

City Council Work Session Transcript – 03/20/2018

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[9:10:28 AM]

>> Mayor Adler: All right. So it is 9:10. It is March 20th. We are in the boards and commissions room down here at city hall. So the schedule that we had talked about doing this morning was to begin with the briefing on the explosions in the city and then to move from that to the pulled items. And then after we do the pulled items then the executive and other briefings. Chief Manley has been delayed, understandably. So we're going to go to pulled items first. And when he arrives we'll then stop and get that briefing and then continue on with pulled items. Now, Ms. Houston, did you want to talk about some notice on some scheduling stuff? Mount yes, mayor. I would like to let the community know that on Thursday I will be asking for a postponement on item number 88 until April 26, 2018. And I'm asking for a time certain of 6:00 P.M. On item number 89.

>> Mayor Adler: When you say 6:00 P.M. --

>> Houston: No earlier than.

>> Mayor Adler: And also if someone showed up in the afternoon and we were able to take testimony and we could do that we won't take action on 89 until after dinner.

>> Houston: Thank you. That's what I wanted them to hear.

>> Mayor Adler: Anybody with objection to that.

>> Kitchen: Which cums -- which items are those? 88 and 89?

>> Houston: 88 is a zoning case in district 1 and 89 is rosewood courts.

>> Kitchen: Thank you.

[9:12:30 AM]

>> Tovo: Councilmember Houston, I'm sorry, I missed the date that you will request postponement until?

>> Houston: April 26.

>> Mayor Adler: Okay. Ms. Kitchen, you pulled the first item here, item number 8, I don't know if you want to address that?

>> I was first going to let people know that on item number 18 that if that item is pulled either for speakers or if any councilmember would like to pull it, then I'm going to be asking for a time -- I'm going to end up asking for a time certain on that one. Probably the afternoon.

>> Mayor Adler: Say that again.

>> Kitchen: Item number 18, if it is pulled, either for speakers or if a councilmember would like to pull it, then I'm going to be asking for a time certain. I'm not going to pull it myself because I would be nope it to go on consent, but I just wanted to let people know -- if anyone is planning on pulling it I would appreciate that ahead of time.

>> Mayor Adler: At this point does anyone anticipate pulling item number 18. This is the flood buyout, the allocation of \$25 million for phase 1 of the upper onion creek buyouts.

>> Alter: I have some questions for Q and A and I'm waiting for the answers on those. I don't know if they've even been submitted yet. But I'm not planning to pull it assuming I have the answers. To the questions.

>> Kitchen: Okay.

>> Mayor Adler: All right. Ellen?

>> Troxclair: Item number 47 I'll be requesting a time certain of 10:30.

>> Mayor Adler: This is the APD staffing recommendations?

>> Troxclair: Yes.

>> Mayor Adler: So no earlier than 10:30.

[9:14:33 AM]

>> Troxclair: And would really appreciate it if we could take that up before lunch.

>> Mayor Adler: Is that because you anticipate you may not be here in the afternoon? Alison, did you have something? Your light's on.

>> Alter: No.

>> Mayor Adler: Ms. Houston, your light is on. Did you have something?

>> Houston: Oh, I'm sorry.

>> Mayor Adler: Ann, did you want to talk about item number 8?

>> Kitchen: Yes, I'm happy to start with that. Okay. I have a number of questions on it. I will keep my questions to the most critical for me so that, you know, I can also submit questions and so I don't take up too much time with it. But my -- I have three primary concerns. And so maybe proposing amendments on Thursday. And I may need to ask for an executive session. But there are a number of projects that are not listed for funding that were in our original resolution, at least one of which is not explained as to why it is not included. So one of them that is explained is the Umlauf -- has to do with the Umlauf facility. It was included in our original resolution. It is not included in the projects to be funded. And the backup memo explains that it's not eligible. And I am not in agreement with the interpretation that it's not eligible and so that's one that I would like to discuss in executive session, either today or on Thursday.

[9:16:37 AM]

>> Mayor Adler: Okay.

>> Kitchen: So the second item that is not -- that was in the original resolution that is not explained as to why it's not here, it's also not in the list of projects, unless -- no, I don't think it's in the list of projects that was in the backup memo, and that is zilker gardens. And that was in the original resolution. So I guess I can submit that as a question, but I'd like to understand why that one is not included. And then I have some questions about the scope of some of these other items and a suggestion.

>> Mayor Adler: Let's go ahead and ask those questions because I'd like to hear the answers as well. Is staff here for these?

>> In regard to Umlauf --

>> Kitchen: Umlauf garden is an executive session item because there is some explanation that I'm not in agreement with and have some concerns about with regard to the legal. But the zilker gardens is not mentioned so I'm wanting to understand why it's not mentioned because it is in the original resolution. I'm looking for my original resolution here. So perhaps we could start with that question. Zilker botanical gardens is what I'm talking about.

>> We have staff coming up to talk about that.

>> Kitchen: There are also some other ones that I did not see and those are the Austin tejano walking trail, but my question is specifically about zilker botanical gardens.

>> Kimberly Neely, Austin parks and recreation.

[9:18:40 AM]

Please let me tell you I have someone else here who can have more information about the zilker botanical gardens?

>> Are you talking about the phase 2 -- can you hear me?

>> There you go.

>> Are you talking about the phase 2 master plan for zilker botanical gardens.

>> I'm talking about what the next steps are for zilker botanical gardens, whether it's the master plan or construction?

>> We did go through a process of evaluating -- I would also like to say that Lela fire side is also our go-to person and so we have discussions but at the end of the day we really defer to her. You're here!

[Laughter]

>> Kitchen: The reason I'm asking about that one is because it's not explained in the backup memorandum so I'm wanting to understand why it's not included.

>> Well, we were looking at projects that were construction projects or the design phase of a construction project. For zilker botanical gardens they're about to Saturday a start a phase 1 master plan. At this point there is not a shovel ready construction project that we can identify until they complete their master plan process. So with the completion of a master plan process, if we are able to, and I suspect we will be able to identify a shovel-ready project that's a priority of the master plan after we've gone through a community process, I expect that we will have some success in identifying the project.

>> Kitchen: Is the master plan fully funded at this point?

>> My understanding, and I'm not the person working on that, but my understanding is that there is a phase 1 master plan underway.

>> So councilmember, the phase 1 master plan is funded and the zilker botanical gardens conservancy as part of our ongoing conversations and our agreement is that they are raising the funds for the second part of the phase 2 part of the master plan.

[9:20:46 AM]

So assuming that they are going to successfully complete that fund-raising project, then it will be funded. Phase 1 is already underway.

>> Kitchen: When is phase 1 supposed to be done?

>> I would have to check the schedule, but it's a normal process. It just began in a normal process and the master plan is around nine months to a year. Since this is phase 1 I would guess to make nine months from now.

>> Kitchen: And phase 2 is dependent upon the conservancy raising dollars?

>> Right, but they are already in that process. And our last conversations they're well on their way to completing that.

>> Kitchen: Okay. My concern is that Zilker Botanical Gardens is not even mentioned in the memo. In other words, your explanation is not even in there, and it's in the resolution. So I think we need to go back to capture what you just told me in writing. So I would love to see an amended memorandum with an amended list because you have -- you have a list of Timms in the memorandum -- you have a list of items in the memorandum, not all that were brought up for funding, a list, but not an explanation, and I would like to see Zilker Botanical Gardens on those. Does that make sense?

>> It does.

>> Kitchen: So if we could do that. I can give it over to someone else and then come back to me.

>> Mayor Adler: Anybody -- Mayor Pro Tem?

>> Tovo: Thank you for this and for moving this forward. I do have some questions about some specific projects along the lines of what Councilmember Kitchen was saying. Can you talk to us about the bathhouse project? I believe this is an item that you identified for future funding as eligible for future funding, but it's not being funded in this first batch of funding requests. Can you help us understand why we've gotten some significant emails of support for moving that forward and some significant advocacy that it's ready to go and in need of funding?

[9:22:51 AM]

>> So the process right now is that we are in the design phase and that process -- the bathhouse has two million dollars associated with that particular project through bond funding. So the design phase is fully funded. It's not going to take anywhere near \$2 million. So once the design phase is completely over and we're able to find an estimate as to what the construction costs were, we thought it more prudent to then bring this project forward for future funding because we know the design phase is already funded. We have received feedback, constructive feedback during the bond process, and also in some of our community engagements about wanting to understand why certain amounts of money have not been spent that have been previously allocated. So it was important to us as a department as we prioritize projects that should we be granted the opportunity to have hot funding that we would be using that expeditiously and be able to show that we are able to expend the money that we have been given. In the particular case of the bathhouse, we would not be able to -- we either would not be spending bond funding or we would not be spending the hot funding. So we thought it most appropriate to understand the final design and what the construction costs would be and come back in future years and request funding through hot for the future construction of that project.

>> Tovo: Why not replace the bond funding with hot funding and use that bond funding for something else that was in our contract with the voters?

>> Well, I estimate that the total project is going to exceed the \$2 million that has been allocated through bond funding. It's just that I don't know to what extent it will exceed the two million dollars. So

I'm not in a position to feel as though it's appropriate to reallocate that funds because I think that project through its construction phase is going to cost 2 million plus, but we don't know exactly what that is, so if we're asking for funding we would just be asking for funding that would be banked when I know I have the money right now do the development phase.

[9:24:58 AM]

So we just thought it more prudent and appropriate and transparent to say we finished the design process, we know what the construction costs are and we'd like to add to the remainder of the \$2 million to finish the construction project of the bathhouse.

>> Tovo: Okay. So I guess the short answer to people who are asking why it's not on the list is that it's currently in a design phase. The design phase is funded with bond funds. And until that design phase is over it's hard to estimate the construction costs for which there likely will be a need for more funding and that can come from hot, but in an effort to get this money moving, it's not being allocated to the bathhouse right now.

>> Absolutely, this year. And we've absolutely tried to help our advocates and our constituents know that just as recently as this morning. So we'll continue to help our constituency understand the rationale behind the decision.

>> Tovo: Great. And I hope as this becomes a regular thing based on the council resolutions that we've passed, I hope that we can use hot funding instead of bond funding for the projects that are eligible because we know not all projects are. So it makes sense to me to use the hot funding instead of bond funding when we're able to. Not in this instance because it's been allocated already. I guess we do have that opportunity, but just based on what you've said I think it makes sense not to reallocate it. Then I had a question about the zilker clubhouse. There was a question about sort of why that rose to the top during this process.

>> The zilker clubhouse as you know is a contributing building to the zilker park regional historic district and it's a facility that's rented out regularly and it's used frequently by tourists and out of town visitors. If you haven't been there lately you might be surprised at how deter rated the facility is and we are in need of new hvac system, a new roof.

[9:27:03 AM]

We have multiple issues with the building. So as a way of really gearing up a construction phase we are proposing the soft cost design phase so that we can begin the rehabilitation of that building. So the expectation for that project would be that once we initiate and complete a design phase we would be able to request additional funding through hotel occupancy tax to rehabilitate the building.

>> Tovo: And the design phase will really cost 450? That seemed high to some of the individuals reviewing it.

>> I understand. Not understanding the extent to which conditions assessment, other issues that might entail, any kind of asbestos if that might be required for abatement, the expectation would be anything left from the 450 would be applied to the construction project.

>> Tovo: Okay. So the abatements you're talking about, how do those factor into the 450 that's been allocated for design?

>> Well, and --

>> Tovo: Would that include some initial testing?

>> Correct. It helps us get a better idea of the actual cost of the project. Estimating historic preservation projects is very tricky. Historic preservation projects tend to have -- we've got A.D.A. Issues and other issues that we have to anticipate. So again, the remainder of what's left from that design phase would be applied to the construction project.

>> Okay. But it's your expectation that there might be a remainder that the design piece of this may not use the 450.

>> Correct.

>> Tovo: Thank you. I think among other things, I think this really demonstrates that we have a huge need across the city in lots of our cultural facilities so I'm really just again very glad that we made that decision to use it in this way. And I appreciate your work in analyzing our needs to determine what the best path is to move forward this year with the expectation that we'll continue to do it year after year.

[9:29:06 AM]

>> Alter: Good morning. I would like to add to the list of projects that should be noted, there were at least three D 10 projects that were not included, but were in the original resolution, Mount Bonnell, Mayfield and Lions. And my staff has talked with you about each of those and I understand where we're at right now. But Lions is not right and I understand there were some issues about how you chose them that kept Mount Bonnell off and Mayfield of course received funding last year from this pot of money. I do want to give a heads up that I will be asking the city manager or providing some direction, we need a better process for community-initiated projects. So it's my understanding that as this went through the projects that were selected were ones that were priorities for the parks department and were not necessarily taking into consideration things that were community initiated and that were in the resolution as well. So Mount Bonnell as an example of that, which would be ready enough to move forward, but was not on the parks list because it hadn't followed a particular process, which didn't exist yet. So we need to have a process so that projects that are community-initiated can move forward through this as well. Because it's an ordinance, I think it would be direction to the city manager would be the appropriate --

>> So councilmember, if I made add to what you're saying, there was a long period of time eye you that we did not have an development administrator and that individual was replaced less than six months ago. And since then she has done a stellar job of putting together the process. And what I think might be helpful is for us to perhaps share that process with you so that you're aware of what we've put in place, and certainly we're more than willing to take direction if we need to do something different. But I want to assure you that we recognize there was a period of time when that didn't happen, but we've since recovered from that.

[9:31:10 AM]

We can share that through your staff, at least what's now been put in place that should be more clarifying to our partners in the field. And we've also had multiple partner meetings to be able to help clarify the process.

>> Alter: I appreciate that. And I understand this was flown at you at the last minute and you are trying to staff it. But I want to make sure we have a lot of clarity over that. And I was surprised to find there were projects cited in the resolution that were not even put on the list of projects to be considered even if there were valid reasons for them not to be funded in this particular round because there are people in the community who are asking about those projects and it's all fine and well for us to have briefings individually where that information is shared, but hold be helpful for them to have that and understand so they know what the potential next steps are. The other thing that I wanted to mention is that when we moved in this direction the goal was to have even a larger amount of money going to hot than what is going this year. So I would ask the city manager to provide us an update with how we are going to be moving towards that goal that we laid out last year. And you may not be -- I don't expect that you're in a position to provide that. Provide that information this morning, but we had set a goal of 15% of the hot funds, and I would very much like to see us moving further towards that goal for this fall budget. There are plenty of projects that we could be funding through that. And I'll come back to that.

>> I did want to respond to that that there is a task force that's currently working on the heritage grants process.

[9:33:14 AM]

That was a separate process that council asked staff headed up by acm Washington. There are ways at which we will allocate the historic preservation funds. Our focus this year are what are the projects we could get moving forward to get this year's allocations of funds expended expeditiously. I do expect that any process for fiscal year '19 and beyond will be more than what we can do this year.

>> Mayor Adler: Ms. Houston.

>> Houston: Thank you. I've submitted questions through the council Q and a, but I wanted to ask questions about the downtown wayfinding and how is that eligible for preservation funds and shouldn't the downtown Austin alliance be doing that? Why is that in this -- is this being recommended?

>> [Inaudible - no mic].

>> Thank you, council. Robert Spillar, Austin transportation department. The downtown wayfinding project is a project that my department is the owner of in terms of deployment. Public works is deploying it on our behalf. The downtown wayfinding system is a city project that provides additional information to tourists about how to get downtown to locations, throughout the downtown, historic and historic oriented. That is its nexus with the hotel and visitors tax that is applied here. Our current project is ongoing. These funds would allow us to expand that effort, perhaps into the Rainey neighborhood as well as to east Austin, we've had requests there near east Austin.

[9:35:23 AM]

And so again, that's the nexus with these taxes.

>> Houston: The reason I ask is because members of the community are thinking that the downtown Austin alliance was responsible initially for that and they have none available. So why use up the limited funds that we have in this bucket to provide something that somebody else is supposed to provide?

>> Lela Fireside: You would have to ask the downtown Austin alliance. I am not aware of them having particular funds for this particular project. I think in particular our transportation department handles the wayfinding.

>> Houston: So Ms. Fireside, it's interesting because some things got off the list and some things got bumped on the list. How much more wayfinding, Mr. Spillar, do we need to have in downtown Austin?

>> Councilmember, that -- I'm not sure how I can answer that question. What I can say is that the original plan for the community assets in downtown are funded and we are prepared to continue that process. This money would allow us to expand that wayfinding into the cultural facilities on the periphery of downtown, including east Austin and as I said, Rainey street, perhaps other places. The bulk of the most visible part of the project is still to come. The static, historical and directional kiosks that are supposed to be built throughout downtown and the surrounding community. And so that's what I can tell you. I can't tell how much more is needed at this point.

>> Houston: And this may be somebody else's question. How was it decided that this would come before some other things? And I'm not sure who to ask that question, but we've got a lot of wayfinding downtown and so this is \$321,000 and I'm just trying to figure out who made the decisions, how was that weighed?

[9:37:29 AM]

Because -- anyway, I still have questions that I need answered.

>> I can take a stab at that. One of our underlying principles is this was not a one-time source of funding. I think this it was a one-time source of \$5.9 million or so, we might have approached it differently, but given that we anticipate this would be an ongoing source of funds for historic preservations, and if anything a growing source of funds for historic preservations, as hotel taxes increase throughout the city, we took the perspective of what were projects that were really ready to go. If the city a lot of sometimes doesn't have a good reputation for putting money behind projects and actually getting that money spent. Sometimes money goes behind projects and it constituents there for a long time. So we feel confident that everything that we're recommending with this year's allocation are projects that could get started in a very, very short period and have money going out the door and have projects going this fiscal year. So that was one criteria which led us to really putting the focus on money that could get spent this year, but then when we were looking at that, we were also looking at a great list of projects across a lot of departments and we were trying to understand what were the priorities in a variety of departments and trying to address good projects and good needs throughout departments. Soul see not all the funding went to the parks department and they had the longest list and a list of great projects, including the bathhouse, but we looked to address needs in the public library and the transportation department and economic development, across a number of areas. Then we also really did want to see a geographic dispersion to the projects and that was somewhat limited in our ability to do that because of the nature of the funding and the proximity to the convention center or the visitation by tourists. And just the location of the historic sites. So those were the -- the rationale was looking for geographic dispersion, looking to address needs in a multiple of departments and also trying to focus on the projects where we really felt confident that those dollars could get expended this year knowing there would be future allocations and the ability to address projects that maybe can't get started until fiscal year '19 or fiscal year 20, we could put money behind those projects at that time.

[9:39:47 AM]

And finally, this was contained of an expedited project. We had direction from council through our budget riders to find a way to expend these monies that you allocated to the historic preservation fund this year. So that is what we've done. Again, I would remind everybody that there is a task force that is currently working and meeting involving community stakeholders about how should we proceed in the future and how should we expand this, the looking at these funds beyond just city projects, but also non-city properties.

>> Houston: And I appreciate that more detailed response. I'm concerned about transportation being -- having that in their bucket because that -- we've already done a lot of wayfinding in the areas in downtown. And to ensure that it gets distributed to Rainey street and the African-American cultural heritage district and out to the asian-american, I don't know it's a transportation function. I think it is to put it up, but I think those communities need to be engaged and that money should be perhaps in the hands of those communities and then they work with transportation to get that -- whatever that is so that visitors know how to get to Cameron road and how to get to 11th street and how to get to Rainey street. But when we put it just in transportation we're going to be doing more of what we've always

been -- because I don't see a list of projects or how those projects will be identified. And I'll turn it over to somebody else.

>> And there were some additional wayfinding funds that were in the economic development department. So there was another 300,000 for marketing and wayfinding specific to sixth square --

>> Houston: I saw that, but I'm just saying that historically when transportation gets a bucket of money it's spent downtown.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: I have a question about -- a couple of additional questions. There's two items related to surveys. The citywide historic building scan and the detailed historic building survey.

[9:41:50 AM]

So I'm wanting to know -- and if christmasing this is something that you need to send to me, that's okay, but I'm wanting to understand the scope of the historic citywide building scan. I'm seeing this as an opportunity -- my question is am I understanding this correctly. I'm seeing this as an opportunity to look citywide at the potential historic buildings, including our cultural facilities that we are at risk of losing. So for example, just one that I'm familiar with in my district is the broken spoke. So I'm wanting to understand what is contemplated as the scope of the citywide historic building scan. Specifically are you only looking at buildings with existing historic designation or is there consideration of buildings throughout the city that could be considered for historic?

>> Thank you, councilmember. I'm Kara butteron with the historic preservation department. The historic building scan will look at all buildings that are 45 years or more old, non-designated at the local level. And because this is hot funding it will look at -- we've created a series of radii around points identified by the city of Austin identified as tourist destinations or tourist sites. So we will be scooping up all the historic buildings within a quarter-mile of those sites with an effort to look at how to -- to expand and densify tourist attractions.

>> Within a quarter mile of which facilities?

>> A list of properties or businesses identified by visit Austin as tourist destinations or lodging.

[9:43:51 AM]

>> Kitchen: I have some concerns about that scope. So if you could -- if you could send us out the scope in writing. First off, within a quarter mile of -- first off, I haven't seen what those identified tourist facilities are and I'm not certain what the reasoning is for the within a quarter mile because that really limits within the city F we are making efforts suggested by other city councilmembers, and I absolutely agree with, to look at the citywide, that's a pretty limiting factor. So perhaps you could send us a memo,

and perhaps I missed it. If you could send a memo outlining the scope of this particular building scan, then that would give us an opportunity to provide input. And I can tell you right now that I have concerns that within a quarter-mile will be too limiting.

>> I just want to add that within a quarter mile that covers 43% of those older buildings. So it's -- I'm happy to -- we'll send you the memo and we'll include a map, but it does cover quite a large area.

>> Kitchen: That's good, but how much of the city does that cover? When you look at it geographically, I want to make sure that we're not just looking in the central and the downtown area.

>> Greg Guernsey, planning and zoning. We'll include a map in that area and that might be helpful, of those sites.

>> Kitchen: And I soon you will be open to our providing comment and we can always bring it back to council if we would like to provide more. And then related to that is the detailed historic building survey, north central Austin. Can you explain why that's focused on the north central Austin and the difference between that one and the citywide scan in terms of scope?

>> Certainly. First the difference between the citywide scan and the detailed historic building survey. So the citywide scan will collect a relatively small amount of information across a very large area so it will help us to prioritize those detailed surveys for future intensive funding.

[9:45:58 AM]

It's very expensive to survey the window type and the door type and we don't knee that information across the entire city. We need to be able to focus it strategically. So the scan is -- like a relatively thin amount of butter over the whole slice of bread. The detailed historic survey really gets into the details as I mentioned and it will be similar to the east Austin historic resource survey and the type and scope of information that's collected. And will identify specific potential landmarks and potential historic districts.

>> Kitchen: Why is it limited to north central Austin?

>> North central Austin -- well, so when the historic east Austin survey was finished the final report includes prioritization based on -- that the consultants recommended based on building age and development pressure, that is the number of building permits throughout the city. So north central Austin was prioritized -- it included two of the top three prioritized survey -- prioritized areas for survey. North central Austin also is I think arguably close to tourists destinations. And also because this is funding that's linked to the hotel occupancy tax this is what we proposed.

>> Kitchen: Okay. I appreciate that, but I also have concerns. East area has been completely or is there more needs for that area in terms of this kind of analysis.

>> There are -- the east Austin historic resource survey was expensive. It did not cover the entirety of east Austin, but east central Austin, yes.

>> Kitchen: Okay. Well, I think this is limited, the north central, again. I would like an explanation of the scope of that.

[9:48:03 AM]

Then included in that explanation I would like to understand what parts of the city have not yet been -- that this level of review has not occurred in and depending on receiving that I will probably want to provide some input. Okay. So then another question that I have just relates to the restoration of Eliza springs. I wanted to understand why that was not included.

>> Mayor Adler: Do you have a follow-up question? This is the surveys?

>> Tovo: Yeah. I want to be sure I'm understanding your answer about the surveys. So in the east Austin survey those consultants identified a couple of high priority areas to survey next. So you've selected one of those that we have a funding source for that historic survey.

>> That's correct. The consultants prioritized every area -- they divided the 1946 city boundaries, so all of the central city into probably 22 areas and prioritize those for survey, so we've selected two of those areas and grouped them in north central Austin.

>> Tovo: And part of the reason was that they were identified by the consultants as high priority areas to move to next because of their age and also because of their development pressures, but the other important reason why they're moving forward now with this is because this is an -- those are areas that are eligible for this funding source in a way that some other areas might not be.

>> Yes, that's correct.

>> Tovo: Okay. I think I want to understand, councilmember kitchen, when you say you're providing feedback, are you anticipating making amendments in some way to these issues?

>> Kitchen: I don't know -- what I'm wanting to see is the written scope. And then I may or may not have questions about that.

[9:50:05 AM]

And if I do I'll bring them back to the council as a whole. And my concern is not the north central area. That's not my concern. I didn't make that clear. My concern is an interpretation that limits the parts of town perhaps unnecessarily which we're going to be getting to. So because I know that there's historic structures outside the central core that we need to make sure that we look at, and I'm concerned about an interpretation that we can only use hot tax in the central core or that we can only study the central core. So that's why I wanted to -- I wasn't aware of anyplace in which -- where I could go and read the scope of these scans and that's the first step for me is to understand that.

>> Tovo: Okay. Thank you for that explanation. I just wanted to be clear if there's going to be an amendment coming forward on that, I want to sort of spend more time on it between now and Thursday.

>> Kitchen: No.

>> Alter: May I ask one clarification? What are the boundaries for the north central area?

>> We can also provide a map of that.

>> Alter: Great, thank you.

>> Mayor Adler: Any other questions about the surveys? Okay, thank you.

>> Kitchen: Okay. And a question was the restoration of Eliza springs. Why was that not brought forward and what's the thinking with regard to that one. And that's watershed, right?

>> It's both.

>> Kitchen: It's both parks and watershed.

>> First just let me add that we acknowledge there are a lot of projects that we think are exciting and eligible so you're looking at the list that was prioritized for this year. Watershed protection and parks and rec are collaboratively working on a scope of work for the restoration of the historic structure of Eliza springs. It's a tricky structure given its -- the impacts -- it's a very sensitive structure.

[9:52:07 AM]

So we've had several meetings to talk about a scope of work and it's our goal to position it for future funding. Through hotel occupancy tax. Potentially. Of course this would have to be evaluated by legal, but it is certainly a project that we think is worthy.

>> Okay. So I want to make sure that -- so when you say position for future, are you thinking -- how fast is your scoping working and would this be ready to be considered for our next -- next year?

>> I would really need to go back and talk with my leadership. You know, part of the issue is not just funding, but it's the staffing needed to execute these projects. So again, I would have to go back and talk with my leadership about when it would be sequenced within our work program.

>> Kitchen: I would hate for the project to not proceed under hot because we haven't done the scope of work and because we don't have our staffing to do it. If that's the case, then perhaps we should fund someone to do the scope of work.

>> Kitchen: I can understand if it's not this year, but I wouldn't want it to be down the road or even three or four years down the road. I want to see it ready for the next round.

>> Councilmember, one of the things we are doing that will happen in the next couple of weeks is we have some of our staff that are going out there with some tools to be able to look and try to peer behind some of the walls and things at Eliza that we-- Eliza that we have some issues with. And that will help to frame some of the work that we need to consider for the scope.

>> Kitchen: Okay.

[9:54:08 AM]

And then my my last question is -- well, next to last question. It's a comment. It just builds on what councilmember alter had said in terms of identifying additional dollars. If I'm recalling correctly at the time that we designated 15% for hot tax, we had identified I think it was around 6.9 million or so but we asked staff to go and this year identify an proximately 2 million. I haven't seen -- I may have missioned it. I'd like to know where that direction is in the process for identifying the additional 2 million to get us all the way to the 15%. If I've missed a memo just tell me that.

>> Well, I believe the direction from council was to -- for us to find a way to get to 15% as quickly as possible, and that is being worked on as we speak. We had a -- conversations with our outside bond counsel and our financial advisors and it was within the confines of finding a way to get to 15% that did not have negative consequences for potential expansion of the convention center and to find ways to do it that did not result in reductions to visit Austin staff. So that's what we've been working on. I think we're close, and I would expect to see some information to council coming back on that about what is the plan to get to the full 15% allocation of hotel taxes to historic preservation. In regards to the \$2 million, I believe that might have been -- there was a discussion about \$2 million of this year's allocation going to offset general operating expenses and that was addressed in the memo.

>> Kitchen: No. I'll circle back around with you.

[9:56:09 AM]

This was direction that came from councilmember pool that was specific direction, and I'm not remembering all the details, but it related to looking into the funding that was set aside to payback bonds on a expedited schedule. And so there was some discussion about identifying for this year, not for future years, but identifying that additional dollars for future years. So I'll go back and I'll consult with councilmember pool. My memory of the direction was somewhat different than what you just explained.

>> But just to clarify, I didn't think that it -- our plan should be also looking at what we can do this year. I just didn't remember being constrained to \$2 million. It was let's get to 15% as quickly as we can. If it's this year great. And staff is looking into how we can get you to 15% as quickly as possible.

>> Kitchen: Okay. I hope that includes this year.

>> It does include this year.

>> Kitchen: Because that's part of the direction.

>> It does definitely include looking into this year.

>> Kitchen: When are you expecting that memo back to us? Did I hear you say that?

>> I think we're close.

>> Kitchen: Okay.

>> I think we're close. I would say within the next month or so but I don't want to overcommit.

>> Kitchen: Okay. Then related to that, the 5.5 that's identified here for right now, is that -- does that take us up to the total that's available now? My math is showing -- and my math could be wrong. My math is showing a difference of about 900,000 or so. Is that right?

>> We did reserve some funds in anticipation of a real estate transportation for the montopolis site.

>> Kitchen: Oh, montopolis, okay.

>> We don't know where that's going to land. That's why we didn't allocate the entire amount.

>> Kitchen: Okay, all right. Then my last question is, is just more of a -- I think this may be direction for future year, but my thought is that, you know, we've had some recent discussion about the cultural trust and designating the -- and recent discussion about the concerns about losing our historic facilities that are both music venues or they may be arts venues, primarily music venues, I think, from a historic perspective.

