

City Council Work Session Transcript – 6/26/2018

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>> Mayor Adler: All right. It is June 26th, 2018. It is 9:04. We're going to call this meeting to order here in the boards and commissions room down at city hall. We have a quorum. As posted, as requested by council, we're going to immediately recess and go into executive session on one item while we have some consultants here who need to fly out. And then we'll come back, get the briefing and start on pulled items. City council will now go into closed session to take up one item pursuant to 551.071 of the Texas government code, we will go into item E 3, the waller creek construction project. E 1 has been withdrawn. We'll handle additional executive session items over lunch. And without objection, we will now recess and go into executive session.

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>> Mayor Adler: All right. We are out of closed session. In closed session we discussed legal matters related to e3. It is 10:00. We're back here. We have a lot of stuff to move through, colleagues. Let's do the briefing. And we'll move through that completely, but as quickly as we can. As you can see, we have lots of pulled items. We obviously know we have the bond, which is going to be a lengthy conversation so as we do the pulled items if people could get as quickly as they can to the points they wanted to raise, they wanted to share with their colleagues. Let's see if we can abbreviate these items as much as we can so that we preserve the time for the things that really we need to work through. Let's begin. Tell us about police oversight. >> Good morning, mayor, city councilmembers, city manager. I'm the police monitor. Today we will be going over some of the preliminary oversight analysis that I've done since the last time we met. The presentation would consist of going over the strengths and weaknesses, comparative analysis of how we stand with other cities across the country, recommendations for cities for us to further review, introducing you to the police oversight advisory working group and our proposed time line. By way of background, in March, city council passed a resolution directing the city manager to look into evidence based best practice and oversight and to consult with various stakeholders, which we have done. Then on may 22 I came before you and gave you a brief update about my conversations with various oversight directors and just an overview of the various

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models as defined by the civilian oversight of law enforcement. Since that time I've continued to do the research and comparative analysis and I'm here today to give you an update on that. Again, just as a review the auditor monitor model, with the auditor model it reviews completeness and thoroughness of internal affairs investigations and the monitor model literally monitors the internal affairs investigations from beginning to end. In this particular model they still review the broad patterns of investigations, findings and discipline. Just to point out a few strengths and weaknesses of this particular model, the auditor monitor model is more effective in long-term systemic change in the police department. They generally have more robust reporting, and then on the weakness, there tends to be some skepticism because they are generally staffed with full-time paid staff and is very dependent on the quality of the staff hired to -- in that particular oversight agency. And then in the investigative model this is where civilians investigate allegations of police misconduct. Some strengths include it tends to be the most independent form of oversight, may reduce bias in investigations and on a weakness standpoint it is the more complex and more expensive form of oversight. And there does tend to be from my conversation with directors that oversee this particular model some consistence from police personnel when dealing with civilian investigators. And then we have the review focus model. Again, this is the -- where civilians review the quality of the internal affairs investigations. This is done obviously at the end, when the investigation is complete and they generally recommend the findings and whether or not they should be exonerated, sustained, and

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so forth. Some strengths include this ensures community input, obviously because you have volunteers that serve on the panel or board. It is the least expensive form of oversight, and some weaknesses are it can tend to be less independent. Their scope is very limited in terms of what they review. On this chart, you will see to the left of where you see Austin opm is a chart created by nacole in their publication on strengths and weaknesses of oversight. You will see it talks about various components of oversight and as it relates to the various models and we compare that to where we stand, slight seven in the presentation. You will see the majority of them, like as we, do we receive community complaints in some areas that -- and some areas I want to point out to you in this chart is deciding how a complaint is handled. Currently, we don't really make the decision on how it's handled. And in other models that is done by the director and the staff. Recommendations findings on investigations. We don't currently have a formal process. We have input with the police department on that but in other models you will see they directly make recommendations on findings on investigations. And then what -- you should have before you the powerpoint presentation and the report. The report is longer and a little bit more detailed, and you will see the comparative analysis on page, I believe, 16, 17, 18. This particular slide in the presentation is just a brief glimpse of those pages. I wanted to just highlight a bigger picture for you in this presentation from those particular pages. For example, we took the

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areas that we current -- that are not currently within the scope of our opm right now and compared them against the various models. And just to highlight for a few, so, for example, we currently do not accept anonymous complaints, but you can see that in the other models it's either frequently or sometimes what they do. In terms of the chief of police making -- being required to respond to recommendations, currently that's not a requirement, but you will see in the other models it's either sometimes or frequently. Decides how a complaint is filed. For us, that is not currently in our scope, but you will see in the other models that is frequently and/or rarely in the review focused model. Next I want to just go over briefly the six cities I'm recommending for us to review. And just to explain a little bit why I'm recommending these cities. Some of it is based on demographics, as you can see, based on median income, population, size of the sworn officers are very similar to Austin. San Jose is the model, they have an auditor monitor model, more auditor focused and I think they could provide a lot of insight to us in terms of their scope from an audit perspective. Our model was based on that about, you know, 18, 20 years ago. San Jose is one of the cities that the city visited in around 2000. And they're going through a transformation in terms of looking more broadly at the police department and what processes and policies that is implemented in making recommendations to the police department and to their city council. San Francisco has an investigative model. It is one of the oldest investigative models, and recently their residents in San Francisco passed by refer renew dumb, 80%, spanned their scope. Now they're going to be able

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to audit use of force and also policies in the police department. They also have the national model for mediation, and we know from research that mediation is very effective as it relates to police oversight so I believe a lot of information they can share with us in terms of the scope in their investigative model as well as in their mediation program. Denver, I mentioned this in my presentation in may, is most similar to us, and the reason why I'm recommending Denver is they oversee not only the police department but also the sheriff's department and they have a broader scope. They have a staff of 15 and their staffs are divided up by the monitoring team, the policy team, and the community engagement team. And I think that we can learn a lot from their scope and how they conduct their processes with oversight. Minneapolis. Minneapolis is very similar in that in -- I want to say in 2012 they had a traditional investigative model, and it wasn't working for their community. So they put together a task force and they worked over a year to reevaluate and reassess their plan. And they still have an investigative model, but what they expanded to is they have more policy focus, they revamped their citizen panel, their citizen panel is involved in all their investigations and there are just insights I think would be very helpful as we formulate it and they have gone through the same process we're going through now. Seattle I'm recommending because it is completely different, their processes. Their new oversight structure is about a year old and it involves a civilian overseeing their internal affairs. They also

created a new inspector general position that will handle more of an audit function but, again, there are insights there they can share with us in regards to their scope of their service, how they went through their process of

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reevaluating their oversight, and how it's working. The next slide is a comparison of where we stand with the cities that I'm recommending. And you will see that the majority of them are created by charter and ordinance and generally the charter is the broad scope of getting the authority for the oversight and the ordinance talks more specifically about what the oversight will entail. There's also components about whether or not they have subpoena power. If they have a civilian board. And the civilian boards operate very differently. Some are just advisory in nature, deal with just policy. Some have the ability to hire/fire the police chief. For example, that is the case in San Francisco. That police commission has the ability to hire/fire not only the police chief but also the oversight director. And then there are others that involve more on policy, of making policy recommendations to the police department. And then on the far right you will see the investigation time frame. For example, here we have 180 days. In California, they have basically a year. And in New Orleans they have 60 days but have the ability to request an additional 60 days, so in total they have 120 days to complete their investigations. The city manager created the police Jesus working group and we discussed this a little bit at my last presentation about the scope of community involvement, and what this -- how this group came about is primarily through the resolution that was passed in March. There were specific organizations that were named in the resolution and we reached out to them to serve on this working group. And recommendations from other community leaders. And I've spoken to a lot of directors across the country, particularly the ones that have gone through this process of reevaluating

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their oversight and they made some recommendations about groups that we would want to reach out to to serve on this. We want it big enough to have a wide range of opinions and perspectives, but small number because the expectation is that this group is gonna roll up their sleeves, really work to come up with recommendations to bring to council for -- and the city manager for review and potential approval. We had our first meeting with the working group last Thursday. It was a very good meeting. We discussed what success looks like from the various perspectives of the working group members. And we have a pretty tight schedule. We're going to be doing video conferencing with the various cities that I've recommended. They're gonna be held all in city hall, open for those available to attend and we'll record them so they can be reviewed at a later time. This proposed time line includes coming back to you in October with those recommendations from the working group. And with that I'm happy to answer any questions that you may have. Again, I just want to say this is just a high-level review of the report. The report goes in much more detail, and I'm happy to answer any questions that you may have now or later about the report. >> First, congratulations on the removal of interim. >> Thank you. >> Mayor Adler: I

noticed that you had three different models. One was the review-focused model but none of the cities did a review-focused. Is there a reason that was in the -- >> The reason why I didn't recommend a review focus, it's less than what we currently have. And the other -- the other cities that I recommended have a civilian board that's part of their structure. So we'll still be able to get feedback about, you know, how their civilian boards operate. But with the review focused, I just didn't think that we necessarily needed to review

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that, those cities, because it is less oversight than our current structure. >> Mayor Adler: Got you. Thank you. Councilmember pool and councilmember alter. >> Pool: And congratulations. >> Thank you. >> Pool: I'm really pleased that you're our official police monitor. You were at the audit and finance committee meeting yesterday and we were talking about communication and the confusion flow and reporting back and closing the can communications loop and everything. Did you have any take-aways from that discussion yesterday that might inform some of the work going forward a role the police monitor might play? >> Yeah, so I did make a note because I think it will be important. I'm developing a list of questions we'll ask the directors of the six cities and obviously we'll have input of questions from the working group but I think it's important for the group to hear how that process is done in other cities as well. I do think -- I agreed with everything council said yesterday in terms of the communication, the transparency, and our first meeting with the working group transparency was repeated several times when we talked about what the success looked like. And that is the piece of the transparency that I think we can address and do a better job at. >> Mayor Adler: Okay. Councilmember alter? >> Alter: Thank you. Congratulations. >> Thank you. >> Alter: -- As well. I wanted to understand a little bit more about the next steps. So those video conference meetings, is it just the working group that's meeting? Is that public? How that working? >> With the video conference they're going to be held in city hall. They are open. Anyone can attend. Those meetings. What the plan is I've developed just a few questions for the directors, but I want the working group to provide some input and help me develop more questions and what I'd like to do is send them to the directors ahead of time so that they'll be prepared to have this discussion. We are allotting about an hour, hour and 15 minutes

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for each session, but they are definitely open and we scheduled them over the lunch hour to hopefully get a bigger attendance from our working group so they're able to attend. >> Alter: Okay. I think it's great that we have that opportunity. There are a lot of sensitive issues and there may be insights that they have that they want to share with you that they may be more comfortable not doing on a video, and so I hope you will also have some opportunity to speak with them individually beyond those sessions, which I think is great that we're having, but just in terms of the dynamics and things that are involved here, I think that might be useful to have the -- >> Yeah I have. They've been a great resource to me. I've kept in contact with pretty much all of them, and particularly these six. I'm actually meeting

with -- I forgot, Andrew mine -- I'm meeting with him on Friday and I think it will be really helpful and I'll be able to relay what I've learned to the working group. They've been a great resource. >> Alter: When you do have the times for the meetings you don't have on here if you could make sure that -- I'm assuming others will want to know but I know my office would definitely want to know when those meetings are so we can participate in observing them or learning that process -- >> Absolutely. I do have the times but I'm happy to send them to you. >> Alter: Wonderful. And then I don't know if this is a question for you or for the labor relations office, but how are we seeing this overlapping with the negotiations with the contract over the summer? >> So I think as it -- it is parallel. They're gonna continue negotiations. As we continue this path of, you know, developing our oversight recommendations. And as we get closer to

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those recommendations we're also going to be working with legal to do their legal analysis, but as it relates to oversight, I anticipate what we have in November, that the topic specific to oversight will be negotiated at that point. >> Alter: Great. And it was interesting to see some of this oversight is in folks' charters and I know those are not Texas cities so they're not governed by the same state laws. Is that something that we're exploring at all, if there's mechanisms that would need to go through our charter? It's not something I've heard through this process. Would that be an avenue that would leverage additional options for us, or does the state law trump that as well? >> It's a legal question. I can take a stab at it -- >> So the charter issue is I think some of the things you might want to put in the charter you couldn't because of state law. State law would preempt us that's why they've been negotiated in the contract in the past. >> Alter: Thank you. >> Mayor Adler: Thank you. I'm sorry. Ellen? >> Troxclair: So I just want to understand I guess more details about the time line. This if isn't -- if this isn't the appropriate venue let me know. I'm worried about negotiations going on a parallel tract but us not having information really I guess more detailed information about the oversight until November. I mean, I'm hopeful that we will have a contract as soon as possible and I want to do what I can as the council side to facilitate this successful negotiations and it doesn't seem like waiting until November -- it seems like we're setting ourselves up for the possibility that we're going to get new information in November that might prolong the negotiations. So I'm just a little

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confused about how these time lines are gonna coexist. >> Good morning, council, rey Arellano, assistant city manager and certainly keeping track of the whole process. I would say the time lines that been laid out here is certainly one that balances the need to have a comprehensive and stakeholder input in terms of outreach and so forth but recognizes the impact, potential impact it has on negotiations. So to the degree that we do a great -- have a great process that includes the stakeholder process that we can be informed about what is the best fit in terms of oversight for our city, it includes stakeholder input from the community and the association will help inform where we can get in terms

of negotiation. Certainly what we've done is tried to make sure they combine the number of meetings and get through the process of getting through the city's -- in fact I think they started out at one interview a day, one meeting a day and have combined it into two per day so they can get through the process more quickly so we're very mindful of the implications of everything that's swirling around in terms of the negotiation and identifying what's the best practice -- best fit for us as proposed oversight.

>> Troxclair: Okay. And looking at this time line, do -- I mean, is it possible -- I guess I'll just say that my preference where it says presentation of city council would be earlier rather than later, the October 16. I'm kind of wondering if the time line between August 31 and October 16, if there was an opportunity to condense that a little bit. I mean, I think that you're

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doing really important work and I want to make sure we do a thorough job and have all the information we need so I don't want to rush through anything but at the same time it's just the reality of the situation is that we have, you know, some contract negotiations going on and I want to make sure that we are providing information as soon as possible. So do you feel like you ever been basically that month and a half, September and October, to do community outreach and work group meeting or do you think there's a possibility that that could be completed -- >> Let me just explain. We set out the month of September to do community outreach to get input on the recommendations. And the September 27 meeting would be for -- as those recommendations come back for the work group to discuss those and potentially update, edit, and incorporate that feedback into the recommendations. That would then be presented to council and the city manager. There's probably room to condense it. So far we've been on task, we've been given 90 days to do this and we're literally at our 90th day. And I impressed this upon the working group, time is of the essence and we really need to roll up our sleeves and really do this as quick as we can but also as thorough as we can. So there is some wiggle room here. It really is going to kind of depend on the ebb and flow but I think we will either meet this deadline or it is possible that it could be sooner. >> Troxclair: Okay. I'll just say that speaking for myself that would be my preference. I know that's the I guess continued feedback that I'm getting from my district, is that we want to make sure that we get to a place that works for everybody but that we can provide a contract for our police officers, and I think this is an important part of it. So the sooner the better. >> Mayor Adler: Yes, Mr. Flannigan. >> Flannigan: I just want to concur with what councilmember troxclair

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said, faster is better. As we've all experienced if we publish a time line that says November, probably won't happen until January or February so rather shoot for a faster time line and miss it than to set a long-time line and miss it. So I just wanted to put my thoughts on that. >> Mayor Adler: Okay. I think we're good here. Thank you very much -- oops, Greg. >> Casar: I want to chime in and say just like in the last presentation I continue to be impressed by how thorough and detailed but also clear this work is. You know, I spent a lot of time thinking about this before this year, I've never seen it laid out in such a

way that could really explain the different models and I think that while I know everybody wants to get to an end point on this, I think so far it just looks really strong and I wouldn't want to rush it or drag it out but it seems so far to me it really seems like y'all are breaking this down sort of above and beyond expectation so I appreciate -- I know y'all and folks in the department are doing work and all your staff behind the scenes. Just wanted to give a shout out there. Thank you. >> Thank you. >> Mayor Adler: Great. Thank you very much. All right. Let's do pulled items. Let's pull up first the economic development items. I think it's items 23 through 25. , The chapter 380 stuff. Councilmember alter, you pulled these. >> Alter: Yes. So there are lots of moving parts. I don't know if staff is going to come up. >> Mayor Adler: Why don't you come on up. >> Alter: So there's lots of moving parts in these three resolutions, and it comes at the end of a very extensive and I think fruitful community engagement

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process. And I am generally very supportive of the direction of the 380 agreement, and I was completely 100% on board until I read through the specific policies and I have some reservations and unfortunately I didn't have time with everything we had going on to have an individual conversation with staff yesterday. So I'm going to ask a couple questions today and hopefully I'll figure out a way to have a longer conversation with staff before Thursday, but I do want to surface these concerns at this point and, again, these come with general support for the direction and general support for the need for us to see if we can leverage our economic development dollars to accomplish things that would be good for our community and defining economic value in the way that we do. In reading through the guiding principles and then the various exhibits, I was left with a couple questions that as a policy maker are really important for any policy that I be able to answer. So my first question is, I was having a lot of trouble trying to understand what kind of programs would not be covered under what's being proposed here. And maybe I'll lay out a couple of the questions and then you can provide an answer because they're all a little bit similar vein. How would the public be able to evaluate these -- this program? This does talk about a reassessment in five years but when we get a project like we've seen with the domain and stuff, some of the transparency about the process that was not clear to me in what was laid out in the process. How would we know if programs individually or collectively were a success or failure? It just does not seem enough to me to say we will reassess it in five years when we're making this very

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drastic change. What is the role of council moving forward? So we seem to have the guiding principles and we have these things and then it's like go off to the city manager and do your thing and come back to us in five years, and maybe I'm misunderstanding that but that was not the impression I had got ebb through the process and -- gotten through the process and if our only inroad at that point is through the budget I'm kind of comfortable. I'm trying to understand this in the context of the city council/city manager form of government but there seemed to be a leap between when we had our discussions and what came out in the policy and I'm trying to understand those things. >> Mayor Adler: Want to

respond? >> I'll start from the beginning, David with economic development. Thank you for spending time going through the information. We're excited to answer more of your questions. I think first we have to look at the exercise itself, which was how it is we could address the use of a policy for chapter 380 to help council achieve movement in your different objectives but working with private partners. To be able to do that we've looked at crafting a policy that allows for us to create different programs and hopefully more Nish programs so we can see more direct movement in some of those areas, such as direct hiring outcomes, maybe more healthy food initiatives, what have you. In terms of what programs are not created here, are not covered through the policy, we are going to be bringing programs back to council before we begin administering those programs. Those would either be invited by council because maybe you have some very specific concerns, which we've already seen as staff, or child care, potentially

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being incentivized or even location-based work. So programs that are not covered, I couldn't really speak to at this point. I think we need to develop out those programs for council consideration in the future. The next is public evaluation. Whether or not we're addressing success or failure for these programs in a five-year term. We would definitely vit the willingness for staff to be able to return to council on an annual basis to go through some of the outcomes of these different programs, where we currently stand in that portfolio, maybe any resources that are needed at the time so that you can see and so the community see that we're very transparent in how we conduct these 380s. We've actually won awards for our transparency nationally. So we definitely want to maintain that reputation and the confidence of the community. So economic development, whenever -- I think maybe three, four years we would report back to council on an annual basis to review these agreements and where they stood. We would invite doing that again but a full review of each one of the programs we would look to do on a five-year basis after collecting more of those measurements. >> I think you had three questions, right? The third one has to do with how was council reviewing this? I mean, is this all going to be dropped into your lap as a *Fait accompli* and that's not the attention for sure. So if you look in some of the review on the business expansion program there is attention there. We are trying to really broaden the use of these incentives, so it isn't just about landing big, giant external relocations, that there are programs under this broad umbrella to help small local business expand and also to speak to people who are hard to employ.

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So there's a tension in that between making sure you've done your due diligence, making sure that there's been thorough community input, making sure that council has had a chance to thoroughly vet and review what's being done, and also making them -- the programs administratively sort of manageable. If somebody wants to hire three people who are hard to employ we should probably not put them through the same process, at least in my view, as we do for a big giant external relocation. So I

think what we probably need to do and we are thinking a lot about this is to clarify in this process that, one, that any time somebody -- any time some large external relocation comes to to the city for incentive package it goes through a process similar to what it's going through now. In fact we may be able to strengthen that just a little bit around saying there's plenty of opportunity for community review, there's plenty of community for community input, there's plenty of opportunity for council, obviously, to review and ultimately council to either affirm or deny what is recommended by staff around that. And that we can also, I think, strengthen the process some around if somebody ever comes forward in any of these programs and asks for exemptions or waivers. An adjustment in some way, shape or form around the basic policy parameters. Again, if it's a standard thing that you all have approved the program programmers for a small local deal, we want to make that I think relatively administratively easy, but if somebody is asking for a deviation and somebody is asking for a change, we ought to make sure that, one, there's good reason for that and they've justified that to us, and, two, that there has been proper oversight and review of that, including letting the community know what is going on. So I think that probably what's happened is we -- that's been in our heads and we probably didn't articulate that as clearly as we should have in writing. >> I also want to point out,

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Julia Campbell, by the way, you mentioned reviewing guiding principles. Moving into chapter 380 framework document there might be better clarification about your question, which I'm separating into two. One is on page 10 you'll notice the framework document, it's more about the approval of individual agreements, in which case we've outlined a tiered process for the individual review, some being councilmember -- excuse me, city manager-level approval and then the top two levels being -- going forward to council in a public process. That's a separate conversation. And then I would point you to the reassessment section on page 12, where we do outline a one and a five-year reassessment period, both would include a public process as well as council review. In fact we've gone a little further in suggesting some program metrics and project metrics that we'd be prepared to bring forward in the annual review as well as this five-year review. So in order to, you know -- I hate to overuse the word pilot but until we get some outcomes with the first program under this new framework we'd be able to come back to you in a year and say, you know, this is how the program is performing based on some of these metrics and we're of course open to any additional metrics that you'd like us to look at and then here's the projects that we have been able to put forward and propose to you, here's how they've performed. And like I said, they would also include a public input process, and we learned so much in the first phase of this, in developing the new frameworks, that we can't not continue that conversation and that momentum with the community. And so we're really looking forward to having a more robust and transparent process on that schedule with those elements and components in mind. >> Alter: Thank you. I'm not sure that I fully had my questions answered.

