

# City Council Work Session Transcript – 10/16/2018

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[09:14:15 am]

>> Mayor Adler: all right.

we have six people here.

we have a couple more councilmembers that have texted to say that they're close by and headed over.

i'm going to go ahead and convene this.

it's october 16, 2018.

this is the work session meeting.

we're here in the boards and commissions room down at city hall.

it is 9:14.

when we have the government at works, the game plan we had talked about was taking doing that first, having no more than 60 minutes on it, a hard stop, no more than that, but we're missing some of the people, so i'm going to go ahead and call up the legislative briefing and then we'll go into the government that works right after that for no more than 60 minutes and then we'll get to the agenda.

probably will take 20 minutes.

so brie, do you want to introduce yourself for the record and tell us what's up.

>> good morning, everyone, brie franco, international relations officer for the city of austin.

i'm here before you today so provide the an overview of the state legislative agenda that will be before you all on thursday.

why are we here now?

we're at least a month out from bill filing so while session doesn't start until january 8th, bill filing will start on november 12th.

and as you can see in this chart, that bottom line last session of the 6800 bills that were introduced and filed, over 2500 of them were city related.

we've seen a marked increase over the last 10 years alone in that the top line is hard to read, but it is 1997 there were 5600 bills filed and of that 1100 were city related.

[9:16:32 am]

so in 10 years we've seen about a 1400 bill increase and then bills filed that affect cities,.

affect your authority and your ability, and even get into minutiae as much as how many chickens are allowed to be in the backyard.

as part of rolling out this agenda and as part of incorporating our community because it extends not just beyond this council, but the citizens you represent, we at i grow started representing updates to boards and commissions that have many of your appointed members on that.

this is a sampling of the boards and commissions that we have presented to and some that we will still present to.

i know they don't represent all the boards and commissions, but we did try to get a good sampling of the boards and commissions that do look at legislative matters, that do look at issues affecting that are about current issues at the state capitol and we found a very receptive response to those presentations in that the members appreciated the information, they appreciated showing what you guys were looking at and asked how they themselves could help.

so in terms of looking at your agenda, let's we'll start with the priority issues.

the priority issues are those actually were identified as those issues at the texas legislature leadership and interim member charges have highlighted.

so we're talking about the priorities set out by the governor, the lieutenant governor and then later we'll find out what the new speaker of the house, what his priorities are.

and then how also those priorities articulated during the interim committee hearings.

so looking at the priority issues, i've called this for all of you every session, we're starting to call this your pyramid.

and for this session we anticipate the pyramid to look like this.

it's very similar to last session's pyramid.

again, these wouldn't necessarily be the issues that i think you all would identify as the priorities if i asked for your priorities, but these are the issues that have been identified by the texas legislature as the priority issues that affect cities.

and at the very top of that are austin energy, revenue caps will be back, preemption has often been an issue of contention at the legislature, but we're now seeing a new concept called super preemption, and that's using statutory authority to be very broad to say even things that a city can't do anything that affects a business' interest.

the bathroom bill will likely be back.

[9:18:15 am]

we've heard that.

we know short term rentals from last session.

and then that also in itself being a zoning and land use issue.

and we're hearing that there will be a lot of bills about land use and zoning.

also we know earned sick leave has already we've already had members saying they are going to file that bill and fair chance hiring another initiative that will likely be back in legislative form.

so going to the two top priority issues being revenue caps and austin energy, just to give you all a quick recap, and i know you've seen this before, last session during the regular session the senate filed a bill at four percent.

it was voted out of senate finance at five.

and then in the house they filed the four percent bill, but ended up not passing the bill that affected the rollback rate.

they just passed a bill that dealt with transparency, truth in taxation is what it was called.

after that regular session we were called back if you remember for a special session and that bill was listed as an item by the governor in the special session and again we saw the four percent gap, but only applying to large cities, not everybody.

that's what came out of the senate.

and then out of the house, the house passed a six percent cap that only applied to large cities again.

when the house sent over the bill to the senate, revised, the senate appointed conferees and the house didn't.

and there was a sign any die and sine die and then there wasn't another special session called.

[9:20:30 am]

we know this issue will be coming back.

the governor himself has weighed in on this issue.

it's the first time he has.

he did this in january when he released his property tax reform bicentennial blueprint.

and in that blueprint the details that we have are that it would be a 2.5% cap for all taxing jurisdictions.

so cities, counties, special districts, school districts.

that cap could only be exceeded for public safety and critical infrastructure.

we don't know what that means yet.

we don't know what all public safety includes and we don't know what they consider critical infrastructure to be.

but then even if you're going to exceed that 2.5% cap for those two items, public safety and critical infrastructure, it would only be if a supermajority of this council approved that increase and a supermajority of the voters at an election approved that, which is a very new concept that i don't think exists in any other place in statute.

so if we got the approval from council and the voters to exceed that cap for public safety and critical infrastructure, we could then go up to the statewide population growth and inflation, which in 2017 was about 4.4.

so you would have to start thinking about your budget in two buckets, your budget of 2.5 and then a potential 4.4 for other items.

and keep in mind that vote wouldn't happen until november, that would also lead to issues in when we do our budget, the city manager and our team would likely have to run two budgets in this scenario.

going back to the other priority issue, why it's been identified, there was senate business and commerce had their interim charge for following and you have seen this before.

and that was about free market electricity, about examining government competitive intrusions.

basically this is about getting close to deregulation of municipally owned utilities.

[9:22:15 am]

so austin energy testified in that hearing in may and we're waiting for that report to come out.

but again, this is why this has also been put up right up there with revenue caps.

it's about protecting the authority of austin energy, which includes not only protecting the rate case you all sign on to and agreed to, but also the governing board which right now is all of you.

so on the agenda we've also put in there, and this is just to highlight, i would like to say that this agenda can always be amended by you all, even though we're adopting the core agenda today.

you all can amend this agenda at any time and throughout the interim you have amended this agenda.

and these are some of the resolutions that are now included in the draft put before you that you all have passed.

and we keep track of all that and other resolutions that you all do take action on as guidance for the agenda.

so moving to the lobby team also before you on thursday i will be asking for authority to renew contracts for what we're calling our core lobby team.

again, to give you an idea of how do we make that selection, we look at a number of things for the lobby team, particularly their knowledge of municipal issues.

if i'm having to explain issues too much to the lobby team, i might as well be down there myself and don't get me wrong, sometimes i am, but we also look at their conflicts, so they represent a number of clients and the city has a number of interests that often affect some of their clients.

and their experience and capacity.

also at the look at their current relationships and discuss with city departments how they feel the team has been effective.

again, this goes to how i examine the lobby team and look for making it the strategic recommendation to you all on the lobby team.

what i am recommending for the state team is to renew what i'm calling the core team that we kept during the interim, and that includes all the firms here you see on this page.

we still have the speakers race undetermined, so that won't be decided until the first day of session.

and even after that we'll have to wait to see who the speaker selects as his committee chairs, which will be very important.

and based on those decisions i will probably come back to you to either add to the team or at least let you know that i feel that with the current team we have who we need.

also before you on thursday is to renew the federal team, who is capital edge and infra strategies.

the federal agenda i will try to bring to you on november 15th for consideration and adoption.

and this is to provide to you just overall i know that these expenses are something that we should be fiscally recognized, and to know that the value of it, i started with this team in fiscal year 2016 and '17, and just showing you overall the costs that you provide that the city pays for those teams.

and i'm happy to answer any questions you all may have.

>> mayor adler: did you have something with respect to the agenda?

[9:24:15 am]

>> houston: [inaudible no mic].

this cold weather is getting to me.

on tuesday i will be offering some amendments to the legislative agenda.

one is about the green line, to add the wording in there that the capital metropolitan regional authority, campo ctrma, i was trying to remember.

ctrma the opportunity to facilitate the delivery of the green line.

and the other one is to be able to use the ledger that is going to continue to grow to widen that so it's not just with the texas facility commission, but with all state agencies and entities that we could use it to pay down something.

so those are the two.

i've posted all of that on the message board, and have not heard any comments other than those are in support of.

so i've talked with john michael about something that perhaps the university of texas has a ledger, but i'm waiting to get feedback on that.

>> mayor adler: yeah, i support both those and i appreciate your leadership bringing them forward.

in the way you described it, he we had originally thought you were focusing on government gsa and it could be that they're the only ones, but to open it up for brie to see how can we make the best use of any and every ledger that exists out there, which is the concern.

but i appreciate you bringing that forward.

i support both of those.

baudly stated.

broadly stated.

if you have language on those, if you could post them or get them out, that would be helpful.

>> houston: don't we have language?

that's what we posted.

>> mayor adler: there was specific language posted?

>> yes.

>> mayor adler: okay.

yes.

>> alter: so i wanted to let my colleagues know that i will be putting forward an amendment to help us to improve our procurement process.

one of the reasons that we until now have not had a human capital management system is that we don't have an ability to use dead for cloud based systems.

and since the world is moving to cloud based systems we need to modernize our procurement methods and our debt financing.

[9:26:30 am]

and i will post this to the message board, but it would be to support legislation to modernize procurement methods and debt financing for the purchase of cloud computing technology assets.

so i'll be putting that forward as an amendment.

and then i wanted to throw out an idea i have, which is not quite as well baked as this one.

i am concerned that we have a lot of surplus state land in the city.

and that we do not have mechanisms that allow us to have a longer term conversations and more engagement from the city, the county and other entities on the future of those sites as the owe sites as the state makes decisions about whether or not to sell that property.

so if colleagues are also concerned about this, i might be interested in putting something in there that would allow us to have some further conversations during this session should there be bills related to the sale of property coming up that would allow us to have meaningful approaches to this land.

this is something that we have done in the past with respect to mueller, but there was a much longer lead time before we were addressing those public lands.

and i believe there was some state involvement in that, and i think that the results speak volumes of where we're able to end up as a city when we're able to go through a planning process and put the assets to good use.

these other properties are not as large and are not the same thing as mueller in any way, but i think it's a good example at least of the planning part whether it has to do with the state involvement or not of where we can end up as a city if we're allowed to have the discussions over those lands, which are in our city limits.

>> mayor adler: okay.

mayor pro tem.

>> tovo: i have a question about that, councilmember alter.

and maybe this is one for our staff.

i'm trying to remember which are the agencies that are required to offer state lands to the municipality. prior to them going to private sale.

that was the situation with the grove, it was required they were required to offer it to us for sale and so i want that to continue to be the

>> that is current state law and you want that to continue.

i don't know if it's what is happening currently, but we're happy to look at that.

[9:28:15 am]

>> tovo: i would be happy to talk with you after the meeting.

>> alter: and i'm still trying to appropriate the appropriate approach and given that files will be that bills will be filed in a month.

even in the case of the grove we only had a very short window to be able to respond.

so if we can set up a system where we would be able to have a better response, i think that would lead to better outcomes for both the city and the state the future use of those lands.

>> mayor adler: my hope would be that you would phrase it in a way that didn't point to a specific solution necessarily, but spoke about we just want to have a more meaningful opportunity and ability to be able to participate.

>> alter: yeah.

my goal would be to have a more meaningful, and that could be very like having a month to respond does not allow for that.

>> mayor adler: all right.

and the language as broad as it can be in a very high level gives brie the greatest running room.

and ms. houston, i was confused.

the it said to amend the state legislature agenda to allow the city of austin to use the value on its ledger with the texas facilities commission with other state agencies and entities.

and i didn't know if we had so i read this to say we have like an accrued balance with the texas facility commission and we wanted to be able to apply it when we're dealing with other state agencies and entities.

and i wanted to make sure that it was broad enough to also say, and if we have a balance with the university of texas we're actually able to realize the money.

because it and as if we had a ledger with a balance or maybe had a ledger, but there was no vehicle for us to actually use it or get credit for it.

[9:30:20 am]



it just seemed to be an accumulating balance sheet.

so i think that and outside of this meeting i'll probably just suggest language that just makes it really broad that says let us get the value in as many different ways as we can with as many different ledgers as exist.

that was the

>> houston: right.

that's fine.

i just ask are there other ledgers that exist because i'm only aware of the one.

so that was my question.

>> mayor adler: okay.

ann and then greg.

>> kitchen: councilmember alter, i had a question about the procurement one you mentioned.

so you're talking in terms of changing the state law with regard to procurement and i'm not certain how that is a barrier to us in terms of our i.t. acquisitions.

>> alter: you can't float certain kinds of i don't know if they're bonds or certificates of obligation for cloud computing because it's not a capital thing.

it doesn't have a capital element to it that you can use under the existing procurement and debt financing rules.

so you can procure it, you just can't finance it through the debt.

so we just combined that in the way that so you are allowed to procure it if you have the money, but you can't finance it through traditional means that if it had been like a server and other things that you might have been able to do in the past.

>

[9:32:20 am]

> kitchen: okay.

i would like to have some more conversation.

we can talk about it offline about whether it's something we want to pursue this session.

>> alter: sure.

>> mayor adler: okay.

greg?

