

City Council Work Session Transcript – 06/07/2016

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>> Mayor Adler: Are we ready to gavel us in? One, two, three, four, five, six? We have a quorum, so we're going to convene this work session, Tuesday, June 7th. We are in the boards and commissions room at city hall. The time is 9:15. Councilmembers, we lose a couple of members of our council today as they fly off to D.C. For the oral exam on the smart city challenge, and I'll be joining them shortly after that. We have today a couple of briefings as well as executive session. We need to make sure we have the executive session completed by noon today. The folks who do the executive session are not here quite yet, so we will convene the executive session, my guess will be around 10:30, maybe 11, so we make sure that's done by noon. That gives us the opportunity to have the briefings and to address the pulled items before we go. Yes, Ms. Pool? >> Pool: And it's looking like I may need to step away for an event around 11:30ish which may work out just fine. >> Mayor Adler: Okay, might. The items that I'm indicating that are being pulled in addition to item 66, which has been handed out, I also have mayor pro tem tovo pulling 43, 46, 49 and 54. So mayor pro tem is pulling 43, 46 and 49. I have Ms. Houston pulling 36, 37, 38 and 54.

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>> [Inaudible]. >> Mayor Adler: The ones we have pulled are 36, 37, 38, 43, 46, 49, 54 and 66. Those are the pulled items. But the most important stuff first, yesterday welcomed into the world was Chase Zimmerman, born yesterday a little after 1:00 in the afternoon. Both Jennifer and Don are doing well. Chase was 5 pounds, 11 ounces. So congratulations to the Zimmerman family and if Sheri were here she would be asking Chase if he would vote when he turned 18. [Laughter]. We just made announcement that Chase Zimmerman made his arrival yesterday after 1:00 and we said that you would be asking if he would vote when he -- >> I promise you. >> Mayor Adler: So before we get to the pulled items let's do some of the briefings that we have set. The first is the Waller Creek Conservancy briefing, so let's move forward with that. >> Good morning, Mayor and Council. Rodney Gonzalez, director for the development services department. Sue Edwards, assistant city manager, couldn't be here today. She's asked that I introduce

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this item this morning for you. And also to introduce board and staff of the Waller Creek Conservancy. From the Waller Creek Conservancy board we have Tom Meredith and Mel Bah Whatley with us today. And from the staff of the Waller Creek Conservancy we have Paul and Peter F. You don't mind I would like to provide a little bit of bio on Peter. Peter Bowen is the chief executive officer of the Waller Creek Conservancy, a position he accepted in January 2015 after an extensive nationwide search. Prior to his

coming to Austin, he served for 10 years as the executive vice-president of the high line, which is the not for profit organization responsible for envisioning and creating the high line public park in New York City. For those of you who have seen hi line, the concept is similar to what we have here in waller creek. The hi line is a 1.4-mile long linear park built in Manhattan built on an an bay donned commuter spur. Peter is an architect by training, a graduate of princeton university and the Yale school of architecture. I'll turn it over to peter now. >> Thank you, Rodney. And thank you all for your time this morning. It's really a pleasure to be able to present to you about an update on what's happening with waller creek. I also want to thank -- first of all, members of our board who are here, Tom and melba, two of the three founders of the conservancy, as well as members of the staff who are here from the watershed protection department. And the -- and pard, who we are working hand in hand with everyday to make waller creek a reality. So thank you to them for all of their time and service. So today I again very much appreciate your time and the

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ability to come before you. I want to give you a really general overview on the project and a little bit of history as well as what's happening today. And it's something that obviously we are passionate about and think that we have the opportunity to do something extraordinary for the city of Austin. I will say as a newcomer to Austin it has been a complete and utter pleasure to engage in this community. I have been a lifelong new Yorker, but I've been completely seduced by this place. The people are just incredibly warm and welcoming and the energy in the city gives me total confidence that this project when realized will be a total success. I think that people are -- I've been amazed at how much people engage the city itself here, and I think waller creek gives people an opportunity to do that in a new way. So I'm excited about that. So I'm going to start very generally and hopefully drill down a little bit more specifically as we move forward. This is an image of the waller creek district, which is the area surrounding waller creek. You can see waller creek as the green spine that cuts through the district. Other project, what we're working on is the area of waller creek between the lake and 15th street. So it's about a mile and a half long. And I think it's important to recognize right off the bat in a we see this not purely as a neighborhood project. This is a project for the entire city of Austin. And that's very important to us and informs everything that we do. And I think the location of this new public space in the city of the center where it is most accessible to the greatest number of citizens is an important factor to us. I actually spent a little time looking at the

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transportation network, and basically every single transportation line in the city comes through this area and I think there are 20 bus lines that are within one block of the park. And so I think that's an important aspect of this project. That this is really intended to serve all of the citizens of Austin. I wanted to talk a little bit very briefly about the tunnel, the waller creek flood control tunnel. I know you recently got a briefing on that so I won't go into great detail except to say that we are focused on the surface improvements. The tunnel, while very much related to the surface improvements, are is really a separate project. These are two separate projects related to one another. That being said the flood control tunnel is really what we're able to do on the surface. The people have been talking about improving waller creek for a long time, but really now with the construction of the flood control tunnel we have a new opportunity that we didn't have before. And one of the reasons why waller creek wasn't able to be improved was because of the years and years of flooding that waller creek suffered. Now that the flooding condition is being controlled we have the ability to actually develop this new creek as a public space. It's an important foundation for our work. One of the other foundations of this project I

think is that like the flood control tunnel itself, these surface improvements, the creation of this new public amenity for the city, I think will be an enormous economic driver for the city as well. This is very much informed by my recent experience with the HIV line where we saw the complete information of a neighborhood and the city's investment estimated to return 800 percent on their investment in that project due to increased tax base, due to the new economic development

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activity that has been catalyzed by that project. We've seen examples of this closer to Austin. In Houston with the destruction of discovery green five or 10 years ago and the transformation of that downtown area in changing how the city as a whole perceives downtown. It's no longer just a business district. It is a multidimensional urban ecosystem, and that is visited by people from all over Houston, including outside the belt line. So these projects have the capacity to catalyze the city as a whole, both at the local level, but in general. I think that underscores what we're doing. So the big idea of what we're trying to accomplish is the construction of 28 acres of new public space along waller creek. It's a huge, huge opportunity for the city. It doesn't come often. And I'm excited to try to help move it along and make it a reality because I think it will have a truly transformation national impact on the city. It is on it is on one hand a linear system. There will be a continuous hike and bike trail that is truly accessible along the entire length, connecting the lake to 15th street and to the trail system that continues north towards the university of Texas. But also that linear system connects a series of parks. There are two existing parks in palm par and Waterloo park. Something we're calling the delta, which is around the mouth of waller creek at lady bird lake, which I think we could develop into a more park lake environment. And then as part of the plan we have the vision of a new park between seventh and ninth streets and that if the police station were to move off site that there's an opportunity to reclaim some of that space at least to create a new park. So the combination of this line, the connector, the trail, and a series of parks

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along its length, I think that's really the special sauce here. Where the whole is greater than the parks. We're able to do so much for the people in so many different ways and we're really trying to leverage those opportunities to the greatest extent possible. A little bit of history. Waller creek conservancy is a 501(c)3 that is dedicated to this project. We were founded in 2010 at the request of city council members who recognized that the tunnel was being constructed and there was a plan to do that, but we needed a similar plan to build the public open spaces on the surface and that it needed to have a partnership with a non-profit to make that happen. This is a new model that's very common nationwide. Certainly in New York it's being used more and more often, but it's used in other cities as well where the city partners with a non-profit and the partnership seeks to leverage the skills of each to the greatest extent possible. The city is bigger, that's heavy infantry. They can move a lot of big things, non-profits can be a little more focused and nimble and we can also -- we're in it for the long haul. I think this is an important aspect of this is we don't go away when the project is built. We're here for maintenance and operations as well and so we will see this through into the future. I also want to point out that we are a pretty small staff. We have a staff of eight. I am one of eight people. We rely a lot on the energy and contributions of volunteers starting with our board of directors, they're all volunteers on this effort and have dedicated incredible amounts of time to make this happen. And we are -- immigrateful for that, certainly building on their efforts.

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But certainly volunteers at all levels. We have a really robust young leaders program. And that's one of the ways in which we are engaging a broader and broader constituency. So the organization was founded in 2010. The process started, we had an international design competition to establish a vision for waller creek and that led to a series of input sessions that were codified in a council approved design plan in 2013. So the work that we're doing today really builds on that council-approved plan. Subsequent so that the city and the waller creek conservancy entire into a joint development agreement which outlined some of the responsibilities of each party. Again, trying to leverage the strengths of each party. And so we now have a working document from which to build on the vision and move into the execution and making it a reality. So what are we trying to accomplish here? It will be an economic development project, economic development cat list, but that's not really why we're doing it. We are doing this because we think we're building an amenity for the public. And for the city of Austin. We have four pillars that we're building on. Restore nature, parks for everyone, enhanced mobility and engage our community. And I want to go through each of those really quickly. So at the core we have the creek and a lot of people ask is this going to be like Austin's version of the river walk. And the answer is yes, it's a linear park system built upon a water body, but I think the vision is very different in the sense that at its core we're trying to restore the ecological condition of the creek into being something that's healthy and sustainable for the long-term. And the tunnel allows us to do that because the tunnel allows us to control the water flow and not only does that mitigate erosion and flooding conditions, but it allows us to design the creek to support a healthy

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creek system. Right? This is actually kind of a radical idea. We are using engineering to support a natural condition in the city where the most people can get access to it. And so that's at the core. Part of what's required to do that is what I would consider infrastructure. The creek has suffered a lot over the years through neglect and erosion on the flooding events. We have to rebuild a significant portion of it. 10 of the city's top 50 erosion sites are along waller creek. Three of the top five. So we have had a lot of degradation over the years. About 45 percent, 46% of the creek bed has to be fully reconstructed in order to address these long-standing issues. So at its core there's all this engineering and creek reconstruction work that has to be done, even before we get into the development of the public space. But it's restoring the natural condition of the -- natural condition of the creek. Once we do that we can talk about opening it up to the city. With right now the creek has been armored from the city. We have these concrete embankments that prevent people -- the creek is like this. What we want to do is try to take that condition which makes the creek invisible and unsafe and uninviting, and bend it down, open it up to the city so that people are invited in. And as part of that it more inviting and a safer place to be. You have longer site plans. We'll be adding lighting to the creek trails, something different from the public space than I think is typical, but again trying to invite people down here at all times and make it safe. d can neon it to the rest of the city, open it up to the city so that this natural condition, which is really beautiful, in the middle of this urban condition, can be experienced by the most people. That leads to the parks, okay? Parks are this amazing aspect of our city structure in that they are free and open to everyone.

