: So if that's the case, then in my view moving forward with this is a logical step of getting us to our zero waste goals. And there's still plenty of opportunities should we choose to expand those goals or speed those up to add additional folks who could help us with the composting at a later date. And I think that's important to remember that underscoring this contract isn't just about the negotiation, but about achieving our goals.

[4:51:45 PM]

So it's important to keep in mind if the contract is not constraining that in some way we don't know, we can move forward confidently with this contract and if we wanted to in four months we could put out another contract and say we're going to have more compost folks and there's nothing to stop us from doing that. We are only obligated by this contract to put the tonnage -- to pay for tonnage that we drop off at his facility. Now, I would think that we would do that in good faith and this is a company that has been doing this for free for a long time. If we resolve everything else and tds wants to come to bid, we can decide as a city to do another request for proposals and move forward. So I would very much support moving forward with three years to negotiate and execute on this.

>> Just to reiterate, and I think council, the councilmember brought this up. There is no extra transportation cost and everything is going to be dropped off at the current facility that the gosh family has. As for biosolid and things like that that was mentioned earlier, we can always include that in the contract. There's no issues with that as far as the staff is concerned.

>> Alter: Thank you.

>> Casar: Can you confirm for us what Mr. Gosh said -- my last question, which if the new facility is -- which is at an undisclosed place, if one the city or city council finds that location inappropriate or whatever reason, can we under the contract take the option of not sending anything there?

>> Well, sure. That would be part of or could be included in the contract. That's one of the provisions. We can include that in the contract. Once the facility is disclosed, we can look at it, we can verify that everything is okay.

[4:53:49 PM]

Obviously tceq and the county also have more authority than I do in looking at the facility and approve it for composting. Or whatever. Or whatever composting purposes.

>> Casar: So what you said at first sounded like what Mr. Gosh said, which it's entirely at our discretion, but then what you said second sounds a little different, which was saying that other jurisdictions have more -- more say than we do. Under this contract, Mr. Gosh sounded like he was fine with the idea -- and I I won't speak for him, but my impression is that he was fine with us taking our own option on whether we would have to use that location or not, once it was disclosed to us. Do we have that discretion or would we have that discretion?

>> What I'm saying is that the tceq has to approve the facility. So -- and the county probably had to approve the facility for the purpose of composting.

>> Casar: Regardless of those approvals do we have it entirely at our discretion whether we use this site or not?

>> Once -- again, once the facility is approved, then we can take it to them.

>> Andre Lloyd, assistant attorney general. I think we can add a provision in the contract that states that the cities that to approve whatever facilities are used by gosh and therefore we would have control separate from what is being approved from the county.

>> Casar: Thank you. And it sounded to me like Mr. Gosh didn't have any concerns with us having that approval and they're saying that -- they seem to agree with that. Okay, thank you.

>> Mayor Adler: Okay. Mr. Flannigan.

>> Flannigan: So from a process question here, I think the motion on the table to approve just the negotiating and not the execute.

[4:55:52 PM]

And mayor, help me understand from a process perspective, if I want to also execute would I move to amend?

>> Mayor Adler: Yes.

>> Flannigan: I submit an amendment to pass the item as originally posted on the agenda.

>> Mayor Adler: It's been moved to add execution to that. Is there a second? Mr. Renteria seconds that for discussion.

>> Kitchen: I have a question. Is your motion for the three years? >>

>> Flannigan: Yes.

>> Kitchen: Without the renewals?

>> Without the automatic renewals.

>> Flannigan: Which is how it's posted on the agenda.

>> Alter: No, it's posted on the agenda with the extensions.

>> Kitchen: It's posted on the agenda with the automatic renewals. We had suggested out of our work group not to include the walk renewals. So that's why I was asking for the three years on that?

>> So the annual renewals would still require staff execution, but it wouldn't require council execution as posted.

>> Kitchen: Correct.

>> Pool: My understanding is the first term is for three years, is that correct, Mr. Scarborough?

>> Flannigan: Maybe I'm reading it wrong.

>> Andrea Lloyd, assistant attorney general. As it's posted, it would be the three year base period and the three extension options to negotiate and execute. So it would not have to come back to council for any of the extension options.

>> Flannigan: I see. If the will is just to do the 36 month, I'm fine with the 36 month.

>> Mayor Adler: The amendment is to make it negotiate and execute any stanchion for the three-year term.

>> You can negotiate and execute the initial three-year term, but only the negotiation of the extension options. And we can add in language that says that the execution must return to council.

>> After three years.

>> After three years.

>> Flannigan: I'm fine with that part.

[4:57:55 PM]

As long as --

>> Mayor Adler: It would come back to the council for three years?

>> For the extension options, yes.

>> Mayor Adler: In three years.

>> Alter: I'm not sure what we would need to do this, but one of the things we discussed in our committee was not to be coming back to us so close to end of the contracts. So that we had a little bit more of a leeway time. So I'm not sure what the right [indiscernible] For you to do the execution of the extension, but I wouldn't want it written in there that you had to come at three years because part of the reason we're having a problem is we're coming up to the ends of a lot of these contracts and so maybe Mr. Scarborough if you have a suggestion of the appropriate way to frame that, that would be helpful.

>> Mayor and councilmembers, per our previous discussions in this regard, we contemplated securing authorization for the initial term, leaving the ability to execute the additional extension options upon further authorization from council. And then in addition to that, if there was interest to issue a new solicitation as we completed the second year so that we would have the ability to compare the results of

that second solicitation to the current contract and then decide whether to stay on the current contract or to award a new contract under the new solicitation or to keep both.

>> Alter: So what would be the motion that would capture that? Or can we just say we remove that?

>> Garza: I think you have a motion on the table, which is to extend it for three years and then to come back to -- to negotiate, but not to execute. And we wouldn't write in the amount of time for the staff to come to council in the contract if we understand that that's what council wants it to come back early. If I understood your motion correctly.

>> Alter:

>> Alter: [Inaudible].

[4:59:55 PM]

>> Mayor Adler: So they also raised the question about rebidding and there were other issues too. And I don't know -- so the motion was to negotiate. It was amended to say you can go ahead and execute as well. And that was the initial three-year term. If you wanted to come back to us with the proposal of the extension of that I think it would be appropriate for you to do that whenever you thought it was appropriate to do, if you ever thought that was appropriate to do. You can just --

>> I'm not sure I'm clear. Is this motion seeking negotiation of the extension options, just not the execution?

>> Mayor Adler: No, the motion and his amendment is to allow you to negotiate and execute the primary term.

>> Only.

>> Mayor Adler: That's it. Now, with the understanding that if at any point in the future, you wanted to come back with a proposal to extend it, come back with a proposal to extend it. If you want to. And if you don't want to, don't. And then there was the additional question about whether or not you issued another rfp. Is that something we have to handle now, or -- I mean --

>> No.

>> Mayor Adler: I don't know that it needs to be. So --

>> So should just -- may I just clarify? With this scenario, you would still have the ability, if arr thought it prudent after year two, to issue an rfp, to which by gosh could also respond, as well as look at the extension. That would be something, you would just come to us and ask for authority to negotiate at that point?

>> Correct.

>> Alter: Okay. So that's not precluded by the motion. So the current motion would be to authorize negotiation and execution on the three-year term.

>> Mayor Adler: Right. If you want to come back in the future and ask for authority either to extend -- to extend the periods, fine.

[5:01:58 PM]

If you want to come back for authority to issue an additional rfp, that would be fine, too.

>> Okay.

>> Mayor Adler: So the amendment is to add to the charge not only to negotiate but also to execute the primary three-year term. Has been seconded. Is there any discussion? Mr. Casar.

>> Casar: Could I hear from Mr. Gosh just generally the impact of waiting until August versus executing now? From your perspective? The impact to you of us executing now, as opposed to waiting potentially to execute in August? That's what we're debating right now.

>> I would prefer to execute --

>> Casar: I understand that's your preference. I just wanted to know generally what the impact would be.

>> The impact.

>> Casar: Yeah. From your perspective, what's the view of the impact of us extending to --

>> Money. Money. Of course we have to take another day off and come down here and spend with you lovely people, which we do love you, but I mean, goodness gracious, please. May we just stop the nonsense and be done and get on? Please.

>> Casar: Okay. I think you answered my question. I appreciate it.

>> Thank you.

>> Mayor Adler: Okay. Councilmember alter.

>> Alter: Just to keep in mind that if we do not execute today the anti-lobbying ordinance for waste management is not in effect, and we will all be lobbied all the way through August.

>> Casar: So it's our time, too.

>> Mayor Adler: And let's go ahead and -- I'm going to vote no to the amendment. Not because I don't like these people or think they shouldn't have the contract because both those things seem real reasonable to me. We had sent for additional information. I hope the report comes out. I would really like to see what we had asked for several months ago. But on that basis alone is why I'll vote no.

[5:04:03 PM]

Yes.

>> Pool: And what I've done while we've been talking here is I've posted to the message board under waste management policy work group a link to the page that staff set up that has the agendas and the videos from all of the meetings. It does not have a list of all the stakeholders and their affiliations and I've asked my staff to get that and post it. You will be impressed by the number of people. I think there were easily two dozen people from the community in each of those meetings, and then all of the handouts and presentations that were also put together by staff and attendees, I'm asking them to be uploaded so we can have a complete record of the work we've done. It's just our website and you can find it on the message board.

>> Mayor Adler: Let's go ahead and vote on fill Flannigan's may. All those in favor of Mr. Flannigan's amendment, please raise your hand. Those opposed? Those abstaining? I'm no, one abstention, Ms. Troxclair off the day. It passes. Let's take a motion on the main motion as amended. Those in favor, please raise your hands. Opposed? It's unanimous on the dais with Ms. Troxclair off. We're moving forward. All right. The next item that we have on the agenda -- it's 5:05. Let's see what we can do here. What about the -- Mr. Renteria, are you ready for mexic-arte? Okay. I recognize you on that. You want to make a motion?

>> Renteria: I want to make a motion that we extend the bond and contract, and I would like to -- and I would like to have the occupant come up and speak to us, but my recommendation is 18 months.

[5:06:04 PM]

>> Mayor Adler: Okay.

>> Good afternoon, mayor and councilmembers. I'm executive director and one of the founders of mexic-arte museum. I want to thank you all for your support of the museum over the 34 years and your work that you do for the community. I'm real proud of you. I've been here since 10 o'clock. You're very dedicated, and I really want to thank you for all the work that you do. Today we're before you to get an extension to the agreement to renovate our building that we have occupied since 1988. We have

worked very hard to build this museum, and our programs that we do, and we ask for your support, and we're here to answer any questions.

>> Mayor Adler: I'm going to second that motion. In the time that we have, use the city as a resource and work with the medical to see if there is things that can be done structurally within any of the agreements or anything that we can do to help facilitate not only the museum's ability to use the \$5 million in bond money that's been approved, but also, if there are changes that need to be made to help facilitate opportunities to make that building functional, to bring in partners to make the building functional, or whatever it is that we need, I know that I'm real invested in your success and the museum's success. I know councilmember Renteria is. I know that this whole dais is. So please make use of that and -- and I know that you are starting to work on that now. Don't wait the 18 months. Let's keep going while the momentum is there so we can really push this through.

