

City Council Work Session Transcript – 12/11/2018

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[9:10:27 AM]

>> Mayor Adler: All right. I think we have a quorum here. It's December 11th, 2018, 9:08. This is your council work session. We're in the boards and commissions room here at city hall. This is election day with three council districts being voted on, ACC being voted on, aid being voted on. Remember, everybody, polls are open now through 7:00 this evening. We had, what, 486,000 people vote in the general election? , And we're at 20,000 right now, 20,000. Just over 20,000 in the election here. 2.7% of people have voted. There are a lot of people who haven't voted yet. I urge you to do that. We have some items here and we will start with government that works. Manager, do you want to --

>> Mayor, council, this is the -- at least for this calendar year, the last government that works session and we are excited to talk about some of the next steps regarding strategic directions 23 and then we also have a topic area around collaboration themes, ideas. You had asked staff to come up with a few different topics that we could discuss with the council on ways that we could improve efficiencies moving forward into the new year. So I'm going to turn it over to Kim Oliveras and Elaine Hart to walk us through -- we'll start with the strategic direction 23, next steps.

>> Good morning, mayor and council, Kim Oliveras, chief performance officer. This is our fourth and final government that works work session discussion for 2018.

[9:12:28 AM]

So thank you for all of your great input and ideas and comments throughout these four sessions. Like Spencer noted, I'm going to focus first on strategic direction 2023. One of the items that came up during our 101 conversations with you, as well as your prioritization of those topics that you want to discuss more so than others was strategic direction 2023 next steps. So what I've done on the handout you received on Friday is divided up in between what has happened so far and then what is underway or planned to occur in the coming months. So first with the what has happened, as you will recall, on March 8 the council voted to adopt ad 23 as the city's first strategic plan and since the early 2000s it was a momentous day in my opinion. From there a number of things have happened. First, a significant redesign around the budget process. Budget engagement throughout all the districts, through online

engagement and in other formats was shifted significantly to focus on the indicators, indicator categories for amongst all the -- amongst all the outcomes. It also shaped how the budget was ultimately developed and then proposed to council for your consideration and action. The community survey, you'll recall that every year we conduct a citywide community survey that ultimately we receive a little over 2,000 responses throughout the community, spread out amongst all the districts. We've been doing that survey for many, many years, but with the adoption of sd 23 we did do a complete redesign of that survey to be oriented around the outcomes. So that relative humidities in simply reorganizing the questions to regroup them among the outcomes, but it was also a bit eye opening for us as we found that there were some questions that were rather repetitive, but when we reorganized it, we were able to clean those up.

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We were also able to add in new questions that were in relationship to the -- some of the metrics that y'all approved for the various outcomes. So that we can continue gathering that data as quickly as possible. We just received the very first draft report back from the company that administers the survey so we're in the very early stages of sifting through the data and we'll be coming back to y'all in the near future with results of that once we get everything finalized. As you also know, the city manager, he realigned his leadership team around the outcomes. We've also begun incorporating the outcomes into employee academies and new employee orientation. So human resources conducts executive academy, manager academy and so they've incorporated aspects of the outcomes into those academies as well as for new employee orientation. And then last, but certainly not least, all of the work sessions that y'all have had around government that works. So what's coming? When you adopted sd 23, there were approximately 150 metrics amongst all the outcomes, and more to come courtesy of the mobility outcome. So when you adopted the plan and those metrics, the metrics were really high level. They weren't completelynd thoroughly developed. Each of the teams had done a certain degree of research and development around each of the metrics, but not to the degree of fully defining them, fully noting the calculation methods, identifying all the staff that would be involved, things like that. So we're in the process of doing that. Which means -- in this case because so many of the metrics are cross-departmental, that means bringing together large teams of folks from multiple departments to get all of those details figured out.

[9:16:44 AM]

As we're developing each of those metrics, we're also in the process of developing interactive dashboards that would be available internally and externally to be able to dig into the data around each of the metrics and see the trend and whatnot. We also are establishing alignment teams in all of the departments. We recently asked all of the department leads to identify a planning manager, not a new fte or anything like that, by identifying a key contact within their departments that has -- is more than just a helping spread the word, helping keep things organized, but also has a certain degree of authority

within the department to be able to direct various activities around alignment work for each of the outcomes. We're also actively working on development of new councilmember orientation. Depending on what the results are today. There will be -- definitely be new folks coming in. So there will be orientation similar to what all of you experienced when you came on board, but then also incorporating sd 23 into that conversation. We're also doing a lot of work in terms of department alignment. Departments have long had missions, goals, key performance indicators, but those mission, goals and kpi kps have all existed with that in place. We're about to launch a whole process for them to go through and look at those components of their department organization to ensure that it's in alignment with the overall citywide goals from the outcomes. It also gave us an opportunity to dig into all the services that we provide. But first what that takes is doing a simple inventory, being able to clearly identify all the different services we provide and then move forward into different variety of steps to look at alignment amongst those services to the outcomes.

[9:18:51 AM]

Mobility outcome adoption. You will recall that mobility outcome, they only went through the development of the challenge statements. So they still needed to do metrics and strategies, and we paused on doing that piece of the work because the strategic mobility plan needed to be carried out. Because of where the city is on development of the asmp, we're now at a point where we're about to bring the mobility outcome to you for your consideration. We would ideally do a similar format as we did with the priority outcomes, settings where you could have feedback and conversation around the metrics and strategies. And then ultimately we'd come back to -- during a council meeting to -- with an item to amend sd 23 to include the mobility outcome. Citywide communications, employee connections. Soon after Spencer arrived, he did ask that we develop a full scale communications plan around sd 23. The vast majority of outreach and engagement around the outcomes has been at higher levels within the organization. It's been with council, it's been with our executive leadership team, our department directors and assistant directors. The amount of engagement that's occurred with the employees from managers, supervisors, down to frontline employees, has been limited. And there's also a huge number of employees within those ranks. So we're in the early stages of going through the process to really engage all of those individuals, make sure that they understand what sd 23 is, how they are contributing to it as individual employees so they can have that line of sight between their work and those citywide goals. So some of the ways that we'll do that is through a series of senior manager summits. Having -- literally having big workshops with the folks that are in manager level positions throughout the organization to make sure that they're clear on what sd 23 is and give them tool kits so they can take back to their workshops and help with getting the rest of the employees aware and also helping them understand the alignment of their work.

[9:21:02 AM]

Then also there will be multimedia communications, things like communications through city source, posters, websites, video series, things like that. Just multiple ways to help get the word out. And then finally, the fy2020 budget. It will be here before we all know it. It just seemed like yesterday that we approved fy19, right? But fy20 in April or in the springtime, thereabouts, you will begin with the process of the financial forecast and the opportunity to review the priorities that you set this last year and we'll continue on with how the budget process resolves around the outcomes. So there is that and we'll open up for any conversations or questions you may have around next steps.

>> Mayor Adler: Leslie.

>> Pool: Thanks, Kim, this is great. I have a question and you may have covered it and I just missed it. Will we have scheduled updates or revisions to sd 23 over time and what would that look like?

>> So when we brought the whole process forward we anticipated that the sd 23 would have a three to five-year life-span. Ideally we'll be coming back to you. Once we have the dashboards created and we have a better platform to focus the conversation around, we would be bringing that information back to you on a more frequent basis for y'all to have a better understanding of what's happening. How are we doing in terms of moving the needle around each of the outcomes and the strategies that you adopted. And then also that would greatly inform your budget conversations. But -- and beyond that you would have access to those dashboards at any given time. It wouldn't be just we would open it up at certain periods. We want to create opportunities for frequent ongoing conversations. And then at that point you can also determine if we're seeing needles not moving in a way that we really hope or the strategy isn't necessarily what we thought it would be, then we have the opportunity to create kind of possibly on an annual basis an opportunity to make some minor amendments, adjustments in the plan and then come back in that three to five-year time period for more full scale refresh.

[9:23:15 AM]

>> Pool: That sounds great. The reason why I was asking and why it occurred to me was when you mentioned about the new councilmember orientation. So when we have new folks coming in for them to get up to speed on the work they have done, they may see some things that they would like in there or don't understand why we did something. So that piece may be important, but understanding why they may need to make some adjustments. So we need to be prepared. Even if we're not going to make revisions or amendments more than annually, we can put them in a parking lot so that we can save all those comments and kind of watch them over time and see if they would be in fact helpful as amendments. I think that would be for all of us as well. Thanks.

>> Mayor Adler: The next real big step is to really come up with the specific metrics that we're looking at across all of these, about the high level, the real specific metric and what our goal is with respect to each of those metrics. When do you think we will start seeing that?

>> So we're in the process of getting all those metrics fully fleshed out. Like I noted, there were about 150 of them and once adoption of the mobility outcome occurs. We've been focusing on all the metric metrics that fell underneath the top 10 indicator categories. You will recall through the financial forecast

last year as a body you identified the top 10 indicator categories that you really wanted to focus on. So we've been focusing on those metrics. We are very close to wrapping up. We're doing it in sprint formats to plow through development on each of those metrics so we'll get through that -- the the final sprint of that in the coming month and then move forward into the next round. It's anticipated that it will be after this first sprint it will be two to three more sprints to fully flesh out all of the metrics.

[9:25:16 AM]

But once we get that first round done here in the coming month, we would get the information, the dashboards out as quickly as possible. So you have access to information and you're not having to wait until we're done with all of the sprints before you see all the details and the actual numbers behind the metrics. So we want to Gatti out sooner than later.

>> Mayor Adler: So coming months you mean next few months, is that what you're thinking?

>> I think through spring. The holt goal is for it to be complete in advance of the budget proposal in July, August.

>> Mayor Adler: Questions, Ann?

>> Kitchen: You may have just answered it. My question related to how the metrics would work in the budget process. Have y'all thought through that yet? So the -- couple of questions there. We've talked before about a process for looking at programs and whether programs should be continued. We've called them sunset, we've called them other kinds of things. I think councilmember has brought that -- been talking about that. How does this process work with the budget and with that process, the process for deeper at programs and whether they're accomplishing the metrics that we've set out. Or have you figured out that part of the process yet?

>> I don't think we've figured out all of it. I think what we're dealing with right now is that some data issues on the metrics. As you know, we were not sure that we could get the data behind all the metrics. So there's some real groundwork or foundational work that we're doing right now to get set up so that we can automatically pull down the data, that it can be consistent, that we can get the cross-section by districts because we want to do some reporting out of the data by districts. And so that's -- it's really kind of initial get it set up work.

[9:27:20 AM]

So once we progress more into that we'll work with the budget staff to integrate the two. I think what we need to do is see how well the metrics are working and if they're reporting out what we think you wanted. And then we can start seeing whether the needle has moved, where the needle was with that metric, have we seen any progress. And I think until we see some real data on those metrics, I think we're kind of dealing with something we don't quite know what to do with it yet.

>> Kitchen: Okay. So I guess what I'm asking then is -- I hear that. I know you have to go through that process. But I guess I'm just thinking ahead to after that then what? I would be thinking in terms of something along the lines of O we've got a metric that appears like we're not moving the needle. What are we doing in terms of programs that relate to that metric. And -- or some of those older programs that we need to revamp. So those are the kinds of questions that I'll be asking. And I'm trying to understand if we'll be able to ask thstions and work through that process in time for this budget year?

>> I think we can be able to do some of it. I've got to work with Ed van eenoo, the budget officer, and his staff to get us there. And also integrate the performance management office's work. They're assisting them as well and so it's not like I have two different staffs doing the work. They work together and so -- we've just got to figure out how it's going to match. I think how we should look at it is what are the metrics, are they moving, what were your priorities, what were the strategies and evaluate the programs within all of those. And if they don't support any of that or the outcome, those are the ones that we put in this list that says why are we doing these? Are these a basic government service that we need to do no matter what? Or is this an add on program and what is it supporting and bring those back to council and say council, do you still support these?

[9:29:29 AM]

But we're working through that kind of triage on programs, what we would do and how we would bring it back to council for that kind of discussion with you.

>> Kitchen: Okay. So just one last comment. My thought on our metrics is that everything we do should move the needle. That the whole -- that the concept of basic services is -- should be part of the whole thing. It's not over here. It's not -- the basic services we do should move the needle because there's a purpose behind all those services and we're trying accomplish something with it. Okay.

>> Mayor Adler: Okay. Alison.

>> Alter: Morning. I just wanted to follow-up, councilmember kitchen, and let you know that I'm planning to be meeting with Ms. Oliveras and Ms. Hart in January to share the research that my family has been doing on sunsetting, but I want to do another pass through with it internally before we share that information, but I think we've got a good place to start and I'm looking forward to brainstorming with them on that. I had a question about the other data that we already have. So we have made great strides as a city with our open data portals and we have a lot of other data that we're using say to support imagine, which may or may not be the data that is underlying want strategic direction because we decided to focus in on certain data points. Can you tell me a little bit bit about what happens to that data and how that interfaces with how we're doing on strategic direction?

>> So the open data portal is key to all the outcome metric development and the dashboards. As all the different departments are pulling the information together, one of the requirements they do is to put the data out on the open data portal so that we can use that to easily access to have these dashboards tind of our living -- that are living and not just static.

[9:31:41 AM]

Like you said, there's a number of different data sets already out there on the portal. Because we are putting the new stuff on to the portal and we have the nexus to the old or the existing data sets already out there, it gives us the ability to integrate it together through those dashboards to be able to provide links to those related data sets. The platform that we're using to build these dashboards is such that it's pretty straightforward to be able to make those connections and give people the ability to access the information. Now, for how we utilize that data, how we utilize those dashboards and the conversations to impact the organization of the community, it's really -- it's more -- it's not so much revolving around is it on the portal, it's revolving around what kind of structure we're putting in place internally within departments, within the organization as a whole. What opportunities are we giving our executive leadership to regularly have conversations around the content in those dashboards, the metric data as well as the related data, but then also what kind of opportunities are we creating for those conversations amongst you as council. So when I was responding to councilmember pool's question about opportunities to -- if we need to make some adjustments and I noted that we would want to create opportunities through the year to have conversations around the metrics, around these dashboards, around the strategies that we're using to advance these outcomes, that's part of -- that's one of those solutions. But that being said, any request, any ideas that council may have to -- or desires that they have as a body to help generate meaningful conversations and help us go down a path to help us move the needle that much quicker, that much more, please do share that. I definitely -- I have ideas about how we can continue to utilize these work sessions, continue to have conversations on a regular ongoing basis, but if there's other ways that you would like to do -- if you want to start having workshops around it, by all means.

[9:33:51 AM]

It's really -- what does council want. And we can cite in opportunities around that.

>> I hear that you're hungry for more information from us and I think that when we bring back the mobility we need to bring you some dashboards. Even though they may be not finished, I think we need to bring you some dashboards to show you what our capability is. And once those are developed we can push them out on to the web and tell you how frequently the data would be updated. But I hear the council saying they're hungry for information from us and where we are in this process.

>> Alter: I'm excited to see where there is going and as it rolls out maybe we can consider having some trainings for council, whether it's individual offices or as a group. And also perhaps taking -- I'm Mott sure the best way to slice it. Doing it by outcome may be too big, but having a dive into a particular set of data that we can understand where that data is coming from, what we know about it and how it's evolved and the programs that we have that we think are targeted on that at a given point in time I think would be helpful for us to keep the momentum going towards helping to move the needle on these strategic outcomes. One thing I didn't see on here was discussion of the agenda process and aligning that with the strategic outcomes. So at one point we had talked about having all of our mobility

items together, all of our economic affordability items together, and I don't know whether that would work or not, but I was wondering if you had any more discussion of that or mocked up anything to see what that might look like. I know we have certain things that may be like maintenance things that we have to do but most of those often come down to safety so they would be -- we'd be able to put them on to something, but I think to get a sense of how we are spending our money and how we are orienting things over time, that would be potentially useful to explore if we can do it in a meaningful -- I don't know if we can, but I was wondering where you had gone with that.

[9:36:13 AM]

>> We haven't had a discussion in awhile about that, but we certainly could change the request for council action template to add a section. And I think we could start making an educated guess about which outcomes certain items fit in or more than one outcome they may fit in. Understanding that it's not going to be a perfect alignment and that it would be our best judgment as to which outcomes. But I think that we can alter that. In the past we had talked about just putting a field on the rca form and then as you know on the mobility bonds we have a section that has been to devote any action that uses the mobility bonds we have been reporting those up in that section. But much like we report the district, when there is a district related to a council item, we could put the strategic outcome on the agenda. I think that would take some adjustment to our software that we use for posting the agenda, but I think I can explore that with staff and see if we can get that done for you.

>> Alter: That would be interesting. The other thing is looking at what's under way or planned with the possible exception of the leadership team, it feels a little bit departmental focused. And I think part of what's strategicking about the strategic plan is -- is exciting about the strategic plan is the ability to marshal resources across departments to solve things that we are nothing interested in addressing. So -- that we are most interested in addressing. I see you have the senior management summits, but I'm wondering about the teams that were put in place to move forward with the strategic plan and some of the lessons we may have learned about how to get that increase-departmental cooperation that we can be moving forward as we implement the strategic direction.

>> The metrics are where we're seeing the bulk of the cross departmental collaboration right now.

[9:38:18 AM]

Historically our performance measure program has been -- a metric lives in a single department and the metrics across the outcomes are nothing like that. On average we have three, four different departments involved in most of the metrics. So that's been one of the biggest challenges as we go through the process to fully develop them is, one, identifying all the folks from each of those departments that need to be at the table and getting them comfortable working with each other. This is an adjustment. This is a process. That being said it's not like there haven't been cross-collaboration on departments up until now. That has been the case. But until it comes to the metrics this is kind of a new

ballgame for a lot of the staff. So they're making that adjustment incredibly well. There's also -- one of the messages also we have is so many of them are brand new. It's not just a case of oh, we have this data in different departments and we need to pull together, which is the case in some metrics. A lot of cases it's brand new metric, brand new data so they are actively working together to create the definitions and the mechanisms by which they'll collect that data and making sure everyone is on the same page. So there's that work that's happening districtly around the metrics. But I think also as Spencer and -- I don't want to go into -- I don't want to speak for him on this case, but I know that in -- when he went about the process to identify the assistant city managers around each of the outcomes, it was very clear that there's an expectation for them to collaborate amongst each other, amongst departments. I'll leave it to that if he wants to add anything to that. But that's still to come as those individuals are identified.

>> It would be interesting to think about other ways that we can be encouraging that collaboration across the departments moving forward to support the new acm's. What I heard from staff involved in those groups was it was exciting for them to work in those groups because they felt that bringing the departments together there were in a better position to actually move the needle.

[9:40:26 AM]

So while the data may be our first step here as we evolve and we get those set up, it would be good to put some attention on how to do that in addition moving forward. Thank you.

>> Casar: I want to take this moment to remind us of me and something else we discussed in the strategic planning session which is when the metrics come back that there would be some break down of those metrics around demographics and equity issues because, for example, looking at the very first metric as I was trying to remind myself of the conversation. The first metric, a-1, is unemployment rate. And 2.7% unemployment rate isn't of -- moving that to 2.6 or 2.5, you're at what people call virtually full employment, but if you break that down and find that it's certain parts of the city or across certain demographics you have an eight or nine percent unemployment rate, then I think what would be of interest to us is to target and reduce that number rather than trying to work to bring our 2.7 down to 2.6. So I just want to we mind ourselves of that. Knowing there's a lot of work to do, but to me this is more -- some of the most interesting work because we're disciplined in our strategic planning session to not create an equity session with the guarantee that we would ensure that actually we were thinking about each and over metric through. I see you guys nodding your head which means you're working on it and I appreciate that. But I think it's important to restate and remind ourselves since we do this work a long time.

>> It was made absolutely clear to all the different staff amongst the departments that segmentations based on geographic, whatever the aphic is, to make sure we have that segmentation capability. There is some information, especially if it's existing data, that it may not be possible to have that right now, but they are -- they're setting themselves up to be able to provide that segmentation type of brown moving forward.

[9:42:32 AM]

So it will be a process. There will be some that we have that right off the bat and others that will a longer term process and that is a requirement amongst these metrics.

>> Mayor, council, as we pivot to the next topic on the back of your handout, I want to acknowledge and appreciate the discussion here because when strategic direction 2023 was adopted, it fundamentally shifted how we think about both our organization within city government and how we structure our budgeting process. And so we know that it's an evolution. We know that that will not happen overnight. But the work that has happened already, what's been planned going forward, what's already been discussed and knowing that we're going to have a more data driven budget discussion next year is important to acknowledge that we won't get it perfect right away, but if we keep driving towards what those ultimate outcomes are, we will be able to see real movement on achieving our objectives. Thank you for your support and participation of this.

>> Okay. Let's go ahead and -- >>

>> Garza: I wanted to add to that point. I wanted to compliment staff on everything you've done so far. I was in a very small community meeting a couple of years ago, she was an engineer at watershed and people were talking about the concerns with atlas and a woman gave a very emotional statement about being worried about flooding and how it affects people of low income. And that engineer did an amazing job of saying we're doing things differently at the city. We're focusing on equity. We hear you. Please keep telling us these stories. I wish I knew her name, but she did a great job. It's showing that you guys are working on us.

>> Mayor Adler: Let's go ahead to the next page, back page.

>> Okay. This section I'll cover, and it's really to continue the collaboration that the council and staff have had through these work sessions.

[9:44:37 AM]

And just kind of a wrap-up with some additional topics that we internally had talked about with executive team that we wanted to get feedback from the council on -- the purchasing office, and many of these were looking at how we could make the council meetings more efficient and how we could work better together. But the purchasing office had suggested that the next time we have a charter election that count might consider changing how we set the manager's purchasing limit. It was set by charter in the early 2000s. It was set at \$43,000 with a metric using the consumer price index to change it every year. And over that time period, it's probably increased about a thousand dollars a year, which is very low. In looking at some of the other cities that our purchasing officer had worked at, he said that our 61,000-dollar limit was quite low and that he would recommend that we increase it. He didn't have a number in mind, but that he thought that an increase would be appropriate. Obviously a charter election is a couple of years out. But that would take some items off of your agenda to reduce the number of items.