[9:58:31 AM]

But I would like us to consider funding the Austin cultural trust in some ways to help acquire and preserve cultural assets that could be destroyed that are historic. So that's an area that will be a direction. I'll work on putting that together perhaps with the mayor if you're interested. We have -- we have come forward with recommendations regarding preserving our cultural assets, but we haven't identified pots of money for doing so. And so I'm thinking that at least some of these assets hot tax will be appropriate for in the future and working with our cultural trust might be the way to do that. That's just a signal, not for this year, a potential source of funding along with other funding sources for the future, and I'm just signaling to folks that I'll be exploring that.

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

>> Flannigan: Thank you. The list that I see in the memo, the funding requests list that adds up to about 12 million, I don't expect that as a comprehensive list of all eligible projects. Is there another list somewhere that we're cataloging all eligible projects?

>> So the way we handled the process this year is we started off with asking our departments to look into what projects they could bring forward, and this is a list we received. You know, we did put some constraints on it as we wanted people to focus on shovel ready projects, not allocated to projects that would just sit there for years. I agree there could be more projects that might not be ready until 2020 or 2021 but our focus was to have departments really focus on projects where you think you can get the money out the door soon. But this is the complete list we received but that's why it's maybe shorter than what it could otherwise be if it was just over the course of ten years what are all the projects we could potentially fund.

[10:00:38 AM]

We were focused on getting the money out the door this year. We do owe you a response though and will get that prior to Thursday in regards to some of the projects called out in the budget rider that weren't on this list and some rationales and further information on those projects. We can get that to you by Thursday. That will probably be another five or six projects I think that were in the budget rider but not explicitly addressed in this list.

>> Flannigan: I'm interested in seeing kind of a master list process, and I think to councilmember alter's point about community-led projects that an opportunity for the community to see that list and see where their projects may or may not be slotted in future allocations, and I think, you know, Ed, you kind of mentioned it earlier, it's a little confusing because it's an annual allocation but we're doing capital projects and we normally plan capital projects over multiple years and I'm not seeing what we think is happening in year two, three, four, even though this source of funding while somewhat volatile is not going to be zero. So that is -- I would like to see more of a C.I.P. Version of this process where I could see what those projects look over the long-term. And, you know, my district doesn't really have any historic sites. We didn't exist 40 years ago, so unless we can designate highway 620 as a historic highway I'm not sure there's going to be too many projects in my district so I'm trying to make sure that I can understand the global view and it does seem like \$12 million in this list would only take a couple of years. And at some point are there -- is there more money than projects? That's kind of the tipping point I'm looking for as well.

>> Mayor Adler: Okay. Ellen.

>> Troxclair: So I think I want to go back to the -- well, I'll go back to the part in the memo that talks about the \$2 million for allowable operations and maintenance expenditures that was specifically I guess directed in the resolution.

[10:02:49 AM]

I am concerned that we've only been able to come up with \$500,000 of eligible operating expenses because I think we have a lot of qualifying needs. So can you -- I mean it's difficult because I feel like we had a really long discussion about the legal implications of this back when we passed the hotel occupancy taxes resolution, and I don't want to relitigate that now but I feel like the specific direction from council was that we understood the distinctions, we were well aware of what other cities were doing, we understood the risks that staff pointed out to us but that we still wanted to really maximize the allowable maintenance and operations, the money -- the projects that we could spend maintenance and operations funds on under -- within state law. And I think we just might have a different interception of what those allowable expenses are, but I think there's a lot more there than \$500,000. So help me understand how we can get to a place where we have a list. I mean, I guess I would have hoped that staff maybe would have come forward with a list of at least \$2 million and said here are the

things that we are absolutely supportive of, here are the things that we have additional questions about, but we know that we've educated the council on this issue and it's up to your discretion whether or not you want to move forward with funding.

>> I will add that there are a couple projects on here that do involve operating dollars, so the planning and zoning projects related to the historic survey and scan are not capital projects. Those are operating dollars that will go to staff and consultants in order to do that historic work.

[10:04:55 AM]

We did ask our departments to look into and, you know, we provided them with the statutory language and provided Layla as a resource to departments as they were looking at different operating expenses that could be offset by this. Again, within the language of the statute we were not able to find things that we felt confident we can bring forward to council that would, you know, meet the requirement of the statute.

>> Troxclair: Would you be able to provide us with a list of what those things were that in staff's opinion did not meet the requirement of the statute but possibly in the council's judgment do meet the requirement of the statute?

>> We would have to go back and work with our departments. We didn't receive a list because the request was what are the -- what are the operating expenses that you're currently incurring that could be offset by hotel taxes within the chapter 351.101 of the Texas tax code, and we didn't receive any projects. But --

>> Troxclair: It's hard. I can imagine from the staff perspective -- the department perspective, it's hard to come up with projects. They're relying on your direction in order to come back to you with information about what projects may be able to be funded. So if you're -- if the direction that they're receiving is very narrow in scope, I can understand why they wouldn't respond with expenses, and, I mean, I don't -- we can talk about the state statute right now, but there is not a specific definition of general revenue purpose and general government expenses in the statute. I understand that there are ag opinions, but there aren't any ag opinions prohibiting the use of hotel taxes for the operations of a historic facility and, again, I feel like we have been through all this before.

[10:06:56 AM]

But it would be helpful -- I think with this topic area it would be really helpful. You -- you know there's a lot of interest from a lot of councilmembers on this issue and maximizing these expenses. If you could provide us with -- it would be helpful to me if you could provide me with a direction or request that you sent to the department to see -- departments to see what it was you asked of them and help me understand if there is a way to come up with a list that is maybe more inclusive than what is already included here. Because I really think that that is a way for us to maximize these dollars and put them

towards historic and cultural expenses that we have in the city. So if you can provide me with more information on that, I would appreciate it.

>> Sure. The one thing we could do, I don't know if we'll be able to get it done by Thursday but in the budget rider that spoke to allocating \$2 million to eligible operations and maintenance expenditures there was a list of sites included such as zilker park, the operations cost of those, and so we can include that in our response of -- for those specific sites that were called out where you're seeking to use operating -- use these funds to offset those operating costs if we can respond to those.

>> Troxclair: All right. Sorry. I missed the beginning part of your sentence. Did you say zilker park -- let's sue zilker park as a example. Are you saying that was included in the original resolution?

>> The budget rider calling for \$2 million from historic preservation helmet occupancy tax funds and it gave a list of what -- of what those potential options were. Then they were looked at but staff did not believe any of those expenses fit within the statute but I think we can give you a more detailed response as to why that was.

[10:09:00 AM]

>> Troxclair: Okay. Does Zach Scott theater receive funding through -- is the city funding the operations of the cultural arts program in Zach Scott theater maintenance through hotel taxes?

>> The city is funding \$60,000 of operations at Zach Scott through hotel occupancy tax.

>> Troxclair: Does the state code specifically differentiate between cultural expending historical spending?

>> Yes.

>> Troxclair: Okay. Can you provide me where that is?

>> Sure. It's in the list. I'm happy to provide that to you.

>> Troxclair: The state code?

>> Yes.

>> Troxclair: Okay.

>> And also I think that this is going to be a somewhat evolving process, that as the historic facilities are more developed and improved and as staff gets more expertise under their belts about thousand plan and operating these facilities there may become more operations expenses associated with those facilities that are appropriate under the code and that we're all comfortable with. So I don't think that when staff did their evaluation that they saw it as the final thing. And in fact there are at least a few of the proposals that involve using -- starting off using consultants to get a feel for what the costs are and the need and then that can be like any temporary staff evaluated and figure out, do we need permanent people to do this work, if we do how much does that cost? I think staff is trying to respond to you in a

way that is manageable for them with their workload and that is also shovel ready so they can demonstrate that they have in fact used the funds wisely and then also planning with the expectation that this will be part of the longer-term funding.

[10:11:01 AM]

So I don't think that they've just sort of looked and said, okay, this is all we can come up with, we're done, check the box. They know that this is an evolving process.

>> Troxclair: Okay. And I'm glad to hear that. Thank you.

>> Mayor Adler: Okay. We're going to take a break right now and ask the police chief to talk to us and then we'll come back to the -- this discussion on this item.

>> Kitchen: I have a question you can answer in ten seconds. That is I had an executive session item related to this. I think it relates also to what councilmember troxclair is asking. When would you like to try to do that? Is that today or will we try to do that Thursday?

>> My preference would be to do it Thursday. I'm looking at Layla to see if she was a preference one way or the other.

>> Thursday.

>> Mayor Adler: Thursday.

>> Kitchen: That's fine. I just wanted to plan for it.

>> Mayor Adler: Let's take a break. From this. And bring in the chief. Yes, manager?

>> Mayor, councilmembers, certainly the events over the last three weeks have challenged our community in ways that we have not experienced before, and I've asked interim police chief Brian Manley to come update you this morning. Although this is certainly an evolving situation and there are a lot of unknowns there are a few things we do know. One, we're working tirelessly to prevent more of these explosions from occurring and determine the cause of that and who is responsible. The level of cooperation and coordination across our law department, across our community has been extraordinary. And we thank all of those that are coming together to ensure that we are working to keep our community safe. Two, that we have been getting the word out to our community to stay alert. That includes our city employees, many of whom are in the field interacting with residents on a day-to-day basis.

[10:13:03 AM]

They can be helpful in being the eyes and ears to ensure that we are keeping everyone alert in this environment. And, three, that our community is strong. We're resilient and we will get through this.

We're going to stop it and we're going to make sure that this never happens again. With that I'll turn it over to the interim police chief.

>> Thank you, sir, good morning, mayor, council. I appreciate you allowing me to interrupt your ongoing meeting so we can get this briefing in and get back to the command center. I've been there all morning. Updates, I'll remember we started back on March 2 with the first incident that occurred. We followed two incidents that occurred on March 12 and then of course the incident that we have in Travis county a couple of days ago. We are also currently working I think as you all are aware an incident that occurred in Schertz, Texas, overnight where there was a package that explode at a FedEx delivery service and the working theory right now and as has been published by the Schertz police department is that that was a package that was in the shipping center discontinued for Austin. We do currently have police resources at another FedEx warehouse here in Austin where we do have another suspicious package and we have bomb technicians working on that package right now. So this is a constantly evolving situation that we are in, and we remain committed to continuing to put out the information that will keep our community safe while at the same time keeping information confidential that is important for the integrity of this investigation and what that often looks like is specific things that may only have been known by the suspect or suspects in this incident so that once we capture them and we have the opportunity to speak to them, if they know certain facts there's no other way they would have known them other than through their involvement. So this is not an attempt to withhold information from this community but it is an attempt to maintain the integrity as long as it is information that would not improve the overall safety of our community, and that is a commitment not only from me as your chief and our department but also from the federal partners that are here with us right now as well.

[10:15:20 AM]

We have over 500 federal agents that are here from both the FBI and the ATF. We have got a very large operations center operating with the unified command structure, and every lead that comes to in is getting assigned out to either a team of Austin police investigators, alcohol, tobacco, firearm explosive investigators or FBI investigators, and every tip is being followed up on. We are doing morning and evening briefs with the entire team to make sure that everything is remaining consistent. And, again, what we know right now with information we have we do believe that these incidents are all related, the ones that we have worked so far, and that is because of some of the specific components of these devices. We are sending all of the evidence to the ATF lab in Quantico and they are conducting all of the post-blast analysis of the evidence that we have recovered and they are reconstructing these devices so that they understand what the firing mechanism is, what the explosive charge that's being used is. Again, this will all be evidence that's not only important in trying to identify and apprehend the suspect or suspects now, but also for any future court proceedings that may come from this. We also have present the district attorney herself is often there and when she is not her deputies are there, and we also have the assistant U.S. Attorney with us as well so that we ensure every step of the way this work is consistent with both state and federal law since we do not know where the case will end up once we bring it to its conclusion. We want to make sure every step we have taken is compliant with each system. So what we really want to focus on right now is this community understanding the difficulties and the safety precaution that's we need them to take. We started off with the information that we do

based on the first three incidents that occurred in our community and these were package bombs that exploded when they were either handled, picked up or opened.

[10:17:30 AM]

We then saw what happened two days ago out in Travis country where we ended up with a device with a completely different mechanism, with a tripwire, which of course changed the complexity of things. These -- that bomb was very different than the other three. The first three appeared to be targeting a specific residence -- resident address, say, whether they were targeting the person at that address or not we know they were placed on a specific doorstep in a specific home. This device in Travis country out in open space with a tripwire, that opened it up to anyone that happened to come by and activate that tripwire would have been the victim so that was very different and that's why our message is now very different and it's a different level of vigilance that we need now. We need now as a community to come together and for the community to be the eyes and ears of the department and more so now than ever to see something say something is so important. If someone looks out of place, if something looks out of place we need to get that call. We have 500 agents here for a reason. They're partnered with us, taking these calls with us. We've got Texas department of public safety agreed to put 50 troopers in Austin to help us maintain the sense of safety and security in our community, as well as help us investigate these cases and bring this to a conclusion. So it's important for the community as well. We were intentionally nondescriptive when we would put out descriptions of these devices. And it was for this very reason that we knew all along the devices could change and that's why we didn't describe the box and package that those first three devices were contained within because we didn't want to give a false sense of security that that was the only thing as a community we needed to be worried about. We've now seen that evolution to different types of devices and with what just occurred in Schertz, Texas, we've now brought in the new element that that device was actually going through one of the carrier services instead of being hand delivered as was the case in the first three, as we believe that to be.

[10:19:42 AM]

So this is an evolving investigation for us. It's a complex one. But I assure you that we have got a partnership with our federal agencies that is unprecedented, and that if we needed more resources I have every expectation that they would be here. And this is being discussed I know at the highest level in our federal agencies as well to ensure that we are all working together towards putting a stop to this. So that's where we're at right now. Again, it's an evolving investigation. And we are doing our best to inform the community that this is important to be vigilant. We don't want to have anyone panicked but we need to be vigilant and we're doing our best to put out information what it is you should be looking for. That's why we're saying it's not just limited to packages and boxes, it could be a backpack or bag, all these other things that look like they're in a place they don't belong and we do want you to approach them if you see that. Welcome and clear it we have bomb technicians and we have explosive k9

resources here. Not only the local ones that we always have but from our other local, state and federal partners. Now it is important to call. We don't want people feeling like it's an imposition to call us because we might end up with another bad incident and we don't want that to happen. The reward money as you know there's a \$100,000 reward put together, in addition the governor has come out and put together a \$15,000 reward. We're doing everything we can do to encourage the community to come forward and give us tips that they have. Again for those listening there's no tip that's too small. It may seem inconsequential to you but it might be that one piece of information that links other clues or information we have. As a community that's what we need to do, come together, look out for each other, look out for suspicious items and if you think you saw something or if you think you know something just call our tip line and let us decide if there's anything that we need to follow up on that.

[10:21:50 AM]

That's kind of the update now. Again, this is evolving and we will keep you apprised as we can as this moves forward.

>> Mayor Adler: Chief, thank you. And thank your staff and all the officers that are involved in this. Questions? Council? Ms. Houston.

>> Houston: Thank you, chief. And I'm so appreciative of all the work that you all are doing, but I also want to thank the men and women of the fire department and the emergency services department because they have got their hands full as well. So please press -- pass that on to both of those agencies.

>> Councilmember, I will. It is important to note that when we roll on these calls they are right there with us as well. Thank you.

>> Mayor Adler: Mr. Casar.

>> Casar: And, chief, I want to thank you and the manager for how well you've done putting out information for people. Folks are rightfully really nervous and scared, and even though you can't -- you explained well today what information you can and can't -- share, I know it's exhausting doing press conferences while trying to solve this and keep folks safe, I thank the entire city family for what you're doing now, this work, on top of the obviously really urgent work of making sure we're all taking care of one another, looking out for one another. Thanks to you and everybody in the city family as our hearts go out to the people that have been harmed.

>> Thank you, councilmember.

>> Mayor Adler: Councilmember Garza.

>> Garza: I'm sure you had many discussions with our manager but if there's any additional resources or a way for council to be supportive of increasing the reward money, please do not hesitate to reach out to any of us. And thank you for what you're doing and for keeping us and the city manager, for letting us know what's going on. A lot of people naturally ask councilmembers questions and really we know as much as, you know -- I mean, you probably know more, but, anyway, thank you for all those working tirelessly to try to find who is doing this.

[10:24:05 AM]

>> Thank you, councilmember.

>> Mayor Adler: Councilmember troxclair.

>> Troxclair: Yes. Thanks, again. I know you must be exhausted and everybody is really working hard and I appreciate your efforts, as well as the city manager and the mayor who have done a good job of keeping everybody informed. To follow up on councilmember Garza's question, I had a constituent suggest that we set up a go fund me account in order to increase the reward money, which I thought was an interesting idea, but I imagine that the reward money is also -- there's a reason that it is set at specific levels. Would that be -- is that an idea worth pursuing? I imagine there's a lot of people in Austin who would be willing to give money to help you find who is doing this.

>> Councilmember, if I may I'll add that to the discussions as we approach this overall investigation and especially in regards to the reward amount and when you change reward amounts if necessary.

>> Troxclair: Okay. Yes. Just let me know if I can help with that. I do have a couple of questions about this morning's incident. It was reported publicly. I heard it on the radio that the package originated at the Verdi FedEx location. Can you tell us if that's accurate or not?

>> I'm not confirming anything that we do not believe should be out in the media based on the integrity of the investigation. I don't know the source that have one, councilmember. Again, I'm not trying to not disclose information but that is something we will be looking at very closely at where this package originated and whether that would lead us to something else.

>> Troxclair: Okay. I understand. Thank you.

>> Mayor Adler: Councilmember alter.

>> Alter: Thank you. Chief Manley, I just wanted to compliment you on your leadership through this process and as well as the city manager in coordinating so many different agencies and different levels of government to help us to find the perpetrators.

[10:26:07 AM]

I had two questions. One I wanted to know if there were any pieces of equipment beyond what was on the addendum that you need in order to be able to do your work effectively.

>> We've been fortunate we've gotten some grant money through the state that have allowed us to get some new technology in x-raying and evaluating suspicious devices and so right now I think we are okay. And I will assure if you we come across a need that's not being met either through our own resources or the federal resources that have been brought to bear I will be in front of you making that request.

>> Alter: Thank you. And then in terms of the messaging that's going out to the community, what I'm hearing and understanding is that we're asking our community to be vigilant while also remaining calm and that if they find a suspicious item to call 911 but that if they have a tip or information that might lead us to find the perpetrators that they should be calling a tip line which is 1-800-252 or 8477 or the crime stoppers, 512-472-tips. I just wanted to say those numbers because I want to make sure there's not confusion over the instructions that are being provided so if you see something suspicious that needs immediate action it's 911. If you have a tip that will lead us it's to call the tip line. Is that the correct --

>> You are absolutely correct, and I do think it's important to emphasize that if you have seen something suspicious or something that gives you concern that is a 911 call. And if you have information you think will help us then that is one of those two tip lines, whether it be the local tip line or state tip line.

>> Alter: Thank you.

>> Thank you.

>> Mayor Adler: Okay. Councilmember kitchen.

>> Kitchen: Chief, I want to also say thank you to you and all of your -- all of your team for the work that you are doing for us, and I also want to thank our city manager. I appreciate the way in which you have handled this moving forward.

[10:28:11 AM]

I have a question, and I don't know if it's one that really you can speak to or not so I'll just phrase it this way. You know, we are all talking with folks in our community and we are all very concerned, and part of that concern is -- are people's feelings that this feels so random, feels like something out of their control, feels like something that they don't know what to expect. And I know that we can't tell them, nor do we know anything about targets or anything about specific parameters, as you said earlier, but what would you -- what would you say to folks that are saying how can we understand this in terms of the scope? How can we understand what to expect? Is there anything that we can say to them now from your perspective?

>> You know, obviously we want to reassure the community that we are doing everything that we can do to solve this and I think the level of participation from our federal partners speaks to that, not only the commitment of the men and women of the Austin police department, for us it's personal. This is home. We are committed. We are driven. We want to solve this because this is our community. But I see the same drive and same dedication in the men and women of the federal agencies that are here. As far as the concerns, they are legitimate concerns that the community should have right now but it's not time to panic. It's time to use that concern to fuel your desire to not only be safe and keep yourself safe, but help keep your neighbors safe, look out for those that may not be looking out for themselves and really try and help us as a police department. Come to us. We are wanting of information and of tips. I cannot sit here and tell you whether there will be another incident based on what we've seen we have

no reason to believe there would not be and that's why we're working so diligently to identify and apprehend the suspect or suspects involved in this incident.

[10:30:15 AM]

So really that message is just the department is here for you. Our partner departments are here helping us do our best to keep this community safe and take the steps that you can to pay attention to your surroundings and your neighborhood and your community to help us in that effort.

>> Kitchen: Okay. Thank you.

>> If I may just take a moment as well, you referenced it, although I may be the one that is in front of the cameras and trying to keep this community informed and educated and a sense of balance on what's happening here, I have a team behind me that is also as committed and as driven as I am because this is their home as well. So there's a strong presence of the Austin police department in addition to our federal partners and I appreciate you recognizing that and I want to do the same because this is a team effort. Councilmember Houston, you brought in the other public safety services as well and that is appropriate because we're going to solve this, as I said before, as a community. There's no one that wants to be the lead agency just because they want to raise their hand at the end of the day and say we solved this. This is truly a partnership and I want to recognize that here as well?

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Thank you, mayor. Chief, I just would like to see if you could say a message to our guests and people, our visitors that come into Austin. You know, if -- I myself feel like I'm pretty safe and I haven't restricted my movement around town and I think we should also send a message to our people that people that come in want to visit Austin, that it's still a safe town.

>> I agree with that, and I will make sure that at every opportunity that we have that we message that as well, that at the end of the day we are still the fifth safest city in this country when it comes to violent crime. That's important that not get lost. We're facing a very unique time and we will get through this.

[10:32:17 AM]

You're right we don't want to lose in the middle of all of this that we are still a safe city.

>> Mayor Adler: All right, chief. Obviously you have a council/manager that is fully behind the efforts if you need anything at all, it's readily apparent that the council is ready there to do whatever it is that you ever been. I know that each of the councilmembers are in close contact with their districts. And I know that you're encouraging everybody to send out on their social media channels the information information that your department has been pushing out. I appreciate that so much of that is going out in multiple languages. There was a request that the reward money announcement I think is at this point only in one language. It might be good to speak to the -- our partner agencies to expand on that. And I

think it's important you recognized that the fear and the anxiety in the community is real and that's natural and is part of this. But there are things that people can do, being kind of the eyes and ears of your effort and to watch each other's back by being ever more vigilant in noticing things that are out of place, not going near them and calling 911. And it is -- it is comforting to know the priority that alcohol, firearm, and tobacco has said this is their number 1 priority in the country. Hundreds of agents on the ground. It is really impressive to see the ways that -- waves of people that have come in, the professionalism, the focus and the determination that you can see on the folks that have arrived, including the team that we have.

[10:34:22 AM]

And, you know, with the additional incident today, I think the other point that you made to me earlier and to other councilmembers was that while it adds to the anxiety when there's an additional event, it also means that there's more information and data for your team to be able to use. So god speed on this, and find out who is responsible for this and help make it stop.

>> Thank you, mayor. And I know that both manager cronk and assistant city manager Arellano have been very involved and in several briefings as well. If there's anything that we need, as you mentioned, councilmember, we will be bringing that before you.

>> Mayor Adler: Sounds good. Thank you. Okay. We'll go ahead and return to where we were. We were talking about this item number 8. Councilmember alter.

>> Alter: On a totally different subject now, actually, I want to -- if other people have comments it's important that city manager cronk hear my comments so it was really directed for him. If somebody has other comments I'll come back.

>> Mayor Adler: Anything else on item number 8?

>> Tovo: Sorry, are we talking about hot tax?

>> Mayor Adler: Yes. Mayor pro tem.

>> Tovo: I needed to switch gears there for a minute. So I had three questions -- well, two questions, one comment. Is the wave finding downtown an offset or is that additional funding for way finding that we would not be spending this year, just getting back to councilmember troxclair's questions about what we're offsetting, if anything, in the budget. And I have a follow-up to that.

>> Councilmember, Robert spillar, Austin transportation department. It would replace existing funding that we have and allow us to expand that program into east Austin and to the periphery of downtown.

[10:36:26 AM]

>> Tovo: So are we displacing any planned for expenditures in your department? Or we're just expanding the reach of it? Is there going to be a savings in the transportation department because of this expenditure?

>> Yes. There would be a savings. We would redeploy that savings into the same program, extending beyond the original planned area that was developed by the planning department.

>> Tovo: And is the savings equivalent to the amount here?

>> Yes, ma'am, it's one to one.

>> Tovo: Super. Thank you. And then because we had asked city staff to identify \$500,000 worth of operations and maintenance expenses that could be funded through hot and you were not or did not do so, how will pard -- did we leave a gap? Did we leave a hole in pard's budget?

>> No, we didn't. Actually, there's \$500,000 that was approved as part of budget adoption in September for operations and maintenance costs in pard. The budget rider said go find an additional \$2 million. That's where we ran into struggles, finding existing operating expenses that we felt were appropriate under the state statute.

>> Tovo: Okay. So we -- pard does not --

>> No hold on pard's budget.

>> Tovo: Fabulous. I wanted to make a comment because there was a discussion about maybe a further resolution to allocate some funding from hot to the cultural trust or discussion along those lines, I just wanted to clarify my understanding is that, you know, the original resolution asked staff to develop a process for that, and so part of what I anticipate the task force is doing is developing not just a process for heritage grants but also a process so that organizations like

[indiscernible] Can come apply for funding through hot, that the cultural trust could come and apply for funding. I want to be sure that we're not contemplating introducing a process that I believe the staff are working to create for us because of the previous council action, but I very much -- I think it's very much part of this council's intention to use some of hot's historic preservation monies to find private buildings.

[10:38:35 AM]

And so, again, it's my understanding that's what our task force -- what our task force of our interdepartmental task force is doing, and I synods from those who are involved. So --

>> Kitchen: I hadn't understood they were specifically including an entity like the cultural trust to apply so thank you.

>> Tovo: That's my hope and they're nodding so good. Thanks.

>> Mayor Adler: Councilmember alter.

>> Alter: Thank you. I'm really excited that we have an opportunity to fund more of the needs of our historic parks and invest in preservation within the city. So I want to thank staff for taking the direction and moving forward with it and I'm looking forward to us actually spending some money on that. I do want to point out that there was a cost to doing this with respect to the convention center and visit Austin's budget. Something I brought up several times last year I wanted to make sure city manager Cronk is aware of is that we have hotel occupancy taxes from short-term rentals and we know they exist. We have been told -- I think it was Airbnb, there was five to \$6 million last year they had already collected the state was getting their amount of money and taking it in. So if we had an additional five or \$6 million a year in hot funds that would be an additional 750,000 to a million dollars for historic preservation and parks plus an extra 4 million plus that could be invested to make up some of the shortfall we created with visit Austin and the convention center. It's not very often that we have millions of dollars just sort of sitting in pots that we can access if we could figure out a way to solve that problem. The state has found a way to solve the problem. I'm not asking to reopen the whole can of worms of STRs but it seems to me that it would be an investment of our resources to see if we could figure out how do we access that money?

[10:40:36 AM]

And that's just one company. We know that there are STRs working all over the city not paying their hotel taxes or maybe they're paying them to their entity and those are not getting to us because we have a disconnect. The legal challenge as I understand it we need to know which particular STR is paying for it in order for us to accept the funds. But if we were able to solve that conundrum we could provide more funding to visit Austin or the convention center and more funding for historic preservation and parks since what we did was allocate 15% and if we increased that pot there would be more for everyone. I wanted to flag that. Maybe you have experience with that from Minneapolis that you could bring to bear, but I think that's a problem that's worth trying to solve and it would be on an ongoing basis that that additional money would be there. And then the last thing that I wanted to just suggest is it sounds like at least from Pard's perspective that there may be a need for additional staffing to be able to move these projects forward and that seems to me like that would be an allowable expense from hot funding and that as we're moving forward into the budget, whether it's from hot funding or elsewhere, in order to facilitate millions of dollars being spent through hot funds in our parks that we may need to look at whether Pard has the staffing it needs to be able to implement the projects that are so important to our community. And I don't know whether that can come from hot funds but it seems to me that would be potentially an eligible administrative expense for these kind of programs and if it's not an eligible expense it's something we should very much consider having so we can safeguard making sure this money is spent well if we're going to be spending it in these ways. Thank you.

>> Mayor Adler: Anything else on this one? Okay. Transportation, I think we're going to address when we have -- I think we have a transportation briefing on this.

[10:42:42 AM]

On the boards and commission.

>> Alter: So I think this will be quick. I wanted to ask staff if they could explain what -- and I'm not sure who this is a question for exactly, but I had understood that we had provided direction asking staff to come back with whatever amendments needed to happen to our committee ordinance so that we could have more than four members of our committee. I've been serving on audit and finance in an auditing capacity for over five months now. Councilmember troxclair is about to go out on maternity leave. There's going to be quorum issues for that committee, and I --

>> Mayor Adler: I think that's a good question.

>> Alter: -- Interested in what happens next and do need further guidance from council on that. I'm not saying that's the end all and be all of anything that might happen to our committee system but it does seem to be something we could fix in the short run.

>> Mayor Adler: So the question is how close are you guys coming back with the item for the council to move on increasing --

>> We can have a proposal to council by next week.

>> Mayor Adler: Okay. That sounds good. Why don't you do that so that we can act on it.

>> Okay.

>> Mayor Adler: Thank you. Next item that we have, the parking related to the library. I pulled that because people are quorummed up and I can't talk to people. But I have a potential amendment, mayor pro tem, that I wanted you to take a look at. The question as I understood it was on the resolution that you had was to say let's go from a half an hour to an hour. There was some revenue that was lost associated with going half an hour to an hour. This was just something that indicated to them that to the degree that they lost revenue they could adjust for that.

[10:44:45 AM]

Giving the additional half time. Then there was language that you had where you had for non-library patrons, and my -- I'm not sure that they're able to tell library patrons or not so I just flagged that as well. So just by way of discussion I just couldn't get this to you other than here. So I wanted to do that.

