

## City Council Work Session Transcript – 4/24/2018

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>> Tovo: Good morning. I am Kathie tovo and we have just made our quorum, I believe. I'm mayor pro tem Kathie tovo and will be leading the meeting today as mayor Adler will be off the dais. It is 90:00 it and we're in the boards and commissions room. We are going to start today's session with the pulled items and then hear our briefing from staff on codenext. But I want to start today's discussion about what subjects we're going to rue in executive session. We have a couple. I think there were some requests from councilmembers about particular items. So city attorney? >> I know we were going to discuss the municipal court real estate executive session today and there was a question from councilmember alter about doing something on the codenext petition. We had land on doing it Thursday when we had a full dais, but we can if we need have the executive session today. We're working through that. And as you know, we just got the validation from university of Texas professor over the weekend so we posted an addendum yesterday morning for you all to be able to take an action on Thursday about either adopting the ordinance as drafted or not. Because we just posted it yesterday, we're not going to be able to have a full discussion about that today, but the action item you will be taking on Thursday will be whether or not to adopt the ordinance as drafted in the petition or not. And then -- obviously we're scheduled for an executive session to answer all questions and talk about it. >> Tovo: Councilmember Houston? >> Houston: Thank you. This may be off topic, but can we talk about the planning commission in executive session today? The two items on the agenda? Is it item number 10? I don't know. >> Yes, we have the planning

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commission item on and we could go into executive session today or Thursday, whichever you prefer. >> Houston: Okay, thanks. >> Would you prefer today? >> Houston: I would actually prefer today. >> Tovo: So that is the planning commission item we will take up in executive session. We're scheduled to take up muny court and we need to resolve codenext. Mcraven, I see you. I'm going to -- councilmember Flannigan, I see you, I'm going to recognize councilmember pool first because we had her hand up first. >> Pool: I think it would be good to have a discussion about the council committee item that's in here as well. That's not in here? >> Tovo: The mayor has requested that we not discuss that in his absence. I

think councilmember Flannigan at the appropriate time you can tell us a little bit about that, but otherwise I think we should hold off on that discussion until Thursday. Are you suggesting that you want to talk about that in executive session? >> Pool: No. >> Tovo: Okay. Councilmember Flannigan. >> Flannigan: For executive session on Thursday we are also going to talk about the second round of the judicial appointments. And I'd like to have that be the first item since we're going to bring in panel members. So the first thing we talk about in executive session we could make it that thing from a staff organizing yourselves perspective. That would be helpful for the outside folks coming in. >> Tovo: Okay. >> I'm sorry, mayor pro tem, just one more. Councilmember Alter also had a question about the item 27, and I think that we do not need to have an executive session today, but I just want to make sure that on the scooter, dockless items -- dockless items. >> Tovo: Do you want to respond to that and then I'll recognize councilmember Kitchen. >> Alter: Yeah, my questions were answered. >> Kitchen: I apologize. I walked in late. Were you talking about the schedule for Thursday or something? >> We were talking about the

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executive session items for today or Thursday. It sounds like we don't need to do the ordinance related to dockless bikes and scooters today in . Those questions got answered. We will be doing the planning commission discussion today, municipal court discussion today in executive session. Where does that leave us with the codenext petition? Does anyone want to talk about that today? >> Kitchen: I will like to, but I don't know if I'm the only one. >> Tovo: I wouldn't mind a jumpstart on that even if we keep it short so the mayor can be part of that as well. Councilmember Pool, are you nodding in agreement? >> Pool: It's fine with me. >> Kitchen: Mayor pro tem? >> Tovo: Just one second. Councilmember Houston is in front of you. Councilmember Houston. >> Houston: I was going to say yes. I understand the mayor's not here, but let's try to get a head start on that. That's going to take some time. >> Tovo: Great. Councilmember Kitchen? Ms. Kitchen. >> Kitchen: I have a scheduling issue for Thursday and I'll just surface it if that's all right with you. >> Tovo: Sure, let's just make sure that we've resolved the executive session items. City attorney, does that clear up what we're doing today and what we're doing on Thursday? >> I believe so. Today we're going to do the planning commission, municipal court and codenext. >> And Thursday we're going to try to start with the municipal judge issue. We will also be likely talking about codenext again. Anything else? And that's it. Councilmember Houston? >> Houston: Probably the planning commission again with the mayor. >> Tovo: Good. So let's quickly talk about other scheduling items. >> Alter: I wanted to ask something about codenext. >> Alter: So I know we're not allowed to talk about it as a group because it was just posted yesterday, but there's a lot of confusion in the community over what we're voting on.

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So if you could just restate again for the community what we're being asked to vote on because the posting language is not transparent for folks who are not deeply embedded in what the charter has

communicated. >> On Thursday the item that you're going to talk about is whether or not to adopt a citizen-initiated ordinance supported by a petition certified by the city clerk on April 23rd to amend the city code relating to comprehensive revisions to the land development code. So that's the petition that's been circulating. You will vote -- under the city charter you have 10 days to vote on whether to adopt that ordinance exactly as it's written or not. And you have to call an election if you don't, adopt it. But you don't call the election yet until August the 20th to call an election or not. >> Alter: So that provision of the charter was set up so that we could avoid an election where we just wanted to adopt it. And so this is a procedure that's in the charter that we are required to follow to take a decision as to whether or not to adopt what's in the initiative out right. Not the decision to put it on the ballot or not. >> That's correct. >> Alter: Okay, thank you. >> Kitchen: I have some legal concerns and that's why I want to go into legal session because that's not how I'm understanding it. I'm not saying it's not correct, but I'm understanding it that way. And I think councilmember alter, we need to be very clear with the public, I agree. The other thing I would like to talk about is whether Thursday is really appropriate to go ahead and have this conversation since we can't even talk about it today and we've given the public very little notice. We have 10 days. I mean, I do realize that that would require a special called meeting next week, and I understand if my colleagues don't want to do that. I just think -- I'm just

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bringing it up for conversation. I think it's something that we should have a conversation and weigh the pros and cons about whether or not to do it this Thursday or do a special. >> Tovo: I do think that's a conversation we should have. Are we allowed to have that conversation or not because of the posting? >> We can talk about the legal issues involved in that in the executive session and then if you want to have a further conversation about that before Thursday you can do it on the message board. >> Tovo: Okay. We cannot talk about it in today's work session because it's a posting timeline. >> We posted it yesterday as soon as we got the confirmation about the validation. Thank you. >> Tovo: Okay. Other scheduling items for Thursday and then we need to jump into the items that were pulled. Councilmember kitchen? >> Kitchen: The renaming of item -- I forget the item number that relates to the Robert E Lee road, I have had -- I need request a time certain of 4:00 for it. The difficulty is that there's an event actually on that road starting at 7:00 Thursday night and there are a number of neighbors that want to be able to go to that event as well as the event is the Umlauf gardens event to it would be hard for anyone associated with with Umlauf to come and testify. So I wanted to see if we could have a time certain as of 4:00 and be sure that we actually took testimony at 4:00 and it didn't get pushed. >> Tovo: I think we can certainly make the request. The actual scheduling of it is at the mayor's discretion, but I will pass along the request that if it's a time certain request of 4:00 that we try to wrap it up by then. And I also have another time certain. >> Pool: I would be happy to have the second on that request. >> Tovo: So we'll have a request for a time certain of 4:00 for item number 78. >> Kitchen: It would be 78 and 77.

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>> Tovo: 78 is the one where the parties have -- >> Kitchen: We think that people will be testifying on both of them. So what I'm going to recommend, I think councilmember pool agrees, is that we take them up together. >> Tovo: Okay. 77 and 78 are going to have a time certain request at 4:00 and an urging to actually take them up toward that time. I'm going to make a time certain request of 4:30 for the naming of the pat crow plaza, which is item 38. Councilmember alter. >> Alter: I just wanted to remind folks that I will be off the dais from 6:00 to 9:30. My husband is eeg an award from the UT -- receiving an award from the UT liberal arts, one of their top awards, so I will be stepping away from the dais to celebrate with him, but I will come back to him if we're still going. >> Tovo: Great. Congratulations to him. And you will work with the mayor to suggest things that need to be postponed. Councilmember pool? Okay. Anybody else on scheduling? Councilmember kitchen, you have your light on. Is that left over. Let's jump into the pulled items. Number 16, councilmember Casar, you pulled the ordinance related to the food enterprise permits. So on this item I just wanted to raise -- I think I wanted to raise it more. I think this is related to the section of code that's also been opened up by -- on the dockless bike and scooter issue, but I just want to hand out a resolution we passed last year that was originally sponsored by councilmember troxclair, but then we -- sorry, we'll share.

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But an amendment was added asking the city manager to explore options for overcoming homelessness and obstacles to employment for difficult to employ folks by reporting back on barriers to small scale street and mobile vendors within city limits. And that the city manager should look at provisions of city code that may limit or prevent such options. And so looking at both the mobile food vendors item up on Thursday as well as the section of code that is happening to be -- being modified on the dockless transportation issue, we are essentially -- on this Thursday we are opening up those sections of code that currently prohibit vending on our streets, which we all know can often times lead people who otherwise don't have great employment opportunities to be blocked from participating in commerce. And so I just wanted note that potentially on the -- on the item that is opening up that section of transportation code that we are potentially pa lsing on Thursday on two different items that I am going to see if we can figure out some sort of directive such that the city manager can bring those ordinances back after they've been passed for us to complete the work being asked for by this resolution. If you look at, for example, the section of transportation code we're opening up on dockless transportation, it says that you can sell bottled water or prepackaged and already inspected food on our streets, but only if you're doing so in order to raise money for a homelessness non-profit. But if you're a person that's on the verge of homelessness and is trying to sell bottled water in order to not wind up being homeless, currently that's against city code. And so we brought that issue up with this resolution last year. I'm not fully aware of where that is in the whole pipeline of issues on the city staff side, but since we're currently opening up

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that part of code, I thought it would be important to bring up. I'm not suggesting that we make those changes on Thursday. What I am suggesting is that some of the changes we are making on Thursday actually seem to backtrack us on that issue unintentionally. And I think that might actually best be explained during the dockless transportation item, but it seems like because we are trying to set up city regulations as they relate to our right-of-way to manage dockless transportation and we're trying to do that quickly, we're quick writing what seems like a very broad ordinance that may further limit people's ability to exercise their free speech or to sell and -- to sell goods on our right-of-way. So I want to have put a pin in this issue that while it may seem extraneous is actually rolled up in the same part of the code. >> Tovo: So as I understand your intent, it would be to ask the staff to am could back to us and look at it? Because I think right now it is as you indicated tied to a non-profit, to association with a non-profit. I think if we're going to consider broadening it to individuals who are not necessarily associated with a non-profit we really would have to have some more stakeholder input on that. >> Casar: So let me say that another way. We've already asked for this to come back. It hasn't come back, but now that we're opening up that part of code, I want to take the opportunity to give additional direction or some amendment language to really have it come back to finish this. And frankly if you look at what has been modified by the transportation department they are actually going in and modifying parts of that same code as it relates to not just non-profits, but people selling things now to benefit schools is also currently being modified. >> Tovo: Okay. >> Casar: So that section of code is all wrapped up together and any time we change anything for dockless transportation we are

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changing -- >> Tovo: The vendor rules. >> Casar: The vendor rules for everybody else. So I want to highlight that. Ism that with what we're going to pass Thursday we will actually make it even harder for people do do this when it seems like there's council insent for us to look at things making it easier. >> Tovo: Thank you, councilmember. And city manager, it looks like you're taking notes and we'll look at that and determine if that's what's happening. Okay. Number 27, dockless bikes. Councilmember Casar, you pulled this. >> Casar: I pulled it [inaudible]. I pulled it primarily to mention that part. And then I figured I wouldn't be the only person to pull it because there might have been other questions. >> Tovo: Councilmember kitchen, I know you had some. >> Kitchen: Yes, I'm still trying to think through this. So I don't have a proposal, per se. But I am concerned about the effective date of it and so let me just ask a few questions. First off let me back up and let me say that I think that dockless scooters and bicycles are exciting possibilities. I have seen people riding the scooters around and being a bicycle fan myself. I think that's a great deal of potential here. I'll put in a plug for the bicycle system that we have right now, which is b-cycle, which I think is fabulous. So I think the addition of dockless opportunities is good. But I have some concerns about the way this has played out. And so my first question is -- what this does is establishes a permit process, if I'm understanding correctly. What is the anticipated time period between the adoption of this ordinance and the ability to issue a permit? >> Thank you, councilmember. Jason john-michael, assistant direct of

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mobility, Austin transportation department. We're expecting to start the process on may 1st, as soon as administratively feasible. >> Kitchen: Start the process or issue a permit. What I'm wanting to understand is -- I know you probably can't say for certain, but just an estimate of if I go in and play for a permit, what date is y'all's best guess on when I'll be able to put my dockless scooter on the road? >> Assuming they meet the requirements of the permit application, relatively quickly. We have already ordered stickers for these permits. We have the materials necessary to begin permitting things. Again, it's just an administrative process so it would be less than a week, I think. >> Kitchen: All right. I also have concerns about the way this has played out with two entities jumping the gun, so to speak. And unfairly moving forward while other entities are working with the city. So I think that there should be -- that should be recognized and I don't think the city should be part of making that okay. So my inclination would be that there needs to be some kind of recognition that those companies should not have a competitive advantage because they went forward and put their scooters on the street before it was permitted to do so. So I don't know what that means in terms of -- and I'm thinking about that, but I think it is not appropriate for the city to set up a process, which we did, with our pilot program for the

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bicycles and our discussions now about adding the scooters to that. I think it's not appropriate. I think it's not fair to the companies that are working with us. And it doesn't help us as a city carry out our duties for public safety. So I will be bringing something forward or I will be working with my colleagues if there's someone else who wants to bring something forward that addresses that issue. >> Councilmember, Robert spillar from the transportation department. We would certainly welcome any council direction. We would recommend that obviously legal be involved in that deliberation. >> Councilmember Houston? >> Thank you so much. I've got several questions, but my main disappointment is if I remember correctly, when we passed the resolution in February we named by name other community associations that needed to be included in the conversation. And I touched base with the manor road merchants association and they have not heard anything from anybody about this project. I think the downtown Austin alliance has not been contacted. And so I'm concerned about the community engagement that we ask you all to do before we came back with a recommendation of how to do it and do it as an emergency and adopt it so quickly. So there are some things in here that concern me. And one is that a bonus be given if it's an underserved market. No. No, that should not be an option. Everybody should provide services all over this city. And I don't know -- again, I don't have the boundaries, I don't know what boundaries. I think it was discussed in the mobility meeting, but I don't have an opportunity to see what the boundaries are. So I'm not really ready to note vote on this yet because it's so fast tracked. Because the community engagement in my community has not happened and I specifically asked for that

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to happen. >> Tovo: Staff, did you want to respond to that? >> Councilmember, we acknowledge that we've had to speed this process up simply because of the changing dynamics of the marketplace. We did reach out to a total of 161 organizations across the city. If there was a specific organization left out, I apologize. We're continuing that reach out process, but simply a schedule of council being able to come back to council, it was either this meeting or one much later in may. So we thought it was important to come to you now since we've detected a weakness in our current ordinance that prevents us from fully managing the current situation that we find. We do have one more outreach process coming up this weekend, and so hopefully that will help on that. We did receive your questions about which groups we reached out to and that answer has just been uploaded, I believe, today, this morning. We received that question yesterday. >> Houston: But Mr. Spillar, you're giving me answers, but on February the 1st I said reach out to these merchants associations to include them to make a broader representation. And again the manor road merchants association has not been contacted. I can't give more direction than that about who to reach out to. And you gave 166 people you reached out to, but it wasn't the ones I asked you to do. >> So we will correct that, councilmember. >> Houston: And by the way, I love the scooters because I see them all over manor road and east Austin, and I think it's an opportunity for people who will be losing bus routes in the eastern part of my district to be able to access transit. So I see that as an option, but to rush it this week quickly and not get the input of people in community is a mistake. >> 'Em.