And so this is just kind of a head's up that we might solicit some feedback from councilmembers if they would short this. We'd go ahead and start working on that, getting some information about all of the other Texas cities, what they do, what their limits are in preparation a couple of years out for a charter review committee. But just wanted to -- before we took off and did any work on that we wanted to see what the council's feelings would be about increasing the manager's limit. And obviously we wouldn't set it at a million dollars, it would be something much lower than that, but what level -- what amount does the council want to see items?

>> Mayor Adler: I'm be interesting in seeing what it is comparatively.

[9:46:40 AM]

I started asking questions about this, I understood it was like the Austin housing finance corporation is set like at \$300,000, the corresponding number. And that seems to be widely divergent. I don't know what the right answer is, but I would like to see what the comparisons are. Mayor pro tem.

>> Tovo: I think I would want to see a quick comparison before the staff spent a lot of time on it. It doesn't seem to be that -- there may be a lot of items on our agenda, but we very rarely spend a long time talking about those contracting items and I think the public enjoys and likes to see what we're spending their money on. So I don't see that as a huge time savings at this point. It may be with something on the agenda later on. It probably has a lot of staff time to come before the council rather than to happen administratively. And that is a time savings if those don't have to come. One of the items we're going to talk about and one of the reasons that I pulled it is the estimate of having an item come to council versus having it come administratively. It was set at six weeks. So that really is -- I don't know why it would take six weeks. That seems to me that the same savings is not savings within our meeting, but if it takes six tweaks get something on a council agenda and approved, then that to me is a reason to raise the limit.

>> Mayor Adler: Ann and then Jimmy.

>> Kitchen: Yes, I would agree with the mayor pro tem. I think there's a certain amount of transparency that occurs by having these items on the agenda. I think that's good for the public.

[9:48:42 AM]

I think that helps us too in terms of understanding where we're spending our dollars. Are you guys to predict what we might want to know or not know. So I would be interested to know perhaps -- perhaps in raising the amount there might be a combination of some efficiencies and near process for getting things on the agenda. As opposed to not putting them on the agenda. So -- I would want to see what other cities do in terms of what the amount is.

>> And we can certainly look at if the limit were raised, some sort of report of purchasing from a certain range to the upper limit. So that we could provide reporting for transparency. And I'll work with James Scarborough --

>> Kitchen: The difficulty with that, though, is sometimes these signal for us something that -- that might have a policy issue related to it that we might want to comment on. And that's why I think we just need to really think through what we set the level of. I absolutely agree that 61,000 is too low. For a city of our size that's too low. But I'm just cautioning that I wouldn't want to see it really high either because I think it's important for us to be able to see what's happening because it helps signal for us what a policy issue is that we might want to talk about. So just reporting may not get us that.

>> We'll do some work around that and do some analysis about the purchasing that we have and how many items we've had before council and get back probably in a written report to council that if there's a desire to have a work session discussion, we can follow up after we've gotten the information out.

[9:50:46 AM]

>> Mayor Adler: Jimmy?

>> Flannigan: I would concur with the mayor pro tem. I don't know that this is about saving meetings time as much as about staff resources and the time it takes to do things. I'm interested to know -- I think Elaine you said it there at the end about how many purchases are we making at different ranges of amounts. If we were to up it 200,000 would that capture like three more. It's kind of irrelevant or getting a scope and scale of the contracting. I'm also to understand that James Scarborough is developing a purchasing code to codify and streamline our purchasing processes. That in place would give me more comfort level raising the amount because then I would know that the council set the policy in a very clear and deliberative way and operating within that policy, go do the thing. So there may be variations of that. And maybe in a charter election it's -- it would set kind of a higher number, but it would still grant the council the authority to require review at certain levels. There's obviously a lot of conversation to be had around that. I'm really interested in the purchasing code stuff because getting better and clearer understanding of when we do sole source contracts, when we only have one responsive bidder how should we be treating those situations? I think that's where some of the community concern might come from as well. Then suddenly all these contracts under a certain amount are just going to be somebody's best friend or whatever, which we all know the city doesn't operate that way, but we have to be concerned about the community's perception too.

>> Mayor Adler: Okay. So we have 10 minutes left in this part. Do you want to quickly go through the balance of it and then we'll use the remaining time for comments or questions?

>> We can. Another purchasing item is they have noticed that the boards and commissions do review all the purchasing rcas that go through council, sometimes go on the council agenda. Sometimes there are multiple boards and commissions that review them. Some of the Austin energy items are reviewed by the electric utility commission and the resource management commission.

[9:52:53 AM]

And noted that there's no consistency of how they're reviewed by the boards and commissions. So I'll ask James to continue working on that. Something that we touched on in an earlier meeting, just remind council that we would love to work with y'all on the ifcs, but when they come past the deadline that eliminates that opportunity for us to have the time to collaborate with you on the ifcs that you're doing. And then a couple of items on the meetings, there's been some discussion about council -- by council about how you handle things after 10:00. Are you going to continue the meeting? Do you take the vote? Are you going to finish the meeting or go the next day? Are you going to adjourn? How are you going to do that? So I think maybe some additional discussion by council and a firm policy on what you'll do if you're not going to take up any more new items after 10:00, that would help everyone if y'all are willing to have that discussion. And then there are times during the meeting where staff doesn't really know what the item -- the next item coming up is, so when the mayor tells us over the next hour we're going to do things in these order, that really helps us because I see staff running from the back to chambers or us not taking up their item because they weren't there, and a little bit of confusion. So if we can get a head's up during the meetings, that will help staff and the citizens who are there that may be signed up for items. And then another thing that would be very helpful to the staff is that when you are proposing amendments on the dais, we're not getting them. So we don't see them, we can't react to them because we have nothing to look at. So it would be helpful if your staff would make more copies so as they go down the dais there's a handful of them, maybe 10 more, that we can give to the acms or to law department or the lawyers down in the chambers so that we can respond to your questions if there are any.

[9:54:58 AM]

That would just be very helpful. And then the clerk wanted to bring up an idea. There is electronic voting available to the council where it would provide for an electronic calculation of your votes and she wanted to make sure that you knew that there was that availability should you want to turn on that system. It's something that she would manage for you. I know that was a quick run down, but I wanted to save some time for you.

>> Mayor Adler: Leslie?

>> Pool: Quick question on the number of copies on the amendments. I happen to sit at the end right now and regularly hand off whatever is left that I have over to Janet, but it occurred to me that maybe we could be more helpful and get staff maybe one single point of contact, whatever that amendment is, even before we hand it out on the dais or something. Or something where it's synchronized even sooner so staff would have it synchronized even sooner so staff would have that.

>> We'll see if it would be Katie powers or -- we'll work with the clerk and see.

>> Pool: What it means is that the amendments that we have would go to staff right when they finish running them off or right when we get them down to the dais, but it would also mean that we're not

able to kind of hold on to them in case we don't offer them, so staff would have to be alert to that, that -
- but maybe that -- more often than not it would be helpful to -- we can all sort of adopt that as an
approach and see how it works. And still, whoever is at the end can still offer up to the city clerk
whatever extra copies happen to come down that end.

>> And if you're interested you can always email them to me, like early in advance and we'll make copies
and have them at your seat on the dais and have copies at my desk to distribute when you bring forth
your amendment.

[9:57:01 AM]

We wouldn't release them until you bring forth your amendment because you may or may not bring
them forward, but we would already have a file at the clerk's desk that staff would come and get copies.
Whichever works for y'all.

>> Mayor Adler: Okay. Ann?

>> Kitchen: Two comments. On the meeting start time, I'd be interested if there's interest to consider
starting at 9:00 A.M. Instead of 10:00 A.M. I don't know if others feel that way, on council day. That
might help us at the end of the day. So that would be one thing. The other thing is I'm curious about the
electronic voting. I'd like to understand better how that would work. I think it's worth considering. I do
think it's important to announce the vote publicly when it happens instead of just relying on the
electronic system. But I also think that capturing it -- so one of my questions is is that helpful for staff
when y'all are putting minutes together, for example? And so I'd like -- maybe this is something you
could tell us now what you think about that or send us a memo or something about how it might work.
Because I think it's worth considering.

>> Well, I can tell you right now I was kind of surprised that -- I'm not the one that is pushing this
forward, so I don't know where that came from.

>> Kitchen: Oh, okay.

>> But we do have a system that was purchased as part of the remodel of chambers for the 10-1. You're
interested in it, I think what we should probably do is talk about how you would want that system to
work because may need to be replaced because I think the system that they purchased probably very
cumbersome.

>> Kitchen: Okay.

>> It would probably -- the one that's in there now would probably require me to have a full-time person
in there doing nothing but that system.

[9:59:03 AM]

>> Kitchen: Yeah, that wouldn't be worth it.

>> But I think there may be other systems out there that you're interested we could have a discussion about what you would want the electronic socket to capture.

>> Kitchen: What I would want to understand first is the potential efficiency, in other words, what is it useful for? Have other cities used it? What is it useful for? And I can imagine that it might be, but I'm not sure what the experience shows us. So I guess I'm just signaling to -- that it -- that I would want to see something that tells me the pros of it, pros and cons of it, but I think it's worth understanding that, I guess is what I'm saying.

>> Casar: Mayor, on that electronic voting enter, I don't know if other folks have thoughts on that same point. We had this discussion right when we started as a council, and I personally really see -- actually, I think in Dallas I was talking to some folks that have that system and have seen some real inefficiencies with that, especially based on our culture and I kind of like the hand voting for two reasons, and I'm happy to here what the pros may be on the electronic voting side. One is sometimes when we're in debate and you're on amendment to amendment and you're hearing someone and you agree with them on the dais it's easier to know whether you're voting yes or no when you're voting with the person who - - whose debates you have agreed with and that's harder to manage. And I'm not trying to debate you on this point, I'm just bringing up that issue. Secondly, given the number, oftentimes, of amendments or amendments to amendments and the way that we work, given our open meetings scheme, there might be times where it's just a lot of votes to be plugging in and that's different for us than other legislative bodies, where it seems like things are a little bit more baked from the start and people are more pro Forma entering their votes so those are the immediate cons for me.

[10:01:09 AM]

I'm happy to hear what some of the pros are but I've come -- I didn't really know which way to go when we first started and I've really come around to seeing the benefits of the way we currently do the hand votes. But if it's a real burn on the staff or something else I'm happy to hear the --

>> Kitchen: That's not what I meant. I appreciate that. Because when I said we need to keep -- I meant to say and it may not have come across, we need to keep the hand vote stuff because that's why we didn't use it because the public can't see if we're not raising our hands but I don't think it's an either/or. My question is capturing it, is there an advantage to the electronic voting in terms of capturing it for transparency and going forward? So it's just a question.

>> Casar: And I think that in the -- in other systems they do have a screen that shows your yes or no like they might have in legislature, what have you, but even in that case with the number of amendments and trying to listen to folks I still think there's a benefit of us being able to see.

>> Kitchen: Yeah. I just was saying it's not an either/or.

>> Casar: Absolutely.

>> Mayor Adler: Delia, then Jimmy then Leslie.

>> Garza: Oh, the resolutions were not filed by the deadline, I'm wondering if that's something that could be not fixed but -- you talk about the new council orientation. Every office does things differently, and I know my office works extensively with staff before we even put it on the agenda. So maybe that -- that would help in that situation. I'm not opposed to the 9:00 A.M. Meeting start time. I'm open to the ending after -- if it's 10:00 and we're not done yet. I'm curious if there's a way to do consent, like, on Tuesdays. I don't know if that's -- I don't know how that would work with posting or whatever, but just get consent items off the agenda today.

[10:03:09 AM]

And then I know we talked about this last time okay, but I don't feel like it went anywhere and it was before Spencer was here -- not that it didn't go anywhere, but how other cities do public hearings on one day and then the actual council meeting is just the voting on another day. I think we should explore that as well. And I totally understand staff's concern about amendments on the fly, but that's the nature of our work. And so I don't see that stopping, but I could see where there could be more uniform way -- maybe there's a little thing in the bullpen for staff, if you're doing an amendment, remember you need this many copies, put your councilmember's name on top, like a little checklist because sometimes they happen so quickly. That's.

>> Mayor Adler: Jimmy.

>> Flannigan: I'd support exploring earlier start. I think there's probably stuff we could do earlier, still have speakers start at ten cents or other pieces, more ceremonial stuff, get it all out of the way. On the order of agenda items and for staff, I think that I'd like to see a more digital screen for speaker sign-up, something people can see the order and it's not, you know -- I empathize with the mayor every time he's out there seeking random hands in the audience and trying to figure out are they there, not there, some way to make that more 21st century I think would be useful, both for the public and for the mayor.

>> Mayor Adler: Leslie.

>> Pool: Okay. Let's see. On the electronic voting down at the bottom, so I like that the hand raised is the visibility -- mostly you can see them so the hand raise for visibility, but even sometimes when we do that you can't see a hand raised. So if we go to electronic voting, I think we might want to still have hands raised as well as punching it in on some electronic that would make it easier for you then to count and account for what the votes are.

[10:05:23 AM]

But I remember our discussion about the electronic voting four years ago, and I agree with what some of my colleagues here have said, that it just seems more human for us to be actually doing something, raising our hands. So I haven't ever wished that we had something different. Don't mind not pushing a

button. Let's see. As far as starting at 9:00, my understanding is the reason -- because this has come up before, my understanding of the reason we hadn't done that is staff is really busy in those first few hours before kicking off the meeting and that would mean -- if we shorten -- bring the 10:00 A.M. To 9:00 A.M. That doesn't change the amount of work they'll have to do. They'll just have to come in earlier to account for that one hour so I would not in fact support starting at 9:00 or 9:30. I do think we have been really good at ending at a reasonable hour for the last, I don't know, six meetings or so, and I don't know all that went into doing that, but thank you for the work behind the scenes that's made that possible. As far as moving consent, that's a thought. On the other hand that also means that all the staff who are there on Thursdays for consent would have to be here on Tuesdays for consent, so I don't know that that would -- that might make these meetings longer and a lot of the intergovernmental type of boards that we sit on meet on these other days that week because we don't have council meetings that go late. Let's see. As far as staff not being in chambers when an item is called, maybe the mayor could signal, like, three in advance or something, you know, maybe somehow text it to staff and then they can communicate that.

[10:07:28 AM]

I think that would -- the mayor could work -- could figure out that to help have staff in chambers. Citizens signed up to speak may miss their opportunity to speak to council. There's also something really humane about the fact that we're looking out into the audience and we're actually trying to identify a face that I think reminds everybody that we're people. So I don't think that has to be automated or somehow either. I mean, I actually like the interaction that we have with our community. I think that's one of the values that we have in Austin, is that we hear and we respond to individuals. And if that means waiting for 15 or three minutes -- 15 seconds or three minutes for them to find their way to the front podium that's kind of -- we're waiting for our community to talk to us so I'm okay with that. I also think that gives whoever is running the meeting -- I know this from chairing some meetings where you're looking for people. It also gives us an opportunity to kind of catch our breath and figure out where we are so that -- because when you're running the meetings it's kind of on the fly. You don't know what's going to happen next so you're always on alert and actually having that little time can help whoever is running the meeting, you know, kind of keep track of what's going on and also think ahead of what's gonna happen next. All of this is to say that I don't have any serious deep concerns except for maybe going really, really late, past midnight. So -- and we have done that fewer times. It does bother me that some in the community take pot shots at us for going late. The reason we go late is because we have contentious or difficult issues in front of us. There's always a reason. We are never up there playing around and wasting people's time. If we're here late, because the community wants to talk to us and we haven't been able to reach a resolution ourselves for our vote and I think that that piece is missing in some of the reporting that comes back as if we just turn ourselves off at a certain hour.

[10:09:37 AM]

I do agree that our thought processes are probably impaired the later we go so, again, I appreciate that the meetings have been shorter and we have had a lot of the wrinkles worked out before we get on to the dais so that we are able to be more efficient in our discussions, more pointed and succinct in our discussions but we still have that debate because city of Austin residents want to know what we're thinking and how we think about a particular issue. If I kind of do like not taking up new items after 10:00 P.M. That seems, like, reasonable and, again, that would be something that I think that may have been what was behind the taking the vote to continue after 10:00 P.M. In the first place. I don't recall when that was first instituted at the city. Maybe somebody does. But it may be that that was the determination at that point, are we going to continue with just this one item or are we going to continue with the entire agenda? Maybe if we refresh ourselves if we get to 10:00, rethink why we do that, look at how much is in front of us, and I think the mayor is good at looking through the agenda and so are we at, you know, how long do you think this is going to take? I don't know that it would change the votes because when do we come back? I think we would have to have some kind of a protocol for do we come back the next morning at some reasonable hour or -- or do we just move all the items to the next agenda? Which I think I would -- unless it was really a timely thing, I think I would prefer moving it as a postponement to the next rather than changing whatever I have planned for the next day. Thank you.

>> Mayor Adler: Alison.

>> Alter: Thank you. I would be against moving the start time to 9:00. I use that time before 10:00 very often to tie up loose ends so I don't have to take other people's time on the dais to get questions answered.

[10:11:38 AM]

If we have a hundred item agenda, we still might be looking at it on Wednesday and have some questions, but we don't necessarily have to take up everyone's time and make staff stay all day. Also, as a parent, I have a child who starts school at 9:00 and getting here to be here at 9:00 is not always an easy feat, depending on the morning and we have staff and citizens who have the same, trying to get everyone here to be here right at rush hour doesn't necessarily seem to help the traffic situation. As well. I do think, though, that we could make more of an effort and be very disciplined about starting on time, whether it's work session or whether it's the general meeting. And I'm afraid that if we moved earlier we would start even later and that would become more frustrating. We've all been late. That happens. But if we just are regularly starting on time we will all be more likely to be on time, I think. In terms of the electronic voting, I think for me the interest in that is more in can the city develop a voting database so that our constituents can look up and see how we voted on issues. I think the statesman has a roll call on some issues, but I think there's a question of, you know, if you have constituents who want to see how you voted on Austin energy items or something, is there a way for them to see kind of how you voted on those? For me that's where the electronic part would be interesting and to create some additional transparency. It's no secret that I don't think we should be having our meetings after 10:00 P.M. So I would very much be in favor of not taking up new items after 10:00 P.M. We could keep space on Fridays. We -- you know, we could be scheduling hearings when we know we have items that are gonna take up a long time, as we did last year with the police contract.

[10:13:43 AM]

I think that is a useful practice. We have to be able to anticipate some of those, but I think that those can be useful if we find ourself in a situation with 200 speakers to be able to do that. I think it would be useful to have a who's on deck system because people don't necessarily know when they may be coming up to speak. While we all may be used to speaking at the microphone, many of our citizens, it's the first time they've come to speak at council and they're nervous and not knowing when they are going to be up just adds to that discomfort and so I think if we had some kind of screen that said who's up, you know, coming, that might be helpful and welcome for the citizens and help us to move things along more quickly. I'm excited to see where we can start in the new year and some of this stuff doesn't need changes, like starting on time.

>> Mayor Adler: Kathie.

>> Tovo: I'm in agreement on several points just made. Some of this we're revisiting as we pointed out a couple weeks ago, we had a committee, we appointed a task force of some of us to address some of these questions and so I don't mind kind of revisiting these issues periodically, but it would be helpful if we could do so in the context of those earlier conversations. One of them was the start time, and for the reasons that several people have identified we decided not to change the start time. Especially because of the acknowledgment that many staff are over here and that is, you know, in that hour between 9:00 and 10:00 we often are able to ask those last-minute questions. We get the q&a back on Wednesday. Sometimes that prompts other questions. We're able to quickly resolve some questions between 9:00 and 10:00 and items can go back on consent or get pulled or postponed because we realize certain things. I think also as councilmember alter said I think for people with school-aged children either on staff or on council it is really challenging to get here at 9:00.

[10:15:49 AM]

If the bus is five minutes late I'm gonna be late to work session. So, you know, and that is, as councilmember alter said, multiplied across our staff who have similar constraints. So I like starting on time. I think, too,, you know, we've utilized that system of having special public hearings on bigger issues, and we do separate the vote occasionally from those public hearings as we do with our budget. We have budget hearings and vote on another day. I think generally I wouldn't support, couldn't support applying that more generally to public hearings beyond just those very exceptional instances. I think it is really critical that people be able to address us and to talk with their council at the time we're making the decisions and separating those conversations I think really puts their comments and their questions and concerns you had of context with our decision, and I would be concerned about the quality of our decision-making if we have the public -- having their conversation on another day. Likewise, with the consent. You know, things get removed from consent by councilmembers but often by the public as well and then asking people to come down on a Tuesday for consent items and then to come back on

Thursday and some of those items will end up back on -- it's gist -- I think, you know, we've over time explored lots of different options, having some of our discussion at committee, some of our discussion here, that distributed model of working through a council agenda was less efficient, was less time efficient, and I think, you know, carrying through to Friday is equally challenging because then you're asking staff, the public, and council to reserve three out of their five workdays to come and talk about the council agenda. So my urging would be that we continue to do what we've talked about doing and have successfully done, which is, you know, to keep using the q&a process. We can get those issues worked out. I think signaling -- having the mayor signal not just who's on deck but what's on deck, and also setting some expectations about time.