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And we want to try to develop these parks and design them to invite people in so that they serve their true purpose and that they are as inclusive to the broadest set of constituents as possible. The parks along waller creek have I think similar to the creek been a little neglected so we want to use the design and the capital reconstruction to change the perception of these places and make them more usable to

the greatest number of people. This starts with creating places for families and children, play spaces in a whole variety of different ways to invite families and children to engage this space and provide in many that currently doesn't really exist downtown or in the center of the city. It includes creating significant civic gathering spaces. Again, the fact that these are free public open space is important. They provide a really important role in our city fabric and we want to develop these significant spaces to fulfill that role. Also giving opportunities for people to engage in this natural condition so providing new ways for people of all different ages to get close to nature and experience it and touch it. This is an image of that new park that we're envisioning creating between seventh and ninth streets which allows us to get down to creek level and engage in the creek condition in a new way. The third pillar is about enhancing mobility. This speaks to the linear nature of the system and it's interesting to see how the creation of a functional accessible linear hike and bike trail would extend the existing current trail system in the city in a new way. I think -- once you start to patch these different pieces together, again, the whole is greater than the sum of the parts. You start to get a significant benefit from these connections. And waller creek will provide a any connection that doesn't exist and will change the way people move through the city. One of the aspects of the

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plan that we have envisioned is a new pedestrian bridge across the lake at the terminus of waller creek, which I think again we magnify the connections between different parts of north and south Austin in new ways. And again, hopefully alleviate some of the mobility issues that we're facing in Austin right now. And then the forth is engaging our community. Now, I think the parks do this inherently and passively, but I think the conservancy, one of the things we want to do is make sure that we are working to enhance the ways in which these parks do that. Some of that is through promoting local and authentic Austin culture. As Austin grows and becomes I think a different city than it once was, we have to make sure that we take steps to preserve the syringes that make Austin community austin-austin. And I think this is one of those things. If we tap into the local artist community and musician community and enhance new ways to build new audiences for those activities, that we could start to enhance the things about Austin that make it particularly and special. And that extends to a whole range of different activities, both community based events like the event we recently had in palm park on the top right, which is a puppet show about the bio diversity in Texas, so public engagement sessions about the design and the development of these park systems to new art projects. You can see on the bottom left we commissioned a major installation down by the lake by an artist orly ganger, which five minutes after installing was crawling with people. And another thing is with Austin youth river watch to monitor water quality in waller creek. So using waller creek in the natural environment as a template and a platform for these kinds of activities. As a way of broadening our

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reach connecting with new constituents in the city. Those are the pillars. I want to talk a little bit about what we're doing now to actually make this a reality. We're not going to build waller creek a all at once. This is an incredibly ambitious plan. Much more ambitious in many ways than the hi-line was in New York because it touches so many different aspects of city life. We have the ability to actually develop it in phases. And so we are working on a series of projects as part of a first phase, both at the northern and southern end of the creek system. At the southern end, the creek delta, which is the section of the creek between the lake and fourth streets. We are in design on that section. This is why where the creek is deepest and widest and where you have the most intensive natural condition. And the goal of the design is to try to have a light touch in order to allow people to experience that rich natural

environment. So we're planning a series of lightweight suspension bridges across the creek that allow people to experience the creek, but also to see other people and that's an important aspect of public spaces, giving people the sense that they are not alone and they're in a place where they belong. This is a before picture of a site just north of the housing north facility, the lake side apartments. You can see how the landscape is hard to engage in because it's so messy. Part of what we need to do is make that more legible to invite people in, reconstructing pathways in order to improve sight lines, et cetera. I think it's important to note that the housing authority site is directly adjacent to the creek. We've already seen with this art installation ways in which we can engage that community in the public space of the creek and they're a very important the city as part of this

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project. The seconded by councilmember piece of the project we're working on right now is the development of palm park. I want to go back one, sorry. Palm park is a really important site for us because in many ways it's the gateway to east Austin with a lot of historic and cultural connections to that community that certainly weren't helped very much by the construction of I-35. And once the school was decommissioned I think palm park was cut off from that community, but in recent discussions with community members realize that there's still a lot of memory and connections there and we want to try to reinstall those and reconnect those threads. It's underutilized, but it is this incredibly valued public space in the middle of the city close to a lot of people who could use it, and we think that with the redesign we could completely reinvigorate this place. We're focusing on a design that speaks to intergenerational activity, so places both for children to play but as well as for their parents to be able to experience and enjoy the park as well as their grandparents, et cetera. So serving a wide range of community members. Directly adjacent to it is the palm school. We're looking for ways to incorporate palm school into the plan for the park. It's currently owned by the county. Health and human services will be moving out to the county is looking at alternatives for the reuse of that building and weedy it could be a huge amenity for the park in some way to enhance the community role. And the third project we're working on is Waterloo park. Waterloo park at the northern end of the system is the largest park. It's 12 acres, which is about the size of discovery green in Houston, so by itself represents a large investment in the city. It is the side of the inlet

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facility construction for the flood control tunnel, so it's under construction now. And our goal is to keep going and finish the park as soon as the tunnel construction is wrapped up. It's-- there's a lot of things happening around the park with the emergence of the medical school and the health district and the redevelopment of the central health Brackenridge site. We will have a lot of new residents and workers in this neighborhood. And Waterloo park I think will become a centerpiece of this newly imagined district. So here's a site plan of the design. There's a lot of topography, a lot of different features and we're really trying to maximize that opportunity to provide a variety of different spaces and conditions that can serve both large, medium, small to seven a lot of people in a lot of different ways. There's a great lawn in the center of the park that I think will become one of the signature major gathering spaces in the city. There are some really beautiful heritage oaks on the southwestern corner of the site. Again, allow people to experience native hill country landscape and look for ways to really allow people to engage that landscape. And then we're creating some new features to serve children in particular, but also building on opportunities to restore natural condition to create opportunities for nature play. And this is acknowledge R. An idea for a space built on the lower side of Barton springs where kids and families can engage in nature and in the water. And we're also talking about building an amphitheater as

part of Waterloo park as a part of larger scale events. We we this could alleviate some of the pressure on other parts of the city. We think it will be a magnet to draw people from a really

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wide area of the city to this place. Kind of a gateway to the entire project. They'll come to Waterloo park for the event and begin to explore and discover other parts of the project. We also think this is a place where we can represent and cultivate the full range of the creative community in Austin and we want to use this amphitheater as a way to do that. It's about bringing people together around these creative endeavors. So that's what we're working on right now and we're developing the design and moving the design forward on all of those fronts so we can move towards implementation. Total cost is estimated to be north of \$200 million. It's a huge number. This is infrastructure that we're building and we also know it's to be built over time which is why we know it's built in phases. Phase one what I just described is around 125 million. We're going to be achieving this and implementing this through a variety of funding sources. There are some city and state funds that have been allocated to the project to date in the amount of 43 million. One million of that is through a state grant from the parks and wildlife department. There are bond funds provided through the 2012 open space bond as well as some funds that were provided through the watershed protection department. Waller creek conservancy is in the beginning phase of a 50-million-dollar capital campaign, so it's a significant number. One of the largest ever done in Austin, but we think the scale of the project demands that kind of philanthropic contribution. And we're also looking to other sources for funds. Including the developer community. The developers work along waller creek have a lot to gain from the benefits that will be built.

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The tif does not pay for any of the surface improvements, only the tunnel. So we think the developers could benefit to contribute and help make this a reality. We have been in discussions with them and they are actually amenable to it. They recognize the value that these surface improvements will make to their projects, so they want to be parts of the solution as well. So thank you very much for your time. I really appreciate so much of it. Appreciate all of the support that this council and the city has given into this project and taking on such a visionary idea for the future of Austin. And I'm happy to take any questions that you might have. >> Mayor Adler: It's a beautiful project. The vision is spectacular and the city is lucky to have you here give us what's happened at the hi-line, which I've been on many times. And along with thousands of other people. Thank you. >> I also want to thank you and this is -- this brings back old memories to me because I grew up playing and swimming at Palm Park and I used to explore the creek when I was little. We had so much fun and my brothers, we used to spend hours in the creek there so I want to thank you and I'm looking forward to seeing it transformed back to its natural way. >> Mayor Adler: Councilmember Houston. >> Houston: I also want to thank you. Since 2010 you have put more effort into outreach and into diverse communities than ever before, and you've really done a really good job. There was one event over at ACC campus, Eastview campus, so you've really tried to say to the community this is not just about downtown, this is about all of Austin.