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Can you -- I think maybe I don't need to do this with everyone here but I'd like to see if we can push a little more on the transparency part. I'm totally on board that we need to have different levels for different amounts of money and that's not what I'm meaning, but there seems to be a lack of clarity about, you know, how these would be published if this was happening and how people would review it. There's a piece of the transparency that I think needs to be fleshed out and I'm sure you already have feedback. It sounds like you may have some things in your head but it feels like that needs to be in either -- I'm not sure which piece here, part of this framework worked really well for me when it was on powerpoints of different things. Now that's it codified as these exhibits following the thread through and if I were a company trying to figure out what the program was, I'm not sure that I would have the same ability to follow through how I was coming at this to understand what I could access. And so for the transparency specific, if we could maybe have some conversations on how we could improve that for Thursday, in fleshing that out. Can you tell me what we're letting go of? Like, I mean, we've got a list of, I don't know, 15 resolutions that we're stopping, and I understand the direction, but I'm not sure we fully understand what we're letting go of. I am a little worried. I didn't see anything in here that said something about "But for" and, you know, we could be just be providing money for things that people want to do anyway and that "But for" this incentive didn't seem to play a role in what was shared about the scoring and the others. So can you speak to that and and can you speak to what we're giving up also more

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broadly? >> Absolutely. In terms of giving up, we are looking to modify through policy, the one item that we are looking at removing is the ability to do more of the location-based work, which we discussed around being able to assist with more of the commercial affordability issue. From there we're looking at -- on a program by program basis how it is we can tailor or tier more of our project or classes, which is why you see a tier 1, tier 2, tier 3 for different types of businesses looking to expand so that they can work through some of those regulations. So you will see that there are some of the regulations that still apply within the business expansion program for the different size of expansions that we're looking to explore. And I'll take a moment. We'll still look at evaluating our program. We've learned quite a bit of how it is we go about crafting these different evaluation tools, but we also need to craft our own evaluation tools to be able to support the development of more of these Nish programs, kind of like we did in the past in looking more at the creative content work that we've been doing. So I think that we could include web loci as a point for reference for looking at the cost benefit analysis, especially, for some of those larger projects. In answering the "But for" question, I think that's essential to this conversation. >> I'll do that. I'm the guy that runs around and saying you have to answer the "But for" question, right? You do. What we should probably put in this is a statement that says you have to provide a written evaluation of the "But for" question and I would solicit that information from companies coming in and charge staff with doing that and that information should be made available to council, how did you answer the but-for question? Show us in written form. I think that makes total sense. I think it makes total sense

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in the exemption and waiver section to say show us the written justification for asking for a exemption or waiver. I don't know all the good reasons why somebody might ask for one. I'm sure there are lots out there. In some sense you just have to make your case, show us why, make sure that information is made available to council as well as on the but-for side of it. And then with council oversight on that, again, this particularly on these external relocations, if you don't find the but-for compelling then you say, sorry, you know, didn't make your case, didn't come up with a solid justification. >> To speak more to the programmatic development I can point you back to the chapter 380 policy itself. When we start looking at grant types and creating those programs, I'll see that within the policy we state that you must have an evaluation tool to provide cost benefit analysis. You must show a return on investment. And we walk you through each one of the elements, whether that be scoring exceptions or waivers so that you can understand the process. This is information we need to bring back to council so you feel confident in staff creating that program and administering that program. >> Alter: So it would be really helpful to have something that explained what are the next steps for council with this process and when you're coming back to us and which of the pieces. Because as it reads to me right now, it sort of, like, well if I pass 50 points I get my incentive and, you know, I don't want to be giving it to the one that's at 51. I want to give it to the company at 95. And, you know, we need some clarity on that but-for question, on the transparency. >> Yeah. >> Alter: And, you know, I'll be at work session, but maybe you can work with my staff to help us get to a point where we can be comfortable with that for Thursday, you know, these are all things that you've talked about. I just didn't see them in the policy, and I'm afraid that if we move forward and

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we don't have those resolved then we'll have companies coming anxious saying, well, your policy just says you have to get a certain level of and it is I made this point level so I get this money. And I don't think that's how we want it. You have to have a scoring mechanism but then there has to be some -- you're going to have multiple companies coming to you. It's not the same thing if you're doing those other opportunities. Hopefully we'll have enough applicants you're going to have to choose among them whereas business relocation it comes every once in a while and you're evaluating them individually. On those other ones you've got to be looking at them collectively and that's not clear in the process. With respect to the examples with the property taxes or the job incentives, I understand that's either/or. >> Yes. >> Alter: I'm having a little bit trouble quantifying how much the property tax amounts could be per company and how those compare. So I don't know if you can provide some numbers there. And just broadly speaking, these documents don't share any of the information you shared about the resources that would be needed. To take the next steps on this. So I think that's important for us to have before us, because, you know, we can do all of these things, but, you know, I don't know what you're stopping doing to do this or does this all require new funding, you know, to make this successful? That's part of the process. So if we can follow up with my staff, that would be great. I'd appreciate it. Thank you. >>

Mayor Adler: Okay. Thank you. Councilmember Garza, then Mr. Flannigan and Ms. Kitchen. >> Garza: Thank you for all your work on this, and the community engagement. I have a couple questions.

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One was we included a question in the q&a and it's still expending I think it's been there for a while so I'll ask it here. After spending six months working on the revised economic incentive policy with the consultants what feedback did you receive regarding the final proposal from the community and from whom and from council did you receive feedback? And how was the staff being proposed to council? How has it been changed to respond to that feedback? >> Absolutely. Thank you for your question. I think we ended up getting the information into the system. What we did is we looked at that process as it -- as we started this 16-month process of listening to the community. We heard a lot of different themes and terms you'll find within the guiding principles. We elevated those messages through our stakeholder process and so we built this process off of community information. I think that's essential to really understand what it was like after having worked with our consultant to be able to craft out the framework for more of these programs. We then spent time, after briefing council, since we've had just about two months since that briefing was made, to connect with more groups within the city, whether they were community or stakeholders, and bring more of those groups together, especially to look at their audience base in particular. We received a strong amount of support. We weren't aware of any major sticking points, and I think quite a few of the stakeholders that we met with remained with us through the entire process and they were very knowledgeable. We did hear a few points around how it is we need to be focused on the outcomes and the objectives, and we continue to drawback to council's conversation around the strategic plan and how we wanted to see if this program helped to reflect some of those changes is and aligned with your work. And so we generally had support for that, and you can even see letters of support that we've posted for council as well.

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So we haven't seen any major drawback. We've been soliciting and looking for more feedback from the community, but we've essentially received a good amount of support. >> Garza: So nothing has changed from the initial proposal to now? >> The initial proposal? >> Garza: Two months ago, when you -- >> That is correct. >> Garza: Okay. So it sounds like the feedback you have received is similar to the feedback that councilmember alter just expressed as well. Is that right? >> The feedback we've received has been supportive, and we'll be meeting with councilmember alter so we can better understand some of her concerns, especially around transparency, because this is a performance-based program we want to make sure that we're responsive to those requests, yeah. >> Garza: Okay. And so I received a couple of calls and concerns -- not a couple. And one of them was, and I'm trying to understand where this concern came from, but some of the programs will no longer have WBE and mbe requirements. Can you explain? >> Sure. So we look at tearing the different types of business models, and council asked us to bring forward a policy that was responsive to the needs of smaller businesses, our local business base,

our creatives and some of the different types of venues. And so if those are the types of businesses that are looking to expand, what we've observed through this model is that companies were removing themselves from our agreements and we weren't achieving some of the different outcomes we originally set out to achieve. So in certain cases where our focus is working with small businesses or helping them to achieve their expansion potential or if we're looking to create those one on one opportunities for those who are economically disadvantaged or if we're looking to empower entrepreneurs or creatives we may not be able to request all of the different regulations that we have in the past. And so we are looking at creating those exceptions on a program and a project by

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project basis. >> Garza: But aren't WBE, mbe, I thought they were requirements. I understand the scaling but we're saying we're not even going make you try? >> We facilitate connections. We will make connection with the departments so they can understand the processes we have in place to connect with small and local businesses. But in terms of achieving goals that are set for a performance-based agreement, we would look to loosen them from the smaller projects we're trying to guide through this. >> Garza: Okay. Help me understand what the problem is postponing this until August. My understanding is there's concern about the proposed budget, but why couldn't the manager present a budget that has this in there pending the policy change? What is -- how does postponing hurt -- >> I think that postponing -- I can only speak on behalf of the community. We spent 16 months with them and I've heard a lot of sentiments and problems around affordability. Staff still has a lot of work that we need to do, whether that's the buildout administratively for what these rules look like, specifying the users, how it is we're going to engage but we also have work we need to be able to solicit so we can work with a contractor for more of our location-bases work as well. We still need to better understand some of the market impacts affecting our small and local business base especially, so I think time is of the essence and I can only say that because that's what I've heard from the community, especially those that are small and creative. >> Garza: Okay. Couldn't ask you for any of that market study information in this coming up -- I mean, could you do that now within your budget? Could you ask for that in the proposed budget? >> We could request it through the proposed budget.

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In terms of spending, I'm -- we do have a question Q for funding for one of the potential projects. I think it's a matter of starting the work and showing that staff has the authorization to move forward in the development of this work. We do need to expand resources, whether that's staff time or working with these consultants, and we want to be sure that we have the authority to do so. >> Garza: Lastly, I've asked before when we talk about these incentives, healthy food access comes up and it's -- the community has made it clear that it's not just about healthy food, it's about grocery stores. And so I will ask once again, because usually access to healthy food, affordable healthy food, comes from your grocery store because they can buy it in bulk without a direct city subsidy, it's a grocery store usually

that brings healthy access. So as you continue these conversations, I would really appreciate if we could talk about grocery store incentivizing rather than the healthy food part because it's -- you know, access - it's all the same thing. >> Right. >> Garza: But families, you know, also need access to diapers and all kinds of things that grocery stores can offer at an affordable price. >> Mayor Adler: Okay. Mr. Flannigan. >> Flannigan: I really want to thank staff for all their really hard work developing this process and policy over a much longer time frame than it's even been presented to us and I feel like we've had 700 or 800 briefings on this in the last year. I'm hopeful we can move forward on Thursday with this because beyond the very extensive process followed to bring this to the council, one that arguably is new for the commitment department, one that I really appreciate, I really want to see them get to the next stage on this and start getting the rules in place, putting additional definitions out there, and I just don't want to see us postpone again, especially

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right before a long break and then when does it really ever come back? And is there ever really a good meeting for a thing that -- I mean, all the meetings are long. So I just want to thank you all for all your hard work on this and I'm comfortable with the ways in which the policy is fuzzy because I think we're injecting something new and every step of the way as you provide more clarity I think it's been a really positive engagement and the council has really given you positive feedback every step of the way and I just hope we can continue and move forward on Thursday. >> I have a couple questions I'll touch on and I may send you some more questions. So in looking at the -- and I'm looking at item 24, which is the business expansion program. So what I'm wondering about and what I'm not seeing is -- and it may be someplace else or inherent in here somewhere, I'm not seeing the small business, local company focus. And my thought -- or at least even included. Specifically. In other words, I would expect to see that either in minimum requirements or in general eligibility for one of these areas or at least in the bonus qualifiers, which goes to the scoring. But maybe I'm missing it and I really haven't thoroughly -- I should say thank you for all the work you've done. You've worked really hard on this. But when I look at the project score, I don't see anything that helps me out -- that investigators this towards -- this particular program to small and local businesses. >> Thank you for your question. It's something that's come up quite a few times, and I think by looking at the program itself we're making it more useful or more

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friendly for small businesses to be able to come through the process of connecting with the city. And so we're looking at expansion projects that could potentially range from the creation of five jobs and smaller amounts of investment rather than the policy of the past. That's only looked at a high number of jobs and larger investments and high wages associated with those jobs. We're also looking at a process that's more tractional as well so that our small businesses can connect quickly and the city can be quickly responsive for some of those opportunities as well. >> So in the local expansion section, tier 1 is really geared to small, local business so that is really what David just said, create five jobs and you can

come through the door. Then on the hard to employ section, there's actually no minimum job requirement. Literally you could come forward and say I want to hire two or three people who come from the hard to employ ranks and you could participate in the program there. Those are obviously focused on small, local business and we actually put it up front because we wanted to sort of say, hey, this is the emphasis. And then in the scoring section of this bonus areas, we do sort of say make us the case perhaps if you are a big, external relocation, how you're going to connect to the existing economic base and implicit in that -- and we could probably make it more clear as we really do want you to look for contracting opportunities with small, local businesses here in Austin that are part of our current community fabric, part of our current economy so when the big relocation comes they don't plop down and use their national suppliers. We try to encourage them and give them bonuses if they do a better job of connecting to our local economic base. >> Kitchen: The problem is if you look under the bonus qualifiers you get a bonus if you generate 100 jobs or more. >> Right. >> Kitchen: There's no bonus on here that relates to being a small business or that relates specifically to

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being a small or local business. So if you go over to the qualifications, yeah, I see the general eligibility, one of the categories being, you know, the tier 1, 5-24 jobs created, but there's nothing in here that tells me that we're gonna have a certain number of tier 1 projects. It also doesn't say that tier 1 is a small or local business. You could, just with this language, be a big business that you're adding five jobs to. So, you know, I know that's not the intent. >> Correct. >> Kitchen: I'm just saying that, you know, as we move forward, we want -- we would want the kind of language that really nails this down. >> Sure. >> Kitchen: To at least -- I'm not suggesting every single program and everything we offer has to be for a small or local business but I'm not seeing the kind of scoring or general eligibility that would ensure a small or local business at least got a pot that they could participate in. So I'm probably gonna be suggesting some language change there. So we could talk about that more, but I think that one of the key -- and I also might add that another concern that I have, you know, which is a new one, I haven't had a chance to talk to you guys about it but it just came to my attention, is that this is about business expansion, which of course is important. >> Yeah. >> Kitchen: But it's not about business stabilization at all. >> No, it's not. >> Kitchen: It's also not about some of the things that small businesses may need to stabilize before they can expand. So unless we can consider perhaps you bring forward -- because small businesses may say, well, I want to expand but before I do that I have to solve this problem. >> Mm-hmm. >> Kitchen: So if we could think about language that's at least flexible enough that if a small business has a plan for expansion but they've got some threshold

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steps first that they could still qualify or perhaps we could even help them with the threshold steps. So I'd want to be looking for some language like that. And also, you know, five new jobs is a lot. For a small business. So, you know, that's okay. But I just want to point out that that's -- when we say five to 24

we're not talking about the microbusinesses. >> No. >> Kitchen: At all. So, anyway, so those are some things that I have concerns about that I think I -- just to give my colleagues a heads-up, I'm going to think about some more and I may give you some suggested language. Then related to that, the bonus qualifiers that relate to the art installations and the local and music arts, I think need to be a little clearer. So I might suggest language there. Because all they do they do is talk about sourcing procurement of art so you could buy a couple of paintings and qualify there for a bonus. Or you can create a program that engages members. That's all good, but I don't think it goes far enough so I'm going to suggest some changes on those two bullet because those are not basic qualifications, those are bonus. You get points for that. So I think you should get points for something that's significant. I'm also a little concerned about the way these whole bonus qualifiers play in here because there's such a wide range. So again, I'll be thinking about this. Again, depending upon how you weight the bonus qualifiers, if you're in a program that will generate 100 jobs or more, there you go, you will always come out number one in terms of the scoring. I know that's not the intention, I'm just talking about the way it's worded right now. So I'll suggest some language around that.

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So then I also have some concerns about the waiver provisions. I think that someone else brought up that. So I may put -- suggest some language around that because it's pretty open-ended about the ability to waive living wage, prevailing wage, health insurance benefits, which we really don't want to waive unless we absolutely have to. Actually, I don't have want to waive that and it would be hard for me to think of a scenario where it would be okay to waive it, particularly when it's put into a program that also includes the tier 3 projects, which is 75 and above jobs. So I'll be suggesting some language there. And then finally, on item number 25, which is the creation of the locational program, so that's going to come back to us so I get that. But it doesn't have a date to come back to us. So I'm wondering what you all are thinking, and I know you have been working hard and fast on this stuff, but this one is particularly important to me the locational enhancement program because this is one of the ones that can help our creatives in terms of commercial space. So what are y'all thinking and would you be amenable putting a date in here so at least we have some order of magnitude about when to expect this. >> Christine McGuire in support of the team here. Really focusing on location base. Definitely supportive of coming back to council early in the fiscal year. We would very much like with the approval of item 25 to cut loose our consultant and bring something back September, October. I know there's budgets, getting on the council

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agenda is a challenge, but we're really focused in coming back October, like very soon. >> Kitchen: That's a very reasonable time frame. So I may suggest just a deadline. >> That would be fantastic. >> Kitchen: Okay. Thank you. >> Mayor Adler: I will go to Pio and then Leslie after I go. Again, I just want to reiterate thanks for the really hard work, an entire department has been involved in this, it seems. It seems a

pretty community outreach on this, as it would be, because you're creating that is very new and very different. I do share Jimmy's perception that it feels like you have been in front of us many times. Are I'm also interested in allowing this and pushing this forward. I think there's some good points that have been raised in terms of clarifying language, making things a little more specific because people don't know what you're thinking. I know a lot of that probably comes in the rules and implementation, but there are I think there are some things. The but for it would be good to be really explicit about that. In part because it helps define what this program is. The economic development department does a lot to help small businesses in this city. It has programs to help small businesses start in the city. It has created programs for helping move them forward, helping them grow, a lot of support issues. And we need to continue that and perhaps fund that more or in selected industries or areas that we want to do that. This program as I understand it is really tied to the but for element. It's that by doing something we're going to achieve something outside of that company. There's a community benefit that we would not otherwise be able to realize.

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And only to the extent that that benefit comes up to such an extent that we want to make sure that it happens. And to make that really clear, this is not just a genesis tense programs, which is not to say those are not good or needed, that's just not what that is. But I think that what you're proposing here is really unique because that but for for -- most cities around the country look at that but for in terms of bringing somebody from the outside in to do that. And then really specific what's happening there. And the two real fundamental things that are different in what you're proposing is it's not focused on bringing outside people in if somebody inside here can give a but for if they had additional investment, they could achieve something that went far above and beyond to be able to do that. And the fact that you have found a broader way to be able to realize the community benefits, it becomes a self-limiting program if it has to happen on that campus with those people as opposed to letting the council and the manager and the staff really direct the community benefits where they're most needed. So I think there are a lot of people looking to watch this program and what happens when we actually make this happen because it's a fundamentally different way of looking at this stuff. I had also been approached and had raised, like councilmember kitchen's point, about the waivers section. And I mentioned that to you yesterday, that said you were working on language that would make it really explicit what it was. I think that goes back to councilmember alter's point that there are areas that could be more explicit. If you have language on that, suggested language on that, or anything else, if you could post those or send

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them out to council offices so the community can see them so you can circulate language. I think that would be really helpful. Again, calculation for this work and thank you. Pio? >> Renteria: Thank you, mayor. I also want to thank y'all for the hard work and what I've read on there it's really exciting. I just have one comment and that one is on page 5, pertaining to what most of my colleagues have been

talking about, about the waiver. And the way I read on page 5 is that per city council direction program the program may include. And it goes into job wage, liveable wages, partnership benefit provisions and promoting the well-being of workers. Where would that be a situation where that might be waived. >> I think that looking at category 2 and where we're citing a goal for helping to create opportunities for those who are looking to correct with the workforce and may experience some setbacks. We may be working with different employer types where we see the ability to create that opportunity and the ability to ramp up their wage over a period of time. Maybe that is something that is negotiable at the time. Photography. >> So the one example I'm familiar with is sometimes people with special needs have income restrictions to maintain their access to federal programs. And so we might have a situation where we had a hard requirement on wage rates and someone who really wanted to work a lot of hours, might be able to do that. It might put some of the federal benefits at risk in doing that. So again, the goal of this is not by any stretch of the

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imagination to get something out of this. The goal is particularly in that area we are reaching into these hard to employ programs that would craft a program flexible enough for them in the context of other things that might be going on. And that's really true for all of this. So one of the things that's challenging to me is I can't imagine all of the situations where a desirable waiver or benefit might come forward. I just don't know what all the possibilities are. So what you want to do is set a process in place where somebody has to justify why they're asking for it. Show you the example I don't have it makes sense and that you have the appropriate level of due diligence and oversight to make sure that actually that waiver, that exemption is actually consistent with what we're trying to achieve. And so I think we will do a better job of clarifying that that's what we're trying to do in this process. We do have some language we're kind of playing around with. I think we should obviously get input from everybody else to make sure we've done everything we can to make that clear and then I think from there it will actually be a stronger document. >> Renteria: Well, I just hope that y'all really look at that real closely because there are situations where willing to work, but if you don't pay them enough, then they might lose benefits on the other side where -- food stamps and stuff like that where they will just criteria, well, I can't pay for academic, I'm going to lose benefits on my food stops, why work? >> You're absolutely right, councilmember. I completely agree with you. And the purpose of this is not to -- the purpose of of this is to make it easier to get people jobs, not harder, and to have them be the right kind of jobs that maximize the benefit of working in the context of everything else that they may have going on. >> Mayor Adler: Okay. Leslie? >> Pool: Thanks. Staying with I guess page 10

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where it has the different tiering on proposal execution, can I'm looking at tiers 1, 2 and 3 and tier 1 does not come to council and I'm assuming that's because it's targeting to being below the city manager's spending authority. Do we have any limitations of what percentage of the total funding

would be going out under the tier 1 process. What I'm looking for is what if 80 percent of the monies were distributed that way and council didn't have any touch point and didn't know and there goes most of the money without our -- without us being briefed on it. >> Absolutely. I think that goes back to councilmember alter's concern around resources needed for this type of program. We originally brought forward the portfolio approach and I think what we'll look to do is frame up what those resources are in response. I would imagine that we've got a certain number of dollars that we're going to be working with to be able to administer such a program so we would be very limited and very selective for the types of projects going through this, making sure that they are performance base and helping us to achieve our goals. >> Pool: Is there a reporting back to council like semi-annually or before budgets? >> I think we need to for sure. My hope is this thing is widely oversubscribed. That's going to be a good problem, but people who are hard to employ in small businesses, particularly the hard to employ are costing the city of Austin money. If we can move them into the workforce it's a double win. Now they're working in a job that is good for the city and the city is not spending money on special programs that they otherwise would. So my program is that people

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start, we really like this and now council has to wrestle with a successful program and how to appropriately resource it. But obviously this has to be an ongoing iterative process. There's no question about that. >> Pool: That's great. I think we would like to know how wildly successful it is because I agree it is a huge win for community. On the tier 2 where it is the larger dollar amount, but it also -- it says it comes for council approval, but there isn't any specific public hearing on that, people can sign up and speak, but it wouldn't be a formal public hearing. >> Absolutely. So we're trying to make it more transactionally palatable for some of those users and we're going to try to work through our process on the staff side to acknowledge that we are looking to work with smaller businesses and time is of the essence. So we would love to come forward with a council action for you to review the information and pass the contract first to be able to move forward in more of a timely manner. >> And then the tier 3 -- >> No, I'll wait for you. >> Pool: And then the tier P, that's the -- tier 3, that's the allocation that would go through a public hearing process, is that right? >> Correct. So one of the things that we were thinking about -- I think there are different size projects, but again we are trying for the first time to say this isn't just bringing in a metaphor, it's either Bob's flower shop or the ball bearing factory. So it this isn't just about bringing the ball bearing factory from outside, this is about helping local small businesses grow, whether it's growing and expanding beyond that. We will explore the process that the bigger guys go through. So even if it's adman will employ 75 people and they want an incentive, if they're coming from outside the Austin area we put a little more scrutiny on it,

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we put a little more focus on them. We say okay, great, we want you to come to the community community, but we're going to look at you pretty carefully. There might be some difference there and a

company who is trying to incentivize who is already hearing say if you guys give us a little help we can grow the existing footprint we have here in Austin. >> Pool: I like that a lot. Did you say that's in here or something you're thinking about? >> Something we're thinking about, but it sounds like you feel pretty good about it. >> Pool: I do for a lot of reasons and primarily the ones you're talking about. What I really liked about the rewrite of the 380s agreement is the post it gives to our local instances and that is so important and I think you're hearing that echoed around the dais. To the extent that we're still looking at bringing people in from out of town, for them to understand Austin way and what they're getting into, it would be useful to let them know what the public process is with the city council and I think that also makes our -- the public, the residents in Austin feel better if there are going to be some grants or subsidies. So I like that. Let see. I also wanted to show support for the comments that councilmember kitchen made about the small local businesses and also the specific details she gave about buying one or two pieces of artwork and really does that qualify you in a particular category. And I would like to suggest going to the points that councilmember Garza made about requiring mbe and WBE participation. How about -- we have goals and I'm looking in here to see and maybe this is in here, but are there bonus points -- is there a potential for bonus points if you come to the table, it's totally an add-on, but you are either a minority or a woman-owned business. And we would give you a boost in your points. So it wouldn't be a

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requirement. >> Of course. Sure. >> Pool: Is that something in here or could we add something like that? >> We could add that. >> Pool: So I think that might address some of the things that we're hearing in the the community to make sure that we are also giving them an is assist. I'm not comfortable completely eliminating that or even a mention as a goal. Let's see... I think that was it. I did want to just weigh in, mayor, on supporting -- postponing this into August for many of the reasons -- some of the input that has been surfaced here. And I've certainly had a number of meetings with staff and now that the whole package is put together, it's -- and more substantive, I would like to spend some more time and also give staff an opportunity to respond to the different comments that we've made here and add that in so that when we are approving we have the additional suggestions included. So I would be supportive of pulling this off the agenda for Thursday, especially since it's over 130 items, and waiting -- and giving staff some more time into August. >> Mayor Adler: Mayor pro tem and then Ms. Houston. >> Tovo: I'll pick up on the last point first and that is that I too would support a postponement on this item. It is true that we had several presentations, not 700, but we've had several. But it is really a different matter to have the policy. I need to go through it more quick will I. I have a series of questions, but I'll ask just a couple of them. Do you have any estimate of what the potential cost is for expanding for these proposed expansions for the 380 agreements? >> So we looked at the evaluation of the full portfolio because we do have the potential for creating different types of grants, different types of loan programs and we walked council through the generation model. So in the realm that we were looking extensively at some of the community feedback that we've heard we valued that program at around