[10:17:51 AM]

Like, I expect we're going to be done with our consent agenda by 11:00 today so that if it's 11:40 and we're on the the second agenda item on consent we can say this is clearly going to require more conversation, maybe we need to postpone it. I think sometimes we spend lots of time talking about things that are either going to pass on consent unanimously but have some questions that are really about a future policy issue, or we're spending a lot of time talking about something only to realize we're not going to be able to resolve the issues and we postpone it. I think we need to be more disciplined about realizing we're going to be able to sort this out today or not, let's discern that quickly and then move forward. But I think having that check-in is helpful, like, let's try to get through this batch by this time, this batch by this time, this is kind of our plan for the day, and then blasting on through it. I like the idea of having a digital who's on deck for the reasons that councilmember Flannigan and I think it's very helpful to people to have a sense of where they fall in that line-up.

>> Mayor Adler: My sense on this is we're gonna have at least two new councilmembers coming up in January, so probably while we've have this conversation repeatedly we're probably about to have this conversation one more time with new people. So I think we should have that conversation and maybe what we need to do is just set a three or 4-hour block in January at some point where we run through all the questions and then just make decisions on them if people want to revisit them. I'd be fine -- I understand not starting at 9:00. You know, if we started at 9:30 that would be fine with me. But I'm not -- if there's hardship associated with that half an hour difference, then not to push it. I do like the idea of having the ability to approve consent agenda on Tuesday, recognizing that the only thing we'd be approving would be things that somebody hasn't pulled and maybe there's a functionality to let the community pull an item too.

[10:19:56 AM]

But the whole purpose in doing that would be that staff would never have to show up. In other words, no staff would show up on Tuesday because if anybody ever pulled anything or the community pulled anything, it wouldn't be voted on on Tuesday. The only thing that would be voted on on Tuesday would

be the things that showed up in our prepublished consent agenda that nobody pulled, in which case we would approve it on Tuesday and staff would never show up either on Tuesday or on Thursday for that. And that might be a significant way to save staff opportunity to be able to do that. If we can post for action on a consent agenda on a Tuesday. Recognizing that some things would be automatically postponed if somebody asked for them. Can we not do that?

>> We'd have to have two meetings if you're going to taking action we'd have to have a council meeting on Tuesday and a council meeting on Thursday. I'm not saying we couldn't work it out but it would take a lot of work.

>> Mayor Adler: What's the additional work with that?

>> We'd have to figure out to have -- because if you're having a council meeting on Tuesday public is able to come and pull something off. You can try and schedule it so that people know that they're gonna come on Thursday and be able to talk but still if you're having a meeting people would be able to come and pull things off.

>> Mayor Adler: Well, couldn't you set up a process where there was an electronic pull-off so people didn't physically have to show up within a certain period of time? I just don't know. The whole reason to do it would be so that people -- that neither people nor staff need to show up on Tuesday but to a degree there were things that nobody was pulling we right now require those staff to show up on Thursday. And it would be nice if they didn't have to show up on thurst.

>> Agree. You need to -- remember that the consent agenda doesn't mean things are not controversial. Things on the consent agenda just mean there's not a requirement to have public hearing on them.

[10:22:00 AM]

So you would -- we would just have to figure out -- I mean, you all pull things -- you all want to talk about things even if they're on the consent agenda. So just trying to understand before we start a meeting, you know, once we post the agenda two weeks in advance, if no member of council, no member of the public wants to talk about iould try and do that. It's just -- I'm trying to think through how mechanically that would work.

>> Pool: Sometimes we don't know we want pull something until we get to work session.

>> Mayor Adler: Well, the thought of having the ability not to have staff show up at a meeting by -- because there are a lot of legislative bodies that do that and sometimes it's called the intent calendar. And I understand the consent are those things that -- so there's another word for it. It's content and uncontested items might be able to have identified differently so that nobody has to show up for them. If there are consent, uncontested, unchallenged items.

>> That would be great.

>> Mayor Adler: If there was a way to do that, that makes sense to me to do that. Separating public hearings from council votes I'm fine with doing that. I think that might be a more efficient way for

people to be able to -- and, quite frankly, after public hearing sometimes I wish I had the opportunity to be able to go way and develop something that somebody said and if there was a separation between those two I think there are times when you would actually be giving greater weight and importance to what people raised rather than forcing it to happen just moments before we're going to be taking a vote. So I see both sides. I think there are advantages and disadvantages on that. But I think that for many of these things there's not, like, a right and wrong answer. I think they're going to involve trade-offs between them. Yes, Greg.

>> Casar: One thing we haven't raised yet is -- or haven't heard emphasized as much is our special called meetings.

[10:24:03 AM]

And I know that those can be challenging, but we oftentimes know weeks in advance what the items are going to be that are going to drag the meetings out longer. And rather than on a Thursday things going late and then us unexpectedly having to schedule a Friday meeting, knowing in advance, look, let's schedule on Wednesday the hearing on camel back or on the transportation bond or the -- the things that we know there's going to be hours of testimony on plus likely hours of council deliberation on, I just think that that's something that we -- I would be in favor of using more proactively and affirmatively because we oftentimes know what those things are going to be. We know people want to come talk to us after dinner and if we have both zoning and that after dinner that's oftentimes when we get stuck in a long meeting so that may be a way for us to sort of get to a middle place on some of the things folks have suggested, to more proactively schedule Wednesday or Friday special called meetings rather than having to block out our Friday or what have you because we don't know whether it will go over if oftentimes we know exactly what it is that's going to put us over.

>> Mayor Adler: Okay. Kathie and Leslie and then let's go to the next item on the agenda. Kathie.

>> Tovo: To clarify, I was suggesting we utilize those opportunities as we have in the past. I mentioned budget. You've mentioned another example where we have those big issues where we think we need more time to think about the comments. But public hearings happen with zoning. They happen with rate changes. To separate all of those from the decision-making I think would do our public a disservice but I am not suggesting that we do utilize it for those larger decisions.

>> Casar: To be clear I'm not -- the way -- the way I was saying something different is not that we have to schedule public hearings just to hear folks and then to vote separately, that there may even -- have been multiple times where we schedule a special hearing and we can vote that day but that can really save us the chunk of time that we know would take out the next day.

[10:26:06 AM]

We can have discussions about whether we vote that day or not but there have been many times we vote at the end that have longer hearing that we know is what's going to bump us over.

>> Mayor Adler: Leslie and then next briefing.

>> Pool: If we decide if we change, which I'm not sure we need to at this point, but if we do we have to make sure that we're not making it unnecessarily difficult for the community to understand when it is that a particular issue that they care about is going to be heard. So that's a problem. And there was one other thing. I think that the orientation for the new councilmembers needs to spend a good amount of time explaining how it is we have arrived at certain decisions moving forward. But what I do not want to do is to have a 3 to 4-hour discussion about how our procedures are with two new -- or three -- you know, with the new councilmembers while we have already been debating this here. That's not a conversation that I want to open up just because we have a small number of new councilmembers. When we started and when we brought in our two new councilmembers two years ago we kind of moved on with how the flow was. We made some small adjustments throughout, but we didn't spend hours talking about it. I do think as part of the orientation and part of the mentoring that those of you who have been here for a while can bring to our new colleagues, but they're too new to start changing the procedures if up understand what, I mean. It takes a while for us to settle in to how we're going to conduct business and there's a reason for that. One of the reasons is we have to all have a general consensus. Sop it's not that I'm not open to new thoughts. It's just that if we have to redebate these issues again in about six weeks, I don't know that that would necessarily change anything, but I think that we can have a general conversation about how we proceed maybe six months in or something like that so that people can kind of get used to what the ebb and flow is and why we do things the way we do and then be open for additional new ideas.

[10:28:21 AM]

>> Mayor Adler: Okay. Let's go to the next item.

>> Kitchen: I have a very quick question I'd like to ask, and [indiscernible]

>> Mayor Adler: Okay.

>> Kitchen: Mine is a next-step question, and that is, you know, we've had a couple of meetings where we've talked about a number of topics, so I'd like to understand what the next step is on those topics. And then the second thing is we had raised a number of topics that we haven't brought to this work session to discuss yet. So my question there is will we be continuing -- I would that I we would continue that in January.

>> Mayor Adler: I think the intent is to continue work session government

[indiscernible] Conversations.

>> Kitchen: Then I'd like to know how we see what the next steps are and how we get a report back on the progress on those next steps from each of the topics that we've discussed.

>> Mayor, council, at a minimum we'll have a memo that will wrap up the entire discussion, the topics that we've covered over this past calendar year. And then with some proposed next steps for what the new term, you know, how do we want to cover these additional topics and how we want to make decisions about where we want to be organized ourselves as a body for next year.

>> Mayor Adler: Okay. Jimmy and then Delia.

>> Flannigan: I just want to say that, you know, I don't think we should be predetermining the value of a new councilmember's input on day one. They are the voice of their districts on day one as much as they are on their last day. So we can have a conversation with them about meeting procedures and we can provide insight, but I'm uncomfortable saying in advance that new councilmembers cannot provide input. I have been on the receiving end of that. I don't think it's fair. And all of our colleagues are going to need -- deserve the same respect that we give for each other on their first day.

>> Garza: I just wanted to say this conversation felt very symbolic of many policy conversations we have in that we are a growing city and we need to change some of the ways we do things, including the way we run our council meetings.

[10:30:36 AM]

I know -- I'm sure there weren't a hundred agenda items 20 years ago. I'm not sure, actually. Maybe there were. But I think we have to -- we need to try new things. You know, to hear people say let's not start -- we can't start early but we're not going to go late either, I mean, you can't -- we need to -- we need to try new things and I look forward to continuing this conversation with our new colleagues and I think it's a good thing to always have this little, you know, check and see how people feel about it and how we can improve and make our city more efficient as we grow.

>> Mayor Adler: All right. Let's go on to the -- I'm sorry. Ms. Houston.

>> Houston: That's what I was going to ask, could we move on?

>> Mayor Adler: Because Ms. Houston is urging us to move on, let's move on in the agenda.

>> Council, thank you very much for your discussion this morning.

>> Mayor Adler: Thank you, thank you. Bri and Ralph.

>> Good morning, council. Bri fanco intergovernment relations officer for the city of Austin. I have Ralph, many of you know on our federal lobby team. We're going to give you an update on the elections results at the federal level, as well as an overview of the federal legislative agenda, which is before you for council adoption on Thursday. We're going to go through this quickly. We know you have a lot in front of you today. Please interrupt at any time if you want us to go into more detail on any item. Looking at the 2018 elections normally we don't start with elections but because this election cycle was so monument Tuesday especially at the federal level in regards to the Texas delegation we do want to provide you some context for that. Starting with the senate we did have a change of a shift from 49 Democrats to 47 and 51 Republicans to 53.

[10:32:41 AM]

The Republicans had gains in Indiana, Florida, minority-owned, and north Dakota while the Democrats had gains in Arizona and Nevada. Moving on to the house these elections some of them . Are still out and so this slide even to date has changed from when we updated yesterday. The to be determined I believe is correct me if I'm wrong, Ralph, one left or have they both been decided at this point? I think it's one. So that 199 Republicans in the house is 200. And there's 235 Democrats in the house. So that's a net pickup of 40 if I have that correct.

>> Correct.

>> We have one seat outstanding still. How does this impact Texas in the federal delegation in Texas? This slide shows you the new members. So -- and shows you based on -- the color code if it was Republican incumbent and Republican coming in or Democrat incumbent with a Democrat coming in. And it shows you a breakdown of where we have new members for the Texas congressional delegation. Because of this change in leadership to -- the Texas delegation did lose seven committee chairs and I'll let Ralph break that down for you.

>> Sure. It's a pretty -- it's been a while since we've had such a big change in the Texas delegation. As Brian said, seven committee chairs either because they're retiring or they lost or in the case of Michael McCaul he's termed out as the top Republican on homeland security so he would not have been chair regardless of how the election went. But those chairmanships are powerful ones. Pete Sessions was chair of the house rules committee. Every bill that goes to the house board goes to the rules committee first. Jeff Hensarling was ahead of the [indiscernible] And Joe Barton and Gene Green were senior members, Republican and Democrat respectively.

[10:34:46 AM]

On the appropriations committee, John Culver from Houston was chairman of the subcommittee and he lost so some big changes. That said, the flip side of that is that Kay Granger from Fort Worth, she is now the top Republican. She's in the minority but she's now the top Republican on the house appropriations committee. That's historically a committee that tends to work in a somewhat bipartisan manner and so she'll have some influence there. Then Eddie Johnson from Dallas will be the chair of the house science committee. She's also not -- it's not mentioned as often but she is the third ranking Democrat on the house transportation infrastructure committee, she will be a senior member of that committee as that committee looks at a possible infrastructure bill and also at reauthorization of highway and transit programs.

>> Moving on to our delegation, Austin, there wasn't actually much change to our delegation itself. The only change was for the open seat vacated by Lamar Smith, and the winner in that seat was Chip Roy, who is a former chief of staff to senator Ted Cruz. So what do we see as the political climate moving

forward? So we do have a divided congress in terms of the chambers are in control by two different parties. So that will constrain legislating. We believe the house will focus more on message and platform bills. So when we talk about that we're talking about immigration reform, we're talking about health care, and so forth. Then they'll also be focusing a lot on oversight as you all are probably already hearing about in the news. Meanwhile the senate will focus on nominations, particularly in the courts, the district courts and circuit courts. Again, infrastructure may be the exception and that's a big may.

[10:36:47 AM]

A lot of that is going to be due to the budgeting, which we'll talk about in a second here, and also the impact of the deficit on those decisions about whether they are willing to put more money into infrastructure at this point. We are seeing some of the similar local authority challenges that we've seen at the state in regards to small sell, in regards to the FCC. We're seeing that happen at the federal level. The administration is continuing to work through its ability to work on rules and issue executive orders to further deregulate other changes made by the prior administration. And so we'll also have to -- once they get in they will be finishing out fiscal year 2019 appropriation bills and we're heading into 2020, the budget that they had signed off on for two years will have -- they'll have to do another budget. And this is with a huge deficit in front of them. So going into a little more detail on that, what do we see as the key issues for the city? As I just said, immediately we're going to have to deal with sec confess tracing sequestration, will there be an infrastructure package, the surface transportation will have to be reauthorized, Ralph has to talk about more about that. Local control issues I spoke about. We'll see if there's anything done on immigration. Again, that could be a bright spot. There are some in the senate that would like to see immigration reform but we still have not seen immigration reform to date. We will continue to work on funding regarding public safety matters. For Austin one big change is the U.S. Army features command, that post being here in Austin now means we will be monitoring defense spending and defense appropriations for that command. It is a -- the only command of that size. It is not on a military installation. And Ralph can speak to a little bit about there have been some in the rest of the country that are pushing back on why we now have a command on a nonmilitary installation.

[10:38:52 AM]

Well, that was the entire goal, was so that it would allow out of the box thinking regarding having the defense community work with the tech sector and Austin being the win everywhere of that decision. And we've seen some movement on opioid legislation and may continue to see some and we'll be focusing as always on the appropriations for housing and community development. So going into more specifics on community development, this is a two -- the two key fundings you rarely see on your agenda from this program is cdbg funding and home funding. The H.U.D. Budget has not passed yet, the budget overall has not passed so we still need a finalized out fiscal year 2019. In 2018 we did see an increase in both allotments, both in the overall funding and for Austin. For 2019, right now in both bills, we do see the same level as 2018, and that's good. They'll need to finalize that bill. Then we'll move

forward to 2020, and hope to maintain that level. Like I said I'm going to let Ralph talk about this a little more. If we're not able to then sequestration does come back and the numbers we're at now, even though we've seen increases, still do not meet the level prior to sequestration from before so we're still below those levels. And I don't know -- Ralph, if you want to talk a little about that overall about the impact with the budgeted.

>> Sure. Obviously the budget impacts a lot more than cdbg and home but those are the two big line items.

>> Mayor Adler: Would you introduce yourself?

>> Ralph with capital length, worked for the city in Washington, D.C. So bri mentioned we had a two-year budget deal. That was the deal that the president reached.

[10:40:54 AM]

It's interesting because senator [indiscernible] And Nancy Pelosi are going to the white house today to talk about fy19 spending and the border wall and the two-year budget deal was the deal the president reached as they said in the press with chuck and Nancy and that was a two-year deal where they lifted the sequestered budget caps for fy18 and fy19. That's the reason we have seen increases since the first time they were slashed in 2011, first year of sequestration. Going into next year, congress -- the current short-term continued resolution expires December 21. There's a very good chance that the new congress might have to complete work on fy 2019 spending and quickly turn their attention to fy2020 and that two-year budget agreement is over as of right now they will be working with a budget cap that goes back to the sequestered budget cap. There's talk, only talk so far, of another budget agreement to lift the sequestration cap. That will have to be negotiated. Heading into fy2020 we have to go into it thinking that we'll have to work hard to defend cdbg and home and maintain those funding levels as well as for a lot of other programs across the board. So it will be interesting. Oh, okay, by the way, the debt limit expires in March. So -- and it is bri said they'll be having those negotiations about whether to go budget deal, lift the sequestered spending caps and extend the debt limit in the context of the deficit for fy2018 was 972 billion. It will essentially be a trillion for fy 2019 and it's projected to be a trillion most years through the 2020s. So that will create some challenges.

>> Moving on, one bright spot we have seen in the federal agenda is money coming down from the federal government that has assisted us with the airport expansion.

[10:43:01 AM]

So on that right-hand column we did receive 12 million, almost 13 million for this year in airport infrastructure grants, 10 million of that is in discretionary funds. So it can be used to expand the airport aircraft area and existing taxi lanes. This continues from prior funding in 2016 and 2017 of about 14 and 15 million respectively. The FAA bill was passed, the reauthorization of the bill. It does now require the

FAA to create a framework on drones so we will be monitoring that as well in overall just any regulatory work related to drones that also exist outside of the airport area. On surface transportation I'm going to let Ralph speak to y'all about this.

>> Sure. I just wanted to share this slide. It's a little bit of good news. Bri mentioned some funding for the airport and I mentioned the two-year budget agreement. Part of the two-year year budget agreement was they were going to add an additional 10 billion for infrastructure in each fy18 and fy19. The easiest thing for congress to do and what they did they allocated that 10 billion in fy2018 among existing programs. That's one of the reasons the airport was able to get a substantial incremental funding more than they normally would have received. Then this chart is just one of the things that the national organizations worked on, conference of marries, league of cities and we worked on that as well, is part of that \$10 billion went to highways, and we worked to get that highway money sent out through the surface transportation block grant and that means that we were able -- half that have money went to urbanized areas, and this chart just kind of shows what that meant for the amount of money suballocated to campo. We were able to get a pretty substantial increase in that so that was a nice little win. As bri said, the transportation H.U.D. Appropriations bill is one of the outstanding bills so work hasn't been completed on that but the house and senate bills would, again, allocate the additional increment of highway funding through the surface transportation block grant.

[10:45:12 AM]

It's a good segue to the next slide. And go to the right, one of the things, the fast act, highway transit, five-year highway transit bill expires at the end of fy2020. One of the things we'll have to work on is to maintain that suballocation of funds to urbanized areas and also we'll face challenges maintaining the transit program and maintaining things like the transportation alternatives program, which are important to the city.

>> Kitchen: Could we ask questions or do you want us to wait?

>> Mayor Adler: Let's let them go through it.

>> On the left we mentioned infrastructure package question mark. The chairman of the house -- incoming chairman of the house infrastructure transportation committee, Peter defosio, he has said, I heard him say it, he wants to do an infrastructure bill. He thinks he can work with administration on that and he wants to tee that up pretty quickly. He's talking about a big infrastructure bill along the lines of a trillion dollars over ten years or \$500 billion over ten years. If they can find a way to pay for that. I think if they can negotiate a bill with the president they could probably get that through the house, but we go back to deficit spending. I think getting an infrastructure package, the senate could be a challenge if most of that is deficit spending. So there are some hurdles to doing an infrastructure bill. Political, fiscal, and also schedule-wise. And if the house does pursue aggressive oversight of the administration, which they will, that could also poison any discussions about an infrastructure package.

>> Two more slides really quickly. This slide shows in more detail some of the issues related to local control that we're seeing in terms of right-of-way authority, as we mentioned before small cell and even

with cable as well. We are monitoring those issues closely and submitting comment letters to these rules changes.

[10:47:14 AM]

And then lastly, the federal agenda does -- I just want to notate for y'all as I always say you can update this agenda at any time and this agenda before you does include the resolutions that you have passed since the last update and any change that you make going forward will also be included. Any questions?

>> Mayor Adler: Ann.

>> Kitchen: Oh, I'm sorry. Yeah, I had that one question on the fast. What can you say at this point about the potential for the transit dollars? Is there anything in particular you can tell us about that?

>> Sure. And it's always -- I don't want to be alarmist but I think we always have to go into reauthorization of highway transit programs thinking that the transit program is at risk.

>> Kitchen: Okay.

>> I think that's the smart and safe way to go into that. And I think particularly this go-around, the highway trust fund, which is mostly funded by the gas tax and a few other taxes on things like truck tires, revenue to the highway trust fund is not keeping up with expenditures. You know, to do a five-year bill, fact act is a five-year bill. To do five years at former spending levels without raising the gas tax, they -- it's an old joke now but I say that they rated the couch cubeses and broke into the neighbor's house and raided their couch cushions, real pulling revenue here, pulling revenue there. The highway trust fund is projected to have a \$5 million deficit in fy2021 and they're looking at as much as 20 billion in new revenue too a five or six year bill. Which is a long way of answering your question. In that situation I think the transit program is more vulnerable than ever.

>> Kitchen: Because it's competing with highway dollars.

>> Exactly.

>> Kitchen: So do you think the change in the makeup of the house will help us?

[10:49:16 AM]

>> Yes. Absolutely.

>> Kitchen: Okay.

>> Mayor Adler: How did Doggett fair on committee?

>> He fairs well. He's one of the more senior Democrats on the committee and he'll be in the majority now and might even be in line for a subcommittee chairmanship.