>> casar: mayor, could either bri or councilmember houston remind me of what i remember that there is something in that has to get done at the legislature to enable the green line, but i don't remember what the barriers are.

i don't know whichever of the two of you want to remind me of that just so i understand it.

>> mayor adler: you are on.

>> houston: as i remember correctly, in order for capital metro to move forward with the green line, they would have to have an election to be able to allow them to go outside of their service district into elgin, they would have to have an election.

there's another part of the code that allows the capital metropolitan hold on just a minute.

campo metropolitan transportation authority or other regional partners to be able to do that work with capital metro without having to have an election.

>> casar: so the idea being that there would have to be in the case of a green line that would go into elgin, for example, two elections, one election to allow it and then i'm saying under current law there would have to be an election to build it.

unlike if we were to run a train line up guadalupe and lamar there would be just one election instead of two.

[9:34:15 am]

is that what we're

>> i actually don't know the answer to that, councilmembers.

>> and the only other thing is the ability for another partner or one of the transit authorities to partner with capital metro does not require the election is my understanding.

>> mayor adler: okay.

ann?

>> kitchen: i'm not sure that it's a two step process.

i agree that there's an election required for green line, but i'm not sure if it's a two step process.

so in terms of election election first and then funding after, i think you might can do it in one election, but we'd have to check it out.

and we have to we may have to do election on the financing anyway, but that can be checked.

>> casar: mayor, i wanted to understand that because i am very happy supporting us making the green line equal to other lines without deciding which lines we support or don't support regardless that this is its own separate conversation, but if there's something that's an extra barrier for one of these lines i'm happy to support getting rid of any extra barriers and we and cap metro and anybody else can take votes on the line.

i wanted to understand that.

the last thing i wanted to in case anybody watching this didn't watch the budget process, i also just wanted to restate what several of my colleagues stated on both potential changes to austin energy and to the revenue, so called revenue caps bills that i appreciate our lobby team working on that.

i appreciate it being on our legislative agenda.

[9:36:30 am]

if anything changed on the way we generate revenue at austin energy it could make our structure unsound.

i think it could be a huge loss to the services the taxpayers receive and then we would have to reevaluate all parts of our budget, including some of the corporate incentive deals that have been that have been inked in the past.

i just think that if the situation changes and could impact the taxpayers, that's one of the first places the council has to look to make changes and i just want everybody who is watching this to know that.

>> mayor adler: our agenda has us defending against the cap at two and a half or four or anything.

does our agenda also have us affirmatively pressing the issue about the fact that the state has increased our state is responsible for over 70% of the property tax increase that we feel in this area over the last six years?

>> yes, it will in two places.

one, i did have a page set aside to provide that information, using in fact the charts provided by your office, mayor, and by financial services that show how much does the school district portion for austin taxpayers has increased by i think it's 280%.

you know the numbers better than i do, versus the city portion of the tax.

so we will be doing that in the agenda of making that case.

also there will be a resolution that will be brought forward to you all just like we did last session with our regional partners, meaning with travis county, aisd and the other school districts, capital metro, and austin community college.

and in that resolution, it's in draft form right now and we're all discussing to be presented to you all, it will have a strong support for state funding of education as property tax relief.

>> mayor adler: that's good.

you know, it used to be that over the last five years that the state's hidden property tax have gone up 288%, but now that the budget and the final services people have rolled into now this year, we have six years' worth of numbers and it's over 360%.

so it's going up an average of 60% a year, the state hidden property tax.

whereas the city's property tax in that same period of time has been going up about four percent a year.

so we all know who it is that's causing the property tax problem here.

and i hope that that's something that the legislature discusses and fixes.

ms. houston.

[9:38:18 am]

>> houston: mayor, this is not on the agenda, but while we have just a minute, councilmember garza has introduced an item number 39 that talks about federally qualified opportunity zones that i hope will pass on consent on thursday.

but while she's here can she explain to the public what that is?

>> is that something delia would explain as opposed to brie?

>> houston: brie is the one that brought it to us.

and i cannot talk to councilmember garza.

but i hope it passes, but i think people out in the real world don't know what that is.

>> mayor adler: do you want to say something about that while you're here.

>> i'm happy to from what i remember.

federal opportunity zones is federal legislation that was passed that allows folks that invest in people and businesses that invest in those zones that were identified by the governor and then they're being certified by the IRS to achieve capital tax gain savings from their investment and defer those capital tax gains if they invest in those areas.

other than that there is not a lot of prescriptive language about opportunity zones.

and by that i mean that this is what we've discussed with you all before is that there is no municipal oversight of the zones.

there is no it's not like other state incentives or federal incentives that look for a public purpose and tied that back to a public entity.

>> mayor adler: thank you.

jimmy is running late, will be here shortly, but he will also be posted two amendments to the legislative plan on the bulletin boards so people should look at those.

i don't know what they are.

anything else before we let brie go?

mayor pro tem?

>> tovo: i'll look over this more carefully between now and thursday, but i assume that we still have language in our legislative agenda that is rather broad in that it allows you to respond quickly if there are items coming before the legislature that are would be damaging to the city's financial position or otherwise.

>> yes.

and to that point, councilmember, we do the language is broad to provide that authority because we never know what the bills will be.

we can't predict how the range that they'll be.

but i also look at all the what our ordinances and current code s i look at the resolutions passed by you all and if there's an item that is unclear in that i will come back to seek further authority from you all on those issues.

>> tovo: thank you.

troxclair.

>> troxclair: i know we disagree on some issues, but you've done a great job on the legislative team and the amount of money that we're spending on contract lobbyists.

so thank you.

[9:40:15 am]

>> mayor adler: okay.

thank you very much, brie.

let's go to government that works.

we'll try do this stuff first.

no more than 60 minutes.

but i understand that we're probably going to be significantly less than that today.

>> thanks, mayor, councilmembers.

this is a continuation of the conversation we had at the last work session where we had a number of items that were discussed for possible conversation here at work session around the government that works outcome.

since then staff has been meeting with i think most if not all of you during the last two weeks to further that list to really have a laundry list, if you will, of topics that can be discuss.

i'm going to be asking staff to briefly describe those, but the real objectives today would be to encourage you to help prioritize that list and then we're going to detail some of the things we're working on right now.

you outlined a number of things that staff can just do immediately, and so we're going to start to take action on those and we'll highlight those as well.

so with that i'll turn it over to our deputy city manager.

>> kitchen: can i ask a question?

is councilmember flannigan going to be here shortly?

this was his area that he raised?

i don't mean to slow things down, i just didn't know i'm sorry, you said something about when he was going to get here.

>> mayor adler: and i don't know when he's going to get here other than he's been delayed, but i think that's a you're just basically identifying areas?

>> we're basically asking council to prioritize some of the topics that ditched all right.

>> so we can certainly follow up with him separately.

>> mayor adler: why don't you take us through.

[9:42:18 am]

>> elaine hart, deputy city manager.

and kim oliveras, who leads our office of performance management.

what you have before you today is a two page document that says government for discussion topics for all consideration.

i want to thank each of the councilmembers who found time quickly in your schedule to meet with us so we could come back to you this week with this inventory.

we really appreciated the feedback that we got from council, and hope that we have been able to capture all of your comments in this two page list.

you we have discussed this topically to help in identifying priorities that might fit in each category.

we've got boards and commissions, communications, council committees, council meeting efficiency, items from council or resolutions, the strategic plan and budget process were grouped together.

and then we had a number of other items that we just grouped under the topic of "other."

so i'm going to have kim talk you through some of the categories and then ask you to complete the prioritization spreadsheet or worksheet and how to get that information back to us.

then i'll talk about the items that we're going to go ahead and move forward with.

>> good morning, kim oliveras, chief performance officer.

as elaine noted, we have them broken up into categories.

there's a total of seven.

with boards and commissions, we heard well, there are a handful of categories where we heard definitely more suggested topics than others and boards and commissions is one of those.

things such as consistency in how they're operated and administered, ethics and conflict of interests.

what is the process for bringing recommendations from those boards and commissions back to council or council committees.

also quantity and growth.

that came up with a number of conversations with each of you is the sheer number of boards and commissions we have, the opportunities we have for aligning them to strategic outcomes.

and what those boards and commissions and the quantity means for impact on staff.

[9:44:15 am]

and the work that it takes to prepare for, attend and follow up on.

within communications we heard things about how we can better utilize y'all's bulletin board.

closing that feedback loop to ensure that the community is fully aware of what results from their input.

the things also about the roles of our communications public information office in addition to the council office in terms of being proactive in our communications to the public.

within council committees, there was conversation about the austin energy oversight board, an opportunity to if we align them with the outcomes.

at this point there is no safety focused council committee and obviously we do have a strategic outcome focused on safety.

there was also conversation about if they're effective or if they should be eliminated.

what are opportunities to use them to improve full council meeting efficiency and delegation, things like that.

in terms of council meeting efficiency, there were comments about possibilities for improving just the general meeting management and also our speakers process, what are are there additional ways that we can move folks through in a more expeditious way.

[9:46:30 am]

next topic was items from council and the resolutions that appear on each agenda.

we know there's quite a few of those that appear on each agenda, so what are ways that we can improve communications between council and staff on those.

for example, one on one meetings between the prime council sponsor and the associated responsible department or departments.

how those iscs might work with our strategic direction 2023, are there ways to more clearly align those with the outcomes.

also improve ways for searching for the resolutions and searching for the status of each of them.

and similar to boards and commissions, the quantity of those items.

in the strategic plan and budget category, biennial budget came up in a number of conversations.

a desire for a better understanding of all the different programs and activities and work underway amongst the departments and what funding is associated with each of them.

we also talked about processes for reconsidering programs and possible program reductions, reallocations.

and then also even zero based budgeting came up.

[9:48:30 am]



and then finally in the "other" category, which kind of has a wide range of topics, things about following the election, what are some of the transition things that processes that we should get nailed down.

for example, how councilmembers are appointed to external boards and commissions.

also conversations about facilitates, city facilities, different grants, smart cities and so on.

so those are just a handful of highlights of those various topics, and we look forward to being able to discuss those with you.

>> kitchen: could i clarify something?

>> mayor adler: ann.

>> kitchen: i wanted to clarify because people may not remember what smart cities is.

that's actually i'd like to make that a little clearer for people.

that is our effort to use technology most effectively and efficiently.

>> flannigan: and then mayor, certainly welcome the opportunity to further clarify or frankly lobby if there was an individual councilmember that wanted to highlight one or more of the topics that were reflected in this laundry list.

but it is a broad list and the reality is we won't be able to address them all in the time frame that we were talking about earlier and so we essentially have four more work sessions.

we have committed to an hour, no more than an hour, in each of the upcoming work sessions.

so the ask of you today is to essentially pick your top 10.

what are the things that we could organize our next four work sessions around to do a more thoughtful conversation on those topic areas.

so with that in mind, certainly we would like to see by the end of the day or by the end of the week at the latest your top 10 list for what we can then organize the next four work sessions to focus on.

>> so in each of your the packets you have, you actually have a second copy of the topics list.

it's just a single page.

and so you can utilize those, the little boxes next to each of them to check off your top 10.

and then either somebody from your office can get that back to me or just give me a call and i can come down and grab it.

[9:50:15 am]

>> mayor adler: okay.

yes.

>> alter: i just wanted to clarify.

there are seven categories and then there's a whole bunch of boxes under each.

and i think that there might be a strong preference for one bucket, but you would have priorities under different ones.

so i'm just wondering if as part of this prioritization because i may pick the first one and the fifth one and somebody might pick the second and sixth one, but if we could all say which bucket was most important we might say the same bucket, but different pieces of it.

so i don't know if there's a way in the prioritization for also for us to maybe rank our top two of the buckets in general because i think there are we're each going to look at them, the items underneath them intertwined in different ways.

and you might get more useful data to know we all care about this bucket.

[] change of captioners at 10:55

i care about ifc's bucket. that's my top priority.

and then we have to figure out which elements under it, if we can figure out a way to complement your request with that.

>> mayor, councilmembers, certainly i'd encourage you, if you want to highlight the category you're more interested in.

one thought i did have was to organize each of the work sessions around a specific bucket.

assuming there was a variety of topics that were prioritized we could focus our conversation for one of the upcoming work sessions under that category where prioritized were it prioritized by enough of the councilmembers.

>> mayor adler: i think that's good.

i think alison, also, as you go through and trying to figure out the top ten, there may be some that because it gets dispersed within the bucket that might be the most important bucket but might be underrepresented if you're just looking at the items.

so to have people touch base on the buckets, too, might give you kind of a second shot at that so i'll give you that information, probably would be a good thing for other folks to do too.

ann.

[9:52:18 am]

>> kitchen: i'd also be curious about how these buckets tie back to this strategy, and i'm not sure if i'm using strategies and goals words right, but the government that works for all is one of our buckets.

but under that bucket is a number of strategic are we calling them goals?

a number of strategic there's, like, five indicators, but this isn't organized back to tie back to those indicators, and i would like to understand i'd really like us to keep aligned with how we did our organization for our strategic plan.

so, i mean, i can intuitively see how these tie back but i'd rather see it organized, you know, that way.

so when it comes back to us in terms of whatever we're choosing, i'd like to see it tied back.

so. . .