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And I really do appreciate that. That's in my district. I drive through there all the time. I'm wondering about how work with transportation -- this may not be a question for you. But for somebody. Do you work with transportation. There's a road closure from Red River to Trinity and people because of the narrowness of East 11th Street going eastbound in the evening I use 12th Street to try to get home, but

now 12th street is closed. Have you talked with transportation about widening or allowing people to go through the two yellow lines to get to red river and then take a left so that traffic is not so backed up? >> We can't directly involved in the processes when they happen. I think we would like to have a greater role to the extent we can to help manage how these impact the developments in the city engage the community. So we can work with transportation. >> Houston: That's not part of the waller creek. >> No. The transportation work that's being done right now is not part of our scope. That's separate. >> Houston: That's all right. I'll talk to Mr. Spillar about it. Because that whole block, 12th street is well traveled, used, east, west, connectivity and seventh street backs up and people are angry because they have to go to 15th street, which is another mess. So if they would allow us to go in the turning lane and then turn left on red river we could get to 12th street and be happy. Rodney, are you going to do that for me? >> Robert Goode, acm is right behind me taking notes of the matter. We'll be responding to you. >> Houston: And it's also about coordination.

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If we're going to block off a major thoroughfare like that we need to find some other way for people to get east. Thank you. >> Mayor Adler: I also want to thank melba Whatley and tommy Meredith. These things only happen in the community when there are members of the community that are willing to step up and lead,. Your vision with this project and your initiating the project, bringing it to the community, leading by example to make this happen, you guys are such a resource and gift to the city in stepping forward on this kind of project. Thank you for that. Ms. Gallo? >> And he's -- >> Gallo: I was going to say exactly the same thing. It's so important when we see the successful private-public partnerships and they're successful because people step up in our community and we're so blessed with a community that has people that will do that. I just wanted to say thank you also. It looks like just an amazing, beautiful project. And I would imagine Austin that Pio -- and I would imagine that piy was probably more in trouble when he was playing in there. >> I'm trying to find him in our packet. >> Gallo: He's probably in there. I do have a couple of questions. On your funding page I noticed particularly Waterloo is very surrounded by UT properties and so I was curious if UT has stepped up to the table as far as funding with this? >> UT is an important partner for us obviously. They're engaged in a major capital project of their own. To date UT has not stepped up with funding for waller creek or for Waterloo. So -- >> Gallo: So we can help encourage that conversation. I think that is important because particularly Waterloo park is going to be an asset to the community that they're building there.

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And I think that as we look at the partnerships which are very valuable between UT and Austin it's important for the pathway of funding to go both directions. So I'm sure the mayor and I can help with that discussion too. >> I will say that we have been working with UT on a number of different fronts more programmatically in terms of potential research and more academic type of activities to support what we're doing with the project. They have been a great partner. I don't want to begrudge them at all. But to the extent you have ideas about that we are open to innovative thinking. >> Gallo: Two other kind of technical questions. On the amphitheater, what's the projected capacity for the music events there? >> That's a great question. So we're still looking at that and we're looking at both the programmatic side and also what we can reasonably accommodate in the park. I think that there are probably a couple different versions. There's a regular version which is in the 2000 person capacity and then occasionally we might want to do a bigger event that takes -- includes part of the lawn, et cetera, which would increase that to five to seven thousand. So it's not 70,000, but there is, I think, a lack of spaces in the city where we have real sort of structured infrastructure to support these kinds of major gatherings so we

want to try to provide that. >> Gallo: And it's really important as we look at the pressure of vic Mathias. I have to keep looking in my head that it's not auditorium shores, but vic Mathias. We have to look for the smaller events to move to. We're really appreciative of that. One other question. At palm plaza, I may be wrong, but is that not where the a.p.d.'s mounted patrol exercises their horses? Do they do that now? >> In palm park.

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>> Gallo: In palm park? Do you know? >> Not that I know of. >> Gallo: Where do they do that? >> [Indiscernible] Isn't at that location, right? I think we purchased some property not long ago to reestablish the mounted program, but -- pardon me? >> Renteria: They're going to put it at festival beach there where the firefighters had the emergency center. That's what they were looking into putting it. >> Gallo: I've seen horses exercising there that I thought were part of the mounted. Just a thought that the plan for the redevelopment doesn't look like a lot of horse exercise area. [Lapse in audio]. So you might want to have a little bit of coordination just to make sure they have alternate plans if they're still there. Although, it would be fun to have that there too if you could figure out a way to do that. All right. Thank you. Thank you so much and thank you guys. And thank your board for us. >> Mayor Adler: Anything further? >> One more thing. And this is just for the record and for those of us who are going to continue to call auditorium shores auditorium shores and lady bird lake. We're going to still do that regardless of what the name change is. That east Austin starts at the capitol. Just for the record, east Austin does not start east of austin. East Austin starts east of the capitol because that's the dividing line between east and west. So when we say east Austin, we're talking about everything that you're talking about. So the other part of that is are you coordinating with central health because they're going to have a huge development right across the street from you as well? >> >> We spent a lot of time with central health and Brackenridge advisory team, which is a multidisciplinary group that's working with central health. We spent a lot of time specifically on what's going to happen with the existing

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red river street, so as parts of the development the old red river is going to be reinstated, so they will reinstate the grid through the sight. The existing red river street will become basically pedestrianized, so it will be a promenade that's an edge condition between Waterloo park and the development. This was very important to us to get to be part of the plan because we think it's really a good separator between the development and the park, but would still be retained for public space for bicycles and pedestrians. >> Houston: Thank you. I've walked the hi line as well in New York City, so when you say 70,000 people - not 70,000, but 10,000 people trying to get in Waterloo park, the issue for me then becomes how are they going to transit there? So hopefully we're having more conversations about how we get it two thousand people into that space and then how we get the 6, 7, 10,000 people into that space. >> Absolutely. We have the benefit of some fairly robust parking to the west that is used for events with the state parking lots. Obviously we don't want to rely on that completely. So I think we're going to be working more directly with capital metro to figure out how we can dove tail our routes and efforts with their schedules to make sure as company opportunities to get to this site are provided. >> Houston: Thank you. >> And I can say as the city's partner coordinating with the effort helps out a lot with UT, with Brackenridge, with the other entities such as UT. >> Mayor Adler: Okay. Ms. Pool? >> Pool: Thanks. I wanted to thank peter for coming today and also Ms. Whatley and Meredith and the folks on the staff for the good work.

[9:59:29 AM]

The long range vision at the time this started no one was talking in definitive terms about lowering I-35. And that conversation has now shifted and when we look at what this would offer and think a little bit further into east Austin where I-35 is the barrier, now if that were to be eliminated, that would change the entire feel of that part of our downtown area and open it up for a lot of active recreation and biking and walking and just being outside and enjoying Austin. So to the extent that 10 years ago that would be part of the conversation, you guys have a great vision and I appreciate you pushing that Boulder up the hill and I also appreciate the long range -- the long-term commitment that I hear from you all as well. This isn't something you're going to abandon in five years. You're in this for the long haul. I appreciate that too and I think the city so thank you. >> Mayor Adler: Mayor pro tem? >> Tovo: I'll add my thanks too. I think this is a tremendously exciting vision, and I'm really so -- just so pleased to see it presented in this fashion, and I want to thank both the Waller Creek Conservancy founders and board as well as you and the rest of your staff, Peter. You know, one thing I think that's -- I had an opportunity before I served on council to serve on the Waller Creek Citizens Advisory Group -- or commission, and one of the things that was really up in the air at that point was what kind of project this was going to be, and there were concerns it might end up looking like the river walk and, you know, be a whole different kind of project, and I just think one of the tremendous successes is that it is so focused on restoring nature and really being an Austin -- really reflecting the values that are so important to Austinites. And so the vision is really -- is really exciting, and it's really

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responsive, I think, to all of that community feedback from way back when. And I should thank the staff too because I know they've been at it, Mr. Pentali and others from the very beginning. I also think it's really important that you included Palm School in here and this is something I hope we'll have more discussion about. I know council member Renteria and I are serving on Commissioner Gomez's work group. This is central to the success of that part of the project and so I hope that as a council in partnership with the county we can really talk about how that site can serve -- serve that project and the whole community. But too, I want to echo council member Houston's, the point she made about the good outreach you're doing and making sure that everyone in the city understands that this is their project, not just those who are in close proximity. >> I just want to say the fact that you feel that this is reflective of Austin values is the greatest -- the greatest compliment that we could get. So I really appreciate that. It feels that way. >> Mayor Adler: Ms. Kitchen? >> Kitchen: I wanted to add my thanks also, and I know also that you all have been available to assist throughout the city with other park efforts in the neighborhoods, and I have appreciated that offer before. I don't know if anyone has taken advantage of it now, but I know that you're a resource for the whole city and for some of our other parks throughout the city, so I appreciate that. 'S. >> Yeah, we -- I've spent some time getting to know, you know, other members of that community, and it's -- again, it's one of the things that's so impressive about the city, is how many people are engaged. And so to the extent to which we can function and share best practices, et cetera, is -- we want to do that, and, you know, move all of our projects forward. So.... >> Mayor Adler: Okay.

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All right. Council, we're going to go into executive session so that we can handle that item so that council members who need to leave are able to do that, and then we'll come back out. So we're going to go into closed session to take up one item, pursuant to section 551.071 of the city code, city council will

discuss legal issues related to the following items, item E 2, legal issues related to general obligation bond election. Item E 1 has been withdrawn. There's no objection. We'll recess and go into executive session.

