

City Council Work Session Transcript – 08/06/2019

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>> Mayor Adler: It's been a long time. It's been a month. Let's go ahead and convene this meeting. This is the city council work session. It's August 6th, 2019. It is Diane's birthday, but this time I'm not going to say how old she is because I got in trouble for that last time. [Laughter]. Because I learned. I'm no dummy. We have a quorum present. We can go ahead and begin. Let's begin with the briefing from the Travis county clerk regarding the 2019 election. Looks pretty exciting. >> It is. Thank you, good morning, mayor and councilmembers. Thank you so much. Good morning, mayor and councilmembers and my fellow clerk Jannette. There you are. It is so nice to be with you this morning and thank you for the ability to be here. >> Please introduce yourself. >> Dana debeauvoir, Travis

[9:07:51 AM]

county clerk. >> Thank you. >> Very nice to be with you. What I've brought with you today is our new voting system. You're just going to see it here, but outside we're going to offer voting on a mock election, a mock ballot, until 1:00 this afternoon, so anybody in the building, anybody who sees this, is welcome to come over and cast a mock ballot on our new system, see what it feels like and we can explain exactly what you need to do in order to take advantage of our new voting system and the first time we will use it is for this upcoming November election. So when early voting begins, first time you will get to use our new voting system, which brings voters a paper trail. They have been asking for an auditable paper document in a voting system for a very long time, and this is finally our first opportunity to give them what they've been asking for. It is exciting and we are thrilled with it.

[9:08:53 AM]

What I would like to show you this morning is very briefly, when voters come to vote at the vote center or the early voting location that we have established for them, they're going to walk up to a

qualification table just as they've always done. They will see a new sign-in feature, we have electronic poll books now that you saw at our last election. That process goes much more quickly than the manual sign-in process. We're now down to an average of 47 seconds per voter to sign in. Once they finish that process, then they will be given a card that looks something like this. It will have this top part, which is a combination of text and barcode already printed for them. This tells them what their ballot style is, which means they're going to get a

[9:09:54 AM]

ballot that fits their neighborhood. What they'll do is they'll come over to the voting machines. These are ballot marking devices. This is a glorified pencil. This is not a computer. It doesn't have any kind of memory stored in it at all. So it's just whatever it says on this card is what's going to be put in the machine. So we're reading this card. You put it in according to the instructions on the notched corner here, put it into the machine that will open it up for your ballot. The first selection they will make is for language, English or Spanish. You will make your way through the ballot. We -- you will have the opportunity to select all the way through the ballot. You can go back and forth changing your mind. You will see a summary screen at the end that tells you the choices that you have made. That will alert you if you want to make a change you can still go back and forth. At the end it will tell you to print your ballot. And when you're finished printing your ballot it will

[9:10:54 AM]

show the rest of it on a card just like this, your ballot card. This will tell you the choices you have made on your ballot marking device. Once you print this out, voters will have a brand new job that they've not had before, and that is we're going to ask them to voter verify their ballot card before this goes into the ballot box. So we're going to ask them to step away and make the ballot available for voter that's waiting right behind them, make sure all the choices on the card are what they intended. It's what they want to cast. If it's wrong, they've made a mistake, if they've changed their mind again, that's all fine, they just carry this card back up to the check-in desk and say I want to make a change. We will spoil this ballot just like in any other paper ballot election. We'll cross their name off of this previous choice,

[9:11:55 AM]

sign them back up again and they'll go through the process again. In Texas you're allowed to do that three times. Once you get that third card don't mess that up. This is your last chance. But you can get three times to vote in Texas. And when you leave the polling place, most of the designs that we have for polling places we place the ballot box close to the door. So what we want you to do is before you leave you are going to put this ballot card in the ballot box so that it can be used for post-election audits and

even for recounts after the fact. My favorite thing about this new system is that once you put this ballot card into the ballot box and it looks like this piece of equipment over here to my left, you can put it in any way you want, including turning the card upside down. If you'd like a little more privacy, you don't want the person behind you to perhaps see how you voted, turn it

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upside down. This system makes an electronic copy of this paper ballot card at the point in time when you have put it into the ballot box. They are scanned, the electronic copy is created at the point in time when the ballot card is scanned. So the electronic copy is made from the paper. I love that. Both go in the ballot box at the same time. We keep the paper. We use the electronic copy to make fast and accurate results available on there are a couple of other features I want to visit with you about. And then I'd like to throw it open for questions. First of all, just the idea of the paper trail. There is one specific new post-election audit that I want to develop here and then share with our

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neighbors in Williamson county as well as the other 46 counties that have purchased this paper trail voting system in Texas. It's called risk limiting audits and it is a way of going in and confirming the accuracy of the election, that the information on the ballot cards and the information are in our electronic records always match, but you don't have to have a candidate withstanding in order to trigger Texas law to do it recount. We don't have to go that far. On the authority of the elections administrator you can use a risk limiting audit to go in and verify that those totals match and we can do that every single election. We can move to a philosophy that says we're going to have evidence-based elections every single time, verify it every single time we do it without having to have the burden placed on a losing candidate or the expense placed on them. We're moving in that direction. It will take a couple of

[9:14:59 AM]

elections to get that developed, but that's going to be our new gold standard for the future. The cost of this system, it costs \$9 million for us to purchase this system, and y'all are in the process of doing a contract to join with Travis county and all of the other jurisdictions to do a group purchase, a group support for the purchase of this system, as well as a group agreement for how we're going to operate it in the future. I have volunteered for more than 20 years to serve as our elections administrator and it is my honor to continue doing that job for every jurisdiction within Travis county. \$9 million, and you would look at that in comparison with 20 years ago when we all went together and purchased the last voting system. It cost \$6.1 million. We are seeing an increase in

[9:16:02 AM]

the annual licensing fee that we pay, and I hope for the future that the federal government and the state government will have financing programs already in place planned for us so that every time we have to go through purchasing a voting system, every roughly 10 to 20 years that we already know in advance here's what our financing mechanisms are going to be, here's what the likely costs are going to be, and it's not a surprise every 15 or 20 years that we're going to have to go through this kind of financing. Voter education, we have signed on with a contract with a local public relations firm to develop and outreach and education program for all of our 790,000 registered voters to teach them how to use the new system, the security features that it offers them, and to make sure that everybody is comfortable when they go to vote this first time in November, but

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to also get them ready for the next series of elections, the primaries in March and the big presidential election in 2020. So phase 1 will get them ready for this November. Phase 2 of our outreach program will be primaries and the presidential, and part of our outreach to make sure on a personal level that all of our voters understand that it's very, very important. They have a new job. They are going to be asking to voter verify their ballot card to make sure that what they've chosen is actually what goes in to the ballot box. I am happy to answer any questions you would like to ask about the equipment or about our deployment of it or our training programs. Why don't I stop my presentation at this point and just allow you to ask questions. The other thing I would like to make it clear to is we will be here for the rest of the morning and into the afternoon for anybody who

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would like to go through an actual experience of voting. It's a lot of fun to do this voting system. We hope people feel very comfortable and relaxed when they're making their choices on this system. And the idea that people would -- there's been some talk that people might try to walk out with their ballot card. While I think that's a thing we need to worry about and think about and talk to people about, I'm less concerned about people trying to walk away with their ballot card thinking that this is a souvenir than I am voters not taking seriously their new job and that is to make sure that they voter verify their ballot card. Thank you. Let me open it up for questions. >> Mayor Adler: Thank you very much. Questions? Jimmy. >> Flannigan: Just to clarify, Williamson county is also using this same machine and be rolling it out at the same time as Travis county and the demos that you're doing today are available to any voter. You don't have to be a

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Travis county voter to come and try them out? >> You have got it correct. Williamson county is in fact in the process of purchasing and implementing election systems and swear, express vote, so we're happy that our neighbor will be going through the same training program as we're going through. It makes it much easier for our neighbors and our voters to the north who often have that confusing boundary line that we've worked on for years to have the same system. So yes. >> Flannigan: I'm very excited that I don't have to educate my district on two systems. >> You will have just one to master. >> Flannigan: But they will still have to vote in their county. >> Yes. We wouldn't want them to think just because they have the same system that they can cross the county line. We still need to have them vote appropriately in their county, and we always support the idea when it comes to the city boundary lines crossing that we've made the best arrangements that we can supporting where that county line is, but we have to observe the county line. >> And I want to thank you