>> mayor adler: okay.

there's one thing that you have on here that i don't know if we should have raised during the length thing, whether it makes sense to do that, you have certainly the option for the city manager to participate on the council message board.

that might require a legislative change, so you should check with bri to see that.

i think the rules were pretty descriptive.

sorry, i jumped ahead. why don't you get to the next page?

>> on that first page, the items i have an asterisk on the right of them are items that we as staff are going to go ahead and begin working on and that's what i'm going to cover next.

some improvements, efficiencies, and reports that we're going to go ahead and start working on without further council direction unless we get direction here at the meeting.

under improved communications between council and staff, we heard fairly consistently that we need to do a better job of reporting the status of our work on your resolutions.

and that we should consider either a database or data portal in ways that council and the public could search the database for resolution so that they could find the status and make the data available to the general public.

so that may take us some time, but we are going to go ahead and start pursuing that.

there was some feedback that on occasion it would be useful for the manager to be able to respond to message board posts, and so we would be looking at what it would take to do that.

that would not be anyone other than the manager at this point because it would very likely take legislation.

and then a minor thing but it's something that has come up over the last year or two, is to highlight differently in your outlook box your memos to mayor and council.

the readability of the subject line on almost any piece of equipment, how large or small your screen, is just memo to mayor and council and then the rest of it is dropped off to the right.

so in working with our pio distribution folks we're going to look at abbreviating memo to mayor and council as mmac and then adding a brief topic, adding the resolution number or ordinance number behind the topic and then department name.

[9:54:15 am]

so that they'll be a standard that we meet.

the only thing that will really vary much is the topic, and they should be easier to search and i think hopefully that would improve when we put this up on a data portal or in a database it should help as well.

for those of you who may have set up a rule in your outlook tied to mayor and memo to council, you'll have to change the rule to mmac.

so that those would go into a separate folder.

and if you need help with that we can get our information technology people to work with you.

but hopefully you'll be able to spot those memos.

i know there are a number of them.

but you won't have to open them up to determine if you want to read them or not.

so we hope excuse me, we hope that will be an improvement.

>> mayor adler: i'm looking this government that works already.

[ laughter ]

>> it's even little things like that that we can do, if you will just give us the feedback, we're glad to look into them.

excuse me.

i've got allergies.

and with regard to council meeting efficiency, we're going to based on a number of comments from you look at how we can more quickly work through the speaker list during public hearings or public comment.

it could be a process where the names are projected on a screen or there's a list or a kiosk where they can see where they are in the list.

it could also be another light on the podium that signals they've only got a minute left.

we'll work with staff to speed that process, including getting them to the podium faster.

i know the mayor does a really good job of telling folks who are the next three speakers but we need assistance in the back asking people to this and move to the podium until we get in the habit of that.

[9:56:20 am]

there's time that does accumulate when you have a large crowd just getting them to the podium to speak.

the fee waivers that are established by council resolution that are for the fee waiver budgets that you have in each of the councilmember offices, they are below the manager's limit and don't require council approval, so we would like to look at a process whereby we would still have transparency in reporting but that once we got feedback from councilmembers about what they'd like to contribute towards the fee waiver, that you wouldn't have to take action on those as individual council action.

so it's something we'd like to look into to see if we could streamline it.

it would eliminate two to four items on each council agenda.

we may run into roadblocks.

if we do we'll let you know, but we'd like to look into that for you.

not to change what you contribute to and we'll still make public but just see if there's a way process wise that we can do that easier.

and then we were asked for a report on the length of council meetings over the last three years.

i know the clerk had done work on that i believe in 2017 and we'll ask that she update that for you.

other items are just a category.

we have identified two advisory councils that are in our list of associated entities.

we'd like to look at the legislative authority and the purpose for those advisory councils and come back and make a recommendation to the council.

apparently these two advisory councils appoint each other.

they are not council appointees and they do serve to advise our transportation department who has the urban transportation commission that also advises it.

so we'd like to look at how they could be integrated but that will take us time to do the staff research and come back with a recommendation for you.

we were also asked for a status report on the recommendations from the community engagement task force that was done a couple years ago and our pio staff are working on that.

we'll bring that back to you.

also just to remind that you we are continuing to work over the next year with the arts commission to improve our arts award process and we'll be bringing report back to council on that.

if you have any questions or additional things you'd like us to consider, if you would rather have just a memo report on these versus a briefing, certainly let us know.

[9:58:15 am]

>> mayor adler: okay.

ann and then greg.

>> kitchen: hi.

i have a quick question about the first bullet.

i think this is really good and will be helpful.

my request would just be that when you get to the point in the process where you're outlining the specs, in other words, the specifications of the functions we're trying to achieve here i'd love to see that circulated.

i think that would be helpful for all of us to kind of give you our feedback on what functionality we'd like to see this be able to achieve.

so and i'm happy to i mean, we can share that upfront or we can share that after you've got a draft list of specs, whatever you want to do, but i think it might be helpful.

>> okay.

>> kitchen: okay.

>> mayor adler: greg.

>> casar: so i like everything that was asterisked and highlighted.

i think that seems like low hanging fruit.

i want to ditto that.

i do in looking at this and having my meeting with y'all, i was reminded and it unearthed remembering how hard it was to redo the committees the last time.

so i just want to intention because sometimes with minor traumas you kind of put them away in a box and forget what was but for the manager's sake and for others i think we must have had it on our work session agendas and council agendas half a dozen times without us really being i thought there was many of us that thought it was easy fixes but there were so much differing opinions we actually had to

form a task force that was councilmember pool, mayor pro tem, mayor, councilmember kitchen and myself.

we had to meet multiple times in this room to put that together and redo the ordinance.

we did ultimately i think make some progress by reducing the number of committees and but i just want to if what we're trying to do is have four meetings for an hour, we would it was more than two times that much just for this one particular bucket to be worked on last time.

not to be defensive about it, i think for us to have a check in about what people are doing, if there is consensus i'm totally open to that.

i just want to remind everyone when i thought of council committee meetings i thought there were a couple of things i'd like to change but then i remembered how the last round of reform went, which i think is important, i think it's something to look at but wouldn't consider it low hanging fruit based on prior he experience.

i think the committees i'm part of i think there's an increasing culture towards understanding what stuff the council feels like can be delegating and they trust delegating out and i appreciate that and i think it's going much better than before in my experience but i just wanted to remind us of how it went last time.

[10:00:30 am]

>> mayor adler: okay.

anything else on this?

mayor pro tem.

>> tovo: i complete agree.

and i also think there's a utility in revisiting things but not necessarily within a couple within a couple years.

i'm not sure we'll get to a different outcome there.

but i did have a couple kind of speed questions just in terms of identifying priorities, it would help me if i understood a little bit about some of these bullet points.

library fees for non city residents, page 2 of 2, if we can do these sort inform and if it takes longer i'll ask staff as in

>> they're in one of our meetings with councilmembers, the issue was raised about the value of charging those these to outside residents and just kind of there's work arounds and things like that, so is it effective or not?

and just having a conversation on if we should continue those or not?

>> tovo: that's sort of a micro level issue and what we're doing is a macro level discussion.

i think i would suggest we elevate that sort of thing if we want to have that conversation to talking about fees for city services for residents outside the city.

but with the footnote that that, too, is something we've revisited relatively recently with our parks committee, and actually came up with a whole new paradigm for how we do that, it is if you live outside of the city of austin you pay more for our city services.

and that's, in my opinion, appropriate.

so we can revisit that conversation if there's a will to do so, but i would suggest we do it across the board about all of our city services.

>> mayor adler: i think that was just the parks and they were trying to accumulate the data, which they weren't catching before about who was resident and who was not.

so it was more of. . .

>> tovo: right.

fee waiver process.

i see that that's asterisked.

can you help me understand what that it is intending?

>> fee waivers for your each office has \$6,000 budget.

we're going to look at how we can streamline that so there's not two to four items per council agenda on those.

we might combine them.

we might can do them a different way, do them administratively but still get input from councilmembers and they have a way to post the waivers online.

it may require council approval and we'll work with law on that but we may be able to combine them and do them in a different way.

[10:02:15 am]

>> tovo: that makes sense to me.

if there's an interest in it we've talked from time to time about whether there how we publicize that to the community because some people know about fee waivers, some people don't.

sometimes we're providing fee waivers for paid events, which always makes me a little uncomfortable.

sometimes we're providing fee waivers for community events, which is a different story.



if there were a set of agreed upon criteria that might also i think be a useful endeavor for the council to undertake.

they are being use to support very different kinds of events from time to time.

anyway, i have some other questions, but i'll ask after.

>> mayor adler: on the fee waiver issue, only because it's been raised and discussed, we moved through that really quickly on the agenda.

it goes on consent.

so i'm not sugar having two or three items on consent and pulling it off consent actually helps, but what it does do sometimes people see that opportunity and then they, on the dais, they say i'd like to add \$50 to that or whatever.

and if we pull it out of that process and put it somewhere else we might lose that.

we might lose the visibility that the community has in seeing that we're granting fee waivers.

you want to create a different place for it to be reported and for people to be able to see, so i'm not sure that that's one that that's broken that needs to be fixed or actually helps us and we might be losing some benefits.

so i just throw that out.

mayor pro tem.

[10:04:18 am]

>> tovo: interesting and good point.

the other thing it does if we're supporting events that are small community based local events, it also gives those events the visibility they might need to get a good crowd there, so having them on the agenda does serve a few purposes.

>> mayor adler: anything else before we move on?

manager.

>> appreciate that and we'll come back with a recommendation if there are changes for consideration on fee waivers.

again, appreciate the dialogue that we had over the last two weeks, and coming up with this list, it is a long list, but certainly would ask you to pick your top ten and that will inform how we structure the next four work sessions.

we can't cover everything, but hopefully a number of things will bubble up as the top priorities and we'll focus on those.

>> mayor adler: okay.

sounds good.

thank you very much.

let's now go to pulled items that we have.

we're going to go through the items that were pulled.

we get to the end we'll go back and get to the items that were not pulled but are being pulled now.

the items that other people want to be able to talk to are item 30 and 37, item 38, item 64, and item 30.

35.

but let's start with the ones that were pulled first.

item number 2, councilmember garza, you pulled this electronic vehicle charging.

[10:06:15 am]

>> garza: yeah.

i'm trying to understand how this new change of policy would affect so right now if you have an electric car and you're an austin energy customer, please correct me if i'm wrong if i'm wrong on any of this, you could be part of a program where you get a key fob and you're able to be charge at a charging station and sufficient an app that tells where you your charging stations are.

it sounds like, correct me if i'm wrong, we're allowing now a separate entity to sell austin energy energy in effect kind of creating competition or gas stations so to speak.

i'm wondering how will they be part of the charge point app as well?

so will somebody who has access to that be able to still go to one place and see where all the charging stations are, regardless of if they're part of the austin energy program?

>> good morning [off mic] is it on now?

thank you.

good morning, carl, manager of electric vehicles and emerging technologies at austin energy.

to answer your question, there will be two ways to see the charging stations.

one every service network does have typically their own application and maps so we use a national program and app called charge point, which you know well, you're a customer of.

these other third parties which we're looking at attracting to austin to include electrify america, a volkswagen settlement funds investment, they do have separate apps, as well, so a customer would

need to navigate potentially separate apps. but there are third party aggregators like p.u.d. share that take all these different resources and put it into one place.

the short answer is the different ones would have different ways of getting access to location but third parties have stepped in to aggregate that data.

>> garza: but does that mean that i mean, i guess one of the great benefits of being we own our utility is that we can have programs like this that incentivize people buying electric vehicles because of this convenient thing that allows us to pay we don't have to pay it's a one time cost so to speak and i feel like we're kind of changing that incentive in a way to where instead of having one key fob on my key chain i'm going to need maybe two or three because it just depends even though there could be an integrated app it just depends on which one i decide to go to so i'll have to have three different ones and i just feel it's taking away that convenience we have laid out by austin energy.

so can you help me understand why that's a good thing for our customers?

>> well, it doesn't slow down our strategy in rolling out more stations and keep in mind our core strategy is for most drivers in austin to charge at home.

that's why 85% of charging happens now.

behind the meter, a lot of nighttime charging takes advantage of the lowest cost energy and typically the most renewable energy with a overcapacity at west texas wind.

that is the strategy.

only 15% is public.

out of that 15% the vast majority is level two and that's at workplace and retail and multi family so that what we're really trying to capture is the most expensive investment, dc fast, which charges in minutes and hours, what we're really targeting is for people who have to have it in order to get their charge so the use cases are for electrifying taxis and transportation companies, travel applications, as well as people just visiting austin coming through and needing to pull over off i 35 on their way to probably to dallas or san antonio.