>> Tovo: Yes. Thank you, mayor. And the intent was really to direct the city manager to come up with a system that allows us to recover that revenue and so I think your language clarifies that, and that's fine. I do have a concern about eliminating the non-library patrons. You know, just in doing some initial field research, we looked at some of the other garages and what they charge, just, for example, the garage right next door to the library -- let me make sure I have the number right. I'm going to have to look for it. Just one second. I have all of these photos that I took at different parking garages that a made sense of here. Oh, at the north shore parking, which is right immediately next door to the library. Parking there is \$12 an hour. And so if some of the closest options near the central library are charging significantly

more than our parking garage. As we went back my office and I discovered that much to my per reconcile when I was running late and had a another meeting right after and had to park at the park shore and it was really costly. But one of the things that I think is important to balance is the need for library patrons to have access to the parking garage. As my office went back and forth with the library staff they do have some concerns and I'll ask them to articulate them, but the garage is filling up with users who are there all day and actually library patrons are having trouble accessing the library parking garage.

[10:46:48 AM]

I think part of that is because our rates are lower than the surrounding parking garages. In some cases as I just mentioned significantly. In other cases one nearby next to valley Austin is about six dollars an Austin, cfc is a reasonable rate for the day but a flat charge of \$15, not an hourly fee. So if you're going somewhere in that area for two hours, you know, \$15 would be a lot and it would be more than than what you'd pay at the library garage. Parking crown is eight dollars for the first hour and goes down from there. As you see, almost all of the examples, if not all of the examples, are really higher than our parking garage so it's no wonder we have people going in there parking for an entire day who are not using the library. So I am -- I'm interested in whether we can solve two issues here. One, create free parking for our library patrons for an hour but also adjust our fees for those who are not using the library so that they're competitive with the other garages around there but it also helps us free up space for our patrons. Can you -- would it be possible for you just to validate people's parking on the way out if they're in that garage and that would -- and that would be the way we determine who our non-library patrons and who are library patrons. The library patrons get the rates as proposed, the non-library patrons maybe pay a little more.

>> Mayor Adler: Part of it if there's a system to be able to do that I think the goal is to make the library parking available for library people. I didn't want them when they're talking about revenue to be limited from that. So it doesn't stop them from being able to come back with a proposal directed that way. I just wanted them to be able to come back to us to talk about non-library patrons, to talk about library patrons both. It was just that element of prescriptiveness with what they could look at that I was trying to remove, so we're giving them the authority to be able to do something that was perhaps broader.

[10:48:52 AM]

I understand that intent.

>> Tovo: I'll take a look at your language and maybe ask because to me it is -- again, I think we may have an opportunity to solve another issue here, which is access for library patrons. And so one is the lost revenue issue. The other is creating access for our library patrons. So if you're looking at it broadly --

>> Mayor Adler: Then the second clause spoke to the second one, which I think they're doing by opening up the library later in the day. The first one was with respect to the

[indiscernible] I just -- I wanted them to be able to look broadly.

>> Tovo: Okay. That makes sense.

>> Mayor Adler: That's all that was. It wasn't to limit them being able to help with the second resolved clause by what they did with the first resolved clause, too.

>> Tovo: Thanks for that explanation. That makes sense to me.

>> Mayor Adler: Go ahead.

>> Dana Mcbee, assistant director, library department. I guess to talk about the first question about access for patrons, last Monday, March the 12th, we did institute a system where we're not opening the garage to the public until 9:30 in the morning. We open at 10:00. That has drastically improved access for library customers. We did have people that were utilizing the garage early in the morning, were parking there for six, seven, eight, nine hours a day. That limited turnover because those people once they got their space they were there and in those subpoena space -- and those spaces did not open up within the day to customers. Or others using the garage. So in just a week's worth of time that has drastically improved. Abm, who is managing the parking ticketing system and payment system for us were able to run some reports and just, for instance, before we instituted this 9:30 opening, the majority of the folks were staying between seven and 10 hours.

[10:50:55 AM]

Since we instituted the change, the number of people staying between seven and 10 hours is about 11. And prior to that it was about 70. So I think in terms of capacity and limiting who comes into the garage before we open, we've done a good job solving that problem.

>> Yeah. That does seem like a very good solution for that problem, however, last week, for example, leadership Austin had a very interesting community forum about policing, and so that suggests then that anybody who is attending that was not able to park in the library garage. It was in the library early before the library opened.

>> If you're an event attendee you get in. So it's not -- it's general public access. So if we have an event going on those folks can get in.

>> Tovo: Great.

>> Staff can get in. Others who need other city employees who are coming for meetings can get in with badge access. We're just limiting it to the general public.

>> Tovo: So members of the general public who are attending an event of that sort can just explain on the way in.

>> Yeah. And we have a good communication system with security who is monitoring the garage and our events coordinator what events are going on, who to expect, how many to expect, things like that.

>> Tovo: Thank you. Can you give me those numbers again please? Before the 9:30 implementation you can how many? Irksome adding in my head --

>> I'm adding in my head. That's about 80 people or 80 tickets that are exiting at those times.

>> Tovo: Who were staying seven to 10 hours? And then it dropped to 17.

>> 17.

>> Tovo: Thank you very much.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: When did the testing, opening at 10:00 begin?

>> Opening at 9:30, last Monday.

>> Flannigan: So your test week was are spring break and south-by.

[10:52:58 AM]

So I would caution us not to assume that those numbers are valid. Lots of people don't work downtown during south-by and they stay home or go on vacation. I would be interested to see how this week looks when it's more of a traditional work week.

>> Yeah. That report was from the 14th, so that was last week.

>> Mayor Adler: Okay. Mayor pro tem?

>> Tovo: That raised another issue I wanted to bring up. As you do this analysis and come back to us with some good options for adjusting parking rates, I'd like to see the city adopt that kind of a variable rate too. When the garages downtown that are also offering parking for a fee are increasing their rates because of demand because of special events, I think the city's lots should as well. And I noticed when I talked to some of the parking garage people that they have that in place. Where an ordinary fee might be X. During spring festival that fee increases because of the demand. Again, I don't want to increase the parking charges for those using the library, but I want to make sure we're capturing as much revenue as we can for our library users.

>> Robert spill E if I may, we operate the garages here in downtown as well as the onstreet parking. Council has granted us the ability to flex our rates during special events or during activities. We try to do that to keep up with the market within the range of the authority that's been granted by council. We typically have an event fee in the evenings of a 10-dollar flat fee simply because that assists us in collection and getting the traffic evacuated from the garages after they're done. But we will certainly make sure you're aware of that.

>> Tovo: If you would. And I'd like to kind of put it up alongside some of the garages that are nearby and what their rates are because I think it's still really a great value. And probably we're leaving -- again, we're not maybe capturing as much of a fee as we could from those users who are coming and using our public garages not to come to city hall, not to go to the library, but for other venues.

[10:55:11 AM]

>> 'Em. You also mentioned validating. Yes, that's a technology that could be adapted to this approach, however, the challenge is in identifying what a customer is. So if a person has spent the day downtown and they come in and check out a book, it's hard to determine whether or not a customer just as with the city hall garage. You get two hours if you -- free if you visit a retail facility along the second street district and so that's good for if you have a cookie or a cup of coffee or buy something more substantial as well. So that's the limitation of that technology is defining what the trigger point is, if you will, for getting the validation.

>> Tovo: I guess I would say if somebody comes in and checks out a book, they should get their free hour. And so -- it was my understanding if this passes that you would be validating in some way for those library patrons.

>> And actually, councilmember, we could validate. That's a staff process. It might be easier for us to open it up to an hour of free parking instead of the 30 minutes that we currently have. It would lose a little revenue, but as the mayor said, we have the ability to adjust our rates to probably make up for that and to cover that loss that we might see. And as Mr. Spillar said, you could potentially park in the garage for five hours, make your rounds around downtown, come in and check out a book and for that -- or pull a ticket and come in and check a book out and how do we know that you haven't spent some more time down there? So it's just the ability to tease out who are customers and who are not customers and how long it really takes them or how long they spend.

[10:57:11 AM]

>> Mayor Adler: All right, thank you. Ms. Houston?

>> Houston: I would like to request a little bit more time because there are a lot of smart people in Austin and they're going to figure out that if they come in at 9:30 that they can make the system work for them. So can you give us a report back in about two months about how it's working?

>> Absolutely. We started this, it's only been in place for a week. We have seen some improvement. I can -- it's well noted that that was a busy week for visitors, but not so much a busy week for the rest of us who live here in Austin. We can certainly come back with that.

>> Mayor Adler: Thank you very much. Let's move to item 47, which is the Austin police department item. You pulled this one, Mr. Casar?

>> Casar: Yes. And it's mostly to hand out one amendment and get any feedback on that amendment. I think it is helpful for us to have a formal forecast on staff hiring needs related to the reports that we've gotten. I know that during the police contract debate there were some -- people had sort of some competing numbers on that. So I think it's good for us to have the department give us their progress on the reports generally and also the staff hiring needs and the cost. I also in order to try to align this the best we can with the strategic direction, the strategic plan that we recently passed, I have a be it further resolved clause here that has our staff also start the analysis cross-departmentally to help us figure the best use of limited dollars for public safety needs. For example, if we have a million dollars and we want to dedicate that to improving public safety, I don't think it's something that we can solve this year, but something we could get moving on is that million dollars best dedicated to the staffing plan to improve public safety? Is it best dedicated to a targeted law enforcement purpose like a gang intervention or a gun buy-back program or is it best dedicated to permanent supportive housing?

[10:59:18 AM]

And amongst those options should it be dedicated to one or spread among multiple to get the best public safety outcome for our limited dollars on so that way we have a public safety plan and we have an idea to fund it on staffing, but also have some analysis from our staff about which -- whether it be staffing or other public safety options, which ones give us the best bang for our buck given the way things are in our city. So that's the intention of this additional be it further resolved. I included a may 10th Ada that would be shortly after the prior be it further resolved to have some report back, be it in report back or memo, just to see how things are going before the budget gets put together and then to have something a little more comprehensive delivered to us with the -- with the budget delivery for this year. Not for all five years, but just to approximate sort of kick off this process of having us be as deliberate as possible on how we choose to allocate public safety dollars.

>> Mayor Adler: It seems to me like there are multiple questions here that are all interrelated and I'm having trouble -- manager, I think I need at some point direction on it because these questions seem to be interrelated. It seems to me that from everything that we've heard one of the things that we need to give real serious consideration to is increasing the number of officers so we can do community R. Community policing so when police go into an area that they are known by the people in the area they are walking into and vice versa. But also in relation to what we're paying the officers. We saw incidentter relationship of that question when we were gathered together in November trying to decide questions. So it's important for me to be able to see a five-year plan. I think this is a real good component of this. In fact, it's something that is a -- that we've been asking for in discussions. But part of that probably is a variable based on what it is that you're going to be -- what the city ultimately will be paying.

[11:01:22 AM]

So there are the interrelated questions. And I don't know how we decide one without deciding all of them and you're in negotiations or soon to be in negotiations and I don't know how that relates to doing these. So getting reports back and analysis is something that seems right to me. Giving direction on this without knowing the answers to the questions yet, I'm just not sure how I do that.

>> Kitchen: Can I speak to in a?

>> Mayor Adler: In a second. Councilmember Garza had her light on first.

>> Garza: I just -- on one of the be it further resolveds, just considering staff resources, I don't know what this 2008 management of America report is, but I guess I would just note that it's over a decade old and I'm not sure if that's the best use of staff resources, asking them to go back to a 10-year-old report to update us on the progress of recommendations, especially with significant changes in community policing. So I would suggest an amendment that says update on progress of recommendations made in relevant -- and I don't know, reports would just be a suggestion for the authors of the resolution.

>> Mayor Adler: Okay. Councilmember kitchen and then the mayor pro tem and then councilmember alter.

>> Kitchen: I was just going to comment on the staffing plan. I don't view the staffing plan as dependent on how much we pay our officers. And the reason I'm saying that is because we need a staffing plan that's based on the need given our growth. Thin we can consider that information in the context of how much we pay our officers.

>> Mayor Adler: I don't disagree with that.

>> Kitchen: Okay. I wanted to make sure I was hearing that. And I also want to point out that I think the last be it resolved is critical.

[11:03:22 AM]

We've been saying for awhile and our community is saying to us and we agree that we do need to go ahead and fund additional officers right now. And so this takes an initial step while waiting to get a full staffing plan by needing that we need to expedite filling all current vacancies and using the existing funding for the unfunded positions. So we need to make sure that those positions that we already identified that we needed are funded and are filled. So that's just an initial first step and this is an attempt to make that clear that that needs to be done immediately.

>> Mayor Adler: Mayor pro tem.

>> Tovo: I have a variety of questions. Some for staff, possibly some for the sponsors, but I just want to pause there for a minute. I'm trying to figure out what exactly, what movement forward we are initiating here that hasn't been directed that we've already offered. For example, the city manager is directed to expedite filling all current vacancies. Haven't we done that? We talked about that pretty significantly at least in this last subject cycle. There are vacancies. They talked about the different

academies and when they would start. I thought we emphasized that as a priority to the police. And I guess I would ask our police representative, our assistant chief to just come and say do you need direction to fill your vacancies?

>> Mayor and council, chief gay with the Austin police department. No, ma'am, we currently do have a plan. Unfortunately we knew that we had a large contingency of retirees retirees in December, but we do have a plan forward going forward with the academy that's in currently as well as one that will start this fall as well.

>> Tovo: Okay. So this direction is unnecessary because it's already going. You already understand that to be the mission to get -- to graduate your cadets and get them out in the field.

[11:05:24 AM]

>> Absolutely. We want to get to hopefully where we have no vacancies, but currently that's our goal.

>> Tovo: Okay. And can somebody help me understand -- that's what I understood that resolved to be, until just a minute ago when it sounded like you were saying that we should use available funding to fund additional officers. Do you mean additional officers beyond the vacancies?

>> Kitchen: No. First off I consider this section to be necessary, not unnecessary. Clarity is important for the public and also passing a resolution is much more specific than us just providing informal direction. So I would take issue with you characterizing this as unnecessary. It's particularly important for the public to understand that we are putting a priority on this. We're getting requests from many folks in the public and I certainly appreciate the ongoing efforts that are happening right now. And this does not negate that at all. It just emphasizes the council policy direction makes it clear to the public and I don't think it's unnecessary at all.

>> Tovo: I'd be happy to effective speak to why I think I have some concerns about this. We get -- especially as the representative of the district that captures a lot of downtown I get requests constantly to allocate more police resources. This is how it's expressed to me, to allocate more police resources downtown. We had two officers assigned to outside the arch in the summer pilot. It made a tremendous difference. The clients of the arch made a comment on how much safer they felt. After the budget process those officers were no longer able to be there. We have tremendous staffing needs through our city, including downtown. I get personal requests, as I said, all the time for more staffing. My answer is I don't get to determine staffing. That's not on the council side of things.

[11:07:24 AM]

That's on the city manager's side. There are several places in which this sounds like we are making allocation or staffing decisions, and I think we have got to be really clear with our public that that's not -- that's not in the hands of council. And so when we're providing direction to fill vacancies, I really think

we need to be very clear that the staff don't need that direction and it's underway. I just think we set up a very unreasonable expectation in everybody's council district that suddenly if you pass a council resolution asking for -- what is necessary to get adequate staffing in our community is for the council to pass a resolution. And so I have concerns. So I hope we can figure out and tease out some of these areas where that concern is rising for me so that we can get clarity on it. This is one of them. And again, as I understood the direction, seemed to be about vacancies, but now I need to understand are we talking about using existing funding to fund additional officers. And if we're doing that I think that needs to be clarified and I need to understand is that exist willing funding coming out of -- existing funding coming out of what we set aside in the event that we had a successful contract?

>> Kitchen: I'm going to let the author speak to this. And let me finally say that we have our role as a council to determine the number of staff, not where staff is located. I agree with you on that. And it is always our role and it has been our role for a long time to approve the number of officers. So -- which is what this whole effort speaks to. And that is our responsibility. And so -- I'll defer to our --

>> I very well understand that responsibility and we do that when we make decisions on the budget and there were budget employs for additional officers that we contemplated, so if you could help me understand what that is and whether you are saying or approving additional officers beyond what are currently in the academy?

[11:09:33 AM]

>> Mayor Adler: Councilmember alter.

>> Alter: I would be happy to speak to it, but councilmember Houston is listed as the lead sponsor so I want to give her a chance to speak first.

>> Houston: I understand what your concerns are of, but there seems to be concerns in the community that we are not hiring and not anticipating -- don't acknowledge the need because the city is growing to add new officers to the staff. I don't know where that came from, but that seems to be the calls that I'm getting. And so this was a way to be very specific that we are supporting the department to fill all the current vacancies and then to also add the 12 additional staff that we put in budget, but never funded.

>> Tovo: Thank you for that clarity. Is there a way to separate those two things out?

>> Houston: I think if you have something to submit to us we could look at it. I don't want to take up the time today to --

>> Tovo: So this is the intention to support the efforts, the ongoing efforts to fill vacancies and we can acknowledge that as an ongoing effort.

>> Houston: And to make sure that's clear to the public.

>> Tovo: Yes, but to fund the 12 positions. And where would we be and are we allocating that funding from the existing funding that we have available because of the contract?

>> Houston: Correct.

>> Tovo: Okay. Okay, thank you. Is this accompanied by a budget amendment? I mean, are we -- we're then making a budget amendment?

>> Houston: I think when we talked to the police department they already had the money in the budget to fill the 12 additional vacancies that were -- were not funded. So I didn't see that the budget amendment was needed because they have money in the budget.

[11:11:41 AM]

>> Mayor Adler: Yes, Elaine.

>> I can speak to the need for the funding. If the police department has the ability to fund for the 12 positions they do not need a budget amendment as long as they won't go over their total budget at the end of the year.

>> Mayor Adler: All right. And that -- as I recall, we put that in a budget, the chief Acevedo then was going to fund those 12 out of additional funding. That didn't materialize to be able to do that. But those are unfunded positions at this point, but yes, I understand what you've said. I think that was what the original intent had been. Councilmember alter and then we'll come back.

>> Alter: Thank you. I want to speak to both mayor pro tem tovo's point and councilmember Garza's point. And start by when we did the budget last fall we left open a whole bunch of decisions with respect to public safety because of the contract negotiations. And the goal was to have a contract done and to be able to make those decisions with more information with our financial situation, including the possibility of increasing staffing for police. Because of the contract situation we didn't get to that point of having that budget amendment and so this was left kind of unresolved last fall. And so I see this resolution as saying we want those both funded, which would then provide direction moving forward in the next budget that those 12 would also be funded. They have funding in their current budget, but it's true they can't hire the new ones until they fill all their vacancies, because they have to fill their vacancies before they hire new officers and that's a function of the pipeline. So there's a lag time that's involved. Part of the reason that we wanted to put forward this resolution now is because there's a lag time for hiring, you need to move forward with this process of deciding the staffing more quickly because they have to get in the academies and there's a delay.

[11:13:50 AM]

It's not like I can decide today that I want to hire 20 more officers for next year and then as soon as October 1st hits I have theosophers. So we have gotten conflicting information across multiple reports over what the staffing levels are and so the goal of this was in part to make sure that we had the most up to date staffing level information from our staff pulling together information that we have seen across these multiple reports. With respect to the 2008 management of America study, I'm going to respectfully decline that amendment. We have talked with chief gay about this. That is the most

comprehensive look at the police department that we have as a basis for building off for this staffing for one. It is more comprehensive than the matrix report. Our staff has indicated needs that go beyond community policing because we've been growing and because of the management needs that come with hiring those officers which were not, I believe, included in the matrix report. The management of America report also, though, makes a lot of recommendations that have not been acted on as far as we know, or maybe they have been acted on and we don't know that impacts the efficiencies of the police department. So if we are going to increase staffing we want to make sure that we've done everything we can to make the police department as efficient as possible. And there are outstanding issues from that management of America report that we've been asking, at least my office has been asking for for months to get the information back on. And we need to know what's happened with those and it's my understanding that the department is prepared to share that information. And so the information that we'll get back from this is really important as we move into budget and as we strive to think about creating a plan that is going to get us the staffing needs that we have, it could very well include the same kind of information that Mr. Casar has brought up.

[11:15:57 AM]

I think you're very right in that there are lots of things where we could spend our public safety dollars on and that we do need to make a decision about whether more police officers is the best use of funds. I think there is a need for more police officers, but we have to understand the magnitude of the challenge that we're facing in that regard and make those trade-offs accordingly to chief the most public safety dividend as we can.

>> Mayor Adler: Mr. Casar and then councilmember Garza.

>> Casar: So I only now am understanding after the discussion earlier in the work session what the final be it resolved means with some of those few years there and I really respectfully ask that we consider moving forward on everything, but waiting on that this week because we said repeatedly in many budget hearings time after time, and in conversations with the city manager and conversations altogether that we were going to have a comprehensive budget amendment process where we would look at at the end of contract negotiations or at a set time if those contract negotiations were complete to look -- to bring back community members that we told during the budget process that we would likely after contract negotiations have some room to make particular investments. And I understand how these things are all tied up so I recognize why they're all in this resolution, but I did not move forward on resolutions. I told-- made commitments to community members that I made commitments to the council that we would not be moving forward on spending some of that unallocated money from the police department and across departments until we had a chance to respectfully reach out to everybody on what we would be spending any unexpended funds on. So I just feel personally like I have tried to keep that commitment to this group and feel like this -- we would have people who wouldn't know between now and Thursday. For example, the people who were asking for additional victim services positions in last year's budget because of the processing of sexual assault kits we said we want to have you participate in this process, but it will be a process where everybody can come back and talk about it from a budget adjustment.

[11:18:13 AM]

And maybe I'm wrong, but my understanding is that this would be getting to some of those funds that we anticipated using in that process. So I would just really -- if I'm -- me and my staff have looked at this and that's why I brought this amendment. If -- I really didn't understand those last few sentences, those last few words and it seems like others didn't either. So it just seems like that interim budget amendment process that we've been talking about for months would only be -- is only known to me for 48 hours. So I would just ask that we wait on that last portion.

>> Mayor Adler: Councilmember Garza and then Ms. Houston.

>> Garza: With regard to the management of America, I googled the 2008 management in America report. I googled adding Austin, and nothing came up. So it would be nice to know what that report is. And question for the chief. So there is already an ongoing plan to fill vacancies, we said, correct?

>> Correct.

>> Garza: Was there already a plan to fill those 12 vacancies with money in your budget already?

>> We currently do not have the money allocated, but we were using cost savings or whatever we had within our budget to try to cover that. Until we get closer to the end of the year in reference to looking at our budget of whether or not we would have the funds to be able to allocate that. We have had to utilize overtime and other funds to try to address some of our vacancies as well as some of our challenges that we've had with special events. The unfortunate incidence with the bombings and a lot of overtime and things to ensure that we have adequate staffing for the city.

>> Garza: So you are unsure -- because bah maybe I misunderstood from what Ms. Hart said, you're unsure at this time if the funding exists now for those 12?

>> I would have to get with our financial department, but we have requested and we do have in budget a request to fund the 12, but although until we get funding we will have to look at other funds that we have allocated in our department it for that.

[11:20:32 AM]

Right now is that we have come under -- within budget for the last 10 years. We forecast that we will be very close this year to meeting our budget, but without looking at that further I can't sort of project that today.

>> Garza: Okay. When is the proposed budget? I'm sorry, trying to get a hold on timeline? When is the proposed budget supposed to be out?

>> The manager's budget? I think that comes the end of July. August 1st.

>> Garza: Okay. About that time? I just -- yeah.

-- The mayor has often had concerns with doing budgeting outside of the budget and I have -- many times I've said that I didn't agree with that, but I will say here that you know, we have a brand new budgeting process. We -- without knowing exactly what the trade-off is. If there is existing funding in police that is a discussion to councilmember Casar's point that we haven't had the opportunity to have just yet. So I have concerns about that last be it resolved as well. Filling the vacancies as stated is already -- there's a plan underway. I appreciate the need for councilmembers to be responsive to the public's request, but our ability is also to communicate that these are things that are already being done. These are things already underway. This is not for a lack of our staff doing what needs to be done to fill these vacancies. So I don't see how -- I don't see how the first part of that last be it resolved is necessary.

[11:22:36 AM]

And second, I don't feel comfortable making that decision outside of the budget process.

>> Mayor Adler: Ms. Houston?

>> Houston: Thank you. Mine is going to be quick. It's interesting about when we do things outside of the budget and when we say we can't do things outside of the budget, there's no consistency and no predictability. And when we do it and when we say we can't do it. We do it all the time. This is not the money that we talked about last year prior to the meet and confer agreement. There was an amount that was kind of thought about last year. That's not the money that we're talking about. And yes, I do understand, chief gay, that with the situation that we're in now that that may reduce some of the money, but at the point that this resolution was authored we were thinking that we didn't have those kind of parameters that we do now and that there was money already available in the budget to be able to fill the 12 positions that we had put in the budget for the past two budget cycles and never been able to fund. So this is not the money that we were talking about for meet and confer. That we would be able to use to hopefully find some other ways to do community policing other than hiring police. This was just to get enough police on the ground so that people across the city had a sense of security and would be able to see some police officers in their area out in the far reaches of the hinterlands where some of us live. And we do budgeting all the time out of cycle.

>> Mayor Adler: Manager, I notice we were set on executive on Thursday to talk about the meet and confer. Maybe that's something that can be addressed in the context of that broader conversation for us. Councilmember kitchen.

>> Kitchen: I just want to also emphasize what councilmember Houston just -- the distinction that she made.

[11:24:40 AM]

I think what's important here and also to speak to councilmember Casar's concerns, what we're talk about in this last be it resolved is the 12 positions that we already authorized. We already acknowledged that we needed at least 12 and 12 is a drop in the bucket for -- when we look at the matrix report versus other staffing, which ranges all the way from 140 to 300 something that are needed over the next five years. And as we've acknowledged the staffing plan will help us nail down that number. But we know and we already said as a council that we need at least these 12. And that's all we're talking about in this last item. It doesn't -- it doesn't impinge upon the dollars that as councilmember Houston explained, it doesn't impinge upon the dollars that were set aside for the meet and confer. And I conquer with what councilmember Casar was saying in with regards to earlier in the year, back in September we said that there were other items that we wanted to look at funding. It's March now, which is many, many, many months since then and I think we need to at least get off the dime and move forward with these 12. And then create a space for discussing the point that you're bringing up rather than delay those, create the time frame and the space to discuss the other items because it's different pots of money we're talking about.

>> Mayor Adler: Mayor pro tem.

>> Tovo: So I think -- I'm glad we've had this discussion because I didn't completely understand. , As others have said, what the last be it resolved was doing. I don't want to wordsmith, but I do want to lay out what I would suggest as amendments either for the sponsors to take or I'd be glad to propose them more formally just to make sure that I'm understanding what this resolution is intended to do in terms of its -- one piece of its action.

[11:26:48 AM]

So I would suggest adding in a whereas acknowledging that APD is in the process of filling its vacancies through ongoing police academies. I think we're talking about two different kinds of positions. One are the vacancies. And one are the unfunded positions. And if I'm correct in thinking that, then I think we need a whereas acknowledging the work that the staff are doing getting the cadets through the police academies, which we talked about extensively last year as a part of solving your vacancy issue. I would suggest that as an additional whereas. As I mentioned in the additional be it resolved, if we want to say the city manager is directed to continue doing the ongoing work of filling those vacancies can police academies, then we can, but then I would separate out what the other piece of the action is which I think at least I missed, which is hiring those 12 provely. So I just drafted quickly the city manager is directed to use its existing funding, though I don't know what that is and I to ask a question about it, but it's directed to use it's funding for the previously approved 12 officer positions. So we're really clear on what we're doing. We're telling you we previously approved the positions, but now we're saying you may go forward and hire. And now I need to ask have you already hired those -- I wasn't clear on like whether you've identified savings and have begun hiring them or no?

>> We are in the process of filling our vacancies. As it was mentioned earlier by councilmember alter that it takes us approximately about 18 months to get a person through. The 12 positions were authorized in the fy17 budget and that was unfunded for the fy17 budget for a full 12 months. The 18

months actually comes right at about April first of this year. So at that point although we would attempt to hire those individuals because of our current vacancy rate, whether those 12, the last 12 that were authorized would actually be hired in this fy, probably would not take place because we're at 69 vacancies currently.

[11:29:02 AM]

We have 51 in the academy today, which we may lose some of those individuals as well with the anticipation of having a large academy in the fall with the hopes of filling all our vacancies.

>> Tovo: So you have 69 vacancies, 51 in the academy. So that already leaves you with a deficit of 18. To telling you to go forward and that we're ready to fund those additional 12 is good information. Bother not going to be the first -- that would just add 12 to the 18 that you still have left.

>> Correct. That would be part of the 18, but although --

>> Tovo: It would be part of or in addition to?

>> The 12 are already -- I guess it was 12 that was added, but 10 are officer vacancies. We've already promoted the sergeant and the corporal that was added back in fy 17 to we've covered the additional within existing budgets. They are currently in our staffing, and those are considered to be part of our vacancies, so the welfare '12 is part -- so the 12 is part of the 69 that we currently have. Although if we don't have those on the street, our goal is to adequately staff our department and sometimes that requires backfill, which is at a higher rate than the officers' salary.

>> Tovo: So do you have funding? Again, I want to be really clear because you were talking about identifying areas where there might be savings. Do you have funding for those remaining positions?

>> The only funding that we could pull from potentially is our cost savings. And that is a projection that we have. I know the city already sets a target for us which could be mentioned, so we have to hit that target and above any other expenses that come out through the year that we would have to cover. So attempting to balance and manage our budget is what our department's goal always has been. But as I know our current projections is that we are very close to meeting the budget this year, but again with so many unforecasted issues that have occurred we're not sure where we're going to be at.

[11:31:19 AM]

>> Tovo: So it sounds as if those additional 12 or 10 may not be able to be funded through cost savings, so are there other options -- are there options other than funding them through the money that was set aside for meet and confer? Or is that where it would -- I'm not really clear now. It sounds as if the sponsor's intent is to not use the meet and confer to fund those positions, but I think I hear you saying there may not be cost savings to fund them? So then where would the funding come from if not the meet and confer?

>> We would have to confer to the budget office but it would have to be funds outside of APD's current budget.

>> Tovo: Okay. And let me say I have no issues with making budget decisions. I have no issues with making budget decisions outside the budget process. This was a little more complicated because we did talk about the meet and confer savings, however then we didn't approve the contract so now we are in a -- as far as I'm concerned in a different scenario. But I do need to understand.