>> Thank you. As soon as we leave here, we'll start working.

[5:08:04 PM]

I promise you.

>> Mayor Adler: Okay.

>> Renteria: And, mayor, I'll ask also that you work with our office. I really appreciate how you've been reaching out to my staff and keep it up so that we can help you as much as we can, and if you have any problems, just make sure you let us know. And I think there was a recommendation also, and I believe there might be an amendment by tovo that she had reached out. But if you could give us some team -- timely feedback, like once every three months, how it's going, in case you are having trouble, that we could intervene and see what we can do to help you out to make this program successful.

>> Thank you.

>> Mayor Adler: Okay. Any further discussion on the dais? Mayor pro tem?

>> Tovo: Long ago this morning I passed out an amendment, and I've lost it. So I'm going to have to borrow one of my colleagues'. Thank you. And so this simply adjusts the language a bit so that it says -- it continues with -- and I'll get up with to post up there. But it would -- the language

currently reads: The city manager is directed to execute any necessary amendments to the bond funds agreement between the city and museum that extend the decline for expenditure of bond funds necessary for -- and this is where the language would change a bit, to for the maintenance and renovation of the existing structure on 419 congress avenue. And I believe you're aware of that language. Did you want to comment on it? Is that agreeable to --

>> I think that's agreeable.

>> Tovo: Super. Thank you. Thank you, city clerk for putting that up. And so mayor, I would make that amendment as a friendly amendment, please.

>> Mayor Adler: Okay. It's been moved to extend the decline for the use of the bond funds not to include the construction of improvements, but rather just for the maintenance and renovation of the existing structure.

[5:10:13 PM]

Any objection to that being included? Objection to that being included? Ms. Houston?

>> Houston: I just have a question that's 18 months is still in play.

>> Tovo: Yes. I didn't intend to modify that, so thank you for -- thanks for clarifying that.

>> Mayor Adler: Any objection to including that amendment? Hearing none, that's included. Continuing discussion? Any? Then let's take a vote. Those in favor, please raise your hand. Those opposed? That's all of us, with Ms. Troxclair off.

>> Thank you. Thank you, councilmember Renteria and councilmembers. We're going to do a wonderful job to the city of Austin. Thank you.

>> Mayor Adler: We all want to help. Thanks. Okay. Okay. I think that gets us to item 41. I'm sorry. 43. Is there a motion on this? We have some speakers on this. Do we want to get a motion in play first so they can see what's out there, or ...

>> Alter: Sure. I will make a motion. So we posted a late backup; and we have just a few changes, which I passed out. This has been agreed to by Greg Guernsey. If you -- the main difference from what was posted yesterday, which for those of you that are concerned, does include zoning and platting already in there for part 3 of the be it resolved, if you look at that part, it adds language so that the sentence reads, the third sentence under part 3 reads:

[5:12:29 PM]

Any differing recommendations by the commissions between the second and third draft shall be noted within the third draft and included within an accompanying addendum. And then it has similar language under part 4, the last sentence so that it's noted within the draft and included within accompanying

addendum. And so that is meant to be kind of all together, but it allows it so that you can have something -- the way that I think about it is kind of like end note, so if you're reading through the draft and there's a disagreement, you can see a notation, but all of the disagreements will be kind of housed at the end because it will become a monstrosity to try to read it. But that if you're reading along, it would be flagged for you that there were some differing opinions on any piece there. The other change that legal would like us to make, which did not make it onto the sheet that I passed out, would be just to would be the deadline for the recommendations on the third draft by the planning commission and the zoning and platting commission, and that February 8th, 2018, would be the date by which they would need to present for first reading for council.

>> Mayor Adler: Okay. Councilmember alter makes a a motion. Is there a second to that? Mayor pro tem seconds that. We have some people that are coming up to speak. As they come up to speakers I

-- come up to speak, I want to state I think it's important we meet the schedule which has the council voting on the third reading in April. And I think that's critical. My understanding from the conversations we've had, councilmember alter, that we should be able to make these changes and still be able to immediate that deadline?

[5:14:30 PM]

>> From what was presented by staff at yesterday's work session, the goal -- the end goal is still to meet the April deadline.

>> Mayor Adler: Okay. So I would just say that I think it's real important, and if we need to, as we're doing now, having our sessions in front of the council on Tuesdays and Wednesdays so we can discuss among ourselves, we need to continue that into the fall. I think August we're going to do it some more to highlight issues, so that the council is able to take this in that period of time and bring it home. It's going to be real important to me. Mr. Flannigan?

>> Flannigan: Thank you. To that end, there was a language change in the very first paragraph of the first be it resolved that when we talked about this earlier this week, the phrase "Revise the progress processes a needed" was revised to revise the timelines as needed. I'm not usually one to wordsmith, but I think in this case I'm better with the original version, project process, because to me their timelines seems to open up that exact thing, mayor, that you said about April that I agree with.

>> Alter: So would you be more comfortable --

>> Flannigan: I'm more comfortable with going back to the project process rather than the timelines.

>> Alter: That's fine. That was the mayor's office request --

>> Mayor Adler: I think everyone is trying to find the right words to still describe that we're going to get this thing done in third reading to council in April, one way or another. Okay. So let's go ahead and call -- yes, mayor pro tem?

>> Tovo: Mayor, that issue keeps coming up, and I appreciate that we're all trying to work toward that goal, but I have to just say for me it's not one way or another. We are not going to undertake a major code rewrite very often in this city. And this is really important. And there are a lot of -- a lot of things at this point that need to be addressed and revised, and I says that our community is quite engaged, our staff are probably working, you know, twice as hard as they can.

[5:16:41 PM]

We are working hard to understand it. Everybody is. And our commission -- our commissions and our commissioners are working really hard. Nobody is slacking off here. At the end of the day, we need a code that represents the values and the goals of this city. And so while I support the continuing interest in wrapping up by April, it is more important to me to do it well and to do it right than to meet that goal. So I just -- I know that -- I just felt like I needed to say that because it keeps coming up that that is -- you know, one way or another, we're going to hit that April deadline. And for me, you know, that -- that may or may not be true. I'm going to have to see where we are by then and how much of the process -- whether the process is really finished.

>> Mayor Adler: And I really don't want us to approve something that's not right, but I think that this can -- we'll know at that point, and my sense from -- the reasons I'm going to vote for this is because I sense the commitment on the dais and among my colleagues to do what we need to do in order to be able to put us in a position to be able to decide whether or not this should move forward in that timing. Councilmember kitchen.

>> Kitchen: Well, I just wanted to say I'm going to vote for this, too. I think it's good to provide very clear -- and thank you, councilmember alter -- a very clear, specific approach for getting that third draft. And so I'm simply saying and agreeing with the mayor from the perspective of this memo does just that, and only that. And this memo should not be interpreted as a vote to move back the April timeline. This memo is just dealing with what's in front of us right now, which is the need to do a third draft.

>> Mayor Adler: Okay. Ms. Pool?

>> Pool: Thanks yeah. And I'll be voting for the resolution, too, for all the reasons that have been articulated, and I remain concerned, too, that should our deliberations next year, when we -- when we start to actually take it up on the dais, go longer than April, I -- I will be willing to accommodate -- accommodate the additional time because I want to get it right.

[5:18:59 PM]

I don't want to cram in a vote just to meet what is, at this point, a fairly arbitrary deadline. So I'd just like to keep that conversation going. I think we'll all proceed full speed with due deliberation to get to that end point. But I'm not willing to sign off here today to say that I'm going to finalize on any particular date in April because I just don't know where we'll be at that time. I also don't want this timeline to be used in any way by staff or people in the community or stakeholders or any of us to circumscribe or narrow down the roles of our citizen commissions, for example, if they are -- feel like they need to make recommendations on issues and take votes on issues in our -- in our citizen commissions that have been identified who are taking specific action, that's the planning commission and our zoning and platting commission, our environmental commission, and our historic landmark commission, those boards are able to set their agendas themselves, and they're able to decide what issues they wish to take formal votes on. And I don't want there to be any misunderstanding about that. And I encourage our citizen commissions to weigh in, whether it be an informal recommendation or formal -- a series of formal votes. I definitely want to hear from them, and I think the entire city does.

>> Mayor Adler: Okay. Before we go to the public, yes, councilmember --

>> Alter: I'll have more comments when we're done with the public, but I just wanted to clarify for Ms. Pool that we've addressed any ambiguity in that regard, both in our talking with the staff and also with respect to the resolution, and that is actually the best way for them to know what those commissions think because there are multiple people on it, and it is too much to ask of our staff to take random comments from individuals on commissions and have to capture every -- everything.

[5:21:03 PM]

And so we very much addressed the desire to have them make recommendations.

>> Pool: Yeah. And it was recommendations and allowing official votes.

>> Alter: Which you can't make a recommendation without an official vote.

>> Pool: Thank you.

>> Mayor Adler: Well, the official vote that we need is for the planning commission, will make a recommendation by the 11th. The zoning and platting has the opportunity to make a recommendation by the 11th, but isn't required to do that. So only the planning commission has to make the recommendation by the 11th, although the others will be given an opportunity, certainly, to do that.

>> Pool: Well, and that's my point. It's not up to staff to circumscribe that. Those boards can take that action themselves.

>> Mayor Adler: Oh, absolutely.

>> Alter: The only issue is that -- the issue that we were trying to draft is if zoning and platting is unable to make a recommendation by January 11th, and the planning commission has voted, the zoning and platting commission is not able to stall the process from moving forward. That was the concern that was being addressed by -- I believe by what the mayor is raising there.

>> Pool: Okay.

>> Alter: When we inserted the date of January 11th, that addressed staff's concern that it -- that zoning and platting could not hold the process hostage if it didn't go. And so --

>> Mayor Adler: And to be clear, that wasn't the concern I raised because I have full faith in our board actually making the recommendation.

>> Alter: No, no it wasn't that -- sorry, let me correct. Not that I know thought that would happen, but it was a logistical process.

>> Mayor Adler: It's 5:20. We have a roomful. I don't know, given discussion that we have on here and the fact that we have something that seems to be agreed by many people on here, whether anyone needs to take the full-time. If they do, I want to call for this conversation to happen after dinner. I have some people to speak on this.

[5:23:05 PM]

Maybe we can assess whether people want to be able to take their full-time to speak or not. Of I have David king to speak. You want to speak for just a minute? Okay. What about Mary Engle? Two minutes? Okay? Roy whaling?

>> [Off mic]

>> Mayor Adler: One. Okay. What about bill bunch? Gone home?

>> I don't need to speak.

>> Mayor Adler: Thanks, bill.

>> I think y'all are doing the right thing.

>> Mayor Adler: Thanks, by go go ahead. You're up.

>> Mayor pro tem thank you for doing this. I think it shows with respect to the zoning and platting commission, and I do appreciate the last comment that there's no evidence that the zoning and platting commission has tried to stall anything. In fact, we have provided input according to the timelines on the project. We have done what we need to do in a timely manner. I believe we're going to continue to do that, although I am a member of that commission, I am not speaking for that commission. But I do appreciate that what you're doing here today. And the -- I think it shows respect for this important commission because it does cover most of the city, actually, in terms of zoning issues and land use issues. And this is very important to our commission. And I think this issue of whether the zoning and platting commission should be -- should have the same authority to provide recommendations as the planning commission does, should be addressed in the charter, through this charter commission that you all have just created. I think that that needs to be addressed. That's one of the issues that should be consider. I appreciate the expansion of that.