[10:08:15 am]

so we wanted to capture that.

we want to capture volkswagen settlement funds. ev go has national sponsorships and we don't want that code with unintended consequence to be a potential barrier.

at the same time we're rolling out ten new stations underway, council recently approved.

we won a tceq grant to support another 24 stations, so it's a hybrid approach.

your concern that's a known industry issue with these different kind of networks and where the industry is evolve and i see austin being pretty system, there's open standards that are doing a better job of

integrating to make that user experience more seamless so we're seeing that evolve, as well as third party applications stepping in.

as of right now today, yes, there might be some navigating differing but we do see the industry evolving and correcting that.

>> garza: so these new    are they exclusively fast charging or would they do some level two as well?

>> some business models do level two but really we're seeing the investment and quite frankly the most expensive investment, rather than burden that all with the city to stale it to where we think it needs to be, rather than coming back to you with tens of millions of dollars for budget for these things, we still have our own strategy and own roll out and also a market safety net if you will but as well as captured in millions and national funds that rate in the billions to make sure austin has its fair share of that investment so that's off behind it.

>> garza: if the examples you gave are people out of town just wanting to charge quickly, is there a way to have these other new vendors become part of the program where any austin energy customer that has that can also use that third party and not have to pay their fee but just pay what they're currently paying for the program they're in?

>> it's something we can look into, and we have previously looked into that with one of them, ev go.

there are quite a few barriers, both from a technology perspective, technical barriers, and then we look at the cost to implement versus actually cost of the traction, you could quickly exceed the cost to implement than the total sum cost of the transaction.

as of right now what we're really focusing on is supporting the open standards that are going to make that a lot easier and the industry is moving that direction, but immediately when we did look into that we just saw too many frankly barriers with that back office integration and then the technical integration between the application companies due to lack of mature open standards.

>> garza: last question.

you said    i didn't know that stat    statistic.

you said a certain number of people charge at home?

>> certainly.

out of all the charging, we have about 6,000 customers in our service territory.

85% of charging is all done at home and the majority at night.

so that's the best kind of charging.

that keeps the rates the most affordable for and we need also maximizes the most renewable energy by that.

we're really talking about 15% of the charging done in our territory and we're really focusing on, since it's the most expensive, up to \$150,000 per station versus a level one is either installed or it's \$80 to install so you can see the cost delta there.

if they can just use something to trickle charge at night we want to encourage that from an affordability perspective.

for use cases that have to have it we want to provide that infrastructure.

[10:10:20 am]

>> garza: it's an interesting statistic.

if i can get it through a program i'm already paying for i take advantage and my assumption would be there are others that do that as well in addition to when we have 50% over 50% i think of austinites live in apartments or rent, i just want to make sure our program is incentivizing people to buy electric vehicles and with 50% of our population renting, i guess not necessarily at huge multi family, they could be renting homes, but those are just my concerns with opening up this market.

and so i guess i would by thursday can you provide a little more detail on how the current program could be honored by these new vendors?

thanks.

>> kitchen: to follow up on that, so if i'm understanding correctly, basically the policy position that we've taken so far, which is kind of a combination of policy and resources, is that as a city we can't afford to build out the number of dc fast stations that we would need if we were trying to serve everybody?

>> we do think it would be cost prohibitive and right now the dc fast is a subsidy model.

there is a business case where we're making money on that other than we do make money if someone else builds it and they become a commercial customer like anyone else.

they're fantastic commercial accounts with very high density needs.

>> kitchen: okay.

>> so they make great commercial customers.

but providing the infrastructure itself is subsidized by car manufacturers wanting to sell cars, settlement funds, for example, the volkswagen settlement funds, or some sort of state or federal activity wanting to address climate change.

that's where we're seeing the subsidy going so we want to make sure that those subsidies and that business model has third party risk investment in addition to our own as well.

>> kitchen: so i'm wondering, you might if you need to check into this that's fine but so basically what we're doing is we're allowing people to basically buy from us because they've become a commercial customer of ours.

so one of my questions might be is what we do with those dollars.

so my question might be along the lines of what councilmember garza was asking, would it be possible to use those dollars that we get or some portion of those dollars to go back maybe you're already planning to do this, to go back into our program at the city in terms of the resources that we make available?

so as opposed to so those are new customers essentially as opposed to those dollars just going back to the general austin energy fund, those dollars go back to help us address some of the concerns that councilmember garza is raising about making more of these resources available for the whole community.

because i imagine that some of these folks may be purchasing from us to make the dc fast available for their customers essentially, which maybe a particular type of vehicle, for example.

so if i own a you know, if i own a lexus or if i own, you know, something in particular, it might be specific for those customers.

anyway, i would just be curious about that.

i do think it's a good thing because i do think that making you know, i just don't see how as a city we're going to be able to afford to make the dc fast available everywhere, so i think if we can engage the private sector in this way and have us pay us have them pay us, that might be a good thing to do.

so and i don't use my i don't charge at home either so but i know i should.

anyway.

[10:12:15 am]

>> mayor adler: i think this was really good.

i think this is really good.

and i'm really happy that you're bringing this forward.

you know, our next big hurdle with respect to climate change mitigation is we move away from [indiscernible] transportation and everything we can do to increase the ease for people, lower the barriers, so more and more take advantage of driving electric vehicles the better off we'll be.

we count that demand issue as we look at our generation plan.

so thank you for doing this.

all right.

let's go to the next item then.

item number 35, ms. houston, you pulled this, the austin marathon.

> houston: yes, sir.

could you come up?

the permit that we'll be waiving, could you explain that to the public?

>> good morning, office of special events and the transportation department.

so what the austin marathon is asking to waive is the signature requirement portion of the ordinance.

what that does is instead of waiting right now the ordinance requires notifications to go out at 90 days before the event, and then the public has until the 60th day before the event to respond with a approve or disapprove.

if the disapproval reaches 20% either on a single block or from a neighborhood association, by ordinance we cannot issue the permits, it has to go to council vote.

so what the marathon is requesting is a waiver of that signature requirement, so at 60 days or even less of that time we don't find ourself in front, having to ask for a waiver at that point, because it is such a large course, at 60 days they would 23409 have time to change they would not have time to change the course and recertify for the marathon.

this is something we've been doing many years.

eventually the marathon had a course that was ten years old and according to ordinance it was grandfathered in.

the marathon was sold to a different company.

[10:14:30 am]

they changed the course last year.

and so we're back requesting waiver.

this does not mean that notifications don't go out.

this doesn't mean we don't try to work through issues.

we have been doing that for the past year.

the promoters are here and can speak further to what they have done.

based on the feedback that we got last year and what we've done currently, but that is the basis of the request.

>> houston: thank you.

and i don't mean to mr. carol to speak, what this is is that when the course route was changed last year, notifications were sent out.

the route goes through east austin from ut, it's on a sunday morning.

many of the african american congregations were impacted severely is many of them in the university area were impacted, and some of the downtown churches have been impacted.

the promoter has been i helped work with them to reconstruct a route that i thought would be less impactful in the community.

as we found out, it is still impactful on the community.

i've had two community meetings with the clergy in the area and business owners in the area, and the event coordinator.

and there's still they're still saying it's impactful on the community.

i think if we waive this on thursday then that denies the opportunity for the people to continue to give their disapproval of the route.

is that correct?

[10:16:15 am]

>> so what it does is it provides a way for the event to move forward but we would still work with the different impacted entities, whether they be residents or businesses or churches, and work through as best we can to provide access as best we can.

it is a huge event.

no matter what part of town it's gonna be in, had it's going to impact people in and around the event.

>> houston: and you sent notices out recently.

how many disapprovals did you get back?

>> so as of this morning

>> houston: by the way, it was a very short time frame on the responses.

we got them on a saturday and they needed to be back on october 1 and they needed to be back by the third.

so i literally had to hand carry notifications because of the short response time.

>> yes.

and i apologize for that.

i'm not really sure what happened because they went out on the 24th.

when we came in the following week we had received some back already.



and then you notified me and i got a couple other notifications from some citizens saying that they just received them on the day that they were due.

so i'm not sure what happened with that, and so we're still taking them and we will still the promoter has still responded to each and every one.

so as of this morning we had 14 disapprovals and 29 approvals that came in from that latest mailing.

>> houston: so the issue for and i can't speak for reverent parker, but his church was very much st. david's chapel was very negatively impacted and i'm hoping that he will come on thursday and speak for himself because he's much more eloquent about this whole thing about how this decision was made to change the route without any engagement of the community before the route was changed.

the first notice we got in last year was when we got notice that the route was going to be changed and that's when i engaged mr. carol and the promoters to say, wait, this is going to have a negative impact on all the businesses on manor road, the ones on chestnut, where four churches are, places where we didn't even expect to have a negative impact because people can't get to church, as you all know, many of the congregations in austin are destination churches, that means many of their community live outside of the area, they come into church on sunday, they could not get into church.

so i know they've done a really good job trying to talk to us about this but they're not hearing that the worship is really important to this community and the fact is that we're not going to be able to get any relief is an issue for me.

so i just wanted y'all to be aware of what the issues were before we got to thursday.

[10:18:30 am]

thank you.

>> renteria: mayor?

>> mayor adler: let's go to pio and then alison.

>> renteria: and i understand that because my i have a problem getting out of my neighborhood.

i live right there [indiscernible] and i had to go all the way to shady lane, about 2 miles east, just to turn around and go back seventh street because i had a breakfast appoint set up.

those that went to the church, it was a disaster for them.

they could not cross over there at chicon.

i didn't realize it was going on that day.

i didn't receive the if i received a notice, i just ignored it because, you know

[ laughter ]

i get so many of those.

but, you know, it's just it was.

it was just horrible.

we couldn't even get out of our neighborhood at all.

>> mayor adler: okay.

anything else on this?

yes, alison.

>> alter: councilmember houston, i was wondering, have you paroled proposed an alternate route that is less impactful on the community or that

>> houston: the route they had originally have gone east on manor road and then south on chestnut, where all of our businesses are located and all of our churches, and i propose that they go down chicon and turn left on 12th street and pleasant valley and go south.

that didn't work either.

there were several churches that were just severely impacted, even the few on 12th street and 11th street by houston tillotson, it's a massive undertaking and it's i can't figure out how to get them around or through.

and they want to do this so that they see the historic neighborhood but the historic neighborhood was not involved in making that decision.

the decision is being made for them.

[10:20:15 am]

>> alter: so then the alternate route that you suggested didn't work for the neighbors?

it wasn't that the marathon wouldn't modify it to the response?

it was that you found in looking into it that it wouldn't work?

>> houston: we found by the number of calls that we got that it didn't work.

[ laughter ]

>> alter: i was just trying to understand what kind of interplay there had been.

>> houston: no.

once we had the conversation and i proposed some alternate routes, thinking that that would not negate the people's ability to worship that sunday, i even said could you do it at night, in the afternoon, because most people are gone home by then.

some st. mary's cathedral of course has five services and they're impacted all day and night, but most of the african american churches are not having night service but they couldn't do it at night.

they want to run through and see the historic community and so that's where we are now today.

>> alter: thank you for the clarification.

>> mayor adler: okay.

thank you.

yes, delia.

>> garza: can you speak to why the route change or can anyone speak to?

>> if you want to go ahead.

>> sorry.

i couldn't see the light.

good morning, dan carol, i'm the operations director for the marathon.

we changed the route so we took over the event after the 16 2016 edition, so 2017 was the first edition of the event that we produced.

and immediately after the 2016 event i approached francis and said i want to have an open conversation with city staff about the elaborate and event and course and whether this course should continue to exist, whether we should bane changing it.

we received runner feedback requesting we change it, we had a desire to return the reuse to the east side, which it was on for many, many years, the route went down cesar chavez and lake not lake austin.

lake shore on the south side of the lake for many, many years.

[10:22:30 am]

so we had a desire to change the route.

i also visited with capital metro and transportation and a.p.d. and the old route bisected the city north to south all the way from anderson lane to ben white so it created massive mobility concerns and issues for the city as a whole.

there was very little way to get east or west if you didn't go north of anderson or south of ben white.

so we worked for many months throughout 2016 and 2017 and had several sessions with city staff to review options, and the route that we came up with we thought was certainly better for capital metro, better for the runners and we thought would be overall better for the city transportation wise.

certainly when we closed down 26 miles somebody is going to be affected.

churches represent probably the most significant entity operating on a sunday morning so they have special needs and that's one of their 52 days of the year that they're open for business.

so councilmember houston, once she got our notifications, which we sent out in june and july of 2017, in advance of the 2018 marathon, we sent those out to gather feedback from the community to see, you know, how the new route would be perceived.

councilmember houston suggested alternative alternate route for us.

we visited with her.

we examined that route and we held the event with that new suggested change.

>> garza: thanks for that.

i was curious why it changed.

but i absolutely understand councilmember houston's concerns and the disruption, but you're right, it's disruptive anywhere it's going to be.

i've actually run the austin marathon back in my younger days.

so i guess i'm fender we don't waive this and these events are planned significant people train for a year or less and to be at a point where we're 60 days out and not sure if so what is the effect of at the 60 day mark then you would have to have a vote before council or you'd have a public hearing where theoretically council could vote to not allow the route change?