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>> Tovo: Councilmember Flannigan. -- Yes, ma'am. >> Tovo: Move. >> Flannigan: In this particular ordinance my staff highlighted an issue, but I have not seen a revised ordinance. It was literally adding a comma, but I think it changed the intent of one of the lines. I'm pulling up where this was. On page 5 of the ordinance where this talks about -- this is really about the kids selling lemonade. >> Yes. And I think we've addressed that. Context I know there is another ordinance from health and human services and I think we now mirror that and obviously councilmember Casar has brought up another issue. Our intent is not obviously to make it more difficult for homeless or kids selling lemonade. We're trying to respond to that and make sure that we're not making it more difficult. >> Well, this particular item isn't about homeless because it's specifically 18 and under. >> Right. >> Flannigan: Will we see an updated ordinance before Thursday? >> Yes, sir. >> Flannigan: Okay, thank you. I notice there was not a conflict between the age, 17 and younger, and the public health item and 18 and younger here, and similar circumstances. So what you are mirroring it and which age are you choosing of the two? >> I believe it's 18, councilmember. Our goal is to take the lead from health and human services. It's simply to mirror that. >> Pool: So I have a couple of questions about scooters. And I am really glad to hear my colleagues' ideas and thoughts about this because I've seen a couple of them when I'm driving up Guadalupe and they look really wobbly with a very strange center of gravity and they look a little bit -- it made me nervous. I didn't expect I would run into a scooter, but I had some concerns a scooter might tip over and fall on my car. Maybe it was just the inability of the person who happened to be riding it,

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but it raised some concerns about the safety of them. And I get that they're fun. So I understand that the scooters that are currently on the street have a speed governor on them at 15 miles per hour. What is the maximum speed that the scooters can go without the governor? >> Councilmember, before Jason answers your technical questions, health and human services said it's 17, not 18. >> Pool: So you will be changing your item 27 to be 17. Okay. >> 'Em. >> -- Yes, ma'am. >> Thank you. >> Jason john-michael, transportation again. To answer your -- to respond to your first question related to safety, thank you for bringing that up because I wanted to impress upon everyone that that's the whole reason that we're here and doing this so to make sure that everyone out on the sidewalk, as well as the street, is as safe as possible. And unfortunately that has caused us to have to move at a relatively expedient pace. And I just want to thank all of council for all of their interaction thus far with this particular issue. Now, related to the governor and the technical question, it kind of depends on the battery as well as the motor. So depending on the specifications of that particular device, they can go faster. Obviously that means that the battery would complete quicker. So most of these companies are looking at ways to try to elongate or extend the amount of operational time that they have with these before they're completely depleted. So it's almost in the interest of these companies to make sure that these governors are not only on there, but are working properly. To that end, with any electric motor there is a way that you could probably tinker with it in order to get around the governor. >> Pool: Well, I think that the governor and the speeds that the scooters can go in the city is a key policy issue for us to review and understand. For example, I am not sure I

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see scooters in the traffic lane with buses and trucks and cars, okay? I'm also not entirely is certain that they belong on a sidewalk because they are moving so much faster than pedestrians, but we do allow bicycles on sidewalks throughout the city. So I would like to understand if we are going to treat the electric scooters the same way we are treating bicycles with regard to where they're permitted to ride if it means they're not so close to traffic as to cause concerns for the safety of the person on the scooter so I'd like to see that or information on the maps to show where bicycles are directed to be ridden and whether that mirrors with the scooters. And then enforcement, that really gets into the expensive and long-term sustainability of whether this is going to work in our city and that goes into how we're going to enforce the elements of this. We have lots of ordinances that we don't get around to enforcing in the city and that causes concern for various constituencies. And I recognize there's a certain whack amole element to that and we work with enforcement and deal with it. So I would like to understand how we intend to enforce the period before the permits are provided and then where there are violations after the permits have been provided, what are we going to do about that. It would be good to have a report on the violations. It still bothers me that the scooters have showed up in town the way they did after some of them had agreed to the pilot program with us and St. Edwards, for example, and others to show up and they're forcing our hand. That makes me uncomfortable.



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And then my last question is my understanding is that an idea has been floated about basing the permit fees on the number of scooters used daily rather than just a flat fee per scooter. Is that something that's feasible for APD to do? Would there be a way for you to track or verify that sort of information? >> Councilmember, right now I do not believe we have the ability other than to take the accounting from the firms themselves about how many rides they're giving. That also puts us more into a revenue sharing environment, which I'm concerned about in terms of fees. The 30-dollar permit per device for time period fee has previously been approved by council. It was based on our best estimate on the enforcement needs to be. So we actually went through a detailed analysis. Permits are for six months and so if we find that our expenses are exceeding that 30-dollar permit in the next six months it would certainly seem like we come back to council for a fee adjustment to reflect that. We often try to do our best when we put in new fees, our best estimate as to what is going to cost and adjust that. So with the \$30 per device per permit, which lasts six months, we believe that we can hire a temporary enforcement force until we understand the enforcement needs and then we come to council in following fiscal years to flush that out with employment needs. >> And there would be a limit on how many of those permits are issued, that is correct? >> 'Em. The idea is that we would start with knowing that -- first of all, knowing that these are market driven and that the greatest demand is probably in the central city area which is defined by something that a district -- the dapsi district which ranges from Chicon street on the west to oltorf on the south to mlk. It's much more than just that downtown area. The proposal was to allow

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them to have up to 500 permits per type of device. So if a company offers both bikes and scooters, we would allow that company to seek 500 scooter permits, 500 bike permits. And then the goal of underserved areas was really in reference to knowing that the market demand is going to be in that central area so that if you wanted to deploy a focus of devices north of mlk, the university up to the hospital district, we would avoid you additional enforcement and similarly into deep east Austin we would afford you additional permits. The goal was to spread people out from central Austin, knowing that the base of operations just by market demand is probably going to be in central Austin. >> Pool: And my last comment and question and possible direction to the city manager would be since you estimated the cost of the permits since that time and since then additional dockless scooter companies have come into town with their core of scooters, so it makes me think that the formula that you used to estimate the \$30 may need to be reassessed given the additional numbers that have come in, which might sound like maybe it would depress the \$30. I think they might increase it because there's a lot more and they will be many different places and more need for enforcement. So I would like for you before we get to adopting the fee if you would, city manager, do you think you could get a reassessment or a confirmation that the \$30 is appropriate or that it should be something different? Before the six

months. >> Certainly before the six months, councilmember. And I think that this is -- we're working through things as we go and so I appreciate the work of staff on being

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able to make those milestones and be able to be reflective on adjustments when needed. >> All right. So we'll see that the reassessment in six months. And it will include the addition of the larger number of companies and scooters that are on the street. >> Yes, ma'am. >> Tovo: Councilmember, you had a lot of questions. Are you going to address them on the Q and a or staff did you get them and will address them on the Q and a? >> Pool: I will have my staff do that. >> I think we've captured them, but if you would resubmit them, we'll be sure to follow up on them. >> Tovo: Councilmember Casar. >> Casar: And because we brought up the vending issues on thiser item, I think we lacked clarity. Now that we have this ordinance I hope I can explain it better. This isn't just my example of homeless folks being able to sell things on the street, but what we're passing on Thursday, for example, adds a rule that said previously you could offer services on our right-of-way, you just couldn't offer merchandise. But now if what we would pass on Thursday, for example, we would ban the offering of services on city right-of-way. So for example, in my own district I was at the library the other day and I walked out on the sidewalk and somebody wasn't experiencing homelessness, just a constituent, I suppose, or somebody that lives in Austin, handed me a business card saying hey, I do landscaping and lawn care and I'm it and handing these out to people who come out of the library. I believe that bypassing this we could be banning that activity when it it previously was not banned, potentially. I have not looked at city code, but it seems like we could be unintentionally dealing with the mobile vending issues, but it seems like this is very broad. But I understand we're on

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this fast timeline and I just don't want to leave -- let all of that happen because we are trying to fix this deal with this one very quick issue that's happening now. So I had just like the staff to consider those things between here and Thursday and see if there's any suggested path for after this is passed, if it's passed for the staff to come back with modifications and narrowing so that we aren't unintentionally when we call this the dockless bike or scooter item, doing things like banning people who are handing their business card out on the street or people squeegeeing your car or whatever else. So there is both the old resolution about figuring out how we can facilitate vending and then the potential -- how do we handle the uncontinue tension consequences of regulating scooters and bikes. >> And councilmember, I can tell you that was not our anticipated thing, whatever you say. And I appreciate what you're saying and we will take a look at that. >> Casar: And I'm specifically not asking for you to rethink all of this between here and Thursday, but just for us to have a short enough time period that you figure out how you adjust those parts. >> Yes, sir. The one thing I do want to express is we considered making this only relative to mobility, but I think there's a risk there that there may be unforeseen disruptive technologies coming in that would be able to use that as a loophole. So it needs to be broad enough to capture the

range of disruptive technologies that may be affecting our community over the upcoming years, but certainly not broad enough to create those problems. >> Casar: I would just say that the gig economy has existed long before Austin existed. And I don't want in our response to these specific technologies ban things that have been the way people have made it for a long

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time. >> So the city manager and I think the city attorney have agreed they're going to look into that. Councilmember kitchen? >> Kitchen: I have a question about it's a section that relates to the license. I think it's 14-9-23, page 7 is really where the information is. And my question is at the presentation that you all made at mobility committee, you had a slide that positive pointed to a number of things that you would be looking for as part of the license process. And I was wondering how -- I don't see those here. And so I'm wondering if you were thinking in terms of rule making or just doing that under administrative authority. I'm sorry I don't have the list in front of me. It had to do with insurance, for example. Do you know what I'm talking about? >> Yes, ma'am. We talked about a performance bond. One of the things we've heard about is that a company that might go out of business would leave their equipment on our streets and so that has been certainly a concern in other cities so we discussed a performance bond that we would be able to pursue to be able to take care of that situation. Similarly indemnification and insurance on the part of the company towards us. Those would be administrative, I believe, if I'm correct. And they would be part of the permit process. Again, the goal there is to allow staff the ability to react and add things and requirements that we may not foresee. >> Kitchen: Okay. So you're looking for that flexibility about how you style that. In other words -- >> 'Em. >> Yes, ma'am. >> Kitchen: What about data sharing? I can't remember if that was on the list? >> Jason john-michael, transportation. Related to data sharing, we are trying to bring forth

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some of the things that were in -- that were described in the pilot that we were working with the private sector to do. However, we again feel that that shouldn't necessarily be part of the ordinance, but be something that would be done administratively to understand each understand. Each one of these businesses has different policies and data sharing agreements. It may be something where for the first bit we're understanding what kind of data sharing the city could do with these companies over a period of time and then adjust it in the next period. >> Certainly in terms of distribution of the devices so we can see where the distribution is by company I think would be important and where their major service areas are so that we can make sure that our requirement to spread devices is being made. >> And the difference between the data sharing and reporting they will be doing for us. They will be reporting on the number of rides, number of rentals, that sort of stuff. But from an actual 1's and 0's. >> Kitchen: That's what I was looking for. >> Sorry, I gave you the geek answer first. >> Kitchen: You're right. I technically didn't mean data sharing, I meant data reporting. Okay. So I would like to work with you all for some language to put in B that keeps your flexibility, but just reflects -- it could be number 5, that

just reflects the fact that there are requirements related for licensure that relate to financial responsibility and that relate to data reporting. So that we can make it clear that our expectation is that the companies have some level of financial responsibility and some level of data reporting. I hear what you're saying that you would like some flexibility, which makes sense to me in terms of how that is styled exactly, but I think it's important to have it specified in here that that's the expectation.

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Okay. So maybe we can -- if you have some suggested language I would be happy to look at that. >> We'll get some to you. >> Kitchen: Thank you. >> Tovo: Councilmember Houston. >> Houston: Thank you. On page 5 of 8 when we're talking about impound. Of property found in violation, I would be more comfortable if that -- that the city manager gave that direction to which civilian employees because we could say that code enforcement could be part of that, but make it the city manager's responsibility, not the director's to decide what kind of civilians, because people get really squirrely when you did have civilians impounding stuff. I think I would make a more direct relationship. And as I've heard from other cities that this has happened in, maybe we should start talking now to resource recovery about ways that we can recycle or do something innovative with the scooters and other things that are left laying on the side or impounded that people don't pick up. I understand it's cheaper to just make some more than to pay the fee and pick them up. We need to start thinking now about what we can do with those bikes, scooters that are left in our right-of-way that don't get -- we don't want to throw them in our landfill is what I'm saying. >> Absolutely. >> Houston: Okay, thank you. >> Tovo: Councilmember alter. >> Alter: Thank you. I wanted to pick up on councilmember Houston's point there with respect to the environmental consequences of the dockless scooters. I believe they have lithium batteries inside of them. We need a plan -- I know that doesn't go in the ordinance, but in the administrative rules for that, whether it's when they make their permit they have to be showing at the end how the scooter is being disposed of and that they're disposing of it properly or they don't get another

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permit for a new scooter if they're not renewing one for an old one unless that old one is somehow -- has now been disposed of properly. On a related matter I'm hearing reports of businesses that are really annoyed with these scooters. And that they are being left on private property and they are just putting them in their dumpsters, which then means that we have these scooters in our landfills. So there's two questions that go with that. How do we -- we need a system that's going to make the scooter companies accountable for the environmental consequences of their business. And then we also have to have some clarity about what happens if they leave these scooters on private property? If somebody leaves it there for a long time, the business that it gets left on shouldn't be liable for that scooter. That's the responsibility of the scooter company. So I think those are some tricky issues and I'd like to see how we're going to resolve those. And that gets me to where I was originally going to go, which is as I'm understanding this, this ordinance is something that we need to do in order to be able to regulate these

scooters at all. It's not the actual regulations governing the scooters, it's simply the basic ordinance that gives us the authority then to propagate the administrative rules to govern them, is that correct? >> Yes, ma'am. >> Alter: So there's another part of this process that we're not seeing here, which has the fees, has the permitting and all of that. You've talked about it in a memo, but we haven't seen that. Typically those don't come to council. So how are we going to know that that process given the shortened time frame is taking into consideration what you discovered in the pilot and making sure that it's covering all of the basis that might be of concern to us so that we can allow this mobility solution to be safely on our streets.

[9:51:11 AM]

>> Councilmember, this morning we're in the process of responding to actually a question by councilmember Houston as to what we heard in the public will being sessions thus far. We'll continue that process and make sure you're aware of what we're hearing from the public. I'm happy to share with you where you are in terms of developing the permit, that the proposed permit process. So I would be happy to share that with you. And certainly all of your comments related to those issues. >> Alter: Thank you. There are a couple of specific pieces to that that were mentioned this morning. Councilmember pool already mentioned the \$30 and being skeptical about whether that was a sufficient amount for the fee. And I would share that I'm understanding that's what you're proposing to go out with to start with. But then revise over time. So I'd like to make sure that we have clarity in the process for accounting for that moving forward. You mentioned a map where you would have the focus of the initial permits and that you would get bonuses in that zone, but it sounded to me like you would get a bonus if you put bikes on the UT campus, which is already in a few weeks proven to be a fruitful location. So I don't think that should be a location that counts towards a bonus of other scooters. We already know that the students, using it in multitudes so much so that UT just published rules yesterday for campus on the scooters. Hopefully they're working in tandem with you, but they should not be part of the bonus, because otherwise we will just have scooters downtown and at the UT campus and maybe at St. Edwards. The other thing that I would like to see in there is fines for noncompliance. So obviously the ordinance buried in there, but I'm not sure what the penalties are if you put scooters out there that don't have permits on them. And what our options are in

[9:53:12 AM]

those cases. Is that also just in the administrative rules? >> So councilmember, we already have a fee defined for when we impound a device. It's, I believe, \$200. And so that's the way we're going to move forward, plus costs obviously for any actual costs received by us for storage or whatever. So that's what we plan to do. If a device is unpermitted we would confiscate it and there would be a 200-dollar fine to receive that back. I would also say in your discussions about the batteries, just be mindful that some of these companies are not electric, they're totally human powered as well. So not every company has that same issue. >> Alter: So if we talk about the fines for noncompliance that if it's impounded it's \$200, but

we're going to now have this period of time before the permit and after we pass this where there will be companies that are out of compliance. Can they then be impounded before that 48 hour period and what is the plan to do that? Because it's going to be effective on the 26th and there will be no permits, say, before may 7th. That's a lot of time in there where they're already operating. Will they be impounded to reset the playing field or how is that going to play out? >> I think certainly with the ordinance the languages associated with what levels of enforcement are administratively feasible to the director. We want to take some direction from council on exactly what level of enforcement is necessary between the period-- between now or Thursday, let's say, and when the launch of the permit process starts where someone is -- when the office is open, quote, unquote. I believe that that falls a

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little bit into the same category that councilmember kitchen was mentioning related to what do we do about leveling the playing field in creating a true reset of the marketplace. So I think that's something that I'd like to talk to you more about and better understand what each of the councilmembers' positions is. >> Alter: Do you have any ideas of things that we could pursue that would allow us to level that playing field and when we do have this period of limbo between the 26th and may 7th? >> Councilmember, if you would allow us to talk to our legal staff and then answer that directly to you in the council questions and answers, I think we could give you a better answer. >> Alter: And then the last point that I wanted to bring up again with respect to the administrative rules is I would like to see that there's a complaint process for people who are not happy with the scooters that then something can be done with respect to particular companies if they are not playing along with the rules or their devices are particularly disruptive. >> Okay. >> Alter: And do we also need any kind of tickets for the riders of the scooters if they're behaving recklessly, because the liability would be -- who is the liability on if someone is scooting on the sidewalk and hits a two-year-old who is not expecting a scooter to be there? It just seems like there are some legal issues to make this mobility system work that are still not in here. So can you speak to the liability? The liability question and then what we do for the riders? We've talked a lot about the companies, but not anything about the riders. >> I think it's been our position that the users are contracted users of the company and so that the company is ultimately responsible for injury of another person. Of course, I think if

[9:57:14 AM]

somebody is purposefully acting unsafe that they would -- we have current police powers in the city to address that. There is certainly assignment of liability, but it's something we will look into again if you lieu us to talk to our legal staff on this issue and we'll get back to you with more. >> Alter: Thank you, I appreciate it. >> Tovo: So it sounds like there aren't quite a few questions and ideas about how to strengthen this on ordinance. I know my office has been working on some amendments and I think in cooperation with another councilmember. >> Alter: you raised some points that weren't on my radar. Is it your intent to bring those forward as amendments? >> Alter: I think we're working with your office

and I just thought of those between last night and today. So we can get working on those. >> Tovo: That sounds great. And I feel like I'm becoming a broken record on this because now I've said it in a few different meetings. I had an opportunity to try an electric scooter on the plaza is a when they were doing a demonstration. I was eager to see this become an allowable use in the city of Austin. I am really disappointed that two companies jumped ahead of the process outside of the process and put their equipment on the street. And that -- you know, we really can't operate in a system where that's happening. So I hope that you will look at the opportunities for penalties for companies, how to level the playing field as my colleague, several of my colleagues have said. But I really would implore those companies to consider how to bring your business into compliance with the process we're doing now. I want to be able to -- I want not so please like Pring them into compliance, we want our users to do so in accordance with the regulations. I keep getting constituent emails about scooters and bikes down on the hike and bike trail and other places where we don't allow motorized vehicles so I think if we do this thank you to the staff for working as quickly as possible.