[Buzzer sounds]

>> I didn't want to take three minutes. I just wanted to take one.

>> Mayor Adler: Thank you. Thank you. And for your limited amount of time --

>> Good afternoon, mayor, mayor pro tem, and councilmembers. I'm the president of the Austin neighborhoods council.

[5:25:07 PM]

My name is Mary Engle. Just as a disclaimer, the Austin neighborhoods council has not taken a position on this resolution or on codenext yet, but I just wanted to report, I think this is an excellent move because there's growing discomfort with the product, codenext. So we need to get this right. We need to look at it. And the more eyes you have on the prize, the better it comes out in the end. That's all I have to say.

>> Mayor Adler: Thank you. Good job. Roy whaling.

>> Howdy, y'all. I'm Roy Whaley -- I'm no longer the vice chair of the executive committee, I'm chair of the Austin regional group of the Sierra club. Thank you very much for bringing this forward. Please, please, please let's keep as much public input as possible on this. We need to have it go through our environmental commission, our historic landmark commission. And we must track the changes so that it's in a way that anybody, whether they've been cross-eyed and headachy with it, like so many people have been, or they're just coming to it, can easily look and see what the changes are, see what the difference is between the old code and the new code. Let's make sure to do that. But let's certainly keep it open for citizens --

[buzzer sounds]

-- To be engaged, unlike your move to limit speakers to only 20 per item in the future here, I also recommend that we try to limit 20 voters, only 20 voters when you run for reelection. So thank you very much.

>> Mayor Adler: Thank you. We're now back up to the dais. There's been a motion and a second. Is there any further discussion on this item 43? Mr. Casar.

>> Casar: Mayor, I'm going to support the item, and I just would like to add for clarity, and I don't have -- I've got scratched amendment language on here to just more clearly lay out what was discussed before we held up the citizen speakers, to have a sentence in section 3 that clarifies that the planning commission is the only commission that must vote on the third draft before it's presented to council.

[5:27:30 PM]

>> Mayor Adler: I think that's understood. Is there any objection to that being added? Always I do object to that because it was already understood from -- it's not that they have to provide the recommendations by that date, and then we cannot consider it on first reading, unless we have a vote of the planning commission. That is the way the process works, so I think it's redundant and I would rather not introduce that, since we've had so much concern.

>> Casar: Could I --

>> Mayor Adler: All right. So there's been a motion to make an amendment. Is there a second to that amended? To that language? My problem with this is that the staff had already agreed to do virtually all of this before, anyhow, so I'm trying to differentiate why it is we're including some things that they were already agreeing to do and --

>> Tovo: Is there a second to speak to it?

>> Mayor Adler: Is there a second to this? I'll second it. Mayor pro tem.

>> Tovo: I'm not -- there has been a lot of conversation about the zoning and platting commission, and I am not really clear on what the concerns are with regard to the zoning and platting commission. As one of our speakers said, they represent a larger percentage of our city, I'm pretty sure, than do the planning admission. I think they're a valuable land use commission. I think we've all reviewed this week that the charter language only requires a vote of the planning commission, as councilmember alter, the sponsor of this resolution indicated, it's very -- we've discussed it. Everybody understands the zoning and platting commission vote is not required by charter for us to have a vote. So all of -- I completely agree with councilmember alter because of all the -- all the concerns and all the conversation about the zoning and platting, and which they should be included or not included or mentioned or not mentioned, I think it -- I

believe the extra language is indeed redundant, and is starting to concern me about why there -- it is starting to really raise a question in my mind about why there is so much concern about what the zoning and platting commission might do.

[5:29:42 PM]

>> Casar: Can I speak to my motion?

>> Mayor Adler: Yes.

>> Casar: I think that we all understand this, so that's why I'm a little bit confused about why we wouldn't want to include something that we've all agreed is true. This entire resolution is not about changing the process, which we clarified at work session. This resolution is about giving public -- it says be it resolved, the resolution serves as public notice. So the public notice is so that somebody can read this and understand what the process is. That's the goal this, for somebody who may not be in the chamber, on this dais, to read it and know how the process works. If you read the sentence, it says the third draft shall be presented to both these commissions by January 11th, but it does not include and say say, clearly, what we all know is true, the planning commission has to agree on the third draft, then it goes to council. If everyone agrees it's true and this is the public notice, I'm not trying to say anything about planning commission or zap, I'm just trying to make sure the public notice explains what we all know is true, and to explain it in one simple sentence.

>> Mayor Adler: Any further discussion? Ms. Pool.

>> Pool: My concern with the sentence is that even though zap isn't officially required to take a vote on it, if they want to take a vote, they can. And I'm afraid that this language will cause an effort at some level to stop them from doing that, and my commentary earlier was to surface that concern and to advise that they can't be circumscribed not to take the vote. But that language that you've got in there may be the fuel to the fire that then creates a controversy and an argument at that time, which is what we're trying to avoid.

>> Mayor Adler: Mr. Casar.

>> Casar: Could I have suggestions on how to clarify that this is not about zap not taking a vote, because the sentence right before it is about presenting a draft to zap for their recommendation.

[5:31:46 PM]

All I'm trying to do is add a sentence that we've all said up here, that seems not in this resolution, that we've talked about both times, and just make it clear so that there isn't something that we've talked about multiple times that remains unsaid or unwritten. And if it's in the charter and it's clear, I don't see -- if it has add-in implications in the way I stated it, I would appreciate just some -- work together to figure out how to put it in words so it doesn't have those implications because I did not mean it to imply that zap shouldn't be working it, because they absolutely have to nor that they shouldn't vote, because the sentence before it seems to indicate they should be allowed to make a recommendation, and indeed we're directing staff to bring them this recommendation. So however we can communicate what I think we all agree on so that it doesn't remain unsaid in the document, since most other things are said here, that would be helpful.

>> Mayor Adler: You want to hold this till after dinner? Mayor pro tem?

>> Tovo: I think there's a need to reiterate what the charter requirements are then you might just stick to something like the city charter requires that the planning commission vote on, and then finish the sentence that way. I mean, that would be the same way of achieving -- if our intent is to remind everyone what the planning -- what the charter requires, then I would just say what the charter requires and not what it doesn't require.

>> Casar: Okay. I don't think my amendment said anything that the charter doesn't require, but instead of -- I could just add a new subject and say the charter requires that the planning commission is the commission that must vote on -- the charter doesn't specifically say on the third draft, but this is just trying to clarify how it works in codenext. But I guess --

>> Mayor Adler: Let's vote on the matter before it comes to city council.

>> Casar: Yeah. The charter requires that the planning commission is the commission that must vote on this matter before it is presented to the council.

[5:33:47 PM]

>> Mayor Adler: Is there an objection to including that?

>> Alter: So this would be like a number 4, and the number 4 would become number 5?

>> Casar: No, I think it could just be at the end --

>> Alter: I would rather it be a separate clause. I want to apologize to the zoning and platting commission and have a little mea culpa. Somewhere along the lines put in an apostrophe and we didn't catch it, and that has caused angst, it was totally unintended. So that part of how we got to where we are with the concern, I think it's important it's been raised, but I would be more comfortable if we put it as a fourth number there so that it is separate --

>> Mayor Adler: Are you okay with that being a number four point?

>> Alter: So it doesn't undermine the valuable and important role that zap has to play in reviewing that third draft, reviewing the third draft at that point.

>> Casar: If it would seem like it's undermining them that it's in one paragraph versus separate, it would seem the same to me.

>> Mayor Adler: Any objection --

>> Casar: We could also type it up and bring it back after dinner --

>> Mayor Adler: Bring it back after dinner? Okay. Then we'll hold off taking a vote on this item. Item number 59, I think is being postponed. Is that correct? If 59 is going to be postponed, maybe we can let those people go.

>> Thank you, Mr. Mayor, mayor pro tem, council. I'm administrator in the watershed protection department. You heard this item at your last meeting, and the applicant has been talking with the neighbors trying to get some access easements. They are requesting a postponement to August 3rd to continue those discussions.

>> Mayor Adler: Okay. Thank you.

>> And they're here to talk if you need to.

>> Mayor Adler: If it's just a request for a postponement, it's after 5:30, I can either call this item after dinner or we can postpone it before dinner. What I don't want to do is have a long debate on the issue now or discuss it because we have a roomful of people to move on to something else.

[5:35:50 PM]

>> Okay.

>> Houston: And, mayor?

>> Mayor Adler: Yes.

>> Houston: I'd like to make a motion to postpone to August 3rd.

>> Pool: I'll second.

>> Mayor Adler: Motion to postpone to August 3rd, seconded by Ms. Pool. Is there any further discussion on this item? Does anybody need to speak on the motion to postpone? All those in favor of

postponing this item till August 3rd, please raise your hand. Those opposed? It's unanimous on the dais with Ms. Troxclair gone.

>> Pool: And can I just have a moment of personal privilege to say it's really great to see Kevin chunk back with us.

>> Mayor Adler: Okay. Before we take our break, Mr. Renteria, is there something you wanted to say? Did you want to say something, Mr. Renteria?

>> Renteria: Yes. Unfortunately, I'm going to have to be leaving and I'm not going to be able to come back after lunch. I got a conference that I have been planning now for months, and it's in Dallas, so I have to go, take off with my staff. But I am going to be in favor of the -- of 49, the item 49 with the Montopolis on the consent reading, second and third. I know it's pulled and we have no problem whether -- how y'all decide, you know, if y'all want a conditional overlay or not. But I would like to see that this item gets passed tonight. I was hoping to, you know, stay here, but unfortunately, I'm going to have to be leaving here.

>> Mayor Adler: Who pulled item number 49? Do you want to discuss that later? Okay. That one will stay pulled. Was there agreement on item number 58? Or was that something that needs to be discussed? This is aid item.

>> There's a lot of speakers.

>> Mayor Adler: I know we have a lot of speakers, but my question was, subsequent to all the speakers signing up, was there an agreement in this?

[5:37:51 PM]

Everyone speaking for, is that "Yes" or "No"? There is an agreement. So my question is, do we want to bring that to the council and approve that and let 15 speakers go, or do the speakers want to speak? That was my sense. Let's call this item number 58. Is staff here for that?

>> Tovo: Mayor, is it possible to call the names of the speakers and just be sure that none of them want to speak while the staff are coming up?

>> Mayor Adler: Let's do it. Cynthia Wilcox? You're okay not speaking? Frank Bryan? Okay not speaking? Aaron Day? Aaron Day? Okay. Not speaking? Roy Whaley? Mr. Whellan? I don't see Roy.

>> I'm here.

>> Mayor Adler: Are you okay not speaking? Are you okay not speaking? Okay. Bill Bunch.

>> [Off mic]

>> Mayor Adler: Okay. Mark Harrell?

>> Okay not speaking.

>> Mayor Adler: Okay. Rich Depalma?