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for twice now and hopefully in the future doing the wilco-travis voting center at Mcneil high school which sits on the line between the two counties. And very fortuitously for my voters. >> Thank you. Voters love it, we love it. That's been a real win for everybody. >> Mayor Adler: How many lines can you do before you have to go to page 2? I'm sorry, say again. >> Mayor Adler: How many lines, how many elections, how many propositions can you do before you go to page 2? >> It depends. You want to follow proper ballot best practices. The idea is that -- it depends on the font size, how much can we get on one ballot. Depending on font size, you can blow it up or you can make it much smaller. The idea is that we want to have one race per page or two races per page, so it depends. You wouldn't want to cut a race in half and have half of your candidates on one page and half on the other

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page unless you're in a situation where you really can't fit all of the candidates on one page and you're required to go to two pages. And if we're in that kind of situation there's a flashing warning at the bottom of the page that alerts the voter you have more candidates on the next page. It depends. >> Mayor Adler: Gotcha. Thank you. Let's go ahead and have questions. I would point out to my colleagues that we have four presentations to make and we have pulled a lot of items today. So as we go through these things, we should probably spend most of our time on the things that are contested, that we really need to air things out, and we should probably work through stuff just as quickly as we can. Paige and then Ann. >> Ellis: I'll be fast. Can you go over the rules of can you vote anywhere on your county on election day and what those rules will be like? >> Yes, ma'am. During the early voting period there are 12 days of

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opportunities, five days and then a weekend and then another five days after two-week period where voters can vote wherever they want during the early voting period. Most of those locations are open 7:00 to 7:00 Monday through Friday and Saturdays and Sundays when they're timely open noon to 6:00. You can go anywhere you want. We do ask for voters to take a look at the application that we call red yellow green and it tells voters where those locations are that have the shortest lines. Red yellow green, it's on Travis county clerk's website, helps direct them so we don't pile everybody on and they have to wait in long lines. We have enough resources in the field. On election day it is a very similar looking approach to voting. We'll have 160, thank you, vote centers on election day

[9:23:10 AM]

distributed equitably throughout the entire county for all of the participants who are on the ballot for November. And voters can go to any one of those early -- of those vote centers and cast a ballot. Each vote center has the ability for every neighborhood to be represented at that particular polling location. Again, those are open 7:00 to 7:00. They are all A.D.A. Accessible and there should be assistance for the voter not only for language assistance and new voting system assistance, but each of these pieces of equipment are fully adds da accessible. So -- A.D.A. Accessible. So if we have vote whores have vision issues or mobility issues, these systems are also designed to help them too. >> I just have a quick -- >> Kitchen: I just have a quick question. We want to send out information about this, then where can we find something

[9:24:10 AM]

best written that we can send to our constituents? >> Yes. The pr firm con public is managing our education program for us. And they have designed an approach that will be -- the approach is a personal one. It's not about the system, it's about the voter experience. >> Kitchen: Is there a link or something you can send to us. >> I was just about to say. And a lot of those pieces will be connected through the county clerk's website, so votetravis, to reach all of our participants for the November election and more. And there will be social media and Facebook and radio and TV ads and all kinds of things. Stay tuned for more information, but the best way to connect to all of those approaches that we have not actually seen yet because they're still in development, will be through Travis and the county clerk site. >> Kitchen: It would be helpful for under the us if you could

[9:25:11 AM]

send us something. >> Absolutely. You will have access to those materials as soon as we have them. >> Kitchen: If you can write us a blurb and send us a link, that would be great. >> I've been doing this through the city clerk. Would that be the best way? >> Kitchen: Sure, that's fine. >> Okay. >> Alter: I was going to echo some of the things that councilmember kitchen, I look forward to helping spread the word with the newsletter and social media, et cetera. I did just want to clarify something because we had received some questions after an article that appeared in July in the statesman about election systems being vulnerable to software. My understanding is that we're replacing older machines with these new machines and Travis county will not experience any of these vulnerabilities that were raised by that report. >> That is true. And it's sort of like the

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criticisms in that particular article about windows 7 apply to windows 7 if it's connected to the internet, but these systems are not connected to the internet. They're not even connected to each other. So everything that was talked about in that article does not apply to the use of this system. And as part of our contract we're already scheduled for an upgrade. Here's the one point I would love to make about the use of any kind of operating system in these electronic and paper ballot or ballot card systems and that's that this they're different from your email system, either the one that the city of Austin uses or the one that you use at home. Those are connected to the internet. And you do want to be careful when you have those to make sure that you have an upgraded system that's patched and carefully tended because it's interactive all the time. That's one way of behaving because it's an internet-based system. These are not connected to

[9:27:14 AM]

the internet at all. So once we have an operating system that's installed in these systems they are federally and state certified and then it is locked down and secure and that operating system is never touched again. We don't want the latest and greatest for elections. We don't want anybody going inside and putting patches on this. It is sealed and closed, never to be touched again. For elections what we want is older technology tried and true and very predictable. The latest and greatest is for other kinds of technology that is connected to the internet. So we've got a completely different world when we're talking about elections. >> Thank you. That was a helpful clarification. >> Mayor Adler: All right. We're ready to go on to the next thing. Dana, thank you so much. It looks exciting to see. It's going to be fun to do this and I think it answers a lot of questions. >> Thank you. We'll get this out of your

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way very quickly. >> Mayor Adler: Thank you. While we're doing that I'll pull some of the pulled items so they can do that, but we can keep moving. Jimmy, you pulled item number 19, which is the mental health and substance abuse disorder. >> Flannigan: I had a question employ timing since this seems to be approving a budget for something we haven't approved yet since it starts October 1st. >> Mayor Adler: I don't know if the staff is here to be able to address that. >> Flannigan: It's not a question on the substance really, just a timing on the budget. >> Mayor Adler: When staff is here we'll get that answered. What about the botanical garden? Councilmembers kitchen and tovo pulled this one? >> Kitchen: I'm sorry? >> Mayor Adler: Item number 30, the botanical garden one. >> Kitchen: Yes. I don't know what -- I just raised this because -- I just pulled it because we had conversation at the council meeting that this was brought up. I am comfortable with how it proceeds, but I just wanted to give an opportunity to --

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I'd like to hear if anybody still has remaining issues with this item. >> Mayor Adler: Does anybody have any reservations on this one at this point that they want to identify? Yes, councilmember tovo. >> Tovo: Yeah. I think -- let me see if I can find -- so I submitted quite a few questions through the question and answer, and I have some follow-up questions. You know, and I want to start by saying what I said at the last one. I'm very glad that we have a conservancy that has been a long time participant in supporting the botanical gardens. You know, we have spent lots of time making sure that we have -- we have entered into increasing levels of responsibility with

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conservancies at the right time. So for me this is about -- this is about making sure that we are -- that we are setting the gardens up for success and the conservancy up for success. So one of the things we did a couple of years ago is to provide them with some funding, about 46,000, I think, so they could hire an executive director to do some fund-raising. We are -- it looks to me from our -- from going through the agreement and going through the backup information and the question and answers -- let me step back and say. I requested a postponement and I want to thank my colleagues. Not all of you requested my support for postponement, but I really appreciate that you did because most of the information that I've received in the time since wasn't available to us when this came before council. And I think it is always our responsibility to review and go forward with as much due diligence. And I mentioned that we've spent lots of time in the past reviewing conservancy

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agreements. It's a relatively new tool for the city of Austin to use. And we're learning from it. I remember -- I wasn't on council when the waller creek conservancy memorandum of understanding was passed, but I do know that the council passed it rather quickly. There were a couple of councilmembers who were pretty familiar with it. The whole council wasn't. They had to go back and make changes to it because the community started looking at it and said there are provisions that give us concern and we hadn't actually retained enough authority over making decisions with regard to waller creek. So I don't want to be in a position where we have taken steps that either weren't the right time for the gardens and weren't the right time for the conservancy. So in looking through the body of material that's come forward since, it looks to me -- the initial thing that caught my attention and has caught some community members' attention is that we're tripling fees as we

[9:32:18 AM]

discussed. It is trying to move to what I understand is 100% cost recovery, which isn't something we do at our other parks in part because you pay for them through your taxes. The comparisons that were made were to places like the wildflower center and others. Just down the street we have the nature and science center which continues to be free to visitors. You know, I am concerned about the tripling of fees, so I started looking at it, it looks to me as if most of that cost is actually going to build out the botanical gardens staff. And so that has just initiated some other questions for me about whether they are at the right -- whether they have demonstrated the level of fund-raising capacity at this point to take that next step and whether it's appropriate for us to in essence triple our fees to build out an organization staff. That's not a step that we have taken with our other conservancies. So I did have a question and a Q and a about that and the