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If we do this in an orderly fashion we'll have time to education the public about where they can and can't be ridden which will be helpful to allow this to roll out in a way that's helpful to the community and doesn't impact our parks or environments in a way we don't intend. Somebody else had their light on. Councilmember kitchen, I think it was you. >> Alter: I have one last clarification. A lot of my questions were things I think were in the rules but what's before us is the ordinance. So for the things that are in the rules that don't belong in the ordinance, would the appropriate thing be to provide a clear direction to staff on things that we want addressed in the rules? Because we wouldn't amend the ordinance to, say, have a complaint process or do those things or to clarify that -- or to go look at whether we have sufficient liability and authority from a public safety perspective? That kind of stuff wouldn't be in this part of the ordinance, it would be either in the rules or a different ordinance. Is that correct? >> Yes, you give direction about how -- the rules will be provided later and you can give direction when you pass this ordinance about how to go about the kinds of things you want to see in there. >> Yes. Councilmember, earlier you said something about giving bonuses to being on UT, I just want to clarify, the permit only allows these devices on city right-of-way so clear on UT that's a private institution. When I said north of mlk there's obviously spaces north and west of UT where I think students would love to use those devices. We also know that with our recent expansion of station-based bicycles, b-cycle, we went from a membership, adding 7,000 literally in the first two weeks, most were ut-related. We've been coordinating with university of Texas with

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regards to the bike share part of this and I think they'll be interested in how that impacts with their community but it's separate from our right-of-way. >> Tovo: Okay. Thank you. >> Thank you. >> Tovo: I think there are a few items we might be able to do kind of quickly. Let's see if we can do that and get

some staff back to their -- the rest of their jobs. Councilmember pool, item 37 you pulled. I think it's also your item though. Is it that you wanted to make a few comments about it? >> Pool: I just wanted to make a couple of comments because I'm hoping that item will go on consent. In order to ensure that I just wanted to talk about it quickly today. >> Tovo: Why don't you go ahead and do that. I think there are a couple of items that fall into that category so maybe W can knock those out quickly. >> Pool: No. I'm good. Great. We have a couple of folks in the audience today here in support of this resolution so I just wanted to take a moment to talk about item 37, as I said, so it can pass on consent on Thursday. The advocates plan to sign up on Thursday in support that they have agreed not to speak in order that they might help us move this forward. On consent. The resolution in 37, it addresses climate change, and it may appear to be merely symbolic but cities and states across the nation have either already adopted similar legislation. Others are giving it serious consideration now more than ever in light of this current's administration's dismantling of the environmental protection agency. The resolution calls for a revenue neutral carbon fee and dividend plan. There's some disagreement among environment lists about the best way to go about charging for carbon emissions and we acknowledge that. I agree the approach is more conservative but it's the one I was asked to lead on by local members of the citizens climate lobby and I do appreciate their work on this resolution and so that's the approach I'm

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taking. And we have to start somewhere. Some folks believe the revenue should be passed onto low-income families. Others believe we should invest the tax money in renewable energy and infrastructure, job training for displaced workers, there's all kinds of needs in our community. Bottom line once we've gained enough bipartisan support in congress they will hash out exactly how the fee and dividend program will work in the final bill and we may be able to weigh in at that point with our preferences. This is what we have for today and for Thursday, and I commend it for your consideration and I want to thank Bob and Dale both for being -- Bob and Dale for being here today. They may be in the atrium if you have any questions afterwards. Anybody else with the citizens climate lobby that's here that I failed to notice or recognize? Great. Thank you. >> Tovo: Thank you, councilmember. Thank you, community members? Any comments on this before we move on? Okay. Very good. Let's quickly do 77. You also pulled that, and I believe it's the -- one of them is an item that you brought forward, the renaming of Jeff Davis avenue to will Holland avenue. >> Pool: Yeah. So I asked for the transportation department staff to be here today because I wanted to ask them to explain the process to the dais. We and councilmember kitchen's office have been pretty immersed in the arkana of street name changing, the process in place, the roll we've -- role we've played and what the ask is at the meeting Thursday. In order to streamline the work that happens Thursday I wanted our staff to explain the notification. So what the city does to make the name change transition easier. My understanding is that we notify residents as well as many different public and private entities about the

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change. The post office, for example, keeps the old street name on file so they can forward packages and mail to the residents so they're here to explicate this a little further so if there are any questions that you may hear from the community you can be better informed. Then my office is working on an information sheet to help residents whose addresses will be changing as well, and I'll have that available on Thursday and I'll pass it out so you can also provide that to your residents. Yes? Thanks for being here. >> Thank you, councilmember. Good morning to everyone. Jim Dale, assistant director for the transportation department, here with Lauren Sada, also with the transportation department. She's the one that manages the process. We did come prepared to talk through the process, answer any questions y'all may have and I'll go ahead and turn it over to her to step through the process that leads up to approval with council, and then also there's some questions we received about after it's approved what happens. I think it's important for us to talk about that, too. So, Lauren, if you wouldn't mind. >> Good morning. Good morning, everybody. So basically once an application is received and if the fee is received, we go ahead and contact our ctm addressing group, and they provide us a property owner mailing list, they provide us a map and they also make sure that the proposed name that came in with the application is in accordance with all addressing regulations and they hold the name on reserve. Once we hear from addressing that the proposed name is okay, we go ahead and send out response forms to affected property owners for their feedback. We also contact eight different agencies, both internal to city of Austin and external, the United States postal service and some other organizations, basically that they don't have any objection with the new proposed name. We then go ahead and provide all this information to council for their decisions.

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And then following the council's determination, if the proposed name is approved, what we do is upon the effective date of the ordinance, we kind of do a lot of things all simultaneously to ensure a seamless transition. We will alert our signs and markings division to fabricate and install the signs. After we send notice to all of the affected property owners that their street will be changing. We also send a notification to an agency list that includes all different departments within city of Austin from AFPD, fire, EMS, Travis county, Williamson county, postal service, AT&T, other agencies that kind of have a stake in addresses changing. At that point ctm addressing will push out their new maps to all affected agencies that use addressing services. So it's all pretty seamless. As councilmember pool mentioned, the United States postal service will keep the old name on reserve, and so mail will be forwarded for an indefinite amount of time. And in terms of, you know, 911 or emergency response, basically what happens is there will be a cautionary moat in the dispatch system. So if a citizen were to call and say that, you know, there was something going on at one of the old address names, the dispatch would actually see kind of the alert that the address had changed and it would be seamless response. Each citizen is responsible for contacting their own -- the contacts, magazines, credit cards, bank institutions, any legal documents, things like that. So I think that kind of sums

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up the response. If there's any other questions, I'm happy to answer. >> Tovo: Thank you. Councilmember pool -- I mean, kitchen. >> Kitchen: Just to say it again, I know you mentioned this, so the -- a piece of paper that outlines everything you just told us, have those -- has that been sent to the residents along these roads? >> It has not yet, but I think that's a good idea and that's something we can include with the notification letter. >> Kitchen: Okay. Can you send it to us and maybe you have already. Because I'd like to go ahead and make sure it goes out to people ahead of time. So. . . It actually would be helpful -- by notification letter you mean after we take action. It actually would be helpful if it's possible for y'all to send it now. Is that possible? >> We are early in the process. We did send out notifications. Part of the process is to send out a form to all the abutting property owners to ask for do they concur with the name change or do not. So they have been notified of that. Once a decision is made by council, we'll follow back with another notification to let them know what the outcome was and that the street name changes are going to be occurring. So we also notify them of the public process, of the public hearing that will be occurring this Thursday. So if there's anyone that wants to talk in support or against can come to the public hearing as well. >> Kitchen: Okay. If you could just provide that information to us today, it would be helpful because there's some of the folks in my area that live along that street that it would be helpful if I sent them that information now. So thank you. >> Tovo: Great. Councilmember Renteria. >> Renteria: I wonder if you can help me understand. Because I'm going through a process right now about the changing of a street, correcting misspelling. So if there's opposition to

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that process, what would be the next action that the staff would take? >> If the opposition comes from the emergency services, police department, fire, basically all of the emergency service agencies, then I think we may need to go back and find out the reason why there would be opposition. If the opposition is coming from the citizens, I think honestly if -- that would still be your decision. We basically follow the process, which is receiving the forms and kind of providing essentially a tally to you all, and then the determination is still up to you. >> Renteria: Thank you. >> Tovo: Okay. Thank you very much for being here. You do the name. So let's take up 87 and then 38 and then we'll get back on track I'm hopeful these last couple items will go quickly. Councilmember Flannigan, number 87. >> Flannigan: I know we no longer need to talk about 38. I got some questions answered overnight after it was submitted to be pulled so my questions are answered on 38. On 87, just as a process matter, so we -- the judicial committee recommended five names to the court. These are new applicants for associate judge positions. One of the candidates, mark Pryor has withdrawn his name for consideration so there will be only four names we will be discussing in addition to others included in the interview list and we'll have that discussion in executive session. >> Tovo: Thanks very much. And so item 38 was pulled, thank you, councilmember Flannigan. You said you pulled it, and now no longer need to talk about it. Thanks to the community members who came to hear that discussion today.

[10:13:26 AM]

I know most of you thought it was going to be pulled. Just as a point of update, it's my understanding that the old bakery did vote unanimously to support the naming of the plaza for pat Crowe, and Austin parks foundation and the downtown Austin alliance were also part of the discussion. Neither has any opposition, as I understand it. The Austin parks foundation has agreed to contribute to the plaque. I know we'll have an opportunity on Thursday, we have community members coming down to talk to us about it. Thanks so much to pat rush, the sister of pat Crowe, many of us are excited about taking this step in honoring her memory. Councilmember pool. >> Pool: I also wanted to note, I think there's a reception after the public hearing is that correct? If I could also X Ms. Rush to give us an update did B that. >> Tovo: They'll be just a very small reception. I'm not sure whether it will be in the ceremonial room in boards and commissions so we've set it for 4:30 time certain or will on Thursday I hope set it for 4:30 so those members of the public can stay for that during the different break. >> Pool: I just wanted to add my thanks to Barbara for being here, also to Rick Cofer, it does my heart good so we can do this on the anniversary of the day pat passed away last year. Thank you. >> Kitchen: I actually had a quick question on 87. Can we go back to that? >> Tovo: Sure, does that conclude our discussion just so we can give a signal to Ms. Robinson and others? Okay. 88. >> Kitchen: Just a quick question. I wanted to understand the process. You know, it's a question I had raised before and I think I just wanted to understand the process. First off let me just thank

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the committee for the hard work that you guys are doing on this, and so did you have an interview process as part of this for the folks that you're bringing forward? >> So we continued the previously approved process that the committee had created, and so because -- which defined that the new applicants are interviewed by the panel. >> Kitchen: Okay. All right. But there were interviews? >> Flannigan: Yes. As there were for new applicants in the first round, when we approved tenisa Jeffers, I think is the name, the new applicants did get interviews. >> Kitchen: Okay, thank you. >> Pool: And it looks like I've got the gavel for right now until the mayor pro tem comes back. Were there any other questions on 87. I'd like to take us back to I'm 28, which is councilmember Casar, on the mobility bond. Yes. >> Casar: So I appreciate the work that was done in mobility committee in the intervening month and in support of incorporating what the mobility committee recommended into the item. The last thing I wanted to flag for folks is I've been speaking with councilmember pool on north Lamar boulevard there was recommendation for us to do some design for multimodal work. At the very northern end of north Lamar where it connects to I-35, partly because we could go for campo money for that, since then it has not been on campo's list and since that stretch from 183 to I-35 on north Lamar is in districts 4 and 7 councilmember pool and I have spoken about more of the need may be in pbs, may need to be one or two additional pbs to address what is currently on the ground there and the multimodal needs tend to be further south where we have a lot more bus ridership and a lot more buses getting stuck in the area so we'll work with staff to make sure we have -- we make that actionable just to sort of

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address the multimodal needs further south and some of those pedestrian needs a little further north. So I think that would be a small change to exhibit C I'm sure we could post on the message board. I think it would be minor, along with my personal support for making sure what the mobility committee worked on gets incorporated into the plan. >> Pool: Great. Councilmember kitchen. >> Kitchen: Thank you, councilmember Casar. And this is just a heads-up for those of you not on mobility, that there is a -- an amendment that the mobility committee passed. It's in your backup. So if anybody has any questions about that they can let us know. I also wanted to signal that I'm bringing forward a amendment similar to what councilmember Casar just flagged for y'all that relates to south Lamar and we'll work with our staff on the appropriate language and we've had conversations about moving some of the funding around south Lamar to allow for -- to allow for design and construction of another part of south Lamar. So we have a meeting this afternoon. We'll talk about that in more detail but I wanted to flag for my colleagues that I'll be bringing that amendment also. >> Pool: Great. Councilmember alter. >> Alter: Thank you. I wanted to just close the loop on a discussion we had in the mobility committee where some folks had been raising some questions about the formula and I wanted to thank Mr. Trimble and his staff for sitting down with me and my office and also with the constituents, and I just wanted to let folks know that we've resolved that issue and appreciate the data being clear and the formula and would encourage that in the future if we're using formulas like this that we air on the -- err on the side of transparency and have that data and the formulas available for folks to interrogate in advance of the decision since I think that was a useful exercise for actually better understanding. It's not one everyone wants to undertake but I think it

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really did increase my confidence in the way that this was put together, and I think that it's my understanding that those folks who were raising those questions are now comfortable with the process as we move forward. So thank you for taking that extra time to do that. I appreciate the transparency. >> Pool: Great, thanks. Councilmember Houston. >> Houston: Mr. Trimble, just for clarification, so the changes that we've made on 969 and airport, I need to submit amendments to do that? >> Councilmember, Mike Trimble, head of the corridor office. Some of the discussions we've had, I did talk to [indiscernible] Yesterday as well is what we're recommending is that we talk more about what potential adjustments for the improvements will be done as part of design. And then, again, it looks like there might be a briefing after polling and potential action. At that point if we feel like there's something missing as we move forward with preliminary engineering I'd recommend at that point further engineering. It all makes total sense. We're going to have to do additional studies, the pedestrian hybrid beacons and signals anyway so we'll have to do some additional analysis and we can work with your office and the stakeholders to do that. >> Houston: I don't want it to get lost in the shuffle so if I need to do an amendment I can do that or if we're clear maybe I can read it into the record on Thursday. >> I

think we can work with your office and stakeholders on that. >> Pool: Anybody else? I did want to comment myself, happy to work with councilmember Casar and his staff on making that change on the multimodal. I do want to focus on two sites that councilmember Casar mentioned, not your ordinary school, on the east side of north Lamar, those folks need a pedestrian hybrid beacon to be able to across the street, they go across to the park regularly. There's another location a

[10:21:31 AM]

little further south, 11900 north Lamar is where the mosque is located and I know they have issues when they have services getting in and out of Lamar. I don't know if a pedestrian hybrid beacon is the answer for them. It may be something else, but I would like to have staff's help trying to figure out what that is. I'm not sure and my staff -- Michael was going to check to see if the mosque address is on the quarter cent list so I'll know that shortly and see if we can also talk about prioritizing some things. I understand that maybe some of the work on quarter cent has been -- I don't know if it's back burnered, necessarily, but it looks like our mobility bond work is taking precedence and I guess this is an item for the city manager. My understanding was baked into -- and I'm hoping I'm not going too far afield on this item. My understanding was when we passed the bonds we had baked in the cost for additional staffing to handle the explosion of work that was going to come from the \$720 million. But what I'm seeing -- and I know that it takes a while to find and hire the right people to get things done, but what I am seeing is that the staff who were to be working on non-mobility bond issues are being pulled over to work on mobility bond because we are trying to fast track that so I just wanted to kind of have a reassessment of how that's working and maybe a status update? Because the quarter cent decisions we made two, three years ago, and that -- it's -- you know, it's one of those we've been talking about for a long time but we haven't seen anything being put on the ground. So if I could ask for a sense of when we can expect some of the quarter cent to be brought to fruition and taken care of. And ensure that we can keep the staffing needs of both projects separate and that we have capacity. >> Thanks, councilmember. I'll certainly work with is staff to get you an update on that and reassess those timings. >> Pool: And I'll now turn the gavel back over to mayor

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pro tem. >> Tovo: Councilmember kitchen. >> Kitchen: I just wanted to reiterate that we were going to to have an item on the last mobility committee agenda, but we were too full with other things, and that was relating to updating those on the quarter cent. So I'm sure you guys have either a memo in process or one that you can prepare for us because I do share the same concern. It has been a number of years, and although I've seen some of the quarter cent things carried out, E's a lot of them that have not been. And we want to make sure that it's not a -- that it's not a resource issue that's holding things up. >> Sure, Robert Goode, assistant city manager. We are coming back to council to daylight an issue about when we make changes, when you make changes on that list. The previous ordinance required the full body to do that and that sort of has stalled us in a couple instances so we're bringing that back for y'all to

consider that if there's an administrative process and we can give you an update about the entire status at that time too. >> Kitchen: Okay. >> Tovo: Councilmember Houston. >> Houston: I didn't mean to -- >> Tovo: Okay. Any other thoughts on this? Questions? I have a few -- thank you, by the way, to the staff for taking the time to meet with some of the stakeholders in the university area. Based on that conversation they've developed a draft plan for further stakeholder engagement around the Guadalupe corridor, and so I'll have some just direction, general conversation and direction on Thursday. Okay. That brings us to 31, councilmember Flannigan, you pulled this item. >> Flannigan: Thank you. These I think are going to be really quick. I just had a couple of questions. Let me pull up my notes here. >> Tovo: This was the resolution I brought about tenant issue counseling? >> Flannigan: Right. I did have the opportunity to meet with the Austin tenants council. I think the program is