>> [Off mic]

>> Mayor Adler: Unless he messes up the agreement? Diane Wright? That's all the ones that wanted to speak. Do you want to lay out what it is that is the compromise?

>> Tovo: Mayor, it sounds like we don't have a motion on this item.

>> Pool: I know they're working on it.

>> Mayor Adler: We don't have a motion sheet yet. I'm sorry, trying to do this before dinner. It's not going to happen.

>> Sorry, mayor.

>> Mayor Adler: Okay. Thanks. Sorry, guys.

>> Pool: Y'all stick around, though. We'll take it up after dinner.

>> Mayor Adler: We'll take it up right after dinner.

[5:39:52 PM]

All right. Council, it is 5:30. We're going to take a recess. There's no need for an executive session. It's 5:40 now. We can probably realistically be back here at 6:45 or 7 o'clock. We stand recessed. We'll come back.

>> Houston: And we'll start with 43? No -- 43, item 43, we'll start with item 43.

[Recess]

[5:49:14 PM]

[? Music playing ?]

>> Mayor Adler: We are now getting to my favorite part of council meetings. If you have sat here for the last hour or eight or nine, you know why. It's live music. You know, we are the live music capital of the world, and it's only fitting that we stop most every city council meeting to have a little bit of live music to impress into the walls of this chamber, so thank you all for coming for this, for the proclamations. If you're coming here for the proclamations, you get a special treat. Tonight we have with us Bidi Bidi Banda.

[Cheers and applause] Pretty cool for us. So Bidi Bidi Banda is a tribute to iconic tejano music singer Selena Quintanilla, led by lead vocalist Stephanie bigara, who is a city of Austin employee.

[Cheers and applause]

[5:51:15 PM]

And not the only city of Austin employee in the band. The band's interpretation of Selena's greatest hits are going to leave you just absolutely belting out lyrics, doing the washing machine, and reliving greatness of the queen of tejano music. Next, Bidi Bidi Banda is going to be representing Austin and the southwest at the annual conference of the national counsel of laraza in Phoenix.

[Cheers and applause] So please help me welcome Bidi Bidi Banda!

[Cheers and applause]

>> Thank you.

>> One, two, three, four.

[? Music playing ?]

>> You can sing along if you want to guys. We need all the help we can get.

[? Music playing ?]

[Singing]

[5:56:07 PM]

[Cheers and applause]

>> Can I introduce my band really quick?

>> Mayor Adler: Please introduce the band.

>> This is Louie Sanchez from

[Indiscernible], Texas. He's on keyboard. This is my husband on the bass, from Hebronville, Texas. This is [Indiscernible] Ramirez on drums. He's from Austin. On guitar from San Marcos, Texas, Richard Bustos. On the drums, also a member of the City of Austin neighborhood housing department, this is

[Indiscernible]. And the Bidi Bidi Banda section is Joshua.

[Indiscernible]

[Cheers and applause]

>> Mayor Adler: That was great. Thank you! So if somebody is in here tonight or watching this on TV and they want to find you, do you have like a website?

>> Yeah. So we are on social media, Bidi Bidi Banda.com. We're on social media at Bidi Bidi Banda, on Facebook, Twitter, and Instagram.

>> Mayor Adler: Cool. And if somebody wanted to get your music or to see you do a gig, what would they do?

>> Our next gig, we're getting ready to go on our third national tour next month, representing Austin for the general council of Laraza next month. Saturday night we are doing my birthday show.

>> Mayor Adler: Cool. I have a proclamation. Be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talents extend to virtually every musical genre, where's Austin music is produced by legends, local favorites, newcomers alike, and whereas we're pleased to showcase and support our local artists, now, therefore, I, Steve Adler, Mayor of the live music capital do hereby proclaim June 22nd of the year 2017 as Bidi Bidi Banda Day in Austin, Texas.

[5:58:23 PM]

Congratulations.

[Cheers and applause]

[6:00:42 PM]

.
>> Houston: Good evening, everyone, my name is Ora Houston and it is a privilege to recognize a legend in my community, especially in district 1. Boyd Reginald Vance was my friend, a teacher, a mentor to my doctor and he had a prolific, dancing, acting, teaching and producing career. He was an important part of the Austin creative community. He exposed diverse audiences to works previously unseen in the Austin area. He performed with companies throughout Austin, including the azlan dance company, houston-tillotson university, Esther's follies, ballet Austin and capitol city playhouse. Boyd is probably best known for his work in the smash hit sheer madness at Zachary Scott theater and his involvement with project interact where he produced, performed in over 40 main stage plays and musicals, ain't misbehaving, a raisin in the sun and you're a Goodman Charlie brown. Through pro arts collective Boyd provided a vehicle to bring significant works like black bottom and for colored girls who considered suicide when the rainbow is enough. Pro reports collective grew into a multidisciplinary support organization providing services for emerge gent artists and productions while producing its own full season of dramatic and musical theater and arts programs in aid schools. Boyd also produced a soulful Christmas bazaar, a tejano low rider festival. He also served the community in a variety of positions as a peer panelist for the Texas commission on the arts, a consultant to the Austin independent school district's children's arts program, a member of the national task force on AIDS prevention.

[6:02:45 PM]

And the founder of the African-American technical resource center. In 2004 the Austin critics table inducted Boyd into the Austin arts hall of fame and the Austin circle of theaters awarded him with the Biden Paine award no achievements in theater. Following his sudden death in 2005, the city of Austin named the theater in the George Washington carver museum and cultural center in Boyd's honor for his contributions to the Austin community. 12 years after Boyd's death, the creative community and those who knew and loved him continue to miss him. Tonight we super with us his two brothers, clem and booker. And I have a proclamation to read. Be it known that whereas Boyd Vance was a bedrock in the creative community of Austin for over 20 years and was an arts champion for minority actors, he was a passionate supporter of the arts and of justice. And whereas he founded pro arts collective in 1993 as a vehicle to produce significant African-American works in Austin and whereas in 1994 he served on the national task force on AIDS prevention and whereas he founded the African-American technical resource center in 2001 which supported artists of color in central east Austin. In 2004 he was inducted into the Austin arts hall of fame. And now therefore, Steve Adler, mayor of the city of Austin, proclaims July 9th, 2017 as Boyd Vance day in Austin, Texas.

[Applause].

[6:04:53 PM]

>> To the great city of Austin which my brother and I entered about 30 years ago. We were able to be out of Westlake hills and learn about this wonderful city and to see it grow to be the place it is today. I want to thank mayor Steve Adler, I want to thank council woman -- at that time I didn't know it was a council woman, but now a great council woman in this city, Ora Houston, for your wonderful recognition on this particular day. If I could summarize my brother just briefly in one word, it's called intersectionality. He connected all kinds of folks from all kinds of communities, from all kinds of neighborhoods, from all kinds of people. To see him out in the park playing with a Latino kid, an African-American kid, an anglo kid and calling them all together and having them enjoy and know a little bit about HIV and AIDS in a way in which they could interpret it and understand it and integrate it into their lives. And then to be able to find ways in which he could share with schools and neighborhoods the wonderful work. That was before the time, we're trying to help us move into an age of dealing with the awesome work that he wanted to see happen moving us beyond HIV and AIDS. So it is just wonderful just to remember him. We thank you for still continuing to love him and to remember him as an elder and to thank god for him as a saint. Amen.

[Applause].

>> Real quick. Also, real quick, I want to thank the people with the pecan street festival for doing a hell of a job, for recognizing a man, a little man with a giant footprint. Again, all praises to the god. Thank you very much.

[Applause].

[6:07:50 PM]

>> Garza: Good evening. Thank y'all for coming to city hall tonight. I know it's for different reasons, but it's so good to see what all the other great organizations are doing. My name is Delia Garza, I'm the council representative for district 2. It's such a privilege and honor to represent Austin's most hispanic district, and we have such great families that I get to come to Austin and advocate for everyday. One of the challenges we face in district 2 is food access. We have a lot of food deserts. We have a lot of families who struggle to be able to put food on the table for our families. So it's always so great to see partnerships through organizations. This one being led by our Austin Bergstrom, our airport, coming together to do what we can to contribute to these food access issues. I know that my staff has volunteered at the capitol city food bank. Please, I'll make a plug for them, there's so many opportunities to volunteer there, to sort food of all the donations that are made to the food bank. And another thing that sometimes, you know, people often forget is there's a lot of children in our community that usually only get three meals a day because they go to school. They get their lunch at

school, they get their breakfast at school, but during the summertime they don't go to school. So many organizations come together and provide free meals, free lunch meals at many of our rock centers. So if you know of a family in need they provide free lunches for children at many of our rec centers and at different places throughout our city. But today I want to recognize the efforts being done at our airport. They have partnered to donate much of the food, unused food that is through their vendors, to different organizations to help feed needy people. So I'm going to read a proclamation. Be it known that whereas more than one in seven families in Travis county face food insecurity and a third of those being children.

[6:09:50 PM]

Whereas the austin-bergstrom international airport on March 1st, 2017 initiated the food rescue program, which donated 3,005 huh-uh sold food products to families in its first month. Whereas the food rescue program provides fresh and nutritious food to those in need, while working toward Austin city council's goal of zero waste by 2040. Whereas donations by the program are side by the Rebecca baines Johnson City, an independent living center for seniors and people with disabilities. And three foundation communities, affordable housing locations including sigh line terrace, Arbor terrace and bluebonnet studios. Now therefore be it resolved that the Austin city council recognizes the austin-bergstrom international airport food rescue program and the partnerships that created it, the city of Austin aviation department, airport concessionaires, Delaware north companies. Parities. I even asked for the pronunciation and I forget it. Bradford airport logistics, for feeding the hungry and leading the community to end hunger in central Texas. We have so many needs in our community and it's so important that we come together in all different ways. I'm so grateful for folks standing up here who have led this effort to feed Austin families. So thank you. Here they are.

[Applause].

>> Thank you, council woman Garza. It's an honor to be here and represent the city of Austin aviation department as well as the food rescue program that we've been able to put together with this entire team. This program is -- I'm very proud of it and all the members of us involved in it are. Any one member of this program, if they were not part of it, it would not function.

[6:11:52 PM]

It's quite a feat to try to implement programs that are facilitated where there's security, a lot of walls in the way of making something happen. But we were able to pull everybody together. I want to specifically thank the two vendors that are providing the food, which is parities loggidier and Delaware north companies. I also want to thank Bradford logistics who is assisting us in getting the food from a

secure area of the airport to a non-secure area where volunteers from keep Austin fed can come and pick up the food. There is a big need in the area for proteins and quality food, and I'm very happy to be a part of this group. Thank you.

[Applause].

[6:14:10 PM]

>> Mayor Adler: So we have another proclamation. This one for water conservation. It's going to be accepted by Darryl Slusher, who is -- Darryl Slusher, who is today the assistant director of Austin water, but in a former life sat up on this dais.