>> Mayor Adler: But they haven't decided that yet?

>> They haven't gotten to subcommittee level yet but I imagine he will be. I think he's -- he's in the top four Democrats on the house means committee.

>> Mayor Adler: Okay. Leslie.

>> Pool: Was he on the social security subcommittee or the subcommittee that looked at -- I remember Jake pickle was always on social security and I wondered if Lloyd was continuing that tenure?

>> I think he's on the tax subcommittee right now.

>> Pool: Okay.

>> But that could change going into --

>> Pool: Sure. The other question idea -- I had was in talking about the deficits can y'all remind us the last time we zeroed out? Didn't we just a few years ago with a zero deficit or something like that?

>> We last ran a surplus in fy -- I'm gonna say fy2000 or fy2001.

>> Pool: Okay.

>> Yes, I think fy2001. So fy98, 99, 2000, 2001, the federal government ran a surplus those years.

>> Pool: How quickly has the deficit grown in the last two years?

>> It's actually -- the last -- this past year fy18 it grew. The previous year it actually shrank.

>> Pool: By how much? I'm sorry --

>> No, no, that's fine. 972 billion in fy2018. Don't quote me. It was in the four or \$500 billion range.

>> Pool: All right.

>> Ish.

>> Pool: The last question I have relating to budget, has there been a big shift of federal spending priorities over toward the military or department of defense or do you see any kind of major shifts?

[10:51:23 AM]

>> In the two-year budget agreement? Let me -- not to get too into the weeds, but if you look at the -- the federal budget is about \$4 trillion, give or take, about 3 trillion of that is mandatory, what they call mandatory spending. So 1 trillion is what they call discretionary spending. Of that trillion, about 700 some billion -- I'm gonna go with 710 billion is defense, which means that the remainder is nondefense discretionary. So it's always been weighted towards defense. The two-year budget agreement, part of that agreement was that they lifted the sequester for both defense and nondefense and allocated additional increments of funding to both. That's something that the Democrats insisted on.

>> Pool: In the past we've seen numbers where the states show they either have a positive return or a negative return on the taxes that they send up to the federal government. Where is Texas on that?

>> It's been a while since I've looked at that but I think Texas is about break even. On highway and transit spending, on the highway trust fund, Texas is a donor state. Texas pays more in gas taxes than it gets back in highway and transit funding. But overall federal budget, I think Texas is one of the break-even states.

>> Pool: Okay. Thanks.

>> Mayor Adler: Alison.

>> Alter: Good morning. I had a question about the army's futures command and it was on your slide but I wasn't sure that I saw anything in our legislative agenda. Will you be adding --

>> Yes, ma'am.

>> Alter: -- Something to support that?

>> Mm-hmm.

>> Alter: Great. One of the things I wasn't aware of that I learned through reading the legislative agenda was that Austin is not one of the cities receiving funding from the urban area security initiative. And I'm wondering if you can share either now or if it's more appropriate individually a little bit about why it is that Austin as the 11th largest city is not receiving some of that funding when 29 cities in the country are and what could be funded with that money if we had it.

[10:53:34 AM]

>> Sure. I'll give you the short -- so Austin is 11th largest city in the country, but that money is allocated by metro areas so metro area Austin is in the low 30s. And so when the program was funded at 800 some dollars Austin was on the cusp of receiving that funding. Received it some years. Didn't receive it other years. Since the sequester that's been down in the \$600 million range and at that funding level Austin has just not made the cut.

>> Alter: Okay.

>> And so certainly every year city staff makes a compelling case to department of homeland security about why Austin is a high threat metro area and why Austin should be a

[indiscernible] City, as you can imagine everybody in the metro area of the country thinks it's the most vulnerable and at-risk metro area and they make similar cases so really the answer to getting Austin back in the program is to increase funding for the program.

>> Alter: Mm-hmm. Okay. Thank you. And I saw some of this. Cdbg, whatever, funding, which was through the neighborhood housing department, but I was curious for the public health budget and the

money we have funding our neighborhood centers, if you could tell us what the prospects are for that funding and just reaffirm that it's mentioned in the agenda.

>> Sure. And I think that money comes out of HHS and the community health centers program and that's been -- that's received small increases in recent years. Nothing has received big increases, but that held its own in terms of funding.

>> Alter: Okay. And that will be something that you're advocating to keep and or there is in terms of funding?

>> Yes, we have.

>> Alter: And that is in the agenda somewhere?

>> It will be.

>> Alter: Okay, great. Thank you.

>> Mayor Adler: We have the bomber incident in town and we had everybody here on that, the question of the urban -- the security monies was something that was coming up almost daily in those conversations.

[10:55:48 AM]

And Mccall head of that committee was trying to grandfather cities that had received some money at some point in time as one vehicle for trying to enlarge the number of cities, and so it obviously didn't get done. But here you continue to lobby for some of the 1-off funding streams to increase the capacity of the emergency response center. And that kind of infrastructure.

>> Absolutely.

>> That's correct. Chief Manley even spoke to it when asked by Mccall to testify before his committee. That made the front page of the statesman, his speaking to that issue.

>> Mayor Adler: Okay. Just by -- Ralph, you do just a really good job I think for the city. Not only with the legislative agenda, but in facilitating the councilmembers' work with the national league of cities and with the U.S. Conference of mayors. You have at this point I think you -- you represent a lot of the leadership in the U.S. Conference of mayors in those cities, so you work at that level, too, which is greatly appreciated by people here in Austin.

>> You.

>> Mayor Adler: You're doing a really strong job. Thank you.

>> Thank you. Appreciate that.

>> Mayor Adler: Anything else on this? Manager, you had your light on?

>> Casar: Something just for us to think about, while you mentioned that the house would have sort of these platform or message bills that some of those, if they're -- if the control of the senate and the presidency changes shortly, what happens in the -- in the house as far as those platform or message bills could then become --

>> Oh --

>> Casar: -- The law of the land. Something that might be unanimous for us to be thinking about is ways that we can make sure -- you know, for some of those platform bills that are very strongly within all of our interests maybe not now but two years from now for us to be able to communicate how it is that we can help --

>> Absolutely. Just because they're platform messaging bills doesn't mean they're important. They potentially lay the ground work for legislation that will become law two, three, four years from now.

[10:57:53 AM]

>> Casar: Yeah. So between here and Thursday -- I'm gonna keep looking through this and I know we haven't had time to get together and meet, but to keep thinking through what -- if there are any of those in particular that are really strongly of interest. I'll think about that between here and Thursday but I know the agenda tends to cover it pretty well as it stands.

>> We will continue to try to provide updates on how those bills are moving along as a way for you to continue to monitor that.

>> Mayor Adler: Manager? Anything?

>> Thank you. Fight against all the FCC stuff with respect to the giveaway of public property to --

>> Yeah, the FCC used to be a serious challenge and will be.

>> All right. Let's move on to the next item, which is the report to us on the water boil incident.
Manager?

>> Mayor, council, as our presenters come up to the dais, I just wanted to give a little bit of context for why we are back here today. Again, our community experience, historic flooding back in October, which resulted in high turbidity levels for our water system and we wanted to take this opportunity to respond to the resolution that was passed on November 15th to assure

-- I had concluded in your spots the memos that were distributed on November 28th and on December 9th that describe the flooding events, what our next steps will be -- the chronology of the different events that took place at that period of time. As you also remember we had a briefing November 13th during the work session to describe this event in more detail.

[11:00:06 AM]

I can follow up and make sure that she can answer the questions. They did have the deadline for us to have to come to council for more information and we're pleased to present that to you today with our director of water, Greg Meszaros.

>> Good morning, council. Greg Meszaros, director of Austin water. So just a little bit of kind of context to the presentation, the council resolution asked for a series of responses and data and analysis. So today we're going to present this to you, but don't plan on going into a lot of detail on each slide. It's a lot of detail and of course we're available to answer questions or do some additional follow-up. We'll try to give you a sense of what you're looking at and what some of the findings were and then can take it from there. I can say from a big picture perspective what I would have the council takeaway from today would be, first, that our water system is sound. That we have good infrastructure, we have high quality staff managing the drinking water system. We've handled it. Hopefully we didn't lose any sleep over the rains in the weekend and the water system. I want you to have confidence that our water system is in good shape. We've put together I think a really excellent team to learn from this event, besides Austin water staff we've contracted with Corollo engineering, they're national experts in water treatment. We've also contracted with professors Lawler and Katz with the university of Texas civil engineering program. Again national experts on water treatment. So we think we have a really good team working in collaboration with homeland security, emergency management to do a full after action review. We're about six or seven weeks out from the event and we've learned a lot already. We've already taken steps to incorporate that learning and to reducing risk of this kind of an event happening in the future.

[11:02:08 AM]

And we'll certainly be taking other long-term steps as we complete our full after action analysis. So one of the questions we get with this event is what was different? We've had flooding events before and why was this flooding event different and why did it disrupt the drinking water system. So this graphic maybe gives you some sense of the scale of event. We went through working with ICR and others and took a look at all the flooding event that occurred on the highland Lakes at least since Mansfield dam was constructed in 1935. To give you a sense of the scale of this Llano river flooding, and you can see the amount of flow to the far right there compared to other events over the last 80 years, you kind of like have different ways of summing up this event in a memorable way. I did a little math with wikipedia and if you take niagra falls, if you've ever been there or seen it, this flooding event at its peak was equivalent to four and a half niagra falls. So that's how much water was coming into lake Travis and carrying the silt and debris. That was a memorable statistic. You get the sense that this was not an everyday flood that we dealt with. By many measures the worst that we've certainly experienced. And here's an image of that. This is water pouring over the Starkey dam. Starkey is the dam that I am pounds water for marble falls. This is water heading directly into lake Travis. You can see just the amount of upset and flooding that occurred with that. Working with ICR this flood had unusual behaviors, so the amount of water, the temperature, the location, it drove the water deep into the water column and really acted like a wedge. The wedge into the water of lake Travis. We've consulted with other utilities that draw water from lake

Travis. Lakeway mud and bull creek and the city of jonestown are up in the shallower portions of the lake where the water kind of got wedged into.

[11:04:14 AM]

They've never experienced turbidities above about 20, where we were dealing with 400 ntus of turbid did you. So you see the disrupting of lake Travis and lake Austin. Here's another picture of the amount of upset in turbidity in that lake. You may have seen this on the website. This is lady bird lake and this is where Barton creek joins lady bird lake. You can see the amount of silt and turbidity flowing the river system and you can see it pillowing out into the flows of Barton creek. An image you may not have seen is up at the top. That is where the Colorado river system empties into matagorda bay and you can see the what was flowing into the bay. I think any times you see the impact of Texas weather on satellites it's a bad day for us. So you get a sense of just how much silt was being carried by the river. This resolution asked us to go back over the last 10 years and summarize other turbidity event. We actually went back over a little more than a 20 year period. We went through all of our regulatory reporting to tceq on turbidities throughout that period and mapped those event. The ones that provided some turbidity spiking. And you get a scale of the llano river flooding. It's the red line there. You get a . Perspective of how it compares to other events. The next quote unquote closest event, would be the 2010 tropical storm Hermine. You can see that spike in blew and you see the llano river flooding turbidity spike just go over that. You see the level of turbidity and the duration. This went on for a very long time at high turbidities.

[11:06:19 AM]

TFC, it is not over yet. Torts have not returned to the baseline wildfire this

event started: So we've never seen an event of this duration. That was one of the things is we couldn't the way it out. Often times you can nurse your way through an event, the W er will stable out and you're on your way and this event did not behave like that in any way.

>> Rick will go through some of the resolution items with our technologies and ages and facilities. From a summary perspective. We won't dwell long on any one side, but you certainly able to do so if necessary. Rick?

>> Thank you, again. Rick Coronado with Austin water, assistant director over operations. What I'm going to kind of describe to you is a lot of the technical data that's related to the water treatment plant overview. So we have in your table there, in your packet, is that we have a summary of the different water treatment plants, the first one being Hancock water treatment plant, formerly water treatment plant four, was built in 2014 with a capacity of 50 million gallons a day capacity. We have sedimentation basins. We have what we call two up flow design clarifiers with six dual media filters and support underdrain. This is the plant that first was installed technology for on-site chlorine generation. Aside

from that, that was the unique disinfection process different from the other treatment plants. And another thing to note is that Hancock's water treatment plant is taking water from lake Travis. The other two plants, you will Rick water treatment plant -- Ulrich water treatment plant take water from lake Austin. It was built in 1969 and with multiple expansions can treat up to 67 million gallons a day that has an up flow clarify are.

[11:08:28 AM]

Seven of those and also 18 dual media filters similar to plant four with underdrain support. In 1984 Davis and Ulrich had a process that helped stabilize the cost ening process coming out of the treatment plants. Davis, one of our oldest facilities, but also a conventional lime softening process was built in 1954 with multiple expansion, and currently is rated at about 118 million gallons a day. It has the largest number of conventional basins. Nine total, with 27 dual meter filters with gravel support. So it's a little different filtration support system than the other two plants. And I mentioned again the newest -- the change in recarbonation occurred in 1994. Kind of to address some of the conditions is all these plants are in operational condition. There are some that are undergoing some capital improvements. That includes the Davis water treatment plant and the Ulrich water treatment plant. The next slide gives you an overview of some of the chemical processes or processes in general for treating surface water treatment. The first one being disinfection, which we currently use chlorine and ammonia to disinfect our water. That is intended to destroy or deactivate any pathogens or harmful bacteria, viruses in the water. The other is particle removal. So those are two key elements or processes in the water treatment plants. For particle removal we use something called ferric sulfate.

[11:10:29 AM]

So if you describe coagulation, it's more the neutralizing of particles, kind of getting them sticky and connecting. As you move into flocculation, you get mixing to the particles go together and then they go into the phase of sedimentation so they settle out. In cases like the event that occurred is sedimentation is difficult when you have hard to suspend or hard to settle particles, and we'll describe that a little more in detail. One unique thing, process, for Austin water's treatment plant facilities is that we lime soften by adding lime. As measured in calcium oxide. So the purpose being that it removes scale forming minerals such as calcium magnesium. And if you recall the green water treatment plant, that was the first treatment plant that introduced lime softening to Austin water, city of Austin in 1925. So we've been lime softening for almost 100 years. The next slide kind of describes pictorially the chemical processes that are included in the water treatment plant. So just to kind of describe this, a lot of those on the top that look like they're color coded chemicals. So the first one from the left side of the slide is carbon. Then we have the disinfection of chlorine and ammonia. But kind of to describe the process, we start from left side and we kind of follow our way to the right as we pull water from the lake and introduce it into -- this is a pictorial depiction of what we call Ulrich water treatment plant and this is the upflow clarifier,

just to give you kind of a sense of your pumping water from the lake and you're introducing it to the bottom of the basin.

[11:12:42 AM]

As the water enters the basin from the bottom, it exits the top in what we call a mixing well. That's a mixing zone where a lot of the chemicals kind of come together. Underneath the mixing well is what we call a flocculation zone. That's where we describe as chemicals are added to know neutral lies the particles, they start to mix together and settle out. That is also described in the settling zone. Most of the water that's settled out, that's already been kind of settled to the bottom of the basin is not only -- is the sludge removed from the bottom, which is a critical part of the process, but the clear water is collected from the top of the basin so that you call that the -- what is described as the settled water collection zone. Or troughs. We have other processes or basins such as the carbonation tanks or basins. We also add sodium hex, kind of another sodium hex meta phosphate, also a stabilizer for the water. And then we go into -- this water now introduces into the top of filtration, so water on top of the filters, which is dual media, whether it's coal, anthrosite or sand, water now goes into a clearwell. It is an underground storage tank that is purposing out to distribution after its achieved its disinfection process of contact time with chlorine. So this is really the -- this graph is the multibarrier approach to water treatment so everything from source water to sedimentation, coagulation, sedimentation, filtration, those are all barriers to our treatment process.

[11:14:48 AM]

Any one barrier that's compromised impacts the next barrier. And so that's what was described in the -- kind of the water quality change that we have experienced and continue to experience is that if the barriers are compromised it just makes it a lot more difficult to kind of get to the next level. It kind of compromises those levels of barriers. So some of the things I want you to keep in mind is when we do select a treatment process is the source water. The source water is a high consideration for what treatment process you will have in your treatment plants. As well as some of the finished water goals, the regulatory requirements, customer expectations and some of the distribution system goals that you may already have inherently have in your system such as we have been softening for just about 100 years, so our distribution system is scale formed. So we have to select processes that are compatible with the existing water quality and the distribution system.

>> So yeah, I just want to pause there because that's an important point. So as we work through after action and we think about changes to chemicals, or maybe even treatment technologies in the future, we have a lot of work to do there but we have to be mindful that we have a 100 year old distribution system that has been used to lime scale and lime softening for that entire period. That's what happened at Flint is they changed very radically water quality and water sources, and we all know what happened at Flint. And I'm not saying that we're Flint or we're going to be Flint, but you have to be very thoughtful

about process changes so you don't destabilize your distribution system. So that's just a word of caution as we're working this through. That's going to be on our minds as we're thinking about additional after action and chemical changes and the like is that we not take steps that harm us in the long run as we're responding to this event.

[11:16:59 AM]

>> So Greg mentioned we're working with a consultant to help enhance our current treatment technologies based on the water quality experience and lessons learned. Initially they provided us some kind of what we call jar testing, which is kind of a rapid test on treating water with different chemical dosages. In this case we started treating the high turbidity water with polymer. So we're still investigating some of the options that we may have in treating this type of high turbidity event in the future. Also additionally we'll continue to follow up with the after action reports and have peer review from some of the university of Texas professors. Keep in mind that I keep mentioning that this was a turbidity event, but also it was a water quality change event. And I'll describe that in a little more detail in one of the graphics I have. The timeline was presented on November 13th. I have added a graphic to that timeline to kind of describe some of the significant events that occurred over time. It is a very busy graph so I have included a large blowup, 11 by 17, that is kind of the same in the packet. And I want to break it up into three timelines. One being prethe event and how Texans existed, but first I want to kind of describe this graphic. This graphic consists of three major pins all color coded. The green describes a distribution system storage so that is the water that we have in million gallons throughout the city.

[11:19:05 AM]

In addition to that, we have a production line which is a blue line that's -- kind of lays out how much water is leaving the treatment plants. In addition to that I have another line that is in red that is a calculated water usage so it's not a meter that accumulates all the water being used by customers, it's a calculated value that is between what is produced and what is stored so that change kind of helps determine what the usage is in the entire system at any given hour. So that's what the data that you see in front of you is data that was collected on an hourly basis, plotted over time to describe some of the things that we were seeing and the information that helped make decisions. Additionally towards the bottom of the graph you have a scale that says on the right side, it says turbidity. We've described this as a turbidity event, but for the sake of description in this graph I'm going to note that this is only for Ulrich water treatment plant turbidity. That is about several hours after the first treatment plant that was Hancox that experienced the turbidity spike. Hancox pulls from lake Travis. There was about a 12 hour delay before Ulrich saw a turbidity spike. Another pin on here is rainfall, information on rainfall data. In addition to that is water treatment plant shut downs so that is also described as multiple shut downs between Ulrich water treatment plant and Hancox water treatment plant that is also described during the timeline when those plants shut down?

[11:21:15 AM]

One of the things that on this first set of information? It took about two days before we started see an impact on turbidity at Ulrich and a little sooner at Hancox. Some of the things that were described in the outlying memo were notification processes, the call for urgent water reduction which was on Sunday. To back that up on Saturday was the first events of plant shut downs, so Saturday afternoon was the first Ulrich shut down and Hancox shut down later that afternoon as well. Assessment was done during the day of Saturday to activate the emergency center, the doc, that was early Sunday. That afternoon it was made the decision to go ahead and request for reduction in water. As we worked through those operational periods you can see the trend for the distribution storage start to drop and continue to drop even after the request of reduction of water. And we've never experienced some of the storage levels that you see depicted on here such as 39 million gallons of storage. I want to make sure that you understand, this is citywide.

[11:23:16 AM]

This is not in any one storage tank. So we have hundreds of millions of gallons of storage up to, say about 170 plus. We don't operate at full capacity, but we do operate as a normal range, which is about 120, 130 million gallons of storage. And that's about a day's worth of storage so long as you continue to maintain some production. With the plants shutting down, and most of those plant shutdowns were related to turbidity, not being able to meet timeout regulations or even our internal goals for turbidity. We had to lax some of those internal goals to continue to produce water. As you continue on through this graphic, we do start to recover to start to bring on more plant capacity. Not only did the plant capacity assist, but also the call for reduction in water, so you did see a trend in water reduction from the customers. So that allowed us to not only recover in the distribution system but also to kind of work through some of the issues as the high turbidity event starts to curtail. Finally you have the last set of graphics where what I would call is the liftable water. However, that wasn't a complete recovery our water treatment systems. We were still working with sludge removal and reduced capacity and we're still -- like Greg mentioned, we never really got back to prevent conditions on turbidity and we still have a little bit to go, but that defines the event being so prolonged and such an increase in magnitude of turbidity.

[11:25:29 AM]

I also described a little bit about the water quality that we experienced. Ulrich water treatment plant, not only was it a turbidity event, but it was a change in water chemistry. So not only are the turbidity increase in a rapid time frame, but also the alkalinity hardness as more rainwater was displacing the

current lake system, the stabilization of that water didn't occur for about six days. So the challenge here is that you're making chemical adjustments and trying to troubleshoot chemicals during a six-day period. So not only are you faced with kind of an increase in solids to try to get rid of, but you're also trying to adjust your chemicals, such as ferric and lime during that six-day period. So it makes time every time you try to do a test or come up with a recommendation, your water has already changed so you have to go back to the drawing board and make additional adjustments. This describes the Ulrich finished water turbidity and it is well above any of our treatment goals. Our plants typically produce if you can see the near flat line prior to the event and trying to get it back to a normal operations, that probably represents less than a .1 ntu goal and we achieved that just about everyday of the year except for during this event. We got as high as 3.5 ntu and that was what was reported to the state. And these are four hour samples so every four hours these were taken.