>> yes.

theoretically.

the few times that it's happened it's been so close to the event that in general the event has gone on as planned.

that's one of the reasons we want to come earlier, to see if there was concerns, if there was anything that needed to be changed at this point while we still have enough time.

i'm not a marathon runner, but my understanding is that the certification process is pretty lengthy and it is a certified course.

so at that late date it would be very difficult to make changes and then get it recertified.

so i think there are a few areas that mr. carol is still working through and if we need to make adjustments we can and renotify those.

to make major changes i think at this point would be very difficult.

[10:24:15 am]

>> garza: thanks.

>> mayor adler: ann?

>> kitchen: i just wanted to back up and speak to the process a little bit.

i appreciate y'all bringing it now, but i think that i think this is a larger process with regard to a number of events in town.

and decisions about where they are moved to or expanding them are often made without it coming to council, and so i think that that can be an issue.

so i appreciate the concerns that councilmember houston is raising, and i'm not sure what the answer is right now, but and i know you're trying to bring it earlier than you would have normally, but i'm thinking that we might have to we might need city manager, i'm thinking we might need to have conversation about the impact of these events on neighborhoods and perhaps having the council weigh in a little earlier, you know, when changes are made.

so if we'd come back a little earlier even on this it would have given councilmember houston some more latitude to talk about what the concerns are.

so i'm just pointing that out in general as a broader policy question for us.

>> so if i could just interject very quickly, is in the new special event ordinance that is going into effect in april 2019, that process has been moved and changed somewhat so it will take place a lot earlier in the process because that had been identified as one of the biggest issues with the current ordinance, it's just that time frame.

and so now once an application comes in and if it gets initial approval notifications will go out immediately after that and we would gather that information much sooner and then be able to make decisions much earlier on whether it was a go or no go.

>> kitchen: and thank you for reminding me about that change.

is there a provision in there and i can go back and look because i'm just not remembering that brings some of those decisions back to brings the decision back to council if it triggers a certain level of concern or something?

>> yes.

if there is 20% overall disapproval and neighborhood association disapproves that would trigger an automatic return back to council for a vote on that.

>> kitchen: that's effective in april, you said?

>> april 1.

>> kitchen: okay.

>> mayor adler: ms. houston.

[10:26:20 am]

>> houston: thank you, mayor.

i just wanted to respond to councilmember garza's comment, is that i have offered other kinds of suggestions for a route, but it's not they have not been accepted.

i suggested using circuit of the americas.

they want to have the kind of downtown feel and running through neighborhoods.

i suggested the expo center, places where churches would not be as impacted as they are on a sunday morning and where they when the congregations talk about it, they talk about the loss of revenue to them because people can't come to church and out of 52 sundays and you lose one sunday that's a pretty major revenue gap that they have to make up.

and so i've made other suggestions about where they could have this relay not a relay, a marathon, but they're not open to any of those kinds of things.

they want to run it where they kind of want to run it so that's where we are today.

>> mayor adler: alison.

>> alter: i would just like a clarification.

so what's before us is actually waiving the signature requirements.

could we simply say we want to do the policy that's in our new policy, we just want to implement it sooner for this particular event?

i don't know if that resolves any of the issues, but would that be a happy medium from not having it to getting the notice changed to something that we've already agreed to should be the process moving forward?

>> i'm sorry.

i'm not really i'm not sure i understand.

>> alter: as i understand it, we have the special events ordinance change which would be changing the notification requirements.

they are asking in this item for a waiver of the requirements altogether.

could we instead of granting them a waiver grant them the same process that we have said should be the process moving forward?

i don't know if that would resolve anything.

i'm just asking if that is an option that we could consider on thursday.

and would that

>> i don't think we're prepared to go into the new process, which is going to be slightly different in the way we mail out notifications and then receive that information.

which is right now there's a letter with a form and people have to put the form back in the mail and send it back to us, so hopefully going forward we're going to have a postcard and utilize 311 as a way to receive that information back.

so as far as that process, that's not in place yet.

something we're working through.

and i would say at this point in the new process we would have already sent out the notifications and so i think we're i guess basically in the same spot we would be whether it's the old process or the new process, except for the current process does allow up until the 60th day for somebody to disapprove.

[10:28:15 am]

>> alter: okay.

thank you.

>> mayor adler: okay.

thank you.

let's move on.

we have seven items left.

jimmy has indicated that he had pulled item number 51 but does not need to pull that now.

so the next item then we have is item number 40.

you pulled this, jimmy.

>> flannigan: i want to apologize for my tardiness.

i had a personal appointment this morning and ended up stuck on mopac for more than an hour and a half and it was that thing where you get on mopac and you think there must be a really bad accident, you feel bad about what might be going on and then as you see the flashing lights ahead of you and you approach it they turn off the flashing lights and there's no accident and traffic starts to flow.

that was my morning.

[ laughter ]

but i was listening to the entire work session in my car, so i do have comments on things that transpired.

i also have on item 40, it's just amending the whereas to include williamson county because williamson county does similar access to voting and the like.

i don't think it will be controversial but that's my change to 40.

>> mayor adler: okay.

thank you.

let's go on to the next item, item 59, councilmember garza, you pulled this one.

>> garza: this is the tax credits for the senior affordable housing.

we had the discussion just a couple weeks ago, and i shared my concerns about the what is affordable according to the information we have is really just the market rate right now.

i just wanted to make and i have concerns about the lack of transportation in that area, and, you know, to be clear i have probably voted for every single tax credit project and will vote for many, many, many more.

but in working on this one we've tried to ask the developer if there was a plan for transportation because it's in the etj which means cap metro cannot service it and did get a response in a memo that i think was sent to everybody, which i'll be honest i was disappointed in their response, which basically, you know, in the time it took them to get the information that they included in this month, i wish they would have picked up the phone to investors to ask maybe there's something that could be changed point the justification is, yes, while it is considered senior housing they are active seniors.

they will have vehicles, and as we try to solve these very difficult issues of congestion and transportation and affordability, you know, saying that we're going to put an affordable housing facility somewhere but then not but then knowing that we don't have transit there, it's, like, we're trying to solve one issue while exacerbating another issue, congestion on our roads, single occupancy vehicles on our roads.

and so the memo also outlined kind of, like, well, here's what is already available free or at a charge to these folks.

[10:30:20 am]

and, you know, when we think about factor we've often said it's not just what you pay in your rent, it's what you also pay to have a vehicle.

we're saying we're going to give you affordable rent but you're going to have to own a vehicle to live out here, which could be a range of what that cost will be.

so i'm just very disappointed in the response that basically said, you know, there's parks and rec vans that can be requested because parks and rec vans can't go out to the etj and then it said even if they can't go to the etj, they can go they lay out the corner that the parks and rec van can go to and then they say folks can walk to that corner, you know, if we send a parks and rec van out there.

they also laid out other options, many of them very specific for i guess folks that have cancer, they can call these nonprofits help them get to their appointments.



but they don't address, you know, the issues of access to grocery store.

in the letter from travis county, which endorsed these tax credits, travis county lays out, well, there's a big development coming and heb is going to be there and that's not a true statement.

we don't know if heb will be there.

heb has bought land there, but we don't know if heb is going to be there.

so i still have the same transportation concerns that i've had before, and i just can't find i don't feel like there's been a good faith effort to provide to address the issues that i've asked.

and so i will not be supporting this, the approval of this, and so the i guess the main question for housing is, it says that one person in the household has to be 55 or older but then can you can thereby school aged children is there as well?

so, you know, if you're a single mom who had children late in your life you could easily at 55 have a 15 year old and a, you know, 13 year old.

are children allowed there?

>> theoretically, mandy demaio, community neighborhood administrator for neighborhood housing, while there is a senior preference for and it's folks 55 and up, at least one member of the household has to be at least 55, so theoretically, yes, there could be a couple where one member is 55 years old with children.

keep in mind that all of the development is geared towards seniors in terms of the services that are provided, in addition it's a mix of primarily one bedroom with some two bedrooms.

so it's not set up to be family friendly.

>> garza: but children could live there?

>> theoretically, children could.

>> garza: okay.

because also in the county memo it said there was a question about schools and it said, like, we don't have to answer that because children will not live here.

which i felt was an interesting reply?

>> under the 4% program, so this is a noncompetitive tax credit with private activity bonds that are being issued by travis county housing finance corporation, under the program, if it is a senior property, then the schools, whether or not they met standards, state standards, which is kind of the threshold, does not apply.

>> garza: okay.

>> mayor adler: so i understand that ah just after january staff is going to be coming back to council to lead the council through a policy conversation about 4% tax credits.

[10:32:15 am]

>> correct.

>> mayor adler: we need to figure out the policy on an ad hoc basis any time we get together.

we're not really providing direction to any people that come to us so i look forward to that conversation.

i hope and trust that that conversation takes a look at, in addition to all the other things that you're looking at, the interplay between travis county housing authority and austin housing authority.

my sense is that there's some potential issues there with how they work with one another and jurisdictions and that kind of stuff, which i don't really understand on this one.

i did get a call from sarah eckhardt, county judge, hoping that this would be something that we would support.

she mentioned that that issue as something that together we all need to work our way through, as well as the difficulty they have in travis county because they want to increase affordable housing in travis county.

but when you go outside of the city, they're frequently confronted with the issue where the areas that they have the ability to be able to participate don't have the transportation because it's not in cap metro's service area.

so i just mention those things and that issue because she called me, and also because that needs to be part of the broader policy conversation.

that you guys will lead us through.

>> mayor, you are correct.

we are bringing all of this back with a variety of different policy conversations in january to city council and to the housing and planning committee.

we have over the last couple of years heard from multiple councilmembers about concerns about our 4% tax credits and the role that city council plays in approving those 4% tax credits and where they're located.

particularly in situations in which they are disconnected from services, whether it's transportation or schools or grocery stores.

so we have been looking at really over the last year at how we incentivize our 4%, which are noncompetitive tax credits, how we incentivize them in locations where we want them.

we've had a meeting with stakeholders, 4% tax credit developers, looking at different scenarios in which we could incentivize them to be in higher opportunity areas.

what we heard from them, we put in a memo to city council which went to y'all in february of this year.

and one of the biggest impediments really was sufficient land, affordable land to develop a 4% bond tax credit development.

we have a couple of examples.

one, the most high profile is aldridge 51, which is a development in the mueller/miller development, which is 240 units of affordable housing.

that was a 4%.

we issued the private activity bonds.

austin housing finance corporation, we're also partners in that deal so our participation actually made that happen.

>> mayor adler: thank you.

ann?

[10:34:20 am]

>> kitchen: a couple of questions about this.

so do we have so what this is asking for is our approval, right?

if i'm understanding that correctly.

and so my understanding is the impact my question is what is the impact of saying no to this?

the other question i have is do we have the authority to request that they have a travel demand management plan as part of our condition on approving this?

and the reason i'm asking all this is it's pretty standard for okay.

for senior housing, and i'm talking about independent senior housing too, the services that are provided it's not atypical to provide a van service.

and my understanding is they're not providing anything with regard to transportation.

and tell me if i've got that wrong.

which is actually not typical just in terms of what i've seen.

so it really gives me pause to approve something like this and i'm really concerned and i'm not sure i can vote for it because they have not responded in terms of transportation services.

so let me go back to my question.

so two questions, do we have the authority to say to them, we would we will approve this if you develop and show us that you've got a tdm plan, okay?

second question is what happens if we don't approve it to the project.

>> so what's before you on thursday is a resolution of no objection.

that's the threshold for getting you're not saying you necessarily support the project.

there are two different levels.

one is a resolution of support, one is a resolution of no objection.

if council in fact decides does not pass the resolution of no objection, the project will not go forward.

[10:36:15 am]

that is the threshold that needs to go before tdhca, texas department of housing and community affairs, in order to move the tax credit project forward.

so regarding the tdm, which is interesting, we've looked at some best practices around the state of texas in terms of what process they follow in order for the municipalities to issue their resolution november objection.

and there are different communities have different tiers.

you need to in order to get no objection at a minimum you need to provide xyz, which my understanding is could be a traffic analysis, could be a variety of things.

in order to get a resolution of support, that kind of kicks up the threshold items.

we do not currently have that policy in place.

>> kitchen: but we could, and we could do it with regard to this particular property.

i'm just asking the scope of our authority.

and what i mean by i don't mean a traffic analysis, i mean we've done this with other projects.

typically i think it's a pud.

i mean, robert might know this, but if i've got the i think i have the term right, but basically it is a plan that the it's a plan for how transportation can be made available in that particular community.

that may be transit, it may be something else.

[10:38:30 am]

and i may be taking it a little bit out of context in the way we've used it before, but my question is why couldn't we simply say to them that we need to you have a plan that actually makes transportation available as needed?