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[Executive session]

[10:38:41 AM]

[Executive session]

[11:34:50 AM]

>> Mayor Adler: I think we have a quorum in the room. So we were in executive session where we handled item e-2. We are now out of executive session, back. I would parenthetically note for anybody that's watching this on TV, the executive session with e-2 was a general conversation about bond financing. And nobody should take that as an indication that we've decided to do a bond. That's what the discussion is about over the month of June, but it was good to learn some of the legal parameters associated with that so that can be part of what everybody is considering when deciding what to do with anything next. So we're going to pick back up on the next briefing that we have. >> Good morning, mayor and council. Janet good educational, city clerk. I have with me a staff attorney from the law department, gob gets from the office of the -- bob gets from the office of the city clerk. I'm going to hand it over to Cindy and bob who have been working on this project. Cindy has been spending a great deal of time doing research on what other entities are doing in this area. And then bob is our technical expert on how to actually implement any of the changes. And then we'll have time for questions. >> Mayor Adler: That sounds good, thank you. >> Can you hear me? Cindy Thomas, assistant city attorney. I'll be doing the first part of the briefing today. You should have with you as well a copy of a summary table that summarizes the different sections of code that will be amended or added. And also a copy of the draft ordinance.

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So starting out by way of background, in December of last year the council passed a resolution that directed the city manager to review direct campaign expenditure disclosure laws from other jurisdictions and have a direct campaign disclosure ordinance to bring back for council consideration. So we're going to start out with a little bit of terminology explanation. What's a direct campaign expenditure? A direct campaign expenditure is essentially an election related expenditure that's not made by any candidate for office or that isn't coordinated with any candidate for office. So essentially it could be something like a political ad that's put out, but is completely independent of any candidates. It could include an expenditure that's intended to influence a council election, it could also be an expenditure that's intended to influence a ballot measure election. Another term that's a new term that the proposed amendments would add to city code is the term covered transfer. Generally speaking, a covered transfer occurs when a person makes a contribution, which is essentially a transfer, of money or something of value, to a second person with the knowledge that the second person is likely to use the contribution to pay for a direct campaign expenditure or use the contribution to transfer it to another person who will pay for a direct campaign expenditure. We'll get into more details on the proposed amendments and the definition of covered transfer later, but that's just a general overview. There's a

little graphic that I made up to sort of help explain the relationship between considered transfers and direct campaign expenditures. So you'll see at the beginning of the graphic there's an individual, they're making a contribution so you see the dollar sign graphic. They're giving money

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to -- in this example it's a non-profit. We'll call it non-profit A. Non-profit A then goes and makes a contribution to non-profit B, maybe in the form of a grant between non-profits. In certain circumstances non-profit A's grant to non-profit B could be a covered transfer that would need to be reported. The non-profit B makes a direct campaign expenditure to put out, say, an ad like on a billboard that might support or oppose a candidate for council or might support or oppose a ballot measure. That's up for election. So under certain circumstances which we'll talk about in more detail later all of these things might be reported under the proposed amendments. The contribution by the individual, the covered transfer by non-profit A and the direct campaign expenditure by non-profit B. Continuing with our background I just wanted to give you a brief overview of the other jurisdictions that the law department looked at, identified laws and reviewed laws from about 25 other jurisdictions. With regard to existing laws that included existing federal law, Texas state law and regulations. State laws from about 21 other states that had laws in place. And laws from two municipalities outside of Texas. Those were New York City and Philadelphia. We also looked at some proposed laws, including the federal disclose act, which has not been passed, but has been proposed pretty much every year since the Citizens United decision. Proposed Texas laws including a bill that was vetoed in 2013 and some bills that failed to pass in the last session. And laws that are proposed in two other states, and those were California and West Virginia. So before I go into the nitty-gritty details of the proposed amendments, I just want to lay out

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for you in high level summary what is existing -- does existing city ordinance already do when it comes to direct campaign expenditure? So we have an existing campaign ordinance in chapter 2-2 of city code. Article 4 relates to direct campaign expenditure. So under those existing laws there's already a requirement that there be timely reporting of direct campaign expenditures that take place in a city election. In addition there's a requirement that someone disclosed the names of their top five donors and advertisements that are paid for in whole or in part with direct campaign expenditures. So that's what existing ordinance already does. The next slide tells us what existing ordinance does not already do. So existing ordinance does not require that a person who's reporting direct campaign expenditures also include information about their contributors or their donors in those reports. Existing ordinance does not require reporting of covered transfers, and existing ordinance does not require records retention with regard to direct campaign expenditures. So the proposed amendments that we're going to talk about in more detail now address these above issues and in addition the proposed amendments clarify some of the requirements relating to disclosure statements that need to be made in ads identifying those top five donor names. So the first main topic we're going to talk about is the proposed amendments relating to the existing direct campaign expenditure reporting provision of city code. So under the proposed amendment, someone who makes \$500 -- more than \$500 in direct campaign expenditures in aggregate in a city election would have to report the following information. And this is new information that current code does not require be reported. That is the name,

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address, occupation and employer of the person who's making the direct campaign expenditure. In

addition, under certain circumstances the person who is making that direct campaign expenditure would have to report information about that person's contributors. And that information would be the contributor's name, address, occupation and employer, and also the date and amount of each contribution that was received. The next slide will tell us under what circumstances that contributor information must be reported. So there are essentially two prongs that must be met in order to require reporting under the proposed ordinance amendments. The first prong is that the person must have received \$250 in aggregate from a contributor since the last general election. In addition, at the time of making that contribution, the contributor has to have reason to know that their contribution may be used to make political contributions or direct campaign expenditures or they have to have reason to know that their contribution may be commingled with other funds that may be used to make political contributions or direct campaign expenditures. If both of those prongs are met, number one and number two, then a person who's reporting a direct campaign expenditure also must report contributor information. The next topic we're going to talk about with regard to the proposed amendments is covered transfers. So the proposed ordinance amendment would add a new section to city code. That section would relate to recording of proposed covered transfers. This is where we'll talk about the more in-depth, more detailed information about what's a covered transfer and how does someone make a covered transfer. There are essentially two main ways that someone can make a covered transfer that has to be reported under the proposed amendments.

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The first way is that a person makes a covered transfer if the person makes a contribution, visual a transfer of funds or other value to another person and that first person discusses or requests that the contribution be used to pay for a direct campaign expenditure or to make a transfer to another person, a third person, who will pay for a direct campaign expenditure. The second way that someone can make a covered transfer is if the perp makes a -- if the person makes a contribution in response to a solicitation they've received that is asking for a contribution to pay for a direct campaign expenditure or to make a transfer to another person who will pay for a direct campaign expenditure. So, for example, if a person received an email and the email was asking for funds in order to pay for an ad, you know, opposing or supporting a council candidate in a city election, then if the person who receives that email makes a contribution in response to that, that could meet the definition of this second part of covered transfer. So those two possibilities are sort of the definition of covered transfer and this slide is going to tell us when someone has to report that they have made a covered transfer. Essentially if you make one or more covered transfers that meet the definition that exceed \$500 in aggregate in a city election then you have to file a report under the proposed amendments with the city. The information that you have to put in that report includes the name of the person making the transfer and their address, and if it's an individual their occupation and employer. Also the name and address of the person who's receiving the cover transfer. The date and amount of the transfer. The purpose of the transfer or a description of the

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transfer. And if the transfer is made for a direct campaign expenditure -- oops, we lost it. There we go. You have to report the name of the candidate or the ballot measure that is supported or opposed by the direct campaign expenditure. But that's only if at the time that the person is making the report they actually know that information. In addition, under certain circumstances a person making a covered transfer would be required to report information about their contributors. And that information would be the contributor's name, address, occupation and employer, and the date and amount of each those circumstances under which someone who makes a covered transfer must report information about their

contributors, are very Tim to what we discussed regarding contributors when you're reporting a direct campaign expenditure. There are two criteria that must be met in order for that information. First the person must have received 2-\$50 in agriculture general overview grate from a particular contributor since the last general election and in addition at the time of making the contribution the contributor had to have reason to know that the contribution may be used to make political contributions, direct campaign expenditures or covered transfers or maybe commingled with other funds that are used for those same purposes. Again, if both of those two prongs are met, then a person who is reporting a covered transfer also has to include in the report information about their contributors. The next topic we're going to discuss is -- has to do with disclosure statements. So there's an existing section in city code that requires someone to identify their top 5 donors or contributors'

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names in political advertisements, election eering communications or express advocacy that's paid for by a contributor in whole or in part. That's already in city code, but the proposed amendments would clarify that existing requirement a little better. It would establish additional criteria for when contributor names must be disclosed. Again, these are very similar to what we've discussed with regard to reporting of direct campaign expenditures and reporting of covered transfers. So if a contributor had reason to know that their contribution essentially might be used for political purposes, then their name could be reported if they're one of the top 5 contributors in the actual ad. In addition, the proposed amendments would create a few exceptions for this current disclosure requirement. There would be an exception for small items like bumper stickers or pens or buttons where it's really not practical to list the names of five people on there. There's not really room. In addition, it would create an exception for it flyers and circulars that cost less than \$500 to produce. >> Tovo: I don't mean to interrupt your presentation. I just want to clarify that sentence. So the small items don't need to cost less than \$500, it's just the flyers that need to cost less and the small items. >> Yes. Those are two separate exceptions. One exception is for small items upon which it's impractical to list the five donor names and the other exception is for circulars or flyers. Like hand bills. >> Tovo: I understood when you mean, I just wanted to be sure. >> So I'll move on to essentially the last subject matter related to the proposed amendments, and that's records retention. So the proposed amendments would add a new section to city code related to records retention. And it would require a person that retained