[9:33:18 AM]

response that came back was really about revenue sharing, which was part of the question. But if I could ask you to comment on whether our -- at least we have in the past offered some support for our conservancies, but if you could let us know whether the other cities have done that, the Pease park conservancy, have we provided funding for staff at those conservancies. And if you need to get back to me, that's fine. I can just follow up with with another question. >> [Inaudible]. I can say that we have not provided funding specifically for shoal creek conservancy. I believe we have done it for other groups, including

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Umlauf, but for a more detailed response I would have to get back to you. >> Tovo: And I did file that question, but I will file a follow-up and just make sure that we're clear because again I think I want to

enter into partnerships in consistent ways and if the way of funding staff -- if an organization needs that assistance, if they need funding from the city to hire the staff to help them move forward and fundraise for our gardens, we need to be asking ourselves whether that's the most efficient way of getting funding to the gardens. So I will file the follow-up question. I know that we have provided some limited funding for waller creek, but they have fundraised to provide for the rest of their staff. I don't believe those other organizations have Norwood park. We have a conservancy or a friends group that's helping raise money. I don't know whether we provide funding for their staff, but that would be

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another group to look to. So I'll file that. >> And part of the issue with the conservancy here is that it's one of the first ones for the department. So they are ahead in their progress from other conservancies. >> Tovo: Which one do you need? >> Silt Kerr botanical garden? >> Tovo: They're ahead in what way? >> In their process and established and getting ready to take over some of the operations. Sew that partnership agreement is further ahead from other partnership agreements that we are working on now. >> Tovo: Okay. In the question and answer I had asked about membership. I'm going to ask a follow-up question. I still don't see that you can join as a member on the the website. So I'm wondering if the membership numbers we're getting are actually from

[9:36:20 AM]

the Austin area garden club that are being -- where if you join one you will automatically have a membership to the other? >> I'm Jeff Pavlat, the acting executive director for the conservancy. Those are purchased memberships. We haven't made a large public push for the membership. We were waiting to do that in conjunction with starting to manage the gate. At this time I've been working on a new website for the garden. We've been developing that as well as new maps and literature and to enhance the visitor experience at the garden. And then also software that manages a membership program part of sale and will handle all of this transition. So at this time I had been handling the membership has been done in a spreadsheet, which is pretty basic, which we anticipate a large number of members at the point when we transition the gate over, so that's when I want to make sure that all the software systems are in place, and that actually has transitioned into that software now.

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>> So have you been recruiting the members since January that were identified in the community? >> Some of them are members garden clubs that are there, but it is a separate membership. And also has people come in we have signs at the garden. And people have asked before we even started the membership program you get people who come in and ask. >> Tovo: So in the pro Forma and I think it's

-- that had generated some questions for me that I had submitted in the Q and a. In the pro Forma it looks as if there were maybe six staff members who unfortunately I don't have it right in front of me at this very moment, but it looked as if you were intending to hire multiple people. And it was unclear from the literature whether that is contemplated for the first year. Or the first couple of years. I know the response gave back a couple -- again, I want to be sure that we're not increasing the fees to

[9:38:22 AM]

staff up the organization. That just would be out of line with what we've done with other conservancies, or in my mind the kind of relationship we want to have with conservancies. >> It's not the intention to use that money just to staff up. Part of the issue -- I understand it's tripling the fee, but we were looking -- it was a two-dollar fee. That's three dollars less than parking at Zilker park and there is no additional parking fee to come to the garden. So we have actually had people come in and park and then leave to go into the park. And I think the fee is still very reasonable. It's considerably less than what comparable gardens. It's half of what most botanical gardens would charge. And -- and then even with this revenue, a large portion is looking to go back into the garden. And some of the staff we're talking about are for adding

[9:39:24 AM]

of events and programming to the garden to be able to increase the number of school kids that come in and the tours and then actually develop more programming for that. So it's not all just administrative staff. >> Tovo: And I will -- thank you for that and I appreciate you being here this morning. I had asked for kind of the fund-raising in the Q and a, the fund-raising and the expenditures on the garden and I think they got merged a little bit. I think I'll probably ask a follow-up. It looked like the expenditures are in the same table but it's not clear to me whether there are other ways in which the conservancy has existed. So one last question for now and I'll probably have some on Thursday as well or between now and then. Can you help me understand, you did answer in the Q and

[9:40:25 AM]

a the relationship with the Austin area garden club, but as I understand it, the city of Austin waives 100,000ish dollars and will or already waives 258,000 for rental fees. This is a question for our city staff. Is that part of the contemplated agreement Ora Houston is that what -- I know we currently waive more than \$100,000 of room fees for the Austin area garden club. Has that already increased to 250,000 or is that contemplated in what we're approving on Thursday? >> I'm sorry, I may have your numbers transposed. I'm Cindy Clemmer, the manager of the garden. We have had a long-standing relationship

with the Austin area garden council where we waived fees for their clubs, which their meetings are often educational programs

[9:41:26 AM]

that are available to the public. With the current contract with the conservancy it already does way admission fees for members and it waives rental fees and room usage for agc clubs continuing that clause some also for the conservancy, but the greater port of that is for the club meetings. >> Tovo: What is the current amount that we waive in terms of total fees? >> I have to double-check, but I believe it's 270,000. >> Tovo: So in the Q and a, I'd ask if -- so as I understand it, the garden club can have events and can bring in revenue and we currently don't have any -- we currently don't have any revenue sharing opportunities. That is too somewhat unusual. I don't know of another city site where we allow a waiver of fees of that size. I understand that the garden club helped us establish the

[9:42:26 AM]

botanical and had a long-standing relationship. They don't charge fees when they hold events, but they bring in the revenue and there is no requirement that some of the money come back to the gardens. They have made contributions through time, but there's not a set requirement for those fee waivers. >> That is correct. This was really the -- sort of the first modern agreement that we had with agc, that was back in 2016. Prior to that it was -- contracts consisted of literally handwritten paragraphs that were for the next decade. So that was a long-standing tradition and we've tried to modernize that relationship and bring it up and say if you are earning revenues off of the space at the gardens, which you're getting for fee as a privilege, then there should be some sharing back to the garden to support the garden. And so we've been trying to make baby steps to bring it up to modern day. I will say the majority of the club plant sales we have

[9:43:27 AM]

structured it now so that that is out of their net profits, but there's not a lot of profits to speak of so it's more about the philosophy of the relationship than major dollars. In the past they did profit share from the garden festival that they've held for 60 years. That event has been discontinued, but that was the major-- there was 15,000 of that that they provided to for improvements. So although it was discontinued, there was a tradition of profit sharing from that. Most of the other plant sales are very minimal in profits, but I do believe that it's the correct spirit of partnerships. >> Tovo: Okay. And what will be the -- I'll look back at the agreement to see what is contemplated in the future and how that compares to some of our other arrangements. So again, I appreciate the long-standing relationship. It's

important to me that we manage the relationship directly and that we again I think set up both the gardens and the conservancy for success. I'm interested in -- I'm

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interested in the comparison to other botanical gardens, but I also know Houston has some lovely gardens. I think they're starting a botanical gardens too, but they have lovely gardens at Herman park that I always thought were their main botanical gardens. They are free. It would really trouble me if we had gone -- if we go in a relatively short period of Austin history from the botanical gardens being a place free in the same way many of our parks are and our nature and science center is to 2001 becomes on par in terms of what I regard as perception of exclusivity at some of the botanical gardens and other places. I am going to probably at least have other measures that I bring forward as amendments to make sure that that doesn't happen. I remain concerned. It doesn't seem like very much when you're at two dollars to go to six dollars, but I do think if

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you're going to a variety of places along the way, I think that changes the nature of how some people use the botanical gardens. I mean, I've gone there for decades and dropped in and done homework there as a grad student and graded papers. That kind of drop-in nature really changes when you have an admission charge. And for many families in our community I think it will discourage them from coming. I appreciate that we're -- there was a conversation about how to get the word out that it can be free. I haven't-- I guess that's not currently in place because I didn't see any information about that. And I also just want to remind my colleagues, when we had the conversation on council about going to an admission charge, there was what I thought was a pretty firm commitment to raise money to make sure that at least once a month that place could be free. That really hasn't happened. I asked the question in the Q and a about when that had happened and it was the 100th celebration for zilker

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and I did some research to see if it had ever -- were there any other circumstances under which it had been free and I couldn't find any either. So again, I think we made a choice to start charging admission. We had a commitment at the time that we were going to do everything that we could to raise money to mitigate that. It looks like funding has come in from jetblue and from others and we haven't honored that commitment to have those free days. I'm again probably going to bring forward some provisions to ensure that that happens going forward and appreciate the continued conversation. >> Mayor Adler: Any other further conversations about this? Ann? I'm sorry, Jimmy. >> Flannigan: I remain in support of the proposal. I assure you, councilmember tovo, that I did my homework and I was not rushing to

judgment or ignoring my duty to be thoughtful about my decisions when I opposed postponement in the last meeting. I'm not hearing any new information that is changing my mind on this.