>> Mayor Adler: Councilmember alter. Go ahead.

>> Houston: May I respond to something that mayor pro tem said? Because of the way we do the budget, this was submitted before we had the situations that we're dealing with now. So there was no idea that there would be additional overtime that might be spent, that I'm impact this resolution. So please put that in context. Of course the way we have to do -- get on the agenda was way before and that was not an issue.

>> Tovo: That makes sense to me. So the cost savings were the source. Okay, thank you.

>> Mayor Adler: Councilmember alter and then councilmember Casar.

>> Alter: I wanted to address councilmember Casar's point from earlier with respect to the victim services staffing, which is something that I support and we did conversations about whether to include that in this resolution, but because we were trying to limit it in terms of its impact, in terms of making budget decisions outside of larger process we did not include that.

[11:33:30 AM]

But we have very much -- I wanted to reassure you that my office has been talking with the community about the other concerns with respect to public safety and those other issues and it's very much on the horizon for us and that we are working on that. And I'd be happy to work with you on that and in the future. But we wanted to make this very limited to the stuff that had already been authorized within the budget so that we could have that larger conversation. I wanted to ask chief gay when the next class would be graduating after the April class.

>> They graduate August thirteenth of this year.

-- August thirteenth of 31st of this year.

>> Alter: So in August you might be at that point where you're filling them, so you need to know that before October to know that you had funding for them to be able to assume them on to the force. Is that a correct assumption?

>> That would be a correct assumption, yes. >>

>> Alter: Okay. If they already started that class, filling it, but it would allow you to plan in terms of the numbers that are coming in to that class and we'd be able to get those folks on the force quicker if we had this money allocated?

>> Correct. It usually takes us three to four months to go through the backgrounds, to do the officers for hires for the individuals. So they can make plans to go ahead and attend the fall class. So it does help us in our preparations.

>> Mayor Adler: Councilmember Casar.

>> Casar: And thanks to councilmember alter for mentioning, considering including some of those positions in this resolution, but my comments were trying to use that as an example of many. So I think that the challenge for me is not making decisions outside of the budget process.

[11:35:32 AM]

As a matter of fact, I thought we all committed that we were going to do that. But I thought that we would work together to have a process where we would look at all of the money together and then make decisions broadly, not just about the victim services position, but also things that we didn't fund in the budget, we didn't will fully fund the affordable housing trust fund, a lot of things I could go through. I thought we had very specific conversations about doing a budget amendment outside of the budget process and make decisions together and to find out maybe I should have known from reading the resolution when it was posted, but honestly it's until this work session that I've come to understand that some chunk of that could be spent in the next two days, unless what I'm hearing from some of my colleagues is that this isn't a part of that money. So I would want to maybe ask Ms. Hart to clarify for us in our prior conversations when you were in the city manager position around doing some sort of adjustment based on savings to budget, to look at things we didn't manage to handle during the summer. Would this money have been a part of that, or maybe the first question is how much money is this? And second, would this pile -- would this chunk of money that we're talking about dedicating to these positions would that have been a part of the midyear budget conversation that we had committed to have.

>> Elaine heart. We did talk in September about having some potential savings from the meet and confer contracts, all three contracts. And while there are some savings, we are still in negotiations that would require some of that money to fund the contract going forward, so we're in a period of fluctuation right now. I can't give you the exact number of how much savings that there would be at this point in time.

[11:37:33 AM]

I also don't have off the top of my head the cost of the 12 officers, which I can certainly get pushed out in Q and a for you so you have that information. About how we could fund this is either from departmental savings, either from the savings from meet and confer or from ending balance of the general fund, preferably only if it's above the 12% reserve requirement that we have in our financial policies.

>> Casar: So when we talked about having a -- because my recollection is we were going to have a midyear budget conversation based on departmental savings and the meet and confer savings, given that those are all just departmental savings. Generally. So is there any chance that this overlaps? The money that would be spent on these 12 officers overlaps with savings because we're without a contract with savings based on prior meet and confer agreements with departmental savings. Is there going to be overlap?

>> You could use those savings to cover this. My concern is that adding 12 officers is an ongoing cost and so while I could cover a portion of the savings this year, you would have to understand that the police budget would have to be increased in fy19 and the annualization of the full 12 positions. So while you can get a head start this year with savings, there is an ongoing cost of adding the 12 officers and there is the one-time cost to provide the equipment that we would have to cover.

>> Car: So if we pass this resolution as written, we don't know where these 12 positions are being funded out of yet? Where are they being funded from?

>> They are in currently, the ftes are authorized in the police department. If they filled 1 through 10 of them, at this point how our system works is they would have to cover them through their cost savings in their own department. Next year when we propose the '19 budget, they would have an adjustment to analyze the costs because they didn't have that savings planned for the next year.

[11:39:42 AM]

So I'm just alerting you that the next year budget would see a bump for the cost of the 12 new positions because you're paying for them out of current year savings.

>> Casar: So I guess what I'm trying to understand is, one, is some of the current year savings that would be used here potentially because of a lack of a contract?

>> It could be.

>> Casar: Because we are out of contract there is savings because we haven't paid out certain stipends we anticipated that people would get a certain raise, et cetera. So one could be that we are without a contract. Two, could any of these savings be money that we had set aside for negotiation purposes for meet and confer or is that in a separate bucket?

>> I don't believe we have that in a separate bucket at this point.

>> Casar: So it could be money set aside for meet and confer, which is money that we committed to look at as an interim budget agreement. And third what you're saying is if we use some savings it could immediately analyze and change our overall budget -- our budget for next year.

>> It will for '19.

>> Casar: It will. So that's why again I would ask that this part be removed for this week because you've got multiple members of the dais with two days notice and it sounds like potentially some of the sponsors with the idea that this is -- that this is not -- this is taking -- this is budgeting some of the money

that we very likely or actually budgeting some of the money that we committed to working together as a group on. And so --.

>> Mayor Adler: And in having the continuing -- the question about how this impacts the police contract, and I recognize that we want to get to the place where we're deciding what police officers should be paid without regard to anything else. We should figure out what is the appropriate amount we should be paying police officers and that's what we should be paying.

[11:41:49 AM]

I also recommend that independent of anything else he want to have a conversation about what is the right staffing level for us to have without with regard to anything else so that we can meet whatever that appropriate staffing level is. Just like we want to have in a conversation about what is the appropriate oversight that we should be having in the police department without regard to how much we pay police officers or how many police officers there are. There's a right place for us to be on each of those questions. And we need to have whatever process it is to decide what is the right number independent of the contract negotiations. But I also recognize that there are contract negotiations and it's going to be impossible to completely remove those questions from the context of those -- of those conversations. We pay our police officers right now 12 or 13% more than we pay number two. It has always made sense to me that we want to pay our police officers more than anybody else so that we get the absolute best talent, but I don't know that it needs to be 13% more. Maybe it could be five percent more. I don't know the answer to that, but it seems to me we want to pay more than anybody else, but maybe it doesn't have to be 13%. And as a practical matter if we were going to go from 13% down to five percent, then there's additional money that we have. And conversations with the police association, I know that there's some interest among our officers in increasing the number of officers as a separate item from how much we pay officers. So at some point as part of these broad conversations the police association is going to be going back to its membership and it's going to be saying, this is the pay that we've negotiated or has been recommended, and as part of those conversations that membership is going to ask, well, we're 13% more now. Why should we accept anything less than 13% more as we go forward? And it seems to me that the association might be saying as part of that answer the city has made a commitment to increase the number of officers and to fund additional officers.

[11:44:00 AM]

And I think that -- I hope that would be a powerful message that would go back to the police association. So I'm uncomfortable without knowing from you whether or not we impact those ultimate negotiations or the messaging that the police association can take back to its membership if in the intervening period of time we're increasing the number of officers that are funded. And I say that not from a place where I don't want to fund officers. I do want to fund officers. It's a question for me of also getting ultimately

advice on the timing of how we do that in order to be able to achieve what is the broader consensus on all the other issues. Councilmember Garza.

>> Garza: I don't think I articulated what I was trying to say earlier clearly, but we give budget direction all the time. We don't do budget amendments very often. I can think of just a few. One of them being the immigrant funding. We give direction all the time, yes. An amendment, that's a different story. I also want to be clear that I support, you know, properly staffing our police department 100%. I just -- there just seems to be a lot of confusion on what is already in the works, what exactly this is doing, what it's adding, because if the -- councilmember Houston, you said that in your initial discussions with police the money was there and so this was -- so it sounds like this was already going to happen anyway. The money was there. And we weren't going to need any additional funding from anywhere else, but now that that has changed, my question is where are we -- if we are making a budget amendment, if this is a straight-up budget amendment, which is different from budget direction, which I have led on resolutions that have been budget direction that have directed the city manager to put it in budget and it doesn't end up there and we've had this discussion in budget.

[11:46:10 AM]

What else are we going to do if we give the direction and it doesn't end up there? If this is an amendment and we don't know if there is funding right now from cost savings, where do you propose that money comes from? Does it come from meet and confer? Because we don't have a current labor contract? Or does it come from another department? What department does that come from? Or is this saying go find it somewhere? Because you said originally your understanding was it was in cost savings, but now they're saying they don't believe it's all there.

>> Houston: And I have -- don't have the information from the police department and their financials, but some of the savings was going to come from the fact that some people retired and so their positions were unfunded. I can't remember where some of the other funding was going to come from, but there was some additional flexes in there. But again, I want to be clear this is a public safety emergency in some parts of our city. And not about this issue, before this issue started. And this is to me is just like saying we're going to have a sick leave paid policy and we voted on it in one day. And so I'm saying this is the same kind of emergency. We need to make sure that we have these 12 officers that we have propositioned to be able to say to the public that we've been talking about them for years now to say to the public we understand that the vacancies are going to be filled and an additional 12 will be funded as well. So that will be a budget discussion. This is not an amendment to the budget. I think you heard -- it's hard to say that. This is not a budget amendment. She said if they can do it within the constraints they have now and we don't have that information for you today.

[11:48:14 AM]

Hopefully they can get it to us before Thursday, but we don't have that today. Whether those 12 unfunded positions can in fact be funded. Is that correct, Ms. Hart? Did I misstate you that this is not a budget amendment if they have it within their current reserves?

>> If they're projections continue to show that they have savings that could cover the remainder of the year for the 12 officers, they have the authority to go ahead and fill them. But there will be an additional increase to their budget next year to annualize the cost because these positions were never fully funded. They were added as ftes with no funding. So a lot of it depends on the police department managing their budget to make sure that they don't go over budget, which means managing people over time, equipment, and other costs for the remainder of the year and staying on top of those.

>> Garza: But if the cost savings cannot be found within the department it would be a budget amendment.

>> We would have to come back to you. It would typically be in the August time frame we would come back and say it appears that the police department will be going over budget. We need to have a budget amendment and we would have to look at what reserve balance we had at that point, it would likely come from that or savings. If we had them from other departments. But typically our departments run pretty lean and we don't have significant savings from departmental budgets versus their actual expenditures. So my guess is that it would have to come from the reserve balance or projected ending balance.

>> Mayor Adler: The question is would it require a budget amendment and I think your answer was yes.

>> To fill the 12 today, no, I don't think it would, but in August it would.

>> Mayor Adler: What Ms. Garza said is they can do in their existing budget they don't need a budget amendment. If they need to go Austin alliance their budget, it's a budget amendment.

>> And that would be brought back to the council for that decision.

[11:50:17 AM]

>> Yes.

>> Casar: So I want to be really clear. I'm not concerned this would be a budget amendment. I'm concerned that we're not doing a budget amendment. I thought our commitment was that we would look at savings some time early in 2018 and then do a budget amendment. That we would look at all of the savings across various departments because we anticipated that there would be those savings and that we would -- we wouldn't just do line by line spending, but instead we would do a comprehensive budget amendment process where we would look at savings from meet and confer confer, which Ms. Hart mentioned this likely could come from. And other savings and to do a deliberative budget amendment process where we wouldn't just have departments spend within their budgets, but would have the council do another little mini budget process where we would look at reallocating some of those funds to whatever it is we thought was best. And I thought that I agree and think that what I read from the intent of the sponsors here is not to short-circuit that, but the answers that I'm hearing from

Ms. Heart seem to indicate that actually what could happen would be if we wanted to do that midyear budget amendment process we would have less money to amendment because some of it would be dedicated do this purpose preemptively before we had a chance to do that.

>> Garza: And mayor, I wasn't finished when I had the floor. I guess to clarify if there was money that we thought was there, we don't know yet because of overtime, because of existing situation that we are under as a city, there may be more overtime, there may not be money available in budget. It would require a budget amendment, which would happen in August, that's something further ahead. And not knowing where if -- if before Thursday we could have some numbers that show us if it's not within the existing budget this is where it would come from. I think that's all some transparency that we all need to be making a decision on.

[11:52:25 AM]

This is how you need to be doing your cost savings because we don't know their needs know because of the current situation we're in.

>> Mayor Adler: Councilmember kitchen and then councilmember Flannigan Flannigan.

>> Kitchen: Do you know of a circumstance where we might be in a circumstance where we would be in a budget position in August, can you give us an order of magnitude. Is it possible to estimate how much that would be or can you get that to us?

>> I just got numbers from chief gay who got them from his financial staff that the total cost for half a year of the 12 officers plus the equipment for them would be right at \$2 million. And that's only for the half-year cost. And I might add also that on April 4th we have a comprehensive financial forecast presentation we'll be delivering to the council and at that time you will see the financial condition of your general fund both from last year balances coming forward, what our estimates are for the current year as well as a five-year forecast of where the general fund will be at each of those five years. So you will have a better sense of what you're looking at in terms of available savings at that point. And I would not recommend a budget amendment prior to that point. >>

>> Kitchen: I share which councilmember Casar's concerns and other concerns that back in August we did talk about revisiting a number of public safety items and we're now in March and we haven't done that yet. So waiting yet again will put us in a position where essentially we'll go the whole year without even considering that. So while I appreciate what you're saying, I'm not asking that question. I'm asking - I think I heard you say up to two million, but it could be less depending on how much was identified as cost savings.

[11:54:29 AM]

So is that what I heard you say?

>> I'm corrected, that was a full year cost so it would be half of that. It was two million, roughly \$30,000.

>> Kitchen: So it could be up to one million, but that one million would be minus any cost savings that the department identified.

>> It would be noted out from those.

>> Kitchen: So one million would be more of the maximum amount. Since we know that there's already some cost savings identified it would likely be less. We just don't know how much.

>> Right.

>> Kitchen: Okay. But I also share the concerns that others have raised about our interest in looking at victims services and there were a number of other items. So I would be open to if anyone wanted to move forward with suggesting that we look at funding those additional items as well as these 12 officer positions.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: I think it's important to keep in mind. I think councilmember kitchen, you laid it out pretty well that when we were having those conversations about revisiting the public safety dollars this was this assumption that the contract -- the police contract would be completed in December. So there is a reality shift from those original understandings. But for me I am -- I've always been very hesitant to do budget amendments. I think it's better to do it in a more substantive process. I think I would rather do them every other year instead of every year and a more long-term view and how we're spending our money. But for me this was more about just closing the loop on that weird unfunded positions thing, which is a very odd thing to have done because facts changed and you ended up with this weird thing. So just closing the loop on that was an easy thing for me. And beyond the need for the community to know that we are serious about treating these concerns and councilmember Houston, thank you for reminding the community that this was something that we had been working on prior to the current public safety emergency that we're facing.

[11:56:44 AM]

And councilmember Casar, I don't really have a problem with your additional be it resolved. I think I agree with you that addressing public safety concerns is not just about officers. There are a lot of factors that can impact the safety of our community. And Mr. Mayor, you point it out all the time that we have one of the safest cities in America with one of the smallest police forces per capita in America. So there's something to be said that the numbers aren't that simple. It's not just about hiring officers. I agree with you on that. But I think it's important to close the loop on the 12. It is a relatively small number. It is something something that the council already authorized and I would like the manager to at least verify that these dates are reasonable where we're asking staff to come back with reports. Sometimes I feel like we set these dates in and then they're not actually doable given everything else you all are having to work on. I would appreciate a little feedback on those dates. But it would be my preference to move

forward with this on Thursday. And I'm happy to support councilmember Casar's additional be it resolved.

>> Councilmember, working with staff, the original resolution seemed to be reasonable in terms of the dates that were proposed. The additional amendment proposed by councilmember Casar is a little ambitious. We're going to continue to talk to the councilmember on refining the scope of that, but certainly the spirit of it is something that we are able to work through.

>> Mayor Adler: Okay. Mayor pro tem.

>> Tovo: Just lastly, I did, while we were having a discussion, send in a question to the Q and a asking for a fiscal note. I think that would help us get clear on what the total cost is and how it would be funded. And I guess the clarification -- I didn't put in that question and I think it's already sailed on, is that it would be helpful to see what the funding plan is for this fiscal year as well as the previous year. I am very supportive of adding additional officers. The challenge we had was that it was costly and we didn't have the money.

[11:58:46 AM]

So I want to be sure before we authorize it on this week's agenda that we understand how we're funding it, not just for the rest of the year because those cost savings are really kind of one-time savings. But how -- what the plans are for funding it into the future. Well, actually -- we know the answer to that. That's the budget process. But understanding how it's being funded for the rest of this year would be helpful. I guess too, while you're here, could you help me understand. I appreciate the direction to come back with a staffing plan. However, this is another area where I want to be sure that we send to the community the right message. Our police department prepare staffing plans, that is the kind of work they do and have done and could you help me understand do you typically do it on a one year cycle, a couple of years cycle, on a five-year cycle? Are we just affirming your ongoing work to have a five-year plan? If you could again help us set the right expectations with the community about what is already going on? We certainly don't want to leave them with the impression that absent this resolution there wouldn't be a staffing plan for the future.

>> Correct. We do work on a five-year forecast, although we get a little bit more in the weeds in reference to -- to how we're going to fund for the next year. But we do have a five-year forecast of our needs. I think that was presented in the fall of this last year. From chief Manley regarding our 329 sworn positions, that was based on a five-year forecast.

>> I would like -- I would like, again, just to suggest to the sponsors, it would be helpful if we could just close out this discussion with some clarity about whether those are things that you would prefer I bring forward as amendments or whether the sponsors are -- or the lead sponsor and co-sponsors are comfortable making those changes. I would like a whereas, I would like to suggest there be a whereas talking about the five-year forecast presented in the fall and the annual work that you do and provide some clarity about how this staffing plan would differ or change or add on to the work that the staff is already doing.

[12:00:59 PM]

If that's acceptable. Is that -- is that -- do you want proposals from others or is that something --

>> Houston: If you all would like to give proposals, then that would be -- willing to consider those.

>> Tovo: But that's in line with what you were intending? Okay. So I just will need some more information from the police about the forecasting proposal and whatnot.

>> Mayor Adler: Councilmember alter.

>> A couple of things, first of all, if these positions are not filled until August, then it's only two months, not six months worth of funding. Again, I just want to underscore that in order to hire officers, they have to go through the candidate process. It takes a long time, it takes, you know, as we said an 18-month process if we have candidates who want to enter and that we can assure them they have positions at the end, if we choose to have officers then we will be in a better position to hire them and the impact on this budget will be their equipment and we can safely say we have money and therefore the equipment and there will be a two month potentially to fund them. I wanted to have a little bit more clarity on this piece. I wanted to point out that we did mention some of the staffing reports that have been given to us, one of the whereas clauses talks about a 329 new officer need over five years from may of 2017. And then we also have the numbers from the matrix report. The reason that we are asking for the staffing needs is we, as councilmembers who are co-sponsors, did not feel like we had a clear sense of what the police department's needs are in terms of staffing. We are hearing from our community that they want additional officers for community policing, additional officers to deal with growth. We are also hearing from the community that they have other concerns about how we achieve public safety of the need of victims services and other types of things. We need to have a clear roadmap of what the staffing needs are, so that we can have that broader discussion and make the tradeoffs that would be involved with, for instance, the be it resolved amendment that Mr. Casar is putting forward.

[12:03:14 PM]

We do not have that. We have contradictory staffing plan reports from the police department and we need to know from the police department, the community needs to know, this is what the police department is saying they need so that when we have that conversation to weigh off different things, we're in a position to make those decisions. There's a big difference between 144 officers in the matrix report and 329 officers in the A.P.D. Report. We may never be able to get to 329. But we can't have a plan to get more officers if we don't have a sense of what the goals are. And we need that in order to have the very important conversation about how we're sending -- spending our public safety dollars. It is an important piece of the puzzle. I understand the police department is prepared to provide us that information. The current situation may delay things, it may require whatever and we understand that. But it also underscores the need to have more officers out there. Um ... So I just wanted to underscore

that regardless of where we land with respect to the last be it resolved, we do need to have this information and we do need to have that data to be able to make the broader public safety decisions.

>> Mayor Adler: Councilmember Garza.

>> Chief, you said there were 69 vacancies and those included the 12; is that right?

>> Correct.

>> Garza: The academy has 51, so there's 18 more vacancies. If you subtract the 12, that means that are funded, you would still have six to fill, right? That are funded right now.

>> Correct.

>> Garza: After the 51, if all 51 make it through the academy.

>> Correct. We lose approximately anywhere from four to five officers each month. So, correct.

>> Garza: Is there already a plan to start the process for recruiting those six and filling the next cadet class?

>> Yes, there is.

[12:05:14 PM]

>> Garza: And since this cadet class doesn't end until August, if by then you know that there's a budget amendment, you can increase that -- you have a list, the way this works is there's a list. There will be a list of like 200 people that are eligible, then you just start grabbing from that list. Does this in any way change the current process of hiring the next class? It's already in the works, right?

>> Correct. We are planning to filling all of our vacancies, that is our goal, as in any year. The 12 positions have already been authorized in our budget. Whether they are funded or not, we do carry them. As we said, it takes 18 months, that is our goal. The 10 positions for officers will be placed in positions throughout the department on April 1st. They will not be filled. But we attempt to try to staff our department appropriately. Whether they are vacancies or not. It just means that when we will to backfill over time or other things.

>> Garza: So whether this passes or not, you are in a position to have a class of 6 come -- let's say the class starts September 1. You are in the position to have a class of six or you could be in a position to have a class of 40, whether this passes or not. Because you could have funding in August, you will likely get the funding because it's a need. You will likely have the funding to fill the remaining vacancies in the next class that you are already on track to start; is that right?

>> Correct. Our projection for the fall class is going to be one of our largest classes that we've had, which will be a little over 100 officers. Because we have to account for about eight months beyond the October time frame before they will actually become officers.

>> Garza: Okay. I just point that out because this does not create any urgency that's not already in place right now.

[12:07:21 PM]

>> Mayor Adler: You are saying it's [indiscernible] Money that we could spend this fiscal year anyhow. Because you have funding for more spots and you are going to be able to fill this fiscal year anyhow.

>> We do look at our cost savings. We will be prepared to give a better financial forecast, because we do predict --

>> Mayor Adler: What I mean by that is -- you have more vacancies than you are able to fill by the end of this year. So under any scenario, you are going to have vacancies which you can fill.

>> Correct, sir.

>> So funding these additional ones doesn't help you fill any more than you are going to be able to fill. It would increase the number of funded unfilled positions you have. If we were to do this, but you're not going to be able to spend that money anyhow because you can't fill those positions; is that right?

>> That is correct. We always look at our cost savings. We look at our positions. We look the a the way that we need to -- look at the way that we need to staff our department correctly. We did have an unexpected terminal pay that we are having to cover because of the additional retirements that we had in December, which we went over almost two million in our budget just for terminal pay. So holistically when we are looking at the budget is that our goal is to come within budget. So we have to look at where are our cost savings, that is from the officer positions or the civilian positions that we have not filled overall.

>> Mayor Adler: What's constraining you here is the number of cadets that you have that you can bring on to the force.

>> Correct.

>> Mayor Adler: That limits the number of new officers that you can bring in.

>> Correct.

>> Mayor Adler: We could fund 400 more officers, but you are constraining deal right now is the number of people that can get out of the cadet class. Whether we fund 12 more or 400 more, you are going to fund and you have the money to fund all of the folks that are coming out of the cadet class.

[12:09:29 PM]

>> Correct.

>> Mayor Adler: So maybe I'm missing something. I'm missing whether we fund this now or don't fund this now, how that impacts anything that -- that impacts the number of officers that we have or the spending that you can make.

>> Correct. We have been asked by council to work with our existing funds, that is our goal. I guess we were asked is that were we going to be able to do that. Without the projections is that right now we do believe in our projections that we will be able to cover the 12. Although we need to go ahead and look at our -- because of all of the current challenges that we've had, to relook at those numbers and to see what our current projections are.

>> Mayor Adler: If you have the money to fill, if you have the money, are you going to be able to fill those 12 positions? Or does your cadet class fill vacancies other than those 12 positions?

>> The 12 positions that we are referring to or the -- are the 10 officer positions, those will be filled next year.

>> Mayor Adler: Not this year, this fiscal year?

>> Yes, sir. Due to where we're at with our current vacancies.

>> Mayor Adler: That's what I understood. Okay. Anything else on this one.

>> But that's only true if we budget for the 12 officers?

>> Mayor Adler: What?

>> In next year's budget, is that correct?

>> Correct. The positions are already ftes within our department by the council. So we are planning to attempt to fill those 12 positions for next year. We hope that they will be funded in next year's budget, but we are planning to go ahead and hire to our full capacity.

>> Mayor Adler: I missed what you said.

>> I was just trying to understand that if they fill the positions and they are not funded, then -- in the next budget, then how do they fund them. I understand clearly how if they were funding them in this fiscal year that they could do it from their cost savings. If it's an ongoing expense because it's an fte, then essentially by saying, well, you can just do it any way, they are essentially saying they are going to put that in the budget for next year.

[12:11:43 PM]

>> Mayor Adler: So what we're deciding now is not whether to spend this money this year, we don't need any money for it this year because we can't fill the positions this year. The question is are we making the decision now to put it in the '18 budget and we can either decide to put it in the '18-'19 budget now or we can make the decision to put it in the '18-'19 budget in four months, that's not going to change anything. Because we're still going to have to decide then -- we still have to decide whether to

put it in the budget. We can't fund these positions now. We can fund them, but we can't fill them. So we can't spend the money for them until we get to next year. So the decision, the question is do we make the decision now to put them in the '18-'19 budget or do we wait until the budget process to put them in the '18-'19 budget. Because we can't do anything about putting these people in the -- to actually putting officers on the ground in this budget. Councilmember kitchen?

>> Kitchen: I really would like to characterize this a different way. Everybody is trying to characterize it in a way that feels comfortable to them and they can best explain it. I'm not taking issue with any of it. Because everything people are saying is accurate. But what I come back down to is what councilmember Houston said and what councilmember, you know, Flannigan said is we're making a statement to the community that this is a public safety emergency. We've been saying for years now that, well, we're going to authorize these 12, but we're not going to fund them, we're not going to get to them. We're not even going to get them in the class so we don't need to worry about it now. I think it's time for us to make a clear statement that at the very least, we're moving forward with these 12, which is a drop in the bucket compared to what our projected needs are. I understand what everybody is saying, but I think it's time to make that statement.

>> Mayor Adler: And I feel really strongly about making a statement, too. I would like us to make a really meaningful statement. For me a meaningful statement would be to consider a five-year staffing as the sponsors have put in this, because then we are actually talking about something that we will do that can give us potential for community policing.

[12:13:52 PM]

That would be, for me, a more meaningful thing to do than to pass something that looks like we were impacting officer count this year, but really didn't impact officer count.

>> Kitchen: It's not an either/or. That's why we have both of those in this resolution. It's not an either/or. And it's also making a

statement that says: We're not waiting four more months. Of we keep waiting. We keep waiting and waiting and waiting and -- while meanwhile parts of our communities are identifying this as a serious issue. And, for them, you know, we can say -- we can keep saying to them, it doesn't matter, it doesn't matter, it doesn't matter, but that's not the way it looks to them. So to my mind it's important to make the statements that we can right now.

>> Mayor Adler: Mr. Casar.

>> Casar: To clarify. Since the money could -- so the August -- before I thought we could spend the money because the August cadet class had been mentioned. Now it's been Clara tumaified money couldn't be spent -- clarified money couldn't be spent until fy '18 or '19.

>> Mayor Adler: Because of the constraint of the number of people coming out of the cadet class.

>> Clarify that.

>> Casar: Okay. Can that be double clarified?

>> Those were my questions. It's -- it's the process -- the class has to start. It won't even start until this class is ending in and August, right? The next class won't start until the next budget class. The money for that class, which is already in the planning, will not even be used until next budget; is that right?

>> Correct. The officers will hopefully all be hired next year to affiliate those 10. The 10 are -- alleviate those 10. The 10 are -- I know we are going in circles, the 10 are part of our current staffing need so they are part of our current A.P.D. Authorized strength and we plan for that.

[12:16:00 PM]

So if a position gets put in any of your districts and we go to a situation like we had and we say we want you to staff to 100%, every position we want you to staff, we will be placing an overtime officer in that vacant position that is unfunded. So somewhere we have to cover that cost. So I agree that they are not starting until next year. But because we have the positions authorized, they are out in a -- in a particular location that is -- that is just vacant. But when we authorize a particular area to -- like you said, whether it's downtown, whether it's east, north, west, southwest and we have a situation and we need those positions funded or filled, we will put and utilize our overtime moneys. Which is going to be time and a half. Not at straight time.

>> Garza: You have the funding for that now?

>> That is where I have said that we hope that we have the funding for that.

>> Garza: If you don't, then you would bring a budget amendment.

>> Correct.

>> Mayor Adler: Mayor pro tem and then --

>> Casar: I was trying to make a point or ask a question. Then we went full circle here. The point being if it were true bypassing this, we wouldn't actually be funding these officer's salaries, year over year impact until fy '18-'19. Sounds like you are using your existing budget for this year. But the year over year impact, the potential between one and two million dollars that year that would be permanent in our budget, those permanent changes wouldn't be in effect until '18 and '19, is that right?

>> For the ongoing funding for those positions, yes, you are correct.

>> Okay. That's all that I was trying to get to. The conversation between the mayor and councilmember kitchen seems to me to be yes there wouldn't be a permit year over year impact until those cadets graduated.