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\$17.25 million in year one, but we also wanted to show council how we could use one of the revenues from these business expansion programs to help us afford some of the loan and grant programs that could better assist some of our small local businesses and creatives and seed some of those different types of mechanisms in for easting us in the community as well. >> Tovo: So the potential annual cost of the first year about 17 million? >> Potentially. Could be less, could be more, depending on the types of projects that we were able to realize. >> Tovo: What would be the plan for funding that in year one? >> In year one we would love to make a budget request for some of the essential parts of this program that are related to business experience. We still need to do some research related to vocational enhancements and I hope we would be able to generate some revenues to be able to prop up more programming in the following years. >> Tovo: Okay. That would come forward in the proposed budget ideally, that additional 17? And it's 17 million in addition to what we currently budget. >> I don't think you will see a full \$17.25 million in the budget request. I think what you will see is our request that we can begin work on the research in terms of commissioning at least one study. We're looking at working with Travis county on another study. So there would be some cost share there, but you might be a council item not related to any cost. And then we can look at how we put some funding towards some of the business expansion portfolio as well. So you won't see a 17.25-million-dollar request. >> Just to give you a framework, if we created a thousand jobs as part of this program and they all received the maximum incentive on a per job basis of \$3,000, which meant they employed a whole bunch of hard to employee people, that's three million bucks. So it's not a giant amount of money and that would be in my view a giant win. If we were able to create a thousand jobs for people who

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are hard to employ I doubt we would do that in the first year. So at least on a per job basis it's not a giant amount of money. And then the goal is again always with the but for question in mind, if you've answered the but for question then you really are bringing in new activity -- you get all that, okay. >> Tovo: I get that. >> I won't beat that into the ground. >> Tovo: Am I perhaps just overlooking the specifics scoring the evaluation criteria for the loan program, the loan program proposal? >> We do not have any loans that we've developed. Our loan programs that we've developed on behalf of the business expansion portfolio at this time. But we did set out the expectations for those loan programs in the chapter 380 policy document. >> Tovo: So would those be something that you would be rolling out early or. >> Yeah. We'll definitely need to address existing loan structures like the music venue loan program especially as we're looking to expand the purview of that program to include revenue generation, for music venues, not just mitigating sound. And we'll look at more of the loans that are available to the small areas within Austin that are experiencing development and growth. Received so that's the timetable for undertaking the development of the criteria. >> I think the development for the criteria for the music venue alone program would probably happen over the next three to four months. The commission has been working on the structure of that program and they're prepared to come back with recommendations, we just need to be able to put that recommendation within the policy guidelines that you've requested. >> Tovo: Would those additional criteria come back to council for

approval? >> Absolutely. >> Tovo: And let's see... Several of my colleagues have weighed in on the exemptions. Let me say I share that. In 2013 when we revised the policy that was a compromise

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position to have that waiver possibility. There were some of us and I'm one of them who really wanted that to be a minimum -- minimum requirements for any taxpayer assisted incentive program. So having - I'm really going to have to wrestle with this about whether or not our policy should include -- it almost sounds like we're removing those for minimum requirements and I'm really wrestling with that at the moment. And I guess that may be it for the moment. >> Thank you. And I want to thank all of you for working so hard on this. The 380 agreement as we had it before was not something that was much benefit to my community or the people in my district that are considered hard to find jobs. So I really appreciate that. I appreciate the tiered system so that we know whether we're focusing on large businesses, medium size or those start-ups that are coming along. Did I say it was refreshing for you all to bring back something this creative? I meant to say that because usually you think in such a straight kind of economic term that you were able to look outside that box and see that there were parts of the community that needed location-based specific employment, how we could drive employment to those job centers and activity centers that have been in imagine for years, but there's been no effort to try to locate jobs and the kinds of amenities that are needed to make complete communities. So I appreciate that. And I thank you for mentioning people with different abilities and the impacts that some people can't work full-time so mandating a certain amount per hour for people would

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maybe do harm to the federal and state benefits that they have all the time. So thank you for being at least respectful of that. I remember hearing about a coffee shop down in Seaholm, I think, that hires people with different abilities and it's a very small coffee shop. So to put some of the requirements that we put on larger companies would impact their ability and to hire some of the people who want to work, enjoy working and work something that just reinforces their humanity. So I appreciate all that you've done and hopefully if this is postponed that you all can work out some of the kinks in that. >> Thanks. >> Mayor Adler: All right. Anything else on this item? >> Alter: I would support a postponement, but I want to be clear in asking for that. I think the general direction and the movement that we're doing is really, really important. It fits squarely with our strategic plan and that's why I'm asking the questions. We had some conversations when we met about this process in the budget. And it seems to me that you probably wouldn't come up with an area that fits more strongly with enough of our strategic plans that he would merit moving forward resources to make it happen. I'm just not sure that given that we're in council tomorrow on codenext and we have it looks like a full day of stuff that we are going to resolve some of the issues. And I wouldn't want a postponement to preclude an opportunity to be included in budget because I would fully expect that we would be in a position in August to pass this. There's enormous community support, but that doesn't mean that the policy part and the policy details are

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all fully supporting. I'm still hearing a lot of things that have had these creative conversations with you. You have worked extremely hard to keep us informed. But I don't see that all reflected in what is now the policy as opposed to the information. So if we do choose to postpone, which I would be in favor, I would be very clear with the city manager that my interest in doing that is to get the policy right and not because I have any question about their needing more funding and needing for us to make some of the pivots that are inherent in this program and that we heard and from the community. And I would hope that there would be a way to do that if that is the -- if that is the obstacle to postponing and getting the policy right. It seems like we could address that because we will be moving in some direction. >>

Flannigan: Mayor and councilmembers, I appreciate that comment and I know that staff will make themselves available in the next few days, so before even looking at postponement I think we want to make sure that we are trying to in this period of time to address any questions that are out there. So please give us that chance in the next few days. >> Tovo: Thank you. I think councilmember alter rightly captures the challenges here. When we're in meeting all day today and all day tomorrow, it's very challenging even for us to talk with our staff about some of these issues. But I too am anxious to move forward with this so that it can be included in the budget. It's not by asking or supporting this week. It's not saying that I want to postpone beyond that. Quick question about the waiver process. Are construction or labor standards able to be waived as you lay out this policy.

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You can get back to me if you need to. >> What you will do is follow up with more of the waiver exception language and some of the concepts that we've got based off of today's feedback. And too, it would be useful to just have clearly laid out who is the final arbiter of those waivers, which are administrative and which are coming to council. And then I just wanted to touch for a moment on the retail and I know that -- you've been very clear each time you've laid it out before council that we would be repealing the current prohibition that was kind of along community discussion that led to no longer doing subsidies for retail activity. I wonder if you could talk very briefly about how you've wrestled with that and how to be sure in supporting some retailers we're not just creating an unfair playing field. How will you make sure that our new policy if we are to repeal that provision doesn't repeat some of those concerns and some of those realities of our past subsidizing of retail business where we're really just shifting. -- Shifting that business rather than creating new. >> That's an issue that as you remember we wrestled with a lot in the past and nobody wants to go subsidize a big retailer, just per se. The issue is not retail, it's retail that meets a specific community need that for whatever reason the market has not sufficiently prompted to meet that community need. So the goal is not to subsidize retail, per se, it's again very targeted things. The -- subsidizing the retail as a component of a larger project or perhaps specifically if it meets a specific community need

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that's the target is solving that community issue as opposed to if you're a retailer, you can get an incentive. >> Tovo: So that, I assume, is what you would propose is the answer to individuals who are concerned about whether we would be because falling back into that old pattern. So that we are only going to be considering giving incentives subsidies to retailers that are meeting a need that the market is currently not providing and that there will be very clear provisions around that that. Mayor, can I ask for one follow-up. Do you mind getting back to us where that language is, the rei Willers that the -- retailers that the market is not supplying? >> Christine McGuire with the economic development department. I do think that the market analysis needs to be done for the retail component for the location-based component to really robustly answer your question, which is part of the -- if we get permission to come back in October, those criteria will be very much answered. So I just wanted to make that connection with you that detailed market analysis -- not every part in our community is perceived the same. In other locations. That's why complete communities is a real issue? >> Casar: If I remember right, but it's blurry, part of the compromise when the exemptions were inserted into this policy had to do with super majority requirement or higher threshold requirement for those waivers. I forget if that wound up in the policy or not? Is that in our policy that there's a higher threshold

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for some waivers? >> Currently it is not. We do look at the exception process similarly, but we factor it into the scoring process as it is now. We're also looking for -- on a project by project basis what are some of the other community values that we can connect with and exchange. So on a project basis we can't make that connection, we certainly want to make sure that we are able to connect in other ways. Community is brought to our attention through this process. >> I think that -- -- >> Casar: There's a handful of small businesses that submitted questions to me that I think have gotten over to y'all, so it would be between here and Thursday seeing if we could get some of that information back, some of those had to do with the health care benefit and how we were incentivizing people to participate in that. I'm interested in some of the questions brought up by councilmember kitchen and then also on the waiver side do have concerns with any waiver -- generally have concerns with waivers on the workers side, but especially for any subminimum wage work, especially given a lot that's been written late by about how subminimum wage work fuels some of the workplace sexual harassment that we are talking about. I think a lot more as a community about stopping. So I have some of those questions, but we'll try to figure out between the codenext hearings here and there that we can ask some of them. But I think the sentiments of what sounds like a majority of my colleagues, which is if there's a way that we can keep this moving forward while at the same time postponing some segments of it, I think we're just trying to figure out why we keep the ball rolling, but given that this is multiple ordinances with a lot of detail how it is that we can address those. >> Mayor Adler: Leslie. >> Pool: Can you show me or tell me what page the public subsidy piece is in? I guess it's the net benefit value foughtiers 1, 2 and 3

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S that in this document here? >> In looking at the web loci assessments or the rather than on investment, that would be included in our chapter 380 policy where we are stating that each of the programs being created underneath this policy must bring forward a certain structure in criteria for council to be able to review. >> Pool: Is that on page 8. >> It's page 7 and page 8. >> Pool: What I would like to see also is a way to include what additional dollars, public dollars might be put into this taxpayers, fee waivers, expedited permitting, to the extent that that is relevant to the different -- to the specific application, so I'd like to see that in there. And that goes to transparency, of course. And then what I think I would like to say, and I stepped out of the room to answer questions and I missed what the city manager was saying about the postponement, but I got the gist maybe from what councilmember Casar was saying, which is is -- and my feeling is that there's a lot here that evening if we delay approval on these three items until August, we're sort of working on some details and on some edges and on some smaller specifics, but I think you will be getting approval for these items when we do bring it for a vote. So you can assume that and there wouldn't be any reason for staff to stop or slow down the work that they're doing. I want to give them enough time to be able to answer all the questions that we've raised because I think it's really going to improve an already pretty superior project. So I would again like to urge that we hold this until August. And if we need to give kind of a strong indication here with our zero to five kind of thing to indicate who would be supportive of taking this off the agenda on Thursday and putting it

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on in August. I think that might be useful and then staff can go forward and do the work that we've added to their plates. And then come back at the other side of the July break in even better -- in even a better place. >> Mayor Adler: Ann? >> Kitchen: I might suggest that I think we could go forward with one of the three and that would be item 25, which is the locational enhancement program because what that is, is that is simply providing direction to staff to go and develop the program. And without -- so it doesn't have the level of detail that we're parsing through with regard to 23 and 24. And I assume that that might be helpful to the staff to just give the clear go ahead that we want you to go ahead and start working on creating that program. If that works for everyone. And I would put a target timeline in part for that's aligned with what you all had suggested you were searching for or you were targeting. So I don't know if that makes sense to my colleagues, but that's what I would suggest. >> Mayor Adler: So manager, can you speak to this? There seems to be support for the program. There are people that want to make changes. Can you speak to that? >> Two things, mayor, councilmembers. I think that as I said before, I would like to have staff spend time over the next few days ensuring that we can answer the questions and concerns that were

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raised here. So we will certainly make ourselves available and ensure that we are thoroughly answering those questions. And two, I would -- my preference from management would be to moving this forward, but if there are pieces that through this discussion we could pull airboats they require more -- pull out because they require more attention, we will see if we can package it in a different way. Let me get back to you on that before making a recommendation. >> Mayor Adler: So my sense is -- sometimes we give indications to the public so they know whether or not to be here to testify on something. If this something that isn't going to be forward to go forward on -- to be able to go guard on Thursday, the sooner we can let the public know about that, we do. I think one of the constraints you have is not necessarily the staff's time, but to engage the council that's trying to do codenext and budget -- and bond at the same time. But given the request that you made, I would give you those -- a day or two to look at that, but I would request that early Thursday morning you tell us what your preference would be before proceeding so we could take up the question of postponing it Thursday morning. That's what I would do given your request. Further confusion discussion of the council? -- Further discussion of the council? >> Pool: Could we see what -- >> Mayor Adler: No. Everyone on the council can talk. Ann? >> Kitchen: I have a question really. I think that the -- I want to understand better what might be the difficulties if we postpone 23 and 24. I'm one that I really want this to be kicked off. So I'm wanting to see the dollars in the budget for one of these programs. And -- but I also am one that's going to suggest some language along the lines of what I talked about.

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So it would be easier for me if I was able to discuss that language on August 9th or whatever our next meeting is. But I don't want to slow it down. I'm not understanding how it would -- that's what I think I need to understand. And the other thing, mayor, I agree with what you're saying but it's a little easier if we let people know on Wednesday because if they come that morning it's hard for them -- it's unclear. >> Mayor Adler: Ms. Houston? >> Houston: Thank you, mayor. And Ms. Ahe Aiello, did you have something? >> I'll defer to you. >> Houston: Thank you, councilmember kitchen, about the -- pointing out that item number 25 is a very different -- I'd be willing to move that forward on Thursday because it really doesn't -- gives you all the authority to move forward and getting more information. >> Rebecca giello, interim director of the economic development department. I believe that I'd like to definitely collaborate with the staff to ensure that item 23 wouldn't also need to go. That's the spirit of really the program in and of itself, the guiding principles. So I think it would make sense that obviously 23 be adopted. You know, I appreciate all of the -- the recognition of additional weeks, month and a half. I know that in the very few months that I have worked with this team, they are some of the smartest, most dynamic individuals that I've ever worked with. I believe we can turn around questions that we've heard today with core recommendations. I would value the opportunity to let the team do that. I likened this community engagement process to that that I have seen with the

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blueprint. It's exceptional. It is from churches to grade school to everyone in the community. So I know that the spirit of what this team wants to do is deliver what they have been hearing over 16, 18 months, which is begin to implement a policy that's meaningful to the community. So we stand ready obviously to respond to what the body here before us wants to do. We also want to emphasize that it's the community sentiment, it's the community feedback as you all know that we are responding to in terms of really ready to get started and implement something meaningful. So I appreciate the city manager's direction. We will look for any questions in writing that comes to us in the next day and a half, but we have been calculating and tabulating what your questions are and we plan to respond to those that we have heard today. >> Casar: So I just want to raise something. I had asked the question and admitted by blurry memory, but I went to the 2013 pool and it does say that the metrics were required by a majority of council as part after 380 agreement. So it seems like potentially what is posted right now is just a question moves us back from that two-thirds majority vote to a different standard. I'm not speaking about how we should incorporate that information into what we're talking about, but I did want to clarify that it does seem like that's what the council passed. >> Mayor Adler: Alison? >> Alter: I had a question on item 25, which is written as a an ordinance to get a study back because you need to waive a piece of it. And I'm not sure why you have to waive a piece of it in order to do the study if you're not actually implementing it. And I'm -- since there are some questions about retail, can you explain to me why you have to waive it? I asked this in Q and a and maybe you've answered it

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since I've been down here, but why do we have to waive it in order to do a study and why is the study in an ordinance? >> Absolutely. So we have an ordinance that is in place that says we are prohibited from using chapter 380 for the use of project-based work, which does include mixed use and retail elements and others. So staff sees a variety of different components that we need to be able to prepare a program. You can see some of those components are also in tandem with the business expansion program because we are trying to secure more of those creative small businesses. We're trying to create more of the transactions that we can assist with this commercial affordability issue that we're hearing so often. And so to have an ordinance in place to show that we're moving forward on this work, establishing a program that would allow us to begin to start to formulate the program itself by working with a consultant and bringing back more details to council, as you've seen for our business expansion program guidelines, but for this location-based work. >> So I'd like to build on that by saying that staff felt strongly that it would be a fiscally prudent recommendation to have the legal feasibility question set straight a prior to the expending of additional resources to hire the contractor and move forward with staff time and additional resources resources that will be required in order to build out the program. >> Alter: Okay, thank you. >> Mayor Adler: Okay. Anything else before we move on? Let's move on. The next item that we have, bond election, but we're going to hold that. We'll pick that up at the end when we do the whole big bond election discussion. Let's see how rapidly we could move through these. Maybe people can identify what their concerns are and we can move quickly.

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Ms. Houston, you pulled the capital metro, the 25% issue? >> Houston: Thank you, mayor. Yes. I pulled that for us to have a conversation. Staff -- if staff is here. We got this. Could you tell us how this got to us in this form and fashion? >> Certainly. Robert good, assistant city manager. We had a request from capital metro to help fund project connect preliminary engineering on their corridors that are yet to be determined on which ones that they're exactly going to prioritize. And the request was to put \$15 million in the 2018 bond program. So as we started working through what we thought were the best funding alternatives, this came to light that capital metro, as you know, in the quarter cent fund, still owes a certain amount of funding to the city on projects that you all are working through, working through with each district per your resolution. So the idea was there was about six million dollars of funding that wasn't in play at that point and so we said to this proposal is let capital metro keep that six million dollars and we would fund the quarter-cent projects that would result in that six million from other sources, more likely certificates of obligation. So that's how it came about is to present that to you as an option rather than the 15 million and the 18 bond program, but a different alternative to fund the request for partnership on the project connect program. >> Houston: And that is the status of the project connect? I saw in the paper where they're not activating that now. Do you have any more information to share about whether that's going to move forward or are we going to

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have time to have a more in-depth conversation with capital metro about the project connect? >> Sure. I'll try to elaborate what I know on that. I think that the decision to choose the mode has been delayed until novemberish. That's the only thing that's been delayed. So they're still on track with all the program. It's the discussion of the mode in each corridor that's been delayed until October, November. That's the only delay in the program. The corridor moving work with preliminary engineering as they identify priority corridors, that's still in place. So the delay was again just the mode selection on the corridors. What mode fits best with what corridor for high capacity transit. >> Houston: And one other question. Can you tell us how the city and capital metro agreed on this quarter-cent that we've budgeted -- well, some of us have used that to make transportation improvements in our district and we have other things that need to occur. So how did that happen? >> Are you talking about how we came up with this proposal or the original quarter cent? >> Houston: The original quarter cent, how about that come about? >> That was in the 2000s when capital metro had a rail program that was successful so the idea was that some of these funds that they were going to be dedicating to that would be dedicated for other transportation projects that the city of Austin would help identify. So that quarter cent program, quarter cent of their tax rate, was dedicated to that for a certain amount of time. We've been spending through that program on transportation improvements for years. As you know there was about 21 million left that council determined should be split amongst the 10 districts and work with each district and that's the money we're still working on. There's about eight to 10 million I think of still unspent money. Six million wasn't in play so we said we could essentially again let them keep that money and we would fund that with another source. That's how that came about.

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>> Houston: Thank you. I'm not sure I -- I asked that because I'm not sure people knew the history of how we got the quarter-cent funds in the first place. Mayor, I have some real concerns about using -- I can only speak for my district. I've got 1.8 million that still has been -- that I have identified projects. This is money in hand. It's not something that we're going to have to do a bond on or do certificates of obligations on that eventually we'll have to pay back. One of the reasons I have that much is because I had a large project on Johnny Morris road that was not able to be completed or -- it was studied, but not recommended for completion. But I have other projects on Johnny Morris road that have already been identified. One is a pedestrian hybrid beacon at Gus Garcia middle school. So I have other things that I need this money for in my second tier of things that I have requested. And I would have a real problem of giving it back, especially with the lack of any kind of transit options that my community has since the remap. I've got people who are having to walk two miles from Johnny Morris road bus stop to try to get to colony colony park because the bus stops at 7:55. They didn't realize that it doesn't go all the way to colony park. So there are things that are still impacting my district negatively because of the changes made. And I need to provide sidewalks or things that have been neglected in my community for years I need this money to do and I would have a problem with you taking that and giving it back to capital metro for whatever their project is going to be. I think it's disrespectful of the community because I had all those things outlined, tier 1 things and then tier 2 things. And we are just getting to the fact that we're at the tier two things and now

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we're saying we're going to put it up to a bond or certificates of obligation, which may or may not pass. And yet again we will not have the infrastructure improvements that we need in the far parts of my district, not the ones downtown. Those are -- everybody takes care of those close to downtown, but it's in the far northern parts of the district where I still need the funds to do -- to do infrastructure improvements. >> Mayor Adler: When you say giving them back to you, you don't mean me. >> Houston: No. [Laughter]. That would be -- that would be illegal. >> Mayor Adler: I'm not trying to take any of your money. [Laughter]. And you wouldn't be giving it to me. So the question I think Ms. Houston is asking for is if this went through is there any greater uncertainty with respect to -- is the money already committed and available or does this interject any measure of uncertainty? >> The plan from staff would be to bring forward in this budget cycle certificates of obligation, replace that six million dollars. That would be the ceiling. We would also work with previous bond money that might work for this and operational funds, but the idea would be that we would replace this funding that council votes on in the process, replace the six million that would be ongoing with capital metro for other sources. So the idea would be no council district would lose any of those projects that they would have anticipated being funded with that quarter-cent program. >> Mayor Adler: I hear that, but until the co is passed there is some uncertainty. >> Yes. >> Mayor Adler: Would it be possible when we're voting on the bond

in August to be able to remove any uncertainty as part of that so it was all happening statement? >> For the -- all happening at the same time? >> For budget, yes. >> Mayor Adler: Councilmember kitchen. >> Kitchen: I hear what everyone is saying. I think the one thing that might be helpful just to point out is I think the language of the resolution states that no money would be taken away. >> It does. >> Kitchen: So I think

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that the certainty is in what we're passing. I forget what the item number is now. Is it -- >> 31. >> Kitchen: 31. I don't have it right in front of me, but I thought I had read something in there that made it clear. Yeah, there's language that says be it further resolved that they're directed to identify the funding sources so that each councilmember's quarter-cent allocation is not reduced. So what I would be doing - if I was voting -- I do support this and the reason I do is because I think that the language is intended here at least to make that clear. So I'm not -- I'm not voting in -- the way I'm reading this, I wouldn't be voting in a two-step process. In other words, I'm not voting -- this isn't asking me to vote to not take the six million from capital metro. It's asking me to simultaneously vote for not taking the six million and replacing it with these other dollars. So I think that the protections that you had mentioned are already in this language. >> Troxclair: So I am really uncomfortable with this item and I appreciate councilmember Houston bringing this forward. I know when the quarter-cents came and we each had projects that we wanted to allocate this money to. I understand what you're trying to do by saying that the money is going to be replaced, but the reality is that we're taking away money that we have now and then debt financing it. We're -- we're just giving capital metro -- another six million dollars to put towards a study for rail. And I don't -- I don't know. That's not what -- I feel like it's going back on an agreement on what we were

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originally going to spend the money on. And I am not -- I guess I'll speak for my district, but I certainly know that people in my district are going to be upset at the either impression or reality that money is being taken away from identified existing district needs to go towards another rail study which they overwhelmingly turned down last time it was on the ballot. And I just don't -- I don't think we're being straightforward about the funding mechanism. I mean, certificates of obligation is debt. So we're just -- with one fell swoop we're saying hey, instead of spending money that we already have in the bank on these projects that we've already identified, we're just going to debt finance an additional amount of money to be spent on a rail study. I don't know. This doesn't make sense to me at all. I'm really uncomfortable with it. I know that I know that it's been going on for a long time and that it has been difficult for the -- well, I guess I appreciate the transportation staff kind of working with each of our council offices. I know it's been a lot to manage, but I think that it has been really important to the districts to really have attention on those projects that people were thinking weren't getting attention otherwise, and I just from a practical standpoint, this kind of money swap just doesn't make sense to

me. And I think if we want to -- needs money to do a rail study, then we need to find another way to do it, but I don't think this is the right way to do it. So I'm sorry that wasn't a question. But I really appreciate councilmember Houston bringing this up. >> Mayor Adler: Someone needs to address because I didn't think this was necessarily a rail study, which is a separate question than when Ms. Houston asked

[11:59:44 AM]

it. Mr. Casar. >> Casar: I want to pipe in about my support for us moving forward this way. People can have the impression that we're moving money into deferring projects but it's up to us to make it clear what the resolution says, which is I have really critical projects here in consistent funding and I'm confident based on what the resolution says we'll get them done but we have to plan for mass transit, the city has to participate in that and I appreciate the staff working hard to find a way that we can keep doing the consistent quarter cent package and do our part in what that might be. If there's an impression this is taking away from those things we should just continue to show the leadership we need to to dispel any impression that if in reality is we're still going to fund the projects. >> Mayor Adler: Okay. Ann. >> Kitchen: also really -- I understand it may not be clear but I want to be real clear today that this is not for a cap metro rail study that was turned down for the public. So with all due respect, councilmember troxclair, and I know you haven't been in the middle of it, but that would not be the correct way to characterize what these dollars are for. You know, first off, it's preliminary engineering report/study along the corridors that has to do with what kind of modes might make sense for high capacity transit, which is not a rail study. It is not a foregone conclusion nor is it necessarily the case that rail would go in any of those places. So I think we have to be really careful and clear with folks about what it is that we're talking about. >> Mayor Adler: Allison. >> Alter: Mr. Goode, can you help me understand why we can't take the time to find this money in the base budget and take up at budget time? >> Sure. The timing came about because of your 2018 bond decision that you'll be talking about later today and on Thursday.