[9:47:29 AM]

We may have a different perspective on the future of the botanical gardens and that's completely fair, but I don't think it's fair to say that opposing postponement was somehow not paying attention to the issues at hand. >> Tovo: Can I just say, that really wasn't my intent. I was saying that I had expressed to my colleagues that I felt like I needed that information, some of which wasn't available at the time. So we were all going to make our decisions based upon our own information and see -- I was thanking my colleagues for allowing -- the vote for postponement almost lost, so I wanted to express that in my opinion -- I really needed that additional agreements, the additional information that just simply wasn't available in our backup. So thank you for giving me an opportunity to clarify that I'm not casting aspersions on your decision-making apparatus. But I do appreciate when one of us has -- we need more

[9:48:31 AM]

time because we haven't had an opportunity and the information is not present in the backup to provide the opportunity. >> Mayor Adler: Okay, let's keep moving. Ann. >> Kitchen: Okay. I'm just going to quickly remember affirm my support for this system and just ask councilmember tovo, I appreciate the questions, but I would really like to ask you any amendments that you are bringing if you would post them the day before so your colleagues have an opportunity to think about those. That's all my request. And so thank you very much. If you could do that, that would be very helpful for us. >> Tovo: I'll do my best. We have lots and lots on the agenda, but I'll try. >> Kitchen: Well, I -- >> Mayor Adler: Sorry, I didn't mean to cut you off. Paige? >> Ellis: I wanted to thank you, councilmember tovo, for your thoughtful questions in navigating this process before. And thank you, staff, for all of the answers that you've given. I'm excited about the opportunities for new

[9:49:32 AM]

partnerships, especially because we have already asked to say so much from our parks on so little. We really make you spend your dollars wisely. And so thank you for that. And I also want to reiterate that the point is also not to turn people away, so I do like the idea of having maybe a day that is like a first Thursday or a first Saturday where something could be free for families. But we also need to understand that we need a lot of A.D.A. Built into this. It's accessibility. I know cap metro is looking at what testimony cost to make sure even the bus stop is A.D.A. Accessible. There are a lot of things we need to be considering to make this botanical garden as great as it can be. When you look at other cities that are even smaller than Austin, they're doing a lot more for their botanical garden and I want to make sure

that they know that we're supportive whether it's with parks and recreation or with the conservancy. I think we're all working towards the same goal and we want to make sure that it's equitable and also A.D.A. Compliant. So thanks.

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>> Mayor Adler: Tasha? >> Harper-madison: Thank you. I especially like that you brought it up being equitable and councilmember tovo, I like your concerns about the access. My staff and I have been having conversations and having it with parks staff around it is really getting creative and innovative about some of the -- if you are eligible for rebates and programs through the utility program, if you are eligible for W.I.C., if you're eligible for snap, interactions by mail you also get a card that offers free admission. That way there's never the assumption that you will somehow be turned away or given the opportunity to cast judgment by way of people who can't afford the cost of admission. So I think it's a really brilliant opportunity for us

[9:51:33 AM]

to get really creative about how we can ensure that this beautiful asset in the community is accessible to everybody. So I look forward to future conversations around how we can do that. >> Just quickly, I was going to say it's always been our intention to work basically like the thinkery does and never turn anyone away that can't afford to pay. So that the conservancy would cover the cost, the city's portion of the cost for the admission so that they can get in without having to pay. >> Mayor Adler: Thank you. Kathie? >> Tovo: I love your idea. I like that better than training your admissions folks to be sensitive about that request. Most people probably wouldn't request, so I think having something proactive is real interesting and I like the idea that you mentioned about the card. When you talked about the planned projects, it looked like there had been -- having the gardens be more accessible is a critical need.

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It looked to me like there was a project that had been approved a couple of years ago, but the fund-raising hadn't come through to actually fund it. So just kind of signal some of the -- I'm just basing that by the response that said the funding hadn't come -- >> Actually, that particular project was an A.D.A. Trail that would go to a potential bonzai exhibit that's in that corner. And we're still working on planning for that, so there's not any real need for that trail to be there because it's just an extension of Lawrence trail, but you would end up at the bonzai exhibit that doesn't exist yet. So that's why that hasn't been built. >> Tovo: Did you for that clarification. So -- thank you for that clarification. So if we could, and I guess I'll submit another question about this, get a sense of what are those high level accessible

projects? It looked to me -- since we were talking about the need for more accessibility and there was a project

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identified as accessible trail, I assume that that was one of the high priority accessibility projects. And I want to make sure that -- and this is just to signal some of the amendments that I might bring forward on Thursday. I want to make sure that those are the highest priority. That those become the projects that bump up in line in terms of moving forward. >> So the overarching goal was to get accessibility throughout the garden through a master plan. And part of the reasoning for that was let's not build one trail here when we don't have the full master plan in place yet. That really should be part of a full master plan that ensures accessibility and flow throughout the garden. And that -- so the master plan that would include accessible paths through the garden would be the highest priority projects. Instead of doing one piece, it was let's look at the whole garden and get a master plan in place. We don't currently have funding to do that in the city, so that would be the highest priority of the conservancy is to start out with a master plan that really sets the stage for the entire garden for accessibility, for

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programming, for exhibits, for better school programming. Reaching out and having a more full garden and garden staff and pathway system that makes up the garden that it really should be. And so that master plan is sort of seen as being the first step. >> Tovo: So the list of projects that was identified on one of the documents are really going to be secondary -- the master plan -- none of those projects will happen until the master plan is undertaken and completed. >> Yes. >> Tovo: Okay. Thank you. Do you have a sense of what the time frame is on that? It looked like there were some money that has been raised for the master plan. I don't know if that was the full amount required for the master plan. >> Well, one additional consideration will be the zilker master plan, so the botanical is part of the park and we would like to make sure that we integrate any accessibility, traffic issues, parking issues, and

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take into consideration before we -- before the botanical gardens finalize their master plan. >> Tovo: So it makes it sounds sound like we're multiple years off from having a master plan. So I guess I would say that if accessibility is one of the reasons that were telling the public, we're increasing their fees, there probably should be some accessibility improvements in the near term even if it's not the full buildout. Probably there could be some improvements between now and the approval of a master plan. >> Yes, there will be. And we also know through the A.D.A. Transition plan for the department that there are some deficiencies for the facility and this will be prioritized. >> Tovo: All right, thank you. >> Mayor

Adler: All right. Anything else? Ann? >> Kitchen: I want to request a time certain of 11:00 for this item.
>> Mayor Adler: That would be no earlier than 11:00 in the morning.

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>> Kitchen: Well, the purpose is to address it in the morning. I guess I'm just assuming that between 10 and 11 we would have to do consent, but if we just wanted to say in the morning that would be fine. >> Mayor Adler: Okay. I don't have a problem doing that as soon as we get through the consent agenda. Anything else on this? Okay. My only concern, and think about this Ann in terms of the morning stuff, I don't know how long it's going to be. If we have a lot of amendments and we're breaking -- >> [Inaudible - no mic]. >> Mayor Adler: I just didn't want us to not be able to dispense with a lot of things to get done in the morning like we usually do if we were going to have something that we started in the morning and then carried over to after lunch because we had a lot of amendments.