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really interesting and I think very -- is a very obvious alignment with some of our key strategic goals so it was really more of a budget process question and might be between the manager and us about how we should -- one way to read the resolution is a predetermination of the larger budget conversation. And I wouldn't want to do that, but so I'm just curious about how this aligns with how we're going to make budget decisions. >> Tovo: Sure. I think we have some housing staff here. It's my understanding actually that -- the neighborhood housing has actually identified the funds for the program, and so that's why this is characterized as a budget amendment rather than direction to the city manager to include in next year's budget. But I would ask Ms. Lee to confirm that. >> Erica leak, neighborhood housing department. And maybe Rosie will step back in. I actually thought it was going to be part of next year's budget. So maybe there have been decisions/discussions since then. But -- >> Tovo: If you're not prepared to respond to that, I will talk with my staff about who they had that discussion with. And we can talk about that for Thursday. >> Flannigan: I think it's very easy to see how this would be prioritized but I want to make sure it's done in context with all the other prioritization decisions we have to make. >> If we have that clarified here shortly we can certainly get that back to you. >> Tovo: That would be great, thank you. I think it could really be a very good -- I see you have questions, councilmember alter, so I'll recognize you in a minute. You know, as I look at some of how it's -- how similar programs have worked elsewhere in the country, they can be really powerful in helping prevent evictions and, you know, that's a very important way of how we help people keep their housing. Councilmember alter. >> Alter: So I had a very similar comment to Mr. Flannigan, it's not about the substance of this particular resolution, but this raised a question for me about how these ifcs

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will be used in the context of our new budgeting process with the strategic plan. So if we could get some clarity from the city manager on that, either now or in the future, I think that would be helpful. >> Thank you, councilmember. I'll see if staff has any clarification for this particular item, but I do agree that -- I'll get back to you on ensuring that as additional ifcs come forward that might have budget implications

which are impacting how we think about the structure of the budget it's going to be important for us to make on a case-by-case basis whether that's going to be part of the budget process or if there's an alternative that we can be looking within the existing budget so I'll get back to you on that. >> And I did confirm that we have not identified funding, existing funding, so we would be asking for it as part of next year's budget. >> Tovo: Okay. And I apologize. I did have a misunderstanding with my staff on that so I'm going to clarify the language so it doesn't say budget amendment but offers this as budget direction. Which doesn't resolve the question? >> Flannigan: It doesn't resolve my question. >> Tovo: That you raised but I would -- and so, city manager, you know, I'm interested to hear your discussion, but it's still -- you know, my opinion, still the role of council to let you know what we regard as high-priority programs and initiatives and so that you can take it into account for the budget. And I know we have had a -- various kinds of discussions over the last several years about ifcs, especially as it gets closer to budget time but I'm still in the same position on that that I'm going to bring those forward as they seem relevant. Ms. Truelove, did you have something you wanted to mention some? >> No. I was going to say that this item would be potentially community development block grant eligible to spend that source of funds on it but it's not anticipated under our current consolidated plan that we have with the federal government. As we work on our new

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consolidated plan that is due to the federal government in August of next yeah, it's something we could potentially consider as part of that process. >> Tovo: Okay. >> Flannigan: Question just on that point. If it comes from a federal block grant, is it limited by county? >> No. It would be within the city's -- >> Flannigan: So it would be a grant to the entire city? >> Right. >> Flannigan: Okay. Thank you. >> Tovo: Any other questions? Okay. Number 32. Councilmember Flannigan, you pulled this as well. Councilmember Garza, I believe this is your resolution. >> Flannigan: Yeah. Couple minor questions about, is the marketing campaign referenced something that's already happening nationally and we want to include it here or are we inventing the thing from scratch? >> Is this on? I wanted to introduce us because this is the opportunity to talk about it and if we talk about it here we don't have to talk about it Thursday -- well, maybe we will so we'll see. So this -- you know, this resolution -- I feel like I have an MC or something. You know, it's not national. It is something that we would be inventing. It's purely based on frankly an he can dolt information because it's hard to track these things but this comes from the -- it's an empowerment campaign for families who are being prayed upon to sell their homes. This is just an example. I got this yesterday. You also see signs all over town that say "I buy houses for cash," what's redacted very poorly is my address, which is public record anyway so I don't know why I did that. Is there a way to look at the other side? This is one of the most extreme. Usually it's are you interested in selling your

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house. This one is third notice. How much longer before I hear from you. I've done all I can to get ahold of you and Ms. My last resort. I thought did I get a ticket? Did I not go to jury duty is what I thought when I first saw this? You can go ahead and flip it. Flip it. I didn't mean that. [ Laughter ] Don't flip it. This is the other side. I need to speak with you about your property. I'm hoping this card catches you in time. The very last thing, I would appreciate you keep this matter private. I called the number on it. It takes you to a recording. It gives you, you know, we want to buy your property, please sell us your house. Then I hung up and within seconds I get a text that says what is the address of the house you would like to sell? And so this is just -- I'll just move back to my -- this is from -- it will be from scratch. It's hard to track this kind of thing. You know, the only way you can do it is if you'd to look at deed exchanges to see how short they were. I've seen it in my neighborhood where you don't see a house for sale as a fixer upper but all of a sudden you see a house being renovated extensively and now it's on the market -- in my neighborhood, it's about 300,000 or more. And so it's just an effort to empower families that are buying and selling because what happens is they're given very low, low ball offers, and pressured, you know, will you sell, will you sell, and then they're sold -- you know, they're sold to an investor who puts minimal cosmetic improvements into it and sells it for extremely high. And I've noticed in my own neighborhood you don't see fixer uppers anymore. That's the state I bought my house in. I would have never been able to afford it otherwise. I remember when I was in law school, and I considered maybe I should sell my house at this point.

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Thankfully I held onto it and now I'm in a position 14 years after I bought it to be able to make some improvements to it. But it would be something new and hopefully we'd -- I'm still trying to figure out how we track this data to see how many families are being preyed upon basically. >> Flannigan: So I see you handed out amendment. >> Garza: You know, in the process of working with cosponsors it got a little bit out of what I was trying to keep it just involved with the flipping, and so I took out some of the whereas clause and some of the be it solved and this is what I will be offering on Thursday. Of course happy to hear from my colleagues if they have anything that they would like to add to it. >> Flannigan: Did -- mostly address one of my concerns although if you're open to on page 3, number 3, where it talks about the resource list, if it would just be real estate agent? Because realtor I think is a term that only members of a certain organization are called realtors, but real estate agent is the more general. Especially when it comes to flippers. Not everybody is a licensed real estate agent when they're doing. >> Garza: Okay. That was actually -- that change was by one of our local realtor groups probably so I'll -- I will reach out to them. You would prefer -- what would you prefer? >> Flannigan: Real estate agent instead of realtor. Just a little more generic. Kind of on that same point I just thought it was weird that the branded name of the thing is in the resolution. >> Garza: Yeah. >> Flannigan: And I think it might be better to let staff think through or whoever is going to be doing this thing, think through how they want to build the branding and marketing. That's why I asked if it was national. If it was national you tie on to the national brand. >> Garza: We tried to be marketers for some reason. [ Laughter ]

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We thought it was a catchy name, but I'm happy to add language that the suggested campaign name would be. >> Flannigan: Those are my only questions? >> Garza: Okay, thanks. >> Tovo: Okay. 36. 36. >> Flannigan: Thank you. >> Tovo: Councilmember Flannigan. >> Flannigan: So this is a resolution that's just trying to early in the process make it very clear how we're going to operate our public meetings through codenext. It is just making sure we're not having this debate the week of. Wanted to make sure the community had plenty of time to understand what a hearing over two days that's two -- not even two days in a row, two separate days, what the times are, how we're going to manage. You know, you can or can't speak at both and when you sign up you do this, do that. So I definitely want to thank my cosponsors and councilmember alter who we also worked with on that who ended up not being on my cosponsor list but we did Y to adopt some of your concerns. I really want this to be a council discussion to make sure we're all on the same page. I just felt it was going to be valuable to the community to decide early in the process how those hearings will be run since they're a little out of the typical type of hearing that we do. >> Tovo: Councilmember kitchen. >> Kitchen: And I want to thank you, councilmember Flannigan, for bringing that. It includes some clarity that we don't normally talk about, which I think is important because it goes over two days. So I believe we ended up with a beginning and an ending time. So that it's clear to people that we're going to end at reasonable times for the hearings and then provisions to move to the next day. So anyone that doesn't -- I think the first one we were -- I forget the hours, but, anyway, it was beginning hours and endings hours in order to be clear with the public. And it provides for people coming a second day if we don't hear it all that day. And I think that's really important. This is such a critical

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issue. We want people to understand that they can provide input and we can hear them and we can do it at a reasonable hour so that it's not so late. Particularly since one of these days is a Saturday. >> Tovo: Councilmember pool. >> Pool: I'm looking at the third page, paragraph D. It does say they would end at a certain time but also has the ability for council to continue those evenings with a vote like we normally do at 10:00 anyway. >> Kitchen: I thought there was a specific end date -- end time. >> Pool: 10:00 N the first night and 6:00 on the second night. It also has a caveat we can continue if people are still there and want to be heard. >> Kitchen: I personally would encourage that we not do that, particularly that we go really late. I think there's language in there about if they're not heard on the first day we can have them come back. >> Pool: Right. Then that also means -- so my feeling is -- on this, it's really important to hear from everyone, and I recognize the interest in having times where we can go home, but if we are at 9:58 in the scene there's ten people there and they don't want to go home and they've been waiting all day, maybe they were late to come in but they're there, I will be supportive of allowing the meeting to continue so that we can hear them. >> Kitchen: Okay. It's not about us going home. That's not what I'm - the clarity is not about whether I have to stay later or not. The clarity is about so the public understands. So, you know, if it's ten to 10:00 and they're wondering whether to come down or not they have a better understanding that they have another opportunity as opposed to feeling like they have to be here until the bitter end at midnight or 1:00 A.M., which is not a good time for anyone to have to speak, much less for them to really have the attention

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that they deserve us from. So that's what this is about. I want to send mixed messages to people. Now, of course in the situation that you just laid out, you know, if it's 9:58 and we've got five more people to speak or something like that, we can certainly go forward with that if we choose to. I'm just trying to -- I just think it's important to help people understand that we do value their time and that we're not going to expect them to have to come down here really late to be able to speak. And so I just that I we should have as much clarity as possible at this point in time and that's the reason for this discussion. So you pointed out an issue that's a difficult one to deal with, and so I would just encourage us to earlier in the evening let people make that kind of decision. So earlier in the evening, you know, if it looks like we're projected -- because we can project our time. We'll have the number of people that are signed up. If we can project for them, you know, what time we think we'll be finished, that might be another way to manage the meeting. So all I'm trying to do is suggest that we need to be careful in managing -- and manage it in a way that's respectful of people's time and try to have those conversations ahead of time. So I hear what you're wanting to do, and I would like to think about how can we manage that situation so we don't get to that point at that point in time. So maybe we have a conversation in the middle of the day that says there's X more people or something like that. >> Tovo: Councilmember pool, did you have another thought or a question? >> Pool: Just that I was kind of going there as you were talking, and I recognize the pluses to that and also how that -- even with our best efforts, say at 8:00 if we were to look and see who signed up it may or may not reflect who really comes down at the end of the night. I just wanted to say if people are there and wanted to speak I will stay and listen to them, while acknowledging that everybody's time is really valuable and if they come

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down there, their time there is valuable too. So it puts us in the same position we're always in with any kind of a meeting, when we have a public hearing, it really isn't -- so I appreciate the clarity in the author's document here, and I was looking to see if this was -- varies any really from our normal procedures. It seems to allow three minutes for everybody who comes to speak instead of reducing it to one, which I support also because this is a really big deal. >> Flannigan: The intent isn't to substantively change the public input process but mostly if it's over two days, the two days aren't Ina row, what does that mean, really making sure we're not having this conversation the day before and people being frustrated we didn't tell them. That's really the intent. >> Pool: I think that's a smart idea. So thank you for giving us the opportunity to talk about it. >> Tovo: Councilmember alter. >> Alter: Thank you. Mr. Flannigan, I appreciate you incorporating my desire to allow people to donate time some some of these groups in particular who have been spending enormous amounts of time trying to dive into codenext have an opportunity to present coherent presentations to us which is hard to do in three minutes. I wanted to ask for a little bit of clarity and it may be in the rules of order but I think it may be good to clarify in here. As laid out you get three minutes and you can have donated you to six minutes. Under

our current rules you get two minutes. Do they need two people to donate them or is it two people at three minutes donating to them? >> Flannigan: I would assume other -- if otherwise not specific, it's the rules that operate currently. But if we wanted to add that in obviously I think the more detail we can add is probably better so that there's a very clear delineation of that. I'm -- I would prefer people donating two minutes like we do now, but if you all

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wanted to do it a different way -- I'm not so much having a dog in the fight of how I want to see it go. I just want to make sure we're all in agreement about how it's going to go way in advance. >> Alter: I was asking for clarity because I wasn't sure what it was, just to add the clarity. I don't know if anyone knows what it says in section 113 right now, if it's two minutes. >> Tovo: I have it in front of me, but I think the clerk is coming to the dais. >> So if your intent is to give them a -- nine minutes total then my recommendation would be to stay with the two speakers and donating three minutes each because the current system is designed to limit the number of people who can donate to two since that is your current rule. But it doesn't assign the length of time. We can adjust that so it would be two people donating for three minutes each. For a total of nine minutes. >> Alter: So if you -- if you want to add the clarity, maybe you can -- in the final version, if you edit it, that would be great. I also wanted to get clarity, if people are signed up on the 29th but do not speak before the hearing is adjourned they're allowed to speak on the second according to this but my question if they will be automatically registered for June 2nd or not. >> They wouldn't be automatically registered. The system doesn't work like that but since you are limiting the time that we open speaker sign-up to I think 30 minutes before, we could keep track of anyone who was there that did not speak and wanted to speak and we could manually enter them before we open it up so that they would be -- not have to worry about being last on the list again, if that's your desire. >> Alter: I think if not

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apparently abused I think -- >> Well, we would lock it so only before the -- before the 30 minutes only the clerk's office would be registering those people who were not able to speak at the previous meeting and then we'd open it up to everyone after that. >> Flannigan: So to be clear, if you -- >> Tovo: Councilmember Flannigan. >> Flannigan: Sorry. If you speak -- if you sign up to speak on the first day and are present at the end of the meeting and did not get to speak. So it's not a thousand people show up and then it fills the whole second day's worth of speakers. You have to be present at the end of the first meeting and missed your speaking opportunity to be auto-signed up for the next day? >> That's how we would treat it unless you gave us instructions. >> Alter: Since it is a long day and somebody might have signed up and not be able to be present or they are out of the room getting lunch or whatever and we happen to call them but they don't get to speak, so how long we handle that during the course of any given hearing and also with respect to being able to speak the next time? Because it's not so much that they signed up. It's that they actually spoke on a hearing that should matter. Is there a mechanism,

either the clerk or Mr. Flannigan, that you have in mind where we could address that so, you know -- >> Well, on our -- on our regular -- sorry. I didn't reduce myself, Jannette Goodall, city clerk. On a regular basis that happens any time we have a large public hearing and people typically come up to the clerk's office and we plan on having at least two staff members there to handle the anticipated large number of folks who may be attending. And once the mayor calls the name we of course mark it off because their name has been called and we don't know if they're there and just not available or if they've left and don't wish to speak but they can come up and we can open up their

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name again and let the mayor know that, you know, so-and-so has now arrived and would like to be called. So we can continue doing that as well. They would just need to let us know that they've come back. >> Alter: Would it be possible to perhaps prepare some language for the mayor to periodically announce or something so that if somebody has to leave and they can't stay they know that they need to go down to the clerk and tell them that they're not going to be there and they would like to speak at the next time or something that would allow that to move more seamlessly so that -- because not everyone can be there all day. We have no idea how many people are going to show up and people, you know -- I think the idea is to allow people to be heard, and whatever clarity we can offer so that they know how to proceed I think would make things go more smoothly. >> Flannigan: Mayor pro tem? >> Tovo: Councilmember Flannigan. Just making a note that have in the list of things that I'm going to give to the mayor for today. >> Flannigan: I would say maybe better than making the mayor say it over and over again but having an information sheet that staff can prepare for people to -- since it's not a meeting and there's not 400 items, one sheet that says here's the process today, here's what happens if, here's what happens if you have to leave that. >> Alter: That's a great idea. >> Tovo: Councilmember alter. >> Alter: Sorry. Thank you for recognizing me. I think that's a great idea. We also have a habit sometimes of recognizing folks who have a child or a disability or something that need to be there and, again, I don't know how we're going to handle that in this case. >> Tovo: Actually, I had a couple questions related to that piece. Anyway, this is very useful. Thank you. I think it might be helpful to have a line or two in here about just clarifying that some of this is our current practice, some is a little different. I went back and forth about we should identify what's