Here's the proclamation: Be it known that whereas in 2007 Austin began an effort to enhance its water conservation program with a goal set by the Austin city council to reduce peak water use by one percent every year for 10 years. It was anticipated to result in savings of 25 million gallons per day as a reduction from peak use by the year 2017. And also in that year the council adopted conservation measures recommended by a task force of councilmembers and board and commission members. And whereas in 2009, two years later, the council established a new goal to even further reduce water use to a maximum of 140 gallons per person per day by the year 2020. Austin water staff embraced these goals and programs and worked relentlessly to carry them out. And whereas the citizens of Austin responded in such overwhelming fashion that Austin was able to achieve both goals in less than half the time allotted as well as to reduce total water usage despite the population's pretty significant growth. The success has helped us to sustain the city's water supplies through an historic drought.

[6:16:12 PM]

Now therefore I, Steve Adler, the mayor of the city of Austin, Texas, do hereby proclaim general fund 22nd June 22nd of 2017 as water conservation day in Austin, Texas. Darryl, do you want to say something in.

>> Thank you, mayor. I just briefly want to thank and congratulate a few people and really who this proclamation is really for is for Austin water employees who really embraced this. But it's really for the folks of Austin, the citizens of Austin because they, like the proclamation says, when we asked them to start conserving water, they really responded in just astounding fashion. So this is for the folks of Austin. Just a couple of other folks I'd like to mention, our director, Greg Meszaros, been here almost 10 years. Our conservation manager Dreama gross. The task force that's mentioned in the proclamation, this was led by then councilmember Lee Leffingwell who was just relentless and that had councilmember Riley

and Cole on the boards and commissions and members on it as well. The city manager Toby Futrell at the time who sent me over to Austin water and said bring that water conservation into a new era a water conservation consciousness throughout the whole facility, finance, systems, planning, the water conservation division. In particular I want to recognize our pipeline crews who are pretty unsung unless you have to -- unless you need one some time. And then they're pretty popular because they always do a great job. And they have dramatically increased in years the amount -- decreased, excuse me, the amount of time that they take to respond to leagues and fix those. And that's a big thing.

[6:18:13 PM]

And just it was prescient that the council at that time put these regulations in place and these new measures in place in 2007 because right after that we had the worst drought, seven years of the worst drought beginning in 2008, the worst drought since the Lakes were built. And without the response to the citizens and conservation, those Lakes would have gotten much lower than they did and really to emergency levels. So it got us through that crisis and we're ready for it happens again, we're not going to turn around. Thank y'all.

[Applause].

>> Mayor Adler: So we have just bunches of people to recognize here for public service.

[6:20:20 PM]

I'm going to read the proclamation that is for everybody. And then we have some individual awards and I guess we'll call out names for people to come up. And then we'll get a chance to take a picture with you and I and their names are called as they get their certificate. So standing here, honored with our city manager, Elaine hart, I have a proclamation. Be it known that whereas hard working city of Austin employees provide a number of valuable services to the residents of our city in the central areas such as health and recreation, utilities, transportation, libraries, planning, zoning, public safety and our courts. And whereas they are a credit to their peers who work in the public sector to promote the diverse services demanded by citizens to local, state and federal levels. And whereas it is important to express our expression to city employees who often go unrecognized for their service and their contributions to the quality of life in this great city. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim June 22nd of the year 2017 as public service recognition day. Please congratulate everybody in the room.

[Applause]. So what are the logistics here of being able to -- all right, Jason, why don't you come on up here.

>> I think if y'all want to handle all the paperwork, that would work better so we don't have to handle the paperwork.

[6:22:22 PM]

And I think Jason was ready to do that. Jason Alexander, my assistant, is going to help with this. And he is really what keeps me going, he and rosemary, thank you both for keeping me straight and keeping me right where I need to be.

[Applause]. I'm so excited to be here and be part of this ceremony. It is really a tribute to recognize all of the employees, but especially these almost 40 employees that were nominated by their departments and their peers. We have over 13,000 employees, and each of you everyday make a difference in the lives of the citizens of the city of Austin. And I want you all to know how much I really appreciate what you do. You have a sincere sense of public service and pride in what you do and how you deliver that service. And that's what keeps all of us going. We make a difference. Stay out there, do your jobs, do it well. And I know that you will be proud to represent the city of Austin, but we really, really appreciate the difference you make everyday. And it makes my job a lot easier when you're out there doing it. So thank you so very much. I know I don't see you all 13,000 very often, so please introduce yourself to me if I don't say hi because I don't know you. But thank you all for being here and we'll recognize folks. Do you have the names? Okay. We'll go ahead and get started. From Austin animal services, Luis Herrera.

[Applause]. From the Austin code department, -- I better slow down, I guess.

[6:24:30 PM]

[Laughter]. Okay. From Austin code department, James packston.

[Applause]. From Austin energy, Jim Collins.

[Applause]. Our honoree from Austin public health is Ruth dalrimple.

[Applause]. From Austin resource recovery, Samuel Gilbert.

[Applause]. From the Austin Austin water, Patricia andretti.

[Applause].

[6:26:36 PM]

From aviation, Leroy Hargrove.

[Applause]. From building services, Julie Strickland. From the capital contracting office, Sarah torchen.

[Applause]. From capital planning, Sarah buenique. From the city auditor's office, Nathan weibee.

[Applause].

[6:28:47 PM]

From the city clerk's office, Katherine dernall.

[Applause].

[Laughter]. Her mom is livestreaming this from California, so... From the controller's office, Kim Uresti.

[Applause]. From community court, Robert Hanley.

[Applause]. From the convention center, Felicia [lapse in audio].

[Applause]. From development services, Daniel word.

[Applause].

[6:31:00 PM]

From economic development, Jesus pantell.

[Applause]. Representing emergency medical services, William Aldrete.

[Applause]. From the Austin fire department, Ralph vialla. Can.

[Applause]. From fleet services, Adrian allejo. From the human resources department, Debra Dollins.

[Applause].

[6:33:13 PM]

From the innovation office, Katherine Duong.

[Applause]. And from our law department, Chris Ladell.

[Applause]. From management services, Jason Garza.

[Applause]. From the Austin municipal court, Charles Garcia.

[Applause]. From neighborhood housing and community development, David potter.

[Applause].

[6:35:13 PM]

And from our office of performance management, Jill Goodman.

[Applause]. From the office of real estate services, Roxanne campos.

[Applause]. From Austin parks and recreation, ray Hernandez.

[Applause]. From the planning and zoning department, Katie Mulholland.

[Applause].

[6:37:16 PM]

From our purchasing office, Mike zambroni. From the public information office, Bryce

[indiscernible]. Dela.

[Applause].

[Laughter] From the small and minority business resources, Jessica Obrecht.

[Applause].

[Laughter]. From sustainability, Edwin Marty.

[Applause].

[6:39:21 PM]

From telecommunications and regulatory affairs, Orsi sergeant.

[Applause]. From the Austin transportation department, Emily Smith.

[Applause]. From watershed protection, Pamela kerfout.

[Applause]. And last, but certainly not least, from the office of emergency management, angel flores.

[Cheers and applause] Did you want to assemble a group picture.

[6:41:23 PM]

I'm going to let you direct that traffic.

[Laughter].

[Cheers and applause]

[7:01:35 PM]

[Recess]

[7:11:30 PM]

>> Mayor adler:all right. I think we might be able to get through our agenda. All right. Let's begin with item 43

>> Casar: Mayor

>> Mayor Adler: Yes

>> Casar: I had an amendment on the floor but it was just spoken so instead I just want to clarify that my amendment is this language that councilmember alter has handed out.

>> Mayor Adler: Okay. The new number 4?

>> Casar: That's right. It has a new number 4 and it's been renumbered

>> Mayor Adler: Okay

>> Alter: Stamped 7:05 P.M.

>> Mayor Adler: Got it

>> Alter: And it adds the date change and the project process, so the time lines and adds a part four that says the charter requires the planning commission to review and make recommendations to the city council on all proposals to adopt or amend land development regulations

>> Mayor Adler: Okay. Mr. Casar, are you okay with this language is this

>> Casar: I am. I just want to clarify the intent here. Ms. Alter, thank you for putting together language that reflected what we were talking about, what we've been talking about at work session and today. Just to clarify with you, this essentially gives notice that our charter only requires the planning commission to take a vote on this by charter before it would come to the council. That doesn't preclude others from taking a vote and of course we've encouraged consistently others from making their recommendations heard but that the charter only requires this commission to do it in this process

>> Alter: The charter requires the planning commission to review it before we can. Yes.

>> Mayor Adler: Okay. Then is everybody okay with these amendments? Without objection, they'll go in.

[7:13:32 PM]

They've gone in. And now take a motion -- vote on this motion. Those in favor please raise your hand. Those opposed. It's everybody here. We don't have with us on the dais councilmember kitchen or Renteria or troxclair. All right.

>> Alter: May I make one comment, please?

>> Mayor Adler: Yes

>> Alter: I want to make a quick comment on 43. First of all, thank you to my colleagues for working closely with me on this resolution, and I want to thank the staff who joined us in listening to the

community and hearing the conversations at work sessions and recognizing that we needed to adjust our process so that we would achieve our goal at the very end to take the time to get it right and to do it in the right manner so that we achieve the kind of code rewrite that we need to. I think what this resolution does, is it allows us to be sure to leverage the expertise of both of our land use commissions, environmental and landmark commissions. I think that this will increase public confidence in the process and help us end up with a better project -- product at the end. I think it enhances transparency and invites people to engage with the process. I want to also thank the many community members who have been taking hours and hours upon their time to help us to vet the first draft, and I'm very much looking forward to draft two. I know that there will be lots of changes, and it will move us in the right direction of having a code come April that we can all be proud of and that we can think will help move us in the right direction as a city. Thank you.

[7:15:35 PM]

[No audio]

>> Mayor Adler: Have you handed out a sheet on 58?

>> Kitchen: Mr. Mayor -- I'm sorry to interrupt but I just wanted to reflect my vote in favor of 43

>> Mayor Adler: If Ms. Kitchen had been here she would have voted yes.

>> [Off mic]

>> Mayor Adler: Okay. Let's hold off then on 58. Let's hit one of the other three items that we have. 56 and 57. Staff here for these? The people are for both of these? Does someone want to make a motion to approve items 56 and 57? Mayor pro tem makes a motion to approve 56 and 57. Is there a second? Second, okay. Councilmember Garza. Is there any discussion -- yes.

>> Flannigan: I pulled 56 and 57. I had questions for staff about the historic designation for these properties. We had a case, as you recall, about demolition permit appeal, and Mr. Sadowsky gave a demonstrate presentation that outlined how the ordinance works. In that ordinance, or at least in your presentation, it described that to qualify for historic designation you need to meet two qualifications, two of five. Is that right? And it was architecture, historical communications, archaeology, [indiscernible] Were the ones that you presented. On case 56, you, I assume, it's being argued that the association to penny backer is the historical association qualifier but I'm unsure how the property meets any of the other four requirements.

[7:17:39 PM]

If you can help me understand.

>> [Off mic]

>> Mayor Adler: I don't think your mic is on. No.

>> Now I can hear me. Councilmember Flannigan, this house was designed by Jess and associates. It's one of their very, very few residential commissions in Austin. They were a local Austin architectural firm, very, very prominent, they had some major commissions, St. Martin's evangelical lutheran, St. Ignatius catholic church in south Austin, they had the Falk library. For them to have a residential commission was really something out of the on the one hand for them, so it qualifies under the architecture, being associated with that architectural firm. It's also at least in my mind a very good example of Texas vernacular architecture, adaptation of colonial revival.