[9:57:36 AM]

But assuming that there are not a lot of amendments we can actually get it up and down and still get rid of some of the perfunctory stuff I think that would be good. >> Kitchen: Okay. >> Mayor Adler: All right. >> [Inaudible]. >> Mayor Adler: What's the quick question? You you asked a timing question on item family member. We have the answer now so -- on item 19. So we have the answer now and we'll put it in. >> [Inaudible - no mic]. >> I think the we is a funding question. Why we're bringing a contract that says it's contingent upon approval of future budgets. We have that happen occasionally in really quite frequently in August and September. Because the staff trying to put in place a contract and negotiate it prior to the October 1st start date on the work of the contract to have us more in our social

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services area. Those contracts are typically fiscal year. So just like any other multi-year contract where we would have so many dollars in the current fiscal year is available, then funding for future years is contingent upon future years budgets. This one has a funding outclause and it's entirely dependent upon the approval of the 2020 budget. >> Flannigan: I understand that part in terms of the additional years. Mayor, I won't belabor it. If there was a reason it had to start October 1st because that was the budget cycle for another governmental agency, then that would make more sense to me, but we should have a first year that's 18 months so it kicks the next renewal past the next budget cycle so we're not repeating this over and over again. >> We'll begin working on that. We've heard that comment in the past and it takes us awhile to cycle through all of these. >> Mayor Adler: Okay. Thank you. We're going to go to some more hearings, but before we -- just note that our

[9:59:37 AM]

colleague, councilmember pool, is not with us for work session today. She is attending a retirement system conference incident to her service for us on the retirement board for city employees. All right. Let's go ahead and call the land development code -- I'm sorry, yeah, the land development code revision. >> Mayor, council, I'll just>> I'll just kick this off. There are three briefings scheduled for this work session and we could spend hours talking about each one of these, but I did want to at least have a high level overview and update for council because it has been seven weeks since we last came together in a work session, so the purpose is really to provide some insights into what has been happening over the last several weeks. There have been documents that have been sent to you, so we're really going to go over some of those, then if there are questions and feedback, I'm happy to take this. But this is not meant to be a

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comprehensive update, it's really meant to say here's where work has been going on understand a and here's where we want to be teeing you up. >> I'm Rodney Gonzales, assistant city manager for economic affected. I have two members of the leadership team with regard to the land development code rewrite. They represent only the tip of the iceberg when it comes to the staff dedicated towards this project, and there are countless others that are working tirelessly to meet the expectations of council. As the city manager had mentioned, on July 22nd, he sent out an update. The update was a quick brief of where we are, and more important, the timeline that council can examine -- can expect to receive the land development code. We wanted to use this opportunity to go over some of the update from July 22nd and talk about the work the staff is doing. So with that, I will turn it over

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to Anika and Brent. >> Good morning, mayor and council. Anique bodet. What we've been up to, the timeline includes starting this month. You know, since may 2nd, since the direction, really, the cross-functional multidisciplinary team has been working very hard, collaboratively, to look at the council direction and figure out a starting point from version 3 of the previous code to moving forward in a positive way with the clear direction that we received. Starting this month and through September, we've already scheduled one-on-ones with many of you to allow you all, really, to ask questions on what we're doing and deep-dive into a lot of aspects of the broad topics of the code. Similar to what we did with the strategic mobility plan, we were able to meet with all of you early and often so that we could of a mutual understanding of how

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we were moving forward. And so we expect that to happen in the next two months. We also have coming up in August the housing and planning committee will have the code on the agenda, specifically to talk about zoning district -- the zoning districts and per the direction on how we are changing those districts and get into some details on that. And then the mobility committee, on August 21st, will be an opportunity, as always, to go deeper into the transportation chapter. So currently, also, since May 2nd, the team has been making ourselves available to the community. We've been invited to speak on panels, we've been invited to one-on-one meetings with commissioners from boards and commissions, from other community groups. This week I have a meeting with the parks foundation coalition to talk about the code. People have been very interested on what -- on what we're doing and we're making ourselves

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available to take information and give information. You know, testing, as well as feedback, is inherent in how we're building this code. We need to test it internally, as well as continue to receive feedback from the community. So we invite the community to prepare, to look at the May 2nd direction, and to provide me and/or Brent with information that they may have about the council direction or about their neighborhoods. We're happy to consider that. And also, to prepare for when the code is released October 4th, which I'm going to pass over to present right now to talk about what happens, I'm talking about what's happening now, up until the code is released October 4th. And so whatever neighborhoods, stakeholders can do right now to ask for information, meet with us, to be prepared after October, we invite that. And so with that, I'll hand it over to Brent to talk about what

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to expect after October 4th. >> Thanks, Rodney and unique, I'm development officer with development services. As unique mentioned, October 4th is going to be a big day. That will be the day that we provide an online publication of the code, as well as the map. And additionally, I want to highlight another aspect of our release. We're going to have a staff report that will endeavor to provide a comprehensive overview of the code to speak to different audiences with different levels of understanding and engagement in land development, and to really foreground council's policy direction and to go through the decisions that staff had to make in crafting provisions that respond to all the different aspects of council's May 2nd policy direction. Additionally, during the month of October, which is, I think, going to be a big month for all of us on the core team and the

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leadership team, as well as you all and members of the public, we have several events and opportunities planned to provide a forum for public comment and feedback. We're working with Peter park, our consultant, to sort of help flush out the details of some of these -- some of the things I'm about to describe, but we definitely have consensus at a high level on kind of what the goals are. One key aspect will be ongoing and regular office hours. And office hours, I think one successful aspect of the prior process, and essentially they will be an opportunity at set times throughout the week for members of the public to -- and boards and commissioners, as well, to meet with members of the dedicated core team, the auxiliary team, and on occasion, the leadership team as well, to really deep-dive into different aspects of the code and ask questions and provide comments,

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and it's our hope that these sorts of interactions, which we'll make ourselves available for on a regular basis, will help to build understanding, some areas of agreement, and then help to crystallize the key issues about which there's going to be debate in the legislative process. Additionally, unique mentioned, there will be a public testing. And the public testing, like the internal testing, will be anchored to presentations by design professionals on how -- how projects are believeddable believeddable --are buildable under the code, how to facilitate construction of projects consistent with council's policy direction, but unlike the -- I think the internal testing, the focus of the public testing will be broader. There will be an opportunity for members of the public to, you know, observe the testing and then ask questions of staff regarding different aspects of

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the code that are highlighted during the testing process. We envision as well an open house of some kind. There are different -- different ideas for how that would work that are being discussed. But in the prior process, there were -- we had a couple opportunities, I believe, where there was a dedicated space set aside where different teams were set up to really provide information, presentations, and just live interaction with the public on key elements of the code. And so we envision an open house that will be similar to that that will have a large chunk of time set aside for that sort of -- that sort of interaction. A critical component as well will be the published notice that we'll work on with the law department that will be published notice for the planning commission and city council public hearings. So I think those are the key

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elements of the process going forward up through the planning -- up through planning commission. We expect -- I forgot to mention that office hours will go on beyond planning commission. We want that to be -- I think there will be times, depending on schedules and what all is going on, where there will be more limited than at other times, but we want office hours to be a key feature of the process going forward through planning commission and in council as well. So with that, we're available to answer any questions. >> Mayor Adler: Ann? >> And from our presentation, I just want to thank unique and Brent and the entire team working on that, they are taking your policy direction seriously, they are going through it and working to rewrite the code using that policy direction. It's an exciting project for all of us. We're glad to be working on it and we look forward to working with council as we get to this next stage. >> Mayor Adler: I like having the

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review, even just to touch base. I hope we have it as successive work sessions because I think it's -- October 4th is obviously going to be a big day. My hope is that it's not as big as it might otherwise have been because over the course between now and then, we've socialized and you have brought a lot of the work that's going on and what you guys are thinking and how you're interpreting or taking us through the instructions that have been given so that people, when they see the document and the materials on October 4th, I mean, to a large degree, there are no surprises because everybody knew kind of where that was going and what that was going to be. So I appreciate these kinds of opportunities. We don't have a lot of work sessions that are scheduled in September. If there are needs for, you know, a 15-minute touch base just to say, hey, we just want to bring this to the public knowledge, we

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have a lot of meetings in September; we could always say set by agenda, you know, 15 minutes for you guys to be able to -- just to report back. I think that would be helpful. And I had one conversation with you that I do want to kind of just elevate publicly that we've discussed. There were several neighborhoods, folks in neighborhoods and neighborhood associations that have come and asked the question that when the -- when the code and the maps come out, there's obviously going to be the maps consistent with the directions that the council has given, is going to have certain capacities and certain things that are achieved with respect to neighborhoods. And the question was, if a neighborhood wanted to come back to the planning commission or to the council and say, okay, we've taken the map that was done consistent with this council direction, we would like the

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council or planning commission to consider an alternate for this neighborhood or this area that still achieves all of the things, in terms of capacity or use or otherwise, still achieves all the things that were in the map as prepared by the staff, would they have the opportunity to be able to present that and have that considered. My understanding is that the answer to that question was yes. Is that right? >> Yeah. Yes. Absolutely. With parameters, as you pointed out. And, you know, we'll have to figure out what the details look like with regards to looking at the housing capacity, particularly, and the affordability, particularly, as those changes are presented, but I believe we'll have the ability to do that with the tools that -- that we have through our consultants and through the staff, to be able to assess what those revisions look like. So, yeah, the answer is yes. >> Mayor Adler: And that would be great. I mean as you go through this and