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financial records associated with the following things for five years. If the person reports a direct campaign expenditure, reports a covered transfer, or discloses contributor names in a political advertisement, electioneering communication or express advocacy. There are already record keeping requirements in other articles of chapter 2-2 of city code but there's not a records retention requirement in 4. So this would match what's in the other articles of the same chapter to article 4. The last thing I will talk about it before I turn it over to bob with the city clerk's office is enforcement. There are two primary existing enforcement mechanisms for enforcing provisions of chapter 2-2. And the first of those is criminal. So any violation of article 4, both the existing provisions and any new provisions that we would add to article 4 can be prosecuted as class C misdemeanors and that would have a possible 500-dollar fine. In addition, there's also a mechanism for civil enforcement of chapter 2-2 violations and that's that someone could file a complaint with the city's ethics review commission, they could have a hearing and possibly issue a sanction. It would be a civil sanction and they're only authorized to issue nonmonetary sanctions, but that's another possibility. So that's how one would enforce these proposed amendments, and that concludes my portion of the presentation. I'll turn it over to bob Goetz to talk

about implementation. >> Good morning. I'd like to talk in my part of the presentation about what these proposed changes mean for those who actually have to file these reports. And what it will mean for the clerk's office to implement the tools that will be necessary for people to be able to meet these requirements. And I'm going to borrow some graphics from

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Cindy's presentation, so the first thing to talk about are the reporting requirements surrounding direct campaign expenditures. So here we have an individual or entity who is making a direct campaign expenditure, in this case a billboard that was paid for via a direct campaign expenditure. The individual or entity who made that expenditure would be required to file the atx 1. This is the direct campaign expenditure -- the direct campaign expenditure would be required to disclose their name and address. That's a current requirement. Something new, which I've highlighted here in red, is the revisions to the ordinance would require the filer to disclose their occupation and their employer if they're an individual. They would also need to provide information about the nature of the expenditure. Again, as Cindy mentioned, there's a 500-dollar aggregate spending threshold, so when that threshold is met or each time that threshold is met, the filer would need to provide the name and address of who they gave that money to, the date and amount that was spent, the purpose of the expenditure and the candidate or the ballot measure that was supported or opposed by that expenditure. Now, if the person or entity that made that direct campaign expenditure itself received money from a contributor, they would also with these proposed changes be required to disclose information about those contributions. There is -- in the draft ordinance there is a 250-dollar aggregate spending -- receipt threshold and if contributions are received that meet that threshold, the filer would have to report the name and address of the person they received or entity they received that money from, the occupation and the employer if that contributor was a person, the date received and the amount

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received. So these are new requirements that would be added to the current atx 1 form. Now moving on to covered transfers, let's say that the individual who is making the direct campaign expenditure has received that from an entity or individual who is making a covered transfer that meet the definitions that Cindy laid out earlier, that person or entity would be required to file a report. Now, this would be an entirely new report that doesn't currently exist. We're tentatively referring to it as the atx 8 since that's the next number in the sequence that we would refer to as the report of covered transfers. This would require the person or entity making a covered transfer to disclose their name, their address, if it's an individual their occupation and employer. They would have to disclose information about the transfer they made, that is, outgoing funds, the name and address, the transfer date and the amount, the purpose of the transfer, as well as the candidate or the ballot measure supported or opposed if it's known at the time they make the transfer. If they in turn have received contributions or transfers they also need to report the source of where that transfer came from so they need to report their contributions. This has a 250-dollar reporting threshold. They would need to disclose the name and address of where they got the funds from, its occupation and employer and date received and amount and so on up the chain. If those transfers were received from other transfers from other transfers, so each link in the chain would trigger a reporting requirement to file this new atx 8 report. I think it bears

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pointing out at this point that, for instance, by adding the requirement to report contributions that

supported direct campaign expenditures on a single report, does not necessarily suggest that those specific funds were used to make those specific expenditures. So in other words, a person who intends on making a direct campaign expenditure may be collecting contributions which would trigger the reporting requirement to disclose those contributions, but they may not spend that money until a future time, which would happen on a later report. -- Which would appear on a later report. So it's not necessarily the case that the funds received and the funds expended would be on the very same report, but looking at the history of the reports filed by an individual or an entity, a person looking at the data could presumably extract that information. So in terms of what we in the clerk's office will need to do to prepare for those changes, in order to accommodate the new reporting requirement for direct campaign expenditures, will require modifications to the existing atx 1 form in order to support collection of data related to the contribution information. And as you may recall from recent discussions, we recently did a major overhaul of all of the atx forms and we've actually turned them into fillable PDF's that are in a sense a mini database that allows us to collect that information. We have an extraction process that pulls that data out of those forms and loads it into our campaign finance database, validating it, verifying that all the data is there, which then in turn allows us to publish it on the city's website in the data portal. So we would need to make some adjustments not only to the form, but to the programming that is

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built into the form. The programming that extracts that data out of the form and loads it into the campaign finance database as well as some changes to the datasets that are currently published on the portal. So there's some work for us in terms of expanding the scope of the current atx 1 form. For the reporting requirements surrounding covered transfers this of course needs the requirement of an entirely new form that doesn't exist so we would need to build the new form which we're referring to as the atx 8. We would build a new data validation process, a new tool for pulling the data out of that form and new tools for being able to publish that data on the public's -- on the publicly accessible database. Of course, both of these forms, once finalized, would need to go to the ethics review commission for their review and approval. So our proposed timeline for completion of these, assuming council approves the draft ordinance as written on June 16th, we would begin making the required changes to the atx 1 form as well as the programming changes and the database changes to be able to gather that data, extract it and publish it, with the goal of presenting that form to the ethics review commission at their August meeting. >> If the form is approved by the ethics review commission, we would then publish the new form as well as the instructions for how to file those forms. Our goal would be to get those out on the public web site by September 1. As for the new form, the new atx .8 form to cover transfers, this needs work. We're building something that doesn't exist. Our recommendation is to

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phase in this requirement for implementation in January of 2017. So we would begin making the creation, rather, of the new atx .8 form as well as the programming and the coding required to capture the data and publish the data with the goal of presenting that to the ethics review commission at their December or their January meeting, assuming they approve -- assuming they approve the form we would roll that out into production and make it accessible on the public-facing web site in January of 2017. So as far as the next steps, as I mentioned, you'll be considering the draft ordinance next Thursday. Assuming that it's approved, we will move forward with making the amendments to the existing atx .1 form and begin the work of building the new atx.8 form. We'll create instructions for filers so that they'll know what to do as far as the new contribution reporting requirement as well as the

covered transfers. So are there any questions? >> Mayor Adler: Any questions? Mr. Casar. >> Casar: I have an implementation question. While I would hope and assume that most folks that have received contributions or covered transfers for their direct expenditure campaigns would have all the information about who has contributed to them in the past, acknowledging that this would be -- would be new rules, how do we handle the potential or possibility that folks have gotten those transfers or solicited money and gotten money but because the law -- these rules weren't in effect don't have those records, if we encounter that, how would our ordinance -- proposed

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ordinance deal with that? >> I'm sorry. >> Casar: So we're asking for folks under this ordinance, in my understanding of it, to be able to report contributors to funds that make direct expenditures. Considering that these rules would be new, I could -- I could expect that most people would still have receipts and have records of who contributed to their fund, most likely, most professional operations would probably have that. >> The question is would they be required to disclose receipts of contributions that occurred prior to the effective date of the ordinance? >> Casar: Exactly. I would imagine that you might have a fund that's \$200,000 because you've been getting contributions to it for years. We pass new rules because we want to know who's contributed to that fund and I think that's reasonable, and I think that most folks send their thank you notes out and to call their donors probably have the list -- would have no trouble complying because they probably have all that information, but in the case someone did not, because these are new rules, I just want to understand that, that possibility. >> Sure. >> I think this is probably more the legal question, and so I will let them answer the question. >> The rule is a go-forward implementation, so you wouldn't have to look backwards and produce information. It's just to go forward if the council were to pass this. >> So what the ordinance explains, then, is contributions made after the passage of the ordinance, whether it be a covered transfer or a direct campaign contribution or expenditure. That's when you need to start recording that information. Okay. Thank you. >> Mayor Adler: Yes, Ms. Gallo? >> Gallo: Page 6, I think it's 6, where you're talking about the background from other jurisdictions. I just wanted to understand, when you list Texas, is that Texas municipalities or is that just the state of Texas? >> That's the state of Texas. That would be current state

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law, current Texas administrative rules passed by the Texas ethics commission. >> Gallo: Okay, and so the only two municipalities you listed that were outside of Texas, did you look at any other municipalities for their -- for their existing regulations in the state of Texas? >> I looked at other municipalities in Texas and talked to some attorneys with other municipalities, and it didn't appear that any others had quite done what it seemed like council was asking us to bring back with regard to the resolution. They might require something similar to what we require in existing code, which is reporting if, say, someone made an expenditure but they wouldn't require reporting of persons who made the expenditure. >> So as far as you can tell there are no other municipalities in Texas that are doing this to the level we're proposing? >> Correct. That's what my research showed. It's possible I might have missed one or two, but I was not able to identify any other municipalities in Texas, so you guys very likely might be the first. >> Gallo: Okay. And so then another question. It looks like the ordinance -- the resolution that passed at the end of 2015 to direct the city manager to look at doing this and come back, it says develop a comprehensive direct campaign expenditure to disclosure ordinance for council, and so I see the first portion being the direct campaign expenditure, but then it looks like it's broadened to do covered transfers also. >> Right. >> Gallo: Was that part of the original -- >> Yes, the original resolution

did have a provision listed. The term that it used was regulate covered transactions, and means to use multiple entities to evade disclosure. When I looked at other jurisdictions that had similar laws in place, they just used the term covered transaction. I didn't any that used covered transaction.