>> Flannigan: I read that in the backup, and the fact that this architect does not have a long example of residential properties is -- I come to a very different conclusion. They're not known for their residential properties. To my mind that makes them not historic. Their other properties, no question. Their major commissions are very historic. This particular property is, as I looked at it, does not have particularly unique architectural features. Its association to an architect that did not typically do residential properties to me disqualifies it in that category. Are there any of the other five that you feel this property qualifies under?

>> I think it would also qualify under community value.

>> Flannigan: How so?

>> It's not as strong of a case, but the fact that it was in the bow site subdivision, which was designed as an upper class subdivision, the house was right across from the old country club, now the Hancock golf course, and it has a unique location in the city.

[7:20:01 PM]

>> Flannigan: So to be fair, did you say it's not the strongest of the cases --

>> Right.

>> Flannigan: But that explanation would effectively make every central Austin property qualify under that designation if it belonged to a historical -- or if it belonged to a neighborhood that has history, then it automatically qualifies under community value. I'm not at all on board with that as a concept either. I doubt that there are the votes to undo this historic designation, but I do think it's important to recall some of the statements that you made in that presentation in may about we have to determine

whether the history and architecture is landmark worthy to nominate only the most eligible buildings and that not every single building can qualify as a historic landmark. And whether or not the association to penny backer even meets a high enough standard, it wasn't clear in the backup if he operated his company from this house. Is there a room in the house where he was designing the pennybacker bridge? Is there something relevant about this house that makes the house itself historic as opposed to a placard that says here is where pennybacker lived, go see the other thing we put his name on. I don't think this qualifies as historic, and I think the reasons that are given could be applied to far more prominence than we should be willing to designate and even in the not every single building can qualify as a historic landmark, the notion it was built by an Austin that was an Austin architecture firm I think is far too broad a test. So I'm not going to support this historic designation, but that's all I have to say on this one. I have other comments on the other case.

>> Mayor Adler: It's been moved -- let's divide the question. It's been moved and seconded on this item number 56.

[7:22:01 PM]

Is there any further discussion? Those in favor of this item 56 please raise your hand. Those opposed. Flannigan and Casar voting no, others voting aye, two members on the dais, troxclair and Renteria. It passes. Next item.

>> Flannigan: Similar questions. Help me understand which of the five categories the caring ton bluff property qualifies under.

>> Okay. Architecture. This is -- the core of the house is 1870. It has been modified over the years but they're all historic modifications, all reflect vernacular architecture of the time. It's associated with Idcarrington, early prominent Austin businessman who then operated this as his dairy farm and I think this is a much stronger case for community value in that it does occupy bluff over shoal creek, one of the prime locations in the city, the reason that the house was built there was because of its location and it had to be in a prominent family to afford that piece of property. So I think it does maintain its integrity as a source of community value due to its unique location, its relationship to the development of that section of the city along shoal creek and those are I think what qualifies it for --

>> Flannigan: I just have clarification questions to better understand how these conclusions are reached. How much modification on a structure is required to override its age?

>> We have to do that on a case-by-case basis. Generally, if the modifications were in the historic period, that's part of the story. I mean, if there had been an addition done four years ago, that would be something that might disqualify it from landmark designation, but all the major modifications on this house were done before 1937.

[7:24:08 PM]

>> Flannigan: Even the stucco.

>> The stucco was done in 1937, yes.

>> Flannigan: When I read the backup, there were updates to this property done far after the '30s.

>> Right. That's why it's on for the updates and the additions to the property that were done later, those will not be included in the historic zoning parcel.

>> Flannigan: Very interesting historic scalpel you apply to properties. I'm fine. I'm willing to take that.

>> Okay.

>> Flannigan: The association, was this property the actual building on the dairy farm?

>> Yes.

>> Flannigan: It wasn't that clear in the backup. My last concern about this is not really, Mr. Sadowsky, related to your analysis. But this is a property that was purchased to preserve along with many other properties in that neighborhood by property owners who do not require a tax abatement in order to maintain this property. It is 4,000 or \$5,000 a year, the tax abatement, I think, if I remember correctly in the backup. The property was purchased in order to preserve it, and I think mission accomplished if you want to buy a property and preserve it. In fact that applied to the previous case as well, where the property owners -- the owners purchased it in order to preserve it and then later came to the city for a tax abatement, which is what's happening in this case. In this case it's certainly a -- it looks good when you drive by it. That's for sure. But -- and, again, I'm sure that it will pass, but I feel that the bar for historic designation has to far more tax breaks than we should be doing on historic properties.

[7:26:08 PM]

I'll leave it at that, Mr. Mayor.

>> Mayor Adler: We have two people signed up to speak on this, as well as the last one. I apologize for not calling them. I want to give them a chance to speak. Febie Allen and Kate Sington if they want to speak .I apologize and I'll give you six minutes to speak if you want --

>> Would you like know speak to the pennybacker Alexander house or just the one under discussion?

>> Mayor Adler: You're welcome to speak to either or both. I should have called you.

>> I do have slides. Can we pull up the pennybacker Alexander house? Okay. So one of the interesting things about this house to me is that, you know, the --

>> Mayor Adler: Can you pull the mic a little closer is now.

>> Sure. Is that Blake Alexander himself lived here. This is a guy that established the library archives, the Alexander archives at the university of Texas. And he chose to live here. He wrote about the house. There are a number of things that he had to say about the neighborhood. He studied the history of the house. He was just -- and it sounds like you actually read the research, so I won't repeat all of that for you. But I will show you that we have the original architectural plans of this house in the architectural archives of the Austin history center.

[7:28:09 PM]

There are five drawings, and these are the original plans. That's very unusual. This is the north elevation of the house itself, and I'll walk you around the house so you can see from all angles. The front facade, and we'll go. This is still the front. It is built of native limestone. The east facade. And then in the rear, this is one section, and another. And Blake Alexander lived here for 40 years during the time that he was teaching architectural studies at the university of Texas. You know, I think just by the fact that Blake Alexander chose this house it's fabulous, and there's a lot of, you know, marvelous things. We don't choose houses because they have businesses in them. We choose houses because of their architectural references and certainly I think it is really amazing that we have a house that was built by someone who actually put together so many other important buildings in Texas. And by someone as important to the entire state as pennybacker.

>> Both of these houses, both the pennybacker Alexander house and Carrington will be recorded for the state historical landmark this fall and I have no reason to believe that they will not be excepted.

[7:30:09 PM]

>> Mayor Adler: You have three minutes left.

>> The Carrington house. Okay, the Carrington house has a series of owners, and each one is kind of more interesting than the other to me. This is the old Carrington home that is now used as the Texas historical commission office over on -- at 15th and Colorado. So this is where the Carrington family lived in 1854, they purchased the property that you see here as 26, 27, 28, those blocks that were originally

owned by Samuel Heiny and burnet. And you can see where shoal creek comes along. This is an area that was a perfect place for an outpost when it was the division between the city of Austin and comanche territory. They have a great spot. This is the subdivision map of the 26, 27, 28. This is the 1887 view. The house that we're talking about is in the middle conveyor on the left, and it's slightly north of what is 19th street or mlk. We don't see it -- and it's in the middle square here. We can't see it very well. We can't tell really what it looked like, but we do believe that Carrington himself lived here in 1877 and '87 -- '78 and that he probably built the house.

[7:32:24 PM]

And the core of that house it is believed that became the dairy and then became the house that is now the Carrington bluff farm. We -- I did find square head nails in the basement, in the foundation area, and this is a shot of the foundation. This is a photo of the house from the history center, from the 1960s. It's virtually unchanged from that particular period. This is -- and I'll walk you quickly around the house. The two-story structure on the far left is not contributing. It was built later, and it is not contributing. Historically. The two-story in the middle is an early edition so that's still part of the house.

[Buzzer sounding]

>> Okay. So I'm happy to answer any other questions that you might have.

>> Mayor Adler: Thank you. Thank you.

>> Okay.

>> Mayor Adler: The next speaker we have is Kate Singleton. Singleton.

>> Kate singleton, preservation Austin, 500 Chicon. Preservation Austin supports the owner initiated designations of both these properties. The historic landmark commission voted unanimously on both of these properties, and just to remind you that you all are the ones who appoint the landmark commission members, and they include experts in preservation, including historians, architectural historians and preservation architects. We're happy to be supporting both these designations and we're really happy that the owners decided to save these two significant buildings.

[7:34:29 PM]

Thank you. If you have any questions, be happy to answer.

>> Mayor Adler: Thank you very much. It's been moved and seconded to approve this item 5. Any further discussion? Those in favor please raise your hands. Those opposed. Mr. Flannigan voting no, the others voting aye. Troxclair, Renteria are off the dais. Let's get then to item 49 -- oops, are you ready for this one? Yeah, come on, 40549.

>> Jerry rusthoven, planning and occasion, c14-2016-0113 for the property 2509 montopolis drive, to rezone property. Council approved this on first reading may 18 and we've incorporated the single condition the council placed on the property. If you remember staff was not recommending this case due to proximity to -- they were concerned about proximity to hazardous materials. You include a thousand foot buffer so we have incorporated that condition into the zoning ordinance under restricted covenant. With that we're available for questions.

>> Mayor Adler: Is there a motion? Mrs. Pool. Is there a second? I need a second. Ms. Garza. Discussion? Mr. Flannigan.

>> Flannigan: So I pulled this one because after we approved it on first reading I thought that it was odd that a health and safety regulation like distance from hazardous materials would require a co and an rc. My staff and I have had extensive conversations with staff about how that process works and I want to thank staff for being available on short order to answer those questions. It's still unclear to me, and I think it's probably a good idea to help the community understand that the distance from hazardous materials does not require a co or an rc, that if you have a property that's close to hazardous materials, that there's some other moment in which the fire department doesn't allow stuff to get built.

[7:36:47 PM]

Is there a moment during site plan or elsewhere in the process that the fire department comes in and says you can't build a thousand feet from hazardous materials?

>> The fire department would be a part of the review of the site plan when one is submitted. My understanding from the

[indiscernible] They gave us what they do recommend this. They recommend the thousand foot guidelines I can't remember the exact title but something like the hazardous something guide book. As I said they did recommend it being a condition so I believe that it is in some type of manual that they use. I'm not sure that we could entirely enforce that because I don't know if it has the same effect as code, and that is why we're recommending it as a part of the co -- the exact name of it is the 2015 emergency response guide book. So I guess my concern is that that is not the same thing as city code. The co, though, would apply to the property because of it being a zoning ordinance. If I could also add we did include in the co a retro activity clause that says if prox air ever went away the buffer would go away as well.

>> Flannigan: Is someone from development services from staff can come to the mic?

>> Thank you, mayor, council. Assistant director of development services. Councilmember Flannigan, I did speak to Rodney and I believe we've had lots of conversations about this. The site we do a very collaborative review, the fire department absolutely participates in the site plan process, they look at -- they're involved all the way through. The current tool that the fire department employs to catch these is the co. And I think we need to work, as we look at codenext, moving towards maybe not considering cos, look at better processes to enable this to be captured in a different way. It's a macro-type thing and a lot of times on a site plan you don't get the detail that shows, hey, there's a use over here.