[12:18:09 PM]

The point being that you still have time to do the -- to potentially do the permanent budget amendments that we have talked about and committed, I thought, committed to doing, looking more comprehensively, we could still do that. In this fiscal year. And these officer positions could still be a part of that because that actually isn't a done deal until fy '18-'19 budget is passed, is that right? The idea being this could be passed but the fact of the matter is we could still do a budget amendment and in the budget still determine, compare these needs to other needs and still make this -- basically the decision isn't actually made until the budget is passed in September of this year. So -- so I mean I think that it's a little bit awkward to do this and do that later. But again my -- I appreciate the sponsors -- the sponsors mentioning that they appreciate this be it resolved amendment, I thought that would be enough to have me support it. I didn't understand until maybe right now what the last be it resolved does. My greatest concern with that is because I see it potentially really interfering with the process that I have been waiting for, for us to talk about these broader community concerns, if there's some way for us to amend it to still give us the opportunity to have that more balanced conversation, then I would feel a lot more comfortable. And so -- so I don't know exactly what that wording is, but I just wanted to verbalize that. Much because it does sound like there is time between now and September for us to -- to still have that conversation that we committed to because these -- these savings that are in the a.p.d.'s budget are some of the dollars that we were talking about. I understand in the past we weren't contemplating whether we would have a meet and confer agreement or not, but ultimately these are some of the savings that we were talking about utilizing in the budget amendment process.

[12:20:17 PM]

>> Mayor Adler: Mr. Renteria? Renteria thank you. I just want to ask the money that we have, are you going to be able to balance your budget because of all of these expenses that we're going through? Or are you going to have surplus money to hire additional, if you had opportunity to have -- to have extra cadets or somewhere from the field who wanted to come in, will you have that extra money to -- to feel those positions -- fill those positions if -- do you have some surplus funds sitting there that's not going to get eaten up by overtime? I mean, it's pretty hard to predict what you are going to end up with.

>> Correct. I don't think we have a surplus. Our goal is to come within budget, as we do each year. This should not have an impact on us hiring the -- up to our authorized staffing, which council has already authorized. So -- so my goal here is just to say that we are always trying to look and meet our budget goals. This year has been very challenging with the terminal pay. With the overtime expenses. Last year we were three million over our overtime, our budgeted overtime, which we had to cover with some of those cost saving measures and this year we're predicted to do the same. So that is why I'm very cautious of saying is that without funding any -- the additional 12 that -- that we are good. Because I know that the predictions that we have, we are very close and we still have several months to go for this budget.

>> Mayor Adler: All right. Thank you very much. We talked all around that one.

[12:22:20 PM]

It is 12:20 councilmembers. Let's talk about what your preference is to go forward. We have some items to consider in executive session. And -- and three of them, I know there were -- there were a host of them. Anne has identified three of them to be covered. You don't have

[indiscernible] 2 and E 5.

>> The codenext petition we're going to handle on Thursday with outside council coming in. Police negotiations, my understanding is that the manager wanted to address that.

>> I'm happy to speak to that. Mayor, council, we had planned to have an executive session and update on the labor negotiations. Last month we set dates for when the next time that we would work with the Austin police association. They were scheduled for this Wednesday, Thursday and I believe March 31st. We didn't know at the time what our city would be experiencing. After a conversation with Apa, just yesterday, we agreed to pausing the negotiations for a month or so. To get through this as a community. It's more important all of our resources were focused on solving this investigation and ensuring our police department has all of the officers and resources they needed to work through these issues and keep our city safe. At an updated time we will get back to you on when these rescheduled dates will be set and then provide an update for you in executive session around that time of the okay, councilmembers, we have three items in executive session. We have two briefings that we have staff here to do a briefing on codenext and the briefing on the -- on the construction program.

[12:24:28 PM]

Then as you see, we still have the pulled items, codenext obviously will, you know, potentially dovetail into that briefing. The transportation is associated with a briefing. We have the question of the April 12th meeting. And then -- and the mcalla place. The question that we have I think is do you want to break for lunch and executive session or do you want to quickly try to handle the April 12th question and the mcalla place question, that way we have done all of the pulled items, except for the ones associated with the briefing. Try to do those briefly? Jimmy, I think the question on the April 12th issue is that we're going to have -- limited number of councilmembers present. Mayor pro tem and I won't be here, I'm not sure Ellen and councilmember Garza will be here. Seven folks.

>> Houston: I think councilmember troxclair might not be here. I think her baby is due that day. That -- four will be gone. That leaves seven people. The question is would those seven councilmembers be willing to meet on the 12th and take care of those things that can be taken care of, maybe hold public hearings on that day or vote on things where there's -- there's not -- there's not a disagreement. Or people want things to be held. And -- and help the group by kind of processing those things. The concern is that if we set a meeting on the 12th, with that few people and something comes up, it doesn't have the votes or it's controversial, we don't want anything to be decided on that day because of the absence of -- of more than seven people. So the question that I guess that we were asking for is whether or not there was the will of the people who will be here to operate that way.

[12:26:35 PM]

If not, then -- then I probably would recommend that we not have the hearing, the council meeting on that day for fear that something might be decided in the -- with only seven councilmembers present.

>> Renteria: Mayor, when are [indiscernible], what day did it start?

>> Mayor Adler: I'm sorry?

>> Renteria: When are you leaving?

>> Mayor Adler: I think we're -- Wednesday and Thursday, I think we're gone.

>> Renteria: I don't know why we couldn't decide on Tuesday which items we can just pull and not have discussion, if we think that it's really controversial. We could just, you know, meet and go over the agenda that we can work on instead of canceling that meeting.

>> Mayor Adler: Well, the concern would be if we set a meeting and we hold the meeting on the 12th, then you will convene that meeting and it might take six people to postpone something. But if we have three people on the council that aren't going to agree to any postponements we could have things that don't have the votes to be able to proceed. I think we need to either have the understanding that the councilmembers that are here will use that meeting for -- to help move things forward and kind of a maintenance kind of way or a facilitation way. I think that's the question. Mr. Flannigan?

>> Flannigan: Is it possible for the manager to have an agenda with only maintenance items on it. I don't know what's on the agenda or what's contemplated to be on that agenda. I'm not entirely sure who controls that agenda. So it's hard for me to say how I'm going to vote on stuff before I know what the stuff is.

>> I can at least on the planning and zoning items, we want to make sure that the council doesn't -- preferably not cancel the meeting because things that are already set for those days you can postpone if you need to.

[12:28:39 PM]

I don't know if there's something --

>> We have about 16 items that we have notified for that agenda that we would have to go through the expense to renotify if the meeting was not held.

>> Mayor Adler: Okay. Mr. Flannigan, maybe you could help me understand what the reservation would be in not deciding how you would vote either yes or no on anything, but with helping to facilitate to postpone items if -- if it looked like it was something that should be considered by the larger council.

>> Flannigan: Because I just don't think that it's a good idea to predetermine how I'm going to vote or decide something. That's all. I'm not saying that I would or wouldn't. That's kind of the point. So I'm saying that I'm not saying that I would or wouldn't.

>> Mayor Adler: Okay.

>> Casar: I guess the remaining question among the other six of us, would we be willing to postpone it. I guess -- we could figure it out -- doesn't always have to be all about Jimmy.

[Laughter].

>> Mayor Adler: So I guess that then would be the question. Although Leslie is not here.

>> Kitchen: I want to give a heads up, there are two items on the agenda for Thursday to set public hearings. They currently list April 12th as the date to set the public hearing. I'm going to ask a different date be set for those.

>> Mayor Adler: Okay.

>> Mayor, I guess councilmember Flannigan, I don't see it as a -- as a way to say you are for or against something. It's just a -- just a way to say that you are not willing to create a situation where you were in a similar situation, I guess I don't understand.

[12:30:45 PM]

It's not -- it's not putting anyone in a position where they are saying I'm for or against this if you are just voting to postpone something.

>> Flannigan: Right. I wasn't -- I was in this situation, we all remember how that went. So -- so to councilmember Casar's point, there are still six councilmembers, regardless of how I may or may not want to vote on something. So -- it doesn't have to be about seven votes.

>> Having a clear indication from the six that are here would be helpful to this situation.

>> Mayor Adler: For lack of Ms. Pool -- let's ask the people who will be here, I guess the question is in the event that something comes up that -- that -- are you comfortable postponing or do you think we need to cancel the meeting on the 12th and renote all of the zoning cases?

>> Houston: I don't think that we should cancel the meeting on the 12th and renote all of those cases. I think that we can meet on the 12th and postpone those cases and if -- if -- if councilmember kitchen has been able to notify something today that they can ask for a -- another date, then I think we are good. If everybody looks at that, then we can all do that. Of if we see something that we have got on the 12th, we can ask it be postponed.

>> Mayor Adler: Doesn't it make sense Ms. Kitchen to have a public hearing, because I could come back and look at the tape and see the testimony of people. If we didn't take action. On that date. We do that sometimes as well.

>> Kitchen: I don't want to do that. Two items that relate to renaming roads. Important items to the community and potentially will require a lot of discussion. So I do not want to have the public hearings on the date where we only have seven people here.

>> Mayor Adler: Okay.

>> Renteria: Mayor, I will respect anybody if they want to pull, they will get the agenda either Friday or Monday and they say hey we don't want you to take action on that.

[12:32:53 PM]

I will do it that way.

>> Mayor Adler: Councilmember alter?

>> I would feel more comfortable if I knew what the items were that were noticed if we had a list of those to refresh my memory on that. But -- but I -- but I am curious, I don't have any idea what it costs to notice I mean are we talking, you know, there's 10 people for each thing or is there 150, I don't really know what that costs.

>> Honestly, councilmember, it depends upon each zoning case. One may be next to an apartment complex and gets 500 notices, another one might be in rural area and only get a handful. We do charge applicants when they come in for a notification fee of, I believe, it's somewhere north of \$500 is what we would charge them. But the actual number of notices, you know, varies and then in this case, because -- we would not be collecting a fee if we had to renotice about a canceled meeting, of course, because it would not be the applicant's fault. My estimate it would probably cost us, I can't really give you an amount, but probably several thousand dollars to renotify for all of those cases.

>> I would generally support anyone's request to postpone a particular item. But I would feel more comfortable knowing what the 16 is.

>> I have a list if you want me to read them. But there are 16 of them. Do you want me to go through them.

>> Mayor Adler: Just post them or send an email to staff [multiple voices]

>> We could bring it up after lunch -- [multiple voices]

>> Already on the draft agenda.

>> Okay.

>> Mayor Adler: On the draft agenda. This will come back up on Thursday. Let's go to the next item, which is --

>> Wait, mayor, did we hear from -- sorry, did we hear from the five of us that are going to be here?

>> I feel confident -- councilmember pool --

[indiscernible].

>> Mayor Adler: So I think that you heard from four that said they were amenable.

[12:34:56 PM]

But then I guess councilmember alter probably amenable, would feel more comfortable if she saw the number. You have like four and a half [multiple voices].

>> I want to see what cases are in my district.

>> Mayor Adler: We will consider this on Thursday. That will give us a chance to double back. Then we can make that decision.

>> Ms. Powers is here.

>> Katie powers, accountable general manager. We have already asked staff to only put kind of routine items that they think can go smoothly. So we are making an effort to -- of course we can't know that, but we are making an effort to keep the controversial or large discussion items off that agenda for you.

>> Mayor, I have heard back from our colleague via text, she will vote to postpone.

>> Mayor Adler: Okay. Thank you. We are going to revisit this on Thursday, but looks like we might be close to getting --

>> Houston: Was that councilmember pool?

>> Tovo: Yes, I should have said that, councilmember pool.

>> Mayor Adler: Okay. Do you have a copy of the -- you do?

>> Yeah.

>> Could you hand that -- let's pull up the last one here, which is the mcalla place resolution. Councilmember alter and the mayor pro tem pulled this one. Does this look like it could be considered -- councilmember pool said she was amenable for this being considered this week if the amendments she put on it were -- were added. I for one don't have a problem with the amendments that -- that councilmember pool suggested. Mayor pro tem?

>> Tovo: I'm very comfortable with the amendments that councilmember pool suggested.

[12:36:57 PM]

I would say that we're looking at some wording on one and going back and -- we will be communicating with her office. But in the -- in the substance of the -- of them, they all look good to me, so I would be has open to incorporate those into -- I would be happy to incorporate those into our backup so it can be

incorporated as part of the main resolution if we take it up on Thursday. I have been trying to communicate out that's a possibility. When I posted the first message board post I indicated we would likely postpone it, that we would likely postpone it on the 22nd. We want to make sure that the community understands we are now shifting and potentially taking it up on the 22nd. If we do decide, really interested to hear from my colleagues about whether they believe it is doable to consider it on Thursday, if we are moving forward in that direction, if we could all just kind of make sure that people who have been communicating with us know that we are taking it up if they want to come and comment. Councilmember alter.

>> Thank you, I have been having some conversations with a professor at Stanford, professor Roger Knoll who has studied sports and stadium selection. This is my understanding to ask for staff to come back with an analysis that would allow us to make a decision from the city's side whether we are interested in moving forward with this property. So I have been having some conversations with him about the kinds of questions that we need to be asking so that we can have the best possible outcome for the city. With respect to the property and I'm going to be offering some amendments and I should have a letter from him to share with you for Thursday. Because I'm concerned that we need to make sure that this is not just -- just an that we are taking into consideration some of the opportunity costs involved, this property could potentially be used for affordable housing.

[12:39:00 PM]

It is a site that can potentially have a transit connection to a rail line and if as stated all of the environmental issues are taken care of, it's a property that we already own that might make a great site for affordable housing. It might also make a great site for a stadium, but we need to have the discussion about what are the opportunity costs. This is a property we already own and so I'm going to be asking to add to the economic analysis section the words opportunity costs. There are also potential liabilities, depending on how we proceed that we need to understand. So we don't have any idea of the financial wherewithal of this company Precourt ventures, are they able to fund a \$200 million stadium without the collar of the land. If the city -- if the city owns the lapped, what are they putting down at collateral to own a \$200 million stadium. Who is at risk? These are all kinds of questions that we need to be asking. It's not precluding saying we don't want mls to come. But these are prudent questions that we need to be asking. The other thing, this might be more complicated to explain, are the substitution effects. We have to face the fact when mls comes, it is not going to be a huge tourist draw. It is going to be drawing consumption from one part of the city to another. So then when we talk about the net economic benefits, we have to take into consideration the parts of the city that have lost consumption because people are shifting from going to the brew pub and McDonald's and the pizza joint to go to mls. It's not a net gain of people spending in the city. We need to make sure that we are not counting things as net benefits for the city when they are actually just moving consumption from one place to another, which in economic-ese is called the substitution effect.

[12:41:10 PM]

You have that on the demand side. You also have that on the supply side. When we decide to build a \$200 million stadium, we are deploying construction workers and materials for a stadium which could otherwise be used for affordable housing or for housing and we may be driving up prices of our construction and other things that we care about. We may not be. But we need to have a sense of that kind of thing as we move forward with a project of this scale. Councilmember pool included some other things in her amendments with respect to the infrastructure and the public safety costs. We've had a very, very high level discussion if any with respect to Precourt ventures about what they are expecting from us, we have to go in with open eyes of what is actually involved and if there are other costs involved we need to know that. Maybe we need to be making sure that they are paying for those. And so I will be asking that we say an economic analysis of direct and indirect benefits, opportunity costs, potential liabilities and substitution effects and I'll be looking carefully at councilmember pool's language for the other things. I do hope to have a letter from -- from the Stanford economist to share with you and, again, this is not to say -- not have this mls come. But we as a city and as financial stewards need to make sure that we are making the best possible decision, both about the land and about all of the other things that we're using and we do know something from economics about these sites. And it's all fine and good for somebody from outside to come in and say, "We're going to make \$326 million of benefits." But we need to understand that. We need to unpack that. Are those the pay of the soccer players? Are they going to be people this that they are hiring? If they are only operating 17 evenings a year, how wonderful are those jobs?

[12:43:12 PM]

We really need to have that kind of detail in order to be able to move forward. This could be great and wonderful for our community. We might be able to come up with something really creative and do a stadium along the lines of la where you have affordable housing in there. But we need the facts. And we need something that's not just wishful thinking. So I will be putting something along those lines forward. I think that it is consistent with the resolution, but I did have an opportunity to bring in that expertise to help us to think about it. And I'm not predisposing what the outcome is, but I want to make sure that we have that kind of information as we make this type of analysis and I hope that's how we're making all of our decisions. But I think in this case, since we're talking about an economic analysis, I wanted to add that clarity for it.

>> Mayor Adler: Do you think that you will be able to

>> Mayor Adler: Do you think you will be able to post the kinds of things you're thinking about?

>> Alter: I think I can generally post my wording. I'm going to say a direct analysis of direct, indirect benefits, substitution effects. The letter will clarify a little bit more of what that is and I'm happy to provide clarity for other people. I'm sorry to use the economic--ease.

>> Mayor Adler: If you could post that, councilmember pool could be able to look at it.

>> Alter: Sure. I can say that the letter, I don't know whether I will have permission to post it on the message board or not.

>> Mayor Adler: I understand that.

>> Alter: I will have permission to share it all with you, but I don't know if I have that permission yet.

>> Mayor Adler: Okay. Councilmember Renteria.

>> Renteria: And I also would like to learn, there's a lot of soccer team in San Antonio that a lot of our citizens here in Austin go and attend that, their tournaments over there. And I want to also make sure that that's included in the report is how many people are actually going from Austin to visit -- leaving Austin to go see and watch a soccer game in San Antonio.

[12:45:20 PM]

Because I know that there's a lot of fans here that go and do that also. They go to San Antonio and watch the soccer team play.

>> Mayor Adler: Councilmember Casar.

>> Casar: So my question -- potential direction to staff or amendment might be bundled into what councilmember alter has already mentioned, but to me we had the city staff presentation on city owned properties and redevelopment for mixed income communities on those city-owned properties. And I know that we couldn't put an rfp on the street and do an exact comparison apples to apples between now and may, but I want to work with my colleagues on council and the city staff to find out what we could have in may that would help us compare what it is we would get -- get on a stadium deal there and generally what to expect on a mixed income redevelopment there so that we know what we're trading. I know it's a big site, but I don't know whether the expectation is that we could put 100 market rate units there and 100 affordable units there or if it's 500 and 500. I just want to know if we're going to put a stadium there, what it is that we are -- what it is that we are giving up. And again, what it is that if we choose to do mixed income redevelopment there, what the stadium deal is that we're missing out on. We're missing out on one in either situation and I would like to have one in front of me before I make a decision.

>> Mayor Adler: Mayor pro tem.

>> Tovo: That makes sense to me too and one of the things I was hoping and didn't incorporate into this resolution, is if we do -- if this passes and we move forward thinking about this as a site potentially for a stadium then I would ask our staff to maybe pull in another site for consideration for the affordable work that they're doing, in addition to what you've suggested about giving us a sense of what we could construct there with regard to affordable housing. I would also be interested in having a full five sites be part of the real estate consideration.

[12:47:25 PM]

So it seems to me the Bohm tract might be a good one to add to that list if the mckalla is one to have on the list. And I want to get some feedback, I did say I would postpone it on the 22nd. I just want to raise that as a question to you all. Do you have concerns about us taking it up on the 22nd or do you feel we can effectively communicate that out to the community that we're intending to move forward with it on Thursday if that's the will of council? I think it has been -- I think I did an interview about it yesterday, so hopefully the word will get out among those who are interested. But again, just wanted some feedback on it.

>> Mayor Adler: Councilmember kitchen and then councilmember Garza.

>> Kitchen: I'm fine either way going forward or postponing. It's up to you there. I did have a question about what you said a minute ago. I was understanding this resolution was just for mckalla, were you also saying to look at other five sites. Is that what I heard you say?

>> Tovo: No. As councilmember Casar was saying, mckalla was identified as one of the five sites that real estate was going to look at as possibilities for affordable housing. And I was just saying if this passes on Thursday it seems to me to make sense for them maybe not to do that full analysis from an affordable housing perspective. I agree with councilmember Casar, like we should have some information about what scale we would be talking about on mckalla and what the opportunity costs are as councilmember alter said. But if we move forward with this I would still like to see real estate analyze five sites for affordable housing. And if mckalla -- since mckalla was one of those five I would request that they replace mckalla with bottom road so we have -- Bohm road so we have a full sites going forward for consideration so we're not eliminating our five potential affordable housing sites to four.

[12:49:29 PM]

>> Mayor Adler: Councilmember Garza.

>> Garza: I think it's as always important to have as many facts and figures and be able to quantify different things. I think it's important that we understand exactly what could be put here if it's possible that there's some mixed use affordable housing, then I would definitely support that. I also just want to point out if we -- if there's a way to quantify for the -- the hispanic community is really excited about the possibility of major league soccer and for a very long time have felt there is very little that our city does to get the kind of entertainment that they appreciate, that they like. Having to drive to other cities. So I would ask to add that to the analysis. If there's a professor that we can find to quantify how excited the hispanic community is about this proposal and how we have not in the past done things to, like I said, recruit that kind of entertainment for our hispanic community, which is significantly growing and almost 40% of our population here.

>> Mayor Adler: Okay. I would say, councilmember Garza, that I think that's a point well taken. I think it goes beyond that too. We don't have very many big community events that bring in everybody in our community. And I think that major league soccer would be an event that would bring the entire

community together and that's one of the reasons why I support it. I agree with everyone else about getting the information and the data to be able to make an educated decision. Ms. Houston.

>> Houston: And I agree, mayor. Futbol as it's called everywhere else, is the major sport globally and it crosses ethnic bounds and geographical bounds and I think it is an opportunity to have a place in time where everybody can participate or at least go and not participate in the game, but participate in the experience of the game, including our regional partners.

[12:51:44 PM]

Because it's such a good deal. Folks from Houston will be coming in, not only San Antonio, but -- soccer is a big deal. So I hope we look at it as a way to make sure this is a space for all people.

>> Mayor Adler: Okay. Those are all the pulled items except for the things associated with the briefings so we're going to dead now and --

>> Alter: Mayor, I can speak to the meeting? So I wanted to clarify that no items from this week's zoning will then be put on the 12th's agenda for either second or third reading or postponed to that --

>> Mayor Adler: Except to the extent they're not controversial and looks like they can be handled that day.

>> We will do like we did last meeting and make sure we don't postpone anything to the 12th.

>> Alter: So I'm okay on, you know W the zoning. There are a couple of items that I might like postponed and I think there's some other ones on here like the passage of the echo that mayor pro tem may want to be there for that are other items. But I think if those -- I think that those won't be controversial to postpone and we will have a sense of multiple councilmembers probably wanting those particular ones postponed. So I'm comfortable.

>> Mayor Adler: That looks like a sufficient number. It looks like we can go forward on the 12th. And I appreciate that consideration for me personally, and will try to post on the message board prior to that week anything that looks like on the agenda that I'd like to be held.

>> Mayor for clarification, if we did have a case on the 12th that was consent that would be okay too, starflight.

>> Mayor Adler: Correct. All right. So we're now going to go into closed session to take up three items. Pursuant to item 551071 we are going to relate items related to EP, St. Louis construction versus the city. E 4, the interim meet and confer agreement concerning ems.

[12:53:50 PM]

E 6 concerns to the pvc. Others have been withdrawn for today. Without objection. And hearing none we'll go into executive session. And it is 12:54. Ms. Houston, did you have something?

>> Houston: No. We'll just come back for the briefing at some point?

>> Mayor Adler: We're going to come back for the two briefings. All right. We'll go into executive session.

[2:44:18 PM]

>> Mayor Adler: So it's 2:44. We don't have a quorum. Don't have Alison who is the one who pulled item number 60. So why don't you go ahead and do the first one of the codenext. So we're going to do codenext because these experts are going to go from here. And then the joint PC's, that meeting, and they'll go get ready to do that. Before we do that we want to discuss item number 60. You pulled that one, which was the scheduling.

>> Alter: Yes. So I'm concerned about the hearing dates because the last day of school for aid is may 30th. The last day for Round Rock is the 29th. As the parent of a child in school, I would say that the last day of school is the last day of the year that I would want to come down near a hearing. And I would not have childcare if my children were not old enough to stay home for after school on that day, would not have childcare the next day because the camps are not open. So I'm concerned that we're setting up a situation where a large part of the city that we might care about would be unable to come on both of those days. I've been trying to figure out an alternative. The Saturday before is memorial day weekend so I don't think that is an option. I was thinking that I think it's -- I haven't pulled out my page yet because I came out in here, but I think there was the -- maybe you could do the 31st and the second, so it would be Thursday and Saturday. You could do it on Wednesday, but then make sure you're doing it on Saturday. I just am really uncomfortable with having both of those days on days where it is going to create issues for families with children to come down and participate in the process.

[2:46:18 PM]

It will also make it challenging for our staff who have children who might need to be present. And you know, we've been at this for many years and spent millions and millions of dollars. It doesn't seem quite fair to have the hearing set up in a way that people cannot participate. And I'm also trying to understand are we saying we're here from 10:00 A.M. Until the last person is here? And are we doing three minutes each? I'd like a little bit more knowledge of how we are looking at those.

>> All right. So good afternoon, mayor and council.

>> Mayor Adler: Can you turn on your mic?

>> Good afternoon, mayor and council, Joe pantalion, this morning we should have handed out and you should have in front of you a copy of my memo dated March 9th and attached to that is a calendar of

council dates. The recommendation of that was to have the council public hearings on may 30th and 31st. I believe there was a message board posting suggesting that may 31st be moved to either may 5th, 6th or 7th.

(June). We are prepared to look at that if that's the council's will and we just turn it over to you to determine especially in terms of the protocols for the meeting.

>> Alter: I don't think I have --

>> Kitchen: From my perspective I think what councilmember alter is suggesting would be -- would work --

>> Alter: Let me interrupt for just one second because I think that I failed to say that we're out of closed session and when we were in closed session we discussed legal matters related to items E 3, E 4 and E 6. And I apologize for that.

[2:48:19 PM]

Go ahead.

>> Kitchen: I was just going to say that I think if I'm understanding what councilmember alter is suggesting I think that might work and I would put forward and suggest maybe may 30th and June 5th. So just for our -- our June 4th. I don't know if people want to do this on a Monday. So that would move dates off of that week. This is just a suggestion. And that is that we keep one would suggest we just keep the 30th. And then move the second one to the following week and have that maybe the fifth or the fourth or the fifth. I would suggest the 5th because we don't usually do it on Monday, so that might be the 4th. I think that might be what councilmember alter was suggesting. That avoids the Saturday and let's just do it across the two weeks.

>> Houston: Mayor?

>> Mayor Adler: Ms. Houston and then Mr. Flannigan.

>> Houston: Can can you tell me what times we're talking about.

>> The time of day? We're looking at 10:00. Of course we would take whatever direction you gave us this Thursday. The important part to us is having an answer by Friday morning to get ready to mail the postcard out that we're mailing to everybody, all the residents of Austin. The utility account holders plus the property owners. So we do have to put the time on there. The default time is 10:00, but if you would like us to change that, we could.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: I councilmember alter, were you saying that doing it on the last day of school or the day after is problematic abuse of childcare issues, is that what you were saying? Because when school is out it's more complicated?

[2:50:21 PM]

>> Alter: Yes.

>> Flannigan: Would it make sense to do one of them a week earlier while school is still in session?

>> Alter: It depends. Because there's like a zillion and one things going on at school the last week. So I think some of it depends on how long we're expecting the hearing to go. So it's very likely that people will have all sorts of evening stuff that week before. It's challenging. The other thing -- the other question that would be relevant for looking at that is when the commission's recommendations will be back so we need to give people some time to look at what those commission recommendations are. And there was nothing in here that gave us a sense of what the timetable was for that. And I remember thinking it was really tight up for the 30th so I don't even know if the week before was going to be an option. But there are multiple issues with the 30th and the 31st, from a childcare perspective I guess the 30th is a little better because I guess you have from 10:00 to 3:00 when kids will be in school and covered. We also could have some childcare at city hall that day for later in the day for staff or whatever. But that's not going to work over two days as appropriate solution. But I would like to know from staff if they have a sense of when the commission reports might be back.

>> Right now the commission is scheduled to have the public hearing on Saturday, April 28th, as well as Tuesday May 1st. We do have to prepare, if you remember when we did that resolution, I believe it was last October, laying out the process for the zap for which the other commissions were going to be solved in this. We did talk in that resolution, and councilmember Alter, your office wrote it, said that we would prepare -- I guess I'm using the word appendix because we've already used addendum to talk about changes. We have to prepare an appendix of the recommendations from the landmark commission, the environmental board and both land use commissions.

[2:52:24 PM]

So if we presume that they wouldn't start taking their deliberations until after May 1st, staff is a little concerned about the amount of time that we have to prepare that document for the city council.

>> Alter: So that would lead me to believe that maybe we do one the week of the 30th and one the week after. I'm not westside to the Saturday, -- wed to the Saturday, I was just looking at things that were suggested to us.

>> Mayor Adler: Ms. Houston?

>> Houston: And I'm concerned because whatever days you're suggesting are both weekdays and parents at work and people that work are not able unless you're going to have us all in favor night. So why couldn't we have one on a Saturday?

>> That would be possible. We can do whatever the will of the council is.

>> Houston: I'll look and see if I can see one.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I'm not sure exactly how to resolve it, but I appreciate councilmember alter bringing up that concern about the days -- scheduling it for a day where we know school is out of session and most of the camps haven't started. I wanted to also add that I'm almost cereal not going to be here on June 7th, as I understand the way the staff are discussion days for us so we're not voting, but we're sharing amendments. I will have to plan to have my part of the discussion on the 6th. I wouldn't ordinarily miss, but my brother, who is a lieutenant general in the army, is retiring on the 8th, and I'm going to be there to celebrate his long career. So I won't -- I almost won't certainly be here on the 7th or at least for most of the day.

>> Flannigan: Mayor, I just want to clarify, were you saying that it would be unlikely that the commission's recommendations would be ready in time to do one of our hearings earlier than the 30th?

[2:54:26 PM]

>> I understand that I'm concerned because I'm making a presumption that the commissions will not start their deliberations until we're done with the last public hearing, which will be may 1st. So I don't know how long each commission is going to deliberate. I don't think they know the answer to that question either. But I do know that between may 1st and may 30th I have exactly one month to, one, staff their deliberations and two, when they finish their deliberations to prepare them in a document that the council will find, you know, useful in seeing how the recommendations differ from the did staff recommendations. So my staff needs some time to do that and I presume that the commissions are going to be deliberating, I would say three weeks, possibly four, to try to come up with their recommendations. So I'm a little concerned if we go ahead that that's less time that we have and less time the commissions have to work on their recommendation.