[11:27:35 AM]

We take -- grab samples over four hours and that's what this represents.

>> I would add one other comment. Kind of what's different for us today versus the past and one of the challenges of the future is if this event happened in 2002 or earlier, there is no boil water notice. That turbidity regulations have been tightening over time so the margin of error you have or elbow room so to speak is getting narrower and narrower. And yet we're faced with a future that climate change is driving more extreme weather events and so that is a real challenge for our utility and the entire industry is how do you grapple with more extreme events in an environment where you have tighter and tighter regulations? And it's one of things we'll all have to work on together as we work through climate change risk.

>> The other graphic you see or slide is about the back bacteria logical water quality. I mentioned earlier in the slide presentation is two major components of the treatment process, one being disinfection, the other being particle removal. Throughout this entire event we maintained strong disinfection process. And this kind of just represents a sample of the average disdistribution was about 2.33 throughout the system, which is healthy for the system. The minimum that we could -- the farthest reaches of our distribution system has to be above .5 milligrams per liter. So we knew that that was one of the things that we had control over was the disinfection process and that led up into making sure that we deactivated any harmful bacteria, viruses, we had a healthy disinfection in activation of the bacteria and viruses.

[11:29:37 AM]

In addition to that, we were required to not only maintain our back tear logical samples throughout the month, but also had to collect special samples. So through this process we collected additional samples to ensure that we had a healthy disinfection and back bacteria logical sample results from the entire city system. Finally, this last slide is about the impact addressing zebra mussels. There were none. Zebra

mussel are a threat to impair kind of the y'all of water from the lake through accumulation of the intake structures and piping, and none of the water treatment plants experienced any problems drawing water from the lake system during the event. Because the -- they are filter feeders, zebra mussels prefer visual impairments of less than 50 B.U.T.S, it probably had an adverse affect on them, so probably harmed them. We do do periodic inspections of our intake structures so that is one thing that we'll follow up with and make sure that there are no issues with zebra mussels. As it relates to this event or any event, but that we do periodically check our infrastructure. With that I'll kind of leave it up for any questions that you may have.

>> Mayor Adler: Boy, again in watching it I thought that the response was very quick and real pleased that you were able to resolve it as quick quickly as you did during the week and I thought that the message that was being sent out to the public was consistent and strong and was reassuring. There were thousands of people obviously that were involved in the response, which was I think really effective given the circumstances.

[11:31:38 AM]

I think it's good to take a look at this as you continue to with the outside study to see what we need to be doing to maintain resilience. There's one aspect of this that hasn't been discussed much and I think it's significant. When the decision was made, when you were making the decision that night or early in that morning about whether or not to issue the water boil notice, you were doing that before you were required to do it. And as it turned out, even though it happened over the weekend, it wasn't something that had to be done until Wednesday. And then you have a 24-hour period, so really Thursday to do that. But you made the decisioning to early. And a lot of the conversation in the community has been about that decision. Initially it was how could you make that decision when people didn't know about it because people were drinking water that morning when this is being discussed at 2:00 in the morning, and the fear was that people at 6:00 that morning or 8:00 were being put in danger because they might not have heard of the warning at that point in time. And I think it's important to note that no one was put in danger at that point because it didn't -- the announcement didn't have to be given at that point. But the real significance I think of making that water boil notice as early as you did is not the viruses or the diargardi, but it got people's attention in a way that you would not have gotten people's attention if you had not done that. And probably the most immediate threat that I understand that the city was facing at that point was the drop in the water production and the water reservoir. If we had dipped significantly or materially lower, but as in the direction we were heading, we wouldn't have had fire flow in certain areas and we wouldn't have had the water in the pipes that we needed to have. You sent out an announcement on Saturday to tell people to start conserving water and to stop using water, and quite frankly, like a lot of announcements that come out of the city, it wasn't resulting in changed behaviors.

[11:33:42 AM]

One of the things I think to take a look at is how you make that initial announcement as impactful as it needs to be to have an abrupt change in people's usage of water. What eventually and meetly caused that response in the community was coupling it with the water boil notice because as soon as people looked at having to boil water, which eventually was required four days later, but when it was accompanied with that, people understood the severity of the moment and then there was the dramatic reduction in water usage. And with the dramatic reduction in the water usage, then the water being produced, relatively little as it was, was able to enable us to build back up the water reserves so we weren't in danger of losing fire flow or draining pipe systems that then needed a recovery time in order to be able to refill and the potential for structural and other capital damage that was done. And I don't know if there's a way to get that announcement to be understood without an accompanying water boil notice, but I know that in the emergency situation we were in it was coupling those two things that enable the water response to happen happen. Leslie and then Jimmy and then Alison.

>> Pool: That's actually, if there is some good news coming out of all this it would be the piece about the zebra mussel. So any chance that the flood event diminished the numbers that have gotten into our local water supply or maybe diminished some of -- killed them off?

>> It probably didn't kill them all off, but probably set them back a little. Anything that sets them back is good. We need to confer with watershed with the habitat issues on that.

[11:35:42 AM]

>> Pool: People may not know about the zebra mussels much, but I know they've gotten into the highland Lakes and -- are they in lake Austin?

>> Yes. And we have seen them on water infrastructure and we've 16 taken some cleaning mechanisms moving forward.

>> Pool: Thanks.

>> Flannigan: When I look at the chart, it's almost like a heart monitor as much as it spikes. It doesn't really seem like there's that much reduction in water usage? Am I missing it in the mess of the lines?

>> Yeah. This is instantaneous so it's not -- it doesn't give you a trend or feel, but there is a shift, a downward shift. Obviously some of those represent spikes of -- morning spikes or evening spikes, the diagonal spikes that you might have over the course of a day, but the immediate response that we've seen in the past is that a call for reduction usually results in using more water initially and then tapering off. And that's what you saw in the first large spike after the urgent call for water reduction. And then one of the things that we don't have on here was the@ watering schedule. Initially that's how we had and tracked watering schedules to kind of predict what may happen in the next 12 hour shift because we were operating on a 12 hour shift on the doc, the department operations center. So we would forecast what we would expect to see as far as water usage within the next 12 hours, and 24, so trying to predict some of the water usage. And also targeting -- this is a roll-up of storage and water usage for the entire city. We actually divide the city into nine areas so we're able to at least try to monitor usage throughout the city and kind of segregate it into segments, pressure Zones.

[11:37:54 AM]

And so there were occasions where we started areas for water reduction, whether through our conservation team or through some of our apps for drop counter. So we did try to focus on areas that we thought that were using a little more water than normal or at least maybe didn't get the right communication.

>> Flannigan: I'd be interested in seeing whether a rolling average or some other version that smooths out the spikes to get a better use of the sense of how much water use dropped to know what the impact was. The chart that really gets me is the one about the water flows from the llano river. I'm curious if you've done any kind of math about if you had come back from the future and said, hey, we're about to have this thing happen. I need the city to spend X amount of dollars to be prepared. Do you know what that number might have been?

>> I'm not sure --

>> Flannigan: If there was data that showed the llano river was going to turn into niagra falls times four. And you looked and said we need to expand xyz and it will cost \$100 million or \$200 million or \$400 million. Have you done any napkin math on that?

>> I think that's one of the things we're sorting out with our full after action review is some of those factors. Part of it may not be like spending on a whole lot of new physical infrastructure. I think part of it is going to be different approaches to the chemicals that we use. We're probably going to have to add what are called polymers, which we have historically not used there. They're more sensitive to deal with, but I think those are likely outcomes from this event. There will be some investments we'll need to make for that, but it isn't like a make a plant bigger kind of investment. I think storage is another consideration and like our water forward program, the water storage recovery project is a project that would have important implications for us dealing with an upset event like this in addition to droughts.

[11:40:06 AM]

I don't know, Rick, if you had another sense of that?

>> The storage will be evaluated whether or not there are some improvements in storage of certain areas of town that we would benefit from. Obviously some of the things we could do is procedurally relook at how we operate our system. And so those don't require a lot of investment, but require review of procedures and set points of how we store water throughout the system.

>> Flannigan: I think just in general the very atypical nature of this moment just makes me think that even if you had been able do that there would have been many voices in the community doubting that it would even be possible. And you may not have taken any necessary action or made the investment to

do it. There's a lot of armchair quarterbacking about what all of us do both on the council and on staff. But I just think it's important to note that even if you had predicted it, it's very unlikely that we would have had beened you, that that -- believed you that that type of event was possible given the out lier of history. And as the mayor said, thank you all for the actions you took for putting out the notice early, giving folks so much warning in advance that no one was put at risk and ultimately managing the system in such a way that I've not heard a single report of anyone falling ill or being otherwise harmed during this event. And speaking for at least the folks in my district who have spoken to me, I'm really proud of this community for stepping up to the challenge. And even during a very -- during early vote when there's a lot of people talking about politics all at the same time, nobody seemed to be that particular frustrated. They just kind of rolled with it, which just if that's not the most Austin thing, I think, it makes necessity proud of of this city.

>> Mayor Adler: Alison.

>> Alter: I think our new reality is that climate change is going to make events that we have not anticipated.

[11:42:12 AM]

And it's incumbent upon us to create an environment where the city can be resilient and that's why that particular item is one of our strategic outcomes, our top 10 outcomes. And so I think this event should focus our attention on both what happens in the water area, but in other areas such as wildfire, we are at risk to these events of climate change. First I want to appreciate the quick response to our resolution and coming forward with a report. I think it's important for the public to have a better understanding of these events so I appreciate this step and I look forward to the written portion of this when it's ready. I wanted to dig into a little bit about the turbidity. So understand it this was ultimately a turbidity event and high levels of turbidity. You said something early in the presentation, though, that piqued my interest, which was that the folks who were drawing water from lake Travis were not experiencing the same high levels of turbidity and the difference was something like 20 to 400. And you mention that the flow was tremendous over the dam, but help me understand why if the problem was the flooding from the llano river you wouldn't see turbidity levels elsewhere in lake Travis of at least a higher magnitude than 20. I mean, is it just simply the flow levels that create that because if we want to understand under what conditions this would happen again, I think we have to understand some of those dynamics.

>> Let me clarify my comment. So lake Travis did experience high turbidities in the 400 range. And our Hancox experienced the levels of Tur turbidity. It was really where you were located in lake Travis. The areas that draw from shallower bays where the water got isolated and it was more the traditional clear lake water, their turbidities never changed much.

[11:44:20 AM]

But the central river bed where we have deepwater intakes, that's where you saw the highest turbidities. So it kind of goes to the nature of this event. You could be in one part of lake Travis that was very stable and the other part of lake Travis was very upset. Traditionally deepwater intakes are what you want and those are the last intakes to go dry in a drought. We could do intakes until it goes dry and shallower areas are at more risk during the event. But it was more of a curse at the deepwater intakes where more of the turbidity was located on both lake Travis and lake Austin. Lake Austin became the river bed again and all that turbidity was just flowing down lake Austin. So let me clarify that. So it wasn't that lake Travis was clear of this, it was really where you were located in the lake.

>> Alter: So most of our discussion, though, has been how you would treat high levels of turbidity. Is there anything we can do to make sure that those high levels of turbidity are not there in the first place? We don't control the Llano river -- I'm assuming this is coming from debris and other things. How do we reduce that part of the equation rather than think about what chemicals we can add to our water to fix it after the fact?

>> I don't think you can control turbidities in an actual system like that. You could construct settling basins and other infrastructure to try to settle out water beforehand. That would be enormous undertaking. I think you kind of have to live when you're a service water utility with some of this variability that you're dealing with. One way again is storage. I'll go back to aquifer storage and recovery. When we have an ASR project in full production we will be storing upwards of ultimately a year's worth of water, up to three billion gallons of pretreated water.

[11:46:29 AM]

That water is safe from upset. There is no upsetting of that water. It's underground. Just imagine if you had an ASR project and you had an event like this, you would draw water, drinking water quality that you're storing. It's stored already treated. And you bring it back into the system, it's unupsettable. I think that is a key climate adaptation. We always thought of that more from a drought contingency perspective, but I think in future events like this that would be the way to kind of bring more resiliency to our system there. Rick, I don't know if you had other comments?

>> One of the strategies we did ultimately perform is to kind of reduce the rate of production. So ground water to go through this event and reduce some of the not only sedimentation process, but bring on more pieces of equipment on line, but to flow through less through the plants, kind of like you derated the plant, that was something that you could kind of lift through either a day or two. That's one of the things we will evaluate is how much water do we need to produce and maybe look at deferred deferred -- we were going to defer some of the maintenance outside of this event is we had some maintenance activities that kind of took some capacity offline. So we have to adapt how we do maintenance, how we look at our plant production, how we store water in addition to the treatment of our water. So we have multiple strategies that we can look at that doesn't involve a large capital investment at this point in time to adapt to these kind of once in a lifetime events that essentially through my 23 years I've never experienced something of this magnitude.

>> We hope it's a once in a lifetime event. Let me ask my question another way because I'm trying to understand if there's anything upstream we need to be doing to help us in the future.

[11:48:36 AM]

I understand that we are focused on what we control as a city, but looking ahead are there things that need to be happening at a regional or state level in the management of the waterways or in other aspects that would help us be resilient over time because you've mostly focused on what Austin water can do after will dam and in our treatment plants. I'm trying to understand if there is anything upstream that needs to happen. You know, this debris came from somewhere. Is there anything that we need to be looking at. I understand you're saying that one thing we can do is be expensive, is there anything else that we need to be thinking about on that level?

>> Well, I think seeing the hill country develop is something that we would want to be mindful of. I think faster runoff rates, more scouring of the river, those are potential issues to consider. I mean, these are gargantuan watershed, millions and millions of acres of land. I don't know if you could materially impact how turbidity levels would perform over that big of a watershed. I think in part this is experience -- working with Icra we've also come to understand that the llano river has some unique qualities to it in terms of the soils. Because of the llano uplift and its ancient rock that has frayed a lot. There's a lot more clay and claylike soil structures in the llano county area than other parts of the hill country. And that was another contributing factor why this flood was so disruptive. The llano river doesn't flood anywhere near as much. Then the last major flood is probably in the very early 1990s. But when it does it has a different quality to it in terms of the particles that are hard to settle out.

[11:50:36 AM]

I think that's another understanding for us is maybe us understanding and working with Icra more on different floods and how they impact the system differently. That is one of the lessons I think we could apply better.

>> Alter: I have one more question and one comment. With all of this turbidity entering into lake Austin are there any plans to drain lake Austin sooner than planned or is there a need for that at all? I don't understand if that water -- the sediment settled in lake Austin and may be creating problems or if that's something that we need to be considering.

>> I don't believe so. You mean like a dredging kind of operation? I don't believe that -- Icra has evaluated that. And they model how much sedimentation is occurring in the lake and how that is impacting overall lake storage. And I think it's a very manageable risk for them. I think this kind of event, the velocity of the water, the bulk of that sediment and turbidity is carried downstream as that image showed in the satellite and is probably adding to the basin and Matagorda bay is where that will be settling out more, not as much as in lake Travis.

>> Alter: Okay. I appreciate this report. I did want to ask as a follow-up, city manager, and this is kind of a little bit tangential, but I think if we could get an update on zebra mussels in the waterway and what steps we are taking to address those issues whether to do an ifc or address that. I think that would be useful. Thank you.

>> Mayor and council, again, I appreciate this opportunity to do a deeper dive into what occurred with our water treatment system during the historic flooding event. This is an un-- this has been an unprecedented event for our community and I want to commend the work of our staff and our community to be able to come together and really work through this so we can get out the other end and not have any health effects from it.

[11:52:44 AM]

That was our biggest concern all along is the safety of our community. And so I know that this isn't the end of that discussion. I'm really optimistic and appreciative of the council's unanimous support for the water forward plan that happened last council cycle. And look forward to continuing to discuss how we can prevent these in the future. We heard many times on the dais right now that this -- the climate change, the things that we are seeing, the factors that we're seeing in our environment aren't going away. And they are getting more and more dramatic and we need to be prepared and more resilient in the future. So I think each of you -- I thank each of you for your support in the community during this time and I look forward to working with you in the future.

>> Mayor Adler: Thank you. Ms. Houston?

>> Houston: If the state gets any kind of -- money from the federal government regarding the flooding, can we apply for some of that to cover some of our costs?

>> Councilmember, absolutely. So what we had done when we declared it a flooding disaster, I believe it was a disaster declaration that the mayor declared that allows us to then apply for that state and federal -- that federal assistance.

>> Houston: Thank you. And the last thing I want to say to director Meszaros, I think your calmness and of course the city manager and the mayor's calmness as well, but you're calm most of the time. I've never seen you get very froesterred. You were there on the -- flustered. You were there on the moment.

>> Part of me on the inside was flustered.

[Laughter].

>> Houston: But nobody could tell on the outside and I think that helped keep everybody's level -- most people's level of comfort that the city was doing the best that they could do with the amazing amount of water that was coming in and the need to be able to push it out. I appreciate you and your staff for all the work they did over those several days.

>> Councilmember, you know I have a good woman behind me and that's why I'm so calm.

[11:54:48 AM]

That's what it is.

>> Mayor Adler: Your eyes got pretty big, though.

[Laughter]. All right. Thank you very much. Council, we have -- it's 10 until noon. We have eight items on the pulled agenda. Do we want to see if we can work through some of these quickly or do we want to break for executive session? And then come back? We have someone who wants to work.

>> Houston: Mayor, are you asking all eight or a couple? I'm getting kind of weary. I need to get up and walk around for a minute, but I could do a couple.

>> Mayor Adler: Let's see how we go and the speed that we have. Ms. Houston, yours is the first one up on the capital contracting office, the contract with alpha paving industries. Did you want to address that? Item number 8.

>> Houston: They're coming in now. No, this is public works and contracting. Sometimes it takes awhile for the answers to the Q and a to get back so I thought I would just ask you all pretty quickly. About this particular item. It appears as though originally the capital metro was giving us the money to do the sidewalks in Ada compliance, but now it looks like it's in ours. Can you tell me when did that switch happen? You're not on.

>> Councilmember, rich Mendoza, public works department, also here with

[indiscernible], capital contracting. This agreement really dates back to 2011 and in 2013 we did an extension to that agreement. The agreement originally was for \$10 million so that cap metro and the city could partner on ada-needed improvements on the bus routes throughout the city. And so how this works is year over year cap metro depending on their funding available, they cost reimburse us.

[11:56:57 AM]

Our money is put in the annual capital budget, and we spend it. We've been spending anywhere from about a half a million to a million a year. And then we submit those invoices to cap metro once we finish construct being the Ada improvements around the bus priority routes along the major corridors.

>> Houston: And then they reimburse the city?

>> Yes, ma'am.

>> Houston: Then you just keep using that money over and over again?

>> We do. Each year. Then we reintroduce a pot of money in our capital budget that we use to actually do projects. And many of the priority corridors overlap with our high-priority sidewalks, so this program really helps us collaborate and leverage the different funding programs that's led by our sidewalk

program to ensure not only the station is Ada compliant, but then the sidewalk network surrounding those stations are Ada compliant as well.

>> Houston: Okay. I was just trying to make sure that capital metro was a part of the funding for these sidewalks.

>> Yes.

>> Houston: And it didn't seem like it in the request for council action.

>> Right. This action is actually execution of the contract?

>> Houston: The contract.

>> With the contractor.

>> Houston: But, again, this was an amount of amount and I was not clear where the money was coming from, our funds, your funds or was capital metro reimbursing us.

>> It's a reimbursement, yes, ma'am.

>> Houston: Okay. I appreciate it. Thanks.

>> Mayor Adler: Thank you. Next item, mayor pro tem, you had pulled. Item 18.

>> Tovo: Yes. We had a lot of discussion about this when this came through the council, and talked about the number of events and whether that was the appropriate number. And I just wanted to ask colleagues, you know, I go back and forth about whether or not we're ready to turn over the review of that list to management. It seemed to me that having another year at least of council review and approval made sense.

[11:58:58 AM]

I think councilmember alter asked some questions in the q&a related to that as well. In our conversations with staff, the information came back that putting it on a council agenda adds about six weeks of time, and so that raised a very different question in my mind about why it would take so very long to go through that process. If there are not ways to make that process happen faster, then I would suggest we do as the staff have suggested and just let that be an administrative decision. But the larger question about why getting something before the council would take so long is just one I think we should discuss. I don't know if anyone wants to --

>> Mayor Adler: Anyone want to address why it takes six weeks.

>> Tovo: Again, colleagues, we had a lot of discussion about this and I wanted to raise the change being made here and see if anybody had concerns about it or wanted to keep the process as it was for the moment.

>> Hi. Leanna [indiscernible], assistant director with the parks recreation department. It's just the process that we have to follow. That has to go through all the proper reviews. That takes time. Asian-american some time in August of this year we did submit a memo to the mayor and council that had a review of the actions and the accomplishments for the fiscal year 18 and also a summary of what is proposed for fiscal year '19. Because the budget is also at that time, we started the process a little bit later. I'm sure that we can do better next year if that's what you wish.

>> Tovo: Again, I think at this point I'm agnostic about whether or not to make that change. I think that it's -- I think the stewardship of rble square park has been amazing. It's enlivened that space, seems like a great success so I'm inclined to adopt this amendment or to approve this amendment with the understanding -- and this is written into the agreement -- that if additional days are added it would need to come to council for approval.

[12:01:10 PM]

>> If I may summarize, what we are asking now -- what we have is an approval for 20 days that are closed to the public. The first year daa used only two days. This coming year they are proposing only four days. And we will definitely have to come back to city council if there is a proposal to exceed this number. In addition, every year the council will be receiving the full report with the summary of the previous year and the proposal for the next year.