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So that's what we adopted is the covered transfer term, but it was something that the resolution specifically mentioned, so that's why we included it. >> Gallo: Okay. Thank you. >> You're welcome. (Indiscernib (indiscernib LE) Thank you very much. >> Thank you. >> Mayor Adler: Council, it is noon. We have eight items that have been pulled. Do you want to keep going? Do you guys want to break for lunch? Do you want to have a conversation about Thursday's meeting? I won't be here. Ms. Garza won't be here and Ms. Kitchen also will not be here. We'll all be in D.C. For the smart city presentation. >> Gallo: Which the three of you are going to be wonderful at your presentation. >> Absolutely. >> Gallo: And not even close to the competition, right? We're counting on you. >> Mayor Adler: Mayor pro tem. >> Tovo: And so, you know, I just wanted to talk for a minute about logistics, and if now is the appropriate time to do that, maybe we should dive into it. I think it's been helpful when we've talked about the agenda more generally on Tuesdays about what items we think we might pull or what items might be of concern. It's my understanding that any item requires six votes to continue on -- or to pass -- to continue on to second reading if it's an ordinance or to pass if it's a regular item. So I hope that we can be flexible about making postponements to give our council members, our colleagues who are out of town the ability to weigh in on those. So that's really my comment. And then with regard to the items that I pulled, one of

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them I just wanted to indicate that I am reluctantly going to be postponing the affordable housing trust fund, to wait for our colleagues' return on the 19th, or whatever the next week is. The 16th. >> Can you give us the number? >> Tovo: Sure. >> It's no. 43. >> Tovo: Thank you. And then I pulled my other two items just to get a sense of whether there were questions, whether those were things people felt they had enough information about or whether those would need to move forward at a later time too. That's not the conversation I know we're having right now. But anyway, generally I just thought we should talk about logistics for Thursday. It's my understanding that the staff have postponed some things and I know we've probably all heard from applicants who want to wait for a full dais, and so I'm not sure where that leaves us in terms of the items on the agenda itself, but just a heads-up. >> Mayor Adler: Okay. And I think we reaffirmed last week the question of if a council member wasn't here we were giving them accommodations, so I would hope that if someone requests that, that it would be granted in our absence. Do we want to run through the items, then, on the agenda? Are there comments about this further? Okay. So the items we have on the agenda, let's run through them. Housing trust fund was 43. You're going to put that off. Do you want to talk about it or go to item no. 46, is the waiting period? >> Tovo: I just wanted to say again, it's really a top priority of mine to make sure that we get an opportunity to consider this this month, and so I am going to push it back a week but I really hope that we can consider it and pass it next week. I think it's really critical. >> Mayor Adler: We're going to hit the other ones, item 46, related to the waiting

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period for alcohol, withdrawn or indefinitely -- >> Tovo: This is something I talked about on the dais on the day we had an alcohol waiver that was withdrawn and had previously been indefinitely postponed. I

think I've got that right. This is -- this would make consistent with some of our other regulations a waiting period. It would impose a waiting period which would be consistent with other practices we have at the city of Austin. I will say you'll see in the resolution, because it's not -- because it's not the kind of ordinance that has to go through the planning commission, it's my expectation to bring forward - - to our staff to bring forward the ordinance the following week so that we can, I hope, get this in place immediately. So the if council would rather have those two together I'm happy to postpone the resolution one week and have it come forward with the ordinance. The staff -- we just had that discussion too late to have the ordinance available for Thursday, but I think it's an important measure and I'd be happy to hear your comments about whether you agree. >> Mayor Adler: Ms. Gallo? >> Gallo: Thank you for starting that conversation. We have talked about this each time a waiver comes before us. We've talked about that this is a process and a discussion that the school districts, I think, need to be part of, because I think part of what we are doing is helping to protect the areas around their schools. So have you had a chance to reach out -- I mean, I do think that this is a broad conversation and that there's lots of issues with the alcohol waivers, that we have continuously said we need to pull the school district into those, into this discussion. So is it -- are we going to try to kind of -- I don't want to say piecemeal, but are we going to -- it seems like that at some point we need to sit down with the school districts and talk about the alcohol waiver issue, and so I just want to make sure that we're not kind of continuing to do things on this without having that broad stakeholder conversation. So if you could help me kind of understand where your thought is on this. >> Tovo: Yeah.

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This resolution does not attempt to look at the criteria we currently use or redo how we consider those waivers. So, you know, at this point, as you know, we do typically hear from aisd. I can't recall an instance where they haven't opposed an alcohol waiver. I know that tends to be their position, but again, I'm not -- I'm not suggesting that we look at the requirement under which we wave the prohibitions or anything else. This would simply add an ordinance requirement that if you have a situation where somebody has withdrawn that waiver, they have to, like other zoning cases -- they have to have a waiting period before they can come back again, and of course this isn't -- we experienced this recently with regard to the torchy's alcohol request and it was the first time I think -- again, I'm suddenly not having the details right. The first time they indefinitely postponed it, the second time they withdrew it, and one of the concerns I certainly heard from at least parents at the school is that it could come back at a time where they're not in session and as a school community they have -- they have an interest in weighing in on that. And so, you know, this is strictly looking at the waiting period to make sure that we don't have cases where we're seeing them withdrawn and then coming back after the community is disbanded for the summer or is otherwise less organized than they were at the time it was scheduled for council review. Does that help? I think the conversation about alcohol waivers and the criteria and the distance required -- I think that is a much broader discussion and not one I was wanting to prompt right now. >> Houston: Mayor? Mayor, pro tem, we could bring that particular piece of that up in the joint

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subcommittee meeting at some point. >> Mayor Adler: Any further discussion on this item? The next item was 49, the historic properties and the compatibility standards. >> Tovo: This too I just pulled to see if there were questions, again, in trying to determine whether to keep it on the agenda this week or whether there are questions people want to have answered. I want to be really available and responsive to answer questions, you know, in part because we do have a reduced council on Thursday and every vote matters. So.... This is really kind of clearing up a glitch that was noted when a property came before

the board of adjustment for an interpretation. It did not -- because it was historic it didn't trigger compatibility, and I haven't heard a good -- I don't believe there was a rational reason for having those not trigger compatibility. I believe it was an oversight, and I think Mr. Rusthoven is here. So maybe he can weigh in on that. And also, if you would tell us whether staff are recommending this change. >> (Indiscernible) The planning and zoning department. You're correct, mayor pro tem, we were unable to figure out a reason for this exemption being in the code. We did ask a few people and no one could recall why. If we had to venture a guess I would say it was to probably allow properties that were zoned historic that were on larger properties to be able to redevelop a portion of the property without being subject to compatibility, but that is just a guess. Staff would support the amendment. It would actually solve a problem that we are intending to solve anyway with regard to local historic districts, where the same provision I believe inadvertently waives compatibility in the entire of a local historic district. So we were intending to correct it anyway. This would solve that problem as well.

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>> Tovo: Thanks. >> Mayor Adler: Any further comments on this item, 49? Okay. Ms. Houston, you pulled some items. You had license plate, no. 36, body cam, 37. >> Houston: And 38, the -- >> Mayor Adler: And 38 and 54. >> Houston: I was just (indiscernible) To my colleagues that I'll be pulling these items on Thursday because item 34 -- hold on just a minute. Hold on. That's not it. 38. >> Mayor Adler: Do you want to do these in different order? >> Houston: No, hold on I hold on. >> Mayor Adler: 36 was the license plates, 37 was body cam. 38 was smartphone. >> Houston: Because 53 is -- those are all under consent, and item no. 53, to convene a stakeholder meeting regarding the public had body cameras is no. 53 under consent, and I think we need to have a discussion on 53 before we vote on 36, 37 and 38 on consent. So I'll be pulling those on Thursday. >> Mayor Adler: Okay. That's all, prayer pro tem? >> Tovo: I'm -- mayor pro tem? >> Tovo: I'm sorry, I needed to have that written down and I want to be sure what you said. You think we should have a discussion about 54 before we talk about 36, 37, 38? >> Houston: Before we pass them on consent, right. >> Tovo: Okay. Thank you. >> Mayor Adler: I think what she said, we should have the discussion on 53 -- >> Houston: First. >> Mayor Adler: Before you have items 36 -- >> Houston: Before we vote on -- >> Mayor Adler: Got it. Okay. >> Houston: Thank you, if I didn't say that. That's what I meant. >> Mayor Adler: And then you also pulled item no. 54.