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the same and different and decided it's not worth it but just some people know some of it is our regular process just so they're not trying to informant changes. Identify the changes. There were a couple provisions I had slight concerns about here today. One is 2a, and that is what the presiding officer shall call speakers in the order they're registered. Councilmember alter recognized I think an important exception to that, that the mayor and others sometimes do to try to recognize people whoever to leave for earlier reasons. The other thing, sometimes people have a particular order in which -- they've come up with a coherent narrative and I think it -- I think coherent narratives are something we should

support. So I would allow for some flexibility there so that if speakers have a particular order they want to go in that we recognize that, if they're pretty close to the same order in line. Councilmember Flannigan. >> Flannigan: It would be great if staff could help manage that process. I find it's very awkward to try to do that, people yelling at the dais from the gallery. So if there's staff who is kind of -- like speaker reception, almost, beyond the sign-up piece, which may may be do all day long, but maybe give to the mayor here's the three people to speak as a block, fit that in. If we wanted to tragic that 2a part about shall call speakers to something a little less prescriptive I think it's fine. >> Tovo: Great. My other question is -- or just comment is on -- no, two other questions, sorry. On B, 2b, member of the body conducting the public hearing is encouraged to hold all questions and comments until the end. You know, I think it relates to my comment about having coherent narratives. I think there are times where our speaker says something and we really -- we will miss that point if we don't clarify with the speaker. While I agree with trying to minimize the discussion among ourselves until the

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end of the questions of staff and that because it interrupts the coherent narratives which seems to be a popular phrase with some of our colleagues. You know, I think it's necessary at times to clarify with the speaker what they're talking about, so something less prescriptive there would be my preference. >> Flannigan: Where is that language? >> Tovo: 2b, on page -- on page -- the last. >> Flannigan: 2b? Oh. So I -- >> Tovo: Asking questions and comments until the end. >> Flannigan: Were [indiscernible] >> Tovo: Then it suggests that the councilmember who is asking questions is sort of going outside the acceptable practice, and I -- >> Flannigan: If you've got a better word -- wordsmithing at this point, I don't know that it makes a substantive difference. >> Tovo: Okay. We have a disagreement on that and I'll come up with some language. >> Flannigan: Sure. >> Tovo: Councilmember Houston. >> Houston: You made a comment about common practice. There are many people who will be here who don't know what the common practice is, I would suspect, because there are people I know in my district who have never come to a public hearing before that plan to be here on this one. So I don't know how we delineate for them in the handout what common practice is and what's not. So I agree with what councilmember Flannigan was suggesting, we just need to have something that says this is the practice today. And those that know what the common practice is during council meetings, it's going to be different for them, but for some people they won't know until that day. >> Tovo: I was just suggesting rather than try to -- you know, one of -- I think it was councilmember pool who said some of this is the same as what we're doing, and the first thing I did was to try to determine what was different. I just think a line in the beginning that says some of this is consistent with our regular rules, some of it is a little different, just having a line in there letting people know some is going to be the same as what is currently in our rules but it didn't have anything

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to do with councilmember Flannigan's suggestion about the sheet. >> Houston: I was going to just suggest this will be different because this is a different kind of public hearing. Because I think when you say all of that that confuses the people who don't know what the rules are for the -- every council session public hearing that we have. So this is different. >> Tovo: Right. >> Houston: And just say these are the Rules that we're going to -- rules that we're going to follow today. I'm trying to not to make it complicated for people who are going to be coming who this is their first experience with this process. >> Tovo: Councilmember Flannigan. >> Flannigan: And I took your request to just add a whereas that just daylight the fact that some of these things are common, but I would also not expect staff to just put the ordinance in the handout. It would be common language in the handout, not related to, yeah, the legal language. >> Tovo: Mr. Guernsey and then councilmember kitchen. >> You can work with the clerk, law department, Pio, to create maybe a short one-page sheet that could be explanatory about the procedures and the proceedings of the day and I think that would be helpful. We could pass it out as they come in if they would like to take one with them. >> Tovo: Posting online before the meeting would be great. >> We can post the same document online. >> Tovo: Councilmember kitchen. >> Kitchen: I think you caught this but I just wanted to verify because in the list of suggestions that you're sending onto the mayor, I would just add a suggestion if you don't already have it that at set times during the day that we notify people as best we can what we anticipate the additional number of people signed up to speak are. And the estimate for how long -- you know, what the end time would be with regard to that. So. . . >> Tovo: Thanks. I'll add that to my notes. Councilmember alter. >> Alter: We may do this on a regular basis but I just know we as councilmembers can look and see who the

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speakers are. Is there some way for the public to get a sense of where they are in the queue other than to come up and ask you? Yeah. So that might be something else that goes on the sheet, like this is the link where you can check that or how to check what order you're in if you don't have a phone. >> I will have to check with ctm because currently that link I think you do have to be on a city wi-fi in order to access it, but I need to confirm that. But in the worst case scenario we will have staff here that can provide that information at any time. >> Alter: But some direction to folks on that cheat sheet that you're preparing about how they can find out they're order, if someone is trying to figure out if they can go to lunch or whether they were called when they were gone or whatever I think would avoid some confusion. Thank you. >> Tovo: So I realized I had one more question and comment, and one I think that we've resolved this but the speaker donation thing, I know that it sounds like there's going to be some clarity here. I think this would be an appropriate occasion not to do the two minute, one minute varying, that's super hard to track and it's super hard for the public to track too because they need to know where they're scheduled in the list to know whether they're going to get a two minute or one minute and it's I think kind of a headache. The second thing I did want to ask about, can you talk about limiting it to 30 minutes before the public hearing for signing in? I have some logical concerns about that. You know, for my codenext town hall we had 300 people or so come down, and I mean there were lines. People couldn't get through security in time. So I don't -- I don't know what the logistics are of getting everybody signing up no sooner than 30 minutes. One, I would wonder about what the rationale is not

letting people sign up days in advance and, two, have you thought through the logistics of how many people might be attending all trying to register at the same time, we might have an

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hour's worth -- again, just based on my one district and how many people came to participate in that conversation, I mean, we were delayed by, I don't know, 40 minutes I think in starting just getting through security. >> First really is for the sponsors for what the rationale is for not letting people sign up before the day of. >> Flannigan: I think this was in part in conversation with staff but, again, this is mostly a straw proposal so that we can just clarify these exact points. So and I think it's a good question about, like, the number of kiosks and the number of entry points, can we -- is it possible to do speaker sign-up on iPads. You know, it's difficult to overcome the security check point question, but there were more technological ways to get speakers to sign up. >> We do currently have three kiosks that are available in the lobby. We have a fourth one that we could move out. And we could work with ctm to set up if not ipads, laptops, to provide some additional options for folks to register. >> Tovo: I guess my suggestion, and thank you, councilmember Flannigan as a proposal to work on. I guess that's one I would think about between now and Thursday. I think we want people to sign up in -- earlier if they can. Councilmember alter? >> Alter: I wasn't part of the deciding the half hour, but I think there is some concern that not everyone can come down to city hall to sign up in advance and if people are coming down and signing up other people and whatever, and so having it not start until the day of levels that playing field a little bit. For that. So I'm not sure that having super advanced sign-ups is

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necessarily in the interest of having the broadest group of people coming and being able to speak. The people who have the least opportunity to come and sign up beforehand will then have to wait the longest on the day of the hearing. So that would concern me some. >> Tovo: Well, it seems like maybe those are -- there are ways to mitigate around that. I mean, if that's the rationale behind the sign-ups on the day of, then one thing we could do is have the list start in two different places or something like that where you don't necessarily -- where you start with some of the day of people or whatnot, have the order come up differently. I think we will have hundreds of people. And if they're all starting to sign up at 8:30, it's going to be challenging. So if there are other ways -- if that's the concern we're trying to address by allowing -- by not allowing earlier sign-ups, then maybe we can think creatively about how else to mitigate for that. >> Alter: And I didn't draft it so I can't speak for councilmember Flannigan about why that was in there. That would just be a concern that doing it too early would raise for me because then it's going to be the people who are most organized who have access to technology, who will be the ones who get to have the prime slots for speaking. >> Tovo: Okay. Anything else? On this subject? That brings us to item 39. So we have, let's see, 39 and 86 and then we're ready for our briefing. Councilmember Flannigan, so this is my resolution and councilmember Flannigan pulled it. >>

Flannigan: Just some quick questions. Is both the intent and what the manager is interpreting from this, are you intending

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to focus discussions on the one quiet zone or is there only one quiet zone so it doesn't have to be prescribed that it's just one? Or are we looking at the full up link and where there may be designated quiet Zones beyond that? I'm trying to understand that part of it. >> Tovo: The focus is very specifically on this area where we're hearing lots of concerns and complaints. And so I think there may certainly be other areas. I've not heard of other others where people would like the same discussion. But there are some -- this is an area where I have heard lots of the city concerns, lots of business concerns, and have heard it myself and it is extremely, extremely loud. So there have been conversations going on between our transportation staff and city management and union pacific, but the resolution is intended to bring a little more focus to it and back date. But it is specific to that particular area of the union pacific line. >> Flannigan: Is the noise issue there, is it new? Like are they running different kinds of trains? Is the sound something that wasn't being experienced 10 and 20 years ago? It's been a rail line for a long time. >> Tovo: That's very true, it has been a rail line for a long time and certainly there have been rail noises there for a long time. I think that is a point ever dispute. Certainly we have residents in areas where we haven't had residents before and that will generate concerns that the city may not have heard before. So there's some element of that. People who have -- who are in the area and heard it a lot and have been in the area for awhile believe that the noise has been amplified. And that the squealing has been amplified. This is well beyond my area of expertise. So I can't verify that that's true. I can tell you I've heard it and it's extraordinarily loud. >> Flannigan: I would be curious from staff if there is a way to find out if there's been previous

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decibel recordings and more current decibel recordings. Maybe there's an element of this that's the agent of change the rail line was there first, but if the noise level has changed I'm I'm with you on that to start exploring. And separately it would be valuable to me to have a conversation with staff about the city's overall relationship with union pacific because there are a number of things I think we would like to be working with them on. >> Tovo: Sure. I would say yes, agent of change aside, this is an area that we've designated and not -- not we as in our council, but the city council generally has set a goal of having more residents downtown. So if there is an opportunity to mitigate those noise for the residents living nearby and the businesses that are operating nearby, I think we'll have much more success in continuing to promote downtown as and business friendly because it will be a serious deterrent from having other residents come downtown. Any other questions on that? Seeing none, item 86. Councilmember Casar. Municipal courthouse. Did you want to wait until after executive session or did you want to -- why don't we try to knock out your questions here that can be asked in open session. >> Casar: So we all understand the serious need to move folks into a temporary location for municipal court



and we know that we're looking at the potential because of the resolution we recently passed at having both a north and south facility, but that's going to be years, probably years for that to be completed and folks to move into that. So bypassing this item we'll start negotiations with the met center, which is southeast. Currently for a good handful of citizens in the city, but those that are in

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councilmember Houston's district or in 1-800 numberter or councilmember pool -- or in woo 10 or councilmember pool's or part of mine, this is transit inaccessible. It would often take two hours and multiple transfers to get there. So as we -- I wanted to raise it now rather than the council meeting, that I would be interested in the potential years that we are potentially locating at the met center, figuring out what sorts of options we can have to expand in-person options in other parts of town, being windows -- specific windows for people to go to or pop-ups on a regular basis, some way that people can -- that are transit dependent and currently can get to the courthouse more easily can have options in this interim period. I asked whether or not we have any stats on how many folks ride the bus to get to court now. And that information is not currently available. But anecdotally, folks that work at the courthouse will tell you that very often people say they missed their date because they couldn't get a ride or because the late or what have you. So this is just to say that I know that we're going to be potentially negotiating the lease into may and I would really like for whatever data we can have some sense of how many people this will be a significant inconvenience for, and if there are creative options or ideas that we can have stopgap solutions because if we authorize this lease it's not going to be -- my understanding is this isn't just a one-year thing. This would be for a significant period of time, a movement to the met center center, which is just not the most transit accessible location. And I do recognize and appreciate that they offered to help us after Harvey and are open to working with us on this. So I appreciate that. It would just be a significant change for some folks who wanted to raise that.

>> Tovo: Thank you. Ms. Rizer, did you want to address that?

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>> Councilmember, we did relay to the court your concerns and they're going to start setting up pop-up courts once a month in the different districts. And they're going to be available to talk about that at the council meeting. >> Casar: That would be very helpful. I appreciate that. And I think us having some sense of how many people currently are coming to court that this would inconvenience, that might help us understand the scale of this issue because I'm not sure that we fully understand how many pop-ups we should be doing because we don't know how many people rely on the bus to get to court right now. >> I can tell you if this is helpful. They started doing some pop-ups and they indicated at the last pop-up court that they just did they had over 100 people show up. And that's for the court at its current location. >> Tovo: That's quite a lot. Councilmember pool. >> Pool: I think having the information if we can get it on who takes the bus and what the constituency is for the pop-ups would help us know where to locate them around the city and repeating them from month to month in a similar, same location

would be really useful. I'm not really sure how we would get that information. >> Right. That's the problem is that we don't have any survey or anything that shows did you ride the bus to attend your court hearing today. And so I'm not sure how we can get that data in a short period of time. >> Pool: I know that we could ask the judges or the bailiff to ask for that information for people who are coming in and having that experience, but I think your point is in the short period of time. But maybe we can be creative and try to figure it out. >> Thank you. >> Tovo: Councilmember kitchen. >> Kitchen: I think it would be helpful to have that information in the future. So to the extent there's an ability to change some of the practices at municipal court, that's the kind of information that I could

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foresee being helpful in the future. >> I agree, councilmember. >> Kitchen: So I don't know what it would take to get that done. >> Tovo: Well, let's ponder it. >> We'll look into it. >> Kitchen: Is that something you can do? >> We'll work with the courts. >> Tovo: Councilmember Houston. >> Houston: And Ms. Rizer, how long is the lease? >> Councilmember, we're going to be discussing that in executive session. >> Houston: Okay. I want to concur with councilmember Casar that is so far. I have veterans who won't take the bus to the va hospital because it takes them so long to get there. And it's almost a disincentive for people and they have to go. It's something that they don't have a choice about. So it's almost near the south terminal if anybody -- how many have ever been to this location during Harvey? I was there. Did anybody go and see how far away it is? So I think it's -- I think it will be for the people -- I've got a lot of people who need to use the court system. I think that's not a good optic for them to have to catch a bus and ride two hours to get there. And I have people who tell me that. >> Tovo: Councilmember Flannigan. >> Flannigan: I appreciate your comments, councilmember Houston, and there is no part of town farther away from the met center than mine. And it's not necessarily ideal, but it is not intended to be the world's most perfect court location. It's really more about how can we get out of the bad facility we're in now and what are the options available to us. So I think that will be a good executive session real estate conversation. >> Houston: And if I can say that I agree with you. And so that's why the municipal court is the number one thing on my bond package. But again, that's going to disadvantage a community

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that's already marginalized and didn't have a whole lot of discretionary time to get where they have to go. It's not something they could go or not go. It's not going to the show. This is somewhere they have to go. And I understand the need to get them out of it. I agree with that, but it's just -- I'm sorry that there's nothing that's closer into town and on a bus route. >> Tovo: All righty. So I think that's all the items that were pulled for discussion. And as we talked about -- and I think we've also talked about timing. Councilmember alter? >> Alter: I just wanted to add a comment. I think this is more for the city manager. I would really appreciate being asked for this in a couple of different ways, but it comes up throughout several items that we have this week. We're in this situation because we deferred the

maintenance and we deferred making this decision, and we learned the other week during the budget session that we were not following our budget policy with respect to deferred maintenance. This has created a horrible situation for our employees and for our citizens who have to access the municipal court. And I can only guess how many other buildings and situations we have like that within the city. So I would ask that some attention be paid to how do we address that deferred maintenance backlog. I know there's supposed to be the approach in the bond in the first place. That was the original intention. But I think we in our fiduciary role really need to understand this question of the deferred maintenance better and what its implications are. On a related note, we have several items that have to do with leasing property where we are now in the situation where we have to lease the property instead of buy because we didn't plan for things accordingly. And I understand that budgets are tight and whatnot, but over the long run leasing costs us more than buying and leaves our

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employees and our citizens in suboptimal conditions. So I think -- I know that there's a general switch after we did the change in process for the development services to be looking towards design-build, but I would like to see something more codified, something that really creates a situation where we are anticipating this need rather than just having to react. So we have the municipal court. We also have the atd situation with their lease. Those are really costly expenditures and I would much rather we were putting those lease payments into the purchase or paying back the co's that we used for that. So I don't know what the -- I don't really feel like I need to put in an ifc for this, but if you could maybe speak to how you will provide us that information or when you will tell us what your plan will be to help us see that so we could make appropriate decisions and plans over time, I know it won't be solved overnight, but I am concerned that we are creating long-term problems because we don't have a focus on this less sexy part of what we do as a city. >> Councilmember, I certainly appreciate those concerns and share them because I think the more that we are strategic in thinking about all of our real property that we have as a city and ensuring that we can be thoughtful about addressing some of the severe deferred maintenance issues that have been brought up over the years. So part of that will come out through this budget process, but I think part of it is just working with staff and with our stakeholders to ensure that we have a comprehensive way to think through and adhere to our own financial policies that we have established. So I'll get back to you and follow up with you and then bring something back to council in the coming months. >> Tovo: Okay. So we've cleared our items that are pulled and we've talked about timing. Every time I say that somebody else has another question. [Laughter]. Councilmember pool. We may never get back on

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that sentence. >> Pool: Sorry. Real quick. I missed at the very beginning of the work session what the plan is for item 11. Because I have some proposed changes from councilmember Flannigan and I'm trying to figure out how that relates to the backup. So I missed something clearly. >> Tovo: Okay. >>

Alter: I didn't get a copy. >> Tovo: Let me preface this discussion by saying or relying that the mayor had asked us not to discuss this today. Councilmember Flannigan, though, I did say that I would let you explain what you had handed out. >> Flannigan: So I just handed out my thoughts on what I would like to see in that item. Not to discuss it today, but so that you all could see it before we discuss it when the mayor returns. That's all. >> Tovo: Great. And councilmember pool it sounds like you may have some updates. Maybe you could do it on the message board and we'll talk about it on Thursday? >> Pool: I would just ask if there's a way to clearly identify which pieces are going to say. I was having trouble integrating this with what's in the backup? >> Flannigan: That's why I wrote a whole new one as opposed to 10 amendments, I said here's the version that I like as opposed to the version that's in backup. >> Pool: So this is a standalone. >> Flannigan: So it would be a substitute. >> Pool: All right, thank you. That's what I needed to know. Appreciate it. >> Kitchen: And I'll just signal with regard to item 11, I'm having concerns about both versions so we'll use the message board between now and Thursday. >> Tovo: Okay. Super. So I think we're ready for our codenext mapping briefing. And then we'll have our executive session items and then we'll have completed our work session.