>> Tovo: Just to clarify you would only come to council if it exceeded the 20-day cap and as I understand it setup and takedown is included within that 20 days. So if I have an event that takes two days to set up that will be potentially three days of my 20?

>> Correct.

>> Tovo: Again, I think this has been a real success so I'm content with leaving it as you proposed it.

>> Mayor Adler: I would join -- [overlapping speakers]

>> Flannigan: Just a note on that because we had talked about a similar discussion with the ifc process I think early in the new term shedding lights on internally how does staff bring items forward for council consideron, what is the process that we use. I mean, there is approvals from director level to assistant city manager, even getting it on the agenda two weeks ahead of time. There are things that we back up to to ensure that we have proper posting before closing the agenda, but I think it would be very valuable to share with council what that looks like from the staff perspective. So you can be more mindful and aware of when items are coming forward so yeah.

>> Mayor Adler: For what it's worth I think it was really good for us to have the reporting as this was starting off and we wanted to make sure as the norms were getting started I concur with mayor pro tem this seems to be working well and I'm comfortable with letting the staff handle this administratively, recognizing that we can reach into that any time we wanted to. But as the default I'm comfortable letting staff administratively handle that because the norms have been set at this point and I think it's working well.

[12:03:18 PM]

Greg.

>> Casar: I would concur with the mayor's point. I'm glad that we're now at a place where the staff are actually getting the list of events because I think the first time this was coming through it was more vague and I like some of the specificity. I'm comfortable moving forward with this with the -- and I don't know how to bake this in, except probably culturally that, you know, I really want our downtown space to feel more accessible to more types of folks and for us to try to drive when there's ticketed events for them to be higher volume and lower price just because it can be a tendency, right, for there to be a cultural norm set within a space and for it to be more for this part of Austin more than that part of Austin or what have you. So as we set this off to be an administrative process I just wonder or hope if there's any way the staff can set this up such that we are really -- since we have to approve -- since we as a city have to approve these events we have the power to be able to sort of set this on a course and the square being a historic square and downtown gathering space, I understand we've got to help get this thing funded because there's been on this upkeep that I think has revitalized it but there's two ways, fewer folks getting higher ticket cost or more sponsorships and having it be lower ticket cost and more accessible to different kinds of people. Some of the events I have wanted to go to at this space I have had friends of mine that say, you know, how much is it and, well, no, I'm not going to go with you. So, you know, so I just think that we have to find some way of being conscious of that and baking that into this process, to -- since we have final sign-off to nudge the events to be as low heaviest cost as possible, even if that means attracting more people, which I think would be a good thing.

>> Mayor Adler: Alison is back in the room. Thank you very much. Let's double back to item number 13.

[12:05:19 PM]

>> Alter: Sorry. I thought we were going at the end on that one. That's fine. Thank you. So item 13 is Austin country club agreement development terms. And I believe staff was going to be here. I don't know if they are.

>> Mayor Adler: Okay. While we're waiting for staff -- then staff on 39 might want to start working their way here. 44. There is no staff for 44? You want to just raise 44? Ms. Houston, you pulled 44. Want to talk to us on 44 since there's no staff on that one?

>> Houston: Yes. I just need an explanation about why this is coming before us because it wasn't clear what the purpose was. I mean, it's to find a way to invent advise ridership but I'm not sure what's the motivation behind that.

>> Mayor Adler: Daria, do you want to council that?

>> Houston: And if you could respond to M question I'd appreciate for you to, in writing.

>> For know write to you?

>> Houston: I have it in the council q&a and it doesn't say anything, it just says we'll address these questions at the work session, but I think for the public record it would be nice to have it written in the council q&a.

>> Okay. That's another question I had. We received this through the q&a and I wasn't sure how I addressed something that -- I'm subquorummed out and another councilmember is asking me a question and I thought that's what work session was for, to ask those questions. Is there some exception to a councilmember responding to a councilmember through the q&a that allows us to respond through the q&a?

>> You're asking from an open meetings perspective, I think it's an open forum it's just like having a work session so you're certainly able to do that.

[12:07:24 PM]

When it's an ifc, is the question is about what your intent was since it's a councilmember bringing it, the employees don't know your intent. So -- but you're safe from an open meetings perspective.

>> Garza: Okay. So that was -- that's why I didn't -- I was just -- it seemed like we were passing quorum rules by filtering it through staff and it just didn't seem like it was something that I should be responding to.

>> You can certainly do it on the message board.

>> Garza: It's the first time we had ever gotten something like that.

>> Mayor Adler: You're saying you can do it on the message board. Is it also appropriate -- so the councilmember submits a question to q&a because it's tied to the number and someone wants to check, you know, a year from now to see what intent was, staff gets that question, they can't answer that question because they don't know what the councilmember's intent was so they reach out to the councilmember and say, do you want to write a paragraph so say what your intent was? Is it okay -- it wouldn't be okay Delia to respond directly to Ms. Houston, but Delia could respond back to staff, staff could publish it and I think the rule we have is just for staff to make really clear that the author of that statement is not staff but the councilmember so we're not confused by who it is that's responding. Is that an okay way for us to communicate?

>> Yes.

>> Mayor Adler: Okay.

>> Garza: Okay. And if we have time I'll definitely type what I'm about to say but this is also the public record. So with regard to -- so the intent of the resolution was, you know, as the council we're often addressing affordability issues and the -- often get questions about congestion issues and encouraging people to use our public transit. And so it's just to create a working group to see if there is a way to create those kind of incentives, you know, things that we discussed, we've discussed them with staff as

well, are -- you know, if somebody is riding -- can show proof they're riding the bus 15 out of 30 days could they maybe get some kind of rebate on their utility bill?

[12:09:25 PM]

This would not -- you know, the thinking was and obviously the working group can work through all these ideas and determine what's best. The other thing is, you know, other cities have used your transit card. You can show to retailers and retailers will give you a discount. I was in Atlanta I think it was and there was a little ad on the rail that said bring this to the shoe repair place and you get 15% off your bill. And so, you know, as we -- again, as we continue to try to address these congestion issues and incentivizing people being on transit, we have to work together with these other agencies, and this is not -- the way the question is asked, I think it was why are we giving money to cap metro, and it's not -- my thinking was is we use -- if it's a pilot program we use general fund dollars to reimburse whatever, for example, if we're going to give an incentive on a utility bill or a rebate, those general fund dollars go to pay that program that's giving that rebate so it's not coming out of Austin energy's coffers, not something we're asking Austin energy to pay. Councilmember Flannigan, if you want to speak to the other -- and those are just ideas that the working group can work through. One of those is one that councilmember Flannigan suggested on the resolution.

>> Flannigan: Yes. So I kind of brainstorming on top of that, thinking about our relationship with employers and how we might work with employers to incentivize not just the purchasing of transit passes but the utilization. And what really excited me about councilmember Garza's resolution was we would get away from just rewarding the purchasing of a pass but rewarding the usage because that would literally represent people getting out of their cars and on to transit. When I really started to think about the relationship with employers became also an opportunity for employers to do schedules that aligned better with transit routes or being more flexible? The bus is late and not punishing the employee because the employer is actively participating in a program.

[12:11:27 PM]

So there's obviously, like, a million questions there, but thinking through how we can actually tie an incentive or a benefit to the utilization of transit was the most attractive thing to me for the idea.

>> Houston: Thank you. Because that -- that makes sense because we're having these relationships with some of our major companies, and so then that kind of ties into what work we're already doing so I appreciate that explanation. The thing that I will add to the question, since we're doing this on the public record verbally, is can city staff please provide an estimate on the impact to the city's resources, including city staff time required to accomplish this task if this resolution is approved?

>> Mayor Adler: Okay. Great. We're going to move on to the next item?

>> Alter: I'll try and be quick. So first of all I want to say how much I appreciate the desire to drive behavior for the use of public transit, and I had a couple amendments that I wanted to kind of run by the sponsors of this. I don't have the exact language, but I think that the basic ideas are there. The first one would be aware

[indiscernible] To acknowledge the works that already happening in terms of demand management by the clean air force board which is doing some of the things Mr. Flannigan already mentioned, working with the businesses and rewarding them for both the dissemination of the passes but also the usage, I don't know if it goes into the same depth as what Mr. Flannigan was mentioning so I would want to have a whereas clause recognizing that. And then the other is to see if you'd be willing to incorporate language to consider a metro works style incentive program along with other options to offer discounted passes such as in the pilots for smart trips being used in rosedale and d4 currently, which already we have in the works and we know something about whether those are working or not.

[12:13:30 PM]

So right now cap metro offers bulk purchases to nonprofits and corporations, and then you can sell those at a discount to your employees. So if you'd be willing to incorporate some language along those lines. And then the last one might get a little bit to Ms. Houston's question, but would you be willing to include and clarifying language that speaks to the criteria and metrics that would tell us if this pilot is successful and how to help council know we are getting a positive roi and to make sure that we have clarity on the costs to the city? I think it's great to explore what we can do, but as we're moving through the process I just want to make sure that we have some transparency and some clarity on what the trade-offs and what the costs are. I was glad to hear your clarification that we wouldn't be paying for it but someone knew -- it wasn't totally clear in terms of the scope in terms of the fees and I wouldn't want them to be getting discounts on certain fees in certain areas and not have a mechanism in place for those departments to have those funds reimbursed. So I just wanted to get a sense of your thoughts on those. Again, I don't have the perfect language here but I wanted to run those by you.

>> Mayor Adler: It was yours?

>> Garza: Yeah. I'm trying to remember them in order.

>> Alter: So there was a clean air force, incentive program.

>> Garza: I'm fine with that whereas. The --

>> Alter: Incorporating language so they could also explore incentive style programs like the metric works with the discount along the lines of what they're already doing for discounts for smart trips in rosedale in d4.

>> Garza: Sure.

>> Alter: The third is some clarifying language that speaks to the metrics and the clarity on the costs [indiscernible].

>> Garza: Yeah. You know, I think those are things that can be -- that the working group can address as far as the metrics.

[12:15:31 PM]

I wasn't --

>> Alter: I wasn't asking to specify the specific metrics in the resolution but to develop metrics as part of what the working group is doing and that for whatever comes back from the working group for us to have clarity on the cost. I wasn't asking for you to have the answer in the resolution.

>> Garza: I know. I hadn't finished my sentence but I was going to say the working group could work on the -- obviously I would like to seat language but those all seem okay with me.

>> Mayor Adler: Do you understand that I think we should be part of this is movabilityaustin.org, several of us went to their breakfast meeting, they're recruiting businesses in the city and doing this program and trying to create incentives so it might be a delivery point for you.

>> Garza: Sure. I think -- it wasn't supposed to be prescriptive in any stakeholders, it says other departments with a successful implement programs, transportation, stakeholders. I think they included in that. Anything else before we move to the next item? Leslie and then Ann.

>> Pool: One of the things I wanted to make sure that the staff looked at was to -- if we are going to give rebates or discounts and stuff we want to make sure that the person actually rode and didn't share the pass with somebody else to get to the maximum number. So I don't know how they would recommend doing that, but I did hope that that would be part of the information that our staff would bring back to us.

>> Mayor Adler: Okay. Ann.

>> Kitchen: Actually, all the questions have been answered. I support Thi I'm a cosponsor. I wanted to thank councilmember Garza for bringing it.

>> Mayor Adler: Okay. Let's go to the next item. It looks like the next item here is -- I'm sorry, Ms. Houston, did you have a follow-up?

>> Houston: Oh.

>> Mayor Adler: No? Okay. We're good. Just checking.

[12:17:33 PM]

What about item number 39?

>> Alter: Did you want to go back to 13?

>> Mayor Adler: I'm sorr.

>> Alter: You had called 13 and we were waiting.

>> Mayor Adler: Okay, 13. Let's do 13.

>> Alter: So I talked to staff after the 4:00 meeting, which is why I hadn't pulled it for now, but they are aware that we were going to want to talk about this in work session. I would like to ask staff if you could please summarize the entitlements that the Austin country club would be receiving should this agreement be approved, that they would not have received based on staff's previous determination that this property did not have vested rights to the 1982 code requirements?

>> Chris Harrington, interim environmental officer. Effectively this agreement is proposing something that would be between the 1982 code of ordinances that would apply and the current code. In terms of specific entitlements, it would be granting additional impervious cover, then would be entitled to -- then the country club would be entitled to under current code but less than what they would receive under 1982 regulations. They would be receiving some additional exemptions from critical water quality Zones, critical environmental feature buffers. I'm trying to think of the additional -- those would be some additional entitlements. They would be exempted from a portion of the heritage tree ordinance so they would be obligated not to preserve 100% much heritage trees, they would only be obligated to preserve 25% of heritage trees but the protected tree ordinance would otherwise apply. So in terms of environmental regulations those are the most significant ones that we would be -- oh, one other effectively we would be enabling them to do floodplain modification.

[12:19:44 PM]

This goes back to the critical waterlity zone exemptions for them to construct a new entrance from loop 360. Those would be the entiements they would be granted if I understood your question correctly under this agreement that would not be applicable under -- I'm sorry, the entitlements they would be granted that would otherwise be superseding current code.

>> Alter: Aren't there also some things that they're being granted that are not environmental in nature?

>> Yes, please, with respect to environmental.

>> Alter: Yes, thank you.

>> Andy [indiscernible] Of development services. Yes, ma'am, there are a few other things that under 1982 regs they would not have that we've moved the bar forward closer to current code in terms of hill country roadway, they are in compliance as if they have a bonus with the far requirements. And on heighth they're in compliance with the exception of what we've defined as a club district, the area around their existing clubhouse. That was increased from 40 feet to 50 feet on heighth. Then as part of our efforts to implement some of the more stringent language on current code we're still -- we've got some changes to vegetative buffering requirements in the interest district and the club and the marina.

>> Alter: So if we could get this in some kind of table where -- or something so that we can clearly see what these differences are, that would be really helpful. This is kind of a moving target. I'm not -- you know, I'm, like,ly going to want to have a executive session on Thursday but as I understand the agreement is still being negotiated and I think that needs to play out before we can have the executive session but it's really important that we really know what we're voting on and what we're granting in this case, and so I would like to have some additional clarity on that. Related to that, can you summarize the nature of the water quality improvements the applicant will be required to construct?

[12:21:48 PM]

>> So what I was speaking to previously were entitlements granted different from current coated. Under the 1982 regulations, should the country club be successful in their lawsuit, as I mentioned they would be getting additional impervious cover than what is contemplated by this agreement. They would not be obligated to do water quality treatment. There is no water quality treatment for the existing development there. This agreement contemplates that by the time they've added 40,000 square feet of additional new impervious cover on the site, that they would provide water quality treatment for at least 10 acres of impervious cover not currently treated, either satisfied with on-site or off-site treatment. They are contemplating a wet pond associated with the new entrance driveway they're proposing from loop 360 that would treat off-site impervious covers that not currently treated. If they oversize that facility and treat more than 10 acres of currently untreated impervious cover, then they're able to utilize that credit for all future development on the site. So effectively what this agreement does is it obligates them to add 10 acres of -- to add treatment for 10 acres of currently untreated impervious cover. There's a triggering event. Once they've added 40,000 square feet of new impervious cover they have to construct that facility and everything out there beyond what they have now on the ground has to have water quality treatment. So if we -- the way I think of it, effectively at the completion of the project, about 78% of the impervious cover associated with the ultimate buildout of the site would have water quality treatment.

>> Alter: As I understand it this is one of the chief benefits to the city of of this agreement. Can you speak a little bit to why that additional water quality treatment is needed in that area in particular?

>> The country club effectively drains directly to the labor tributaries just immediately upstream of the lake so all of the impervious cover that's on the ground now has no water quality -- constructive water quality treatment and they would be under no obligation to construct water quality treatment for -- if they were successful in the lawsuit.

[12:23:59 PM]

In fact they would be more than -- able to more than double their impervious cover. So you're correct the addition of water quality treatment for a portion of what's there on the ground now and for all subsequent development I think is a significant protection as are some of the tree regulations. So they --

under 1982 regulations they would have no obligations for tree protection. This would obligate them to comply with the protected tree ordinance. And then I think as I mentioned briefly they would be -- there's some recognition of heritage tree ordinance as well, and there's an obligation that they would protect at least 25% of the heritage trees on-site, preserve.

>> Alter: Are there any scenarios where the applicant would not be required to construct the water quality improvements?

>> If they just move impervious cover around and never added more than 40,000 square feet of additional impervious cover, then they would not be obligated to construct additional water quality treatment. However, I think a significant desire of the country club is to expand the amount of impervious cover that they have on the facility. So this agreement contemplates a cap. That cap is 20% on the gross site area. Under 1982 regulations without water quality treatment they would be able to go up to about 25 or 25.5% impervious cover on a gross site area.

>> Alter: In the interest of our time I've submitted a bunch of questions. When we get those back I'd invite my colleagues to look at those. One of those that is important to understand, they may have come out this morning, I don't know, as of yesterday they weren't out yet. There is also nuances which hopefully are explained in there with respect to multi-family and congregate living and that might be one if you could speak to now I would ask you to do that and then I just have one other question for now.

>> Sure. I'm happy to. So the -- under the agreement that we have proposed, the development terms, the country club has agreed to limit the uses they will put on the property to mirror a country club.

[12:25:59 PM]

If they were successful in their lawsuit their entitlements would be for country club uses. They have zoning for community recreation as one. There are a lot of uses permitted under that and under this agreement they have removed a large chunk of them, in fact most of them. They could still do those uses but would not be subject to the development agreement terminations. They would have to do current code. In exchange for reducing that uses, I mean, here's -- it's four pages long and we posted it in the questions and answers. They've asked to add multi-family and condominium and a hotel to the uses allowed under the development terms. In exchange for removing all the other uses as permitted under the agreement. So if that helps, that is -- that is a give on our part in exchange for some of the other things that we've gotten out of this negotiation with them. But it's not completely unreasonable because they are giving up a lot of uses. If you look at what gets posted.

>> Alter: And then my last question for now is, has staff spoken directly with txdot about the proposed right-of-way and any implications for the 360 improvements?

>> So I did not. Mr. Spillar reached out to txdot last night and had a conversation with them about the driveway and they confirmed that the applicant will need to speak directly with txdot on that proposal. Mr. Whellan forwarded me copies of the plan and his conversation with the -- the engineer's

conversation with txdot, but txdot asked that the applicant contact them directly to discuss how that might work.

>> Alter: Okay. When you provide that table that I was just asking for if you can provide examples for exemptions from the buffers or exemptions from the trees, it's a little bit hard when you just say exemptions to know what that means in practice.

[12:28:03 PM]

So this is a moving target as of now. I'm trying to understand exactly what they're asking for, what they're getting. I appreciate that staff met and discussed this with the staff and they're incorporating some additional changes to it. But I need to digest what those are and kind of wanted to flag that for my colleagues, that there is this moving target, there is some information in the backup and there may be some legal questions for Thursday.

>> Tovo: Councilmember kitchen.

>> Kitchen: My concerns relates to timing. We don't have an agreement to look at yet. And we're being asked to vote on it on Thursday? That's really problematic for me for such a complex case as this. I appreciate all the questions that councilmember alter is asking. So -- and I look forward to an executive session because I'd like to understand the urgency here. I don't think it's appropriate to be asked to move so quickly on something -- something as extensive as this has been.

>> Tovo: Councilmember pool.

>> Pool: Thanks. And I recognize the difficulty in trying to keep an eye -- keep a beat on a moving target. I'd like to make sure that whatever we come up with includes some certainty about the end of the negotiation so that we don't have analyst renegotiations of the agreement. I'm uncomfortable with the fact that years later, after the Austin country club has finished its planned development that they come back and say, well, we never did close that and we want to open it up and we want to make some changes. So I want to make sure that we have an end date so that no possibility for endless renegotiations would be permitted.

[12:30:06 PM]

I'm also concerned about the precedent that this is setting, and I agree about the lack of assurance of what it is that we're voting on if we don't actually have a final agreement in front of us. Is there a chance this would be delayed? Then on Thursday if we don't have any finality?

>> Tovo: Councilmember, are you asking your colleagues whether there's a will to postpone it or are you asking the staff?

>> Pool: I think I'm looking at the city manager. And he may need to have some consultations, but I'd like to raise that as a possibility.

>> Tovo: Thank you. Any other questions? I have -- I echo the concern about the time. I have some other questions, too, without the agreement in front of me it's not clear how, for example, they're complying with current source code on something -- you mentioned the example of heritage trees, yet there's a provision that talks about the agreement not prohibiting the applicant from removing at its sole discretion protected and heritage trees and other things like that I'd like to drill down on, so understanding what the state of it is at the moment is gonna be really critical. And I look forward to that chart. As I understand it, councilmember alter asked you to do a chart showing what current code would be and where the proposed agreement lands with regard to those issues about water quality, impervious cover, other elements of current code. Is that your understanding of what's gonna be provided to the city council?

>> Yes, mayor pro tem. We'll -- we will do our best to put together a table. These are broad development terms. There's not a specific site plan in front of us so on some of those items it will be current code would allow, agreement allows, it's hard to get into specifics without them having provided us an actual development to review but we'll do our best to give you an analysis of, you know, where the terms of the development differ.

>> Tovo: That would be great. I mean, with regard to slopes, simon those slopes, to the other things that have been subjects of discussion.

[12:32:10 PM]

Councilmember alter.

>> Alter: I just wanted to add that part of that is also presenting what they would be required under the '82 because this agreement is in relation to a lawsuit that if they were successful would keep them at the '82 level so I think that's part of something that we need to understand both elements of that.

>> Tovo: Good point. Though I will just say it wasn't clear to me that they had really -- I think the whole subject of whether or not they can build under an '82 agreement is really questionable for me. When was the lawsuit filed?