>> Flannigan: So what mechanism requires the commissions to actually provide a recommendation in a timely manner?

>> Well, in the resolution we had before there were dates, there were a deadline. That deadline obviously was missed, it was back in January. But there is no mechanism right now. The mechanism we're presuming is the council takes this action on Thursday and sets the council public hearing dates. There's an expectation, and they've already agreed to their dates, there's an expectation, I believe, that their recommendation be done prior to the city council's public hearings getting started.

>> Flannigan: So if we were to set one of our public hearings three or four days earlier than the 30th or 31st, the commissions would know it, they would have to get their work done in time, and we're not talking about two weeks earlier, but if they still don't I don't want to be in a situation where we're holding public hearings and the public is coming to us saying you don't even have the commission's recommendations yet.

[2:56:29 PM]

And I'm a little concerned that we're setting ourselves up for that and I'm curious if those recommendations are required, if we can move forward, if the commissions fail to act anyway.

>> I think the only thing that's actually required, aside from you have a resolution saying who you wanted a recommendation from, as far as the code goes there's an absolute requirement that the planning commission make a recommendation on a code amendment. This is just a very large code amendment. I would say, however, I don't think that that is legally required prior to the city council holding a public hearing or possibly even doing first reading. I think that that requirement would kick in upon final council action. So if you're asking is it possible to hold the council public hearings without the commission recommendation, I think the legal answer is yes. But I think that you're right, some people may be asking why are you doing this if you don't have the commission recommendation yet?

>> Flannigan: So from my perspective if it's a six in one hand, half a dozen in the other, I would prefer to have hearings that people feel they can get to, where people who feel a need to come and speak to their elected representatives are also probably not reading a thousand pages of a document and they're coming with a general concern and they want to make sure that their voices are heard. It would be my preference not to add more delays. And if there is a concern, if having the hearings while school is still in session is advantageous, then I think that's something that we should do. You know, the -- as you said, councilmember alter, Round Rock ISD ends a day earlier than AISD, and that's about 80% of my district. So there's -- the 30th and 31st and later would mean no opportunity for my district, roughly, to attend while their kids are in school. So I would much prefer finding a date three or four days earlier, either a Saturday, which I can rationalize investing my time for that and making it available to the community, or the prior week.

[2:58:32 PM]

But I think as we often find ourselves in that situation, we will fill up the time allotted. So if we give the commission an extra three days or three days fewer, it won't substantively give a recommendation, they will fill up what we give them.

>> We were just concerned if we take weeks off of it.

>> Casar: I would make myself available the week beforehand or the Saturday beforehand or if we want to keep it simple, we could just do two -- I don't know if there's a problem with doing Tuesday-Wednesday instead of Wednesday-Thursday, that way there's a day that is in school and then we're not actually shifting the whole thing a whole week or a whole weekend. As another option we could do Tuesday-Wednesday instead of Wednesday-Thursday as an option. But if we want to do the weekend before or the week before, I'm available.

>> Alter: I just want to clarify, my original suggestion was to have either the 30th and 31st and the Saturday after, the Saturday before Memorial Day weekend will have its own set of issues. And the issue

is not so much that it has to be while school is in session, but there's a particular issue that week because there is no camps, there's no -- like it's just a particular thing. If you go the week before you have all sorts of issues with it being the last week of school. I know you don't have kids, but those of us who do, we have -- there are a lot of things that are going on that week that are just as complicating. For that. For people. And it sounds like to me that it would be better to do either the 30th and 31st. 30th or the 31st and then the Saturday the 2nd, it seems to me that codenext is of sufficient import of having a hearing on a Saturday would allow a lot of people who might not be able to come during the week to attend. I know that doesn't mean that staff have to be there, but I think it's of sufficient import and I would not suggest the Saturday of memorial day for that.

[3:00:39 PM]

>> Casar: So the tuesday-wednesday solution, there's a separate problem. You're saying you want to bring up the weekend that is not the end of the -- I understand that the last week of school is challenging, but all sorts of weeks are challenging for different reasons for different folks. I mean, if you don't have camps to send your kids to, then not having school is also a challenge. So I just thought that we could solve the actual end of school and graduation stuff by doing tuesday-wednesday, but the -- but the -- but if we want to do a Saturday notice that it was memorial day weekend. I guess that Saturday isn't a good Saturday.

>> Mayor Adler: And I remind everybody that we're not going to be able to decide this question today either. We have to decide it on Thursday.

>> Tovo: It sounds like we have two different options for the public hearings. The 29th or the 30th, which is Tuesday and Wednesday. Aisd is still in session. Round Rock would be still in session on the 29th. Or one of those days and the Saturday following it. Which would be the 2nd. And I'm -- tuesday-wednesday sounds fine to me if people feel strongly that there should be a weekend, then I would just suggest we do that 2nd.

>> Houston: I feel very strongly that there should be a weekend.

>> Alter: I prefer the 29th and the Saturday.

>> Tovo: That would capture Round Rock, the Round Rock situation, where again I think councilmember alter articulated well, that particular week is just a challenge because most of the camps don't start until the following.

>> Kitchen: So I'm hearing people say the --

>> Mayor Adler: She said the 29th and the 2nd.

>> Kitchen: That seems to be -- seems to be everybody saying that's okay.

>> Alter: Do we have a sense of whether we're going to give people three minutes to talk, everyone?

[3:02:44 PM]

And how long we're going to stick around if people aren't there to talk? Do we have --

>> Mayor Adler: We've never had that discussion. Cathy?

>> Tovo: I don't know that today is the day to have it, but I think we should have a pretty clear plan about how we're going to handle public testimony. People will certainly want to talk.

>> We discussed possibly having it at a future work session.

>> Tovo: That sounds good.

>> Mayor Adler: And we also have the option -- I think we ought to set a time that we cut off by and we could certainly notice a hearing on a day and if we needed to extend it to an additional day if people were there waiting we could have that option as well.

>> Kitchen: No, we're not talking about doing that. We're talking about these days.

>> Mayor Adler: No, I'm talking about setting those so the notice goes out. I'm just saying in terms of the options that are available to us. We have to notice those days. If we have hearings that are set, we could also accommodate a spillover if we needed to.

>> Kitchen: Yeah, but I think that the conversation we're having right now makes it sound like we want to be clear on the days, which would not allow for spillover. In other words, there's reasons why we wouldn't want to be spilling over. So we wouldn't want on the 29th to then decide to spill over to the 30th. So I guess that's all I'm saying.

>> Houston: I think he's talking about --

>> Mayor Adler: To the next -- I'm saying we would have those options.

>> Houston: That's what my understanding is.

>> Kitchen: Sorry, I misunderstood you.

>> Mayor Adler: We have those options. It's not for us to decide now. I was just adding it to the things that would be appropriate. So all we're doing now is we're trying to pick dates so when they send out the cards, we can have dates that are noticed.

>> Houston: And when you all send out the cards, if you would send us an electronic copy we can send that out to our distribution list.

>> Sure, will do.

[3:04:45 PM]

And then my understanding is we have a future work session item where we'll discuss how the mechanics of how that meeting will occur because that's what the zap did.

>> Mayor Adler: We'll do that and go ahead and set a special called session for whatever days we decide on Thursday.

>> Thank you.

>> Alter: May I ask one question? So this is the postcard that's coming to everyone in the city saying you're getting a zoning change?

>> Yes.

[Laughter].

>> Alter: So I would just ask if you can prepare, as those are going out, some sort of paragraphs that we can be using to disseminate those to our communities to say, "You're going to be -- even in advance of you actually sending it, you're going to be receiving a card that says you're getting a zoning change and this is why you're getting it because we're doing this large thing. ". So that we are not flooded with all these calls about why do I have a zoning change that is answerable in a different way?

>> We're limited in space obviously, but we're going to try to include as much information as we can on there and direct people to the website where they can get more information. And we'll be sure to share that postcard with every council office before they hit the mail.

>> Alter: But even if you don't have room for it on your postcard, we all have newsletters that we can send out stuff. It would just be helpful that we were all communicating the same message for that rather than having to reinvent that every time. I don't want there to be all this panic that everyone is getting this for these people who haven't been paying attention. I just think we could avoid some problems.

>> We can get some information for you and coordinate with the public information office to assist.

>> Mayor Adler: Assuming we decide on Thursday the dates, then you have both the planning commission, zap, when do you think the card would actually go out?

>> The Pio office is asking us to get them the dates by Friday morning so we'll have that after Thursday.

[3:06:47 PM]

And I think it's going to take about a week or maybe two weeks to put together for all the printing in the news to be done, so I can get back to you with those exact dates.

>> Mayor Adler: Can you let us know on Thursday when it will go out. That would be helpful? Jim?

>> Flannigan: I've been asking to see a draft of that postcard for awhile and I haven't been able to see it. I don't want to cross the line between council and administration here, but it might be useful input for

you to get the council offices to get a read on how people might interpret the way you put things together.

>> Once we have a draft I'll walk it around.

>> Flannigan: And you will find certainly in my district and a few others a lot of people who have never received this kind of card before seeing it for the very first time, and other parts of town where there's more zoning changes and they are more used to getting those things. And to be able to see that in advance. And to councilmember alter's point, I will be trying to get this information out in advance. In my mind I'll have a screenshot of it I'm posting on to Facebook and say here's what is coming, all full court press to community.

>> Mayor Adler: Anything else on this topic?

>> Houston: We'll make sure it's in several languages?

>> Yes.

>> And mayor, would you like for us to go ahead and post a change and corrections for the dates we talked about today so that item will be ready?

>> Mayor Adler: We could certainly fill them in. We can't decide the dates here. Probably would be better if you just had it blank. All right. So then let's go ahead and with the two briefings.

>> Our first of two briefings, watershed protection staff will be up, maybe some development services act. I think chuck Lesniak and Matt Holland with watershed will be making the presentation.

[3:08:52 PM]

>> Mayor?

>> Tovo: I'm sorry, we didn't do much discussing for the 6th and 7th? 10:00 as well? Are those council input or dialogue sessions? Those are the June dates.

>> Mayor Adler: We didn't discuss it. All we were doing is giving them dates to send out the cards.

>> Tovo: We have time to talk about that.

>> Mayor Adler: We do. Okay. Codenext and watershed analysis and proposals.

>> Good afternoon, mayor and council, my name is Matt Holland. I work with the watershed protection department. I'm here with chuck Lesniak and Joe pantalion. And I will try to. Run through these slides talking about draft three of codenext pertaining to watershed proposals for environment and drainage protections. We last talked at the end of September when we talked mostly about the draft one proposal so I'll try to underscore a few differences between drafts one and two and three. Basically we're trying, as are all proposals within codenext, to balance the various important priorities within the city of Austin, producing high quality development, affordable options with a high level of environmental and drainage protection. Austin has a long history of environmental protections and we

are absolutely retaining those protections in codenext and I'll talk a little bit more about that in the next slide. I wanted to reassure the public on that. I'll also briefly talk about the impervious cover analysis that the public has been asking for. We discussed that in September and it basically hasn't changed much, but we want to give you the final version of that. And then we wanted to go through the three major changes in drainage and environmental protections, which have to do with flood management for redeveloping properties and the second has to do with green storm water infrastructure for water quality. And third has to do with how we handle environmental and drainage protections for the smaller projects, like single-family residential and the missing middle residential projects.

[3:11:00 PM]

Like I mentioned, we are retaining the important drainage and environmental protections that Austin has had for over 40 years. We started with 1974 waterway ordinance, proceeded through the '80s with many important ordinances, and in 1992 S.O.S. Ordinance that would be unchanged in this and codenext. And then culminating in -- in 2013 with the watershed protection ordinance where we really made a major overhaul of our entire drainage and environmental code. With a view exceptions that we deliberately left to codenext knowing they would have important overlaps with the environmental -- with the land use changes that might be proposed there. And that's what we'll talk about today. All right. In terms of the impervious cover analysis, we did a detailed analysis of tens of thousands of parcels within the city to understand how impervious cover entitlements or limits were going to change with codenext. When we last talked to you we noted that there are very few changes. In fact, impervious cover was actually dropping slightly with codenext. And that's exactly what we're seeing with draft three in the final analysis. This is our final staff recommendation on how things shake out in terms of zoning and impervious cover and we also layer on top of that the watershed impervious cover limits. So on a citywide limits, impervious cover is barely going down in terms of entitlements, maximum impervious cover on these sites. That also includes looking at the urban core, which has on average much higher impervious cover than rest of the city. And we also looked at localized flooding problem areas. That was a realing community concern, are you raising impervious cover in areas that are flown flooding areas, and the answer is no, those are not increasing as well. Importantly impervious cover is not at its maximum state. The slide shows it around 27% impervious cover in the city, raising to around 45 or 46%.

[3:13:08 PM]

As we mentioned in September those are theoretical maximums, we won't get to 45% impervious cover due to various factors that I can go into if you have questions. But this is a yardstick of measurement. If those had changed and we had been blowing past where we were today, we might have had to actually change our floodplain mapping. And so that was an important consideration and we would not have to do that with codenext. We're holding the line. Austin is in flash flood alley as you guys have heard from past presentations. We've had two Halloween floods, we've had two memorial day floods and we have

recently endured the remnants of Harvey as it kind of swept through Austin and hammered Houston. So we're seeing unprecedented rainfalls. So flood protections are really first and foremost in our minds. We have around 10,000 structures in either floodplains or at risk in local drainage areas with undersized piping and so forth. And so this is a major issue for the community and then we're trying to handle it the best we can with codenext as well. Codenext is one of many strategies we have to try to address these and life and property protection issues. So basically the status quo right now is we have a very good protections for brand new projects. If you have a green fields project, meaning something that's on natural land and you take that land cover off and put on your new development, we have excellent protections that prevent downstream problems and prevent structures and other things being built in the floodplain. And from new drainage problems from being created. However, if you have an existing property like an I frequently give, our regs say don't do worse than it is now. Don't go past the 90% impervious cover that you have and don't -- if you don't make it worse, you're welcome and the code lets you kind of proceed forward with no flood management of any type.

[3:15:15 PM]

Codenext is going to provide a major change for that because what's happening there is in these many cases, including the urban core and citywide, we have older properties contributing to flood problems and those are not being addressed as those projects turn over and redevelop. So codenext is going to come in -- this is a bit dense slide, a lot of information, but basically we're saying that each new redevelopment project as it comes in is going to look pretty much exactly like a new development project coming through and you would have to assume zero percent impervious cover of green fields position and you would mitigate or reduce risk from that perspective. So that old k-mart would have to address its full share of the drainage issues in its particular spot as opposed to getting a free pass. This regulation applies to site plans and it applies to subdivisions. It does not apply to individual single-family building permits. Basically we're trying to limit our peak flows to undeveloped conditions. There's a number of options. I think a lot of people assume that this means every new project is going to have a detention pond on it. That is not accurate. In many cases that's not the best solution and that's not what we would be hoping to see. And so we would be working with the development community as she's projects came forward to find out what the best possible solution was. And those are very site specific kinds of issues. In no case would a project be allowed to have what we call adverse impacts. You can't increase flood flows or what have you downstream with now -- now or with the codenext provision. Here's a bit of a cartoon illustrating what we're talking about here, that first cartoon on the left diagram shows the green field, shows the undeveloped property.

[3:17:19 PM]

So we have a relatively small amount of peak flow coming off of this site with trees and grass and so forth. And then when it was paved back in the day, that next cartoon shows the '60s development just as an example, and so there's no provision for flood anything. So you had a lot of water coming off fast

and you have undersized conveyance. And so like I mentioned when that redevelops today you don't do anything extra, you just -- you just maintain what you have today and don't make it worse. With codenext we're asking that that project contribute with either conveyance or detention or some other regional solution. We did a fair amount of technical modeling in our engineering groups and with a consultant and we actually looked at both creek flood and local flood modeling. So at the larger scale of creek flooding, we looked at the impacts of our codenext proposal and found that it was going to have -- if these projects redeveloped and put in the kinds of solutions that we think they could as they redevelop, we're going to see meaningful, significant reductions in peak flows so we will see -- we're going to see up to -- I meant to put it on the slide. About a 10% average in peak flow reduction and up to about 17 percent peak flow reduction. And these were four areas modeled which were representative of the city. So basically -- again, we're not going to see detention on every single site. We're going to see a combination of best solutions. We did also -- because there's a lot of interest in this. We measured the impact of full residential, single-family residential buildout. A lot of people were asking what happens if every single home built out to its maximum, say, 45% impervious cover. We found interestingly that actually had very little impact on the peak flows.

[3:19:23 PM]

Not no impact, but very much reduced from the impact of those redeveloping properties changing. So that is not part of our proposal to regulate those individual single-family projects. On the local flooding, this is the storm drains and drainage ways and so forth that you see all over town. We actually picked a really detailed case study in the west Bouldin watershed of south Austin. In the del cuerto. And this had a mixture of single-family and mixed development along south Lamar boulevard. We found once again that the peak flows were going to have a meaningful reduction if we implemented this strategy. And then again the single-family residential buildout was going to have a pretty de minimis impact. It doesn't mean no impact. And we actually have a proposal that I'll talk about in a minute that directly addresses residential development, but we don't think that peak flow attenuation is the way to go with single-family residential projects. All right. A bit of a nitty-gritty slide. Basically we have a program called the regional storm water management program or rsmwp program. And we want to clarify in our code that in no cases would you be eligible for this program if you increased adverse impact. So -- then also -- once you are able to participate you're going to be going with the full -- the full proposal that I mentioned a second ago where you go back to a green fields condition and to an undeveloped condition. So we're asking for a relatively aggressive level of attenuation of these problems. And this is a really important one. We want to hit this head on.

[3:21:24 PM]

We think that roadway projects are very, very different and very unusual. Public roadways roadways are -- look like no other development. They are basically long and linear and skinny. And when we're talking about retrofitting existing roadways, it's going to be very, very hard to go back in and expect some sort

of detention or even other -- some other kinds of improvements. So we're actually -- the staff recommendation is that roadways not be held to this new standard that we were talking about earlier. Roadways actually already contribute an enormous drainage benefit to the city. When we redevelop a roadway we bring up the standards up for the piping and so forth up to a very high level. And they actually have to not only treat -- not only handle the runoff from themselves, but handle the runoff from a pretty big area around them. So anyway, that's an important community discussion to have because we didn't want to just have that slip through. It's an important discussion. All right. I hope I'm not talking too fast here. I know it's a lot of material and you guys have been here a long time. Let's talk about green field storm water infrastructure which is a subset of water quality. Austin has been extremely interested in water quality for a long time, since the '70s. Our first water regulations went into effect in 1981 in Williamson creek and we've been experimenting with best practices for a long time and you will see a lot of sand facilities around town. Which is a big box filled with sand and it does a great job of filtering out the water and making sure bad things don't happen downstream. We've learned from national experience that green storm water infrastructure is a better approach and we're looking to actually kind of jump all in on that or mostly in on that here with codeNEXT. And so instead of a sand filter standard, we're calling for a green infrastructure standard.

[3:23:29 PM]

So I think we can skip to this next slide to show you what some of these look like. These are familiar names probably to most folks. We'll be seeing instead of sand filters, we'll be seeing things like rain gardens and green roofs and vegetative filter strips and rainwater harvesting and in the Barton Springs zone especially retention irrelevant rationation. So those are all solutions that use soil and plants and other natural plant materials and actually integrate into sites much more naturally and effectively and positively than a sand filter which is usually relegated to a back corner with a cyclone fence around it. So we're really hopeful that we'll get a lot of benefits out of this, including major water conservation gains as people direct water to the soil and to the plants instead of relying just on potable water. Draft 3 does see a change in this. When we last talked about it, we talked about this beneficial use idea and 95 percent style understand. When we did some work on that, we found it would lead to complicated solutions that might have some challenges. And also we were a little ahead of the water forward task force that the water utility is working with right now and very positively. So we have instead of that proposal, we have said you are already required to capture a certain amount of water on the site. Make sure you're using green infrastructure to capture and treat the water. Let's keep it simple. On some sites, there's about five percent of sites in Austin that are -- that have more than 85% impervious cover. That's going to be very challenging to use green storm water infrastructure in all cases on that. So we made a special exemption for those such as if they wanted to use rainwater harvesting and show they could water all of their landscaping with that and we'll have details in our environmental criteria manual that that would be an option that you could use a sand filter in those cases.

[3:25:34 PM]

So we think that that flexibility was useful for those kinds of projects. There's a few other exceptions we can talk about if you like. All right, final topic is that of residential development so this is going to be both single-family residential, and duplex projects and the important project -- topic of the missing middle residential type scale. So we really wanting -- so for the -- a long time Austin and our -- in our code we've had some environmental protections for the whole range of development, all the way from single family all the way to these sort of site plans with commercial and multiple family up to big residential subdivisions. Those rules were really instituted focusing on the big projects and so -- and they have never worked as well for the smallest projects and we didn't really try to scale them back in the day when we were doing that and we think that codenext is a great opportunity, especially as we're talking about the missing middle to really look hard at that and see if we can right-size these regulations for the different scales of projects we have right now. And so we want to make sure that we're getting the right kinds of drainage and environmental outcomes for one and 2-unit construction and that we also don't discourage missing middle projects, but at the same time we come up with good drainage and environmental outcomes. And then this is going to have this -- this will of course have impacts on our dsd resources of staffing and so forth. These are the folks that review these projects, and them and so forth, and that department is working very hard on analyzing the proposal we're collectively putting forward. So our proposal for residential regulations is basically to have -- we started out looking at the missing middle and kind of trying to understand where to go with that and realized you know what?

[3:27:43 PM]

These projects are pretty similar, the one, two, and three to six in a lot of ways, and some of the things need to be the same. In fact so right now we're only instituting a few environmental drainage protections on the one to two-unit projects so we'll propose and show you the full range of stuff we're working on. We're going to propose a number of upgrades to what we're doing today so we wanted to improve what we're doing today. On the missing middle side we want to make sure we're not discouraging that new and very hex sort of housing -- helpful sort of housing type and so we're going to be proposing a very similar set of regulations for those. Projects. If you get more than six units, almost always those are going to be more than 45% impervious cover, it's going to not look like a single-family residential type scale anymore or even missing middle scale of that modest size so we're going to ask that those projects continue to go through the full site plan process. Okay. So right now if you build a -- pull a building permit and want to build a single-family home you're going to have to make sure you stay with impervious cover limits, make sure you are not in the floodplain and make sure that you're respecting what we call the erosion hazard zone to make sure your project frankly doesn't fall into the creek. And so those are really important provisions. Those stay of course. And we're adding the following important new provisions to kind of square up where we think we need to be. The most important one or major one is this engineer's certification. This is kind of a middle position between doing a non--- not asking any drainage requirements is where we are now. Of course you're responsible for the drainage on your property and you could get sued by your neighbor in today's world, but you're not asked by the city to do anything specific. So there's a middle position between what we're doing now and like a full blown kind of site plan or site plan like type situation where you might have a

drainage analysis that was then reviewed by city staff and that middle position is what we're proposing here for codenext and that's this engineer certification.

[3:29:58 PM]

So we'd be saying to you, the property owner, you need to have an engineer come out on your project and look at your plans and propose and make sure that whatever you propose is not going to negatively impact your neighbors. So that would be an increase over what is happening now. That would be an added expense to pay that engineer and to get that person to stamp and supervise that construction and make sure it was in good shape, but we the city, we are not proposing that we -- and we would make sure that that actually happened and we would see the paperwork and register that but we would not be reviewing that under this scenario. Obviously you as a council could consider a wider range of options if you want but that's -- we believe that's a good place to recommend for codenext. What we're basically saying as I mentioned earlier that the modeling wasn't showing a lot of negative impacts from single-family residential and almost everybody in Austin knows at least one or two people who have gotten negatively impacted by somebody who redirected under their friend's house or family member's house or what have you so this we think will help a lot, to have an engineer to look at it and make sure that these negative outcomes are not happening. Is it going to happen 100% of the time? Not necessarily but we think it's a much better scenario than where we are today. Let's see. Then we're also asking these single-family residential properties look at things like creek buffers, the creek setbacks from creeks right now we're not looking at that. We look at it in the subdivision face but not in the building permitting phase. We think we need to do both and we're asking for that. There's details on when your plat actually came through but that would be an important step forward to respect those importantly, those stream buffers is that help waterways stay natural and safe. And then there's been a lot of issues with construction on steep slopes and construction that employs a lot of cut and fill where you're moving around, doing a lot of site grading and creating retaining walls and other things like that and we think that those are important regulations to look at at the single family level.

[3:32:16 PM]

>> Before you move on, chuck lezniak, environmental officer. One thing I wanted to add on this slide these are regulations that have been included in the books in the 1980s, haven't included them in our review process. We included in draft three that there's a -- basically a hardship provision that if for some reason a post-1986 subdivision made it through when you consider creek buffers and consider construction on slopes, those sorts of things that there's just no buildable area on that lot, if you can demonstrate,ing if a property owner can demonstrate that when these regulations are applied that there's just no room left to build a house, that there's an administrative provision to allow them to build a house. And a reasonable sized house so we don't end up with lots unintentionally unmr. That's not the intent weapon we do a buildability analysis, dsd does on subdivisions and has sinners 1986 so this circumstance should be pretty rare. We've applied these requirements on subdivisions since 1986 but

haven't necessarily applied them when the homes are constructed to make sure that they comply with creek setbacks and construction on slopes and those sort of things. So I think we're syncing up our subdivision review and requirements with our residential permitting but we do have a hardship provision just in case that one slipped through, that everybody will have a buildable lot and we don't get some lots that suddenly become unbuildable.

>> Alter: Can I ask quick clarification. We're continuing the current practice and adding the stuff under draft three? Is that --

>> That's correct.

>> Alter: Okay. Thank you.

>> And then in a couple slides we'll have kind of an overview summary that shows the full picture. I know this is kind of confusion, a little bit of death by powerpoint here.

[3:34:18 PM]

All right. Three of six units. This is the missing middle. Or at least one of the major component of missing middle. And this is where you can build three to six units. And so we basically are offering the same proposal for this -- this set of properties. According to our estimates there's probably -- there's just short of 4,000 of these properties out there. There are probably at least 150,000 of the single family duplex projects and around 4,000 or fewer of these missing middle ones. We're talking about the same lots essentially. These missing middle properties are on lots that today would have a single family or duplex on them and instead codenext will allow these to expand to three to six units instead to allow a little more density. Right. And so, yeah, definitely go to that. And so the restrictions on this would be that you would not be able to exceed 45% impervious cover that you see on the single-family lot. Again, we're talking about the same lots with same impervious cover cover restrictions so you have maybe more units but no more impervious cover, no additional impervious cover. Your project would also not be able to have a land use commission variance request on it. And it could not take place in the Barton springs zone. So those are the conditions under which you could use it. So instead of a full blown site plan, which is relatively expensive and has a lot more conditions on it you'd be able to use this streamlined process that you'd use for the single family path. Then this is a explanatory slide for your reference that shows the various things, a single asterisk points to the things we're already doing like impervious cover, tree protections, floodplains and erosion hazard Zones and the other thing are things we'd be adding to the menu for the single-family residential and of course missing middle would be following the same path.

[3:36:28 PM]

Finally just some stats. These are very proximate. This is actually extremely challenging to estimate how many lots are in the -- in this, but I mentioned at least 150,000. This slide shows 171,000 single-family

properties. That's, again, an estimate, but you can see the vast majority of what we're talking about are going to be these single family, not the missing middle, 3700 or so lots. And here is where they are in town. They're scattered out around the urban core, especially within that sort of mopac to route 360 to Ben white to 183 loop with a few exceptions in other spots. All right. I hope I haven't gone too fast but I have a lot more material to cover so that was it. But we are very happy to answer questions.

>> Mayor Adler: Questions? Yes, councilmember Casar.

>> Casar: So I appreciate that y'all had some changes to have the missing middle three to six unit properties not go through the full site plan. Can you explain to me really briefly what the difference is between the one to two-unit requirements and the three to six-unit requirements? Not for the ones that qualify for this faster process. And why -- what is the reason for there being a difference on a duplex versus a fourplex if they're the same size and same impervious cover?

>> So we were actually literally proposing the same thing for those projects.

>> Casar: Got it.

>> The difference would be if you were to ramp it up past the 45, then you go to a site plan. If you're getting a variance you got to get a site plan and so forth. So this is -- we're really -- we're proposing the same structure for both single family and the

[indiscernible].

>> Casar: Okay. Got it.

[3:38:29 PM]

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: I have a couple of questions. When we're talking about the new retention requirements, is it still grandfathering the amount of impervious cover but now you just have to do enough retention? So if you've got an old lot that gets rezoned with a lower maximum but you've already got 90% but the new code says 80%.

>> That's correct.

>> Flannigan: We're not requiring you to tear out 10% of your impervious cover, we're just saying you have to make sure there's enough retention or gsi or whatever?

>> That's correct.

>> Flannigan: Okay, that's good.

>> There are a number of provisions in the code that allow you to redevelop a project and keep -- retain your existing impervious cover.

>> Flannigan: Now you have to account for it?

>> That's right.

>> Flannigan: Is there any analysis coming about how much redevelopment under these rules might -- I mean, I see a little bit of it here but how much redevelopment in the form of commercial and multi-family might we need under these recommendations to solve some of our flooding problems?

>> And that's the biggest challenge of this. You know, the speed of redevelopment of an area is going to have everything to do with how much progress is made through these ordinances on a project.

>> Flannigan: Right.

>> It might take decades for a given area to turn over and have the new solutions go into place. What -- the idea -- so we're under no illusions about that. Basically we're going to see these things chip away at what is unfortunately about a \$700 million problem in Austin.

>> Flannigan: Right.

>> Local flooding.

>> Flannigan: But for our ability to streamline other parts of the code or other requirements or the permitting time line or other costs or other things that make it difficult to do building if those were streamlined then we might get these proved drainage impacts faster.

>> Right.

>> That's correct, councilmember. Remember this is just one tool in the toolbox.