[7:38:50 PM]

So we need to work with them to develop some better process where's these things could be identified through a tool other than the co. That's what they've released on in the past -- relied on in the past so if we were to remove that tool right now we don't have a way currently in place to pick it up.

>> Flannigan: Okay. As a policy matter, whether or not we do anything in codenext I think it's troubling that anything related to health and safety would require conditional anything. Just the way you say it kind of invalidates that it's a health and safety requirement. If that is the only tool we have at the moment, then that's fine. But I think this is -- and partly why I keep bringing these issues up is to daylight these types of situations, that I think we should be having health and safety codes enforced through cos by random case that a zoning case came up. We have to find -- as policymakers we have to find a better way to implement and enforce health and safety codes like this and not be at -- that we missed a co or they missed a co or that it had to be a zoning case. It's far too important to be left up to this process. So I won't object to moving forward, but that's why I keep bringing stuff up like this, because I think it's an important data point that it not live on into our next land use code because this is not the way to enforce health and safety.

>> Mayor Adler: Point well-taken. Is there a motion? It's been moved and seconded. Any further discussion on this item? Mr. Casar.

>> Casar: Just a comment. We've been working with the applicant because it seems like if this starts getting developed out more as a residential area there are just parts of my district where you see as multi-family developments, especially with fences developed next to each other and eventuallyies are real connectivity challenges so I wanted to express that while we can't require the applicant to require parkland dedication for that kind of trail for legal reasons, to the extent that parkland dedication is required at site plan by the city I would hope pard talks a look to figuring out if there's a trail connection to benefit the community and to the extent legally possible I encourage the applicant to consider that as this turns residential so people can get from one place to another.

[7:41:11 PM]

>> Mayor Adler: That point is well-taken as well. It's been moved and seconded. Item 49. Any further discussion? Those in favor -- mayor pro tem.

>> Tovo: Yeah. I have thought about this case since we voted the first time and I'm going to vote the same way I did last time, which is in favor of the staff recommendation and against the zoning request. I take really seriously some of the concerns -- or some of the interest that neighbors are in support of this, came forward and expresses this would potentially help transform this area from being more industrial to more residential and I think that's a very compelling argument and I've given a lot of thought but I'm still quite concerned by putting residents in such close proximity to a pretty major industrial use. I think absent any evidence that industrial use is moving I'm going to support the staff recommendation and vote against the zoning change for those reasons. I don't -- anyway, I just think it's the most prudent practice at this point.

>> Mayor Adler: All right. Further? Let's take a vote. Those in favor please raise your hands. Those opposed. Ms. Houston, mayor pro tem voting no, others voting aye. Proximate and Renteria off the dais. The clerk hasn't pulled off 57 but 57 passed. That gets us to 58. Is there a sheet for this yet?

>> Mayor, chuck Wozniak, it should be on its way down.

>> Mayor Adler: That's the only item we have. Do we want to stand recessed here for ten minutes? All right. Let's stand in recess for ten minutes until it comes down. Is anybody intending to speak on this? I think bill wanted to speak. Is bill still here? Do you want to speak? Do you want to speak now or wait until the term sheet is handed up?

[7:43:12 PM]

>> I'd rather have you have the framework --

>> Mayor Adler: That's fine. We'll take a ten-minute recess.

[Recess] Hang on. Do you have a copy of the term sheet? Okay.

>> [Off mic]

>> Mayor Adler: But that doesn't help us with everybody. I'm sorry.

>> [Off mic]

>> Mayor Adler: It's okay. We were waiting for the yellow ones. All right, bill, why don't you come on down. Everyone has a copy of, now, the ordinance in front of them.

>> Good evening.

>> Mayor Adler: Bill?

>> Mayor, would you like me to lay it out before we take a speaker?

>> Mayor Adler: I don't know that we need to.

>> Okay.

>> Mayor Adler: Let's start with the speaker. Let's see what the issues are here.

>> It would be nice if you all see the map and have the basic framework of what we're talking about.

>> Mayor Adler: Okay. And that's fine. I just didn't know what you were speaking to. I didn't know what you were speaking to.

>> Okay.

>> Mayor Adler: Mr. Wozniak, why don't you go ahead and lay it out so that we have the background for it.

>> Lay it out? You want me to go ahead and lay it out.

>> Mayor Adler: Please.

>> Okay. Good evening, mayor, council, chuck Wozniak, environmental officer. So you have before you this evening proposed agreement related to the redevelopment of the bowie high school, located over the Edwards aquifer recharge zone, involves transfer of impervious cover also, conservation of roughly 13-acre tract in the Travis county subdivision owned by aid that had been formally -- it was previously intended for an elementary school.

[7:45:35 PM]

The proposed agreement in your backup amends the current agreement between the city and aid first signed in 1994. The current agreement requires compliance with the 1994 land development regulations rather than current code and would not allow for redevelopment of bowie high school. The agreement before you allows aid to redevelop bowie under current watershed regulations, would require sos water quality treatment, our highest level of water quality treatment for the approximately 20 acres of existing impervious cover at bowie high school and the current water treatment installed in 1986 would not even meet our standards anywhere else in the city, much less sos. Compliance with current regulations

also results in the ability for the city to apply the city's heritage tree regulations, which is not required under the current aid land development standards agreement. Approval of the agreement would -- will also serve as a required council approval per chapter 258-26f, required for redevelopment of a civic use in the Barton springs zone. After evaluating the benefits or considering the benefits of the redevelopment to the community, whether the proposed mitigation or manner of development offsets the potential environmental impact of the redevelopment, the effects of offsite infrastructure requirements of the redevelopment and compatibility with the city's long-range planning goals. And I understand that all the parties have come to an agreement and that there is an amendment to the agreement per -- that will be proposed to the agreement in your backup.

>> Mayor Adler: Okay. Let's have -- mayor pro tem.

>> Tovo: Just a couple of questions. Are you saying there's an amendment to what you've just districted?

>> No. It's an amendment to what's in your backup.

>> Tovo: This is the amendment to our backup.

>> Yes.

>> Tovo: Thank you. My other question is I really appreciate -- thank you, everybody, for all your work on this issue throughout the day and over the last few weeks.

[7:47:41 PM]

As part of this conversation when the resolution came forward I did ask aid -- I did ask for some information about portable buildings on aid tracts, particularly those in environmentally sensitive areas. We did get a list of all the portable buildings on aid facilities throughout the city, but it doesn't include -- it doesn't include how long they've been there, and so if we could work, you know, as this moves forward -- as these conversations move forward, that information would really be useful, some of the portable buildings have been on those tracts a long time and I do really want to get -- thank you, Mr. Turner, didn't see you there. Thank you for forwarding that information. If we could get the dates where those temporary -- where the portable buildings were placed that would really be useful information.

>> Yes. And I should also mention we do have staff from aid here to help answer questions.

>> Mayor Adler: Thank you. Okay. Mr. Bunch.

>> Thank you, mayor, councilmembers. Bill bunch with save our springs alliance. I do support these most recent amendments, but do want to state some concerns I have still, hopefully strengthen the implementation of this and perhaps avoid some future problems. There is some language in here I

object to. But I want to go back to the original how we got here, the start -- at the start of this process, the aisd board of trustees with the leadership of former trustee Saldana and trustee Wagner made an incredibly important decision for our community by deciding to build a new high school southeast and not southwest, and instead look to just expand Bowie High on-site. Very important for the community. But the details matter, and from -- right from the beginning, when I called trustee Saldana to congratulate them and thank them for what they were doing, I reiterated let's work together closely and make sure that we get the details right.

[7:49:52 PM]

And rather than think of this as an opportunity to, you know, cut corners and pinch pennies, let's make this a model exercise, where we're protecting water quality for sure and Barton Springs, but we're also embracing our water forward efforts and moving this towards water neutrality, energy neutrality under our climate protection efforts and engage Austin Energy and Austin Water Utility to help with that, with some subsidies or straight up investments recognizing the long-term benefits. We have the water piece of that here. The energy efficiency renewables piece is not here. Y'all passed by consensus a resolution in April directing the staff on three important things. We're going to start with the SOS initiative standards and the current agreement between AISD and the city implementing the SOS ordinance. That's been adopted and amended four times starting in '94. Every single time, the starting point there was 25% impervious cover. And that's the direction that you gave. Somehow along the way, though, the staff jumped ship over to the redevelopment exception to place this in a civic use category. When the redevelopment exception was identified or first passed, it was never considered that schools would be under that civic-use category because we already had a whole series of agreements under SOS with AISD. And that's where the schools went. Now, thankfully, it mostly doesn't matter here because we got back to, with these amendments, to that 25% impervious cover limit. The water quality treatment standards that are quite good.

[7:51:54 PM]

And the other thing we got back to that we almost lost from your resolution was protection of the Travis countryside. That's all in here. I want to point out just one detail that I think is -- two details that I think are important. I don't know why we're striking out the whereas clause at the bottom that references your April resolution. I think that should be kept in.

[Buzzer sounding]

-- As a point of reference. Lastly, the Matthew C. Here -- I just want this on the record.

>> Mayor Adler: You can finish your thought.

>> North of slaughter, most of the impervious cover has already been transferred off of that tract. So we can't be double counting it in making this 25% [indiscernible] Basis. And if you look on your amendment sheet, it should where it says a limit of 25% or less on a net side basis and your version should say excluding any net site area previously allocated to other redevelopment.

>> Houston: Excuse me, mayor.

>> Mayor Adler: Yes.

>> Houston: I don't know where slaughter is. Is on the map.

>> That big road slicing down -- yeah, right there. There we go. So that's bowie high, the big white thing outlined in Orange. Then the other two yellow tracts, the one to the south and then the one to the west are being added, so that helps lower the overall impervious cover. And then that one to the north, under this ordinance, it's being incorporated into the site but for purposes of calculating compliance with the 25% limit, we can't really count that because it already had most of its impervious cover transferred to development elsewhere.

[7:53:58 PM]

>> Mayor Adler: And the clause you're talking about --

>> That was an important clarification we needed.

>> Mayor Adler: The clause you're talking about appears in the draft we have.

>> Okay. Thank you.

>> Mayor Adler: Okay? Yes, mayor pro tem.

>> Tovo: I have a quick question, but not for Mr. Bunch.

>> Mayor Adler: Okay. Does anybody else want to speak? Okay. Yes, go ahead.

>> Tovo: This is for our staff, I think. The last addition on page 3, number 5, reads "Impervious cover from the transferring tract not used for redevelopment of the bowie site may be used only for redevelopment of other aid school campuses as specified in a separate agreement between the city and aid." Can you help me understand? I'm not sure where the emphasis is there, whether it's on the impervious cover credits that are left over can only be used for aid purpose? It's number 5 on page 3.

>> Yes. So the intent here -- there is that what they don't use for bowie, which they will anticipate they will need very little of that, from the Travis country property, that they would be able to use that subject to a future agreement for other campuses within the Barton springs zone.

>> Tovo: That was the other part. It wasn't clear to me whether the emphasis there can only be used for this or only be used for this.

>> Yeah.