>> I'll have to law department to give you the specific date but I was it was last -- like, in January or something.

>> It's been several months.

>> Tovo: Okay. Thank you. And just to follow up on -- it sounds as if we're going to have an executive session. Are we doing any part of that today?

>> No. We'll have an executive session on Thursday if there are legal questions. Sounds like there are.

>> Alter: I haven't seen the agreement so it's hard for me to be prepared in executive session to know what I'm asking, and I appreciate the fact that they're moving in a more environmental sensitive

direction with the impetus from zap, but I think it would be more informed to have those changes back unless those are available today and we already have a lot of items on executive session.

>> Tovo: Okay. I didn't know if there were some things we could talk about today in advance of Thursday but that's fine. Okay. Anything else?

>> The lawsuit was filed December 4, 2017.

>> Tovo: Thank you, Mr. Harrington. Other questions on this item? All right. So I know at least one of our members asked for us to go to executive session here pretty soon. The mayor I think is going to round up what he's doing and join us and he likely would want to be part of the executive session so it seems to me we may as well keep working through this agenda.

[12:34:15 PM]

Councilmember Flannigan you pulled three zoning items. Do you have a sense of how long that discussion could take?

>> Flannigan: Based on how this goes in the past it won't take long.

>> Tovo: Very good. Let's hit 69.

>> Flannigan: So, you know, part of this is, you know -- I keep bringing these issues up hoping at some point someone will engage me in this conversation. Very few people seem willing to do so. On 69, there's a co restriction that would change it from 24 to 22 units. It's not clear to me what two units' difference really means. Same thing for height. It's going from 35 to 30, it's my understanding, and then a restriction on the size of the units. All seems to be very nominal. And minor to what you would be allowed to do under the base sf-6. But I don't know that anybody cares is my problem. As I am often in this position. If you want me to just keep going, mayor pro tem, I'm happy to do it.

>> Tovo: Why don't we provide staff with an opportunity to explain the rationale for those conditions.

>> Greg Guernsey, planning and zoning. I know that there's a lot of support. The applicant, his agent, have spoken to the neighborhood, and I think they arrived at these additional conditions. And everyone from the neighborhood is basically happy with these conditions.

>> Flannigan: I would pushback on the word everyone.

>> Most everyone.

>> Flannigan: And I don't even think that's necessarily true. We only know the people who say they represent the neighborhood.

>> Those that showed up at the hearing were in support?

>> Flannigan: There you go. Also, also, as I have often gone through this exercise and asked questions about the policy reason for these things, the answer that I always get is is well, the applicant and the

neighborhood seem to have agreed on it, which to me is not a policy reason. That's a political reason. And we have to make both political and policy decisions here.

[12:36:17 PM]

So it's not that that's not a valid marker, but I am looking to staff to tell me, is there a substantive difference policy between a 24 and 22 unit restriction, between a 5-foot -- 35 and 30. That's what I'm -- that's why I keep bringing these cases up. I'm trying to get to the meat of where these differences lie and when we get into these debates later are we going to be back to debating over 20%, 22%, 30 feet, 32 feet, 20 units, 18 units, sore is there something that's -- that matters here?

>> Staff recommended just sf-6mp.

>> Flannigan: Again, I'm doing this -- I mean, it's funny how we talked about this morning whether or not we could do things a day early and you all have probably noticed I have brought these on Tuesday stuff doing them on Thursday as an opportunity to both save time on Thursday and just kind of daylight these conversations so I'm trying to get there. On -- so that's --

>> Tovo: Just one second. I saw councilmember kitchen had her light on.

>> Kitchen: It's for after this.

>> Casar: On this case --

>> Tovo: Councilmember Casar.

>> Casar: Thank you. On this case in particular I'd be interested in hearing if anybody comes and testifies as to why those two units mattered, but to me the simplicity of allowing the two other units and having ceilings that are whatever it is, a foot or two higher in each unit doesn't seem like a big enough deal to me. What was the size restriction on the unit?

>> Flannigan: It's square footage per unit. They're trying to do smaller units, 400 to a thousand square feet. Is that right?

>> It's the footprints of those buildings. It's not so much of the square footage within them as much as it is how much land that they cover, individual footprints.

>> Flannigan: It's kind of a tiny home development I think is -- on some level that's what's being contemplated but that also makes me feel weird about the number of times we've talked about wanting to support family friendly housing and how does that -- are we doing a zoning that meets just this one development or are we doing zoning considering what is appropriate on certain pieces of property?

[12:38:26 PM]

Because as we've also seen, applicant comes in and says, hey, I'm doing project X, give him zoning for project X and they sell at the and they build project Y. That's where I continue to struggle with with this as a process.

>> Casar: On that third one, you know, I think there is, as you say, in some cases some reason to co stuff because we don't have the right zoning category for the thing that we want so I don't understand the square footage not by building but by footprint in this particular case deeply, but if that's kind of what gets us the smaller home development that we're looking for, that one I might be more open to. But two units or 4 feet or whatever that -- I'm generally in agreement that I'm going to start really wanting a very good reason for --

>> Council, just so you know, by limiting you're going to be limiting total square footage even if they build all those out at two stories the maximum would be 2,000 square feet so you would have smaller units than that, that much or less.

>> Casar: Sorry. So the goal of that third condition is ultimately smaller units?

>> It would result in that smaller unit, yes, would be more affordable.

>> Casar: So, yeah, I think I -- if we pick up you this thing on Thursday, then I'd vote with you if you bring an amendment to cut the first two and --

>> Flannigan: Right. I think it's an interesting policy marker to put a pin in for later, is to say if we're acknowledging that smaller units are more affordable than maybe what we want to be encouraging is more units but smaller ones but then trying to figure out the family friendly piece on top of that is kind of like the hook that I haven't quite figured out how we put those pieces together. It is kind of an encouraging acknowledgment from the community, at least that -- that set of neighborhood leaders that haven't always come to us with concerns of affordability. Sometimes they have told us they wanted big homes because they wanted fewer units. And so understanding when that's the right objective versus the opposite right objective is a very fascinating policy conversation for us to continue.

[12:40:31 PM]

>> Tovo: Just to be clear, it's my understanding that we're talking about a footprint of 800 to 1,000 which actually results in a square footage that's higher than the footprint.

>> It is.

>> Tovo: Because you are talking about two stories so you're really looking at more like 800 to 2,000 square feet.

>> That's right. But no larger than 2,000.

>> Flannigan: Which would make sense to me if we weren't limiting the number of units because then the multiple units like a top floor and bottom floor unit would be more affordable per unit than -- I mean, and I don't know exactly what they're intending to build here with that but also just I think our

zoning is not about the project in front of us but about the appropriateness of what could be built there in the future. It seems to be the right policy conversation.

>> Tovo: Okay. Other questions on this item? Okay, next, number 78.

>> Flannigan: 73.

>> Tovo: Sorry.

>> Flannigan: 73. This is the UT law school property which used to be the university co-op, university co-op used to be right there. Part of it is the thing I hope we fix in the land use code rewrite which is the cost of a nonprofit from having to go through a whole zoning case because ultimately they're just concerned about an old co use restriction so being more thoughtful about how we allow or don't allow uses. Also this is another example where there's a height restriction coming in as a co but compatibility would substantively make the co irrelevant but for one little corner of the property. Am I making that analysis correctly?

>> Certainly compatibility is part of that. There was a neighborhood plan that was done that talked about doing a transition from interstate 35 back to Hampton, the houses on Hampton. So staff actually recommended a co. There was a lot of discussion among my staff because of that -- it was explicitly written in the neighborhood plan that heights would basically transition back to that single family neighborhood and given that the single-family residences and duplexes are just to the west of this property, staff made a recommendation of limiting the height at the 40 feet and that's really where that came from.

[12:42:44 PM]

>> Flannigan: The old neighborhood.

>> It was specifically written in the plan. If you look at some of the backup it will actually talk about the transition and talk about the transition height so that's where that came from.

>> Flannigan: I think that that philosophical argument we had two weeks ago, which is compatibility the tool we use to enable transition in terms of building mass and heights specifically or is it not a sufficient tool because we keep seeing other tools being used to set heights outside of compatibility and the policy reason given is prompt to single-family homes. So just trying to figure out what the right tools are for the city moving forward. Yeah. 75 is a case in my district. This one is different. We have not had really this conversation as much before. The site is already zoned gr-mu-co, sf-6 on the back and the applicant is wanting to extend the gr-mu deeper so they can get their project done. For me -- this is a car dealership and, I mean, there's nowhere in our strategic plan or objectives that says we have a dearth of car dealerships but we do have a lack of housing so kind of gets back a little bit to where certain uses are appropriate, where we want to see things built. Because the site is already gr-mu-co they could already build it, they need a little more space to do employee parking. For that reason I don't know we want to disrupt this as a zoning case but more so where do we put car dealerships as a city as opposed to -- which is a lot of flat impervious cover for questionable community benefit. We're not getting housing

here. We're not getting health care here. We're not getting other kinds of benefits. What is it that we want to see and -- acknowledging that people are gonna buy cars and there should be a place to buy cars, but that's kind of where I'm struggling. This is hill country roadway out on 620 and that's where I'm struggling on this. So I don't know that this is one we delay or change because it's already gr-mu-co on the front, it's just extending a little bit, but the bigger policy question about where do car dealerships go?

[12:44:53 PM]

>> Casar: I wanted to speak to an earlier point this one for me on the family friendly housing but smaller units I think we have to find ways to change our rules so that we can have smaller units that are multi-bedroom and as we've noted a few times that oftentimes runs into parking requirements issues. But so that's how I'm saying solve that one in my head, where storage facilities and car dealerships go, I have not figured that one out.

>> Something that I want us to be prepared to figure out in the future.

>> Casar: Yeah. I mean, I'm. . .

>> Tovo: Other questions or thoughts or concerns? Okay. That brings us to, councilmember Houston, the item you pulled regarding urban renewal and I have a couple quick things to mention that I'm following for Thursday.

>> Garza: I pulled 39 and I don't know why it was skipped.

>> Tovo: Okay. So what was the situation with 39? Where we waiting for staff to come back or was there another reason why the mayor moved on? Are we talking about it in executive session? Okay.

>> Garza: We skipped to 44 while we waited for staff.

>> Tovo: Got it. I thought somebody had mentioned going to executive session on that but I must have gotten mixed up. Okay. Thank you.

>> Garza: I guess this was more of a conversation for my colleagues, but I'm glad

[indiscernible] is here just in case we have questions. I know my office has been reached out to about concerns about this and its lack of goals -- this contract and its lack of goals. Then, I mean, I guess it's generally the kind of optics of this rsb, sve -- or mbe, WBE, this is a professional exemption, concerns about that. I've heard concerns about the lack of subcontracting goals in it and the concerns about it not -- what some believe to -- it not going before the mbe/wbe advisory board and it was my understanding that staff's response was, well, it's not required to go before them.

[12:47:12 PM]

Anyway, I was just curious if any other colleagues have concerns about this and if there was a desire to postpone this item.

>> Tovo: Councilmember pool.

>> Pool: I'd be happy to support postponing this. I had some questions, too. I wanted to know why no subcontractors were on this contract when there were subcontracting opportunities on the 2013 bid for the desperate study. No goals. The scope of work was missing. The 2013 contract for disparity study was completed in 2015 and we adopted it year and a half to two years ago, and so I wanted to know what the rush is in this case. And is this item time sensitive. And there was a concern also about the amount of money that this includes, up to a million dollars for brand-new disparity study. What about updating the existing snide we could conduct a market availability and not spend so much money. So there's additional questions to add on to the ones that have already been raised here.

>> Tovo: Would you like to respond?

>> Sure, happy to respond. I'm the director of the small minority business resources department. I want to try to make note of all the concerns or questions I heard so far. If I overlook something feel free to flag it for me. First I heard the type of procurement we're doing. This is a professional services exemption. State law allows for in some instances for us to do that. In this particular instance we chose this route for a couple of reasons. One, this is a very targeted and narrow industry. There are very few companies that actually perform this service, which is conducting a disparity study. The firm that we're recommending is known as the industry leader nationwide, and that was one of the reasons why we recommended it. We also looked at the exemption because of our time sensitivity.

[12:49:13 PM]

As council is aware, the mbe/wbe ordinance sunsets in March of 2020. This allows us a full year and a few months to conduct this study, receive public input and bring it back to council for consideration prior to the sunset of the program in 2020. As part of the exemption process we did look at the opportunity for setting goals. There were no goals set on this contract. As -- and that's consistent with previous disparity studies that we have conducted. There have not been goals set. That is because of the subcontracting opportunities. When you're looking at the scope of a disparity study, the scope is really to look at both analytical and statistical analysis of whether or not a disparity does exist for minority and women-owned businesses in the city of Austin and in our marketplace. There really -- it didn't lend itself to actually setting a goal. However, as noted in the previous contract, there was a component that was subconsulted and Claire hotel holt -- she's working on identifying who that subconsultant will be so we're working closely with her and will be updating the terms of the contract as that proceeds. The time sensitivity I believe I addressed. Our concern was the sunset of the program and we've backed into that date to make sure that we have a study in place for council review prior to that. The cost of the -- the cost of the study is aligned with the idea that we do an availability study and not a full-out disparity study. It is not recommended to do a partial study, an availability study. When you're looking at a disparity study, the need for a disparity study is based on federal case law, as you are aware we are administering an affirmative action program, both minorities and women are protected classes and that

triggers strict scrutiny by our federal courts. Because of that industry-wide and nationwide it is recommended that we perform a disparity study on updated data and information every five years.

[12:51:18 PM]

And this keeps us consistent with that. If you recall the study complete in 2015 used data from 2008 to 2013. We are now in 2018. And so we really need to update our data so that we're looking at data from 2013 to 2018. An availability study would look at the available mbe -- or minority business enterprises and women business enterprises in the area but would not look at whether or not in fact a disparity exists for these firms and it would not look at anecdotal evidence, two key parts of a disparity study. I think I noted -- those were all the issues I had noted. Please let me know if I've overlooked something.

>> Tovo: Councilmember pool, did that cover the questions

-- you had? why don't you look over your list while I -- and I'll call on councilmember kitchen in the meantime.

>> Pool: Time sensitivity was the sunset was in 2020, did you say?

>> The sunset is March 31 of 2020. We anticipate it will take about a year to complete the and I had we wanted to allow time to receive public input once that study is complete.

>> Pool: Okay.

>> Kitchen: My question just relates to -- it's -- I believe it's related to this and that has to do with concerns about public input into the process of developing the scope. And so I had some concerns about the program advisory committee, and my understanding, if -- so I'm asking if this is accurate, if this is correct. That that committee has not -- did not have any full meetings in the 2018. And I assume was not involved in developing a scope for this work.

>> The advisory committee met in March of 2018. They have not been able to achieve a quorum until this past meeting. They met in December of this year. They just met a couple weeks ago. Or last week, actually.

[12:53:18 PM]

And I'm glad you brought up that. I can also mean to address that. We certainly didn't mean to communicate that we would not bring it to the advisory committee because we don't have to. It is correct that we're not required to bring it to the advisory committee but in the many years I've worked with the advisory committee we always bring items like this for consideration because we value their input.

>> Kitchen: So it hasn't been brought to the committee? Is that what you're saying?

>> It was brought up to the committee at their December meeting. We weren't correctly posted for them to take action so they actually took action but that action is newly because -- null because it wasn't correctly posted. They did give verbal feedback but we can't bring it forward to council because it was not posted correctly.

>> Kitchen: So you can't give us the verbal feedback? Am I understanding correctly?

>> I'll look to legal to make sure I don't overstep.

>> I'm sure you can read the minutes from the meeting or watch the meeting. We can discuss how to handle that.

>> Tovo: I think we were all copied on correspondence about it as well.

>> Kitchen: I have correspondence.

>> Tovo: [Indiscernible] Who raised the issue about the recommendation?

>> Kitchen: I have the correspondence. I just was asking a procedural question. So -- because I hadn't heard that before. So you're saying that it's in the minutes. That level of detail would be in the minutes in terms of the recommendations, it's just they didn't have a quorum so it's not a formal process? Is that what you're saying?

>> They did have a quorum and they did talk about it.

>> It wasn't posted.

>> Right.

>> It wasn't posted correctly for them to take action. But we will reflect it, the conversation, in the minutes, as procedure.

>> Kitchen: Okay. Well, then I'm also concerned about the continued lack of a quorum. So we can talk about that off-line, but I'd like to understand what's going on with that.

>> Absolutely.

>> Kitchen: So that we can assist with whatever action is necessary to fix that problem.

[12:55:24 PM]

So . . .

>> Tovo: Seeing -- and just on the point of quorum, I think in your response to Mr. Fuentes who said that the committee has been able to achieve a pretty solid group of five and then occasionally a sixth, so that means some of our commissioners are not able to attend regularly. And so I don't -- I think it would be helpful if we knew -- if those councilmembers who appointed those commissioners were informed about whether or not their commissioner is among those who are having trouble attending.
Councilmember alter.

>> Alter: I agree with that and I think that should broadly be something communicated to us if that's a situation that any commission or board is experiencing through that. I know you mentioned this a little bit, but I'm still not totally clear on why we kind of bypassed the procurement process and only had one company bidding on this.

>> It's a professional services exemption under state law that is a viable way for the city to procure, is to use this exemption. The grounds for the exemption were that we -- we know this firm to be an industry leader and that we -- there are very few firms that perform this service, as well as our timing consideration. When you look at procuring an item through a request for qualifications or request for proposals that adds on time to the overall process and we were concerned about that 2020 deadline. This firm also is a firm that has done many of our disparity study in the past, as well as worked with the city for our program, if not from the beginning of the program but very close to the beginning of the program.

>> Alter: Are there -- my understanding is there's four or five other firms that could do this work but they were not necessarily part of this process. And I'm concerned about that.

>> Sure. Nationally, there are four or five other firms that could perform the work.

[12:57:25 PM]

This particular firm is known as the -- as providing the best service of work. She has a history of not having programs challenged as a result, which is our end goal, the purpose of a disparity study is to ensure we have a legal program and that we are not challenged nationally. So she has that track record. She's -- as I mentioned she's done the city of Austin's work historically as well as many other entities that are respected. She's working on the city of Houston's right now. She's done Baltimore, Chicago, there's a long list of clients that she's had but that also led into that decision of why we believe that she's the industry leader in this particular service.

>> Alter: I have to think about that answer but can you tell me how the scope of her work was determined? And what that scope covers?

>> When we're looking at the scope of a disparity study, it's very -- it's very unique and it's something that is -- that doesn't vary from year to year from disparity study to disparity study. The courts are really looking for an entity if we're going to apply a program, to ensure that prior to applying that program we are trying to redress the disparity that exists. A disparity study is solely looking at the minority/women-owned minority/women-owned businesses in the marketplace and looking at how public and private dollars are spent and whether there is a disparity between these businesses and their non-minority women counterparts. When looking at a scope for a disparity study that's solely what we're trying to do, hire a consultant that can do that work both anecdotal and statistical to show if there is in fact still a disparity in the marketplace.

>> Alter: How did the goals -- do the clear.

>> Alter: How do the goals relate to the disparity study? Can you speak to that?

>> Once a disparity study is complete and we have that data, we'll look at the data that's in that disparity study and use that to recommend goals to -- and these are the annual goals or goals that are placed in our mbe/wbe ordinance.

[12:59:35 PM]

We would bring that to council for sure consideration, to update the ordinance.

>> Alter: I'm not sure it's the same point, but at some point we were discussing the same program, and there was an issue about how we determined the scope in terms of geography and the other kinds of things, because the disparity study ultimately determines the goals. And so -- I mean I think there are other elements of that scope that I would like to understand from that prior information.

>> And that discussion, you're correct, it was on the same topic. It was in our previous disparity study. If you recall, comments or questions we had an executive session to speak about the results of that -- those goals that were brought forward through the study. The mbe/wbe ordinance has not been updated to include the goals that were discussed previously.

>> Alter: Okay. Thank you.

>> Tovo: Councilmember kitchen, did you have a question? City manager.

>> I just want to do thank staff. I know this item had been ready for council consideration a couple cycles ago, at least last cycle, but really, to be able to address the many concerns that have been raised through stakeholder groups, I know that you've heard other feedback from other groups that we may not be hearing right now, but just want to thank you for your engagement and participation and ensuring that we get all these questions answered before this consideration.

>> Tovo: Thank you. And I just want to do give an update. My staff emailed me to say that the clerk actually did reach out to all of us to let us know about the quorum challenges, and so I know our office did reach out to our commissioner, but I think we all -- I think in response to the point that you and I were just making, I think that did happen as it should have, that the clerk did let us know about the problems.

[1:01:37 PM]

Any other comments or questions on this item? So we have one more item left. Councilmember Houston, that's yours that you pulled.

>> Houston: Yes. Item 101 is regarding the urban renewal --

>> Tovo: Councilmember Houston, sorry.

>> Houston: Urban renewal board extension. And it's a public hearing, and I was wondering if we could, on Thursday, look at the agenda and assess where we are so that we could have a time certain for, say, 5 o'clock, 6 o'clock, so that -- I'm not sure how long the items will go, but just so that we can try to get the community up -- for the public hearing as quickly as we can. So I don't know how we do that, but if we could try to pay attention to that on Thursday.

>> Tovo: Councilmember Houston, were you suggesting that this item be scheduled -- that you would request on Thursday that this item be scheduled for a time certain of about 6:00?

>> Houston: About 6:00, after we kind of take a look at what the rest of the agenda looks at at 4:00. Try to bring it up as quickly as we can, so I'm thinking 6 o'clock maybe.

>> Tovo: That's a point, I assume you have community members that you're aware of who want to come and talk, but during the day would be a challenge?

>> Houston: Yes.