>> assistant city attorney.

the council can include that as a condition?

the challenge is if they do not comply with that condition, the council cannot withdraw its resolution.

so once the resolution is passed, the state considers that complete.

so that would be the only challenge that i could see going forward on something like that.

and to go back just a quick second about the 55 and older housing, this is actually housing for older persons under the fair housing act and it has certain criteria that the development has to meet.

at least 80% of the units have to have at least one occupant who is five years of age or older.

the facility or community must publish and adhere to policies and procedures that demonstrate an intent to operate as a 55 or older housing.

and the facility or community must comply with hud's regulatory requirements for age verification.

so when they say 55 and older, they have to meet those standards and hud is the decision maker about whether they've met that threshold.

>> kitchen: are there any standards related to services they have to provide?

>> no, but the policies and their amenities need to give an intent that is for 55 or older.

>> kitchen: but there's no threshold on what those are.

[10:40:15 am]

>> correct.

>> kitchen: and one last question then.

can you remind me in this case what they've said that their amenities are going to be?

>> i believe it is in their application and they are required by tdhca, the state department of housing agency, to hit a certain number of amenities, and that's in their land use restriction agreement.

and they have to promise in terms of providing quality housing that they will provide a certain amount of services.

the services aren't spelled out in the lura, it's a certain number of points so the services can be flexible over time.

so whether it's they say they're going to provide free health screening, which as i recall was in here.

potential health screening.

there were resident services like gains and bingo.

we could get you a list of what they have promised, and it should be in backup.

>> kitchen: and i apologize.

i don't have the backup right here, but i assume it is.

okay.

i just wanted to ask those questions.

i share councilmember garza's concern and i'm particularly concerned about offering senior housing without making an effort to offer some transportation options like a van which i see as typical for many senior complexes.

and i don't think it i don't think it's it's not satisfying for me to say that these are seniors that drive their cars.

so to me that really has a very difficult not just from the affordability aspect of it, but there's the issue of sustainability over time for that person to continue to live there as their needs change.

if they cannot live there without having a car, that means they're going to have to move at some point.

so i just think i may have difficulty supporting this one.

>> mayor adler: greg?

>> casar: do y'all have an estimate already in backup of how much the four percent tax credit how much subsidy it would provide in this particular

>> as i recall off the top of my head, let's say this is a 20 million dollar property, is that right?

typically for a four percent, the tax equity is somewhere around 40%, 30 to 40% of the deal.

so it's much unlike with the nine percent where the equity is the vast majority, 70, sometimes 80 percent of the deal and sometimes very little debt on the property, you kind of have it flipped with the four percent.

[10:42:30 am]

>> and it is in backup for this particular item, the tax credit equity is 11 million with a total of 36,999,000, so 37 million.

>> so as you were saying it's a 37 million dollar project, \$11 million of it is provided through the state approved subsidy.

>> that's correct.

>> casar: that's helpful for me to understand.

>> and the debt is private activity bonds issued by travis county.

>> casar: thank you.

>> mayor adler: okay.

anything else?

ms. houston first and then we'll have ms. garza.

>> houston: i don't have all of my backup here either.

in senior living areas as councilmember kitchen has said, even in town they provide transportation.

this is so far from away from any amenities are, i would have difficulty believing they would not offer that as an amenity that transportation would be provided into town, to your doctor's office, because as one of those people that may give up their car soon, i may have to live there and i would like to be able to get to church on sunday morning and i don't want to have to call uber or lyft to come pick me up.

that's something that i think should be an amenity, should be

>> we'll make sure that we pull that, extract that from the backup.

i just don't have i have a link to it in my packet, but i don't have it printed.

so we'll extract that and submit that for questions and answers.

>> and also, councilmember houston, just so you know, the developer was certainly invited and we've reextended the invitation to be here on thursday to address specifically any questions you all have.

>> mayor adler: thank you very much.

councilmember garza.

do you want to close this out.

>> garza: so what i feel for the amenities are no different than what would be offered at any apartment complex, clubhouse, movie room, activity center and library, business center, barbecue grills, swimming pool, community garden, code compliant park, whatever that means, secured building entry, full perimeter fencing with card access, on site maintenance.

i mean, that's nothing that's not offered at any apartment complex.

and i just want to go back to the the rents at the levels being offered are what the market is right now in this district.

so like 1200, 1100, you can get a two bedroom apartment in district 2 on probably the 801, which is a rapid transit line or even one of the frequent new routes that we have.

so i understand that councilmember casar made a good point the last time we discussed it that this would be for a long time.

while it's 60% for the median income, it's really the median income for this district.

the median income for district 2 is about 51,000.

and that's about 50% of our city's median income.

as we're redoing this policy that would be i don't know what the federal rules are, what the regulations that would prohibit us from doing it, but on one hand maybe we need to consider 60% for the area that you're in.

because this is really not it's 60% for somebody maybe moving from downtown there, but not for the people that are that are living there.

[10:44:15 am]

so in a way i feel like they're getting market rate for at least the first couple of years of these tax credits that they're being able to take advantage of and with whatever windfall that might be, i don't understand why they can't just buy a van or something to provide.

i think it said 24 hour management, so management member on site 24 hours.

it appears you would have the staffing to provide some kind of transportation plan.

so that's still my main concern.

i'll end with i was disappointed in the memo.

it's like a big corporation that doesn't want to give its employees health benefits and saying hey, but look, there's medicaid, there's chip, here's all these other things that they have access to.

they can go to the marketplace.

i mean, that's not a good response.

i didn't feel that was a good response if we're going to be these folks are going to be calling my office to ask, you know, with concerns.

and anyway, so i can't support it as it is right now.

[10:46:30 am]

>> mayor adler: okay.

anything else on this?



mayor pro tem, did you want to say something?

>> tovo: i just wanted to agree on the van and its importance.

>> mayor adler: all right.

let's go to the next one, item 62 we're going to do in executive session.

so now let's hit some of the items that have been pulled, but were not pulled in time to be on this.

councilmember houston, you pulled item number 30, which was colony park.

mount yes, mayor

>> houston: yes, mayor.

colony park has been in and out of our agenda for many years now.

this is just a quick update for staff so we can pass it on consent on thursday.

[10:48:15 am]

>> mayor adler: great.

got it.

thank you.

>> houston: moose my hope.

martin barrera, if if you would do that quick update so people know where we are.

>> absolutely.

>> houston: turn your mic on.

>> all right.

thank you, everyone.

thank you, mayor.

thank you, councilmembers for inviting us here to speak today.

about the colony park sustainable community.

this is item number 30 on the agenda and it is to enter into negotiations and execute an exclusive negotiating agreement with catellus.

catellus owe catellus is the selected master developer.

[10:50:20 am]

one of the things that is important to know is we've arrived at a very good place.

we have support in the community for this project.

it's based on a relationship of trust and respect that the city departments, many staff members have worked on since 2012 to where where we are today.

and we've also arrived at a place where we have selected a master developer that is experienced working with the city for 15 years they've been working for the city to develop mueller.

they've been working on mixed income, mixed use, urban communities.

and nationally.

the timeline from 2012 to 2018 shows the outreach we've done in the community and the continued respect that we have for that relationship.

with the community and with the purchasing office, we developed an innovative two phase solicitation.

beginning first with the request for qualifications and then ending with the request for proposal.

[10:52:15 am]

catellus was the only qualified developer to submit a proposal.

we had two who initially submitted, but one withdrew from consideration.

the evaluation of catellus's criteria was their experience in developing similar projects and also the strategies for providing community benefits.

and we had two outreach events, one on may 24th with over 300 attendees that resulted in a voting of 80 percent of the members there, of the community members voted in support of catellus.

so that was a video presentation so we followed up with catellus live and in person on september 8th and over 200 attendees showed up.

it was a very positive event where catellus addressed questions that were derived from the may 24th event and answered those in a community presentation and we followed that up with a panel discussion and questions and answers.

just to show you where we've been with the solicitation, it's been a year process.

october 23rd of last year is when we issued the rfq, and through the items that are highlighted in orange, those are the items where we had touch points back with the community and we've included one community member on the evaluation panel and we believe this is the first time in the city's solicitation process where a community member was a voting member on the evaluation panel and they voted both during the qualifications and also during the proposal round.

there we go.

oops.

one too far.

some information about.

[10:54:20 am]

catellus, i think with mueller being here in austin, we're very familiar with catellus, but they are privately held by tpt capital.

it's a 70 billion dollar company.

they have adequate access, more than adequate access to equity and finances.

they develop with both local and national consultants and have an experience of using local talent to develop and build the community.

as i mentioned before, they have relevant development experience and experience developing projects with community benefits.

so we're going to ask for approval to enter exclusive negotiations.

there's some key points that i want to ensure that everyone knows that we're going to be discussing during this time.

this is going to be a challenging project and going to be a long term project and the negotiations are going to ensure that it's a fair deal for the city, it's a fair deal for the developer and that we achieve the community benefits that the community envisioned when they participated in the master planning process.

some of the items, land development financing, the ratio of public to private investment is one of the key points we have.

some near term development opportunities with central health, the minority and women owned business enterprise is also something very important to us among other items that are on this list.

and i want to ensure that everyone knows what the timeline

timeline

[10:56:15 am]

will be for these negotiations.

it may take up to six months to arrive at an exclusive negotiating agreement.

and we've allowed for up to 24 months to craft the master development agreement.

once we've executed the exclusive negotiating agreement, if we're successful on thursday, that will close the solicitation process, anti lobbying, the no contact period will be over at that time.

and during the master development agreement, the developer would have a more open lines of communication with council, staff, with the community that we've been unable to do so far through the solicitation process.

>> mayor adler: thank you very much.

ms. houston?

>> houston: i want to thank staff from all the departments for be working on this over the last five years.

how many?

>> seven.

>> houston: seven years!

time flies when you're having fun.

you all have done a great job.

you've been really inclusive of the community.

[10:58:20 am]

you've listened.

it's been a community led process and i think it will be a pilot for the way we go forward.

as i said, i hope we just pass this on consent tomorrow.

>> we appreciate your leadership, councilmember, we really do.

>> mayor adler: all right.

thank you very much.

item number 37 i've just handed out an amendment.

mayor pro tem, this is yours.

we couldn't talk because of the quorum issue.

i like the idea of plazas.

this is similar to the kind of standard amendment i put on things that just say that we want staff to be able to come back and give us their professional opinion as to whether it's the right policy or the right thing for us to do.

i can't imagine it would come back differently than that, but i would like to hear that if for whatever reason they had any kind of reservations.

and when i was reading the language in the as you had drafted it, i was concerned that it presupposed the conclusion or the direction.

[11:00:15 am]

>> tovo: thank you, mayor.

i guess it does in a way presuppose a conclusion and it's based on the the fact that i think there have been now two or so plazas that have gone through and have happened.

this is some of you i know i think we asked you to be on a resolution, similar to this one about a year ago with regard to the public plaza down near i'm suddenly blanking on the name.

yeah.

>> [inaudible].

>> tovo: yes, exactly.

so we've had several situations where and there's also one over on third street so we've had several situations where private developers are stepping up and working with the city to create these and it's actually i think now time to ask our staff to create and formalize a process that we can use throughout this city.

so i appreciate the suggestion, but i'll go back and ask more questions of staff.

i know they estimated how much time it would take in response to councilmember flannigan's question, but in essence i think they've done quite a bit of work in working on the ad hoc arrangements over the last couple of years, again with two individual private developers.

i do think it's appropriate to set some direction and to set some policy direction and say we're ready to have a foreformalized program.

i appreciate your feedback.

>> mayor adler: okay.

and i didn't want to slow us down from getting the framework and the like.

and i can't imagine why we wouldn't end up wanting to do this.

and i essential appreciate that you have had the opportunity to talk to staff about plazas and about that and what they're doing.

since i haven't been part of those conversations, i'm playing catch up and would just want staff to be able to address kind of the global issue at the same time that they're providing a path should it be the the way we want to go.

again, it isn't so much at this as it is the same kind of thing that i frequently brought with ifcs to make sure we have the professional staff engaged to give us a base conclusion as well.

mayor pro tem?

[11:02:20 am]

>> tovo: and i don't think we have the staff here today who can address this.

allen holt i think has been the lead on this, but perhaps we can develop some questions between now and thursday that will help the staff talk about this.

i believe it's my assumption that we are in favor of moving forward in this direction and they can perhaps provide some more context through the q and a that would help us come to a level of comfort with it.

i didn't know it was going to be pulled or it's been going on so long i didn't prep before today to talk about it.

but i'll have more to say about it on thursday.

>> mayor adler: thank you.

okay.

next item is number 38.

you pulled that one, ms. houston.

that's the music issue.

>> houston: and mayor, i submitted a question to the council q and a and yesterday it hadn't been answered.

it may have been this morning.