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Because the request from cap metro was to put it in that bond specifically. That's the timing issue. So other than that I think there is time to continue to consider that if you're not going to include it in the 2018 bond program. >> Alter: Okay. Can you explain to me how the use of co easy would be justified as urgent in this case. >> That's a financial policy we'll continue to work with you on. It's replacement funding on capital projects that you all need to know the priority in your districts for that funding so I think they probably qualify but we'll have to continue to work through the financial policy on that. >> Alter: But if we have money for them, I mean, I'm just -- I'm not really seeing the connection there. I'd be a lot more comfortable if we were making this decision in the context of the budget because we are effectively giving \$6 million of other projects up, and I don't know what those projects are that I'm being asked to give up. However, whatever the investments in the transit are, I would like to know what I'm

giving up because that was not clear. One way that we might be able to proceed would recognize the fact that this resolution has two parts to it. There is a second part of it that's not about the funding, which is about the process for quarter cent, where staff has indicated that it has been onerous for getting new projects authorized because it has to take it to come back to council for all of those so this would allow them to work with each office on the projects for their district without it having to come back before council. From what I'm understanding that piece needs to pass regardless of what we decide to do on the other part so that would be in some sense to divide the and we make sure that that piece of it definitely goes forward. I would be a lot more comfortable if we made this decision about the cap metro funding in the context of the budget and so we would know what we were not going

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to get to spend money on at that point in time. >> Mayor Adler: Councilmember Garza. >> Garza: I just wanted also to express my support for this item. I feel like we have all these different buckets and different ways to fund different things and I'm glad staff was able to find this. It was originally in the bond but as we try to meet all the needs in the bond and keep it at a -- you know, at a -- frankly at an amount we hoped that it would pass at, you know, this was staff's way of trying to find another bucket to use this. On a really broad level as we continuously talk about our transportation problems we're never going to be able to get any progress in solving them if we don't partner with our agencies like this. It's interesting that, I mean -- to hear on the dais this real negative view of cap metro. And I know those of us on the inside have a better understanding of the limitations of their budget, the limitations of their funding, the federally mandated -- unfunded federally mandated things that cap metro has to -- we approved a \$60 million for positive [indiscernible] Control because the feds require that but don't give us any money for it. Things like that affect cap metro and that takes away from our ability to provide good services. And it's so important that we work together with our government agencies to try to find ways to improving our congestion issues. Again, it's not specifically about rail. It's about high capacity transit. That could be rail. That could be more metrorapid, different use of our right-of-way, but we have to do that study if we're going to tackle these very important congestion

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issues. You know, I don't think everybody -- we all didn't get everything we wanted out of the quarter cent fund but it was great, I agree. It was absolutely great. I saw this hybrid beacon in my district and I saw it for the first time in operation and this older gentleman with a walker crossing it. It almost brought a tear to my eye. It's funny the things that make you happy as a councilmember in your district. But I just really hope we can -- if not -- you know, I fully support this measure but if not this, we need to find a way to help and partner with cap metro to fund this study and -- because they cannot -- they cannot solve these problems alone. We need regional cooperation. >> Mayor Adler: Leslie. >> Pool: Thanks. Yeah, I do suggest to bounce off what councilmember Garza is saying, I do suggest we partner with our transit agency. What I'd like to do is work with them to lift the cap on the 1% sales allocations that they

have through the state legislature. I think that's really the real issue, the pot of money they are drawing down from, that bucket isn't big enough. And I think they need more funding to go into a new phase of transit in our community, which I'm supportive of. They don't have a way to get it, and so I'd like to suggest we work together with them to make the bucket for their revenues bigger coming out of the state legislature. I think that would be a really -- that is the long-term solution, us giving additional money from our budget is -- is a help. It's an assist. But the real issue is they're not getting enough revenue off the 1% cap. >> Mayor Adler: Okay. Ellen, did you want to speak? >> Troxclair: Sure. So why - well, I guess, first I want to clarify, I think that cap metro is doing a really good job. There's certainly no negative feelings about cap metro from my perspective, and I do think it's important that the city and

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cap metro work together. I just don't understand this particular funding mechanism for this particular purpose. And if there is something that I am not seeing about councilmember kitchen's -- well, I guess y'all's comments about rail, I mean, I just said -- the backup says potential for high capacity transit operations and that in most cases has meant rail so I'd be curious to know what other options would be seriously considered other than the bus. I mean, I know y'all are -- y'all sit on the cap metro board so you do have more insight than the rest of the council on these types of issues so I didn't in any way mean any negativity or hostility. I just -- and I do think that the -- like I said, doing the best they can with the resources they have. I guess my question is, why would this not be -- okay. So if this cost to do this work is estimated -- it says estimated 17 million to \$22 million. Why would we not include that full amount? They're asking us to include \$15 million in the bond. Why wouldn't we just do 17 or \$22 million in the bond and leave the quarter cent funds the way it is? >> Cap metro has identified 5 million of that money themselves to fund that 17 to 22. >> Troxclair: Okay. >> That's also -- there's another bite at the apple. Every year we have a budget and so we didn't think that they could spend that money within a year. That with their five, that's a good starter for their -- for that preliminary engineering studies they're going to be doing so we thought that would be an initial start to see where they're at at that point and let council reassess after that year to see where we go forward at that year. So that's how the 6 million came about.

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>> Troxclair: So -- >> Rather than 15 for the full amount, 6 million and their five gets them through this first year and we can reassess as a community where we go from there. >> Troxclair: Okay. And then that would be if they need more money that would be just a future bond. >> Could be another ask, that's right. Could be another ask. They might come up with their own funding. They'll see how far they go with that 11 million. This is an estimate on what they need at this point so also coordinating with our mobility program, we'll see where we get with that \$11 million. >> Troxclair: So if they think that they can get a good start with \$11 million and they already have five, why wouldn't we just include \$6 million in the November bond? To do this. >> That's a little bit of a challenge as well because it's -- if -- this is the

logic with that. They're cutting a check for 6 million to us and we cut a check and give them 6 million back. It just seemed more logical why don't you not give us the six. That's kind of how this thought process went through. >> Troxclair: I guess but in the -- in the option of putting the \$6 million in the bond, then the voters have a say in it. Whereas the certificates of obligation is nonvoter approved debt so it seems more transparent to spend the consistent -- quarter cent funds in the way they've already been allocated and ask the voters whether or not they think we should spend an additional \$6 million for the study. >> And that's absolutely the policy decision in front of you. >> Troxclair: Okay. So we do -- so this isn't the only way that they could get this done. The other option is to just include it in the bond. >> Certainly. That was the original ask, was 15 million in the bond program. >> Troxclair: Well, but I guess so what -- if they can do it for an additional 6 million, why are they asking for 15 million? >> They were asking for the full amount -- >> Troxclair: They would like 15 million. >> That's right. That's exactly right. >> Troxclair: Maybe the middle ground was -- >> Was the six we gave them.

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>> Troxclair: Or we just put 6 million in the bond. >> That's, again, a policy decision in front of council. >> Troxclair: Okay. Thank you for helping me understand that. >> Mayor Adler: Ms. Houston. >> Houston: Mayor pro tem has had her light on. >> Mayor Adler: Okay. Mayor pro tem. >> Tovo: That's very nice. Thank you. Heard the request was going to be made I thought, gosh, I wish cap metro could fund that, though I'm very supportive of the study going forward. After the discussion that we've had over the last couple months about this item I am -- I'm absolutely supportive of the study going forward. I understand why they requested the city's help in helping fund this piece and I'm comfortable with this path that staff have identified so I'm going to support this item. >> Mayor Adler: Ms. Houston. >> Houston: One of the things that I had planned and had talked to cap metro about as well is using some of that money to do rapid transit on 969, which is a corridor, a mobility corridor, because we have no rapid transit from webberville, Austin's colony, places east to get into downtown. We have no bus that goes that way. The bus stops at 183. So everybody living east of 183 don't have an option for transit, any kind of transit. And so with commissioner Travillion we were talking about using some of that money to do a rapid express lane to try to get into downtown, understanding that we don't have the right-of-way as we get closer into downtown to keep that lane going, but that would be some effect. But without that money, I now have to depend on whether or not we do get a bond passed, whether we do issue certificates of obligation, and those are all iffy. This is like a bird in the hand that I've already planned for how to provide infrastructure services to

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parts of my community that nobody else on this council thinks about, and I'm sorry if it sounds negative, but it is. People don't think about folks that live east of 183, where a lot of the people have gone who are low-income and are transit dependent. They haven't. They may have thought about it, but they haven't implemented anything that solves those problems. And so now without having that ability to

provide anything out there, like pedestrian hybrid beacons to get people across sidewalks that are much needed in those same areas, then I'm waiting once again and the people are waiting once again for somebody else to make a decision at sometime in the future that may or may not happen. And so that's why I'm asking that we think of another way to do this. There's money in the bond. Let's put it in the bond, put the 6 million in the bond, and let's go for that. But to take this money away I think is a disservice for the people who have already been neglected for years without the infrastructure that they need. >> Mayor Adler: Ann? >> Kitchen: So I hear your concern, councilmember Houston, and I -- I'm here to help in whatever way I can to help with the areas that you're talking about. I guess I'm just not understanding, because this -- what we're being asked to vote on does not take this money away. Nor does it slow it down. And that's -- as I said before, the language in the resolution that we're being -- that is put forward for our vote says that. So -- >> Houston: Do you explain how that doesn't happen? Can somebody -- can you explain how that doesn't take the money you? -- Take the money away? >> The resolution proposes replacing that funding with different options, such as certificates of obligation, operating funds. So it does envision that, and I think what councilmember kitchen is saying, that's part of what

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your action does. I think what you're saying is there's a future action of maybe some other councilmembers that has to happen for that to occur. We're assuming based on your direction on Thursday we would propose, that we would assume that support would be here by Thursday. >> Kitchen: I have some -- >> Mayor Adler: You know, I hear what Ms. Houston is saying in terms of we don't have a co yet. I join with mayor pro tem and I would really like to see this move forward. I think the study is really an important thing to have happen. Maybe between now and Thursday there's a way to figure out how to ensure that Ms. Houston's money is there. I don't know if there's a corollary vote we could tear to initiate the co so we would see the vote on the council to do that if that were necessary, if there's a way to ensure that some portion of projects get paid out of existing funds so that we know some projects are not even subject to that. I mean, I would like for you if you could to try to figure out a way for this to be able to move forward, for us to be able to provide that certainty, certainty with respect to the funding. Mr. Casar. >> Casar: One suggestion, and, again, this is on the fly, it sounds like we probably have to negotiate an Ila to be able to transfer this. I don't know if, like, in other contracts we can authorize negotiation of it and then execute it at the same time that we're voting on the other funding mechanism or something like that. I don't know if that messes up your time line, but, again, just floating ideas out there. It seems to me that the real intention is to this not have it affect the quarter cent funding but if it's no different for you for us to take a vote here that says concurrent upon this other vote, then I think there's a way for us to -- >> Mayor Adler: Because we're going to approve the bond election, assuming that we do one, on mid-august. So if there's action that we

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could be taking at the same time, that gives you then 45 days and then you could draft the resolution in a way that makes it effective only to the degree that certainty is imposed as part of this whole thing. Does that make sense? No? >> [Off mic] >> Alter: The timing part of it. Were you suggesting postponing this or putting something in -- >> Mayor Adler: I was suggesting this go forward but adding a phrase in this that says that it's not effective, it doesn't take any of the money away, until there's an associated action that adds certainty -- >> Replaces it. >> Mayor Adler: And then you have August 9, on the day that we would actually be voting for a bond, to also vote on -- if we're not going to put this in the bond because we're going to fund it alternatively we need to be able to take action at that same time that provides certainty with respect to the -- what had been the quarter penny funding so there is no uncertainty, so Ms. Houston is not waiting for a future bond election or for a future council or a future co vote. That's what you're having to try to solve for. But we would put language in the thing tomorrow that says this will happen conditioned on us being able to provide that certainty. That's what I was thinking. >> Houston: One last piece of that is that this does not increase the property taxes in the district where my people are hanging on. It doesn't. But if we have to fund these projects through any other kind of mechanism that would increase the property taxes, then that's, again, a disservice to them. Because this does not cause them any angst? >> Mayor Adler: I'm with you on vote one but I'm not with you on vote two.

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>> Houston: Does that mean you don't mind the property tax increase if we do certificates of obligation and then when they're sold people's taxes go up? I'm not clear. >> Mayor Adler: People I talked to in the city want us to invest in infrastructure in the city even if that means that they have to invest in that by way of approving a bond. I find that the people in this community want us to invest. >> Houston: So is that the a survey that said that people wanted -- >> Mayor Adler: I'm not referring to a survey. >> Houston: Okay. >> Mayor Adler: As with you I'm adding lots of districts including yours. >> Houston: Some people you see, some people you don't see. Everybody in my district is concerned about their property taxes. >> Mayor Adler: Everybody in the city is. And we also know that 72% of the property tax increase we've seen in the last five years comes from the state. >> Houston: I think we all know that. >> Mayor Adler: Okay. Ready to go to lunch? Yes, Ms. Pool. >> Pool: One quick question for Mr. Goode and I wanted to ask you about items because I have to leave at 1:00. >> Mayor Adler: I'm sorry? Okay. >> Pool: Really quick, can you just give us a real quick summary of the money -- I think it's half penny of sales tax that goes to cap metro? Is that to fund studies for rail and that's where the quarter cent portion came back us to a few years ago? >> I don't think it's designated for a certain element of cap metro. They just have a penny sales tax that they have to fund all their programs. >> Pool: So the total that we give to -- or the total that cap metro gets from the sales tax is only the one penny, it's not more is that that okay, thanks. >> Mayor Adler: I think we're done with this item. Jimmy, really fast, 33, postponement. >> Flannigan: 33 is the next one. We've been talking with municipal court staff. It's going to take them time to obtain the data so we want to postpone this item until we have a complete analysis of what this program does. If there are any questions about that we can have staff come back in the afternoon but I think it's easy to

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postpone this. It doesn't really materially impact the work of the court, 33. >> Mayor Adler: Is staff okay with postponing this? Yes. >> Renteria: Mayor, are we coming back after lunch? >> Mayor Adler: Yes. >> Renteria: To continue discussion? >> Mayor Adler: Yes, we're going to continue to pulled items and hopefully get to bond and if we can get through the bond then we would hit testing on codenext. >> Renteria: I would like to also -- there's an item 32 relating to the homeless and we would like to see if we could get a time certain at 2:00. We don't want to go later than that because we know there's so much discussion going on. >> Tovo: Staff have requested a postponement on that. >> Renteria: Okay. >> Mayor Adler: It's going to be postponed. And 33 we think will probably be postponed absent an objection to that happening. Councilmember pool, is your light on because you wanted to speak? Okay. >> Pool: So as you know I posted on the message board I'll have to head out at 1:00 so there were a couple of things I did want to say a few things about items 60 and 130 and I was hoping to be able to ask some questions on the bond resolution, which is item 27. If we could maybe do that. >> Mayor Adler: Why don't you go ahead? >> Pool: Okay. So on the bonds -- >> Mayor Adler: This is to give you a chance to say something before we break for lunch? >> Pool: All right. So I'll just talk about 60 and 130. >> Mayor Adler: Okay. >> Pool: I wanted to pull the items just to say a few quick words because I don't think we need to spend a ton of time on this unless folks have questions. And I wanted to thank my colleagues really for bringing what's now item 130. It was 64 and it's come back with a broader captioning on it. There's a lot of work that's gone into fleshing out the direction for the negotiation, and that's necessary, and I appreciate that. So I think that this resolution 130, as I've said

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previously, works really well with item 60, which I've brought forward. The two are complimentary. Item 130 directs staff to go ahead and negotiate a proposal with precore and item 60 asks staff to put all of our options on the table. I've written item 60 in a way that is intended to keep the process on the same August time line, and I just want to emphasize that and make sure y'all are hearing that. That you all are hearing me clarify that because there's been a bit of confusion out there, and that may stem from the fact that originally I had conceived of this as an rfp process. If it had been an rfp process that would have changed the time line. But I recognized there were concerns about that so ultimately I decided to take a different route. So what I've tried to do here with 60 is create a different process that keeps us on the same time line and lets us have all our options on the table, which is what I'm hearing in the public that they would like to see. Some folks have asked me to make that even clearer in my resolution so I'll be working on some updated language to that, to that end. I'll probably have a few amendments for item 130 as well. And but I hope that they will build on the good work that's already been done there with regards to giving staff direction on the negotiations. I think we can be more specific in some of the direction to staff for the negotiations. So I'll try to get those up on the message board as soon as possible. And so everybody has a chance to digest them before Thursday. But ultimately my hope is that both of these items pass, both 60 and 130. We can continue this conversation with everything in front of us and have all our options on the table and make a really, really good and defensible decision for the

long-term benefit of the Austin community. >> Mayor Adler: Okay. Thank you. We're going to go ahead and break now. >> Tovo: Councilmember pool, I just want to ask for

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clarification, I know you said you were making some amendments to 60 and that you would post any for the other item up on the message board. Do you intend to include something specific about a date in yours? >> Pool: Yes, we're looking at the August 9 date. >> Tovo: Okay. There will be some reference to that August 9 date. >> Pool: Absolutely, yes. >> Tovo: Thank you. >> Pool: Yes, trying to really hard to mirror what enough there so the two can go in tandem and move forward together. On the same time line. >> Mayor Adler: Okay. All right. Council will go into closed session to take up two items, council is going to discuss legal matters related to items e2 and e4. E2 is the November 2018 election. Pursuant to 556085086 of the government code we'll take up competitive matters related to e4 -- I said that wrong, legal matters only in relation to e2, bond election. 501086 relate to e4, Austin energy resource planning. Without objection, it is 12:28, and we will go now into executive session. [Executive session]

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Idiom I had. [Executive session] [Executive session] [Executive session] Executive session] [Executive session] [Executive session]

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>> Mayor adler:all right. We can start. It is 2:55. While we were in recess we discussed legal matters related to item e2 and competitive matters related to item e4. We're now back. We have a quorum. Let's see how quickly we can work through some of these other items, keeping it brief so we can get to the bond at least this afternoon. 5:30 cutoff today. Jimmy, you pulled item number 33. >> Flannigan: 33? We already considered postponement. >> Mayor Adler: That's right. We talked about that. Anybody have any objections to that, they need to surface them. That got us to item 36. You pulled that. >> Flannigan: Yes. So, you know, it's -- trying to wrap my head around it. Kind of one question for staff about it wasn't clear to me that this was either just changing the players of an existing process or if this

is something substantially different than a current practice. >> Kimberly Mcneeley, acting director, parks and recreation. Councilmember Flannigan, it's a little bit of both. We currently have an agreement with - and an ordinance associated with the Austin garden center -- aagc, and, sorry, I just can't remember -- Austin area garden. >> Flannigan: Council. >> Council. Thank you. In that ordinance, there is a fee waiver of approximately \$175,000. This is a new entity, which will -- which is called the zilker botanical garden conservancy that the parks and recreation department has been working on this public-private, nonprofit partnership since about 2014 and this particular entity will be partnering with the aagc with an Austin area garden council to -- to continue to provide programming and direct

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benefits to the garden. And so we're adding a little bit to what the already existing is. So it's kind of a melding of two organizations coming together for the benefit of the zilker botanical garden. >> Flannigan: Are there other places we do this in the parks system, where we're partnering with a private nonprofit to manage a public facility? >> Yes, sir. At republic square we partner with the daa, with the downtown Austin alliance to manage that. We have other public-private partnerships that are on board with the peas park conservancy we have a rip with the peas park conservancy who raised money and we'll be bringing forward an agreement for maintenance and operations in the future. It hasn't come to you yet because it's not fully baked. We have a relationship with the Austin -- I'm sorry with the um laf garden where we have an entity that is a nonprofit, the umla is F is operating the garden and the parks and recreation department contributes to their budget and then they do the file operations. >> Flannigan: Is this similar to the appointees peas park? >> Yes, sir. This is the very beginning stages of a longer process? >> Flannigan: All right. I'll dig into it when that comes around. I won't worry about it for now. >> Okay. >> Mayor Adler: This is part of trying to get private conservancies step in, raise money on their own. In fact we contribute a little bit of seed money so this could in fact start and start raising private money to do this function. >> Flannigan: Right. The missing piece is the second half is not defined. I'm only seeing the first half. That's why I'm raising the question. >> Mayor Adler: Sounds good. Thank you. Okay. >> Houston: Mayor, may I ask >> Houston: Mayor, may I ask a question?

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Remember didn't we have come before us last year? Agreement did see 37,500, not last year, but in the of \$100,000 or they provided a certain amount of programming in, especially title 1 schools, transportation and visit the garden and they also provided funding they' ve. >> Mayor Adler: You pulled the taxicab limousine >> Houston:-- and I need somebody to explain to me the reasoning behind allowing franchisees to set their own rates. I see that as being problematic for people who will be riders, so I'm not sure how that will operate. So those are the questions I have. >> Mayor, council, my name is Jacob Culverson with Austin transportation department. So we are recommending

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flexible open rates for the taxicab franchises to be better able to compete with the tnc market which has become major competition with them, of course, and to allow them to set their own fairs and flat rates we think will give them a competitive edge on the market. >> [Off mic] Those businesses, we began to better understand what some of the changes were inside the existing franchise model, and at the same time we were trying to create through the operating authority a different method for them to -- a lily pad, if you will, of less regulation to hope over to. Through our outreach from the last mobility transformation meeting, we learned from that -- from the operators that the -- holding the franchise itself has certain business value to those entities that they don't get in an operating authority. So by going through and doing the level of outreach that you asked us to do with those private businesses we were able to better understand what a more sustainable business model would look like going forward under the franchise agreement rather than the operating authority, to better understand how they can utilize that franchise as a means to get additional bonding authority to do their business. >> Houston: So it's actually -- the stakeholders were the franchisee, not the -- not the drivers? >> It was both.