[3:40:30 PM]

This is not a silver bullet and we don't want to paint it that way. If all of these properties redeveloped and had current code, met current code drainage requirements, it won't solve our flooding problems. But historically that old -- in the past that old predrainage regulation impervious cover was not required to pick up its fair share of the flooding that it's causing. So there's only so much -- you know, we've been doing a lot and are proposing to do a lot with the public infrastructure and upgrading the public infrastructure to address drainage and flooding problems but we couldn't do anything on the private property and it was just sitting there, continuing to cause problems. So this will help, but it's not a silver bullet and it will -- as Matt was say, will be incremental over time. But it is a new tool in the toolbox for the private development community to pick up its fair share. Sop it's not all

[indiscernible]

>> Flannigan: Nothing we do is a silver bullet in this building. If there was a silver bullet we wouldn't need a thousand pages to describe it, but it is not just a tool in the toolbox. It is a requirement that all future development must abide by.

>> Yes.

>> Flannigan: So it is not an option to do this. This is a requirement to do this. I just want to make sure the public understands that too. On slide 13 where you talk about the regional stormwater management program you said something about no adverse impact to qualify. Can you help me understand what that means?

>> Sure. So there's a fair number of wonky terms in watershed protection -- the watershed protection community. When we're talking about green field impacts versus no adverse impact those are two separate things. Let's just say your project is at 60% impervious cover and you want to go to 80. You have the ability to increase it there.

[3:42:32 PM]

In today's rules, you would need to -- you would need to account for that jump from 60 to 80. You would have adverse impacts downstream if you didn't address that delta of the extra 20%. So the rsnp participation is contingent on you making sure you don't -- that you address that delta. So as long as you're addressing that delta on-site, you're in the clear. You might be able to pay payment in lieu for vessel for the other piece of it -- neither it.

>> Flannigan: We're really talking specifically about those properties where there's existing impervious cover, we are entitling them to do more.

>> Yes.

>> Flannigan: They have to on-site the more.

>> Yes.

>> Flannigan: They can rsmp the existing.

>> Thank you.

>> Even if there's not existing impervious cover, if there's no impervious cover and you're adding impervious cover, you have to do at least enough on your property to make sure that you're not creating downstream problems before you become eligible for this payment in lieu program, the rsmp.

>> Flannigan: How are we determining what that payment in lieu is?

>> We have -- we actually -- we have a program now and a formula that generates those quantities, and we actually have a consultant on staff right now that is reevaluating that, that payment and that system to make sure that it's -- you know, that it makes sense.

>> Flannigan: All right. On the green storm water infrastructure, you talked a little bit about how it differs from traditional retention, sand filters.

>> Yes.

>> Flannigan: Is there a -- kind of a theoretical maximum that you can accomplish with gsi? It sounded like what you were saying was there's only so much you can do with it, we want to require it but there will be times it's not going to be enough.

[3:44:35 PM]

>> I think the only conflict has to do with whether there's enough space for it. So if you catch -- yeah, if you catch 1,000 cubic feet in a sand filter and then you have three or four smaller rain gardens that catch a thousand cubic feet of rainwater, that's the same thing. You get more benefits we believe with the rain gardens but you're doing the same work in terms of, like, capture and storage. But imagine if you had a really high impervious cover project like downtown, say, well there's actually literally no room to put the rain gardens and so what people are doing now is putting a sand filter under their parking garage and that works and the water goes in there and slows down and so forth. But you can actually -- in those cases we'd like to see you use rainwater harvesting and water your street trees or do other things like that on-site to get the kind of green benefits we're looking for.

>> Flannigan: So in some cases the gsi options take more land to get the same impact of traditional?

>> That's correct.

>> Flannigan: I would imagine in other cases like rooftop capture -- so the practical impact here is we'll see a blend, we'll see a blend of gsi techniques, the ones that use the least amount of land in order to get some kind of impact and we've incentivized that in part in our code because we don't measure that now when we account for that? Is that what we --

>> We see a blend at the higher levels. We'd see a little bit of a wonky blend potentially if you were -- there's other options where, hey, you want to treat some off-site runoff and do other positive things, you can use a sand firm or regional control for that. There's a few other options. Unless you're above 80% impervious cover, you're going to see -- that's more than 90% of all sites, you're going to see green stormwater on purchase all applications.

>> Flannigan: My last question, I don't know if it's for y'all, it does not seem like there are very many parcels eligible for three to six units.

[3:46:37 PM]

So whatever the lever is, I would like to pull on that lever a little bit and see more opportunities for these three to six-unit developments.

>> And we're sort of the watershed people so we're basically taking the data we get from the things but we can plan that along to our planning friends.

[Laughter]

>> Mayor Adler: Councilmember Garza and then Ms. Kitchen.

>> Garza: Councilmember Casar asked about -- so the one to six are treated the same but it's because the one to two units, their requirements were raised. We've increased the requirements for one to two and lowered the requirements for three to six.

>> That's correct.

>> Garza: So the average is -- so now we -- okay. So --

>> Councilmember, if I can add, respond to that just a little bit, that the requirements for one to two have always been there for over 30 years. In fact when I first became environmental officer, I became aware of that and I -- really for over three years Rodney Gonzalez and his staff and I and some of our staff in watershed have been talking about how do we -- we haven't applied these regulations to one to two but we know we have problems. We don't apply them when we actually get a building permit for the house. The problem was that our requirements weren't scaled for single-family lots, and I think it's been the intent of the city to do this for 30 years. In fact I came across a video of my predecessor in 1999 talking to the environmental board about how to apply these regulations at the single family construction stage. And so what we've done is we've scaled these. So I think of it more of we've revised our process as opposed to increasing our requirements.

[3:48:37 PM]

We've added things to our review process on the one to two, and we've reduced -- certainly have reduced requirements, but at the same scale because the development for three to six is on the same lots that are eligible for one to two. And so we're kind of meeting in the middle, but yes P.

>> Garza: Slide 22 says, second bullet says it offers a faster, lower-cost path for residential projects that provide a diversity of housing types while maintaining impervious cover limits, blah, blah, for one to two family projects. Is the net that it is faster and lower cost? Because while we're -- and I'm trying to figure out how this lines up with the resolution, the homestead initiative resolution, which was supposed to do that, it was supposed to scale our development requirements for families just trying to stay in place and remodel. It wasn't to add anything is now I'm concerned, regardless of what intent was in the past and what was said a long time ago, are we adding additional requirements to one and two-family projects but saying even -- doing that we're still making it faster and less cost?

>> I think on one -- I think on one to two, we are adding elements to the process. There's no question. It's going to add a certain additional amount of review overhead. We're trying to do this in a way that with publicly available online gis tools that a homeowner would be able to get the information about where -- do I have a creek buffer on my property? Am I in the erosion hazard zone? We've already got that to date. Do I have steep slopes on my property where I couldn't build so you wouldn't necessarily have to hire an engineer or somebody to do that kind of analysis 37 we're trying to scale it and provide tools so that an individual could do this and it also simplifies the review process and reduces overhead and time necessary at the review stage.

[3:50:43 PM]

I think where we're seeing really significant changes in terms of review time, design cost, and permitting time and cost is on the three to six units because you're going from a site plan where you still got to have -- have to get a building permit to only getting a building permit and it's on a -- you know, it's being processed like a residential and it would be processed the same as a residential permit for one to two family.

>> Garza: So can you say that even with the additional requirements will it still be offering a faster, lower-cost path for residential projects that are one to two?

>> We're analyzing that right now. But I think we're trying to get it at -- get it to be at least no worse than it is today for one to two.

>> Garza: Okay. Because the intensive -- our resolution, which I'm not sure of the report back date, was to actually make it less. When I'm hearing of things that are making it the same or possibly increasing, adding a step, I can't be supportive of that. Because this isn't -- I just want to make sure. This isn't just -- these parts of the code don't just apply if you're building brand-new. This applies if you're trying to remodel and add square footage to your house? You have to do all of this just the same so --

>> We have added an exception for 300 square feet and under for the drainage certification. And so we -
- you know, we're doing our best to try and balance that. We're aware of the competing needs.

>> That would be the important policy decision, wrestled you want that threshold to be? If you wanted you could look at that 300 number and look at some other options. So this is -- you know, this is just our staff position to start out with and maybe you want to look at some other knobs to turn on that.

>> Garza: So if someone was adding less than 300 they wouldn't have to --

>> They would not have to do the --

>> Drainage certification.

>> The certification, yeah.

>> Garza: Okay. So could you provide what the range you were considering so I could think of possible amendments to that?

[3:52:48 PM]

>> Well, there wasn't a range. It was just a 300.

>> Garza: There wasn't -- okay. I mean, I guess I'm just wondering if someone proposes a 500 exception -
-

>> Sure.

>> Garza: -- Is watershed going to come back and say don't do that because this is what happens? Is there some science behind the 300?

>> We were looking at if somebody wanted to add a bedroom or bathroom onto their house, that sort of thing, and so it was a subjective -- you know, we could have chosen 500, would have chosen 100. We just felt like that --

>> Garza: Okay.

>> The environmental issue is look at that very issue and they wanted us to come back with some other they should and talk about it so that's a good discussion.

>> As I mentioned one of our challenges is -- and this is true for redevelopment, you know, for 30-plus years we've required residential subdivisions to be built with a buildability analysis that says with these constraints, creek buffers, steep longer all those things, do you have room on this lot to put a house? But then when somebody came in for a residential permit, there was nobody checking to see, are you keeping your house out of the creek buffer? Are you keeping your house watch the steep slopes? And so we felt like there needed to be a follow-through on that and from an environmental standpoint. And so we -- we're just trying to reach that balance.

>> Garza: Okay. If there's a way to find out from past, you know, redevelopment permitting I guess like what the average is that something adds on, because if it's well under 300 there would be no point number. If it's an average of 500 people are adding then I think there would be reason to change that number. Thanks.

>> Tovo: Councilmember kitchen.

>> Alter: Can I ask that you share that information with all of us?

>> Tovo: Councilmember alter.

>> Alter: Thank you. Sorry.

>> Kitchen: Okay. Few questions. So I just want to be clear, the proposed language that we're talking about related to residential development, is that in draft three right now or are y'all still writing it?

[3:54:56 PM]

>> No. It's in draft three.

>> Kitchen: It's in draft three, okay. The modeling that you referenced, is that available somewhere for us to --

>> I believe we posted.

>> Kitchen: It's posted?

>> I know we posted the creek flood version online, on the codenext site. I don't know if we've yet posted the local flood thing.

>> Kitchen: The local flood is what --

>> I can check that.

>> Kitchen: Actually, if you can send me the links to both that would be good.

>> Okay.

>> Kitchen: The last question is -- and I'm not remembering so you can tell me if this is not relevant but I know we have discussed in years past the impact on localized flooding of multiple developments occurring. One after another. I'm thinking specifically of the south Lamar area. And so is there -- were there -- and there was a -- there was a localized ordinance, I guess, or pilot project that was used for that area.

>> Correct.

>> Kitchen: Were there any learnings from that that informed any changes to the code? Or is that -- is this issue -- is that issue going to away? Do you understand what I'm asking?

>> I believe this assessment we're calling for, for the one to six units, is in part informed by that process, that certification process was kind of the journey led in that direction for that. By the way, that provision for south Lamar would be removed and codenext -- in codenext because it would actually just become a city-wide kind much function on that.

>> Kitchen: Okay. All right. Thank you.

>> Tovo: I just want to be sure I understood the answer to that. Basically the pilot -- the provisions that were put in place as part of that pilot would -- are in fact what we're adopting?

>> I would have to go back and look. That's a good question. I'd have to go back and look and see if all of it is in here but the drainage certification was inspired by that -- by that south Lamar ordinance.

[3:57:03 PM]

>> Right.

>> Tovo: Yeah, I think it's really important we learn from that pilot because there was some really significant flooding issues, as you know, in that area as a result of the redevelopment that was taking place and the infill development and I think we need to really understand what succeeded that and bring those to scale across the city.

>> Kitchen: Perhaps could we ask that you prep a memo with an update that responds to the mayor pro tem's question? That's really what I was wondering too.

>> We can do that. I think that really the combination of the Greenfield drainage requirements, mitigation and drainage certification for residential development speaks to that problem of kind of multiple developments in an area creating an aggregate adverse impact.

>> Kitchen: Yeah. If I'm recalling the review was happening one development at a time and not really accounting for the cumulative impact. So --

>> So we'll look at that and get you something.

>> Tovo: Especially since one of my colleagues mentioned maybe making some amendments to that piece I really need to -- I will appreciate that information so we can make sure we're not turning our back on that learning as we move forward.

>> Okay.

>> Tovo: I had a quick question. And feel free to answer this. Outside of this session if it's better. But there's a reference -- this is very specific and, again, maybe I'll just throw out the question and you can catch me at some point before Thursday. We have a P.U.D. On our agenda for Thursday, the 425 west Riverside P.U.D. And in one of the comments as part of that P.U.D. Staff report, there's a comment from staff talking about after working through the challenges of meeting the 95th percentile beneficial use standard on this site staff has refined the codenext proposal for sites with more than 80% impervious cover and then there was a contact we'll contact the applicant's team and talk about -- and we're optimistic that revisions to achieve the new standard can be addressed informally.

[3:59:09 PM]

Have you already addressed that in your presentation invade did you -- what are you proposing? Are you changing the standards of 95% tile?

>> Yes.

>> Tovo: Recapture. If so, how and why?

>> We went from the 95 percentile water quality volume or rainfall to detriment water quality volume to just use what we do today. It was confusing to the development community and I think the public at large. It is very slightly different in terms of rainfall volume, and then the other change that was made in draft three of codenext is when we looked at that very high impervious cover site, it's nearly 100% impervious cover, they actually spent a lot much time working with us. One of the things when we looked at environmental superiority on that site was could you do what we're asking for in draft two for green stormwater infrastructure on this site, would you try and integrate it on your site? They really were having a hard time doing it. We worked with them, did a bunch of modeling ourselves, where we now say if you're over 80% impervious cover you can use traditional water quality treatment, in fact on slide 17, thank you, Joe, that if you're over 80% impervious cover, you can use traditional water quality treatment instead of all 100 pointer green stormwater infrastructure was as a result of the Riverside P.U.D. Folks working with us so much. We felt like that once you get over 80% impervious cover it's very

difficult to implement 100% green controls and that was based on -- and we did that modeling in-house. We didn't rely entirely on them but they shared a lot of information with us.

>> Tovo: I think I need to really understand that better. I don't know if I'll be able to understand it better by Thursday but if I'm understanding what you just said when you're talking about the changes, you're talking about changes from draft two to draft three.

[4:01:11 PM]

>> Draft three, correct.

>> Tovo: And those changes were made in response to the work that you were doing with the developer on the Riverside P.U.D. And in fact the standards have come down in terms of -- in some ways.

>> Water quality volumes are essentially the same. It's slightly different, the difference between our -- what we've historically used as water quality volume and the 95th percentile rainfall standard. It's a little different but not a lot. The bigger change was draft two required 100% green controls for all commercial development regardless of impervious cover. And if you think about it, green controls take up more of a footprint because you're trying to infiltrate water. Well, if you have very, very little pervious surface it's really hard to do that.

>> Tovo: I see. Okay. Thank you for that explanation. Are there other questions about this item? So we are -- I'll just make a note that clock is off by an hour in case anybody was thinking it's 3:00. As it's 4:00 I'm going to need to leave and turn this over to somebody pretty soon but we still have two items left on our agenda, seven hours in, so do you have some suggestions for us?

>> I do. I have staff that will be mad and happy both at the suggestion. We've got the corridor construction program, 10rcas for your agenda Thursday and I think the transportation piece of codenext has a little more runway. I'd like to get them both done but sure do the corridor construction program first and if you run out of time we can come back at a different work session to do the codenext piece.

>> Tovo: I think that's appropriate, why don't we go to the piece that relates to the agenda most directly. I see we've logs several colleagues and as I mentioned I'm going to have to leave in a few minutes. What's the timetable for the rest of y'all?

>> Kitchen: 5:00.

>> Tovo: Okay.

>> Alter: I have a meeting now but I want to hear the beginning of this.

[4:03:16 PM]

>> Casar: Mayor pro tem, I would say that this is -- since this is an item up for vote and this is our only chance to discuss it as work session I might ask we try to get through the presentation quickly enough for us to discuss the actual item before you and others have to leave.

>> And you all have --

>> Tovo: It's not going to save me. I have to go in about five minutes.

>> You have the binder, all information plus anything else in that binder so I'll ask Mike to run through the presentation as quickly as he can to get to your questions.

>> Tovo: I think that's a good suggestion. Apologies for doing that -- we've been here long enough that my next commitment is coming. If somebody who can stay to 5:00 could take over the meeting that would be great. Will you be here for a bit?

[Laughter] Okay. Aisle.

>> Kitchen: I'll be happy too. Okay.

>> Garza: I have a quick question before.

>> Kitchen: Councilmember Garza.

>> Garza: I'm curious to -- if this -- if some of these were to get postponed, if you could just speak to any possible postponement because there's been significant concern from different community members and possible amendments to be made and because of the fact we have limited time to discuss it here and I don't know what the situation is going to be Thursday, could you just speak to the effects of postponement?

>> Sure. Mike Trimble, head of the corridor program office.

>> Kitchen: I would also add to that there's a large number of items, and the relationship between them would be helpful to understand.

>> Okay. So on the issue of postponement, so even with the current schedule, if council were to approve this on Thursday, we are going to have to do extraordinary things to try to meet our eight-year goal of implementation by 2024. We are working on that, committed to sticking to that but right now we're trying to save days and weeks and that's why we're bringing so many things to council on the 22nd, the recommendation for reward for the design rotation list, that we get going for the design phase on the corridors, ability to finish those out with txdot for those corridors that have right-of-way and then we also have some budget amendments related to getting some -- few additional resources in place, also continuing with the work of the corridor consultant, which we always anticipate will probably help news implementation phase as well.

[4:05:43 PM]

So that's kind of the bulk of these things and we -- that's why we're bringing them all at the same time.

>> Kitchen: Okay. I think -- I don't know if you -- I think the question for delay might be item 37. Which is the one that relates to the particular corridor plans and the funding allocations and the projects across those. I don't want to speak for my colleagues, but I think I'm hearing that that maybe the area where there's the greatest question, and so the question related to postponement may be if we wanted to spend more time thinking through that item, if we go ahead and approve the other items, are we -- are we precluding the ability to be make changes here or there to item 37?

>> Not necessarily. Actually, I would recommend, if there is additional discussion warranted for the corridor construction program and the mix of investments there, if we could move forward with the award of design contracts and advanced [bleep] Agreement that allows us to at least continue to progress in getting some of those design firms on board. Basically the way we assign them is corridor by corridor. Depending on what investments are there, that means they can start that work for whatever is there.

>> Kitchen: Councilmember Casar.

>> Casar: The idea being if we award a design contract to someone but still have design questions about the design on corridor X, then we can make that decision -- we can hold on that decision for some short period of time without -- but you can get the design firm on board? I guess what I want to understand is if we decide that on corridor X we're going to do pbs or not do pbs, if we bid the design firm that doesn't --

>> Just let me note on that is that we don't have really much design work at all done to this point on the corridors, right? The corridor plans, they're about three to 5% designed at best for preliminary engineering so we still have all of that design to do. So some of the questions that we've heard, I'm sure you've heard as well about specific locations of improvements, all of that would be worked out during design phase.

[4:07:48 PM]

We need to get the design firms on board first to even do that work. Things like even survey work, even knowing where the lines of the right-of-way like affirming where those exist, we still have to do all that basic work just to get additional data about the corridors themselves. We anticipate getting design firms on board around June if we move forward Thursday. Just to let you know general time frame, we have a lot of design phase work that needs to happen.

>> Casar: I don't think the questions we have relate to exactly which intersection the phb is at, longitude and longitude will be of where the lines will be on the roads but more general design principles and then also the particular investments on which corridors, which I think is the bulk of what item -- the item 37 is about.

>> Kitchen: Okay. Other questions before we get -- did you want to say something?

>> Remember this is just a rotation services contract. So we're not -- you're not awarding a design of that particular firm immediately anyway. That's why Mike is saying if we can keep that process going,

you can then award -- or decide on 37 at a future date. However, I've been asking these folks every day how long will it take X and they say we'll do it in Y. So this is consistent -- and this is an important decision so don't get me wrong. If y'all have questions and want to consider it further, but help us -- we're pushing every single day. As long as we can get that done as soon as possible we appreciate that.

>> Kitchen: Mayor pro tem.

>> Tovo: I just want to say in a seems to me like an appropriate way forward. I do think especially since we're taking this up so late in the day and so important to so many of us and we're hearing from constituents who have feedback about 37, I would support an effort to move forward with the contracts, allow staff to begin working out that -- those mechanisms and spending more time as a council discussing 37.

>> Kitchen: Okay. Other questions before we start? Okay. Go ahead, Mike

[4:09:49 PM]

>> You know I can talk quick. Just refresher, 2016 bond program, \$720 million of improvements, 101 million for regional mobility, 137 for local mobility and 482 for corridor projections. Just to refresh your memory as well there were nine corridors that could potentially get construction funding out of the bond program but we have a set of corridors we're doing additional corridor studies on and that includes additional segments of mlk, north Lamar Guadalupe, as well as manchaca, congress road, south congress and pleasant valley. The nine eligible corridors, again to refresh your memory include segments of north Lamar, burnet road, east mlk south -- Guadalupe, William cannon and slaughter. Just a little bit about the public engagement, we have had a lot of public engagement related to development of the plans and then also the development of this recommendation. This builds upon what was done in the corridor studies but also mobility talks. We've also been out quite extensively doing pop-ins, engaging in the community, meeting with neighborhood groups all during development of the proposal for the corridor construction program. We also worked with the focus group, several key stakeholders in the community, as we were developing this recommendation as well so they had a chance to kind of take a look at that. So as you know, council passed a resolution that established a contract with the voters along with the bond ballot . So these included several different priorities that council asked us to use in developing this corridor construction program recommendation. So the contract prioritized that and looked at a set of mobility priorities, including reduction in congestion, improve connectivity and effectiveness of transit operations but asked us to make allowances for several community considerations which we also took into account as we were developing the prioritization model, including preservation of affordable housing, preservation of local businesses, walkable safe streets, health impacts.

[4:12:02 PM]

So several community-based outcomes that we also took into account. And we did brief council in October on that prioritization model and the process including the metrics and indicators we would use in the model itself. And so as we were developing the model, we also were doing a translation from the corridor plans that were created into the potential investments. So out of that we translated 34 investment packages and they really broke out into two types. One is called corridor-wide mobility improvements and these really relate to the short-term recommendations out of the plans. They include substantial mobility improvements across all the modes. With a real focus on safety and connectivity across the different modes. So they include things like continuous ADA compliant sidewalks, pedestrian hybrid beacons, traffic signals with enhanced technology, transit supportive improvements as well, working with Cap Metro to optimize stop locations as well, both location of and connectivity to those transit stops. These would run the length of the entire corridor include from the corridor plans and that's why they're called corridor-wide. So you really get the corridor-wide mobility benefit from doing it the full length of the corridor segment. Then also we had another type of investment called enhance multimodal improvements. These relate to more of the intermediate and long-term recommendations out of the plans and they really break down in segments based on the different character Zones that were steeped established in some of the corridor studies. They build upon the improvements and start building to admonish of the complete streets ultimate configuration of the corridor as envisioned by the plans. This is where you start to get wider sidewalks, get separation of the bike facilities, start to get more of the street scape type of improvements, some of the trees, landscaping, lighting so really more of that kind of complete street that you typically think about, this gets you more to that level of improvement. That's why it's an enhancement, building upon some of the safety, connectivity, mobility improvements in the corridor-wide packages.

[4:14:09 PM]

Out of these 34 investment packages we put these into the prioritization model that was developed and so that did include scoring each of these investments. Again it's a comparative analysis so they're all worthy projects. But they were used to comparatively see which ones did better than others versus on mobility scoring and then also the community considerations index purchase as we look at that we accounted for the length of the corridors because they're all very different lengths and then also investments are very different costs associated with them. So we accounted for that by using an average score per mile per million and that's basically what the score broke down to. Again, normalizing for the various lengths of the corridors but then also the different costs of these investment packages. Yeah.

>> Kitchen: Councilmember alter.

>> Alter: I didn't mean to interrupt your sentence.

>> That's okay.

>> Alter: I was just wondering if we can get the actual formulas that are used for that? I know we had conversations about the weights between mobility and the community measures but then how you weighted them within each of those and then the formula that was used with respect to standardizing by the length of the corridor so that we can understand that because there's been some questions that

have been raised about that and I've been trying to find the matrix and how that's been played out so that I can assess it for myself.

>> You actually have that summary matrix in your backup and that's under tab 6.

>> Alter: Okay.

>> That will give you on the front -- it will give you basically the -- an example of the scoring and there's really not a lot of weighting to this. It breaks down each of those metrics and indicators in each category but there was no weighting applied. The only weighting difference is between the mobility score and the community considerations and those are weighted about 60/40, again, trying to take into account the contract with the voters.

[4:16:15 PM]

Otherwise all of the different indicators, you know, they're just kind of allocated to come up with a combined score that is equal across different categories, so other -- for example, mobility priorities, congestion reduction is 25% of total mobility score, improved level service across all is 25% of your score but it has multiple indicators associated with that.

>> Alter: Okay. And where do I find that?

>> So that should be in tab 6. If you have the same binder that I have. So that's on the front page -- make sure you're looking at the right one. I want to make sure we have it organized right. I think you are. I think I see it. Yeah. So it's that. That's an example. I can get you some of the more detailed information out of this but this is an example of how the scoring broke down and then the actual scoring itself when we get to the overall score, the overall score per million per mile, that's -- that's on the back of that and that shows the raw scoring that came out for the various investment packages.

>> Alter: So from this would we be able to recreate -- so for a given -- for a given corridor would we be able to recreate the score from the information that's just on here?

>> Yeah. We have the data available and I mean someone could recreate. There's not a lot of -- you know, the actual model and macros and all that stuff is HDR provided it for us as a service and it's proprietary but the data and being able to recalculate that score, yeah, again, it's pretty straightforward on the type of data that went into it and kind of came out of it. I will say I know one of the questions that's come up is this thing about normalizing for length and I will say that this actually allows -- the way we did it, cost per million per mile actually gives equal footing to some of the shorter corridors that might have more density to the longer that may have more density.

[4:18:21 PM]

Again, we try to get them all on equal footing so getting the cost per mile allows us to actually do that again. Be happy to provide more information on that and kind of the basis for how we got to this cost per million per mile and some of the rationale behind it.

>> Yeah. I mean, that's what I'm trying to understand on this, assess for myself how that plays out.

>> Yeah. Happy to get more information for you.

>> Kitchen: Go ahead.

>> Again, this all coxes down to the biggest bang for the buck, looking for the highest scores for the least amount of cost basically. That's how the raw scoring broke out but also looking at the raw scoring we also looked at leveraging and geographic dispersion so opportunities to leverage some of the projects with other funding sources and then also dispersion of this funding across different corridors that were actually getting construction funding as per the contract with the voters. That's straight out of that. We also looked at how these things potentially would be packaged, coordination opportunities, potential sequencing and we still have a lot of work to do on all of those but we took our initial analysis and glanced at all of that, all the factors really went into developing the proposed corridor construction program. In addition to looking at having refined cost estimates that are really based on pretty robust analysis of some of the risks and costs associated with those risks as we talk to council about when we did this briefing back in October. So based on all of that what staff is proposing is to move forward with the entire \$1.4 billion corridor construction program, 34 investment packages across all nine corridors. Again, we're doing this because we feel like this gives us the best opportunity to leverage funding, as these opportunities become available. Grant funding opportunities are always coming up. We have three projects that have been submitted for campo grant funding so more tints will happen was we move forward. We're recommending using three funding categories to move this entire \$1.4 billion program forward.

[4:20:21 PM]

The first category is full design and construction using 2016 bond dollars. The second category is initiating design and then looking for additional funding either within the program as we're able to identify dollars or other funding opportunities. And then the third category is seeking other funding opportunities. Not necessarily using 2016 bond dollars per se but looking for other funding opportunities as we go forward.

>> Kitchen: I have a question. That last category, seeking other funding, was that on equal footing with the first and second bullet? First and second categories? Or was it a leftover category? In other words was it -- if you didn't put -- if it didn't score well enough in full design or

[indiscernible] Design it got stuck in seek other funding or was there criteria for putting it in seek other funding?

>> Again, we're not seeing it that way. We feel like there will be leveraging opportunities almost immediately. For example, we'll be putting design standards in place where we think we can leverage

private development on some of the brokerages in the third funding category almost immediately, leveraging where fiscal has been posted on projects we feel like we may be able to use some of that funding. So we're really not thinking about it that way. Generally, though, the projects that scored higher on the list tended to make it in one of those first three categories versus those that made it in the third. Again, we feel like there's good strategies to move forward in using all three.

>> Kitchen: We can talk about this off-line but my question relates to south Lamar because we ended up funding maybe -- I had thought that the whole corridor was run -- I don't know. Anyway there's a significant amount of dollars that fall into this seek other funding bucket for south Lamar, and a relatively small amount of dollars for that major corridor that fall under either full design or initiate design. So that's one of the questions I have that I can talk with you off-line that I have more questions about why since south Lamar is such a major corridor, why not more of it is being funded.

[4:22:28 PM]

>> Sure. Happy to answer that point.

>> Kitchen: Okay.

>> Okay. So the one -- the improvements that we're looking for full design and construction is we are recommending doing the corridor-wide wide packages for all nine corridors and moving forward with those. Again, those include a lot of your mobility improvements across all the modes, across the full extent of the corridors. So every corridor that was potentially to receive funding would get the corridor-wide wide mobility improvement package. Also recommending moving forward with enhanced multimodal improvements for two segments on east Riverside drive from shore district [indiscernible] All the way down to montopolis drive. We're recommending these be included for full design and construction with 2016 bond dollars using that funding category. Again, this is just a map to show you kind of where these improvements are. This is your full design and construction proposal. All the corridors with the corridor-wide improvements mobility package and those two segments on east Riverside. What you get in this base package to be down for full design and construction, you get about 30 intersections improved, get on average about 25% reduction in vehicle delay time, as anticipated by some of the initial modeling we've done, 30 miles of pavement rehabilitation, 120 signal improvements, get 75 miles of sidewalks, we have right now based on our analysis an anticipated 15% reduction in crash rate. We're definitely seek to go improve the safety numbers. We'll be doing 13 of the top 28 crash intersections that have been identified by the city and so, again, there's a lot of improvements, you know, in these packages. That we're trying to move forward. There's also several connection points to our bicycle and sidewalk network. We are coordinating with our other programs to kind of leverage this and get the most bang for the buck. With those other improvements that are happening connecting to the corridor and off the corridor as well. We will also continue our coordination with cap metro looking at connections 2025.