[11:04:15 am]

>> mayor adler: and staff, since you were asking about what the intent was, staff reached out to our office and said they would like for us to say what the intent was and they would note it and put it out there.

we had resolutions that spoke to the agent of change issue in two omnibus.

there was an attempt by staff to bring stakeholders together on that issue became caught and a lot of other issues as well as.

they were unable in the stakeholder process to move forward.

and we city of austin continue to have questions about the compatibility of music, in rainey street, on north lamar, on riverside, on west sixth.

but it now looks as if we were approached by some of the stakeholders who i think have refined their position on capability.

we attached some letters from some of them that are in backup.

there's also been the pilot program on red river which was successful that might give us additional information.

and in talking to some of the stakeholders as well as the music department my sense was that people thought if they got reengaged at this point they might be able to advance this issue with respect to music compatibility.

so this was just a nudge and to bring that additional information together to say take another look at this.

>> houston: so this is just to kind of reboot.

>> mayor adler: to reboot.

[11:06:20 am]

>> houston: to reboot the conversation with the wide range of constituents in this.

we've all been getting emails from everybody and it wasn't clear what was happening.

>> i think it was to reboot now that some of the stakeholders.

i think we have the red river experience that would be helpful.

so i have high hopes that this time we might actually be able to advance the ball.

>> houston: and will be inclusive of rainey street and some of the downtown.

mayor pro tem and i share some hi rises.

it's her hi rises.

i just kind of share it.

they're complaining too.

so make sure that the people are engaged again.

>> mayor adler: yes.

[11:08:15 am]

>> houston: okay.

i thought it was a new process.

just want to be clear.

>> we just have never actually completed the loop on the old process because they weren't able to get where they needed to go.

mayor pro tem.

>> tovo: i appreciate you rebooting the process.

i think it's important.

i attended some of the stakeholder meetings.

i actually thought there had been language drafted.

is that the case?

>> mayor adler: there was a year ago language that was drafted.

and with that actually it all blew up.

but i think now there might be a path to reengage.

some of the language that was drafted raised a lot of issues that i think people are now looking back and saying really don't need to be part of this conversation.

but there's nothing in this resolution that limits that.

so if people want to raise that again they certainly can.

>> tovo: i guess i would just like to urge our staff as they reboot this process that we sort of pick up where it left off rather than starting anew.

maybe having some of those points as a place of discussion would be helpful.



[11:10:20 am]

>> mayor adler: absolutely.

and the resolution speaks to that and asks them to do that.

okay.

let's go to the next item.

how about 38 we've done.

what about item number 41.

alison, you pulled this one?

>> alter: yes.

so i was able to speak to my commissioner and her students who drafted the report on the rbj, and i would like to see if we can put some clarification because the report actually calls for a joint adult and childcare center and they're kind of intertwined with the idea of having space and programs co located to benefit both the children and the seniors from being in the same place, which is a model that is being adopted around the country.

and while we may land on just an adult academic center, it feels like the resolution precludes a discussion of both of those.

so if the sponsor can edit it appropriately so we can follow what's in the report so that staff has the leeway to pursue that option, should it be the most appropriate, and not preclude it as it seems to be in the current draft, i would appreciate that.

>> kitchen: okay.

i can speak to that.

i'm happy to do that.

the intention was not to preclude, the intention was just to focus in on what they had asked for assistance with from the city.

so that's why it was written that way.

but i'm happy to broaden the scope.

so we'll work on language and share it and see if it meets what you're looking for.

>> alter: okay.

to the extent that we can.

[11:12:15 am]

>> kitchen: what i mean is i can share it on message board.

sorry.

i should have been specific on that.

>> i'm happy to see this move forward.

i just wanted to make sure that it was reflecting one of those details in the report because we need both the adult day care and childcare in the city and if we can find ways to benefit both populations i think that's a win win we need to model.

>> mayor adler: so just to daylight for the council, i'm working with councilmember kitchen to put in language in the last resolve clause.

again, similar to the last issue that basically says we want staff to do review of it.

to tell us also if this is even a good thing to do.

if this is the highest and best use of this property.

which i think is included in the analysis that you've asked for in the resolved clauses. i just didn't want people to be confused and thinking that at this point prior to getting that study we've authorized or indicated an intent to move forward on it kind of like the veterans center, where i think the staff got confused and thought that we had told them to go ahead and start implementing.

so just language that makes clear that by this we're asking for that analysis so that at some point in the future the council can decide whether or not this is a good idea and to be done in this way.

but i certainly don't want to slow down as requested in this resolution to staff identifying the pathway forward should the council decide that that's the right thing to do.

[11:14:20 am]

>> kitchen: and i think we've already added that kind of language.

we did not add highest and best use because that's a term of art.

what we did add is language that acknowledges that the council would have to make a decision before anything was implemented.

but as you said, the point is that we don't want to create such a long process that we have to say go forward before we get what the process might look like.

>> mayor adler: no.

in fact, seeing the process might actually be helpful in making that decision.

i just want to make sure the language was clear that we're not deciding that language yet because we want that base information.

>> kitchen: yeah, we're doing that.

we don't need an amendment from the dais to do that.

that should be in the backup.

[11:16:20 am]

>> mayor adler: sounds good.

ms. houston.

>> houston: thank you, mayor.

i would like to ask councilmember kitchen a question.

is adult academic center the state of our language today or do we use something that's a lot more senior, like senior center rather than daycare.

daycare has is specific to children?

and when you say adult daycare, for me who is going to be one some day, after i get off the council i'm going to go to the senior city at connally guerrero, do exercise and eat lunch and bicycle ride.

for me we could find a better determine for what we're asking for.

and i know what you're asking for, but adult day care just to me seems disrespectful.

i think there's another term that we could use.

>> kitchen: well, this reflects the term that was in the study and the term that's used right now, but i'm happy to change it because i hear what you're saying.

i think that the sort of the service group are behind the times in terms of how things should be discussed.

so i'm happy to change that language.

[11:18:15 am]

>> mayor adler: okay.

sounds good.

>> garza: can i quickly speak to that.

councilmember, i ran into that when i was talking about day care rezoning stuff and i think it's in our code.

it's in the code as well.

so yeah, it's an institutional change we need to make.

>> houston: i agree with that.

i'm not sure what's wrong with my mic today.

i agree we need to change the code, but it's disrespectful to seniors, wisdom keepers, when we say we're going to go to an adult day care.

we need to be sensitive to that even if our code is insensitive at this point.

but surely we can get that changed.

>> tovo: mayor?

[11:20:20 am]

>> mayor adler: mayor pro tem.

>> tovo: when i signed on as co sponsor i did some research to see whether there was a better term.

and i agree there is out there in the city documents i was reading, i didn't see one.

so i do think we need to put our heads together and figure out what a term is and we will be ahead of from what i can tell we'll be ahead of the common parlance on that, which is a good thing.

thanks for raising that.

>> mayor adler: sounds good.

thank you.

that takes care of 41.

jimmy, do you want to take us through 15, daylight your

>> flannigan: like i said, i was watching even though i wasn't here.

i've handed out the two changes to the legislative agenda.

one is related to drainage fee and trying to find ways to help some of our seniors on fixed incomes.

and then the second one is municipal specifically related to restrictions on how you do on pay backs.

[11:22:15 am]

i think we should be encouraging more competition and get a better deal from our collections agencies.

that's on that item.

and then separately when we were talking about government that works, just for elaine if she's listening there she is.

the memos to mayor and council, this is another little thing, but the text should go in the body of the email, not just the pdf attachment.

that also i find is a barrier to reading them.

i can't just scan, i have to open acrobat and it's a big pain.

text in the emails.

and then it was less the process in the meeting and more about what i see my staff have to go through to try to negotiate, well, who are the co sponsors and which offices are we going to talk to first?

did another office get contacted by this group?

it's not so much thursdays i'm trying to solve with that, but more so the process we put our staff through leading to thursday.

[11:24:20 am]

>> mayor adler: helpful, thank you.

council, we have one item we're going to do in executive session.

which is the municipal court issue.

before we get there we have one last pulled item and it's item number 64, camelback.

alison, you pulled that one?

>> alter: yes, thank you.

so this is the second pud in district 10 when started when i held office.

many of you are familiar with other puds in district 10 which have had hours of testimony on multiple occasions.

at least before this meeting this morning i thought our agenda for thursday was light, and i would like to take the testimony on this item on thursday.

i have worked with the neighbors so nine of the 10 or so neighborhood organizations that are active on this case have voluntarily agreed to limit their speakers to seven or so total speaking for about three minutes each.

we will have more than the seven speakers and anyone who shows up who wants to speak can, but i don't think it will be an outrageous number because those nine neighborhood organizations have agreed to limit their testimony.

because most of the neighborhoods have agreed to limit i would like to keep the public hearing open for future readings should the substance of the ordinance change dramatically through the course of our deliberations.

i hope that you guys can agree to that so that we can move through our deliberations on thursday and have time that we need for discussion of the complexities of this issue.

this is a complicated case.

[11:26:15 am]

we've been working on it for a long time.

i want to thank the many of you and your staff who have met with the applicant, met with the neighbors.

some of you have gone out to the location for a tour and i really appreciate your attention to the detail and your wish for this to be the best possible pud for the community.

i do not know whether our deliberations will take us across the dinner hour.

we're trying to be as respectful if possible with people's time and keep the deliberations focused on the key elements and allowing the neighbors to communicate things without having to say the same thing over and over.

i intend to offer a number of amendments which i will summarize for you briefly.

they're not in a shape yet that we can hand them out.

this will be part of our base motion, but i want to just lay out a little bit of a broad overview of some of the changes that the applicant has agreed to over the course of the last several months, in negotiation with the parks board, with the environmental board, with zap, with the neighborhoods that are most affected by this.

so they have agreed to dedicate 26 acres of parkland and to take care of all the ongoing costs of that parkland.

they have expanded their investment inned riverside bridge point from two million to three million and added a 12 foot wide trail.

we have added an international intersection that they are going to help widen so that their intersection investment is at 714,000.

they have eliminated an entire second office site on steep slope and reduced a remaining office site.

they've reduced the max cut and fill needed.

[11:28:20 am]

they have moved the road bridge point 600 feet south and gave up 14 acres to protect the critical environmental features.

the plan is now 60% open space.

there's 100% protection for heritage trees, 100% water quality and 75% green infrastructure, commitment to three star green building.

they have reduced the lakeside clubhouse to 4,950 square feet.

and they have agreed to move their elevator 600 feet and changed it to an incline elevator to reduce visibility and connect to already cleared area.

there's a lot of things that they have agreed to that are other specifics that are in the backup for the environmental commission and zap.

i wanted to bring to your attention some of the amendments that i will be putting forward in my motion.

the applicant has already agreed to all of these changes.

first they will institute a requirement that the applicant contribute 1.5 million towards park improvements.

that would be covering the parking, the restrooms, the trail improvements, benches, et cetera.

we will tighten the language to ensure the park boundaries cannot be changed unless they increase the size of the park and/or increase the amount of shoreline cliff that will become parkland.

language would require the parkland to be dedicated prior to any certificate of occupancy being released on the site.

[11:30:15 am]

this one is important i think for a number of folks.

the language of the pud will not grant a floodplain variance, but it will articulate that if and only if they meet the standards, requirements and review process of our floodplain watershed review process that staff shall grant a floodplain variance.

at this time i want to be clear it's not even clear that they need a variance, but my amendment will require them to meet our standards, but should they meet the standards, they will then be granted there will not be uncertainty about whether they would get the floodplain variance should they meet the standards.

we are working out the appropriate language with kevin shunk from watershed.

we are working on tighter language regarding the docs distance from the shore.

the applicant had requested only 60 feet, which is what the environmental commission limited the dock too.

our environmental staff have had concerns about dredging and a wetland they would like mitigated and the applicant is amenable addressing those concerns so at a certain point in time along the shore that requires 75 feet in order to minimize the dredging and protect the wetlands.

so they're working on language that would give the applicant the additional distance from the shore to the section and to the extent it permits the restoration of the wet land and it would require the applicant to have feedback from our environmental staff on the design of the dock during the charrette process.

so this would limit the vast majority of the dock to the 60 feet approved by the environmental commission and possibly even narrow it at some points.

i have been concerned about noise both above and down at the dock.

so they have agreed to an amendment prohibiting outdoor amplified sound in the dock district and placing additional decibel limits for the restaurant and the commercial area as well as the clubhouse itself inside.

there may be a few other small amendments that i am talking about with the applicant.

it is my understanding that zap recommended affordable housing be facilitated through this site.