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>> Houston: And so the drivers agreed to continuing under this model of having the franchise maintain their permits and -- >> Yes, ma'am. Jacob held 11 -- >> I had a series of 16 taxi driver workshops where we communicated one on one with the drivers, and they really expressed their concern about the potential of the market being flooded. If there were -- they were allowed multiple companies to start up and essentially take away the rides per day is what they were looking at. And already their rides per day has fallen significantly. And they were worried about more of that happening if there was the potential of other taxicab companies forming without the necessity to prove a public necessity as they do under the franchise system. >> Houston: And so I thought what we were trying to do was make the taxicab franchises more competitive with the transportation network companies and can you explain how that happens under this scenario? >> So they -- the size of the tncs of course, it's very difficult for someone to start a tnc company without a large amount of capital and investment. And it's -- it would be much easier under the operating authority as we have limousines, charters, pedicabs and other ground transportation services under operating authorities right now -- under certain rules it's easier for them to start a -- start up and

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we believe keeping them within the franchise system as long as we are able to implement certain rules such as those that we've recommended will help them compete better with the tncs. >> Houston: So if I use my smartphone and I have an app and I dial up yellow cab, who also has an app, does that then make them a transportation network company or are they still a taxi franchise? >> They're still a taxi

franchise. How they go about haling rides will change. We're trying to modernize that. A lot of the things we had in front of you related to the operating authority, a lot of the good things about reducing some of the limiting regulations from old that were in there such as radio dispatching, I mean, we have cellular phones today and apps. We don't need to have that. So we took those good things that were in the operating authority model and we brought them into -- and changed the franchise ordinance that you have -- you'll have in front of you. That's -- essentially we tried to meld together the best of both, both from a pro-business standpoint of the franchise model, because we learned in communicating with the franchisees, as well as the operators, the taxi drivers that that was something that is a needed part of their business in order to make sure they can go about the correct capital improvements they need to do, and in a lot of ways those capital improvements will be new technology. And then the operating -- that gives us all the benefit of the franchise. So we want to keep that model, that structure. But inside that structure we like some of the good things that we communicated and found out about from the different listening workshops, et cetera, with the drivers, so we want to bring those elements into a new franchise model. >> Houston: So my last question is, so I'm on the

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corner here at second and lavaca and I hale a cab. How will I know what my fare is going to be? >> So there will be a rate card within the taxicab, as there is now today. The rate card must be posted publicly, and conspicuously within the taxicab for all passengers to see. If there is a fare rate based on distance and time, then that rate from a taxi meter must be displayed to the customer as well. >> Houston: And that rate could be different between yellow and Austin cab and the co-op? All of those could be different rates? Is that what I'm understanding? >> That's what we're recommending, yes. >> Loo the marketplace to insulate what the rate should be. >> Houston: As a customer, if I'm haling a cab right here, I don't know whether Austin cab has a lower rate than yellow cab or the co-op, so I'm at a distance as a person trying to use a cab service. >> That -- that would be true in that circumstance. >> Houston: Well, before they used to be the same. >> Yes, that's very true. >> Houston: That's the point I'm trying to make. Before, no matter which cab I called, that's -- that's the rate I was going to get. Now, there maybe three or four different options? >> And there -- in the ordinance we're also >> In the ordinance we're stating they have to post that on their website and they can't change it more than -- >> There's certain stipulations they have to post on their website, notify the department of their prices, post them on the rate card inside the taxicab, and of course if there's a taxi meter used, whether virtual or traditional taxi meter, it has to be on display for the customer to see. All of our other ground transportation services, such as

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charters, pedicabs, elsvs, none of them have regulated prices except for taxis. >> Houston: I have no idea what an elsv is. >> An electric low-speed vehicle. I'm sorry. >> The little cabs you see out here. >> Houston: Okay. It's just for comparison. It's hard for a customer to be able to compare pricing when it's

different across the board. >> Yes. >> Houston: Thank you. >> Tovo: Are there other cities that have gone to this model of cab companies having differential pricing? >> Yes. A couple of my other cities that are in the process of recommending this, and there's one city in particular. >> Atlanta. >> Atlanta. They have eight companies operating in Atlanta and each of those eight companies have different pricing. It's posted on a website where you can check the prices of those taxicabs. >> Tovo: How long have they had that system? >> For several years. I don't know how long exactly, but I believe it's more than four years. >> I believe it started there at the airport as part of the airport, and then it expanded from that. >> Tovo: Say there's a website that has the pricing, is that a city -- whoops -- is that a city website that has the pricing for all the cab companies? >> No, I believe it's a private website that helps them with that. >> Tovo: Is it a possibility for the city of Austin that our city's transportation -- is that what you had in mind, that the city's transportation site would have the pricing for the different cab companies so that people could see in it one place? -- See in it oneplace? >> That's correct.

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>> From a logistical standpoint, it would require us to require a push from those companies' websites into ours. We want them to post it and we would just scrape it off. >> Tovo: But the intent is to do so, to have all that in one place. >> Yes. >> From a consumer information standpoint. >> Tovo: And as I remember from looking at the backup, they cannot change -- it's not like the tncs that it's dynamic pricing, they can change it from day-to-day or from hour to hour, based on demand. >> Logistically, with the way it's architected, it would be operationally very challenging for them to do that. >> Tovo: I think I need to you sort of break that down into plain speak. So they can -- can they do that? Could our cab companies have one price in the morning and then change it in the afternoon? I thought there were time limits on how quickly they could change the pricing. >> There are. And it requires review, as Jacob said earlier. >> They post with the department. We do have the potential to allow them to post and change prices realtime, but the way that -- kind of the recommendations that I got from the cap companies from speaking with the franchises is, what they would like to do is, you know, set a broad range of flat rates, and I believe, though, utilize the system to help them compete against tncs, but also be able to flex their rates for different events. >> Tovo: So they will be -- I mean, it will be dynamic pricing in the same way. They might have one rate in the morning, but the posted range will allow them to go up to a higher rate if there's higher demand later that night. >> It depends if it's a flat-rate ride or if it's a per-mile ride. A per-mile ride, they would have to make sure that rate card has

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been installed into the vehicle with a new rate. So from a logistical standpoint, it means they have to bring all the cabs back to do that, in order to change the rate inside of a day. >> Tovo: Hmm. Okay. So they don't -- they can't just go out with a rate -- with a bunch of different rate cards and post a different one that afternoon when they get a signal from their franchise that, hey, our rates have just gone up to double what they were this morning. >> If they created a scaled system, then, yes, they could do that.

>> Tovo: Okay. I guess -- I guess, then, I mean from what I'm understanding, we really are moving to a system of dynamic pricing with cabs in the same way that tncs do. I mean, it sounds like there are some measures they have to take, but you could take a cab -- I could take atx co-op this morning, pay one rate, and this evening if I'm going out in the evening, pay a different rate. That is the new system. >> True. Yes. >> That is what we're recommending, yes. >> Tovo: Okay. That's -- okay. Thank you. >> Mayor Adler: Anything else on this? >> Casar: Mayor, thanks to the staff for having worked so closely with my staff to address some of the concerns I brought up last time, so I'm pretty comfortable on all three readings, pending hearing anything else or things from my colleagues. One change that I still had left from last time was that for rideshare companies, you can have a hatchback or you can have a truck, as long as you've got a back seat that people can sit in, as long as there's three doors, I feel like since we're aligning those things up, I still haven't quite heard an objection as to why we couldn't allow cabs to also be a hatchback or auto -- or truck, as long as they have three doors. Is there a specific reason? >> I don't have any objection as long as the vehicle has at least three doors to load and unload

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from. We are okay with that, as far as a safety standpoint. >> Casar: Okay. If we move forward on Thursday, I'll bring that forward, and I know we've worked hard at this, and if folks still have concerns on the fares thing, then I'm okay with us working on it, but I just wanted to speak up because last work session, I had, like, six or seven moments, and now those have largely been addressed with this one as well. >> Yes. And thank you for that. >> Tovo: I have to just go back to this point about fluctuating fares. I don't want to say I'm very supportive of trying to equalize the playing field and trying to support -- to support our cab drivers and continuing to make a living here in the city of Austin. Have there been any studies looking at Atlanta to see how it impacts users of cabs? You know, we do have people who rely on cab transport for medical appointments and other things, and for a they're now subject to a system where those rates fluctuate, you know, we're -- >> I'm not aware of any post-studies of Atlanta unless there were some done internally but I will delta that direction. >> Tovo: I'd be interested in knowing that. When we had these conversations, there was an interest in continuing to, you know, maintain that kind of base service of cabs because they do provide, you know, consistent service for people who need it and can't -- and can't be subject to the whims of the marketplace for that kind of transportation, so I have some -- I have? Reservations about this. What will be our ongoing valuation process? Particularly looking at the rate, this new rate change? >> I think as with any ordinance, we have our normal cadence that we follow as a city, that we were planning to use. You know, related to how we can bring about -- ensure a level of equity, especially to the low- to moderate-income folks who need to

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utilize this service more and more every day. I'm seeing different ways where transit share cards are being used to offset some of that cost so if you're a transit user, there's ways through different public/private partnerships to create an offset or subsidize other tnc or taxi rides. So there's one option

that we could look at as far as the future. >> Tovo: You're seeing that in Austin or in other places? >> In other places. >> Tovo: Uh-huh. >> But in the meantime, I think it's very important that we at least begin to -- from a rules perspective -- kind of get the taxi franchise figured out. Right? We need to figure out what direction we're moving in. Are we going to allow the -- the items to be removed from the franchise agreement so that they can operate at a lower cost as a business and ultimately if they're operating -- if businesses are operating at a lower cost, the understanding is at least that those costs will be passed down to driver as well as passenger. >> And I think it would be also beneficial to, of course, monitor after any decision is made, to monitor the taxicab industry as well as any complaints that we may receive from the people of Austin and address those accordingly, and watch and see -- if these fair rates -- flexible fair rates are put in place and the council decides to go with our recommends, we would definitely be monitoring that, and we could report back to council on how things are going in, say, a couple of months, three months perhaps. >> Tovo: I think that would be important. That's a good suggestion. >> Yeah. I'd be more than happy to do that and check the market as it goes and report back in whatever intervals you would recommend. >> I would really like for the market to inform us of what that

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is rather than us arbitrarily setting a floor and ceiling. If that's really the course that we want to take let's try this and understand what the market will bear, what free enterprise says that we should do before we try to create something. >> We do have some similar examples here in Austin, operating already with our other ground transportation services such as the shuttle services and the electric low-speed vehicles. We haven't had any restrictions on pricing, but are still offering well-priced rides. >> Tovo: Okay. Thank you. >> Mayor Adler: Ms. Houston. >> Houston: One last question. You mentioned the electric vehicles. We had a locally-owned source company here in town, electric cab company. Are they in the market now, or -- >> They are one of the electric low-speed vehicle operators that Jacob mentioned before. >> Houston: They are. I just wanted to make sure because for a while they had to go outside of the state to -- >> Oh, yes. >> Houston: -- To operate and -- >> We're very happy with that particular vendor and what they're doing in town. >> Houston: Thank you. >> Very supportive. >> Mayor Adler: All right. Let's go ahead to the next item. Thank you very much. >> Thank you. >> Mayor Adler: Alison, you pulled 58? >> Alter: 54 -- 58, yeah. So 58 is committee appointments. And as you'll recall, in may of this year, we passed a change to our city council committee process for membership, and in order to be placed on a committee, the council needs to discuss it at work session, then it gets filed with the clerk, I guess. And since Ms. Troxclair is, as far as I can tell, more or less back from her leave, then I -- my

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appointment on the audit and finance was, I think, temporary while she was leave, and I would like to be formally appointed to audit and finance as the fifth member. So I think the formal process, as we're

assigning the committees and we would still be under five, would be to bring it to the body at work session and see if there are any objections to my being appointed officially to audit and finance as the fifth member. >> Mayor Adler: That's my understanding of the rule as well. We pulled it to take a look eight, and I think you've on audit and finance and working really hard so I'd support that. Maybe having - if there's discussion here to let you -- no one has any objection or otherwise, maybe put it on the agenda for this item 56 so that the council takes that action -- >> Alter: Sure. >> Mayor Adler: -- On Thursday, but it's something that I would support. Jimmy? >> Flannigan: I can't clearly recall that conversation. Did we decide that we wanted to have more than four people be on council committee? >> Alter: I can -- I have one copy over here. The way that it says was, each committee of the council shall consist of three to five councilmembers. >> Flannigan: Okay. >> Alter: For each council committee the mayor shall designate a chair and vice chair. Council may consider change to committee membership at any council work session. >> Flannigan: Okay. >> Mayor Adler: It envisioned the paragraph we would sit at the beginning of the year and kind of map out generally, but if there were changes during the course of the year, the way to do that raise it at a work session, for discussion. >> Alter: And the other relevant provision is immediately following the work session when councilmembers select committees, or when there are changes made to membership, the mayor shall file change with each council committee with each city clerk. I'm totally fine with putting it forward on Thursday.

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>> Mayor Adler: I would say also with respect to this item number 58 that's been pulled, I've handed out a resume of Ms. Flores. I put her up to fill my vacancy on the planning commission and because it was the planning commission, I wanted to hand out her resume so people could see it. She's currently on the zap commission so people will know who she is in the community. Yes, Ann? >> Kitchen: I think this is great, handing out the resume, and I think it fulfills the -- I just want to do remind you that we passed a resolution that said a process for appointing the planning commission members, and that process, I'm unclear as to whether the clerk has put it in place yet, but it basically involved giving us this kind of information. But I think that perhaps just to be technically following that process, we might want the -- we might just need to check with the clerk to see if she set that process in place. >> Mayor Adler: Okay. I know it's a meeting right now, and I know I have a vacant spot in it, so -- no, no I'm saying we can go back and take a look at that, too. >> Kitchen: No, I'm fine with it. All that process did was say there would be a form that would be completed that would have the background information of the person. So it seems to me that this would fit that and that the clerk would then distribute it so... >> Mayor Adler: Okay. And if the clerk could go ahead and add this to backup for this item, I think that would be good. Okay? >> Will do. >> Mayor Adler: Yes. Great. Thank you. Okay? Next pulled item is item -- >> Houston: I'm sorry, mayor. I had another question. >> Mayor Adler: Uh-huh. >> Houston: So we're having a problem now about the number of industry professionals on the planning commission. Right? In your opinion, are we adding

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yet another professional? >> Mayor Adler: In my opinion, we're not adding any of the professionals or expertise that were called out in the charter. She doesn't do real estate, she doesn't invest in real estate. She doesn't develop real estate. So I don't -- she works for the state, as opposed to a private investor. So this, I think, takes a person who was in that category, who has since resigned, Steve Allor, and replaces him with someone who I think is not in that category. That was my intent. >> Houston: Thank you. >> Mayor Adler: Okay. Ann. >> Kitchen: So I just wanted to check on the process. So -- and I haven't looked closely at what item 58 says, but -- so I'm interested in being appointed to the housing committee as the fifth person, so I don't know if there's a process for amending this particular one or bringing forward a separate one, so -- >> Mayor Adler: So 58, the only thing that we have to amend is just a list of names that we see. >> Kitchen: Oh, I see. >> Mayor Adler: So I think you giving rise to it today at the work session is what I think the rule called for. >> Kitchen: Okay. >> Mayor Adler: So having now had that and the opportunity to discuss that, you can certainly put your name up. Tell the clerk. Okay? All right. That pulls up then item number 60, so we'll call up 60 and 64, mckalla place soccer stuff. Councilmember pool spoke to those this morning. Does anybody else want to address these two items now? Ms. Houston? >> Houston: There's also a 1:30 now. >> Mayor Adler: There is, but really we can't talk about 130 because it hasn't been posted for 72 hours, but there's certainly not a conversation we couldn't have about 64 that wouldn't be

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germane. So we're talking about 60 and 64, but you're not limited on anything you want to talk about. >> Houston: Only to say that there was another one. >> Mayor Adler: There is. In the addendum, there's item number 130, which would be called. I will call 60 and 130 together on Thursday. Alison. >> Alter: I had requested an executive session, given that Ms. Pool is not here, in the interest of time, we can do that on Thursday, and if I decide that I don't need that, I will, I guess, let the mayor -- >> Mayor Adler: Okay. If you'd put that on the notice, that would be helpful, both 60 -- >> Alter: And I think that's both our real estate and legal. >> Mayor Adler: Okay. >> Alter: That I'm interested in. >> Mayor Adler: So he let's pull in both those and identify it as 60, 64, and 130. Does anybody want to address these? Yes, mayor pro tem. >> Tovo: I just wanted to signal that I'll be posting a revised draft and we'll try to get that up pretty soon. I wanted to see if there's any feedback or any suggestions on what others would want to see in this resolution. Councilmember Garza has provided some great suggestions, and that language will be included and we had a couple wording changes. I'm just trying to glance over to provide some information about what those changes will be. And then one thing I neglected to include in item 60 is something I think I talked about when we -- either when we talked about it at work session as well as some of the interviews. This was a site that was identified as a possibility for affordable housing, and having long, long, long sought to see a project move forward on

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city-owned land, it's really important to me that we get that moving -- that we get a project on city-owned land moving forward quickly, a project to create affordable housing on city-owned land moving forward quickly. I know we had talked as a council about coming back on June and hearing another update from real estate, and I guess because of the schedule we're not doing that. But again, I'm really interested, and I know -- and have brought forward multiple resolutions now, and I know the community has been talking about using city-owned land for affordable housing for a long, long time. I think it's critical if we pass a resolution to move forward and consider McKalla for a possible soccer stadium, that we also make a commitment to the community that we're going to move forward with some haste with one of the -- our other sites and see what possibilities for affordable housing we have on those. And, you know, a couple that spring to mind -- the one that springs to mind for me which would be my top pick would be HealthSouth. There are obviously some others that the staff have identified as good possibilities, but my intent, and didn't get reflected in 60, but is reflected in 130, again, is to provide direction to the staff that if this passes, please come back with -- with a process for getting moving on X tract, so that we could really have some definitive answers for the community about what our first affordable housing on city-owned land is going to be, and we have begun, and we have a timeline and we're off and launched on that process. >> Mayor Adler: Okay. Thank you. >> Tovo: I also -- can I mention one more thing? >> Mayor Adler: Yeah, yeah. >> Tovo: I've also heard requests that if -- I've also heard requests for more community engagement on the topic, and so I probably will also add a bullet to this to ask if this passes, that there be some -- another community meeting at least to solicit ideas about what an

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agreement with PSD would look like. So to inform -- if this passes to inform the contract negotiations. >> Mayor Adler: Okay. Ann. >> Kitchen: Just a question. So you were talking about, mayor pro tem, about a few additional bullets you might be adding? Is that what you're saying? Then you might post it as backup? Is that what I heard you say? >> Tovo: Yes. And councilmember Garza, I don't know if you want to jump in and talk about -- yes. In essence, yes. There are some additional ones, like the comments that councilmember Garza provided. >> Kitchen: Okay. >> Tovo: And a couple things here and there, so we'll get that posted as soon as we can. I was waiting because I thought there might be some suggestions and I wanted to incorporate them all. >> Kitchen: Okay. I have a question for you then. >> Tovo: Sure. >> Kitchen: I remember that when we talked about -- I guess at the last meeting we had, we had some conversation about, you know, the whole question of what happens if -- you know, what happens if the company tries to relocate, what happens if they have a successor, what if they sell, those kinds of things. So I know we have one -- that you've got one bullet here, and I'm just wondering if you might consider making it a little broader or maybe adding another bullet. You've got the one that says through financial penalties restrict PSD, may enable from MLS from relocating. I was thinking you might add another bullet that says the kinds of things I think are standard language in contracts, but basically you have to foresee any kinds of things that might happen to make sure that the original deal is kept. So I might propose some language to you to that effect. I'm sorry I'm not being very clear. >> Tovo: No, I think I understand what you're saying. I would say let me be really clear, this is not -- these are not the only items that I would

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anticipate the city of Austin would negotiate for these, they're just some items I thought were reflective of community concerns and requests and Austin values. And I would say we worked closely with law and tried -- and so some of that will be a conversation, I think, for executive session about -- >> Kitchen: Okay. >> Tovo: -- How we're to proceed so some of those, but I'm absolutely -- I guess my intent is to make sure that the city of Austin outlines clearly some of -- that we as a council outline, you know, some of the elements that our legal department or others who might be involved in such a negotiation wouldn't consider. We can definitely talk more about that. >> Kitchen: Okay. Then related to that, the other question I've heard -- for example, there's language in here about construction and development of the stadium, but I'm not seeing language about maintenance of the stadium. So those kinds of things. >> Tovo: Yeah. Definitely. We would -- I think that's a good suggestion. >> Kitchen: Okay. >> Tovo: My intent -- and I may need to rephrase some of this if case it's not clear, so I would appreciate if there are points of confusion about who is being directed to do this, my intent is to make it really clear that some of these expenses -- well, any of the expenses noted -- for example, fully fund -- I'm sorry that one is an additional -- my intent is that the maintenance and operations and infrastructure and other things that have been discussed would be -- would be the responsibility of psv, not the city of Austin. >> Kitchen: Okay. >> Tovo: So if it's not clear that -- operations, you said, or maintenance? >> Kitchen: I was asking about maintenance, but the two go hand in hand, I think. >> Tovo: Yeah. We can certainly clarify that. >> Mayor Adler: Okay. Anything else on this item?