>> Tovo: And there would be a separate agreement.

>> Yes.

>> Tovo: So it's both.

>> Yes.

>> Tovo: It can only be used for other campuses and that would be the subject of a further negotiations and a further agreement?

>> Yes.

>> Tovo: Okay.

>> Mayor Adler: Okay.

>> Tovo: Okay, thank you.

>> Mayor Adler: Thank you.

>> Tovo: But I assume it -- yes, okay, thanks.

[7:56:01 PM]

>> Mayor Adler: Ms. Pool, you want to make this motion?

>> Pool: Right. I have some amendments. So I move to amend the ordinance in the backup as follows, and on this yellow sheet I'll just walk you all through what I have. I think I need to read through all of them. Is that right?

>> Mayor Adler: Isn't --

>> Mayor Adler: I think this has been passed on. You're moving what's been pend.

>> Pool: Okay. So you don't need me to go through any of that, all right. On page 3 we've got the 25% impervious cover, we've got the restriction of the Travis country site, transfer of impervious cover from Travis country to the buoy site.

>> Mayor Adler: Okay.

>> Pool: All of those are in there. So I also want to direct the city manager and -- to set up a public hearing. Should I do that after we take a vote?

>> Mayor Adler: First should we pass this ordinance first?

>> Pool: Yes.

>> Mayor Adler: Okay. So there's a movement -- a motion to pass this item number 58 as it appears on the sheets that were laid out. Is there a second to that motion? Mayor pro tem seconds that. Is there any discussion before we vote? Yes.

>> Flannigan: Just to be clear, what we're moving here is the compromise agreement that was reached?

>> Mayor Adler: Yes.

>> Flannigan: Great. Just want to be clear.

>> Mayor Adler: Yes. What's been handed out to us.

>> Pool: It says number 58 pool at the top.

>> Mayor Adler: In the bottom left-hand corner. It's been moved and seconded. Any further discussion? Those in favor please raise your hand. Those opposed. It's unanimous on the dais with troxclair and Renteria --

[applause]

[Applause]

>> Pool: Mayor?

>> Mayor Adler: Yes, Ms. Pool.

>> Pool: I'd also like to direct the city manager to place on the August 3 agenda a public hearing to consider an amendment to this agreement and any other agreement staff deems necessary that will allow aid to transfer impervious cover from the Travis country site that is not needed for the bowie site, and this refers back to that number 5 at the bottom of page 3.

[7:58:13 PM]

To other aisd school campuses within the Barton springs zone.

>> Tovo: Wait. Would you mind saying that again.

>> Mayor Adler: I didn't get that, sorry.

>> Pool: I'm understanding that there's a need to have a public hearing on August 3 so that the item that you -- that we were talking about, number 5, it's at the bottom of page 3, where it's the transfer of the development, the redevelopment credits to another campus can be -- can be permitted.

>> If I could help, councilmember and mayor. As I mentioned, little, if any, of the transfers will be necessary for the redevelopment of bowie. That will leave aid with a bucket of impervious cover that they can't use. Without further authorization from council. They have identified other campuses within the Barton springs zone they would like to use for future redevelopment. The current -- what you just approved allows the transfer subject to future agreements with council. And so we've already started those discussions. And can bring that back on August 3. And I believe -- I think we may ask our city attorney about the process that we need to go through.

>> The land development standard agreements like this are required by code to have a public hearing. So in order to get that done quickly, it's directed by council to bring it back on August 3rd. We can do that and bypass its Obamacare review that has already -- the boards and commissions review that has occurred in the past. But that's the need for the reason for the separate agreement is in order to be able to have the additional impervious cover transferred to something other than bowie. You were posted today just to take action for bowie high school, but the parties wanted a broader agreement.

[8:00:13 PM]

So far what was part of the compromise was this limited agreement to bowie would be followed by a broader umbrella agreement for transfers of impervious cover within the Barton springs zone from this Travis country agreement.

>> And mayor, I believe all parties are comfortable with that process.

>> Mayor Adler: Ms. Houston?

>> Houston: Thank you, mayor. It sounds to me like this is a land bank that could be moved from -- from the bowie impervious cover transfers to some other place. And have we done that before, and will this set a precedent?

>> Not with the school district, councilmember. We have done it with the ace salvage, was a similar. We did two years ago, I believe, off of spicewood springs road where we approved or the council approved

transfers of development credits in exchange for putting a conservation easement on a green buffer. So we have on a couple of occasions done something like this. The agreement that you just approved does create the bank of development credits. And they -- and as I said, aid probably will not need most of those for bowie to they would like to have certainty that they could use those for other campuses because they have other campuses in the Barton springs zone that they would like to use those development credits towards.

>> Houston: How many developments in the Barton springs zone?

>> Total there's about nine or 10 campuses, but I think it's only two or three campuses that they're interested in using these credits towards. And council, the intent would be to come back with appropriate environmental protections and mitigation for the excess impervious cover and to significantly improve the environmental protections at these campuses, which most of them are much older schools.

[8:02:22 PM]

They don't have any water quality controls. And aid wants to try and maximize what they can do there and use the credits to mitigate that additional development.

[8:05:06 PM]

Especially given that there are -- as I mentioned at our last hearing, it is a broader conversation about -- councilmember kitchen, did you want to make a point while you're reacting to what I'm saying? To me it is part of a conversation I want to have in relationship to the portable buildings, which I understand now under state law we don't have an ability to regulate as part of our agreements with the school district, but I do want to have that conversation as we're considering these broader -- this transfer, which I want to support. I want to understand what the fate of the portable buildings are and I want to be sure that we're not bypassing commissions that we would otherwise bring those agreements before. And I thought I heard you say -- I thought I heard our attorney actually say that one of the things we would be doing today is directing a public hearing on August 2nd and we would be doing so -- we would be directing the bypassing of the commissions that would ordinarily review it, which is a diversion from our usual process. Am I understanding that part of it correctly?

>> That's correct.

>> Pool: Although I haven't actually stated that as part of my directs yet.

[Laughter]

>> In order to get here by August 3rd --

>> It would be the only way we could come back on August 3rd.

>> Tovo: So I think, Mr. Turner, you were responding to something I was saying. If you could provide some additional information about what I was just saying.

>> Yes. You mentioned the boards and commissions and of course we went to both the environmental commission and the planning commission and the runup to this meeting and they both actually included in their recommendations the possibility of the district being able to transfer the excess impervious cover to other sites. So I believe that we can, of course, provide those for you, but I think they have already expressed their opinion that they would be okay with it.

[8:07:11 PM]

The other thing I would say from the school district standpoint is part of the compromise agreement today was that we would be able to put this other agreement up because as Mr. Lesniak said a few minutes ago, the district could end up in a position where they've got a bunch of impervious cover -- we certainly don't want to be in that position. I don't think it would be a fair outcome for the district or congruent with the agreement that we put together during this compromise discussion today.

>> Kitchen: Mr. Mayor?

>> Mayor Adler: Can you share with us what happened at the environmental commission? What did they say?

>> And, the environmental commission and planning commission both voted unanimously. They did in their discussions talk about Travis country transfers for other sites. The environmental commission did, I was reading their motion, they did ask for this to come back if those entitlements weren't going to be used in other campuses. And the planning commission did not.

>> Mayor Adler: Is there a reason why we wouldn't send it back to those admissions? As part of the deal I recognize it's what people want. I think that -- is there a reason why we wouldn't send it back to the commission?

>> That was my question too and I was going to ask if the environmental commission is meeting in July, will they be able to -- I guess they wouldn't -- if we have a public hearing on August 3rd and we know where the transfers are liable to be made, and we -- we would, I guess, either have to take action at that point or we could then ask -- the point I'm trying to get to is I've heard here that there's a time factor that is pressing this --

[8:09:13 PM]

>> In addition to that, councilmember kitchen, you had your hand up to be next.

>> Kitchen: I was going to ask a similar question. My understanding is that as others have said this is part of the discussion and part of the compromise that was reached and I think it's very important for us to understand that. And I think if I'm understanding correctly what was driving the timeline had to do with it was the school district's request in terms of the timeline if I'm understanding correctly. That's the question. I had the same question that perhaps y'all could describe that to us.

>> Mr. Turner said they're willing to delay and bring this back in September and bring it back to environmental commission and planning commission if that's council's wish.

>> Mayor Adler: It becomes really bad precedent otherwise.

>> Pool: That's great. Well, I'm glad I didn't read that paragraph so I don't want to retract is. So we will stay with a public hearing in August. I think I'd like to get the panel's view on whether it should be August 3rd or another date in August.

>> Mayor Adler: It has to go to the commissions and come back to us. The public hearing will probably be in September.

>> Pool: So the public hearing in September?

>> We have -- how did B if we bring it back at the earliest date for council in September?

>> Pool: That sounds great.

>> Mayor Adler: That sounds good. You don't even need us to do that because you will do that anyhow, so there's no action the council needs to take. All right. Anybody else have anything else?

[Applause].

>> Mr. Mayor, development services. I'd like Missy to clarify if council doesn't set a date and time we have to notify. If you are doing --

>> We have to notify anyway because this would be a new public hearing. We're not continuing this one.

>> Do we have to come bank do a set and come back and have the public hearing or would we go straight and come back to public hearing?

>> I think since we have until September we would come back for a set. I think when we were going to do it in August the point of the motion was to avoid having to come back for a set. But I think if we have the time we'll just follow the standard process.

[8:11:13 PM]

>> Mayor Adler: So we only have one September meeting, which is September 28th. Mayor pro tem?

>> Tovo: Depending on the timing it may be they could come back at the end of August. I don't know what the environmental board and planning commission looks like.

>> What is the latest date in August that we have?

>> 31st.

>> 31st? Yes, we can do both of our commission and planning commission and get back on the 31st, I think.

>> Mayor Adler: Okay.

>> Tovo: And just to be clear, it looks like -- am I understanding this correctly, the planning commission's recommendation actually was -- included the language the transfer within the boundaries. It was the environmental commission that wanted it to come back.

>> Right.

>> Tovo: Okay.

>> Mayor Adler: My question is if we set a public hearing right now on August 31st, we don't need to set it at this point? I think that's a question for our attorney.

>> You can set it right now.

>> Mayor Adler: Okay. All right. Set it for August 31st. All right. Thank you. Mr. Casar?

>> Casar: If for whatever reason the planning commission and the environmental commission can't meet at that -- at that date, are we successfully ensuring that at the 31st we would still hear it anyways?

>> Mayor Adler: No. If they aren't able to meet those, there's nothing for us to hear, so on that date on the 31st we would probably reset the public hearing for a later date.

>> Casar: At that point this seems important to me that we would have to set a special counsel day to dispense with it quickly. With that eventuality, I am venturing now that I would be willing to set up a quick council meeting to get it did done.

>> Mayor Adler: In September we can discuss that.

>> Kitchen: I want to reiterate what councilmember Casar said, I think it's important for us to remember that this is part of the compromise and it's important to respect aisd's concerns about timing.

[8:13:21 PM]

>> Mayor Adler: Okay. All right. I think we have finished everything. Our average stop time here for council meetings this year has been amazing. Thank you, guys. All right. It is 8:11 and the meeting stands adjourned.