[4:24:34 PM]

We've had several conversations already and will continue to work with them as we move into design to make sure our transit supportive improvements substantial in this package will best support them. As they move forward with this plan as well. So we also do have the funding category for initiating design and then seeking additional funding to move projects forward. And so we're recommending to move forward with design for William cannon, all the segments there. We do have one of the settlements on William connon-submitted for a campo grant opportunity. We're recommending moving forward with design for enhanced multimodal for airport boulevard, all segments, as well as the southern segment on south Lamar which is the panther trail to Ben white boulevard basically and also a segment on north Lamar boulevard, Parmer lane to Howard lane, almost submitted for a campo grant opportunity.

>> Kitchen: I'll let you know that campo trail to Ben white which has to do with the bicycle lane we've had some discussion, that's an area I'd like to change that. I'm going to be proposing an amendment to that because we can have some more discussion about it but that -- using that -- that's not the first choice, you know, in terms of where you would put the bicycle improvements along south Lamar so I'd like to talk to you about changing that particular settlement.

>> Okay. And I know we did talk about some of the concerns of bicycle safety particularly further up the corridor and that's something we will be doing additional analysis as we move into design R. Design phase.

>> Kitchen: I'm not going to be -- at this point we need some more discussion, but I'm not going to be able to vote on the panther trail to Ben white because when you look at Lamar that's not the segment that people are going to be riding their bikes on. So that funding is needed in other parts of Lamar so we can have some conversation about that. It also doesn't sync up with the bicycle master plan.

[4:26:35 PM]

So anyway, we can have that conversation later.

>> Sure.

>> Kitchen: I'll be seeking changes on that.

>> Okay. So this is just a map of where the proposed projects for initiating design and possible construction are. Then we have the third category, which is seeking other funding. So again, we feel like there's going to be opportunities pretty immediately as we get design standards in place to be able to leverage development and look for other grant funding opportunities to move these projects forward as well. So we are proposing enhanced multimodal improvements on east Riverside. Another segment on north Lamar boulevard, U.S. 183 to Parmer lane. Burnet road from Koenig to mopac and slaughter lane mopac to Brodie, which has also been submitted for a campo grant, as well as Guadalupe street, the enhanced multi modal package there from mlk to 29th. And mlk, 969 to decker, and Riverside drive to panther trial and we will continue to seek funding for all the projects in the program and try to return [background noise] To the program so we can move other projects forward. Those moving into design as

well as other projects. So just to give you an estimate of how we're spending the bond dollars, the 482 million, about 462 million is expected to go to full design and construction for that first funding category. About 20 million would go to initiating design and doing possible construction if other funding can be found. And then we'll obviously be looking for other funding sources for the third category. A little bit about implementation. We've talked a lot about schedule. Kind of where we're at right now is bringing the proposed corridor construction program to council. If council were to approve the program we would quickly pivot into implementation and design phase. And as I mentioned we are trying to come up with several different strategies to try to save as much time on schedule as possible to meet the eight-year implementation goal as articulated in the contract with the voters.

[4:28:41 PM]

One of the strategies is to look for early out project opportunities and you have that noted up there. And we'll be seeking those as soon as we get into design phase to see where we could pull some things out and maybe do some things and save some schedule in the process. And then again, we are working on a very accelerated time frame. Typically it can take us a couple of years several years to get a project done and this is just to indicate that we will be looking to expedite and accelerate all of our processes working with our partner departments who have happened us a ton this far. I definitely have to recognize departments such as cap contracting, smbr, public works and atd. Our partner department whose have electoral been working with us and working around the clock to help us get to this point to bring you the proposal that's in front of you today. And a little bit about the implementation strategy. In addition to the expedited capital delivery processes that we're going to continue to look at and try to implement, we're going to be looking aggressively for any leveraging and funding opportunities. We're going to be doing additional coordination with city departments and our partner agencies, including txdot and capital metro. As we move forward into implementation phase. We are going to aggressively manage risk, cost and schedule. As I mentioned, we did a very robust analysis of potential risks and costs associated with those and schedule impacts. And again, we're going to aggressively manage those and hopefully we can minimize costs and hopefully return some costs back to the bottom line of the program to hopefully get some more things done in that full \$1.4 billion program. We're going to continue to use the contract with the voters. And again, there's direction in the contract, not just for how to put the program together, but also how to implement, keeping an eye on outcomes. So we'll keep an eye on the outcomes that we're hoping to achieve as we move into implementation and design phase and then through construction. And then obviously continue to plan and evaluate and develop the entire program and seek those opportunities to move projects forward as they become available.

[4:30:42 PM]

The bulk of construction, we're anticipating right now from 2021 to 2024, but like I mentioned we are trying to find opportunities to do early out projects and pull that schedule back. So hopefully we can move some things back maybe in the 2019-2020 time frame. So our strategy as we get those

construction projects moving forward will be to get in and get out as quickly as possible, to minimize the impact on neighborhoods and businesses along the corridors. We know that's always a concern. And so we're going to be working on a pretty robust strategy to minimize those impacts and work with them as best we can to support them as we get this program in place. And then also for the long-term as we get these improvements on the ground. Also, one of our strategies is going to be to engage stakeholders early and often as we begin implementation phase. We've already been making that commitment out there with neighborhoods and businesses that we will be back and we will be back to talk in more detail about the projects and the investments as we go into design phase. So a lot more coordination, a lot more public engagement that will be occurring as we move into implementation and design phase. So just a little bit about what we're doing differently. I mentioned aggressively managing costs and risk. Just wanted to note that we've gone through a very robust strategy to identify specific risk associated with putting projects in place such as utilities, such as design risk, right-of-way risks, environmental risks, drainage issues, other things, and trying to associate cost and schedule impacts to those. And we have built the contingencies on these projects from the ground up. And again, we will be aggressively managing these risks and trying to mitigate them and hopefully save money and return back it back to the program to get more stuff done basically in the program as we move forward. This just illustrates that we do have cost estimates. In your break down of the projects, in your pa backup you will see a range and most likely cost estimate, but then you will have a range and that's because very early on we're basically at kept actual level so these will get refined as we move forward.

[4:32:42 PM]

As we get into design and through construction we'll have a better idea of what those cost estimates are. And again, there may be opportunities to return funding back to the program. If we're high on some cost estimates as we narrow that range, but some costs may be more and we'll have to do that as well. We'll have to manage cost and schedule as we move forward. Just also wanted to mention that we are updating the communications and oversight strategy that was also part of the contract with the voters. We intend to regularly come back to council and the community to update you on progress as we move forward into implementation. So we will be having a pretty robust website full of information, but then also providing regular reports and updates to council, boards and commissions and the community as part of our implementation and communication strategy. And then also I wanted to mention that we have other city priorities that we're hoping to address and have positive impacts on as we move forward. I'll turn it over to Edward campos from cmbr to talk about what we're doing on the mbe/wbe outreach side of things.

>> Edward campos, the assistant director for the small, minority business resources department. Our consultant on this program, as well as our subconsultant, hensly, Lynn and waters met with our stakeholder organizations to develop an mbe/wbe outreach plan. It was something we really wanted to take from the community. It would be really easy for staff to identify what areas we thought were barriers to max participation, but with he didn't want to do that. We wanted to go out to our stakeholders and ask them what they felt were barriers to allow us to have maximum participation of our mbes and wbes on this program. Our outreach program and plan identified eight key issues that are listed below, community support, quality outreach, availability of mbe/wbe construction forms, increase

capacity to succeed, size and scope of bid proposal packages, facilitate relationships between prime and subs.

[4:34:55 PM]

Prime and sub direct communication. Out of those eight key issues there are 35 initiatives or action items that smbr will undertake in addition with our partner departments such as capital contracting office and our corridor programming office. To implement these items so that we can have maximum participation on this program. The next steps -- thanks, Mike. The next steps for us is going to be implementing the action plan and working with our stakeholder groups as well and keep the ongoing communications that we've had with our stakeholder groups as to when we plan to initiate each one of the 35 action items.

>> Thank you, Edward.

>> Thank you.

>> And now I'll turn it over to Rolando Fernandez with our capital contracting office to talk about our on the job training program that we'll be implementing as part of this as well.

>> Thanks, Mike. Good afternoon. I wanted to briefly highlight a program that we implemented for this program. It hasn't been launched. This is still sort of in the draft mode. A solid draft. And we will be launching this effort with our first hopefully early on construction contract from the corridor construction program. So I wanted to highlight for purposes of of this program, as we've been working with our stakeholders, trade associations, we've been looking at ways to increase participation and the competitive process that we undertake for our solicitations. And we recognize that there is just a large capacity out there for folks to get work throughout the state of Texas, the county, and our neighboring school districts, other cities across central Texas. So not only are contractors busy, there's also a shortage of workforce. So we looked at providing the opportunity to get folks into these opportunities by providing them a process to get trained, whether through an on the job training program or through an apprenticeship program. To this will be a contract requirement for all of our mobility contracts, we looked at several different models that are out there.

[4:37:02 PM]

In particular txdot. Txdot has one where they contract with the association of general contractors of Texas to oversee that program. Their program is pretty robust. They're doing 100 plus-million-dollar contracts. And so we looked at their model and what we identified in engaging the stakeholders was sort of a balance in terms of how realistically can we provide opportunities for folks to come in and get trained and earn a good wage in performing work on these contracts. So some of the things that came up during our discussions is to look at the dollar value of the contract, the project duration, the potential for effective training in terms of how much scope is going to be for that person to perform on that job.

So is there enough scope for them to learn a job and get trained on that job. The ratio of trainees versus journey men. So if we're trying to push to get these jobs done fast, do they have capacity to do the work, but also be training somebody. So we gathered all that feedback and based on that we developed this model here that looks at based on the dollar value of the contract, right, we're going to require the contractor to provide a certain number of training opportunities. So for example, from a contract worth between five to \$10 million would we require the contractor to train two persons? If we can do more, great, but at a minimum the set number is two. And as a dollar value of the contract increases, obviously the number of trainees will also increase. We also wanted to recognize the times that we're in. A lot of the feedback that we get from contractors, again, there's robust opportunities out there for work. There's a lot of requirements that the city of Austin has. So keeping that in mind, recognizing that there is a cost in implementing the program for contractors while we're providing them an allowance that says if you are successful in meeting the contract requirement then we will pay you an allowance.

[4:39:04 PM]

The contract is based on the contract amount and based on the number of trainees. So we will have staff that will be monitoring, ensuring that the contractor is complying with this requirement and that at the end of the day folks are getting trained and earning good-paying jobs on these contracts.

>> Casar: Mayor, councilmember, I don't know who is managing -- could I ask something on that really quick? To clarify, is that a requirement, but then when you meet the requirement you make the allowance or is it an occupational requirement with an occupational allowance for compliance?

>> So it's a requirement in the contract that they have to comply with the training program, but recognizing there are many opportunities for folks to go get work somewhere else and we didn't want to reduce the number of folks that are competing for jobs, we felt like it would be good to recognize that this is another program that they have to comply with, right? It's a cost for them and we wanted to absorb that cost for them by allowing for an allowance for them.

>> Casar: Got it. But it's not like you're going to say I'm not going to take the allowance and not going to participate.

>> They have to participate. We've heard some feedback there may be some contractors that they do this already on a regular basis, the bigger companies,, and that they may see the 10,000 allowance as we don't really need that. We're still going to train people. My concern there is that they may not -- they may have their own pool of folks they want to train and not look at providing opportunities for folks from the community or folks that really need these jobs. That's why we saw the allowance as here you go to cover the expense for providing that for us.

>> Casar: And maybe if y'all have already developed some language around how this would be put in the contract, I'd appreciate seeing that so I don't slow us down more. If there is something that says we want local folks to get the training as opposed to whoever your normal pool approximate of folks is, instead of hashing that out, if you could send that over, that would be great. Because bids aren't going out for the bulk of the work until next year, it's not like we're passing this today.

[4:41:11 PM]

It would be something further O.

>> Right.

>> Casar: Thank you for working so hard on this.

>> Garza: Mayor, it seems like there are only a few more slides. I have to go Thompson and we don't have any time for discussion. So behind tab 6 it's my understanding that this is the original ranking of how projects when we included all the variables to rank things, this is how the projects ranked, is that correct?

>> That's correct.

>> Garza: So I just need to point out, William cannon. So the enhanced multimodal improvements are the more expensive ones so it's surprising that some of these -- for example, the second one is a William cannon enhanced multimodal improvements ranked really high. They met all this criteria, the best bang for the buck considering distance and whatnot. You know, there's four William cannon segments here that are -- two or three are not even in the proposed funded currently. And I believe -- just to be clear, this is part of 37, right? If we approve this, 37. So I have significant concerns that -- you know, I understand the resolution had language about geographic distribution, but there's parts of William cannon specifically southeast that have been neglected for a really long time and now we have this process that has scientifically, however criteria said, this is where we should put our money. And there's one of them in the recommendations. In addition to enhanced mobility, there's two enhanced mobilities in the recommendation that are below the ranking, but they're in this recommendation. So help me understand why Riverside, two Riverside enhancement multimodal improvements have passed up several William cannon enhanced multimodal improvements.

[4:43:16 PM]

>> That's a good question. Part of it was looking at the geographic disbursement, you will notice that burnet road didn't really have anything in the top. So we were in a situation where we had all the corridor wide improvements were scoring high. Burnet road didn't score high and we weren't doing anything on burnet road. So we get for geographic disbursement to do something on burnet road and why don't we do the quarter wide mobility improvements on them. The other ones were scoring relatively high. If you look, the enhanced multimodal scored high, but they all scored high. We also felt like there were leveraging for William cannon right off the bat. Also a lot of the mobility improvements and connectivity improvements we feel like we will be able to get in place with the corridor wide improvements. There are long stretches and the enhanced multimodal improvements are not as dense as some of the corridors so we feel like we can get some of the improvements that are in the plan with the corridor wide improvements. It's more incremental from the William cannon enhanced multimodal from the

based package of the corridor wide than some of the other plans. Also we have one of the segments that has been submitted for campo grant funding, which is the segment the east side of 35. So again we feel good about the possibility of getting grant funding right off the bat again as well. Anyway, so all of those kind of factors looking at this. And we had some of that discussion about what things are at play, how does all this work? All those factors kind of went into us saying why don't we move burnet up, do the corridor wide mobility improvements and we'll do the design to William cannon. We have one in for a campo grant already and we already feel with the corridor wide improvement package we will get a lot on the ground and it's more incremental.

>> Garza: From an equity perspective that was a lens through which we were really trying to use a lot of this criteria. And with all due respect to burnet road, they have probably gotten funding before that William cannon never had. So you know, I get that we're trying to be geographic about this.

[4:45:20 PM]

You didn't answer the -- maybe you did and I didn't quite understand. Why were enhanced mobility improvements for Riverside that were ranked lower than ones for William cannon, why are those being recommended? You've mentioned the campo grant for one, but there's another enhanced multimodal for William cannon. How do those surpass when there is a Riverside one. In addition to those, there's a corridor wide mobility improvement, is the number one and that one is included in the recommendation. So there's three Riverside, two of them are a mobility, even though William cannon ranked significantly higher.

>> Again, it was looking at if we move forward with the enhanced multimodal on airport what would be the opportunities to have some of the benefits that it went quite as increment it will on enhanced multimodal versus the package on Riverside. Also we feel a like there will be opportunities to return approximate monies to the program leveraging some of the improvements for Riverside. Eve of the corridors have something going on. That was the rationale to say hopefully we can return some funding back to program and get some of these projects done going into design phase. All of that factored into this. We are looking for opportunities to if we move forward with these there will be opportunities to hopefully leverage in additional funding, return funding back to the program. Also there were some other benefits to the Riverside improvements such as we know that there's been a lot of discussion about, you know, the transit corridors and high capacity transit. We are reserving some right-of-way in the middle of Riverside for potential transit investments so we did feel like this was an opportunity to demonstrate some of these improvements on Riverside and put the ultimate cross-section on the ground and again looking for the opportunities to further leverage private development as we did that.

>> Garza: I have one more quick question that fits perfectly. My other concern was making improvements, tearing up road, making improvements on corridors that will likely be included in a project connect bond measure in about two years from now or so.

[4:47:27 PM]

So have we -- if there's corridors like Riverside that will likely be included in that, we're going to tear up the road, spend millions of dollars to do that, when we could likely be going back and tearing up that road through project detective dollars. Is there opportunity for that money to not be used on Riverside and instead be used on segments of William cannon that ranked higher than those on Riverside that will likely be wasting millions of dollars on if we're going tear that road up again in a couple of years.

>> We wouldn't anticipate wasting money. What we would do is adjust our design for whatever is coming out of project connect. That's true for all the corridors. We're going to be in design from anywhere from one to four years and for enhanced multimodal it will take time to do the design. I've had conversations with cap metro to talk about this and we feel like there would be enough time for us to do design to accommodate what's only coming out of project connect if there's something gaining legs from that, whether it's bond funding or something else. We also do feel like putting enhanced multimodal improvements in place versus the corridor wide we'll be able to reuse a lot of what we do so if we are able to move forward with some of the enhanced multimodal packages that there's going to be minimal loss of the existing infrastructure. We're anticipating less than five percent entire program. Even if we put all the segments in place, versus the corridor wide. The other conversation we've had with cap metro is there are still going to be street improvements needed. Even if there's a high capacity street improvements, you will need sidewalks, bike ways, turning movements, all those that we're anticipating with the corridor wide mobility improvement packages. These are your short-term recommendations from the plans. Get those on the ground, we make adjustments during design phase and then for the longer term improvements we'll have longer time to make any larger adjustments we'll need to.

>> Garza: I'll be suggesting we postpone 37. I still have significant concerns that corridors that rank significantly higher are not part of the proposed package.

[4:49:31 PM]

>> Alter: I had a pretty simple question on the presentation with respect to the training. It says apprentice -- I've got to find where the page went. I think it said apprenticeships or --

>> On the job training program?

>> Alter: Yes. And I guess I don't remember what the two were, but I wanted to make sure that they were both department of labor certified.

>> So the requirement will be that the training program that is provided by the contractor or a subcontractor is -- sorry about that. I talk loud anyway.

[Laughter]. So -- so did I, thank you? I'll start again. So it will be a requirement that the training program, whether an on the job training or apprenticeship training be davis-bacon approved program. One of the feedbacks that we got from some of our establisheds, especially the local unions, was that they do a lot of their in-house programs that are not necessarily an apprenticeship program, it can be an on the job

training Fannie Mae program or apprenticeship and that's because of on you are program that we have within our city contracting process that it does have to be the department of labor approved, davis-bacon approved training program.

>> Alter: That's great because my understanding is that those programs provide certifications in other things that both help the trainees to obtain further work, but also keep them safe and ultimately will mean that our projects are done better. I appreciate that.

>> Kitchen: Do you want to go first? I think councilmember Casar had similar questions.

>> Casar: Sure. So as y'all know, there's been a pedestrian-bicycle -- pedestrian-bicycle advisory council resolution and a few others with recommendations and it sounds -- I'll get to the utc one second because I think that's similar to councilmember Garza's question.

[4:51:32 PM]

But the first one, the pedestrian and bike council folks had a recommendation saying to really emphasize the nato standards that were included in the contract with the voters highlighting the fact that those standards usually recommend less than 35 miles per hour up to 35 miles per hour as the design speed. Is that what we're anticipating when we contract through these design firms that they'll design to?

>> Yeah. So we're going to be looking at the nato standards as we move into design phase. There's already some of the lower design speeds that are anticipated as part of the infrastructure improvements. Just in the way some of the corridors and improvements will be configured. Some of that is inherent in some of the design already, but we will be look argument those standards as a part of that as we move into more detailed design as well.

>> Casar: It sounds like from the discussion here that we'll likely be moving forward on all those contracts and then considering 37 at a later date, but not too late. But I guess just to raise now, what I'm trying to figure out is what direction we need to give to emphasize that part because once we've contracted and paid for folks to go out and do a design, if we get the design back at significantly higher than the nato standards then we've already paid for that. I'm trying to figure out the chicken or the egg I think. I know we'll be asking the design people to consult with those standards, but once we've paid them and if a product comes back that isn't what it is that the council is looking for, I'm just trying to figure out how to preempt any bad expectations. We've got these citizen boards urging us to say, you know, put these requirements in -- into the front end of the program and I want to understand how much of that you are already planning on doing.

>> And I would say -- I would ask for flexibility as we move into design phase. We're looking at what the design speeds ever less than 40 we're using that as some of the basis for doing some of the conceptual conferencelation to the investment packages out of the plans.

[4:53:35 PM]

A lot of the plans have called for those already. We'll look at the nato standards. We're heading in that direction. I had that conversation with the pac and BAC when it was taking place. We'll look at these design speeds and improvements as we get into design. Right now everything is conceptual level.

>> Casar: What might be helpful for me to understand is what is the difference between us saying that's something that you are going to look at and it's in the contract with the voters versus us giving direction that we want those design speeds to be built for safety in line with vision zero and in line with -- I want to know what -- when you ask for that flexibility, I want to -- I do want to give you flexibility if it's helpful, but at the same time I want to understand what problems would actually be caused by us having -- by us including in our direction on item 37 once we pass it the level of specificity. I just want to know what the pros and cons are for that level of specificity from the back of the pack. And from utc's language, it's urging that we make sure that we in this corridor construction plan approve only the corridor construction plan that has dedicated right-of-way for priority, where they overlap with rapid transit routes and the program to accommodate and plan for future lanes in as efficient line as possible in 2025. Would you say that what you presented in 37 does what the utc recommends? Do you think that-- or do you think there's any difference between their recommendation and where we're at now?

>> I think we're consistent can with that. I had this conversation with them. We're going to be working the entire program. For example, the Guadalupe corridor has come up a lot. We're already going to be doing some of the basic design analysis anyway on the corridor, but we'll also have to do some additional analysis on the transit improvements, including doing additional analysis on transit priority lanes.

[4:55:39 PM]

Wife talked to APD about this. Not just about that stretch of the corridor, but for that entire corridor. We've also talked about moving forward and maybe even as an early out package doing the contraflow lane to get the buses -- instead of doing that bide turn from -- wide turn from lavaca to mlk, kind of doing this little jog up 18th. So we're talking about getting some of those improvements moving anyway and then doing some additional analysis and evaluation for the transit supported I am, including the transit lanes along the corridor. I do feel like we're consistent so I know what we were talking about is they want us to continue to look at it.

>> Casar: So what it sounds like on both ever them the answer is pretty close. Between now and us videoing on 37, I want to understand what -- where the pretty close -- what the difference is so that we can make decisions based on actual distinctions and not general sentiments. I just want to know what the real difference is so that we can make an informed choice and that way people aren't just debating what they think people are going to do, but are instead debating what the difference is between their recommendations and what's in 37. A and I don't know if that's really small differences or medium size ones. If you could help highlight those.

>> Absolutely.

>> K aashto,.

>> Kitchen: I have similar questions. I know that we are saying -- still not understanding how we are synced up with project connect, in particular. So I'm wanting to understand that better. We may need to sit down and talk about it between now and when we go forward with 37. Because -- because so for example I see things like plans for medians on -- on areas that may end up being -- being dedicated lanes. And so I asked questions like well wouldn't you have to tear those out if we came back with something different? So I have those kinds of questions. The bigger question for me is the design. If we start on the design ahead of project connect, and ahead of capital metro, how is it that we end up together?

[4:57:49 PM]

And how is it that we're not spending some money right here that if we just waited a little bit and had project connect catch up, that we would be using our dollars most appropriately across, you know, across all of us. So the other thing that you have to understand causes us some concerns, my question is, when does this come back to us to look at again? We're being asked to vote, we are voting now, you know, on a construction program, but I don't see anywhere when we vote again. In other words if we get down the line and the city is right here, capital metro two is right here, there's a disconnect, when does that come back to council? That's part of my question. I think that the overarching concern, I think, from my perspective is that these really need to line up for the community. And I know you guys are trying to do that and you want to do that. But I need some more details about how they're going to line up to -- because it's looking to me like -- like they're not or at least they're not as -- I don't mean not at all. I know you guys have been talking. I just mean that -- seems to be some differences there and I need to understand those better. And I need to understand why we wouldn't -- make sure our timing is completely in sync and how it is that we could possibly even leverage design across the two entities. So that there is really a better use of our dollars, so we're not designing over here, capital metro is designing over here and then we're -- you know, potentially spending extra dollars on design. I don't know the answer to that. That's a longer conversation that we probably need to sit down and have.

>> Sure. I will say, though, that you do have a funded program that's ready to go in design with the corridor construction program. Project connect is not a funded program. It still has a lot of decision points that need to be made. Again I'm saying we're not on the same timeline.

[4:59:49 PM]

We do feel like there's going to be opportunities if things move forward on project connect that we can make adjustments in our design, they are not moving in the design. They don't have a funded program. We have a funded program. You also have a contract with the voters that says, you know, shoot for eight years and get these improvements on the ground. I'm just saying there are distinct differences that

you already had a bond that passed and so anyway that's -- I'm just saying there are distinct differences here, but we are doing our best to coordinate across these.

>> Kitchen: That's why I want to have this conversation. Because the difference is we live in the same community and whether we pass the bond on this road first before cap metro is really not relevant from my perspective. I understand it has some relevancy, of course. But from my perspective the bigger issue is what are we doing with transportation in our community across our organizations? This is not a this organization -- this is not the city and cap metro. Not some improvements in transit. It all has to work together.

>> Sure.

>> Kitchen: Just because the timing for project connect is not at the same time frame does not mean that we as a city have to push forward. If there is a legitimate reason from a leveraging dollars and a -- you know, using the best resources for our entire community, go then we need to look at that.

>> Sure. We have done a lot of coordination with project connect team. So I would definitely provide you some more information on definitely some of the connection points that we see between our different programs and some of the work that we have done thus far.

>> Kitchen: I'm not there yet.

>> Sure.

>> Kitchen: The next question. I will just identify the other questions so we can talk off line because I know people need to go. But I have a question about the William cannon and slaughter plans as they relate to our standards. I think we submitted the question to you guys as they relate to -- to our complete streets standards.

[5:01:52 PM]

So I want to understand that better. I want to understand when the actual plans come back to us. My thinking was that with slaughter and William cannon at some point in the process the plans actually come back to the council. For, like, the other ones did. Like south Lamar did and north Lamar. So I want to understand when that is. I have some questions related to -- to the minority and women-owned business plan. And whether -- I understand there's some changes that are being proposed in the approach. I'm wanting to understand whether that will require changes in ordinance. Then I already identified for you some questions that I had on south Lamar. So we'll -- we'll arrange a time to -- to talk with you about those. And, also, just -- I just want to say, again, as I've said before, that -- that I really, really appreciate this -- the work that you all are doing and you are doing amazing work, amazingly fast. Just understand so the questions that I'm asking have to do with the -- where I think we need to be using our dollars across the whole community.

>> Thank you, councilmember. I definitely have to recognize all of the team that has worked on this thus far. Thank you.

>> Mayor Adler: Mr. Flannigan?

>> Flannigan: I just want to reiterate what councilmember kitchen said at the end. The council handed you an impossible puzzle to solve. You will always be bringing things to us that don't sound perfect because we have given you a job that will not be perfect. I want to thank you for your hard work. If you could provide a hair's breadth of specificity on how to involve ourselves on the process very quickly and still approve it on Thursday, that would certainly make me feel better about moving forward.

>> Mayor Adler: Okay. Then for -- from me, again, I want to thank everybody for the work that's been done, too. Of one of the chief challenges that we have in the region is with respect to mobility.

[5:03:53 PM]

You have given us a program that increases through put by 25%. We did have a commitment that we would move forward on this. I think some of the questions are asking for a greater specificity, I think those points are well taken. Elements of projects when rank high, you know, to better understand why they're not in there, what it would look like if they were in there or how that would change how you sequence these. Because I'm not sure how that would fit. The question about burnet road. I think is a good question. With respect to -- I understand that the geographic dispersion, but I also know we want to spend the money on a way that's giving us the greatest return. I think it's really important to -- to focus and coordinate with capital metro two, I'm happy that you are doing that. The project connect plan, we understand that's going to be coming out real shortly. And, you know, to really understand what the choices are. You know, if 95, 97% of what we build is consistent with that, then I would like us to go forward and get this work done in the eight years rather than waiting the 10 or 12 years. But if that's a choice that we need to make, then that just needs to be Teed up very specifically for the council so that we can understand what the -- what the tradeoffs are. But I agree, I think you need to talk back with the councilmembers. I -- I heard some suggestion about, you know, changing locations, like bicycle lanes and the like. We ought to be able to model that and see what the impact of those are so that we can see what the numbers are on that. So I think this is a good process. I appreciate -- I think all of the request he is that are being asked are really -- all of the questions that are being asked are really important questions to ask.

>> Kitchen: We had some discussion before you came back. A number of different councilmembers indicated their desire to postpone the item on Thursday. So I just -- I share that concern and so I'm -- I'm just wanting to let everyone know that I'll be making a motion to postpone.

[5:06:01 PM]

Not for long. Just for item 37. In order to give us time to get these questions answered. And I -- I understand from our discussion at the very beginning, that that could be done, you know, if we approve

the other items, you can move forward with what you need to do to start to get the firms on board. But give us additional time to look at the package on 37. So I am going to be making a motion to postpone.

>> Okay. I want to go back and watch the tape on that conversation and certainly if there's elements that we could move forward that made sense to do that, identify those. If we were going to bring back the balance of it, obviously April 12th doesn't work, but April 26th might be a meeting that it could come back on. You know, if there's implications of that, just make sure that we know that, know that, too. All right. Anything else for us to discuss? Yes?

>> I know we rushed through this, but I wanted to take the time to thank that team. They have done amazing work in a short amount of time to get you this package. It is a recommendation. Of we understand that you are now engaged in, but it's been an amazing process to watch and they have done three years of work in the amount of time that they have done in about a year. Thank you guys for that.

>> Mayor Adler: Great job. It is 5:08 P.M. And this meeting is adjourned.

[End of meeting].