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Councilmember Garza. >> Garza: This is a question for staff. I've heard -- you know, I've heard different concerns from the community. I've heard that they are -- these are mutually exclusive, I've heard they're complementary. One seems -- calls for a broader rfp process, where one specifically says go negotiate with psv. So I was just curious what your thoughts are on -- on -- if both of these passed, what would be the path forward. >> Rebecca Geal, interim director environmental department. We're evaluating that question ourselves. We want to be very careful as to not confuse how staff would actually mechanically go about being responsive to a direction that provided two potential courses of action laying down actions on two different kind of pathways. So in talking to the team, it certainly is a custom to working across, you know, multidisciplinary on requests for proposals. There is some concern around a timeline and potentially how that could be executed, while recognizing that a very specific action related to one singular more transaction with one entity. We are working through our concerns, but we have noted several. I want to be very careful not to say that we don't agree currently that there -- they're not complementary. We are not seeing it currently, however. >> Garza: You're not seeing that

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they are. >> We're not seeing how executing two directions serve a complementary outcome. >> Garza: Okay. I appreciate that. Did you want to add something? >> Particularly given the timeline, the economic development department has substantial experience doing competitive solicitations for land and property, and the more mindful and thoughtful a time invested in forming up the solicitation, the better the quality of the proposals. Something to be done in a month, we don't know if it's even technically feasible, but I just want to say that certainly we have anticipated, even in a presentation on March 6th, about competitively positioning other properties that have been designated by council for competitive processes, and we look forward to that. >> Garza: Okay. And could you -- since the lead sponsor is not here, maybe any of her co-sponsors could answer this. I'm trying to understand, I guess, the difference in -- because, you know, when you -- I don't know which staff department brought back the -- there were five options, I think. I can't remember, when we initially asked for -- give us some options for a soccer stadium, and there were some -- how is 60 different than -- because it was my understanding staff did a, you know, assessment of these are good places -- or these could be good places for this soccer purpose because, you know, some kind of analysis was done, what would be different in what 60 asks for? Is it the actual open solicitation -- open bid, as opposed to just a staff assessment? >> I would defer to any of the sponsors, but that -- I think the difference is that it is -- as I understand it, it would be directing us to move into a competitive process. I want to be clear, I feel like

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staff has received that direction already through multiple previous resolutions. You know, we've done that tally just to be sure that I, you know, had access to all of the prior council directions provided to staff. It's been, I think, to some councilmembers' points a longstanding -- well, concern, highlighted actually in the 6th meeting, March 6th meeting. We feel we have quite a number of resolutions providing us to move forward with a competitive request for proposal process, so I do defer to any of the sponsors who would distinguish anything that we would know outside of what we've already received from council. >> Garza: Okay. Thank you. >> Mayor Adler: Alison. >> Alter: I don't want to speak for Ms. Pool, but I believe earlier in the day she clarified that the resolution that is in the backup asks for -- is directed to solicit plans for development. It does not say request for proposals. >> I understand. So. >> Alter: I think there are some nuances there that would allow us to have the information that we need and that the community needs to be able to make an informed decision on evaluating the choice of what would be the best use for that land moving forward. And she clarified that this morning, and I look forward to hearing what you guys say is possible in that regard. But I think I'm uncomfortable to speak for her, with her not -- not being here. I think that, you know, you do already have instruction on

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competitive processes, as I understand, was just what you explained. So it would be nice if those were -- that direction was followed as well. Do we have proposals available? You know, it would be -- let me put it this way. If we could have some of those proposals back, whether they're as formally tied up in a bow as an rfp, by the time a proposal came back from psv or any negotiated agreement, that would help us to be able to understand what our choices are in this decision. And I think that there are people in the community who are developers who are prepared to put something forward that would be more concrete than what we have seen at this point that would allow us to make better decisions. >> I think that it is in certainly staff's interest to position the council to make the best decision. We need to work, obviously, within the construct that's recommended, so, again, we're exploring what that can be to be responsive to item 60. Currently, right now, we're exploring what those avenues would be. >> Alter: I appreciate that and look forward to hearing it. I have not had a chance to fully review what's in 130 versus 64, but there are a couple of things that I'm not sure the language changed so what format it would need to go. I'm interested in making sure that council has an opportunity to view the financials of psv if we were to be moving forward with this. If you were part of the Texas enterprise program that gets incentives from the state, you have to provide three years of your financials. I would assume that staff is going to be reviewing that, but I would like for council to be able to look at those financials moving forward with this opportunity creates substantial

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potential liabilities, and they need to be able to afford to build the stadium and as part of our fiduciary duty to be able to review those materials and I'm not sure what the exact perfect language would be, but I would like that to be something they come back to us with an opportunity to review in making the decision. And I would like there to be a lot of clarity about any liabilities that would be falling to the city with respect to situations where they were not financially able to meet their obligations on the debt that they would be issuing with respect to the stadium and other kinds of things. As I understand this deal, they're proposing at the -- the current draft is that they would be handing the stadium over to us and then leasing it back, but then leaves us with owning the stadium and potential liabilities. The stadium is not going to last the full 80 years, and who destroys it at the end? I mean, there's a lot of potential liabilities that I think need to be clarified through that process. >> Mayor Adler: Mayor pro tem then Jimmy -- >> Mayor Adler: If I could just very quickly respond to that. So again, you know, I -- and I've had this conversation with our city manager. I would never expect for our city to enter into any contract without making sure that they are investigating the fiscal soundness of any potential partner or making sure that the city is protected against, you know, any -- any liabilities. So I mean, I haven't included any of those kinds of things in there because I just trust that the city and our attorneys would absolutely never -- never contemplate entering into a negotiation without that in mind. So I've really tried to highlight in here things that I didn't think would necessarily be top of mind, like we should have a zero

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waste, net water -- things that are beyond -- I'm happy to include that language. I would suggest that we -- I think all of that's fine, I just don't want anybody to think that because we -- because we've called out, you know, investigating the fiscal soundness that we're -- and we didn't mention something else that we don't care about those other issues. These are really just -- these are just a very select, highlighted items that we -- that the sponsors and I want to do bring forward but there's certainly not an exclusive list of things that should be considered in a contract. And what I think you asked about what is different in 130, it includes the provision regarding moving forward on that affordable housing solicitation, and it corrects a typo in zero waste. I had said net positive energy when I meant zero energy and net positive water, so it was a typo, but there will be other changes in the revised backup. >> Alter: Thank you. I appreciate this is bringing forward what the group of sponsors wanted to see, and work session is an opportunity for the rest of us to suggest some other things and the people who are here on staff were not involved with some of the agreements and settlements that I've had to deal with in my district, and I am skeptical until proven otherwise, regardless, just because I've seen some things that did happen in the past with the city, not necessarily in the same circumstance, and I don't think we would be making the same agreements today. And so I think that information is important to know, and we need to make sure that we don't -- if we are under time pressure, that we have clarity in the information we need to make a decision in a timely manner if we're forced to make a decision in a timely manner. >> Tovo: Yeah. Again, that was one reason I've held off distributing a revised

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draft because I knew there would be suggestions and I wanted to be able to incorporate them. But I really think it's important that our city manager know, just because doesn't it appear in a bulleted list, doesn't mean those things are not important. >> Mayor Adler: Jimmy. >> Flannigan: A couple of questions. Is there -- this is for staff. Is there something about the mckalla site that makes it more or less appropriate for kind of this open solicitation for development plans? Was that the phrase, solicitation for development plans? I know it's not rfp now, it's -- solicit -- whatever the solicitation is, is there something about the site that makes it more appropriate for that process, compared to other sites? I mean, there's even other sites that were ae sites that -- like the land by the crestview station, for example. Is there a reason why we wouldn't have followed that process for other sites? >> Not more appropriate, no, sir. >> Flannigan: Okay. >> It would be -- should the council not move forward with negotiating a very specific opportunity with psv as noted, and the council -- item from council, it would be the default activity of the economic development team to treat that site as others. You know, one of the things -- and, you know, if I may just offer up just a little bit of history, having worked in the space of real estate for over a decade now in the affordable housing realm, you know, as I sat and looked at the work session in March, I took very seriously the -- seemingly the frustration that I felt council was expressing as to a lack of action on a number of resolutions. One of the first that the team did is we went back and we looked at those resolutions and we created a list.

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There's 14 resolution that's began in 2012 providing council very specific direction around city-owned land. And so Christine, heading up the redevelopment services team, has been working on that portfolio approach, which is one of the 14 resolutions, to bring forward very concrete actions, a disposition strategy that provides you all a very comprehensive approach to all of the tracts. There's 14, now 13 with the recent action of the winnebago tract so that you can very clearly see what we're doing across the entire spectrum of these parcels, why, when we are doing what we're doing, we're in the middle of identifying a website to give you a progress report every single quarter or every single month to give you an update is to what we're doing on that site, transaction by transaction. I can tell you I'm taking my role in the economic development department very seriously in listening to how we can alleviate frustration. And I will say that the clarity for us to follow your direction and the clarity that we need now to stay on course is crucial. And I really just note that because, you know, we are strapped from a resource standpoint and redevelopment services. We've got amazing people that can work across the entire department, as well as, you know, the 20 departments necessary, that clarity and direction is going to be what we are going to want to provide to you all, and that's going to take keen direction to staff, preferably on Thursday. >> Another thing I'd like to say in addition to that and just listening to the conversation from council, it's enabling, as the council has asked, is being

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able to make a solid comparison between different -- very different land uses. And just from the conversation I've heard about the level of due diligence needed for the psv proposal, to ask the private sector to respond to what really is a very -- it's a developable 24-acre piece of land to come up with -- it's not a request for proposals, but any kind of proposals that allows the various type of due diligence to do, and do it in a respectful way that provides council that information, I will say that in the redevelopment department, for projects like green water, Seaholm, clear water -- other projects in our portfolio, it is usually taken, minimum, six to eight months to formally craft and get on the street a formal proposals that enables us to get very detailed information back to do a good amount of due diligence in dotting all the I's and crossing all the T's. I know that is not what we're talking about here, but for council to clearly articulate what kind of north star you would like, other than a qualitative soccer versus mixed use development, I think that would be helpful so that we can clearly articulate to the private sector, who's going to have to drop down and turn something around and spend some money on some due diligence with very little time, I think will be very important. So I just want to echo Rebecca giallo's things, articulating the north star for whatever kind of solicitation, if it is not part of our formal process I think would be very helpful. >> Flannigan: I think that's one of the things I'm struggling with is how we appropriately measure the opportunity cost of the decisions. And, you know, councilmember kitchen, you and I kind of had

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that acknowledgment between each other at the last work session. And there's a lot of -- there have been folks in the community that have suggested, well, you should -- why would you do this? You should just sell the land. I have to keep reminding them, we have a policy not to do that not sell our lands. If not formal, it's certainly our practice. I'm hoping to see at whatever point in this process -- I'll address that in a minute -- not necessarily a comparison with a specific development proposal for the very reasons you outlined. That is a pretty big lift to procure in short order. But even roughly what the impact of high-level, different ties of things might be, impact to the tax rolls, impact to our strategic outcomes. That would be useful for me. And then, mayor pro tem, something you and I talked about in the last work session about acknowledging that there are a lot of sites where things can be built and we haven't built them, and the frustration that you noted is, I think, shared by a number of us. The crestview is one, it's right by the station that's already built. It's hard to imagine a more perfect location for affordable housing and you couldn't build a stadium there. Understanding the opportunity costs, not at the architectural drawing level, but just at the kind of high-level rough approximation of what different types of things would be, which I hope is not too big of an ask, because I also don't want to overburden the staff. And then the other thing that I think is important, and I'm sure many of us will reiterate on Thursday, is that we are not making a final decision this week. And that's -- it's so important because the proposal that I received in my office is not one I would approve on its face. It is not a best and final offer. It is certainly a first offer. I think it's worth finding out

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what that final offer is going to look like. I really want to thank the mayor pro tem for bullet-listing, but then also acknowledging that, you know, this is not a comprehensive list. Maybe in executive session we have a conversation about however that evolves. It's not entirely clear what our role should be, that's the weird manager/council thing that we always have to dance around, because I don't have a laundry list of things I'm specifically looking for. I think when we measure the use of our public land, it's about the community benefit, and I think about you build a stadium and it's going to be a soccer game 20 days a year, that's 325 days a year when it's not a soccer game. So what does that mean? And better understanding what that level of access would be. Then I completely concur with councilmember alter. There's a lot of obtain questions, and I want to see some hard financials, and I want to know the long-term risks. And we don't often -- let me reframe that. I have found that at times decisions are made by the council that don't take the long-term view, and not necessarily thisouil, but certainly councils in the past. I want to make sure that if there's an agreement in it that says 80 years, that we're thinking about the 79th year, not just the second and third year. There are a lot of questions to be answered, so I'm hopeful that the community will not see Thursday as a final step over which to get frustrated or celebrate, but as the next step in order to get all these very important questions answered. >> Mayor Adler: Delia. >> Garza: I was just reading 60 again, and I know if any co-sponsors want to chime in I know she's not here, but mckalla place, including both sports stadium plans, there are a variety of professional sports,

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there's basketball, baseball, there's -- was that left intentionally vague so it wasn't a kind of endorsement for soccer? Are we asking staff to literally go solicit every single professional sports team and ask them to submit a proposal? And then -- so I guess no one can really answer that question, since councilmember pool is not here. And then could you talk about the cost of what it costs to -- because I always try to be practical and realistic about intentions and what exactly we're doing here. And it feels like we are -- this has become what the debate to the public is. Do you want soccer or do you not? That's what -- it feels like it really boils down to that here. Or do you want to incentivize the soccer deal? And I'm just wondering, is this -- the purpose of the exercise here, what it would cost someone to present this proposal. I mean, it's an extensive process. You guys know that more than I do. You have to go look for investors, you have to create the pro Forma, you have to do -- what's it called? -- The drawing or whatever, the visual. What does that cost to ask for that? It's such a broad -- you know, very broad and general way. With no specifics, just show us how to develop this giant -- this 24 acres. >> And this is kind of, again where the transaction focus in me really kind of drills down and does get into the weeds because

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one of the concerns when we -- a development, putting out a solicitation on our city-owned land, we don't want tire kickers. If we negotiate, we're taking off this opportunity for everybody, and that has a value. And so in recognizing that, it is not a surprise that for some of our -- our smaller mixed-use projects, that you can be in at least a hundred thousand, plus, doing architectural, engineering, site due diligence, financial forecasting and financial feasibility in houses, and you've gotten a little bit of shopping of the partners. Signed just being really realistic, that will not be -- I mean it is hard to imagine to get something out, but we're going to work on a timeline of what's realistic, but it takes the private sector a good bit of time to really get something concrete that they're willing to enter in and go hard on like an Ena. Though if that is not what we're talking about, it will be helpful to know how many steps back do you want staff to attain from the private sector, knowing that given the level of time frame to have a private developer engage an architect, do the preliminary engineering, that probably won't happen by August. >> Garza: I guess I'm less concerned so much about the timeline, but more if this does -- I guess this is more, I guess, a policy question. If this does boil down to -- are we -- is there support on this council to -- to go forward with the soccer stadium, which is a very unique opportunity that I'm supportive of, if that is, in fact, the case, are we asking

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these nonprofits to spend -- go out and spend \$100,000 just because we -- I mean, in my opinion, slow this down so it doesn't happen? I mean, I'm just trying to be fair to the people that we are going to be

soliciting this out, to go -- go figure it out and spend \$100,000. And, if at the end of the day, again, just try to be realistic, there's six votes to go forward with the deal with professional soccer, I just think that that's not a good path to go down, to simply be doing this because we may be opposed to professional soccer. And I'll just add, on -- you know, I think it's unfortunate that this has been characterized in very, in my opinion, unfair, different kinds of ways, but that's politics, and, you know, we all knew that coming into this job. But for me, I -- you know, I don't -- I want to see the details. I want to see the details of what psv will bring forward. I will not vote for something at the end that I do not -- that I do not think brings significant community benefits, significant, specific programs to -- soccer programs that we have now for our youth, specific programs to -- you know, a scholarship fund for parks & rec to add capacity to our soccer programs, very specific things, specific understanding of encouraging multimodal use of our -- of austinites to, you know, use the bus, specific things to use it for when it's not being used as a soccer stadium, I will not support the end deal. But I do believe we have a really amazing opportunity to bring a professional sports team here to Austin, and growing up in

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San Antonio, you know, I think that's a really cool thing about the spurs, is that the poorest of the poor and the richest of the rich, everybody loves the spurs. It's this thing that really unites the community. It's awesome driving downtown when they're in the playoffs and all the buildings have "Go spurs go." I mean, it really is a very uniting thing. And I think it's something really cool that we can do. So I really hope we don't try to stall this process and cost -- and ask nonprofits to spend a lot of money on an rfp process when, at the end of the day, we may just go forward with the sports thing, either. We all support affordable housing. We all support community benefits, and so -- yeah. That's it. >> Mayor Adler: So I just wanted to add my thought on that, too, because I agree with what you just said. I think you've addressed a lot of key points that I hope serve as part of the negotiation process. I like the ones that have been added. I like using this as yet another instrument or tool to try to jump-start really getting some of our land put to an affordable housing use that's available to that. I think that the article that was published by four of my colleagues that talked about things that you wanted to see, have in the deal, I thought was a real constructive piece to write and to get out into the domain as well. At the end of the day, I come down to thinking that this is a really unique opportunity. It would serve our community widely really well, for the reasons, Delia, that you gave. You know, when we pick a piece of government public, publicly owned

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property as Jimmy was saying, we put to it a public use, as opposed to selling it, as is our practice. We're trying to meet a community benefit or community need when we did the library, on the tract we did the library on an incredibly valuable tract, but I don't remember an analysis done of what we would be able to do if we put that to a mixed use development, which would have been of extraordinary value. We didn't do that because a library was a really important thing for us to have, and now there are thousands

of people a day that are going to the library. When we did the long center -- and put that up to lease, a long-term lease, for somebody else to raise the money to build the long center, I don't remember the analysis of what we would turn that into, a mixed use development, we didn't do that because we wanted to have a performing arts center in the city. And soccer has the potential, has the professional team to bring together all parts of our community in ways we don't gather now. And as was noted by four of my colleagues in the piece they wrote, we're the number two TV market for world cup soccer. But that's not new. We were one or two back at the last one, and the one before that. We've always been that. So I recognize different us on the council will be different with different levels of information. For comfort. And I think it's good for people to try to get as much as they can here. But at this point I know that if we put it to a mixed-use development we could generate a lot more money, property tax and otherwise. I know if we put it to an affordable housing use we'll generate less money than this will because affordable housing won't generate any sales tax. These generate sales tax. I know those things. And if it's 22 million or 26 million is not relevant to me in the context of what is the -- what has to be decided.

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I have enough information at this point to know that I'm in favor of seeing if we can negotiate a deal that is good. And if we can negotiate a deal that is good and serves the community, then I would be ready to do that deal. I have the same reservations my colleagues had to make sure it is in fact the best deal and it has the elements that we want to have and you'll have, you know, 45 days or whatever it is to determine whether or not you can come up with a deal point thing that meets that. You know, and maybe in the middle of that creating an opportunity for the public to be able to weigh in at some point in July. But I think that this is a really good use of public land, and this particular piece of public land is uniquely situated to this particular community benefit. So I'm really comfortable with the -- resolution 64 as is being changed in the addendum to move forward with it. Allison? >> Alter: So I want to clarify that the sponsors of 60 are not saying that we are opposed to soccer. This for us is about due diligence of how we're using our city resources. I went to the gracywoods neighborhood association meeting and I heard two for-profit developers present their positions that they could provide us with information, already they have their diagrams, one had been working for 18 months with our staff to provide a development at mckalla place which they know well because they have a building they're building right next to it they already orientation they already have as much information as we have gotten from psv

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together and they could share that and they would be in a position to do that if they're invited to provide that information to the city. They are talking -- they're not a nonprofit that is going to invest the money. They have already as for-profit developers been eyeing that site and invested hundreds of thousands if not a million dollars in that development opportunity for that site, which is a transit-oriented area if you can move the train. There is a second one. If you didn't -- there was a second one

who didn't have quite as fancy as plans but as much as psv has provided us together for that site and they have formally submitted, you know, an unsolicited belt of information to the city. We as a city -- these are real proposals. As real as the psv one is, and you can question both of them if you want. But we have a fiduciary duty, we have a responsibility, we have laid out a strategic plan and we need to know what the opportunity costs are. I'm not sure -- I mean, if -- I couldn't accept the psv offer as it was put forward. To me that is corporate welfare. There's a difference between what we did investing in the library, investing in the long center. This is handing over the keys to our public land to a corporation with no revenue sharing, with having to cover all of the infrastructure costs. We can love soccer all we want, but we have to bear a lot of costs and we need to know what those are. And there are all those things where we could be using that that might be better for the city. That doesn't mean that a professional soccer team might be a benefit to the city. But we need to answer all of those kinds of questions,

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and we need to go in with open eyes if we're going to annual basis of tax revenue, not just for ourselves but also for the county and the school district and for central health and for ACC. We need to know what we're getting in return, and it needs to be a solid deal and it has to be a stadium that's going stay there and a team that is committed to be part of who we are in Austin. There are plenty of stadium examples in the country where cities have gotten screwed because they didn't do all of the due diligence along the way. Even the spurs do not play in the alamodome anymore and it costs San Antonio millions and dollars of dollars. We do need to have open eyes. We can go in and want a soccer stadium, want the soccer team and that is perfectly valid and that can bring many things to our community but we as the council have to think about all these other things and the costs that we may be imposing on generations to come. And I believe Ms. Pool is trying to come back for this conversation. I don't know exactly when she's going to arrive. >> Mayor Adler: [Off mic] >> Tovo: Quickly. So we have an opportunity to talk about the proposal a lit bit in our last work session, and I agree with multiple points you've raised just now and probably all of the points that were in the article which I hadn't seen until just this minute. You know, that's one of the reasons -- I mean, the proposal that psv presented did not have revenue sharing. It had the city paying a lot of infrastructure costs. I want to highlight for the public who may be listening that's one of the very specific reasons why the bullet points here address revenue sharing opportunities, they shift requiring psv to pay for the construction development of the stadium and site. I mean, I think -
- I hope that we can really talk

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about -- I just want to make that point, that those are -- I agree with you that those are, in my opinion, not things that the city should be paying for which is why they've been specifically called out in the bullets here. You know, in looking over the perks -- piece, I think what I have heard from our discussions is a lot about the principals the four colleagues have raised, that we would absolutely want to see as much public use of that site as possible and, again, that corresponds to the comments that I brought up

when we reviewed the proposal and also there's a bullet point. And I would just I welcome if the four -- the four of you who prepared the eight principles don't feel these are reflected in the resolution number 1136-64, I'm happy to strengthen the language because this is certainly something I have indicated my past support for and I thought was reflected in what we're considering here. And then I do just have a question and maybe we don't need to answer it today, back to the question about affordable housing, it wasn't clear to me as a sponsor of many of those dozen or so about affordable housing on city land it's not clear to me whether or not you do have -- whether or not the city manager feels empowered to go forward and start an rfp on one of those properties so it would be good to just have clarity around that. In any case, 130 I think provides that so -- but I'm really thrilled to hear about the portfolio approach and I hope we can schedule time maybe in October -- I mean, not October, I did not say October, I really meant August, to have that conversation that we were going to have in June just following up on just what you've described, the redevelopment team and kind of where your work is at crescent where it's going next. That would be really helpful to hear. >> [Off mic] >> Well, mayor pro tem, mayor, on that note you actually -- [indiscernible] Just to get a status update from where we are, following up from our March 6 presentation I know that presentation keeps surfacing

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here in work session room, but that certainly was a conversation we were trying to reframe, framework for approaching these in a multifaceted perspective so you're going to have an update on that and I think that's really important to show that we believe we have direction. In fact we had initially, when we put those five or six opportunity sites on the list, including mckalla place we had a full board on going through the process. I think now with the subsequent direction looking at mckalla for soccer we're in the throes of that. We'll remind the community the report that councilwomen development put out in response didn't really lay out two clear opportunities per the request from the resolution. One for a soccer park with a soccer stadium, with putting some information around that as well as an alternative use which would be mixed-use development so they are out there. I want to reiterate a few things said with Christine, in saying the process to get more information for mixed-use development is thorough. We're not just talking about one site. We're talking about multiple sites throughout the community that we want to follow the same rigorous process through so we'll be working on those. So I do think sitting here and kind of what Rebecca said, we are kind of looking for clarity on which direction to go in. The report was completed on the -- from the previous resolution to go off and work at looking at this as a soccer stadium as the report said or revert back to an rfp process, which we had already laid out. I think having that clarity is good for staff working on things and then a soccer stadium does not work out we'd be able to go back to that process. Then councilmember Garza, on your note about -- your comment about the soliciting proposals from sports league, just to kind of inform council we were able to have a due diligence call with major league soccer last week after this item

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posted, and I can built on comments that have been made. There really is one -- the league really only has one team that is allowed to come to Austin. We don't get to pick a team that comes to here. Through now two resolution processes the city council has identified mckalla place as an opportunity site for that. We don't really see that as a solicitation process. It's more of laying out the things. Then finally, mayor pro tem, to reiterate your points about as we look into negotiating if that is the direction from council, to negotiate with psv, absolutely, all of those other due diligence that we would do on the technical merits and the legal and the financial due diligence, that was something that is kind of -- becomes pastor our rotate negotiations and we take -- rote negotiations and we take that seriously and thank you for additional direction on that. It will be not only the elements in the resolution but our basic ones as well that we will be looking at to come back and negotiate with the city, the city's best foot forward. >> Kitchen: Mr. Mayor, I had my light on. >> Mayor Adler: Mm-hmm. >> Kitchen: So the comment that councilmember pool is back now, so maybe she can step in. But I would just like to give my perspective. I just wanted to point to the q&a that councilmember pool had laid out earlier, and say where I'm coming from. I certainly -- I am interested in and ready to take the next step on the proposal that's been put in front of us from -- on the soccer stadium. I understand, as others have said, that as written today there's a lot of uncertainties and a lot of due diligence and vetting that needs to occur, and that's what I appreciate mayor pro tem bringing that forward in the list of items. At the same time I do not see that as exclusive of a