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we get closer to that point, kind of guidelines or directions to a neighborhood as to what it would be needing to do or how it might organize something like that, I think would be really helpful so thanks for that. >> We anticipate as well, and I meant to mention this in my comments, that there will be a supplemental staff report provided in advance of planning commission. It's not our intent that that, you know, be an addendum like was done before where there's whole rewritten provisions, but rather just a punch list of changes that staff believes are consistent with council's policy, direction, and supports. Based on the feedback received in October and before, during, you know, the meetings that we're having now. So I think this will be an opportunity, potentially, to include changes along those lines in that report, and that would then be something that planning commission could consider and potentially incorporate into their recommendation as well. >> Mayor Adler: Okay. Great. Thank you. Anything else on this before we

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move on? Sir. Manager? >> I was going to -- >> Mayor Adler: Kathie, did you have something? >> Tovo: I do. I have a couple questions. I just want to be clear -- thanks very much for the presentation and the overview. Can you help me understand the office hours? I know on our timeline it talks about office hours in August. Are there office hours now? Are those community office hours -- no, it's not on the timeline. I thought it was in one of the descriptions it talks about district meetings by request, which can happen as early as now, and I know my office has reached out to try to schedule one. Are the office hours that were described October on? Or are there office hours now too? >> The envision was October on. >> Tovo: Okay. >> Once the code is released, so if individuals have questions about their particular property or neighborhood as a whole, as it relates to the published code, that they could come get those specific questioned. And it would be October through

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December. >> Tovo: Thank you. And so I just want to be -- I just need to say that, you know, we'll -- I'm glad that you're building in a lot of information sessions. I know, you know, there's probably not a neighborhood meeting I go to where this doesn't arise, and people do have lots of questions. I think there's a big difference between the direction and actually seeing it -- seeing how that direction gets implemented in the code. And in many places, there were -- there was language that makes it it -- it's not completely clear how it would come out. You know, the afford -- the piece about missing middle housing and whether there would be an affordability component in those increased entitlements I think was stated in such a way that, you know, make best efforts, or something like that. So I think even the transition zone from two to five houses. So there are many things -- I would just add there are many things about which, you know,

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people will ask me again and again and again in these meetings, and I have to say, you know, we'll just have to see what the proposal looks like from staff. So I do think -- you know, when people saw the timeline, they are concerned. I'm hearing lots of concerns about having just one meeting before -- just one hearing before the planning commission and just one hearing before council, and so I hope that we will be flexible and make sure that people understand -- understand their opportunities for feedback before and that we, as a council, will also make sure that everyone has an opportunity to provide voice to this. While we have been talking about this a long time, the draft is going to be different from the draft they saw before and it's going to be a lot of material to digest in a very short amount of time. So, you know, it's important to me that people have an opportunity to really understand that. So thanks -- and I just need to clarify the conversation with the mayor. In some of our neighborhoods, I know they're looking very

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carefully and identifying tracks, you know, that they regard as right for redevelopment and for absorbing increased capacity, and so can you help me understand the back and forth with the mayor about -- when is the appropriate time for them to share those learnings with the staff? Is it after the code and mapping is released, or would you prefer some of that information in the interim, or, you know, what's the appropriate time for that? >> People, organizations, groups, always have an opportunity to, you know, reach out and provide information that's definitely occurred, and so issues with respect to the map and neighborhood concerns and suggestions can certainly be channeled to staff now, but I think that in October, we will have more resources and time to really dialogue and focus in a more detailed and thoughtful way on neighborhood concerns. Definitely, as you mentioned, councilmember tovo, there are different ways of approaching

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council's policy direction. And I think if people throughout Austin can be thinking now about where in their neighborhood, consistent with council's policy direction, they would most like to see missing middle housing, I think that would be a useful exercise that will help to make the process going forward more efficient. And in October, through office hours through open house and the other opportunities that we've mentioned, we'll be able to work with neighborhoods to evaluate and consider those kinds of proposals. >> Tovo: Great. Thank you. Yeah, many of them are doing that kind of proactive work so it's really helpful to know how it meshes with -- sorry to interrupt. >> Yeah. Also through the one-on-ones scheduled with you all this month, and we're also starting to schedule in September to get on your calendar because no doubt there's going to be more questions, and we hope that through those meetings, through

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educating you on the approaches we are taking to implementing the council direction, that you all will be able to help us in socializing that with your constituents as well so that we can have that back and forth over the next two months and dispel, you know, some unknowns or fierce or -- or fears or whatever they may be about how the direction is being interpreted. I think that will be very helpful. We have another blog coming out on Wednesday, tomorrow, related to non-conforming uses and how we're handling that in a new way based on the feedback that we've received that's been in the meetings we've been having organically over the last month, that's been something that has come up, so we decided to write about that and how we're handling it, and I think that's going to go a long way to start the process of educating of how we're -- how we're proceeding. >> Tovo: Good. Thank you. >> Mayor Adler: I will have the idea of that blog, as many of those as you can do, I think it would be great. Yes. >> Good morning. Welcome to the team, both of you.

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I wanted to ask some follow-up questions to, I think, some of the things that councilmember tovo raised. First of all, it's not clear to me how the community should reach out to staff if they want to reach out to them before October. Are they supposed to be writing to any -- is there any particular place you want those queries directed? >> Yes, to all of that. We've received emails individually, we've received emails collectively, so I'd say, you know, myself, Brent, and unique, if they want to copy all three of us, that would be great. >> Alter: Okay. So I understand that you're speaking at a lot of meetings; some of those are, you know, open meetings, some of those are maybe more intimate, but is there a way, you know, for people to know which meetings people are going to go to, if they want to attend and listen? There are some people who really want to follow this in quite some depth, and I'm just -- if you're

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speaking already at places, it would be helpful for people to be able to know that, to the extent that they are open and available for -- >> That's a good point to raise. What we might do is use a calendar tool on the website, or either be on a packages and our organization is putting that together. >> Alter: Yeah, I think that would be great. I am fairly concerned about the motion of one open house being sufficient. Part of how I think we had a swirl of misinformation was that those open houses, if you're not steeped in development code and the process, can be very overwhelming for people when they don't know which piece to walk away with, and it's easy to spin that in one way or another without some -- my experience with those open houses, there's no presentation, there's no -- there's no zoning 101, there's no frame of reference, and people

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come to those open houses with a very different set of backgrounds. And so I think it's -- it might not be productive to only have one open house. Someone may come to the open house, then they have a question, then it has to be followed up in this way or that way, and there's not really another forum where they can hear what other people's questions are, whether or not perhaps exaggerated -- you know, not necessarily framed in a constructive way, and if we can -- I just -- I'm hesitant -- I don't think having everything be an individual conversation that everyone is having without any collective conversation is necessarily going to get people to the same page. Given the time frame that you have laid out, I'm not sure what the answer is, but I think part of how we move forward is with a collective conversation where people feel like they can bring

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up their concerns and somebody is listening and that is being explained to them why a decision is being made in the direction they want or why it's being made in the direction that they don't want, and I just don't see that happening within an open house framework in a constructive way as the only venue. >> Thank you for sharing that concern. And this is the type of feedback that we appreciate, so that way, as we go forward and we put together the open house, we can take this feedback into consideration. There are other things that we're planning, such as district meetings, that could be more intimate settings by district, as opposed to one larger open house. But we certainly welcome this type of feedback as we plan for those events. >> Alter: Yeah. I just -- I think that going back to the point that councilmember tovo brought up, that, you know, there's -- we've had a lot of conversations about the need to revise the land development code and about certain goals that we

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want to achieve, but this is a full-blown rewrite of the development code, and we're essentially saying you're going to have a month or so to voice concerns, and I just -- that is extremely accelerated, and without seeing -- you know, maybe the code will come back and it'll be beautiful and there won't be any issues, but I just -- it's a massive undertaking and there will be errors that are made and there will be, you know, things that need to be fixed, and I'm just concerned about how we're thinking about this in terms of that engagement and where that short -- cutting that process lands us at the end of the process. >> Thank you, councilmember, and what tried to do was of course be responsive to the council's direction, to come back in October, and at the same time offer engagement opportunities. So when we came back with the