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That was the -- >> Houston: And item 54, neither mayor pro tem pool but council member Casar is here, the timeline is really too quick the way this resolution is written, and so I'll probably be making an amendment asking that we have more time for the city manager to get the kind of information that we've asked for and get back with an update. This looks like he's supposed to resolve it and it was about conversation -- the conversations were to be initiated and not any kind of decision to be made, and two months is just not enough time to talk about the esd 4 being absorbed by the Austin police department - - I mean, Austin fire department. So I'll probably be asking for an amendment to give the city manager some days to work this out -- to have those conversations. >> Mayor Adler: To have more time than what's noted in the ordinance, which is July 22, I think, in the middle of the budget. >> Houston: It's July 22. >> Mayor Adler: Mr. Casar? >> Casar: Council member Houston, I would be amenable to such an amendment as long as we make it clear that if they have some information, can give us a check-in in late July as the budget is being assembled, that that would be helpful, but obviously if the work is incomplete and there isn't valuable information to relate to us -- doesn't have to be relayed -- long story short, I agree if they need more time to get a good work product and more conversations let's give them the time, but if they can give us an update end of July, then I think we kind of get the most of boss worlds. If

that is amenable to -- >> Houston: My staff is overwhelmed about this time, and so when I think about how much we're asking for the staff that supports this to do, they said two months was not enough time and in order to even begin to have

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conversations they'd need at least 90 days to begin to start that process, and that's in the middle of a budget session. So if you have something, bring it back. If you don't, I want them to be able to feel comfortable in saying we are not ready to bring anything back, but this looks like they were supposed to bring something back on July 22. >> Casar: If you craft something with that intent I'd be very supportive of it. >> Gallo: I was going to say, this definitely impacts district 10. Esd 4 has been the topic of a lot of conversations, neighborhoods who are impacted by that, so I would proasht support an appropriate timeline but I want to make sure we're progressing on that timeline and not just delaying the beginning of it. So we would love to work with your office to kind of figure out some timeline accomplishments that we could do to make sure the conversation continues. So thank you. >> Mayor Adler: Mr. Renteria, you pulled item no. 66? >> Renteria: Yes. I really wanted to get some information. I wanted also to invite my colleagues to -- you know, to share their thoughts or concerns about this important item. You know, I think we need to really have a conversation surrounding the affordability, environment, and development standard in our low income aging community. You know, yesterday we heard from the staff of the community development community about the need to fill the gap of the 30% mfi or below housing in Austin. Affordable housing finance is very difficult, but I hope that we could find a solution here for Rebecca Bane Johnson so we could restore expanded service for low income seniors in our community, and that's why I'm asking for the staff to give me some -- to answer some questions that I need. And one is going to be how did they determine the water quality standard and the affordability requirement in the staff recommendation, and I have some other questions, and plus I'm going to be asking how many

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units currently serve low income seniors at Rebecca Bain and what other current mfi. I'll let you start there. >> I'll kick it off and then I'll pass it off to Mike and Betsy. Jerry rusthoven, planning and zoning. The ordinance before you was from the planning commission and that reflects Numbers with regard to affordability that at one point was presented by the agc, the Austin geriatrics center folks to us. Subsequent to that they have proposed a new set of Numbers, and that was discussed at the planning commission, but the planning commission chose to stick to the original set of Numbers, which is 310 units at 60% mfi and 140 at 30% mfi, along with several other conditions. The impervious cover, which Mike can address, the resolution passed by council back in December contemplated a 78% impervious cover limit. However, the amendment was added to the resolution directing the staff to try to get that number down to the lowest extent feasible, and since then the owners of rbj have come back with a proposal for 68% impervious cover. So that is the ordinance that's in front of you, are those two main Numbers, along with the mitigation for the impervious cover and some additional requirements with regard to parkland. So that's what the planning commission passed for specifics the on impervious cover. We have Mike Kelly from watershed protection and Betsy from neighborhood housing community development. >> Good afternoon, mayor, council members. Mike Kelly, watershed protection. As Jerry mentioned there's two parts to the last part of the resolution to identify any strategies available to the maximum extent feasible to meet current code for impervious cover and water quality.

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So there's a percentage of impervious cover with our goal being to say yes, this is the minimum necessary to meet the objectives of the project, and number two, once that percentage is achieved, to figure out the strategies on-site to treat the storm water before it goes into lady bird. So we've successfully completed the second part, which is maximizing the amount of storm water controls on-site to meet that objective at 68% impervious cover. We're currently still engaged with members of the agc team to figure out that number of 68%. We're in a back and forth asking about different development scenarios to be able to clearly demonstrate that, yes, this is the minimum amount of impervious cover needed which would satisfy the maximum extent feasible. So we're -- those discussions are ongoing. >> Renteria: The other one is for -- this is for jerry. What is the restriction on the building in relation to the neighborhood planning code? Is there any restriction on the development? >> This is a -- this item is an ordinance/amendment -- I'm sorry, code amendment that would address within the -- water for an overlay that if you performed certain things, specifically with regard to affordable housing and mitigation, that you could then get an increase in impervious cover. Overall development regulations beyond that are regulated by the zoning of the property, and the property was zoned -- I believe it was about two years ago now, it was rezoned to cs-mu-v, which roughly speaking allows for 60 feet of height. The impervious cover would be addressed probably through this ordinance where -- were it to pass. It allows for an unlimited density under the vmu provisions. In exchange -- and reduced parking and reduced setbacks and all that would be an expaing if they participated -- exchange if they agreed to the vmu,

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affordable house, which would be covered by what ne already do or would be -- they already do or would be contemplated to do in this ordinance as well as providing mixture of mixed use. This is lay on top of the vmu and adjust the impervious cover on top of that. >> Renteria: Can you let me know what the position -- I mean, can you tell me about the objection -- the developer's objection to the staff recommendation? >> Well, at this point I can say the staff does not have a recommendation. Frankly it's something that we are still working on. We did originally agree to this original set of Numbers with regard to the affordable housing, the Numbers that I read earlier. However, when the -- when the agency proposed a different set of Numbers that had less affordability, we became concerned, and I believe that that is the reason why we're still having ongoing discussions, and at this point are not recommending it but hope to have an answer for you by Thursday about that. >> Renteria: And can you -- can you tell me how many units they currently have and what they're proposing for -- what mfi they're at? >> I apologize, current or what they're proposing, or both? >> Renteria: Current and proposing. >> Okay. What I'm showing here, and I apologize, if I say this wrong, I'm looking at everyone behind me. Currently there are 80 units at 30% below, 28 units at 40% and below, 18 units at 50% and below, 14 units at 60% and below, and then 7 units which are market rate or above 60%. >> Renteria: And what's the proposed? >> The proposed is 40 units at 30% below. 100 units at 50% and below -- >> Did you have the ordinance in front of you? The different breakdown? >> And 310 at 60% mfi.

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>> Renteria: Can you speak about -- I know there was concern about section 8, that they were going to expire in August '17. What's going on with that? >> What the developer has explained to us is there is currently what's called a hap program, housing assistance program, and that's a contract with hud, and that often is -- requires extensions and/or approvals every five years. That currently is in place. One of

the developer's concerns has been should the federal government change the hap program and not be available in the future? That is part of their concern in committing more than the 40 units at 30%. Historically we have never seen the hap program not extended. What has occurred in the last couple years is that hud is no longer issuing new hap contracts, but we have not seen that they have eliminated that program. None of us can know for sure what they're going to do with that, but I can tell you it's one program that I think has been relatively consistent in maintaining, but I cannot speak to the future of that program confidently. >> Renteria: Are you -- can you discuss the other part of the -- the development that's going to go on in the tracks around it? My understanding that there are -- are going to sell off some of the tracts, and once they sell it off there would also be under the -- under the existing zoning that's there. Are they also going to be under the 60-foot height under the Vu -- >> Yes, the entire agc property has a cs-mu zoning. Were this code amendment to pass, of course, and were they to meet the other conditions they could receive the higher level impervious cover.

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My understanding, and I think that they could -- they do -- the agc folks better to the specifics of the project, but the plan is to basically sell -- sell some of the portions of the properties off and make them available for market rate housing and use the proceeds from that to both pay for the refurbishment of the existing rbj tower as well as provide some additional affordable housing using both the proceeds from that as well as possible, other sources of funding. >> Renteria: Thank you. I'll listen to other -- I'll let other colleagues ask questions, their concerns or questions. >> Mayor Adler: Ms. Houston? >> Houston: Thank you, mayor. This is new information for me, so I need to go back and get some history. It's my understanding this is an 18-acre tract. Is that correct? >> Yes. >> Houston: Why didn't they go for a planned unit development? >> I believe that that was one option that they could have pursued. Again, we're not talking here about a zoning case or a specific piece of property. What we are talking about is a subdistrict within the waterfront overlay called the vessel beach subdistrict and we're talking about if someone happens to own property within that subdistrict and they meet the conditions of this ordinance, they would be able to benefit from the greater amount of impervious cover. It happens that the rbj property is within that subdistrict, but this is not -- this is not a code amendment that is specific to a piece of property. It's specific to a district. But the -- there were two other options -- >> Houston: I'm not asking about other options and what were the benefits of going this way versus going through a planned unit development. >> There were two other ways they could have gone about them. One would be go to the environment board and sought a variance, which is generally thought to be a difficult thing to do. You have to be able to prove a hardship and they chose not to do that route. The other one would be planned unit development through a pud.