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process that allows us to consider what else might be in front of us. In terms of the risk that any other entity might take in providing us information, that's their risk, not ours. And, you know, if they don't want to provide us anything, fine. But if they want to, I see no downside to us looking at it. I don't -- I do not think councilmember pool is asking for an rfp process and if she was that would not be something I could support because I don't think it would fit in the time frame. With that said there's a lot of possibilities between an rfp process and simply saying to people if you've got something that you want to propose to us we'll take it. So I'm falling on this side. If you've got something that you want to propose to us, I'll take it, I'll look at it. At the same time I think we can move forward and negotiate. So I hope that you all -- I realize that as staff you absolutely need -- you need to -- you know, you need clarity, you know, as to what that means and so I'm just hoping y'all will sit down with councilmember pool over the next day or so and see if it's possible to get to some clarity on what that means. My interest as a councilmember is simply having all the information in front of me so that I can make the best decision, and in a negotiation process I think that we can negotiate in good faith with mls, with precore, and they can negotiate in good faith with us but we don't know if they're going to get there. We don't know and they don't know until we sit down and do the due diligence so I just can't see any harm, and to my mind there's a lot of

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advantages to us in the role that we're being asked to play to have the information available to us. >> Mayor Adler: Dalia. >> Garza: I was respond to go things I feel like I should respond to. I think it's important when we have this discussion we talk about facts. And with regard to the alamodome, the alamodome wasn't built for the spurs. It was built to get a professional football team there. That's a good example of what you probably shouldn't do, build a stadium trying to attract a team. Then in fact the spurs did get their own stadium and the county paid for it. So I just want to point that tout a previous comment -- that out to a previous comment. I appreciate your perspective, councilmember kitchen, but I don't see how you negotiate in good faith -- how you can be a party that's negotiating in good faith when you know that the other party is still considering other things. The other party, that would mean that the other party is not really negotiating in good faith when the options are still open. When you sit down and you sit at the table with somebody and say, "Okay, let's get to a deal but I'm still considering some other things over here but let's get -- let's see what kind of deal we can get to, we'll just have to agree to disagree -- I know you think differently, but I don't know how you sit down with a party while at the same time saying the door is open for other proposals as well. >> Kitchen: We can agree to disagree. I've done that before. I've seen that done. And I don't see it as a problem, but I understand we may just disagree on that. >> Mayor Adler: Anyone else want to speak on this issue? Leslie? I'm sorry. >> Pool: I zoomed back. So I wanted to draw everybody's attention to the handout that I handed out

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earlier today and the statement that I made earlier today, which goes directly to the concern that I understand now staff is saying about this being an rfp. This is not an rfp. I made that really clear earlier today. And in fact I'll read this to you, would item 60 delay the mckalla place discussions? No. Item 60 would direct city manager to establish a process and time line for submitting proposals on the mckalla place site and presenting them council concurrent with the soccer stadium plan, while my strong preference is to use the city's established request for proposal process on a discussion of this magnitude, I recognize that some of my colleagues are concerned about the length of a full rfp process and that that may affect soccer stadium conversations. And I don't wish to do that. So I have addressed those concerns by instead directing the city manager to establish a complementary process and time line and present all of the plans at the same time. So I don't know what all was said in my absence, but I want to thank the mayor pro tem for being open to considering the constructive amendments to item 130 language, and I mentioned earlier that my colleagues and I will be bringing some to build on the good work that is in item 130. My resolution boils down to whether we think we should have all -- or this issue boils down to whether we think we should have all of the opportunities on the table. And I think we do. I think we need to have all of our options on the table as best we can. And item 60 achieves this. Again, this is not a request for proposal process. In fact there really isn't much of a process in front of us yet. So I wrote this handout that

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I gave to everybody earlier specifically to address the concerns about the time line, and I said earlier that I would be bringing language forward to clarify this even further and at the end of the day I think this puts us in the best negotiating position because if the one party feels like -- like they have a clear field and that we are the only people they are negotiating in, I think that is potentially a weaker position than if we had other options on the table against which they might compete. I think -- I'm not sure that I -- my staff has given me a note here that crestview station may have been raised previously. I didn't hear the comment. But with regard to crestview station and the Austin energy site at Justin lane, I've been working on a resolution related to an rfp for that -- to that site, and Mr. Canally can attest to that because we've worked very closely with his office several months now. Although things like this conversation have delayed that work a bit. I do plan to bring that item forward as well. And as I mentioned previously, we've been working very closely with the neighborhood surrounding Ryan drive, Justin lane in order to assemble all of the concerns and the interests that they would like to have and elements of a project they would like to have at that time site. And all that information is publicly available on the district 7 website. So, again, I think maybe staff may have misconstrued or maybe didn't hear the statements I made earlier or I don't know but this is not an rfp, and if there are concerns about how things work in tandem or integrate and align, I'm -- I'd be really happy to work with staff on that but I think

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that concern should have been brought to me before we came to the work session so I could have addressed a little bit more fully and in a situation that is not quite so stressful because in the end we're all about the right thing for the city, right? We want the right thing for the city. But we have to know what that is. I don't have a level of certainty about that yet, and neither do my residents, my constituency, within whose district this happens to reside and that goes to all the collateral issues that attend to this topic as well. And so I came back because I heard that I was needed. So thank you. And, again, 60 and 130 work great together, and I urge us to look at it that way and move forward with both on Thursday. >> Mayor Adler: Jim. >> Flannigan: I mostly was going to say the thing Delia said. I grew up in San Antonio, and I remember when the whole alamodome conversation -- I can remember my parents talking about it and that very conversation about why would we build a stadium on some unknown promise of an NFL team and then the spurs were never happy being in that facility, it wasn't built for them. There are some stadiums that are multipurpose built, which is now not a thing anybody does because nobody is happy in that scenario. I think about my extended family lives out in the bay area and the stadium that the Oakland a's and raiders play in is a convertible football and it's a complete mess of a stadium. So, yeah, the alamodome is a tricky comparison. I think, councilmember Garza, your point is maybe that's an example of how you don't initiate that although I think there are plenty of defenders of the alamodome in San Antonio so I don't want to have a whole knew constituency blowing up my Twitter feed on that either.

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>> Mayor Adler: Move on to the next thing? Ms. Houston. >> Houston: Mayor. One of the good things about this conversation is everybody knows what our concerns are, and as councilmember pool stated, this is what's best for Austin, all of Austin, and making sure that the people in district 7 get something where people are investing in the community and not giving away the farm. And I think that's all anybody is trying to do, is make sure we're not giving away the farm, because in ten years we could be Columbus and they've gone and moved someplace else. I think it's just due diligence on the part of those of us who are concerned that both Precourt and the other people understand what some of the community benefits are to some of the people who sit on this council. >> Mayor Adler: Okay. Mayor pro tem, kathyie. >> Tovo: So I -- I went to get back to councilmember pool, you mentioned amendments and I want to recap sort of what I heard as suggested amendments. Councilmember kitchen, you talked about ongoing maintenance and operations and I think we can clarify that in the third bullet. Councilmember alter, it sounds as -- again, I will not recap what I said before, but it sounds as if it would provide a level of more confidence to have some bullets in there about that -- just making clear what staff have indicated and the city manager concurred that they will absolutely be investigating the financial soundness of our partners. But I would ask if you want to bring that forward, if you have language to suggest that would be helpful to have it in there. That's kind of all I had. I think -- I mean, I am absolutely committed to making sure that this has strong community is benefits

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and if there are some that should reflected in this resolution that aren't currently here I'd welcome those additions. Councilmember pool, when you weren't here I mentioned in quickly glancing through the article that you and my other colleagues here prepared for the statesman and frankly the statesman editorial as well indicated several goals, that we not absorb costs of operations. I think that that's been reflected in both the comments I made at our last work session but also in the resolution, revenue-sharing opportunities, I've tried to address that in the resolution. But if there are community benefits that appear to be absent from the resolution, I would just ask we put them in the message board and we'll work to include them because I'm not taking away a lot of suggested amendments from this process, from this discussion here today. So if there are more and you're not in my subquorum, if you would just shoot them to the message board. >> Pool: Mayor? >> Mayor Adler: Go ahead. >> Pool: I had mentioned earlier today that we put them up on the message board and we intend to do that. I had another meeting that I was at but I do appreciate all the hard work you're doing to put together additional amendments and tightening up the language so it's not quite so vague. It's really important what we're doing here, and, yes, I promise that we'll get proposals up on the message board well ahead of time. >> Mayor Adler: Ann. >> Kitchen: Oh, I'm sorry. >> Mayor Adler: Leslie? No. Allison, sorry. >> Alter: Thank you. I think we're all getting a little tired here. I just wanted to thank mayor pro tem tovo for your openness and we will get something on the message board. >> Mayor Adler: All right. Cool. Let's move on. Good job. Thank you. Item number 61, councilmember alter, you pu >> Alter: Let's see

how quickly we can get through this so we can get to discussion about bonds. Allison, do you want to talk

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about 61? >> Alter: Sure. >> Mayor Adler: We have six more items before we get to bonds. >> Mayor Adler: While she's looking at item 61, with respect to 65, the amendments to the that's right, there were two elements, one was the planning commission element. Another element of that related to the -- I'm sorry, what? Municipal civil service. Staff proposed changes that had the board that tracked what the charter commission had proposed on planning commission. There's been some concern in the community about doing that, and since that was never vetted it was just a suggestion from legal I'm going to pull that out of what I offer on Thursday so it won't address municipal civil service. >> Alter: Great. Thank you. So item 61 is an ifc. Mr. Casar is the lead sponsor. And it has to do with establishing minimum training and apprenticeship standards on city projects. I had a dumb of questions where I wanted to get some clarification. So in the resolution it uses the term "Significant projects" multiple times, particularly on page 2. I was wondering if we had a definition of what that meant? >> Casar: Mayor? >> Mayor Adler: Yes. >> Casar: So I did want to leave that up to the staff to work through. I imagine, you know, you're talking about really trying to focus on multimillion dollar projects that are of - where we could get the most bang for the buck as far as making sure the dollars we put out there not only create great city projects but enhance the value of those projects and meet the goals of the workforce plan. So I don't have a dollar figure there because generally in working with the staff there was some requests to give them the

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ability to take a look at what we're talking about but I do think "Significant" doesn't mean building out a sidewalk, I think it means in the vertical construction projects, you know, a full building or a major corridor reconstruction for horizontal construction. >> Alter: So in the proposal would be the -- the city manager would be defining what "Significant" meant in the context of the proposal that would be coming back? Thank you for the clarity on that. And then do we have any sense of the costs involved? I know that these apprenticeship programs are often sort of part of what they do anyway or they're -- there's some nonoffice ways that they're constructed. Can you speak a little bit to what the anticipated costs might be or how we would think about that? I know without knowing what project it is it's hard to say but how should we be thinking about what those costs might be. >> Casar: Sure. So there are -- we oftentimes take bids from contractors that are the lowest bid, where you have an apprenticeship program in the contractor using an apprenticeship program and they provide a lowered by than people that don't and sometimes it's the other way around. So ultimately the hope is that there's some real value in the training that those contractors provide, and it's also trying to avoid a race to the bottom where if some folks are providing training and others aren't that the people providing training sometimes ultimately are subsidizing those by the people who aren't getting trained. Ultimately, many

of these contractors, both union and nonunion have apprenticeship programs that they themselves run. For their own workforce. And this is trying to recognize that we already work with many of those contractors but we oftentimes don't -- we actually currently don't have anything in our contracting that says we want that to happen. And I think coming off the workforce plan it makes a lot of sense. Basically the answer to your

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question is usually -- and a lot of these companies it's a really significant investment they make in these training programs but that doesn't always mean that that -- the cost of their projects is going to be any higher because for many, many, many of the contracts we regularly approve it's contractors that already have these programs, if that makes sense. >> Alter: All right. Because these are programs helping to train the workers and there's a benefit down the line if your workers know what they're doing in these situations and can do so safely. >> Casar: That's right. Then there's also a lot of research out there around cost overruns and problems with projects when you don't have sufficient training on-site, and I know our staff and all of us have some experience dealing with those, so it's also trying to also address some of those hidden costs in our contractors where people come back for a cost overrun because they didn't do the work right. >> Alter: Okay. My last question was it specify a department of labor registered apprenticeship program or certified training program so it's any program that could be offered by anyone that meets that, is it not -- meets that standard, it's a basic standard step by the department of labor that a eligible apprenticeship program would have to fit in? Is that correct? >> Casar: That's right. >> Alter: Okay. Thank you. That was my question. >> Mayor Adler: Okay. Any other questions on this? Let's go to the next one then. Item number 62. >> Alter: That would be me again. >> Mayor Adler: It's you again. >> Alter: So this is an ifc again from Mr. Casar, asking the city manager to investigate and report back to council on best practices to enforce city civil rights and labor protections. I was wondering this sounds a little bit like a special request for the city auditor and I was wondering if the sponsors had considered having the city auditor look into that and when that

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would be a useful lens? >> Casar: Mayor, do you want me to respond to that too? I will. He's busy passing things out. I haven't spoken with the auditor about it. When you look at cities across the country that have a variety of civil rights and labor protections from hiv/aids ordinances, fair housing ordinances, paid sick days or fair chance hiring, a lot of X times those are organized together and we have a little bit of a disparate system here. When I asked the city manager about whether or not in his experience in Minneapolis and other cities whether this was something that might make some sense here, the manager and some staff said if it was something the council was interested in it might be helpful for us to put it in an ifc to have them take a look at it, and -- of course if it would help for the city auditor to participate in I would certainly be open to that. >> Mayor Adler: Okay. All right. That's item 62. Item number 63, council, I've just handed out an amendment, given it to the mayor pro tem. This is her deal

about tenant relocation. The amendment just goes in the last paragraph. It's a standard amendment that I frequently do. My preference would be, generally speaking, if the council -- as a council we would identify a problem and go to the manager and say this is a problem we have, please come back to us after you visit with staff with solutions. Mayor pro tem has offered a specific solution here. I think that's great too if she has one but I would still like to ask professional staff beyond that specific solution, here's the problem, are there other ways to do that? I've given that to the mayor

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pro tem and asked her to consider it. And, why the same thing on item 66. That was the second thing that I handed out. Item number -- anything on 63? If not 64, pulled by councilmember pool. Pulled that one, that's right. Item 65, we talked about that, charter. Item number 66, Mr. Flannigan. >> I actually have a question about 65. >> Mayor Adler: Okay. >> Tovo: Mayor, I'm cosponsor on this item. It was my understanding the posting language was going to be general enough if people wanted to bring forward other charter amendments that have been recommended by the charter review committee that we could but the language apparently now is pretty specific and so I just want to highlight that, that if there are other recommendations that we wanted to bring forward for council consideration that were highlighted by the charter review committee, this is not -- this does not allow us to achieve that. I'm sorry we had a miscommunication about that because I think it's important. We asked a citizen group to do a fair amount of work and come up with some recommendations and we're moving forward on just one of those. So we need more discussion about it. I know this isn't our last chance. We can certainly do it in August, but that's -- that is our last chance in August at this point, and so that's my understanding from law, that this is not alterable at this point. >> Mayor Adler: That's my understanding too. For that reason I had my staff when they reached out to each office specifically identify the -- what the posting language was going to be and to suggest to each office if they wanted to do something else it would require a different vehicle but that didn't get communicated and I'll check on that, too. But that was the intent when we contacted each office, to make sure that that was clear. >> Tovo: I think one of the challenges were most of us were working that Friday morning after a very late council day. I specifically asked that question about the posting language and got back a very different answer so I think

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we just had a miscommunication on that. >> Mayor Adler: Okay. Still more time if somebody wanted to do that. That's 65. Item 66. >> Flannigan: So I had a number of questions about this, mayor. I see you handed out an amendment on 66. >> Mayor Adler: It was just to make it less prescriptive so that it gives the manager a chance to see here's the problem and the challenge that we have, which I think is very real, but also asking the manager in addition to doing what the mayor pro tem had indicated, but also to take a look at it to see if there were other solutions or resolutions that might also be worthy of being suggested. >> Flannigan: So I'm happy with -- if your amendment is incorporated I'm happy not talking about it now because then eyeball fine with it just be that level of engagement with the manager. >>

Mayor Adler: Okay. >> Flannigan: But I reserve my right to debate it on Thursday if they don't adopt your amendment. >> Tovo: And I guess I would just ask then as a sponsor of the item if you could give me some sense of your concerns. >> Flannigan: I have questions about the intent and some hesitation about a public information request process kind of leaving my staff office and it happening through a staffer that's not part of my office and I'm not entirely clear. I have just kind of instinctive hesitation about that and it's not clear what it actually helps us solve. >> Tovo: Can I address, that mayor. >> Mayor Adler: Yes, go ahead. >> Tovo: Yeah. Thanks for that question. You know, I would be happy, unfortunately, hours and hours and hours ago I had some information that I was going to share just by waive example and now I'm not sure if I can put my hands on it quickly enough. But I have -- I don't know

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that -- I would be happy for this not even to be something that every council office adopts but I think as a council and as a city and one reason why I think it's important for the city manager to consider this, I think our current process is inefficient. We have ctm pull the emails for each office and then our slid staff spend hours upon hours upon hours redacting email addresses from those emails that come in. I'm not sure if the public is aware of that, that we can release people's cell phone numbers and other phone numbers but we can't release -- under state law we can't release email addresses, which might be a good change to consider in state law, frankly, because email addresses don't -- anyway, let me just offer that as a suggestion. For example, my staff spent something like 60 hours recently on 1pir request redacting email addresses and we have a system that's challenging. Apparently it crashes with some frequency, so Nikki on my staff who does it has a system where she saves the file every 15 minutes so if and when it crashes she can go back to the last version. Something like that soccer pir she estimated and I'm doing it from memory so I'm not sure that's in the right number of hours, most of those emails were sent to every single one of our offices so my office staff may have spent 60 hours on it, your office staff probably did as well, and probably 50 of those 60 hours were common emails. So our individual staffs are redacting the same issues your staff member is doing, Pio's, and it's a tremendous inefficient use of taxpayer resources to do that same work over and over and over again and there's got to be a way to minimize that. So that's my intent to -- you know, again, if there are certain office that's don't want to opt into that I think that's a conversation we should have at council because it's really taxpayer resources

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being used for extremely duplicative social work it's not in-- insignificant work. I know the pairs in our office have increased and I assume based on the records I've seen because you can see what other offices are being asked for it too, I know they probably are for other offices as well. Our city staff has not tracked this, so we don't have data to show how they've increased over the last few years but they have increased significantly and they're large. You know, just by way of information, you know, we've all been getting a lot of email about soccer these last couple days. They are coming to every one of our staff

members in my office and I think in yours too. So each one of those hundreds upon hundreds upon hundreds of emails coming in are being sent to four people in my office and they include two email addresses per email. So now you're looking at eight -- you know, for one email correspondence from one individual times -- you will have to redact that eight times for that one email times hundreds upon hundreds upon hundreds and you guys all got the very same emails. So that's the problem I'm -- thanks for the question because that's really the problem I'm trying to solve, that really duplicative -- we would still need to have office involvement because there are certain notes, things like that are going to be specific to my office that you won't have received but I think where we have that overlap it would be more efficiently and more cost effectively done centrally. >> Flannigan: That's interesting that -- especially the mass emails, which have become much more prevalent even in the 18 months I've been on the council. They seem to have gotten more and more frequent. I'm still more comfortable with the mayor's amendment and not just directing the manager to go directly to budget item because it would be interesting to see what part of this can be solved just by existing staff resources or, you know, maybe ctm needs a technology upgrade. It would be admonish interesting for me to see it the way the mayor kind of amended it as opposed to just direct to budget item.

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>> Mayor Adler: Okay. Ann? >> Kitchen: I do too. I appreciate mayor pro tem for bringing -- you know, to our attention because it is an issue but I prefer the mayor's amendment because I really am not wanting to go to initial budget -- additional budget cost if we can help it. And there maybe a solution that -- from a technology perspective that can help us. >> Mayor Adler: Okay. Anything further on this? I think we're okay. >> Tovo: I'll just say I'm happy to hear other solutions. I think the innovation office might be of help in this. I don't know how quickly they could provide us with some recommendations but my real intent here is to try to get us some of those good recommendations and some solutions pretty quickly. I'm at the point where I'm probably going to have to hire a part-time assistant on this and I know others have done so already. >> Mayor Adler: By the way, we're not allowed to talk about other things, the court just denied an injunction against the sick leave ordinance. Mr. Renteria. Sorry. [Laughter] >> Renteria: Oh, my god. Anyway, I just wanted to data, Kathie, if it's okay if I can become a cosponsor. >> Tovo: Probably so. Let me double-check on that. I have to think something through. Thanks. >> Mayor Adler: Ms. Houston. >> Houston: My mistake. >> Mayor Adler: Okay. Anything else on this? >> Tovo: Councilmember Renteria, I would love to have had you but I remember the mayor's office actually approached us with that amendment earlier and so I think probably I can't but I appreciate -- I appreciate your support of it. >> Mayor Adler: Okay.

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Thank you. Next item, item number 66 is that right? 72, rather, 72. My interest on that was I think it spoke to a parking study, and my understanding was in looking at this that we want to make this a parking and transportation study so I just wanted to say out loud I would be bringing that amendment to

make it a parking and transportation study. >> Kitchen: I'd be happy to just fix that and bring it -- >> Mayor Adler: Perfect. >> Kitchen: You're talking about the -- I'll find it. Okay. >> Mayor Adler: I'll bring it to you. >> Kitchen: Yes, bring it to us and we'll get it in the backup. >> Flannigan: Mayor. >> Mayor Adler: Limited by -- once everybody has their quorums on this -- I don't remember where the line was. >> Kitchen: I'll find it. >> Mayor Adler: Okay. Jimmy. >> Flannigan: And my concern on this is the makeup of the working group. I just want to make sure either by a change to this makeup or a -- allowing the manager slightly more flexibility, if we're going to talk about transportation and parking, I want to make sure that it's not just the neighborhoods that can walk to zilker park that are talking about this issue, that it's the neighborhoods like every single one in my district that has to drive to get to zilker. And zilker -- I can't remember what the word is it's a regional park, metro park, whatever the biggest category is where it's intended to serve the entire city. So I'm not looking to make a specific, like, five people from this and two people from that but just if -- if we could just slightly give the manager a little more flexibility to ensure the working group is a little more geographically representative. >> Kitchen: I will suggest language. It says right now

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surrounding neighborhood leaders so we could say surrounding -- we could add an additional one. I want to keep the surrounding neighborhood leaders but I can add some language that reflects what you just said. >> Flannigan: I'd really appreciate that. Thank you. >> Mayor Adler: Okay, cool. Let's go on to the next thing. Item number 121. Ms. Houston, you pulled that one. >> Houston: Yes, I did. I'd like for Mr. Pantallion to talk to me just a minute about the roles and responsibilities, rules that govern the waller creek local government corporation. >> Sure. Good afternoon, Joe pantallion, interim assistant manager. As far as the guiding documents for local government corporation, there's a joint development agreement and also a set of bylaws that govern the operations of the corporation. Primarily the lgc provides a forum for the judiciary departments. >> Houston: I'm sorry, say that again. >> It provides a forum for the feud feud partners, so the partners that are bringing money to the table, the city and conservancy, it provides a -- for public meetings where the partners get together and discuss the implementation plans for the project. As you recall there was a major design competition with several public meetings. Council has approved the design plan. And the lgc is tasked now with the oversight of the implementation of that design and construction project. >> Houston: So when you say fiduciary responsibility, describe that for me. >> Yeah, well, the design and construction is being funded primarily through city of Austin funding and conservancy funding. A big piece of the conservancy funding is private fund-raising, and so

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to the extent that they were able to get donors to support portions of the project, it's not uncommon -- and they've had great successful recently getting -- donations for very specific parts of the project at certain locations and so they bring that money to the table in partnership with the city, who is also

providing funding, which is approved by council. >> Houston: So this resolution is adding members of the community that do not have a fiduciary responsibility, as far as -- as far as I can tell. Is there another mechanism that can be used to have more diversity on the board? And I think that's what they're trying to get at, is diversity of demographics and city-wide, but -- and I've asked this question on the board about who is on that local government corporation and what entities do they represent? But I think we -- do -- how do we fit these public citizens into a group that has fiduciary responsibilities? >> I think that's something that council is directing the city manager to explore and come back and report out. I know that when you look at some of the whereas clauses, as far as trying to involve the quality of life commissions, the parks board, the environmental board, I know that the parks board and the environmental board, the two oversight boards for the parks department and the watershed protection department are given briefings on the project. So, you know, they are involved. So I think it would be a matter of over the next few months, you know, this is due by October 4, that we would explore opportunities on how to get the quality of life commissions involved in this project, whether it be by expanding the board or just other types of outreach. So we anticipate reporting back to you in terms of additional mechanisms to accomplish that. >> Houston: Okay. Thank you.