[11:32:18 am]

it's my understanding that the applicant is willing to make a meaningful contribution towards our affordable housing trust fund and in fact we have been talking about this for over a year.

it would be helpful, though, for me to know what the majority of my colleagues would think a meaningful contribution would be.

i am supportive of this, but i also need to know whether folks want this to be limited to a direct investment in district 10 or to leave it unearmarked to be put to the best possible use.



so i would like to get some feedback on that from ex officio.

additionally, item 64 as many of you know is tied to a discussion of champions tract 3.

so we have changed the number from 50 something to 64 to allow us to discuss the inner connections between this case and the champions tract.

so if this item moves forward to second and third reading on november 1st, then as part of my base motion i will be asking for the champions settlement agreement to return on the 1st because the applicant intends to purchase the champions tract and put a senior living congregate care space there and we need to amend the settlement to allow him to build that as well as to address some issues with traffic caps.

so that will also be part of what i'll be proposing.

again, all of these have been agreed to by the applicant.

they address issues that are outstanding with the dock area, the parkland, affordable housing, and some other items.

i think we have moved tremendously far on this pud and i very much appreciate the way that the applicant and the neighbors have approached this trying to find the best possible pud for the community.

i want to highlight that this is supported by nine hoas represented 3,100 homes as well as the lake austin collective and austin neighborhoods council.

and that on the fire protection alone by creating this road from bridge point this pud is addressing a major issue in this area.

there is only one way out for most of these neighborhoods because of our old land use rules that did not require them to have to escape routes and so this addition of bridge point road from that fire perspective and area that is of high risk of wildfire should not be underestimated the value of it.

>> mayor adler: okay.

further discussion.

ann?

[11:34:20 am]

>> kitchen: this is just to let you know i have some questions remaining and we can talk offline about them or present them, but i have questions related to the maximum set on the cut and fill and i have questions related to the scope of the floodplain.

the floodplain variance.

i'd like to just have more information about the senior living at champions.

i don't have that information.

so i'd just like to understand what is contemplated there.

and then to give you feedback on the affordable housing i think that's i think that's a good thing.

my suggestion, just me personally, would be that it go back into the housing trust fund and that way could be used for the best use.

but that's just to give you some feedback.

my question on the cut and fill is it's hard to my question is whether the amount that's indicated is really what is needed in the area in which it's being planned because we don't have we're not at a site plan stage so we don't have that indicated and it doesn't seem to account for the fact that they will probably be building some on the flat land.

so i have remaining questions about the level of cut and fill that's needed and on the floodplain my remaining questions just have to do with what requirements we're talking about.

the current ones i would assume as opposed to the ones that will be presented to us as part of atlas 14.

and i want to understand better from the staff why our current ordinance says may grant as opposed to shall grant.

it may be to allow some kind of discretion and i would like to understand the scope of why that's there, what kind of discretion do we usually look for and why do we currently have it listed as a may grant as opposed to a shall grant.

so those are remaining questions that i have.

oh, and are you setting it for a time certain to start?

[11:36:18 am]

>> alter: i'm not setting it for a time certain because i thought we would be moving very quickly through the agenda.

and if i set it for a time certain at 7:00 and we're done at 3:00, that seems like it's not very respectful.

so at this point it will move forward when it comes up.

>> mayor adler: but you're recommending keeping the public testimony open for second and third reading?

>> kitchen: the reason is because i have a potential conflict in the evening but i will stay for it.

i want to understand if we think we will start this before the dinner break?

>> mayor adler: my sense is we will be able to do that looking at the agenda.

>> kitchen: okay.

>> mayor adler: and depending on how many people show up and want to talk, we might be finished before the dinner break this time.

>> alter: and it would depend also on the link of the deliberations and the questions.

we're in a quorum so i will get you some of the information separately.

i do want to just speak briefly to the scope of the floodplain variance.

so we are not actually going to be granting them a floodplain variance in the pud.

we are going to the variance would only be that they shall if they have the seven things.

[11:38:20 am]

staff can speak for themselves and if they're here they can speak.

my understanding in talking with them is that if those seven things are met every time it has been granted.

however, the applicant feels very strongly that they need the shall because their parkland dedication, all the other things that they're doing they are required to do that with a shall and they don't want to inject this uncertainty.

they are happy to meet all of the requirements of the floodplain variance, but they need to have the certainty that it can't be pulled out at the last minute if they follow all of the rules.

a large number of those seven are very quantitative and there's not any debate at all.

and those are the ones that they have set are most important.

so it's not at all a matter of debate.

so it's a matter of everything else we're asking for from them they have to do.

and this is something that they're feeling very strongly that strongly that they need to know if they meet all of the requirements that or just what's in code, they will be granted it and there is no uncertainty in what would be involved with that.

>> kitchen: i don't have a problem with making that request, but we are actually granting them a floodplain variance because we're saying if you meet the requirements you'll get it.

that's granting it to them.

and that may be fine.

[11:40:15 am]

i just need to understand from staff because there is a difference between may and shall.

and so that i can ask staff offline.

if that may really has no practical difference in the way that our staff apply that statute, then that answers my question.

>> alter: i would invite staff to follow up with you specifically.

that's my understanding of what was shared with me as well.

>> mayor adler: greg.

>> casar: as to the housing trust fund issue, i would state my general preference, as flexible as possible is better, but i'm always open to arguments and good reasons for it to go to a particular district or a particular project.

for example, we had the extra height in the saltillo tod that we did that was funding to the chalmers development across the street that had a budget hole in it.

i think there are cases where it makes good sense.

i'm open to hearing those options, but since you raised it, i think the general housing trust fund so it can go to the highest need makes a lot of sense unless there is good reason otherwise.

so i hope that that helps inform what you're looking for?

>> alter: i also would welcome the feedback on the level and think about that.

they're not required to do anything in this case.

[11:42:20 am]

>> mayor adler: mayor pro tem.

>> tovo: just very quickly, i am continuing to work through some of my concerns about the floodplain variance along the lines of what councilmember kitchen mentioned i also have just received some additional information based on the conversation with the developer about the elevator.

you know, several years ago the council passed a resolution requiring that really prohibiting acceptance for variance mechanized transport down the on the lake and that was actually a measure i sponsored having worked really closely with kara lee and linda guerrero and other members of our lake austin task force.

i think it's a very good measure.

i just need to really understand a little bit more directly how the elevator works, fits into that equation.

with regard to affordable housing, i guess i may veer a little bit away from what some of the sentiments expressed.

i think there should be a provision built in for it to be used flexibly after a certain period of time.

i would support using it in that area as a high priority if there are projects that present themselves, i think we should look to opportunities to fund affordable housing in areas where the one, that are high opportunity areas particularly, but two in proximity to the projects.

>> i think a good nexus to have.

so i would look toward language.

i know we're in a quorum so we can't talk about.

i would like that and the flexibility of using it outside, as we did with the hyatt pud actually we did it with the hyatt pud long, long ago before any of us were here.

but this new pud.

i had to remind myself of it's name.

thank you.

[11:44:15 am]

>> garza: i had similar comments to the one the mayor pro tem just made about using the funds in that district because we just kind of talked about the difficulty of getting affordable housing in district 10.

so if that could be a way to help get that gap reach that gap, then i think that would be good.

i don't know if i have agenda management, but i can wait.

>> mayor adler: okay.

jimmy.

>> flannigan: my main hesitation to geographic restriction is the unlikeliness of public transportation ever reaching this site.

for a lot of reasons.

and when you have a lot of protected land it doesn't make fiscal sense to run buses in that area in areas that are so vehemently opposed to denser developments i think it's very unlikely to have transit hit this area.

but there are other parts of district 10 that have transit, especially along jollyville.

i think for me it's the size of the geographic restriction that i would be willing to, but it would have to be pretty big where this sit lives and for transit ever to serve.

>> mayor adler: i think there are a lot of opportunity probably in district 10 for that.

some of the community developments that we've approved give us the ability to buy down additional affordable units on that area that's just west of mopac, kind of midtown area, in addition to the jollyville road area.

so i think there might be lots of opportunities that are high value opportunities.

pio.

[11:46:15 am]

>> renteria: yes.

we do have lakeline will be coming online soon, so there will be a lot of opportunity for investment down there and it's a transit stop.

but the other thing that i just want to mention that has nothing to do with this, this thing here, i don't know what's rolling up here on top, but it's so loud.

i can't hear sometimes when y'all are discussing.

i don't know if it's just if it's a motor up there or something, but it's really annoying.

[laughter].

listening to that while people are speaking and i can't hear anything.

>> mayor adler: manager has that on his list.

anything else before we move on?

>> alter: i wanted to make one more comment on this.

so part of the reason that the neighbors are willing to limit their testimony is that there are some real deadlines in terms of timelines for this pud in order for us to be able to realize the offer of the applicant to purchase champions, which is very important to the neighbors.

we need to be moving through the pud.

so they want to allow us to have the time for our deliberations and to be able to move through that.

[11:48:20 am]

we are also working with deadline from the nesting of the birds who are on the champions tract that they would need to move for construction if we're not going to be moving forward in the way that we're

planning within a particular time frame because we need to avoid construction of certain parts of that during nesting season.

so i just wanted to remind folks of those deadlines and we have tried to get agreement and move things forward and demonstrate support for this.

as i have indicated i have some additional amendments and that is not to say that folks won't find during rations that there are things they want to move forward, but i hope that we will be able to move forward expeditiously and we have tried to address concerns as much as possible in advance.

and i will be meeting with my quorum, those of you who are in it, and will be able to further address some of the details outside of the dais as well, i hope.

>> mayor adler: sounds good.

as soon as you can post your amendments that would also help with timing on thursday as well.

anything else on this?

okay.

before we break for executive session

>> garza: item 39, if i could request a time certain of 11.

we might not need it, but folks have reached out to us and said that they do want to speak.

to i think it's only going to be about four speakers.

it would be probably right after consent agenda.

the time to vote.

i'm sorry, 40.

40.

item 40.

[11:50:15 am]

>> mayor adler: and you're asking for us not to consider this before 11?

>> garza: correct.

>> mayor adler: okay.

if these are four people that are coming to speak in favor of this, if there's a way for us to do it without each of them taking three minutes, i would north austin this is going to be i would imagine this is going to be something that passes.

if they could come up okay.

please try.

that would increase the chances that i would call it before lunch if we could let them speak or waive or increase the chances because we want to try to get as many of the things done before lunch as we can so that staff doesn't have to come back after lunch.

if i need to help with you that, let me know.

okay.

yes, greg.

>> casar: i didn't put it for today because i am still trying to get some information, but item 18 is our is the dmv issue, the contract with the dmv to withhold vehicle registrations.

and it seems like from the data we've gotten back from the staff some of our staff contend that it does help clear collections.

in looking at that data it seems like that may or may not be the case.

regardless of whether it is or not, it's a small amount.

so i'm just trying to get more information so that thursday i can know whether that small amount of collections compared to the ways it might impact people's lives trying to balance that have come to an opinion.

so since we got the data recently i haven't gotten a chance to look into that.

[11:52:20 am]

i will look at it between here and thursday and will have if i have an opinion between here and then i will try to get it to the message board and get it to you before thursday.

>> mayor adler: if you could do that, that would be helpful.

mayor pro tem.

>> tovo: i wanted to iterate again, reiterate my request the more i think about it, the more i think it really would be helpful.

on our online agenda materials i like the additional ones being called out in a separate pdf, but i still continue to think that it would be useful to have on our agenda a separate section of the addendum items.

that way if you go online and you print out the agenda, but you don't print out the addendum, you can see the items that we had talked about it a couple of times.

really at the end of i'm not sure i have a great solution for how to frame it.



at the end of our regular agenda say addendum because we've got several items that are pretty important on our addendum and i would hate for people to just print out the agenda and miss the addendum items.

we have the hot tax, camelback pud, muny court.

because of our new process there are more items appearing on addendums.

[11:54:15 am]

so i think it's important for them to be joined together in one document somewhere online.

>> mayor adler: okay.

and if there aren't rules to stop that, that would be great.

if there are rules, at the very least you ought to be able to put something at the end of the agenda that says there's an addendum that goes with this.

best won to put it all in one document, i agree.

manager, did you want to say something before we break?

>> yeah.

mayor, council and for the public, notices have been going out, but because of the increased rain we've been receiving in the city afd has made a decision to close waterways within city limits and that's effective at noon today.

that's because lcra is opening the gates at the mansfield and tom miller dams because of this increased rainfall.

so the notices have been going out.

the clerk's office just provided that notice and i believe mayor and council have received a memo from assistant city manager ray arrellano.

i will also note that pard is closing the golf courses today and pard also closed barton springs pool and barton creek greenbelt because of the rainfall.

so we'll continue to update you, but just wanted to use this opportunity to highlight that for yourselves and the public.

[11:56:20 am]

>> mayor adler: okay.

with that said and without objection, it being noon, we're now going to go into closed session to take up one item.

pursuant to 551.071 and 551.072, we're going to of the government code we're going to take up and discuss legal and real estate matters related to item e 2, which were a matters related to the purchase, exchange, lease or value of an interest in real property and improvements for the municipal court.

this also relates to item 62.

>> [inaudible].

>> mayor adler: right.

it was also e 2 on the work agenda.

i was just calling out the the agenda item as well.

hearing no objection, we're going to now recess to go into executive session.

we will not be coming out as a group to close this meeting.

i'll just come out and close it since we've taken care of all the work.

let's head back.

[11:58:15 am}

[1:57:15 pm]

tovo: good afternoon i am kathie tovo mayor i serve as pro tem. we are out of closed session. in closed session the council discussed

legal and real estate matters related to item: e2 and having no other business before the council we stand adjourned at 1:58 p.m.