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The disadvantage would be the length of time it can take to do a pud as well as, you know, with a pud you have multiple city departments requesting things to achieve superiority, and then they would ask for some modifications to the code. You know, this could have been one of them, the increase in impervious cover. So I think that they could maybe better address why they chose not to do a pud, but if I had to guess it was probably just fear of the process. >> Houston: Thank you. >> Mayor Adler: Further comments? Mr. Casar? >> Casar: When we talk about the minimum amount of impervious cover feasibility, is that within the context of the minimum amount of impervious cover available to achieve the housing goals in the project? >> That's correct. >> Casar: And that's what has been determined at the 68% level on the city side? >> That's been presented by agc to the city and so we're trying to look at little tiers of sensitivity to look at, well, what happens at 50, what happens at 55, to look at that tipping

point to really be able to fine-tune and say yes indeed, this is the amount that is needed for the financing stream to work to accomplish the goals of the project. >> Casar: And that's happening between here and Thursday? Correct. >> Casar: Okay. And then just a way that this might be framed up for me to best understand and perhaps others in the community, maybe even others on the dais, if -- if we do have some difference between agc and the staff's recommendation, if it could be a little bit more clear for me at least what might happen with regards to water quality or the housing if there isn't a variance at all, what might happen with regards to the water quality and the affordability under staff's recommendation versus the applicant's deal. And then also there is that uncertainty that council member Renteria mentioned, what -- what happens with regards to the water quality

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and the affordability if a variance of one form or the other is granted but the hud 15-year contract or whatever it is doesn't -- doesn't continue. What happens with regards to those things and that contingency? Just so that we understand sort of the paths and can make a best policy decision based on some recommendations to -- I know we can't always be sure of what's going to happen but just your best estimate so that we're making decisions -- >> I can say generally speaking -- I understand your question. We'll have to think about the answer more, but generally speaking were this amendment to pass it would create a situation where if someone could comply with the conditions of it, the affordable -- affordability levels, then they could take advantage of the impervious cover. If for one reason or another a property owner within the district, be it agency or anybody else, could not take -- could not meet those requirements of affordability, they would not be able to receive the benefit of the increased impervious cover. >> And again, this is actually the first time I've asked this question. I haven't asked it of them, but my question is, is there a chicken and the egg issue related to this on the -- if you -- whether or not people know they can get the contracts to get the subsidy from hud is related to whether they can build the project at a certain level of impervious cover? Are these things interrelated? Because I don't know how the hud financing works, so I'll ask the question. >> So the developer has indicated that the Numbers that have been presented are based on the consequence if they are not able to renew the hap contract. That's what's been articulated to us. And I'm going to look to you two, but in regards to the impervious cover, what has also been described is that if they do not -- if not for this waiver, then they will not be able to do the affordable housing. And so there is, I guess, a chicken or egg in the sense that if they don't get one, they believe that they can't

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get the other. I can't validate that yet one way or the other, but that's what has been articulated. And also if not for the reduction -- or the impervious cover issue being resolved, it impacts their ability to sell the piece that they want to sell for the value that they need in order to put the -- those proceeds back into the project would then produce the affordable units. >> Casar: Understood. And I think I may have some follow-up questions between here and Thursday to make sure I understand, but I think I get the gist of it. >> Very good. >> Mayor Adler: Mayor pro tem and then Ms. Houston. >> Houston: Go ahead, if you have to ask anything. >> Tovo: Thanks. I guess I wonder first of all if we'll really get there by Thursday. It seems like there are some pretty important considerations. I mean, for me it is I was concerned about having language in there to really look at the impervious cover and how necessary it was for the affordable housing units, because, you know, it's really still not clear to me whether the impervious cover -- whether the waiver to increase the impervious cover and the waterfront overlay I think is a decision we should make really carefully, whether it is indeed to facilitate the construction of the affordable units or whether we're being asked to contemplate a waiver that is making the for sale

tracts more appealing. And I understand the relationship between the revenue from those tracts and how it's going to support the housing, but really the way -- the way I have understood the waterfront overlay, there are -- you know, we're asked to consider exceptions for things like affordable housing but not necessarily to increase the viability of a for sale tract. You know, that's not -- I mean, to me that's a little bit more difficult balancing act, to waive the requirements of the waterfront overlay to make a piece of property sell for a higher value. So as you work through the different Numbers that you're being presented and

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the viability of that, I hope -- I hope that will help us, you know, really be able to discern how much of the variance is really about constructing those affordable units and how many of those could be constructed without a variance. >> Mayor Adler: Ms. Houston? >> Houston: Yes. I have one question about the impervious cover. We've talked about water quality, but we've not talked about the impact of the amount of impervious cover on downstream flooding, and is that going to be looked at? Because as we all know, this year specifically because of all the development we've been doing and all the impervious cover related to that development, places in Austin that have never flooded before are flooding. And you all are right, they're on festival beach, so that's not an issue of homes but downstream, are you all looking at anything about downstream flooding, with the amount of impervious cover requested? >> The amount of impervious cover wouldn't necessarily govern the need for on-site flood control. I believe the proximity to lady bird lake with lady bird lake essentially being a reservoir, would allow them to at least be considered for the regional storm water program, but that would happen then through the site plan process, is that they would apply for a waiver for on-site, and if they were not granted that, then they may have to put something on-site. The discussion right now has been focused more on water quality. If you're asking from a practical standpoint, does more impervious cover increase flood risk to lady bird lake, I would say the size of that tract is relatively small compared to the amount of water that would cause flooding in lady bird lake, so from a -- is it going to flood anybody downstream, I would say not in and of itself. And yet they would be subject to all of the requirements for on-site

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flood detention. >> Houston: But I thought I heard you say that that could be waived. >> They could pay -- there's a possibility to make a payment in lieu of building an on-site detention pond, so there is a program called the region knoll storm water management program, and depending where you're at in the watershed and your likelihood of causing any downstream flooding you can make a payment to the city, the city puts that into the regional program where we look for the best place to put regional detention ponds. >> Houston: But they're not at that point in having that conversation? >> It has not come up yet. >> Houston: It's up now. >> It would be more after this stage. >> Mayor Adler: Ms. Gallo? >> Gallo: I think when we talk about this the questions have all been good, but when we look at the difficult task of providing affordable housing, it's a balancing act, and we balance that by diverting -- looking at diverting tax revenues into affordable housing through the housing trust fund, which we're getting ready to talk about in a week or so, I guess, again. We look at waiving fees that normally would be income that come into our different city departments, and in this situation I think what we're looking for in the balance is a difference in the impervious coverage percentages that then allows the property to be able to be sold to fund that affordable housing. So I think it's just one of the many ways we look at participating as a city and trying to provide that affordable housing, and this is a way that we do it through allowing an ability to maximize the market of some of the properties that they can sell to be

able to fund to the affordable housing versus coming back to the city and asking us in the other ways that people ask us to fund, and that's kind of my impression of what we're -- what we're looking at. I was just going to say, one of the things that's really impressive to me, and I assume that the -- in our

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backup, the affordability impact statement, every single category is a positive, and I don't know that we always see that. >> That is accurate. I do want to point out that they have recently submitted an application, which is for \$7 million of funding, from the rental housing developer assistance. That's a fluid number. Part of it is depending upon the value of the sale of the property. We've not had a lot of time to look at that application, but I do want everyone to understand that the water -- the impervious cover issue does not preclude the request for additional funds. >> Renteria: And that's what concerns me too, is that we're going to be giving them \$7 million. Is that what -- the amount that they're -- >> That is the current request. >> Renteria: Current request. And we're losing 30% units, and I'm really concerned about that because we're not only giving them \$7 million, but we're actually losing the 30%, and that's -- that really bothers me, because, you know, like I just mentioned earlier, we just had the housing report, and it said that the more units you build at 30%, the greater impact it will have on the home (indiscernible). So we really need to step back a little bit here and really look at this and try to figure out how we can reach that 140 units that we're asking for, and I think that there is a way, you know, whether, you know, we ask that we put it in there and if they don't get their renewal from section 8, that, you know, we can say, okay, then that goes away to 40%. But if we get that -- if they get it, then we keep it at 140, and have it written in that -- instead of, you

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know, we'll never -- we'll lose those 140 units forever if we don't. That's my feeling. >> I have a question. >> Mayor Adler: Ms. Pool. >> Pool: So I had a good conversation with Clark Hiderick and Donna McCieffer and I see they're in the audience. One of the things we talked about was shifting on the financing and the issue tends to be -- intention is to fund at the lower number but the financing has to be structured in a separate way. So we may not, in fact, lose 140 units at 30%. In the end, I think the intention is to build them, so is there maybe some -- can you speak to that? >> That is my understanding, that there is that intent. The challenge for the developer as they've described it, it is very difficult to lock in their financing not knowing. And so -- and I appreciate that. I understand that it's very difficult. I think one of our challenges is having the structure locked into an ordinance at a different level, and I can -- I'll be real candid that that is one of my concerns. Normally we don't do it in ordinances, in a restrictive covenant or something like that. We have just recently received the application. We are reviewing it right now. I entirely understand their concern at locking in on something that they feel they cannot guarantee, because it is contingent upon a contract that none of us know for sure will occur. It's sort of the chicken and egg conversation of how we commit to something that seems relatively -- somewhat premature and where we're going to end up later. But that doesn't mean we can't get there. I'm not sure. Some of the information is new to us or in very short order. >> Mayor? >> Mayor Adler: Yes. >> Casar: And my hope is, as Mayor pro tem mentioned, if this can't get worked out

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Thursday there's always the next Thursday, and I'm sure with smart minds and folks that care about this project there might be ways of solving the chicken and egg issue. We can say if there are two chickens born and one has eggs we'll split them up this way, if not, they're not. [Laughter] I imagine -- this is a

very important place in the community and especially to my friend council member Renteria, so my hope is that we can be smart enough to find a way to make it work. >> Renteria: And I -- I just also earlier was talking to an occupant and he was mentioning that he would be willing to wait another week. So they do want -- if they want to wait I don't have a problem with that. >> Mayor Adler: Sounds good. My sense is that probably this will wait, and probably two weeks I think was what the parties have talked. So my guess is probably it will be postponed two weeks. Brings it back to the 23rd, I think. Is that right? >> (Indiscernible). >> Mayor Adler: Yes, brings it back to the 23rd. All right. I think those were all the items we had pulled. If there's nothing else -- thank you very much -- we're going to go ahead and adjourn the work session. (Adjourned)