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>> Flannigan: Mayor. >> Mayor Adler: Yes, Jimmy. >> Flannigan: This is intended to not be prescriptive so issues can be worked out by staff, but I want to ensure that the oversight is robust. It's a lot of money. A lot of tax money that goes through that project. And, you know, it's an interesting refer about fiduciary responsibility because on some level every taxpayer has an investment in this project. But I understand lgc is a different legal construction than commission so that's why a resolution is more -- come back and tell us what is the most appropriate way to ensure public oversight and what that looks like. That's really the intent. I don't want to speak for councilmember Renteria who is the lead sponsor on that. >> Houston: So public oversight, briefly tell us what is on the local government corporation. >> Sure. There are ten members of the board, which include five representatives from the city of Austin and five representatives from waller creek conservancy. >> Houston: Five members are yourself -- >> Rodney Gonzales, director of the developmental services department, Carlos Stephen, accessed the treasurer, right behind us -- >> Houston: She's a hard task master, too. >> She is. Lucia Athens, our sustainability officer, and recent appointee, Sarah Hensley. >> Flannigan: So it was made pretty clear to me recently that when we have these boards, that having staff representation is good, but insufficient. And we're talking about adding

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more than just staff representation to the visit Austin board, for example, or the tourism commission. I'm thinking if this is how we want to conduct oversight, maybe the response from staff is more specifically how the parks board and environmental commission will conduct that oversight, as opposed to briefings that are brought to them as opposed to their direct involvement in the day-to-day activities.

There's a lot of different forms that could take, but, you know, I just want us to be consistent with how we're allowing citizen oversight, especially when we're talking hundreds of millions of dollars that are involved. >> Houston: And I guess I understand that, but the precedent we're setting is that any local government, or whatever you're called -- >> Local government corporation. >> Houston: Local government corporation must have citizens oversight, and I'm not sure that that's necessary in all cases. Because I don't know what problem we're trying to solve by doing citizen oversight because it's transparent. Their meetings are all available. Their audits are all available. And the people that we're recommending have a lot of other things to do. I mean, the quality of life commission has got a lot of stuff to do. So I'm just -- I'm just concerned about what is the problem we're trying to correct, and then if it's citizens oversight, then I can think of a myriad of things like the bicycle advisory commission and pedestrian advisory oversight. >> I completely agree with you. I think it's a substantially different thing when you're talking about an entity that's going to make decisions on how hundreds of millions of dollars -- it's an independent -- to the extent they're making decisions on very substantial expenditures of property taxes.

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>> Houston: And I understand that. >> And that's why -- when the staff goes back, we'll have all these questions answered. Otherwise, you and I will just go back and forth for another hour. >> Mayor Adler: Sounds good. I think we're done with that one. Thank you. That got us then to item number 125 on testing, pulled by Houston and alter. Yes, and really, this was put on there -- we're going to discuss testing because we identified that as something to talk about today and tomorrow. Hopefully we'll talk about it tomorrow the same time we talk about compatibility and transitions. We filed this in the event we didn't finish that conversation tomorrow so we can continue it on Thursday, but if we're at a place where we can reach a consensus and the manager says he's going to execute something, we may not need to actually have this resolution heard or discussed. That's my perspective on this. >> Houston: So my -- this is just a placeholder in case we run out of time to have a conversation. >> Mayor Adler: We're going to be discussing this topic, testing tomorrow during the codenext stuff. >> Houston: Okay. >> Mayor Adler: All right. Anything else on that? Then I think that gets us back to bonds. Item number 27. We have about half an hour. I think we should have a bond in November. [Laughter]. >> Me too. >> Mayor Adler: Okay. We're developing consensus already. >> I guess I'll just --

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>> Mayor Adler: 27. So does anybody want to speak on this with suggestions is to where they think we want to go? Councilmember Garza. >> Garza: I think we should have a bond in November. I think we have an opportunity to do something really big and meaningful. I know there will be different combinations of funding, and I'm looking forward to participating in that conversation. I'm really excited about what will likely be the biggest affordable housing bond we've ever seen. I'm very interested in seeing that closer to the 300 million goal that we -- I guess some was really have prioritized. Austin --

you know, I think when that last affordable housing bond failed, I don't think people were feeling the crisis state that I feel like we're in now. I feel like the opportunity to do that just speaking of particulars, one thing I do hope that we can increase funding for, of the proposed -- of the proposal before us or of the suggestions before us, would be additional funding for the mac. I think that they have waited -- the hispanic community has waited a long time for the next phase, the next phases of the mac, so I'm hoping that we can add at least 15, maybe 20 million. I know it's going to be hard to find extra funding, but I think that it's a prime location and a great opportunity to fulfill a promise to the very -- the growing hispanic community here in Austin. So I'll just say that's one thing in particular I would like to see, a significant increase, would be that and would also be to the affordable housing bond as

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well. >> Renteria: Mayor. >> Mayor Adler: And then Pio. >> Casar: So, mayor, I agree that we need a bond in November and that it's really, to me, one of the most critical things, for it to be significant enough to inspire people and address people's challenges and for it to pass because it's going to be in everyone's interest for it to be successful. So for me, one of the most key things is just for us to be able to take a real, solid vote on Thursday so that that whole process can get moving because I think it's just really critical for people in the community to have clarity around what the council is dedicated to and for us to try to come together around whatever it is that we end up voting for on Thursday. But for me it's critical that we move forward on Thursday. I believe that's the most important piece of this. I, like lots of others, have been really vocal about a 250 million to \$300 million housing bond. And with the staff's recent memo saying if we sell the bonds over an expected period of time, we actually can do up to \$925 million in a bond while keeping the tax rate increase under two cents. I think that we can actually address that housing challenge while still addressing things like the mac, while still addressing things like arts, music, and creative space, and while potentially still increasing, to some extent, hitting some of the other community calls that I know have been hitting my email box for pools and trails and the like. I think that under -- with that \$925 million number, I think there is a path where we can hit that 250 to \$300 million housing goal and address that variety of needs that has come up. And I just really hope that we find a way to get there on Thursday. It's in all of our interest to get there on Thursday so the community knows where we're going and we can get something passed

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in November. >> Mayor Adler: Pio. >> Renteria: I also agree with my colleagues, but also I'm requesting that if we could put in \$350,000 for the Guerrero park so we can finish the update and finish the master plan for Guerrero park. There's been a lot of interest in bringing activities for our children and our kids there, and what I really want to see is so we can have a master plan, an update master plan. And I hear that it'll cost us \$350 to upgrade it. And, you know, we're really -- really should find out exactly what people want there instead of having to deal with -- piecemeal, with anybody that wants to come out there, wants to either put a soccer field or a basketball court, you know, we have to go through -- you

know, there's always going to be different groups fighting for -- that have different ideas there. So what I really want to do is have a discussion and a master plan so that we can -- the parks department can actually go out and start, you know, looking at this and see what the community really wants there. And I think it would really help out on -- you know, especially with the trails and what we have there and the potential, what can come out of there, but we really need the input from the community to really find out exactly what we really want there. >> Mayor Adler: Ann. >> Kitchen: I was just going to reiterate that, yes, I want a bond also, and I think -- that I think we can -- we can reach a target of 925 million, and I

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think there's room to significantly increase housing in the 250 to 300 million range so we get that high. But I think we also have space for a number of other things including dollars for creative spaces. The mac that councilmember Garza mentioned. Trails, pool, maybe some more dollars for pools, and what you suggested, councilmember Renteria. So I think there's room for those kinds of things in this. And expect that we'll be seeing some proposals from people to that effect. >> Mayor Adler: To and they, I would just also say that I'm comfortable going to the 925 as well. As I go around the community, that I think people are willing to invest in the needs that we have. I think that we have some transportation infrastructure needs that we need to address. We have some housing affordability issues we need to address. I think those are the two key things. I think there's an investment that we make and we need to make with respect to parks and cultural items. Generally speaking, you know, what I would be interested in seeing, and I would appreciate if folks have worked through proposals and could post those on the message board so there's straw man for us to all work against, I think that would be helpful, if some people would post that. So that's -- so that that's up. I would support additional money above the recommendation for the mac. I think that the proposal basically enables the existing facility to work. I would like to see the capacity to be increased. I would also support the arts space, and I know there's a proposal on that. There are some things that we're looking at, organizations, I think, that have made proposals, they want to be part of the bond,

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but they don't have ideas that have been baked enough yet to really make them good candidates for a bond, so there are a couple of those that I'd really like to put some money in a bucket to help people be able to do planning so the next time around, they're able to better compete. So I think like the recommendation that came from the music commission, I think that an ability to be able to put some money in our pocket for planning purposes, I think, would be helpful on something like -- something like that. >> Kitchen: With regard to creative spaces, I'm thinking in terms of a bucket of dollars that can be used to support either the acquisition or the support for the community to acquire creative space. And along the lines of what you're saying, not any particular proposal. >> Mayor Adler: Right. And I think that the arts commission has actually advanced that concept, where it's more than just an amorphous idea,

but we have some others that would really like to be supporting right now, like the music agenda, but it has yet to reach that definition. So on something like that, also bucket -- it would be less money because it's money, really, for planning purposes so that they're better able to enter into this process. Ms. Houston. >> Houston: Well, I don't want to be Debbie downer, mayor, but -- >> Mayor Adler: That's okay. >> Houston: -- I know that you're all over the city and have gone into the different districts, but I'm not hearing what you're hearing from the people in district 1. That's all I can speak to. What I'm getting is tax fatigue and every year there's yet another bond that is going to cause property taxes to go up. And I hadn't heard about the bonding capacity going up, so is there someone here that could speak to that? >> Carla Stephen, bond

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development team. You should have received a memo from me yesterday, maybe late yesterday. I apologize. >> Houston: Yesterday. Okay. Thank you. I'll go back and look again. Tell me how you figure that. >> What we've done is, based on the size of this potential bond project and looking at the projects, we reevaluated the time frame in which we would be selling bonds. So if we sold bonds over six years instead of five years, that created additional capacity. So we've adjusted our capacity both for the decision to move the new fire stations off of this bond and fund them with cos, then as well as adding about \$50 million of capacity to our most recent analysis. >> Houston: Okay. I'll go back and look for that. >> Okay. >> Houston: And, mayor, I'm going to really try to respond to the needs of my community, and somewhere between zero and one percent -- one cents increase, which would make my proposal about 536 -- five million, I'm sorry -- 536 million and some change. >> Mayor Adler: Okay. >> Houston: Because there's so many things -- everything we add to, that is going to cause an impact on somebody's life. And one of the things that I think we do a good job about is responding to needs, but we don't do a really good job about fiscal responsibility and making sure that we are living within our means because that's what we're asking others to do, is live within their means. And so when I hear a \$9 million bond, that's almost a billion dollars, and we just did one for Austin independent school

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district last year, and we're talking already about the next one to come. And so I know that for those of us who sit around this table, it doesn't seem like a lot of money to people, but to people who are struggling, it is a lot of money. And I just want to be cognizant of them. So I'll post my suggestions on the message board so you all can see what's -- what I think or the infrastructure needs or something that I've always stayed -- I've always said stormwater, flood mitigation, repairing of sidewalks, and what I said back to this morning, and streets that have just been broken down and need repairing. So I'll put that up on the message board. >> Mayor Adler: Thank you, Ms. Houston. Yes, councilmember pool. >> Pool: So I'd like to understand so I can respond back to some questions that I'm hearing from folks in my district about the staffing needs for each of the departments that are listed here. So what additional new ftes might be necessary, maybe on a part-time or longer basis, similar to what we did with the \$720 million

that we voted two years ago for mobility bonds. There was staffing included in that. So -- >> So we -- >> Pool: I was just going to say, you don't have to do it right now because I'd like to get the staffing needs for each of the departments. So it may be a document that you can provide to us tomorrow or Thursday. >> Okay. And you've seen what we posted online regarding the o&m impact? >> Pool: It's hard to know. I'm going to say no. You know what, it's an amazing thing, you may be completely surprised to hear this, but I have hardly had time to read all the backup for this agenda, let alone all the new stuff that we are getting since the agenda was posted.

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So -- >> We have posted -- it's by bond category, the o&m impact, including ftes. If that's not necessarily by department, we can certainly appoint department -- >> Pool: I would like to see it disaggregated, and I would like to get a sense for how many of those positions are shorter term versus longer term. >> Okay. >> Pool: Then I know we want to have flexibility in the bond language to cover staffing needs with bond funds, so I want to make sure we get that covered there, if you could help us with that. And then I had a question earlier, and when I thought I wasn't coming -- coming back, I passed my questions off to the mayor pro tem to ask. Do you still have that sheet of paper? One of the questions I had goes to the impact on people's -- the increase to their property taxes with regard to the new bonds. And we have an estimate of about -- is it about five dollars a month, \$60 a year? When you estimate this, is that where the bonds that have been from 2000 or 2006 have all moved off, or is this new taxing on top of existing taxing? >> Correct. So this is -- and it's using a \$300,000 tax simple value. >> Pool: Right. >> It's a simple assumption, assuming we sell all the bonds at once, kind of in isolation of anything else that is happening. So we haven't done the analysis of what if we defease \$200 million of bonds in the year we're selling -- we haven't done that analysis. It's pretty simplistic straightforward analysis, if we sold all of the bonds at once, that would be the impact to the taxpayer. >> Pool: So -- and I know that, and I've actually even said that to my residents, to try to mitigate their concerns about the tax impacts. This year, what I think I would like to do, is to try a little different approach for staff to

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bring us back maybe a calculation that is more targeted and potentially more accurate, I don't know, but we can find out. I'd like to know what the various legacy bond payments are still in the stream, when they're falling off, and then if there is some kind of just general flat-out calculation -- here comes Mr. Canally to talk to me, which is always awesome -- going forward, let's say, knowing your historic issuance of bonds, craft me a scenario that says, say we issue a billion dollars in new monies on top of the 720 million from not two years ago, putting those two together and floating them together -- >> Uh-huh. >> Pool: -- What is the annual impact more closely aligned -- I think the \$300,000 -- is that -- that was the median cost to the home? >> Thereabouts, yes. >> Pool: Yeah. I think it's a little low. And, actually, you know what? I think I might like to see what the median is in each of the different districts. And then we can, again, to the accuracy of the issue -- because I think this is going to be a very key

conversation in our community this fall, just knowing what the atmosphere is. And so when I go out and talk in defense and support of the various bond proposals, I will want to have, in my holster, really solid information and maybe be able to present this -- this scenario to people with a little more depth and a little more insight rather than how we have -- and I have done regularly for decades, which is -- I agree with you, I think it has been rather simplistic, and I think we owe our community more than that. >> Okay.

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>> Pool: Mr. Canally. >> Thank you. Greg Canally, financial services. We've run this multiple ways, trying to project out, for example, what a tax bill would look like 2022 in different interest rates assumptions. We can pull that back up. In 2016 we did it multiple ways and even had at one point a tax calculator out there for someone to pull their exact total value out. Some of the newspapers, I know the community impact actually did that analysis, home price by -- median home price by districts and they had a tax calculator as well, and we can provide all that I will say from a fundamental perspective of the underlying assumptions about the two cent scenario, that in itself is based on -- in terms of our payoff, our debt payoff, of assuming we continue to pay off the debt that we've already issued, plus issuing the remaining amount from the 2012 and 2016 elections, and that is, in fact, how we got to the scenarios of where a constant -- a constant scenario gets you to 425 million and two-cent gets you to the 800, 925 million. So that debt payoff and the debt payments are already a core assumption in that, which then translates into the tax bill assumption. So we can certainly it rate into these different versions and get that back out in some form that they can figure out. >> Pool: I think that's much better and that will help inform the conversation. If there is a calculator out there, a little widget thing somewhere, you should send a link to everybody so we can also put that on our websites for our constituents to give a whirl. >> Will do. >> Pool: Thank you. >> Mayor Adler: Kathie and then Jimmy. >> Tovo: I want to offer support to the point my colleagues made earlier about having a higher amount for affordable housing. I support that, as well as councilmember Garza's

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recommendation that we provide full funding for the mac. I wanted to -- I wanted to also just ask a follow-up question about one of the responses to a question councilmember Alter raised about the history center. So she had asked -- she had asked a question about whether the entire history center is seeking to move to Faulk. And it's my understanding it is, but I think -- I think what I want to call attention to is that the funding, as I read the information that we've gotten from the history center and from the -- from the history center association, the amount included currently in the bond package is 11.5, but it would really take more than that to make the space possible for the history center. And I know several of us have gone and toured the history center and have seen the archival records in the kitchen and in various other places because they're out of room. So I think it's really critical that we provide full funding for the Faulk, not just the 11.5 which brings it up to code and provides the elevators,

but that additional -- that additional \$3.3 million, which would provide the renovations and the floor preparations that would allow them to locate there, the archival shelving that would make sure our records are well protected. You know, this is our city repository of the records of this community, and I think it's really critical that we treat them -- that we treat them in a way that will allow them to last and serve not just our generation but future generations. So I would ask my colleagues to support what is, you know, in the order of magnitude of relatively small increase in funding in that category. Again, in addition to my support for the mac and for increasing our housing.

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>> Mayor Adler: Jimmy. >> Flannigan: As a process matter, what we're deciding on Thursday is the size of the buckets and then by the time we get to August, we'll have what projects comprise those buckets? So this is to the manager. So I'm trying to understand what it is I need to focus on for Thursday because I have a lot of questions, even on the history center, which I don't want to take up time going into that, but I have a lot of questions on the details. When do we do that? >> I mean, mayor, councilmember, the more that we can answering some of these questions now, the better, but I would say at a minimum, the size of the bucket and the bucket -- the categories themselves will be what would be helpful for staff to move forward with. But we'll have the month of July and August until -- to go into more detail, so we'll have that time. But I do think at least a number, a larger -- the overall number, and then the number within the certain categories would be the most helpful for staff. >> Flannigan: So my overall perspective is one that I have communicated repeatedly throughout the year, that I would only support a bond that had a no-tax increase. I know that I'm in the minority in that opinion. So my focus is going to be much like it was on the waller creek tif, really digging into the details and fully understanding the o&m impacts and the long-term impacts of these bonding decisions that we're going to make. So it's going to be really important for me to see the details on these -- on whatever projects might be included because that will definitely dictate how I talk about this bond as we head towards November. And I'm not going to promise support from my constituents or from me in public, but to the extent that I can show that a larger bond at least puts us in a better position overall, I can at least communicate that to my

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constituents if I have fully convinced myself and have been convinced by the data that that is the choice we're trying to make. Ms. Stephen, the o&m analysis, where is that posted? My staff hasn't been able to find it. >> It was submitted as a bond question so it's on the bond Q and a. >> Flannigan: And what is the level of detail on the analysis right now? >> It is broken out by the project or program that's listed -- that was listed as part of the backup of the staff update, I believe may 21st memo. >> Flannigan: Okay. >> And so the props were broken down in, let's say, five or six programs or projects within each so the o&m detail is at that same level. >> Mayor Adler: Ms. Houston's question number 19. >> Flannigan: I hope both are still around in July because this is, like, the time that I've got to go through it, and we're not

going to have as much time in August, so I really want to make sure that staff can answer some of my questions. Then when we get into August, we can have a more substantial debate about the specific details, and really only because the mayor pro tem brought up the history center, I have questions about whether or not the Faulk is a good use for the history center, as opposed to a facility that is more specifically about archival, but doesn't necessarily have to have as much public access because they would still have that beautiful building right there, which is more of the exhibit space. I'm thinking it might be more valuable that the Faulk be something that's more of a public access facility, like -- and I'm not going to float the ideas that have been floated around -- I don't want to drop a bomb in the middle of a conversation, but to the extent that a really well-designed warehouse space for permanent storage might be cheaper, not in the Faulk -- that's kind of where my thought process is on the history center. >> Mayor Adler: I'd be interested in hearing those ideas, but I'd like to support on you what you said about the Faulk.

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Ms. Houston, then Alison. >> Houston: Oh, I was just going to add, Johnny Trevino park is something that we had lots of community testimony, and it's not listed anywhere in the -- >> Mayor Adler: Okay. Alison. >> Alter: Thank you. I wanted to just take a minute to acknowledge the important role that the bond election advisory task force played in all of their hard work and the efforts that they made to get out in the community and to talk to people and to put together a package that they thought, even as it was, would be hard for the community to support at the level of 800 and something million dollars. So I do share concerns that councilmember Houston has expressed, and others, about the tax levels and the impacts and switching over to 925 million also extends the years involved, and I'm not sure that the bond election advisory task force would come up with the same recommendations if they had understood that the horizon would be -- would be shifting. And I'm not sure whether the 925 means it's six, seven, or eight years. I've heard every one of those things. So at some point, if you can clarify what that means for this, I would appreciate it. I would like us to make sure that some of the things that were in the bond election advisory task taskforce that didn't make it through the translation through staff get back into the supporting documentation, and I would like to see us make some additional investments in our parks, in our pools. As we saw with the aquatic master plan, we are on target to decommission our pools if we don't invest in them. I had hoped that we would be able

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to put together a fund for land acquisition of publicly owned land that would be used for municipal purpose. The bond council has now said that we can't do that, so it's really important to me that we retain the flexibility of having ability throughout the bond in different buckets to be able to purchase land so that when those opportunities arise, we have that opportunity. And I would be willing to support some consideration of increases to those -- to those buckets. And, finally, I want to recognize that we need to make these investments, but I am concerned that as we get larger and larger for any given

bucket, that we get to a point where we risk its failure. And I would much rather do an additional bond in a shorter period of time, having proven that we can spend the money and spend it wisely, than to be denied the opportunity to make those investments by the public. And so regardless of what we decide this week between now and August, to the extent that any research can be done on what the public will support -- I don't know exactly how that happens. I think that's really important information. I'm not hearing from my district that if certain buckets get above a certain size, that they will automatically provide the support that was indicated in the kind of information we were provided, along with the bond election advisory task force. And so I am concerned that we need to make investments that the voters will approve; otherwise, we have no opportunity to address some of our very big challenges in our community. >> Mayor Adler: Okay. Kathie. >> Tovo: I wanted to request that links to the bond Q and a be provided as backups so that people can easily go from one to the other. And just to get back to the

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question councilmember Flannigan asked about whether we're -- to the extent to which the action we're taking on Thursday is actually speaking to specific projects, so in looking at -- in looking at the item -- in looking at the memo from June 8th, it talks about information clarification on item 17, and it includes as exhibits both the big buckets, but also individual breakdowns for those projects. And so I think it's -- you asked a good question, but it would seem -- that's why I was assuming we were actually also affirming the allocation of those bond monies to those different projects as well. So I think we need to get really clear on what it is -- what action it is we're contemplating taking on Monday -- I mean Thursday. Let's hope we're not still here Monday voting on that. [Laughter]. Whether we're just -- whether we're just doing the big buckets or whether we're also doing the underlying level of detail. It's a little hard to do the buckets without the detail; right? Because if we are -- you know, if we're adding millions to the mac, well, then that increases that particular amount. So I think it's hard to have one conversation without the other. And also, before we all leave, could we spend just a few minutes, mayor, talking about the order of the day? And I know there are other bond questions so I'll ask us to just circle around back to that quickly. >> Mayor Adler: Okay. Ann. >> Kitchen: Oh, I was just going to say, you had asked earlier about posting, and so I just wanted to indicate that I'll post something on the bond. >> Mayor Adler: That would be good. By the way, it's the very last bullet point in your resolution, Ann, where it says transportation. It would need to say -- it would need to say transportation and parking. Very last bullet point in the very last be it resolved. >> Kitchen: Okay.

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>> Mayor Adler: Greg.

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This meeting is adjourned.