[11:18:05 AM]

>> Good morning, mayor and council, Greg Guernsey, planning and zoning department. I'm joined by Joe pantalion and my project lead on codenext. Today we'd like to give you just a mapping overview. We've talked a lot about text over the past few months in draft 3, but we want to delve into a little bit of the zoning map that accompanies the text. And map is important because you really don't have a zoning ordinance unless you have both text and map. So I wanted to give you an overview of that. So other mapping process, the majority of properties through this process are being zoned a new district, a base zoning district. It would address heights and set back uses, impervious cover. There may be some overlays. The site development standards that you might find under the mcmansion regulations or compatibility standards. A lot of those have been built into the Zones. In the mapping process we take a lot of different things into consideration. Small area plans, which I'll go into more in-depth in a minute. Your policies on Adu or dwelling units for the expansion. Changing some of the interim classifications that we have when we annex property and bring them into interim zoning. We've had issues about parkland, making sure that they are zoned appropriately and you will see some examples of those. Right-sizing the zoning. We've used a lot of mixed use zoning where we've had mixed use before and introducing main street Zones. And there are conditional overlays that still exist on certain properties where they're a little bit more complicated. We still have small Martinez. Codenext does not replace our plans plans, our neighborhood

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plans, imagine Austin are not replaced by codenext. They do provide guidance. Our small area plans like the downtown plan, the south Austin development plan that the council has adopted. The north shoal creek plan that will be coming to you in the coming months and neighborhood plans, those all exists and

they helped inform our mapping process. So I wanted to talk to you about some of the examples. This is the character district map. It's something very similar to our future land use maps. And it showed transition Zones in this area. And those have been mapped for r3b, which basically shows an area that is behind this are basically areas that you could have duplexes or ads, accessory dwelling units similar to what you might find in sf-3 and the higher dense R. Density along the on -- owe density along the roadway is introducing the r3 which you could have up to three units. Another example would be up against the east mlk combined neighborhood planning area and this is designated as a higher residential area. And this introduced an r4-c which takes you to four units. This might be similar to what you might find in an sf-5 zoning district today. Next thing I want to talk about is corner duplexes and ads. We have certain areas of the city that have characteristics where you might find duplexes on the corner. You wouldn't find them mid block, but you might find them on the corners. And then interiors you might find ads. Also in areas which had good walkability that's within that first quarter mile, we've introduced the ability to have accessory dwelling units. Adu expansion is not just in the urban core. It applies to those areas

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that you might find outside the urban core where mcmansion does not exist. So those have been introduced in these areas as well. And these are just some of the examples I want to show you. Out by jollyville road or down by south first street. There are areas of the city that have interim zoning, which is applied to property when we annex it. And some of these interim classifications have actually been on properties for quite awhile. Also we had properties that are zoned Dr. That was a zoning category introduced in the 1980s, late 1980s, that was recognized that planning efforts may not have been done for certain areas so there were swaths of land that were along certain corridors that were recognized as Dr. And we have mapped those to be as close to the zoning or close to the districts that would be appropriate for those areas. This is a little bit more -- you have an example of Dr that went to large lot single-family. I think this is actually in district I think eight in particular. Parkland, we work with our parks department and we heard from stakeholders that there was concern that parkland today is zoned P public and it didn't really give the public a lot of information about what that could be used for. Some of the parkland that you might actually see is actually preserve lands, and so those have been designated as CL. And then we actually have parkland which is parkland. If you wanted to change the use on those properties it would take a vote of the public to really change those. And they want to know that that parkland isn't just a greenbelt area or it might turn into to be a fire station or something like that. So those have been designated as pr.

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We also looked at trying to right size zoning. We have areas of the city that when they came in for annexation they may have had uses where in this case is along slaughter lane. There are several four-plexes and they were zoned sf 3 and that's not a permitted use. They have been nonconforming for

years and years and years. And we're bringing those in to be coming to a district. -- To be conforming to a district. There are also other areas of the city where you might find multi-family zoning. That the lots were not 8,000 square feet. And we brought those into a district where those actually would be closer to what they, and more appropriately to what they might be developed under. Right size zoning. This is an area that probably most of us have gone through there along Koenig lane and we have tried to basically provide zoning along Koenig to some to be mixed use. It would -- in this case it's mixed use 1-c. It still limits building heights to only 32 feet and 70% impervious cover, but it's similar characteristics of what you might see for the office and the lower intensity retail zoning that we have in this area. Those areas, which may have lots within vmu, we took a look at those as well. Here's an example of north Lamar up towards Koenig lane and we applied the main street 3 districts, both a and B. These are more typically on deeper lots where you might see this type of zoning. And then we have the dash a. And this is something that we actually introduced with draft 3. We worked with our neighborhood housing and community development office and we heard from stakeholders about trying to basically if you're going to

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have housing in certain areas of the city that right now we need a zoning change. They're zoned straight up commercial or office. That you could have housing without coming before this council for a zoning change. But then there's mandatory affordability that's built in. So if you built residential you would have to provide housing on site or fee-in-lieu of that would be calibrated for that area. So it increases the ability to have affordable housing distributed throughout the city. And I think you've heard a little bit about this in a prior presentation from some of our consultants, but we wanted to give you an idea of how this might be mapped. The conditional overlays, there are conditional overlays that exist in the city that we strive to map under the new districts. And this is an example along south congress. It had a conditional overlay 4 buffer which actually equates to a buffer that we have provided in the new code. So we wanted to give you an example, kind of show that. Here's another example along south first street, which had some limitations on height, had an envelope, had a limitation on size and we applied the ms-1-b to similar height standards. It does have slightly more restrictive on square footage, but it's appropriate along this corridor and removes the co and it's a much simpler district to explain and understand and apply. This is the map atlas and this is online right now. The public can have access to this. We provided copies to the council offices on Friday evening. It's a general understanding of how the draft map, the changes that have occurred since the version that came out on the 12th. It shows updates on a citywide district basis and on a small area. And as you take a look at

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that you can actually go back and look at addresses specific to what those changes are. It includes corrections that may have been some errors. Some that have been pointed out by some of your offices that you've asked us to take a look at. Also there's an appendix, as I said that, that goes into a little more

explanation. What the current draft 3 shows, what the addendum that this map atlas would show and give an explanation. So I wanted to basically give you this overview. We've talked a lot about text for different parts of the code, but I wanted to give you a little background on an overview of some of the mapping issues that you may be hearing comments from your constituents, your commissions appointees are certainly hearing about that. So if you have any questions I'll be happy to answer those at this time. >> Tovo: Thank you. Is that the end of your presentation, Mr. Guernsey? >> Yes. I can go a little bit more. >> Tovo: We can pause there and see if there are questions and then proceed. Questions for Mr. Guernsey? Councilmember Garza. >> Garza: It seems largely from the maps that -- and I know it seems specifically for my district there's very little significant changes to the current zoning that's there right now, is that right? >> Yes. I think the biggest thing that you might see in this area den dumb that just occurred, is a lot of the onion creek properties were not designated appropriately and we were working with our watershed department to make sure that those weren't designated for single-family. I think you will see those. I think in your district that's where you probably saw the biggest change. There might be some other changes that you might see might be appropriate on the different parts of all of your districts where some of

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the main street 3 districts were remapped to main street 2. And the big change there really is under main street 3 is a higher height and you could never achieve that because of the built-in compatibility standards I guess that you could say. And those are districts that never allow you the heights that you could achieve. So we put those back to the ms2 districts where those lots had a shallower depth, like 150 feet or less. You will see those in several of the districts that they have been remapped. >> Garza: And remind me the difference between sf-3 now and what it's changing to. >> So sf-3 today where you can basically build a garage apartment or a duplex, basically those two units, that comes close to the r2 district, residential 2, two units, R 2. It makes it a little simpler to understand. When we talk to people on what sf-3 is and they think maybe I could build three units. No, that's what it's closest to today. >> Garza: So sf-2, if this version of codenext passes, would still be maximum 2. >> That's correct. >> Garza: And reason I wanted to clarify that is there seems to be a lot of misinformation about what is in draft 3. A lot of concern about not passing codenext draft 3. And I know there will be significant changes to it, but as of right now I was just -- I was at a meeting last night talking about this. As of right now for my district at least, while I would prefer that we would have put the ability to build more, especially on corridors in my district such as south first and south congress, as it stands right now, if you're against the zoning in my district under codenext 3, you're against the current code we have right now basically, right?

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>> Yes. I think you will find if you look through most of the map it is very similar to what you have today, with the exception of having more adus in places it may be easier to build. But the corridors are where

we actually concentrated a lot of the development that you will see density bonus programs and the exchange for units in the density bonus programs. >> Garza: Thank you for that. One of the first public hearings will be in my district and I've heard -- I think it's great that people are becoming more involved in my district. I've heard folks will be protesting codenext and it's essentially in some ways protesting what we have right now. So it's just been -- this has been a very interesting journey of what the information is throughout and some of the fear tactics being used. But I just wanted to make those comments. Thanks. >> Tovo: Councilmember Houston. >> Houston: And thank you, Mr. Guernsey. You went through that with rapid speed. I was having to turn the pages to keep up with you. >> And I or my staff would be happy to meet with any of our offices individually if you would like to go into more detail too. >> Houston: Good. My first question is: In codenext in the -- not the mapping part, but the language, the written part, do we define what the urban core is? Because we use that a lot but I'm not sure that I've seen that in -- >> Actually, I got a comment from one of our constituents who raised that question. I'll need to go back and look. I just saw that question last night.

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But I will check into that. Generally it's the area that we used as the mcmansion area previously, but we can come back and I'll answer that and send it back to all of you. >> Houston: I would hope so because it's more than just that mcmansion area as you know and I think we need to be clear where that is. And then there's another one. There's new language in the addendum that talks about microbreweries. And it says that the use is permitted if there is no single-family use within 540 feet. Does that mean it's permitted in every zone? >> They're specifically written for the zone districts of where they are permitted or not. There are requirements that are in codenext and actually reside outside of codenext because of alcoholic beverage permit requirements that we have. I think it's in chapter 9 that would require to satisfy both before you could serve alcohol. But I can go in a little more detail on those and send that back on those specific districts where it's permitted or not. >> Houston: So do microbreweries have the same requirements as selling alcoholic beverage, so many feet from a school? >> The 300-foot requirement that you occasionally see if there's a waiver on an agenda, yes, that is the same. Under zoning of where they could go in the city, they will vary because there are places that sell alcohol that you might find at an H.E.B., a grocery store, or a bar or the microbrewery. They all have different requirements of which districts they're in. >> Houston: But we can make some assumptions that it would not be in the middle of a neighborhood, like the one we just sent you on 13th and Bob Harrison. >> I think we we would have to take a look because as I said, when we apply the zoning we were respectful of try to look at the neighborhood plan. We tried to certainly look at what the existing zoning entitlements are on a

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property. So in that particular case I can sit down and talk with you about that one. >> Houston: Okay. Let me see. There may have been one more. On slide 11 you talked about the difference in parkland and



conservation land, and we're going to change the alphabets as we reference those. So in conservation land you can't use those lands now and you don't go to a vote on them, right? So it's not -- >> Those are preserve lands. >> Houston: Under the federal government. >> That has been designated part of our 10-a program that are set aside and usually managed by our water utility. Those are lands that typically are not developed. >> Houston: I wanted to be clear because you talked about parkland and it would have to be to the voters but then you talked about conservation lands and didn't say anything. So I wanted to make sure we're not developing on those. >> No, that's correct. >> Houston: Okay. >> Tovo: Councilmember pool. >> Pool: I wanted to dig a little deeper into the issue that councilmember Houston has raised because I've had a number of my constituents being concerned about what it's perceived that we can have bars anywhere throughout the city. And it may relate to some blurring of lines in the uses or the zoning categories, but Mr. Guernsey, could you be a little more categorical about whether bars will be permitted more liberally than they currently are as far as locations? >> I think you're going to see smaller bars that are enclosed. It might be allowed in more commercial districts. But we're not promoting or allowing in the staff recommendation bars in the middle of neighborhoods throughout Austin. I've heard similar comments that some were introducing them where you might find an r2 or 3 Zones or rms, which

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are the multi-family Zones and that's not true. But smaller venues that you might find, smaller bars that you might find in certain districts that were not previously there, yes, you find those. They might require conditional use permit. They might require an mup, basically an administrative additional review to go through, but no, they're not in the hearts of neighborhoods unless I guess there was already zoning to allow a bar or something in that location. >> Pool: I think this is really important that we clarify and be really clear for the community to understand. That's helpful. I would like to understand why the permitting of a bar would no longer be a council approval item. Why would that be administrative approval? >> Well, right now today a bar in a cs-1 zoning, which is a commercial liquor sales zoning, wouldn't necessarily come to council unless it needed a zoning change. They would require what is called a conditional use permit which may be appealed to council. And where you have those in the code in codenext, those would still be and could be appealed to council. But we have found in many cases that you might have smaller bars that might be allowed because council or the commission has previously approved them and that's what we've translated in some of these districts to make them a permitted use. The commission, council has the ability certainly to make them more restrictive as you review it or remove them from the possibility of having it but we were looking at integrating those back because it's -- if you look over the city right now we have little lots of cs 1 zoning that dot the city all over the place. Whether they're a bar or not. And this would make it easier I think with the future to develop those

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properties if they are or not in the future have different slices of cs 1 that might cover a portion of their property. We also took into consideration bars with outside service versus inside service because we heard a lot from folks that if they kept everything inside it's not so much of a problem. It's when they start introducing a deck and having live music outside that that was more of a concern. And so that was also looked at when we did draft 3 in prior versions of the code. >> Pool: What would you say to residents who are concerned that we would have more bar districts around the city based on what is viewed as a liberalization of the zoning with regard to bars? >> I would still say that they have -- first that they do have to comply with the zoning requirements in the code so they're not going to go everywhere. So they really need to take a look at what districts are around them. Second, to look at that nuance. Are they bars that are interior only or are they interior junior exterior, and there are different classes of bar and lounge, class one and class two. Third, if there's a concern that they're near a day care or a school or a church, those requirements still must be adhered to so council still have the final say on those different applications for alcohol that come in. Those class 1 bars that they're balking about the interior, a lot of those don't go past midnight either and they don't have the ability. They would have to seek a zoning change if they added something that went into late into the evening. >> Pool: Would it be wise for us to put a limit on how many cars could operate on how many bars could operate on a given block? >> It could be. Council could certainly look at that. Staff is not necessarily proposing that in this ordinance. That is something that commission or council could recommend to staff and we could consider that. >> Pool: I think we should probably look at that

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because the intensity and number of bars on a given area really changes the nature of that area. And some would argue that's an improvement. Some would argue it's not an improvement. But I think we need to have that conversation and get some input from the community on what they would like to see. >> And if I may, councilmember, on that nuance, we did struggle a little bit in areas that already had entitlements for those bars so that could be a little bit of a challenge when you say certain areas that had numerous bars on a specific block or continuous blocks. That is certainly a discussion we want to have with the commissions and the council if you indeed want to start looking at the reduction of areas that already have entitlements. >> Pool: Would you be able to specifically ask that question of the land use commissions and the various other commissions that will be looking at it? I'm getting an affirmative from Brent Lloyd over there, our attorney, and some other folks here. >> We can certainly engage in that discussion. >> Pool: I think that would be a really important piece to engage on, and maybe if there is some history on how these districts have developed and flourished and then maybe gone away over time in the community, kind of give us a sense of context of how we should handle this going forward. >> Yes, some we we sure will. And just for the record [indiscernible]. >> Tovo: Councilmember Flannigan. >> Flannigan: I wanted to follow up on councilmember Houston's question about pr versus CL. I've got privately owned greenbelt what zoning should I expect to see on those parcels. They're not conservation lands on a legal sense, not parkland in a legal sense, what type of zoning should they anticipate? We would probably have to take a look at what was already there. A lot of those are probably large lot residential. Because the city could not necessarily enforce or impose a restriction on what

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the future of that land might be. And what I mean by that is that you might have land that might be owned by an hoa that is set aside for their greenbelt. It's not dedicated as parkland. It's not part of a preserve land and if the hoa and that group decided to change the purpose of that, aside from complying where they are zoning regulations, they would need to seek their own change to their deed restrictions on that property to remove those restrictions, but the city would not have and would not be a party to those private deed restrictions. So you will find those in many areas of the city where you will have those greenbelt areas that they will be probably large lot residential typically are that you might find a day and you might find that under codenext as keeping or maintaining that designation. It's not that unusual. >> Flannigan: I think we were thinking an open space category that might address this. Has there been a shift in that understanding? >> I don't believe we have that open space category. I think part of when we had the discussion it evolved into the CL and pr categories for those preserve lands or conservation lands and also for parkland. >> Flannigan: So I'm hearing two things. I'm hearing on one side there may be a legal reason, a legal reason the city cannot require privately owned land to remain open. Am I hearing you correctly? >> I think what I was speaking to is the parkland was pr and we mainly keep that to a governmental property that is designated as parkland. And the CL mainly went to some sort of public conservation land type of

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use. >> Flannigan: So is there a reason why the city can't zone privately owned parkland or greenbelts? >> I think we would probably want to talk more with our staff and probably the law department before we would apply that designation. >> Flannigan: Let's put a pin in that because I have a number of those in my district and there was a lot of hand wringing on those lands being zoned the same level of zoning as their homes and people thought it meant the city was coming in and saying they were going to build a bunch of homes in their privately owned greenbelts. I wanted to make sure I understand what the city can and cannot do in the zoning process and what is up to the hoa who owns that land. Let's put a pin in that. Somewhat related to that on slide 10 where you talk about converting interim and Dr Zones, it looks like in the slide it says two things. That any of those lands that got built, either pronation annexation or post annexation, there was an attempt to give the zoning accurate to what's on the ground now. >> That's correct. >> Flannigan: And then lands that are vacant were given rr. >> Yes. If that's typically over an acre in size. >> Flannigan: So I'm curious because I've noted some of those areas in my district that from a policy perspective we wouldn't be zoning it rr, we would be zoning it a thing appropriate to the site, areas that are somewhat urbanized or already surrounded by multi-family or what have you. Is there a reason why it went from Dr to rr blanket across the city and is it something that we should be exploring and right-sizing the zoning appropriate to the site? >> So first we want to establish a more permanent zoning category, that interim category, that gives more confidence to the property owner what they can or can't do on that property. But also it does establish a petition right by

those adjacent property owners so they have greater say in what might happen on that property. Second, we do not have small area plans that cover the city as of yet.