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December 4th presentation, that was because we felt that we had to have some engagement with the community as well. We realized the significance of this to the community. This is a complete rewrite of the land development code. However, our timeline was in response to what council direction was. >> And I'll just add one more comment, that we are trying to have multiple points of entry to engage in this dialogue, whether it's district town halls, open house, office hours, even within a constrained time frame which we are working from, we are taking suggestions, but also trying our best to ensure that there are multiple opportunities for people to provide that feedback. >> Alter: But if you think about with a town hall, I mean, we get it on October 4th, I mean how quickly are we going to be able to digest a full rewrite to be able to present to our district the implications for our district of -- I mean, just -- you know,

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some of us have districts that -- you know, I will have 150, 200 people show up at my meeting, and we will have to be able to present, you know, what is being put forward and how we got to this place and what the implications are, totally apart from whether we agree with it or not, just to help people to understand it. And to do that in a time frame where they can still make comments more broadly, you know, that just -- I'm not seeing how that happens within this time frame. That we're presented, unless it's an extremely simplified land development code which looks nothing like we've seen in the past, which it may and perhaps that was the direction we gave. But if I had been given draft one of codenext and asked to get it to my constituents within two weeks of getting it and being

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able to provide them the information that they need to be able to assess it and look at it for how it impacts their part of the neighborhood, I just don't know that that is logistically feasible, given size of the rewrite. >> Mayor Adler: Jimmy? >> Flannigan: Well, I want to thank mistake of for all your hard work on this and getting us close to an admittedly very aggressive timeline that the council had set out in the direction, so knowing that we're getting at least to first reading by the end of this year I think is great progress, then hopefully we can get through that and clean it up in February and be done. I agree with councilmember alter on the community really does come to these meetings with different levels of experience and understanding of zoning and land use, and it might be interesting, if these things are to direct the community to a zoning 101 webinar or other types of content that can help people in advance of these meetings get up to some

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level of understanding, or be clear when you're having a 101 conversation versus a 201 conversation, versus a 301 conversation, I think that could be really helpful. The -- and I agree with councilmember tovo that, you know, the direction is different than the code and there's going to be stuff in that that is going to use different terminology. But I really do look towards the direction we passed earlier this year as the set of compromises we came to, not all of which I personally agree with, but that I'm going to stick to, as we look through interpreting this code and try to focus our work on making sure the resulting complexity of legal language matches the intent of the compromises we struck as a council. And it will not stop this information. The same people who pushed prop J and lost are still pushing this information, and I think we need to be clear -- I think it's

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incumbent upon the councilmembers to have direct conversations about things being said that are untrue, that are half true, which they almost all are, and things we can address to share in the rewrite, so I just want to thank you all for that. >> Mayor Adler: Any further comment? >> Just to close, I will just reemphasize how critical that direction was that was given in may and we are basing everything we're doing from the staff level on that direction, and so when we do have conversations with the community, it does go back to, are there things about what you are interpreting in the staff direction that would be helpful to better understand, how do we make sure that everyone is aware of what was decided on in may, and so that's really been our north star as we continue to move towards the code write. So thank you. >> Mayor Adler: And I think that's good. Again, just in closing, I urge you to daylight as many of those things as you can at work sessions here because I think it'll go a long way to making sure that people don't feel like on October 4th, they're seeing

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things for the first time or whatever. So there's been a lot of work on this. I appreciate it. Thank you very much. Ann, did you have something? >> Kitchen: Not on this. I need to say something about another item. >> Mayor Adler: That's fine. Thank you guys very much. All right. Do we want to of the homelessness update? >> Kitchen: I just wanted to say I pulled item 92 but it didn't make it on this list. I just wanted to give you a heads-up. >> Mayor Adler: It's on my list. Let's have real quick the homelessness update. >> All right. There should be a slide coming up. Rodney Gonzales. With me today is Chris. Chris has been working -- and Stephanie Hayden, director for health and human services. Christy is handing out the update that was provided to council yesterday with regard to homelessness initiatives, as well as the announcement of the hiring of the homeless officer. Christy has been working

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side-by-side with Veronica Briseno since March in an interim capacity. The city manager announced the hiring of Laurie Harris as the homeless strategy officer, in addition to the historic funding allocation that is proposed for homelessness initiatives in next year's budget. We followed up with the memo to talk about not just those two items but several different initiatives that are underway currently. And this morning's briefing is to quickly go over those initiatives. If you'll go to the next slide... Okay. So starting with homeless strategy update, as I mentioned, Laurie Harris was hired, her start date it September 9th. Laurie comes from Orlando where she is the senior advisor to the mayor on homeless initiatives and we are excited to have Laurie come to the city of Austin. For the next few months, there will be a transition and on-boarding priority to ensure that when Laurie gets here, and when she does the

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work associated with the office, that she is successful, so that way we can all be successful. I want to also reiterate that it's not just Laurie but you've got a whole team of city employees, from multiple departments, that are focused on homelessness, ranging from myself to assistant city manager, Stephanie Hayden, directors of housing, public works, parks, police department, so on and so forth, there are a number of staff that are dedicated towards homelessness initiatives. Looking at priorities, we will be focusing on priorities that create housing. As has been pointed out by the mayor recently, we lack housing for individuals experiencing homelessness who are unsheltered. And so every initiative that comes through that we're asked to look at it, what we want to do is we want to focus on whether or not that gets a person housed. Because ultimately, that that's what is needed for those who are unsheltered.

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So you're seeing with affordable housing programs, seeing us come forward with shelters, seeing us focus completely on housing, not in disregard for other things that we're currently working on because there are so many other issues associated with homelessness, but ultimately we need housing for those individuals who are unsheltered. Speaking of housing, there are a couple of initiatives that you are going to be considering on Thursday's agenda. The first is the south Austin housing center. That will be up to a 100-bed facility that council recently approved us moving forward on June. We are currently in the property acquisition phase, as well as developing the rfp associated with that housing center. We anticipate being operational by the second quarter of 2020 when it comes to the housing center. Also, on August 8th, you're going to see two funding requests for the Salvation Army. The first is for the 252-bed center, which is complete in terms of construction. However, they do need some funding in order to begin

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operations, and so we are requesting of council one-time funding allocation of one million dollars. We're also doing as much as possible to get the word out to the community to the Salvation Army needs more than one million dollars. This he need five million dollars. The daa is going to come forward with their foundation for funding to the center, that we're talking at every corner, if you will, to inform the community that the center needs funding. Additionally with the downtown center, you're going to see a council request for \$500,000 to expand services in that facility. On the August 8th agenda under the affordable housing corporation, you will see several loan projects to bring forward affordable housing projects. There are going to be 722 affordable housing units, I believe 300-plus of those are going to be supportive housing units, and another 50 continuum of care so those are very important projects for individuals who are experiencing homelessness. Then with regard to funding

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and work development plan, we have targeted, as the city manager mentioned yesterday, a historic level of funding with regard to homelessness initiatives. And so what we're going to be doing, of course, is putting together the work plan associated with that funding so that way, come October 1st, if all that is approved, that we are ready to get started to implement that funding. Mayor and council, so that is the bulk of our presentation, follows the memo that was provided to you yesterday that's in front of you as well. >> Mayor Adler: I want to say I really appreciate the work that was done in the budget to really focus on this. I think the community and the council have been saying this is the number one priority. I think we have a budget that reflects that. So thank you for that. Excited to have the new person coming on to kind of help make sure that everybody is focused in the community-wide on an actionable plan going forward. We did have that resolution 184 that asked for some more immediate responses on some

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things that are not addressed in this. I just want to confirm that within the next week or two we should still anticipate hearing back your immediate and shorter-term thoughts on the things that were listed in that first resolve clause that went to reasonable time and place, both restrictions and allowances, for people to be. There was an issue with respect to storage, there was an issue with respect to safe parking. And I just want to make sure that we're still going to get something back from you within the next week or two on those issues. >> Mayor and council, I just wanted to confirm both we are continuing to work on that resolution, and the purpose of having updates like this is to know that this is a comprehensive body of work that's going to be needed to address our homelessness issues in the city. With regards to how do we get better information around what are specific areas, we will not be

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identifying specific places, but we will be talking about the criteria and the best practices that we're hearing from across the country about what makes a place safer to have some of those situations where people experiencing homelessness could be -- could be placed. And so we're going to be continuing to have this dialogue with the council, and, yes, you will be getting further updates that's -- as we move forward this month. >> Mayor Adler: Okay. Great. Anything else on the conversation on this before we move on? Kathie? >> Tovo: Just a couple of quick questions, but first of all, thank you. This is super useful and thank you for all your work and so many avenues, and particularly identifying the need at the Salvation Army, which is such a great opportunity. I'm not sure you have this information right now, but I believe, city manager, you gave a total for the number of shelter beds in yesterday's presentation, and if you have that information and are able to tell us where those are, you