>> Tovo: I'd support that request.

>> Tovo: Mayor, I'll turn it back to you. We are on the last item, 101, but I understand there are a couple other things that people wanted to talk about before we whereabout up.

>> Mayor Adler: Sounds good.

>> Tovo: But councilmember Houston still has the floor on 101.

>> Mayor Adler: Again, with respect to that, when we're setting time certain, if we can, people can speak earlier than that, but you say you want to keep it open so that someone who shows up at 6:00 has the opportunity to speak.

>> Houston: Correct.

>> And just to be clear, it's set for 4 o'clock, public hearings that won't come before then.

>> Houston: And they understand that.

[1:03:37 PM]

It's just that they don't want to be here till 1:30 or 2:00. But we may not be there that long, so...and then the other thing that I just want to say briefly is that this item was brought to us by the urban renewal agency. They voted on August the 20th of this year to recommend an extension of the plan for ten years with the reassessment after the first five. And we've had some -- it's a timing issue, too, because the plan will end December the 31st. There's some confusion on my part and perhaps some other parts about the authority and the -- who has the authority to do some things and whether the city council can grant additional authority. We just -- I was just notified, I think, on yesterday, that there was some procedural information that was inaccurate from since 1999, so there's a lot of things, a lot of moving parts, but we have to do something on this meeting. So I'm going to be making a motion to

extend for ten years and reassess at five. Staff is here to try to explain some of those issues that just came up yesterday, and we had some legal issues that I still haven't gotten straight on. You may have more information on that.

>> Mayor Adler: I don't have more information than what you have, Ms. Houston, and I met with staff, and I think one of the threshold questions that we both had was, what jurisdiction or abilities does the agency have in continuing oversight. There had been -- seemed like there were some indications that maybe the board had the ability to be involved in development going forward, maybe even going back in and negotiating the auxiliary arrangements or deals, maybe giving -- coming back to -- suggesting the council consider an extra floor over commercial building that had affordability in it, just -- that -- the question we had was, was this a tool that could actually be used going forward, or did it not have the ability to provide an additional tool or oversight.

[1:06:09 PM]

>> Assistant city attorney. I think, if I understand your question correctly, mayor, you're asking whether the agency acting through the board can basically come up with some community benefits in terms of -- like we do similarly for a density bonus program and things of that nature.

>> Mayor Adler: Or anything. I had seen some notes that seemed to indicate that while this board had two properties left to sell, it could sell those properties either outright or it could sell those properties with continuing obligations that required monitoring over a period of time. That was one thought. But in addition to that, it looks like they had sold other properties in the past, but just because they sold them in the past might not mean that they're precluded from the volunteers on this board reaching out to those people and saying, you know, there are still things we could do if you're willing to adjust your development. Apparently, when some of this property was sold historically, it was sold with the restriction that it have affordability in it, but that was tied to a residential use. So if these properties are put to a non-residential use today, which it appears some of them, if not most of them are the affordability requirements don't apply. So we're not getting affordability on those pieces of land. One of the questions was, is this continued board, continued plan, a tool where the -- they could go back in and achieve greater community benefits that might otherwise be achieved without their existence.

>> The plan allows the agency to issue a certain limited type of waivers from the plan. The challenge we have is those -- they're referred to in the plan as redevelopment project controls.

[1:08:10 PM]

A lot of those project controls have gone away, but they're about community parking and residential parking. The challenge is that their authority is limited to their sphere, which is the plan. If there is a zoning requirement and the plan requirement, the development must comply with both. So hypothetically, if the plan says you can have a 40 foot tall building but the zoning says you can have a

60-foot building, they have to go with the more restrictive of the two. And there's no room for the agency to grant something. What would have to happen in that scenario is, they would have to bring forward a plan amendment to council, and then council would need to make that adjustment to the plan. And if that was to occur, then they could do the 60. But it would require a plan amendment, which is similar to what we've done in the past. We're on our 11th. This will be the 11th modification to the plan.

>> Mayor Adler: So then one of the questions for us, if they have the ability to do that if they have the ability to modify the plan in order to perhaps achieve some community benefits that might not otherwise be achieved, the question -- one of the questions, does it make sense to have that group of volunteers, who are focused in that particular area, if they wanted to start going to all those property owners and saying, hey, let's sit down and figure out if we could incent you to come up with some greater community benefits here, is that a useful tool for us to have? Is it a useful group of people for us to say, go see what community benefits you can -- you might be able to achieve. Because they can't do anything without going back to council.

>> Right.

>> Mayor Adler: So it would be, go see what you can do and come back and make recommendations for us.

[1:10:12 PM]

I think that was a question Ms. Houston was asking, as well as the board and neighborhood was asking. Before we just let all those go away, is there any possibility that continuing it might help us achieve stuff we might not otherwise see? And I think that was really the threshold question.

>> So I would say in that instance, the agency can make recommendations to council to amend the plan. And how they go about that, you know, the statute isn't clear that they necessarily can talk about community benefits, but since the purpose of urban renewal in and of itself is to improve the conditions in the neighborhood, I think that there's some room to make an argument that that's possible. And they could -- you know, they always can, you know, approach a property owner and say, you know, we'd really like you to do this versus that. It would be similar to what a neighborhood association does in that kind of respect because an urban renewal plan is similar to our neighborhood plans.

>> Mayor Adler: So my sense was -- and I'll conclude with this, the conversations with Ms. Houston, my sense is that there's nothing this agency can do that we couldn't otherwise do with city departments or city people, except that our city departments and city people really don't have the band width to really focus on this particular area. So if we have an agency and a board that's willing to focus on this particular area, recognizing that, in hindsight, we probably would have done this differently if we had known way back when what we know today, then if they're willing to spend the time to see how much community benefit they can get in that area, then probably I would be inclined to give them a chance to do that, since either the staff would be doing it as part of this, or staff would be doing this outside of

this, or doesn't really save the staff any time or resources, other than what it takes to convene the board and do the minutes for the board.

[1:12:16 PM]

That's the only incremental cost. If that neighborhood or those people were willing to put in and invest the time to try, I'd probably -- for me, I'd probably give them the opportunity to see what they can do.

>> I would add, for the parcels that the board owns, the agency owns, they can definitely do community benefit discussions as part of that process, which is why a lot of times we have the affordability requirements and things like that. So that really is a very major opportunity they have there with those particular parcels which take up two blocks of this particular area.

>> Mayor Adler: Okay. Leslie.

>> Pool: Yeah, I wanted to just point to -- to amplify things that have already been said. In the plan on page 4, it says the fundamental purpose of the plan is to empower community-based groups and individuals to participate as strong and equal partners of the city and the urban renewal agency we're now calling the renewal board in carrying out all the action programs and public and private investments in realization of Austin's long-term goal. When we focus on one topic, they can get down into a level of detail and purpose that either staff, or if the council isn't able to then they can bring it back to us. And my understanding is, the authority of the board and the council in implementing the plan, chapter 374.906, local government code, states that a municipality may do anything necessary to aid or cooperate in the planning or implementation of an urban renewal plan. And so it sounds to me like they do have that authority, maybe it's languished in the past because of the voluntary nature of the board, but I also recognize after having met with folks on the board currently, they really do have the energy and the vision and they are determined to move forward with the plan that -- to bring it back.

[1:14:28 PM]

>> Mayor Adler: Mayor pro tem.

>> Tovo: Yeah, I support and will support the measure that councilmember Houston, it sounds as if you're going to propose to go along with the extension that the urban renewal agency requested. And we did get some answers back through an attorney/client privileged memo and I don't know if we're planning on talking about -- I think if there's overwhelming support to -- for councilmember Houston's motion, then I don't see a need to. If there's -- if that's not overwhelmingly supported, then I would request that we do talk about some of the answers. It's not clear to me whether I can talk about them in open session, but it seemed to me that there were real advantages of having that plan in effect, based on my reading of the attorney/client memo.

>> Mayor Adler: And I would join in that as well for legal staff to take a look at that and see if there's anything in that memo that in any way would prejudice the city if we don't talk about -- if we talk about it out loud, because I would like also to talk about it out loud, and I don't see what the prejudice would be. Leslie.

>> Pool: Thanks. One last thing on this, and then I just need to give an update on where I need to be, like, shortly. Because of the nature of the redevelopment work that the urb undertakes, I wanted also for us to kick around the possibility of assigning the responsibility of this to our economic development department. They're helping on us redeveloping a number of other parcels of land around the city, and it may be that they have the band width and the particular focus to ramp this up at a different -- at a different level. So I just want to lay that out there and maybe get some feedback from folks later. And then I, unfortunately, as far as executive session, I can't be here for that because I have to go to a board meeting for the trustees of the city of Austin employee retirement system. I think I'm going to be late for that, but I'm going to head out. If there are some issues that are -- have a variety of concerns on them or something, maybe hang on those and maybe on Thursday we could visit them if I'm not able to be in a conversation that I need to be in.

[1:16:45 PM]

Thanks.

>> Mayor Adler: Okay.

>> Tovo: Mayor before we leave this issue entirely, it would just be helpful to know, like, whether there are strong feelings about -- about item -- about the urban renewal extension.

>> Pool: I support it as Ms. Houston has offered it.

>> Mayor Adler: Jimmy.

>> Flannigan: I have similar questions to the questions the mayor had, just really trying to understand what it is they're accomplishing, what they have accomplished, if they're doing the thing they're supposed to be doing, and then when I had an opportunity to meet with some of the neighborhood folks, not the board folks, they expressed concerns about the future of their neighborhood that were outside the scope. They were arguing for the urban renewal board, but the things they wanted them to do were not the job of the urban renewal board. So that was a struggle for me, as to say, well, is it even doing the thing you think it's doing. And so just kind of wrap my head around it, I think, getting how much of this memo can we talk about, and I think that will be helpful. I don't know that there's a rush to eliminate it, but to lock it in for her a decade seems like a pretty big time period if the primary objective is two properties -- that's where I'm just -- I'm struggling, understanding the role in the job and the actual concerns the community is facing.

>> Mayor Adler: Where I was coming from on this -- Ms. Houston, do you want to go first?

>> Houston: Can I answer that? The issue for me on those two blocks, block 16 and block 18, is that we've been working on them for four years and I don't think they're going to get resolved in a year. I

really don't. And then there's the whole issue of making the neighborhood conservation combine in district align with the urban renewal plan. I don't think that's going to happen in a year. And I think what we do when we make these hard deadlines for the community is a disservice because then they have every -- every time we do this -- and again, this is four months, and it's just getting to us right before the last council meeting of the year, and so people are rushing trying to get to everybody, trying to talk about what the issues are.

[1:18:58 PM]

And so I think at least they need the five years so they can make sure that whatever project is coming online actually gets implemented and gets started and, you know, the mayor has talked about some other options for the board, but those two tracks are in the heart of the black cultural district, right on 11th street. And there needs to be someone or some group intentional about stewarding those two properties. And I don't think it can get done in a year. So it's not just the submission of a request for proposals or something, it's following through until it gets -- until they break ground, to make sure they're following the plan that the community envisioned when the property was taken by eminent domain and the community said this is what we would like to see. There would be nobody to steward that forward. We had some incidents where some other things have happened that say we really need some group to focus on this 11th and 12th street area.

>> Flannigan: My knowledge gap is, if they haven't done it in four years, how do I know they'll do it in ten. If it's the right tool. Just the knowledge gap, it's not an assessment.

>> Mayor Adler: With respect to the two properties, I think originally the September date was set because staff believed those two properties would be handled by September. The question was, what if they're not, then the staff came back and said, well, let's have a looking point at the beginning of the summer, and if doesn't it look

-- fit doesn't look like it's going to happen by September, we could extend the deadline, but that would at least set us on that path. An alternative as to say we're going to keep new existence until you can handle the sale of those two properties, but we want you to report back to us at the beginning of the summer to tell us whether there's been progress or the like. If setting those kind of deadlines help it move forward. And that's where I started off trying to figure out which was the better kind of one of those two ways to go.

[1:21:01 PM]

But then it became apparent to me that maybe -- and this was the question -- maybe that board could actually achieve some community benefits, most specifically housing, in that area that doesn't exist. And wasn't part of the plan, and wasn't part -- when they were -- tracks were originally sold, it was anticipated that there would be housing that would be affordable built in that area, but it was tied to a

percentage of whatever the residential use was, and they didn't -- they didn't anticipate not having any residential use. So now the properties have been entitled and able to move forward as commercial tracks without any residential requirement. So, for me, there might be a group that could go back to them, and it would be all incentive at this point because they have zoning, they have entitlements, and they have a plan. But to have a group that would go back to them to say, what would it take if we wanted to have development here where you would actually put some residential -- affordable residential in this location. It would necessarily be an incentive, it would necessarily be something that would have to come back to the council, but to let them do that. Now, that is different than what the neighborhood was describing, and certainly the board could look at whether or not they could incent what it was that the neighborhood wanted. But it's apparent that we're not going to be able to impose by plan restrictions or requirements that take away those measures of entitlements. But I wouldn't -- I wouldn't tie their hands. I mean, I would let them look at that and see, you know, whatever they could -- they could do. But that was the question, is there a role for a group that's focused on that area. For me, increasing the opportunities for affordable housing in that area, if there was a way to do it, would be a viable goal.

>> Flannigan: And maybe one option is for the urban renewal board to have more frequent check check-ins with the housing committee, and that would be milestones where they come and say, hey, we are actually doing a thing.

[1:23:12 PM]

>> Mayor Adler: Mayor pro tem.

>> Tovo: Mayor, I would just say I read the memo a little differently and I haven't had the opportunity to sit down with staff and that may be the substance of our differing readings on that, but I actually came away from that memo thinking that the board has more authority than it's currently exercising and may actually be able to make some -- to have some good role in shaping not just the future of those two tracts but also help us resolve some of the issues that have arisen including -- well, let me just leave it there. I think that's where I'll leave it for an open session. That may be the substance of a conversation that we just need to have somewhere else of the but to me, those were all reasons to grant the extension and to work out and make sure that that board is operating with as much authority as it's given under the appropriate --

>> Mayor Adler: Having it report to the housing grupo that, that group -- group onthat, that would make sense to me. Is there something wanted to conclude?

>> I wanted to -- I'm director of neighborhood housing and community development. Whatever action we take on Thursday relative to the urban renewal plan will not preclude us from having a conversation about the urban renewal agency in September 30th -- or before September 30th of next year because our agreement with the urban renewal agency expires at that point, which was the reason why we had selected from staff's perspective that date as a date to kind of couple those two agreements up so that we can further assess how progress is being made and appropriately extend both of those together as we need to, to ensure that we're able to appropriately get the full investment of the community and buy

in and get the development of those tracts. The September 30th, we anticipate by September 30th of next year that we will have the ability to issue an rfp for those particular properties.

[1:25:14 PM]

We are working with the urban renewal board right now as urban renewal agency staff to develop the community needs and work with community to hear those community needs, to build those into the rfp. There is also a possibility that for block 16 and block 18, that we would get an unsolicited proposal. There is a process that's been established where the urban renewal agency can receive an unsolicited proposal for disposition of those properties, and that is how some of the property in the past has been developed. And so there's still a possibility of that, and that might be on a different timeline than a potential rfp. But our timeline for an rfp would be getting it out in September. We clearly see the value and need for the urban renewal plan and the urban renewal board to continue as we get the rfp through our process that that's involved with, whether they stay beyond execution of the agreement and the actual construction or development of the property is something that, I think, is to be determined at a later date. But they've done great work in the past and we look forward to continuing to work with them. We just want to make sure that we're kind of marrying both of these -- that's where we're coming from staff's perspective, marrying these items up. We also would look at the intervening time to help dig into what their -- their roll could be or should be based on statute and current renewal agreement, agency agreement and urban renewal plan, for what might exist beyond the disposition of those two tracts, block 16 and block 18, and the updating of the neighborhood conservation combining district in ccds toe align -- on 11th street to align with the urban renewal plan. Those are the two main tacts in front of the board right now.

[1:27:16 PM]

>> Mayor Adler: Thank you so much. In addition on the agenda? Ann? Something else?

>> Kitchen: Just a quick request, that's to ask to put my name oh

-- nameon as co-sponsor for item 43 related to the police staffing plan.

>> Mayor Adler: Okay. I would note that the next council meeting will be the last council meeting of some councilmembers that served on the first 10-1 council, and we'll have a brief ceremony prior to the start of that meeting in case people wanted to know or family wanted to show up or friends or even detractors wanted to show up. But we'll get down there -- we'll get down there at 10 o'clock, just like we do where we have the invocation prior to the start of the meeting, we'll do this just prior to the start of the meeting. Anything else? Ms. Houston.

>> Houston: So will I be able to make some final comments --

>> Mayor Adler: Yes.

>> Houston: -- To the public?

>> Mayor Adler: We'll give you the opportunity to do that.

>> Houston: Thank you. I appreciate that.

>> Mayor Adler: Okay. Mayor pro tem.

>> Tovo: Just a couple things that I wasn't able to pull in advance for today. I just wanted to signal that on our council agenda, we have -- and I'm so thrilled -- the contract for the Portland Lou restrooms. I have asked staff to answer some questions about whether there are some other -- whether they have any information from other cities about any challenges they've encountered, but also whether there will be an outdoor receptacle, trash receptacle, just to try to resolve some of the issues that we did encounter with the temporary facilities. But anyway, thank you, and I'm thrilled to see it on there. And a related issue, we also had a discussion about having a restroom at the platform downtown at the convention center, and these items -- and at the time -- and I forgot to bring the transcript down.

[1:29:18 PM]

We had a pretty lengthy conversation about it. It was the intent to negotiate that. It is coming forward to us as part of the downtown metro station. I have -- in my conversation with capmetro representatives, I did point out that this -- a couple things that I would just raise for consideration. One is that it's not going to be at the station, it's actually going to be in brush square. And, you know, as we look and plan for a metro station that might be serving trains as frequently some day as every five minutes, I wonder if that's really the way we want to build this we had talked about restrooms as being part of the infrastructure, we had talked about integrating them, encouraging capmetro to integrate them into the stations. This isn't really achieving that my second concern is that it is -- I don't know if that's a hard and fast concern, I just raise it as something at the moment that is of concern to me that I'm mulling over. The second point, though, is that we are -- capmetro would be purchasing the unit, we would be absorbing the cost forever, I guess, for maintenance and operations. And that's not an inconsiderable cost. I've asked staff for an estimate, just based on looking at the costs that we've incurred for the temporary facilities and factoring out the fact that it'll be tied into our sewer system and the city won't have to provide for waste removal, I think we're looking at probably about \$40,000 a year of maintenance, facing out the water costs. Those would be in addition, so he that's about half the cost. Not quite, but purchasing half the cost of the unit, and that would be ongoing, and I think that at least should be a shared cost with capmetro, if we're talking about this as a unit that will serve metro riders as well as others. Then lastly, I've asked staff to also answer why on our cost -- on our list of calculating fee waivers and who's sharing which costs in this partnership, which I support, I certainly support the partnership and I'm excited about this project moving forward, I'm happy about all the stakeholder work they've done but I do think this is a cost, a real cost that right now is going to be incurred by the city and should be reflected in the fee waivers and the calculation of the different costs.

[1:31:33 PM]

So I've asked staff to kind of weigh in on, one, what those estimated maintenance and supply costs would be, two, the rationale for having the city absorb the full cost of that and three, why it's not on the accounting sheet.

>> Kitchen: Mr. Mayor, could I speak to that?

>> Mayor Adler: Yes.

>> Kitchen: I thank you for raising those concerns. My thoughts would simply be that -- I'm interested in your concern about the location, and my thoughts are simply that one advantage of the location there is it's in brushy square, so it wouldn't feel so limited just to people getting on and off. So I see that as an advantage, particularly considering the concerns and -- you know, the concerns about having this kind of facility available throughout the city. So I see that as a plus. And with regard to the maintenance and operating cost, I see this as a value to citizens in the city. It's not simply a value to someone that gets on and off the train. And so I think -- you know, there's a lot of back and forth that has gone on between capmetro and the city in terms of sharing cost. And at this point I think to expect the -- to expect to drill down to that level in this -- in this relationship and expect the -- capmetro to take up part of the cost, particularly for a location that's going to benefit more -- benefit the whole city that's in that area, it's just not -- it's not something I'd be inclined to do.

>> Mayor Adler: Which number is that on the --

>> Tovo: 106.

>> Mayor Adler: 106? Thanks. Ms. Houston?

>> Houston: I had a conversation with the capital metro folks, too, and encouraged them to talk to mark tester. It's just a one-holler, it's not that multiple people can go at the same time. It's just one person at a time, so with the amount of traffic that we're going to be increasing at that location, it's not going to really do much for people who really need to go to the bathroom.

[1:33:42 PM]

So I did ask them to have a conversation with mark tester to see if there was some way we could cut off that southside of the convention center where they've got lots of restrooms so people who are waiting or people just getting off could go in to the convention center. You know, it's going to be a problem when there's a convention, but at least that's something where more than one person can go at a time. That's the only thing I could come up with, but one is not going to be enough at that location in peak times. They said it's about 3,000 people that come in and out of there, and with the increase it's going to be more, so...

>> Mayor Adler: Okay. Anything else before we break? All right. We're now going to go to closed session to take up three items. It is 1:31. Punter to 551.047 of the government code, we're going to take up personnel marrieds related to e2, which is the city manager. Pursuant to 551.072 and 552.071, we'll

take up real estate and legal matters related to e3 and e3, which is the lions golf course and certain real estate located in district 6. E.1 has been withdrawn. Would you say objection we will now go into executive session. We will not be coming back out into this work session except for one person to shut it down. With that, we'll now go to executive session.

[Executive session]

[4:04:15 PM]

>>Mayor Adler: It is 4:04 p.m. We are out of Executive Session and this meeting is adjourned.