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And we're working towards that and will be actually getting you basically a memorandum that will come from my office to you that is about how we suggest doing small area plans in the future. But if we have - if we have an area that it does not have a plan, perhaps like the one you're suggesting, we might do a plan in that area and then provide zoning that would match that plan. So that may be something that we need to look at. And in the interim if that property owner wanted to seek a zoning change, zoning changes do not stop in Austin with codenext. People will still be applying for zoning changes and we'll still review those so your recommendation will still come from commission, it will come to you the city council. But staff cannot make the presumption that we were automatically going to assign more intensive zoning unless it was an imagine Austin center typically or corridor where we could easily say yes, this makes sense. We do have some direction by council to establish more intensive zoning on a tract. >> Flannigan: Well, I think functionally speaking, my district will never get small area plans. There's enough of the city facing different development pressures that those will be more prioritized. I'm not comfortable delaying the zoning of my district, much of which was interim Dr because it was all annexed in the last 20, 30 years. There are areas that are already multi-family that are appropriate for multi-family, that are maintaining rr zoning, kind of baffling maintaining that zoning. So just to not drag this on, are you saying that we shouldn't or that you didn't zone those appropriate to the site? >> We did not because there was not enough direction most likely for those tracts. >> Flannigan: Excellent. So my -- >> Tovo: Let's let the staff finish. >> I was going to say through the process you may have property owners that

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come to the commission, come to council asking for their properties to be up zoned through this process. That is available. That's a decision that is certainly up to council. We've had a lot of people that have just come in asking all of their properties to up zone to a higher category, but we're also taking into consideration that if there's a plan that is already pending in that area, already approved, or if there's some direction to take those things into consideration before we up zoned on a property. >> Flannigan: So I think it's important to note the difference between up-zoning and zone. So we're talking about areas of town that actually never got zoning to begin with, Dr or interim. So I'm not talking about up-zoning. I'm talking about zoning. And this isn't -- when I think about some of the spots in my district, I've had zero property owners in my district come to me and ask for this. I'm looking at it as a policy maker saying there should be an apartment complex there. That should be townhomes or that should be duplexes or whatever it's supposed to be. So how should that direction be communicated since -- and I appreciate staff saying we didn't give direction so we didn't do it. I appreciate that. So now my question is what's my mechanism to do that and how does that work as a council? >> If I may, councilmember. I

think one of the important things that we would need to receive as staff is direction and discussion at the commission level and the council level. It would be very hard for us to create consistent approach to mapping these areas across multiple districts, not just district 6, but have specific direction to say if we were to right-size the zoning, to borrow one of the terms that you're talking about, is to give specific direction on the types of developments that you see where we could then explore the ability to apply a more intense zone to that property. >> Flannigan: Did I hear you say -- I can't remember who said it. That some council offices

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did provide some input on the map and then staff did make changes to the map as a result of that? >> Yes. We had some council offices that had probably contacted by constituents that had concerns that the map -- and some of these concerns came from council offices, some came by individual citizens at office hours, some by stakeholder groups, like community, not commodity, that have brought things to our attention and we have actually changed it. You will see it in the map atlas. I think what you're talking about, councilmember Flannigan, is cases where there may not have been an error so much as maybe there's a desire to change the zoning on a particular property. And I'm not sure if that property owner would be aware of what that might be. They may have a desire to make it multi-family or make it mixed use or something else. And what I'm saying is I guess we didn't pursue necessarily changing those if there was another type of direction. >> Flannigan: So a couple of things from that. What I'm hearing in that is that map changes that the staff undertook as a result of a council office inquiry or a public inquiry required the property owner's participation? >> No. >> Flannigan: Did you only make changes when the property owner said they wanted it? >> If there was something brought to our attention, we took a look at it. And if there was a concern that we felt was valid, for instance, there was a building that we saw the zoning actually split the building in half, which didn't make a lot of sense for an existing building. So we basically took both sides of the building and made it the same district. That was something that we did not realize until we actually took a look at that property and the circumstance of that exist. So in the map atlas the addendum that's you will see

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the property has a single district that covers both halves of that building. >> Flannigan: So when you say a concern that staff thought was valid, is that intended to be an error or a request? >> We looked at that as more of an error -- >> Flannigan: Did you only take into consideration errors? I'll stop now and say what my frustration is. My office was not told, we're taking input from council offices on where you're concerned in your district. Now what I'm hearing is you got to do it through the commission. And if there were map changes being made by council offices, then the council did not vote on those map changes. >> It was staff's decision to make these changes, not council. We took the things that we've heard and looked at the map to see if there were errors or there needed to be clarification. I'm not saying that staff accepted every item that they may have brought to our attention by a councilmember

or a commissioner or the public in general resulted in this necessarily a change to the map. >> Flannigan: I have one last question. This is about f25 and -- is there any analysis around f25 related to how old the original zoning was? And my question to that is I've got f25s in my district that were zoned before anybody lived there. So literally the zoning happened with no community input. It's especially true in the four points area and the 620 corridor, which was part of that annexed 20, 30 years ago before any of the neighborhoods were annexed. And literally in one case that comes to mind, it was a 1998 zoning ordinance. There was practically nothing out there at the time. It seems like a good opportunity to as a community revisit some of those F25s. Is there an opportunity for that to happen? >> First the F25s that we have, they usually met a certain standard, I guess you could say. They were puds that may

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have been approved in the past, may have been neighborhood conservation combining districts or they had complicated cos. And I don't know the particular case you're talking about, but they may have a complicated co that you may have talked about access or talked about how the buildings appearance, maybe something that we could not place into a co. And I'm more than happy to sit down with your office and talk about the particular case you're talking about. We didn't necessarily look at the age of when that zoning change occurred. It was more of looking at the type or the complexity of the zoning that may have existed on that property. >> Flannigan: And I appreciate that. Know it was a big job for staff to go through the map. It was a big exercise to clean out the simple and obvious ones first and establish the base zoning. I'll end without question, but a statement. It will be useful to continue to clarify the council's process for doing not just map corrections, but policy? And I think we are at the moment a policy. And so that's where I would -- I think manager, staff's got to tell us how to do this. >> And councilmember, we certainly appreciate it and we're happy to follow up with your office or any other council offices to clarify some of these. >> Tovo: So I think that we need to stop here and just underscore the response that Mr. Guernsey -- director Guernsey mentioned. When the public had an opportunity to provide comments at various formal periods, my office provided formal comments as well at draft 11, a the draft 2, the mapping processes, various other processes. I can speak from experience those were not incorporated into the draft. I don't want any of my constituents or anybody else's constituents to think that your councilmember has the ability to change the map for you. Again, I can tell you from experience on this last draft I saw some of my comments reflected. I sure didn't see it on some of the others. There's a good deal of feedback I've provided that did not make

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its way into draft. You do not have a direct line of access into changes if you contact your councilmember. This is the staff's recommendation. And frankly, I have gotten so much feedback from so many constituents in every area of my district that if they had specific mapping requests I suggested they submit them directly to the staff. There was no way we could manage all of them. I do have a list that I've just gotten from some judges' hill members that you may have seen that relate to the

downtown Austin plan and ways in which there are still? Map divergences and I'll forward that. But again, we've been encouraging people to submit those directly to the staff. . . >> Council member, kitchen. >> I wanted to under score, thing is in process, and if appropriate, staff can speak to it, it will be very important for the council as a whole and the public to understand what the council will be once the staff and land commission finished their process, so if you will want to speak to that, my understand is and my hope is that in the not too distant future, relatively soon, we will have a conversation as a council about what that process is so we can adopt a process that makes sense for us and, you know, based on recommendations from our Steph, adopt what makes sense for us and is crystal clear and transparent for the community, so I think that that will help all of us, as well as the public understand how we're going to proceed. And, so, if you all want to speak to that, I understand you will be providing us a strawman, or recommendations at some point. >> So, council member kitchen, and rest of council, we are preparing something that will assist you to try to get through this process of looking at

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codenext. We know that it is not going to be an easy process, and you can be receiving recommendations from two commissions, not one. You will have the staff recommendation. You will have individual comments from neighborhood groups and stakeholder groups, so we're trying to kind was work a possible procedure that you could handle both map and text changes as you get to your deliberations and working through that. So we'll actually probably have a draft of that maybe next week and probably come back maybe at your next meeting and walk through that. >> Kitchen: That will be helpful, I think we need to talk about it as level of specificity we just did with the resolution you brought forward in terms of how we were handling hearings so that way, we won't have a lot of -- I'm trying to avoid a lot of guess work and I'm also trying to avoid confusion and frustrations on behalf of our offices, as well as on behalf of the public. So I really appreciate you all bringing that forward to us. >> Tovo: Council member alter. >> Alter: Thank you. I look forward to seeing staff's propose aol on that. I appreciate Mr. Guernsey's offer to meet with staff. Maybe we can set that up next week that would be great. Second, I was wondering if staff could explain how you made the decisions to map mu verses Ms. I'm not sure -- I have some concerns about the choices made given that one has different implications for affordable housing so I would like to better understand choices that were made. >> Generally, if you're looking

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at main street area is a little bit different than the mixed use areas. A lot of times were areas where you had the ability to do the mixed use on that property. The main street areas are looking at the character of that roadway. A lot of the main streets that you will see are along the smaller corridors, where you have maybe more residential that would back up directly to behind those. But we look a look at those areas and in general, where you might find vmu or larger roadways have greater depth, you might see more of that mixed use. Where we placed the density bonus programs along a lot of those larger

roadway corridors, had a lot of placing where we would place the emu, as well. You will see a lot of those on the more intensive corridors. >> Alter: I think we will need to continue that, there are a lot of implications for how you map for the affordable housing units you get at the end and some of those are not -- you know, we have high opportunity areas where you're not going to get that affordable housing because the choice was Ms versus mu and I think that is one lever we could move around a little bit to get us more affordable housing. I want to mention to there Flannigan I would be happy to work with you on thinking about the green belt issue. One of the things I wanted to point out and, unfortunately, miss Garza is off the dais, but I wanted to big into this idea that they're equivalent, so it is my understanding there are a couple significant differences. One of them being lot size. Can you tell us what the difference is between lot size between sf-3 and r2c. >> Generally, the lot sizes have been reduced. The benefit of doing that is we

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have lots that are in east Austin going down towards southeast Austin, just south of the river, off of airport, maybe on either side of airport just west of 35 that are nonconforming today. And what we've heard from a lot of folks was that it was difficult for those properties to get refinancing, get mortgages, make improvements because they were of a nonconforming nature, and so it brings in those standards to be conforming. The other I think that we heard is the possibility of adding an Adu, which was more difficult because a lot of the lot sized were not 7,000 more or 5750, so to bring this those to having the ability to get that additional unit. There are differences that are in the text that encourages more adus than duplexes. That might be because there's not a parking requirement for an Adu that mate be because the water utilities, you might be able to add an Adu. If you keep the existing home without buying another water meter, also there is a preservation intent in the text, but generally, yes, it reduces the minimum lot size. It also brings it more in line with our neighborhood plans where you saw only single family. Duplexes were allowed. I think there was a large concern that, when we had the r3 districts apply to a lot of the urban core neighborhoods, those inner neighborhoods that we were thrusting another unit on a lot of properties, and so this is a way to soften that to maintain the single family character of those areas. The mcmansion regulations would still apply, as far as a lot of those square footages with the exception of main

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preservation of the existing home where you had an Adu. So, yes, we did lower the lot Suze to provide for more conforming of some of the existing homes that are on smaller lots, but also to encourage a larger mix of housing that gradually introduced into a neighborhood. >> So I raised the question on the lot size not to editorialize on whether that is good or bad but that is a significant change will allow for additional density in those areas. I do want to take issue with the last comment you made about the mcmansions staying the same, because it looks, when as if it stays the same but we have exemptions for attics and porches and they will be twice the size so you will end up with mcmansions in the central



area, you will not end up with the multiple units because the incentives will be so great to do that because we have exemptions the attics, porchings, parking structures and other things currently capture Ed and you percent far so there are lots of ways to take advantage and I have concerns for the ability to get a house choice which will lead to greater displacement in challenges for afford. So there are significant differences across sf3 to r2c. We're keeping the far the same but you're creating a situation architects will exploit. If I speak to the area I know best in the central district there are people who will pay for houses of that size and if they're able to do that, that's

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what they would build, if we set up a situation where choke it rather than doing the multiple units or rather than doing the smaller houses, they will take advantage of all of those exemptions. Am I right that the F.A.R. Does that and the exceptions are there? >> There are changes that certainly make that, still on smaller lots, you're not going stock able to fits as much because -- not going to be able to fit as much because you have to come play with impervious cover and set backs and height limitations. If you're able to use an attic that is previously existing where you might not be able to do today, those are still things that would be come calculated as part of that percent that F.A.R. Requirement. But, yes there changes, I certainly agree with that. We were trying to make it easier to understand and apply. The mcmansion regulations that exist today, because they are difficult to work through, but still try to keep the houses and have the ability to do different options without tearing down the house and replacing it with a much larger house. >> I would like to work through with you some of these exemptions because what I'm being told by the architects is it will explode mcmansion and make it so you can build these huge houses and I'm concerned about that and maybe there is an error in terms of the language and something missed. Part of the reason we do these iterations and versions is for us to improve the process, but that is something that is of deep concern because you will certainly not end up with an affordable outcome with that. Maybe we can have those conversations with respect to that and I have a lot of r2c in my district where this is going to happen, where the mcmansion

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ordinance does apply, which does not seem like it will be. The last thing I wanted to just highlight for my colleagues is that I serve on the aid county, city joint board, and at our last meeting, there was brought up a concern about how school properties and then subsequently county properties are being zoned within codenext and particularly what that does to the ability for those public entities to sell their properties which they are looking to sell to raise money, because of changes that are being made. I don't have an answer to the zoning challenge there, but I did want to highlight folks that the county and the school district have questions about being zoned public. I don't have an answer one way or another, what is the better approach but I think it is something that we are going to need to get greater clarity on and since this seems to be an appropriate forum to raise that for my colleagues, we will -- I also wanted to let you know, I don't know the date but we have a joint is uncommittee meeting in may and codenext

will be one of the topics and we will be, I think, looking at some of these issues in more detail and some of the concerns that the council see and the school district have with respect to that issue. >> Tovo: Council member Houston, I think you are next. >> Houston: Thank you, someone mentioned a reduction in parking. Did you see the issue on active or accessory dwelling units?

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parking. >> Codenext does not change the Americans with Disabilities Act. There is a requirement, those would still be there. If there is no parking requirement, then there's not necessarily a requirement provided, accessible parking, is my understanding. If there is parking required, they would have to meet those requirements. >> I think that's the concern, is that if there is no parking required, that that means people who have different abilities have no access to those either houses or businesses or offices or whatever it is, if there is no parking required. And so I think they're asking that you all look at that and make sure that we're not unintentionally preventing people with different abilities, especially those who use chairs and other kinds of ways to -- for mobility that we're not excluding them from having opportunities to go to that restaurant because we may not require parking at all, or housing that may not require parking at all that we are conscious about the facts that other people use it other than people who walk. >> And so, if there is parking provided and it is required under the Americans with Disabilities Act, they will have to provide that. Single family homes, offices, commercial businesses. If they want to provide more parking, they can do that, but again, the Americans with Disabilities Act would be triggered and they might be required to provide a portion of that. We don't have a requirement for smaller lots, Fairview Park, NCCD, they may not have to provide ADA parking.

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But if they provide parking, yes, there is a requirement that comes with that. >> I understand that, but I think the issue for them is if there is an increase of no parking throughout the city that they will be impacted because there will be no requirement for accessible parking for people who are going to be visiting. You know, we've got a visitability resolution here and they're seeing parking as a way of keeping them from having those rights as everybody else does. I'm just saying it, I know what you think is right but I'm just telling you that people with different abilities are excluded from going to visit homes or because there is no parking in this new code. >> And so Codenext does not remove any visitability requirements this council or past councils have been approved because then you're actually talking about entering a building and using a building. On the park parking side, though, I will talk with the transportation department. >> I can't remember but maybe last year it was in council member -- Mayor Pro Tem's district, there was only three parking spaces and because of some zoning change they wanted to do, they wanted to get rid of those three to get -- to keep a try or something. I can't remember it, but we said you've got to keep at least one parking there for people with different abilities, and I don't know how this will play out with the no parking rules, I'm just saying we need to be very careful about that.

And I have a couple of other things. Words are very important and now we're starting to using things like downtown area plan, rather than the downtown Austin plan. Has that changed? >> Well, we have a downtown plan that council Hayes has adopt so that's what I was refer, to the central business area. >> That's not a different plan

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than the new area plan. That's the one we're accustomed to. >> That's the one you're accustomed to, it has been in existence for a while. >> I'm hearing people say east downtown that's not something we've all agreed to so we need to not change words and change parts of community because somebody else think that's cool shy was referring to a specific area. >> Okay, that's good. >> Houston: The last thing sift density bonuses. Will it keep to what way allowable today to 30-years adoe? I haven't read that. >> Two things. First, we're worked with our consultants to right size the density program for parts of the city. Council passed a separate resolution, this council, asking our neighborhood housing community development office to go and look at the existing density bonus programs and bring back a recalibration of those. And so I will have to talk with them about what is the timing on that, but, yes, council member, as we move forward with the density programs that we're proposing under codenext, the idea is you would go back periodically and recalibrate those to make sure they are' not out of sync with the market. >> Houston: Thank you. >> Tovo: Council member Casar you had your light on. >> Casar: We have executive session coming up. >> Tovo: Okay. >> I think the American with disabilities act required a specific percentage of parking spots to be labeled for people with disabilities. Is that 10%? >> I'm not sure of a specific and the but I can come back and give that back an answer to

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council. >> And really the point goes what council member Houston was saying, if the numbering of spots that are required is zero, then there won't be any requirement for us to have spots set aside for people with disabilities, and that inhints inhibits their abilities to get out and participate in the same activities that those of us who don't need a chair or a scooter when they get out of their car in order to get places so I'm really alarmed by the possibility that we would be allowing a large swath of properties to come in with no expectation of parking because that will severely limit the ability of people who can't just drive up, walk up, bike up, to go to a given location. And I think we should all bear in mind that at some point in our lives, in our family lives, somebody, some one of us, all of us at some point will probably have need for some walking assistance, certainly as we get older and really if we're on a soccer team and break a leg, we've got issues with mobility. When I saw that that was happening, I was really glad to see that the zoning and planning commission put forth a resolution the mayor's committee would like to have a look-see at codenext and that was oversight on our part not to include them in the list, so I hope that we give them the opportunity, also, to review some of these changes that may turn into restrictions. >> Certainly not for codenext to stop the ability to live, work play in the city. Everybody

should have, old, young, whatever their ability or disability is that they have a way to get around. >> On the property zoning for

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Austin school district, any of the school districts and the county, I understand whying the public designation was being put on these properties currently there's either mismatch or no zoning currently on those parcels. Is that correct? >> Yes. And what we have done generally throughout the city, whether it is a county prompt or school district property, and we have seven or eight school districts in spin, we typically apply a public disincorporation designation. Also the downtown area, the downtown plan where we have parcels that may have been owned by the county, we've zoned them according to the plan. We did not consider a consider of up zoning, school district properties to a much higher category, just because we had a request that was made by a particular school district. We tried to treat them the same throughout the city unless I had a specific plan that gave other direction. Th. >> There are a couple of comments I wanted to make about this, first in support of zoning on zone land, I think it is important we get zoning down on those parcels. We saw what happened when one of the puds came through was on previously-stayed on land. There are was no zoning on it and that inhibited Andry stricted the neighbors -- restricted the neighbors in that vicinity from putting together a valid petition and that severely disadvantaged them with regard to their ability to negotiate with the developer so recreated work arounds in order to aid that, but really the most elegant solution would have been to allow them to have a valid petition. We need to get some kind of zoning on every parcel in this city in order to create a bull

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work against that continuing to happen. I support the public zone which does not carry either a greater or lesser number of entitlements because we don't know what these parcels may be needed for in the future and we don't want to prejudice in advance either business giving entitlements or limiting entitlements, so I think all of the government-owned parcels should bear the same same designation. Public seems to be the best one because it is a clean slate. It is zoning for valid petitions but it is not a 60-foot-high mull fee family housing project because that may not fit. Whatever aid thinks today they need to raise money, I find that that has so many troubling aspects to it for me as a policy maker that I -- I just don't even understand. It also doesn't take into conversation how the residents who have long -- they've built their lives around the heart of their neighborhood, which is their elementary school, for example, and if we put a zoning category on there and haven't got inn feedback or alerted the neighborhoods in the vicinity this is now nf6 where they expected it to be a school forever and a day we've done a disservice to the community by alerting them there is a very real possibility that aisd will sell that elementary school in order to harvest the profit off of that land and that is not part of the compact with my constituency or residents of Austin. I think he need continue to

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careful how we treat that question. >> On properties unzoned today, now, there is a provision that we added to the code, I think it was draft when we add it, we worked with the law department, when it is sold and is in private hands we would assign an interim zoning classification fast it were annexed into the city. If it was generally over an acre it would get interim residential and under an acre, I think it would get I think an R2 classification under the code, or R1. So it would be treated in a manner where whoever purchased the property would have the right to construct something on the property, but it would not necessarily be of an intensity that would alarm other adjacent property owners. >> That process would also take into account the people who live around it so they would have a voice in what that determination would be. >> They have a petition right but what can be built on that property would be let's intensive residential. I can follow up with your office on that. >> Thank you. And I understand that the planning commission working group and consultants are working on an equivalence yes map. Can you get a link to that for us or provide that to us. >> Draft three is probably the closest, nearest equivalency that you will see, but I understand the working group for the planning commission is going to present their findings and results tonight so I'm eagerly waiting to see what happens at the planning commission tonight and see what they've come up with. So we can share that information with you once they share that with everybody else.

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>> Okay. Thanks. Appreciate it. >> Tovo: Council member Flannigan. >> Flannigan: I wanted to if you on on that mansion. If the regulations are expanding that envelope, we'd better be getting something for that if that is how we should do it or if you it. You say all you would get is big single family homes. Is that from architects or analysis? I've heard from other people that if it was easier to build little buildings, they would get built. >> I have talked with ash talk talked with architects but this is about building the single family. This is what would get built versus the multiple units and they'd into there is a night to model the exemptions in there. >> , A sects are saying en-- architects are saying even if two or three units were allowed, you would get one unit. >> People prefer to have a large, single family home if they can afford it. >> I would counter that our regulations now make it very difficult to build two units, so it is difficult to say what is happening on the ground now is happening in codenext, because what is happening on the ground now is wrong. Whatever it is that makes it difficult to build two and three units, what part of that is a market-driven concern and what part of that is code that we can address. >> Council, we can probably, through the Q. Q&a process, give you an example of what those

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differences are so you have a better understanding for that. >> Tovo: What is the best q&a to use at this point? The codenext? >> It is the codenext q&a. >> Tovo: If we needed to switch to a q&a tied to

meeting dates. I want to have a clear understanding when we're going to do that. Council member Renteria. >> Renteria: I want to say, I agree with my colleague, council member pool, on the school issues. You know, I've been encouraging my trustee not to sell the schools and the land. They should go into some kind of lease to raise the revenue. But, you know, in my neighborhood, I just read that article and statement about the dog thing, and that's the way it was five-years ago in my neighborhood. You know, people were strolling their dogs around and now they have kids. You know, we would be making a big miss fake mistake if we sold that school land away because we are going to get families back into the inner cities, they are going to have children. You might not believe it, but they will. They might not have as many as we had growing up, but there will be one two or three kids out there and they're going to need a school. And it would be a high cost, a disservice if we sell these schools off and then we have to look around and buy a building so that we could house these kids there and their classrooms. Another thing, a lot of people doesn't realize that codenext is, we're trying to solve a problem. Codenext is not going to displace you. This is the land value that's going up, up, up, and my neighborhood now that when the last tax assessments came out,

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the lot values are \$300,000. I mean, no matter what you build on there or how you zone it, a lot size of \$300,000, people are not going to be able to afford to pay the taxes on that and that's the big problem is that a lot of these people are not going to be able to afford to stay there in that neighborhood because of the value that's going up so high. If we don't build more density, it is a guarantee that they're not going to be able to live here in the central district, period. I mean, that's going to be the reality and that's the reality of that now. As soon as we got our last tax assessment delivered, mailed to us, five families have moved out already. They sold their houses and they're the ones who gentrify the gentry pfizers. So that's how serious and the problem that we're facing here in Austin. When gentry gentrifiers get gentrified, we have a problem. >> Tovo: I would urge us again to try have as clear conversations around what the changes are as possible. You have you know, already today today we had discussions. When the public hears these are the closest equivalents, they think it is the same but we united to be clear what is on the map is also modified but what is in the code and there are changes, as we've discussed, to mcmansion, to parking requirements, to lot size. Those are impacts, those are modifications made on exist zoning. While I agree in the last draft the mapping is closer to the

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existing zoning on the ground, very different from the map of draft one and I think that's responsive to the community feedback. There are still changes in the code that will modify what -- modify some of our existing professions. So, again, I would urge us all to have that conversation really clearly. The public, many of the public -- people may support those changes or not but we need to have the same conversation. I don't want members of the public to feel misled if they keep hearing things are the same and there aren't changes to mcmansion and things are the same and they're being told by others it is

not. Back to the that council member Flannigan and I were engaged this about what changes were being directed by -- you know, where the changes are coming at this point. I want to emphasize the draft we've been presented is something the consultants and staff worked on together. They have lots of public feedback, including from community members. This is their recommendations. It Luke the council's turn to discuss this and move forward. Almost every time I have a conversation about codenext, some think the council is actively writing it and that creates some frustration when they've e-mail me and their concerns are not addressed. I think to council member kitchen's point, I think we should talk about codenext more regularly, so I suggest again at the next meeting if people are starting to think about big amendments, let's think about those conversations. One conversations, council member alter, you raise about the different zone choices on the corridor is one that staff said they would talk to you about, it might be a good top

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particular have at our next work session, looking at some of those areas where the choice about what the zoning will be could, could result in foregoing some opportunities for more affordable housing so that is probably a conversation a lot of us are interested in having. And I think that captured kind of my quick points. Council member kitchen and then Casar. No, actually, council member Casar hasn't taken the opportunity to speak. >> Casar: I think part of the reason I haven't talked is I would like these briefings for us to get a specific topic earlier and discussion questions because every time that I've wanted to engage on a topic I feel like we've moved to five or six other ones and they aren't the topic we've been briefed on so for us to have a discussion, I've chosen not to speak today because it is virtually impossible to engage this way. >> Tovo: So maybe we can so some discussion on the message board that there is general agreement we talk about it begin at the next work session makes sense, maybe we can have some discussion about what the focus is. Council member kitchen. >> Kitchen: Thing Saul great and what I wan -- this is all great and what I wanted to suggest is we have set up a process to have a conversation with well that sounds terrible, a process to set up -- I'm sorry. Really sorry. We understand our staff is going to bring us a proposed approach to -- and I think that all of us should share any ideas we have right now, both on the message board and with staff, but I think that we can have a structured conversation at our -- I'm looking at these guys now, a structured conversation hopefully at our next work session about what kind of process we're going to follow. So if we can go ahead and do

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that, I think that the document that the staff will share with us is something we can organize around in a structured way to discuss and change whatever we want to do, but I think that that will focus us. Does that make sense? Does that make sense to you guys? Okay, thanks. The only other comment, very quickly, was I just wanted to say that I share the concerns that council member alter has raised about the mcmansion ordinance and I look forward to both her questions and the responses 0 to her questions because it is an area that is of concern to my constituents. >> Tovo: Okay. Council member pool and

alter and we really need to bring this to a close to go to executive session. Council member pool. You had your question answers. Council member alter. >> Alter: I will be quick. I brought up the aid that meeting is in this room on may 18 at 11:30. I think it will be broadcast on atxn but if you are have folks here, staff working on codenext for you and they want to sit in on that portion, it is may 18 so I want to provide that information. The other thing I wanted to bring up, it has been helpful to me and our community and since we're talking about the map is when we think about codenext and the challenges and when people come forward with concerns, it is extremely helpful to ask, is this a map problem or is this a text problem? Because we have two pieces that interact that we are trying to modify and get right, and the text provides us, you know, the codes in the various areas but the thing that has been most controversial with respect to the mapping is what are those zoning categories, so we have to ask is this category correct is this category something that captures everything we would

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want to, do we have the diversity of categories that we need in order to plan so that we don't have to do cos, we don't have to do all these things. Do we have that category and those are some of the questions we were asking about the text and then we have the map that is very context specific and this is a huge project and mistakes are going to be made and part of what we're doing is debugging that and making sure things got mapped correctly for this changeover from our existing zoning. A lot of the angst we hear is about the map for particular cases and then there are things that are really serious, like what we brought up about the mcmansion or errors that were made or corrected in the text. And then, there are times they kind of interact and we discover a problem with the zoning categories or something within the text. So I just want to encourage the public and everyone courage my colleagues that when you see a question, a concern that comes up with codenext or you are trying to articulate something that you want to change for whatever reason for a policy to please try and keep in mind and communicate, is this a text issue is this a map issue. I think if we can model that, it will be really helpful for is in understanding the challenges before us and how to get our head around it, because a mapping problem is solved in a different way than a text problem, and when they interact it is a different set of issues we have to look at moving forward. So I just -- I found that really helpful. I've talked with the consultants a number of times and really walked away with that as an important lesson and I wanted to share that with phones and fee this that would help them as well in thinking. >> Tovo: Okay. Thank you all. So, the council will now go into closed session to take up four items. The council will discuss real estate matters related to item

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item-2. The city counsel shrill discuss legal matters related to item e-3, the lease or acquisition of real property and improvements to the my news bell courthouse. Item -- municipal courthouse. Item 10, item 52, discuss legal issues related to a potential election in November of 201, concerning codenext and other potential ballot members. E-1 has been withdrawn. Before ski if anyone has an objection, I



understand we've clearing everything else for the work session. Does anyone anticipate coming back into open session to talk about anything in our executive session. Okay. So we'll just come back and conclude then. Is there any oning jest to going into executive session on the items announced? Council member Garza. >> I was trying to find out information about the bus routes to the -- I don't know if this is going to get pulled again, if it is just going to go on consent but there are a couple of comments made there is no bus service, that's not true. It is a .5-mile walk right now, but in speaking with cap metro, they said there was temporary stop put there during the shelter and they plan to put a stop there in we, in fact, move there. >> And to be very clear, you're talking about the municipal court. >> Yes. >> And potential bus route. >> Yes. >> Would you summarize that real quick again. >> It is on a bus route now, there is a loop, but the stops are actually -- the court is here, there is a stop here and a stop here. They are both about a half mile from the courthouse. I just verified that there is going to be some service changes, connections 2025, and still will be, in fact, will increase the frequency of the routes. I also wanted to -- there was a comment made about it takes two-hours, that's a problem throughout our city, it would take -- I googled from my house to the court in my district, it would take over an hour so it is more of a symptom of,

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unfortunately, not so efficient bus system right now but we're hoping connections 2025 will significantly change that. And if, in fact, we move there, cap metro is willing to put a stop in front of the municipal courthouse. >> Thank you, that is great information. I'm going to recognize council member Casar. >> I'll clarify I don't intend to pull the eat but when we cop back on may 10 to come up with more creative solutionment solutions. One hour is a commute two-hours, people just don't do it. >> Tovo: Council member Flannigan. >> Flannigan: We're not voting on it it week. Just executive session. Plenty of time talk about the details in open session. >> Tovo: Council member pool. >> Pool: I had asked that question about the bus stop and was assured they would add it to the route. So I think if we just keep reminding cap metro that we're watching and this needs to have, then we will have good outcomes. >> Tovo: Council member Houston. >> Houston: This is the last thing. It's nice to know that cap metro can be that nimble because there's other things, places where we need to have that ability to be nimble, they can just add an extra stop. >> Excuse me. >> Mayor pro tem. >> Tovo: City attorney. >> To clarify, item 86 in your agenda is to negotiate a lease so you won't be ex cutting but you'renning asked to allow the real estate office to began to go and negotiate. >> There is back and forth. My understanding they wanted one more council meeting to negotiate that but we might be voting to initiate the negotiation but we're not approving anything week. >> You would be authorizing negotiation about the building. >> Thank you. >> But, thank you. So the clarification means that it is an item that people can sign up on, on Thursday.

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They can talk, participate in the discussion. It wouldn't and final action but some council action so thanks for that clarification. So back to the earlier question, are there any objections to going into executive session on the items announced? Okay. Hearing none, the council will not go into executive session. It is 12:40.

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[Pool] We are out of closed session. In closed session we discussed real estate matters relating to E2 and legal matters relating to E3, E10 and 52.

I am adjourning the meeting of the Work Session for the Council on April 24, 2018 Work Session and the time is 3:17 p.m.