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know, I think that's often a frequent question or comment in the public about the number of shelter beds we've created, and I would love to better understand that total and the individual numbers. >> Absolutely. We don't have that information with us, but we can certainly send it following the work session. Total of 822 beds currently, plus the new beds being developed by the two centers in Austin, we've got a chart we can certainly send to council for your use. It adds to the chart that was presented June 6th, on June 6th, in terms of work session presentation. >> Tovo: That would be really helpful. Thank you. I know, director Hayden, my office and your office have been in communication about the day services that are at the arch and the plan, but again, that's another question that I get asked both by guests at the arch but also by members of the community, and I know you have a plan and are working hard on making sure that those services that are

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currently offered at the arch will be offered at other social service organizations for individuals who are - as the arch transitions to that housing focus shelter where the day services are available for guests at the arch only, I know you've made provisions, but if you would just address that briefly. >> Stephanie Hayden, director [indiscernible]. As far as the up-front steps going along, things are transitioning quite well. The lottery system does end next week, and so basically that kind of starts the process of moving us to a place of 100% case management. As far as the day resource center operations, what we have begun is having conversations with other partners in the immediate

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downtown area as well as across the city that are looking at their current service delivery and are willing to increase that service delivery and provide, you know, more of it. So for example if they're providing breakfast, we're willing to expand the hours they're providing breakfast and allow that additional time for folks to be there. We have partners that have stepped up that have said they're willing to provide showers, and so showers, kind of computer access, those things, we're working on the mail logistics. And as a part of this budget, if approved, some of the facility renovations will also help because it will include a door that will allow folks to go straight into the clinic. So we're looking at all of those different things just to really help the facility

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itself with the flow of people that may continue to come there for clinic services. >> Tovo: Great. >> So we are looking at this holistically and the plan is to have this in place October 1st. We are in the process of developing a memo that will communicate this, and we also have a communication strategy that's getting the word out from an outreach perspective, but then also to the service providers as well, and the clients. >> Tovo: Thank you, director Hayden. And as part of that, the laundry services and the mail services, you're also actively working -- >> Yes. >> Tovo: -- On a plan for those as well? >> Yes, absolutely. >> Tovo: And storage as the mayor mentioned, but in terms of other things currently offered at the arch. >> Yes. >> Tovo: Thank you. Thanks very much for all your work. >> Mayor Adler: Okay. Ann. >> Kitchen: Yes. Thank you all for all your work. There's plenty to talk about and I won't go into all the

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details, I just have two things I think would be useful to touch on right now. First, I just want to confirm, so there's not any confusion from folks in the community, when you're talking about day services, you're

not talking about day services at the shelters. So what we've established so far for the south Austin housing center is there will be no day services there. So we're not talking about any change to that. I just want to make sure that's clear for the public. Second thing, I think as you continue to work that out where there's the possibility -- or where there's the ability for day services, I think we need to be real clear with the community about where that is, and that the city will be taking steps to make sure that we don't inadvertently create the kinds of issues that have happened in the past around the arch. So people are going to have questions about where day services are available and what's allowed to happen outside them, so I think that kind of clarity is going to be really

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necessary. Then the other thing I just want to ask is, city manager, you did -- I really appreciated what you said yesterday with regard to -- with regard to the initiative that looks to setting up a way to assess results and accountability for how we work on homeless services, and I would like to ask, if you don't mind, to just say a few more about that. I think that that's an important piece to this update. >> Thank you, councilmember for that opening. You know, I outlined a number of initiatives I will be working on over the next year to ensure we are operating as efficiently and effectively as we can as an organization. And one of those is really around our homeless services contracts. And so as Laurie gets on board, our chief strategy officer, she will help us think through both what a homeless advisory council could look like, that would establish what our goals are and then working with a

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third-party outside contractor to really set up that performance framework so we can look at every single contract that we have to make sure that we are achieving what we want out of those contracts. And so this will be a process that happens over time, but it's allowing us to make sure that we are both holding ourselves accountable, because the community is going to be holding us accountable, but we're also holding the service providers that we work with accountable for those results. >> Kitchen: Thank you. >> Mayor Adler: Okay. You know, I think at a really high level, this is really good work, and as we move forward, I think that the messaging to the community is pretty clear. We're concerned about two things in this city. We're concerned about people and we're also concerned about places. The answer to both of those concerns in this case happens to be the same. It's to be able to provide housing and services for people, so that if we ever go to someone and say you

[10:45:29 AM]

can't be here, we have an answer to the question of, if you don't want me here, where is it that I'm supposed to be, where am I able to go, and we need to answer that question in this community because

we have not answered it yet. But that's really the exchange in our city, that is the real exchange. We don't really solve anything by just moving people around. We solve things by actually being able to provide people homes and the services that go with those. And hopefully we get to a place where we don't have a need for anybody to be sitting, lying, or camping anywhere in this city because there are good places -- shouldn't be camping, we all sit and lie in the city, but camping, certainly, because there are better and safer places for people to be, that's where we need to aspire to get to. >> Renteria: Mayor? >> Mayor Adler: Yes.

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>> Renteria: I also want to -- I've had nonprofit volunteers who want to take advantage of this program, and not to forget that we need the private businesses and private citizens to also step up because we can make this into a very successful program, and expand it throughout Austin, but people are going to be watching, seeing how successful we are in the beginning. I really want to appreciate the funding that you're putting behind this because it's very important. >> Mayor Adler: All right. Thank you very much. Councilmember alter? >> Alter: Sorry, I share my colleagues' desire for us to be a model for how we can support those experiencing homelessness. There is a part, though, of this conversation that our community wants to hear about that wasn't addressed this morning, and I just wanted to get a sense of when we will be getting some factual information from the

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city, which is how are we going to get information about what's happening in practice with the relaxation of the solicitation, the sit, like, and the camping ordinances? There is a lot of chatter that is out there, and it is easy for every individual to believe that their one point of information is the reality, and I think it would be helpful for us to -- whether it's hearing from the chief, I know that a lot of this information is anecdotal, but really to try to know what is going on in practice since the changes have gone into effect and, you know, are there adjustments of some kind, are there resources of a particular kind that are related to that beyond some of these things that we've already envisioned and have in the works that need to come to play so that we, as a community, can successfully navigate through this stage in the process of trying to come up

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with solutions and get folks housed. >> Thank you for flagging that and we'll continue to think through how best to provide some information. Again, a lot of it is anecdotal. I know the chief has been talking about some of the experiences that he and his officers have had. I've heard some data that the downtown alliance is collecting and we'll see what other data sources might be available that we can

make public for your digestion. >> Alter: And I think if there are, you know, parts of it that need to be clarified so one of the things -- again, this is anecdotal so I don't want to state this as fact, but, you know, whether -- whether in relaxing the solicitation, there are folks who are bullying folks or it's being as bullying, what is the line that we draw and the at what point are they supposed to call the police and how, you know -- I don't know that people have clarity on what is it that they can do, when, when they

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do have a concern, and I just -- I think that it would be valuable to have greater clarity for the public who is taking the ordinance changes and interpreting them, but we know what's going on in practice at some level, and how do we take that information and use it to continue to improve how we are moving forward in this policy area to get everyone housed and to address the public health and safety concerns. >> Mayor Adler: Okay. Let's move on then to the budget. Thank you guys. By the way -- it looks like the lbj school and the lbj library are going to house a community town hall at the end of the month on August 29th, which should

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be after you've been able to give us, manager, some of your thoughts and comments on the first section, with an eye to talking about what it is that we should be doing. But I appreciate the lbj library foundation and the lbj school in offering to -- to do that. Ann? >> Kitchen: Thank you, mayor, for letting people know about that. I mean, I think -- thank you, councilmember alter, for mentioning the need for clarity. There's two opportunities so far, and perhaps there will be others, but there are two opportunities so far for the public to have a conversation, to listen and to share their thoughts and concerns about next steps. And the one is on August 21st in the morning. The daa is hosting. And the other one is in the evening on August 29th at the lbj school and the lbj

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school library are hosting. So I think it's really important for -- for us to have these opportunities to talk to and listen to the community and provide some clarity to the community on what's in front of us to consider. >> Mayor Adler: And I know that some of the councilmembers, you, me, and some others, have been invited to participate in at least those two, so it's an opportunity for the public to be able to ask questions directly of councilmembers and for us to be able to respond. All right. Let's do the budget overview. >> Good morning, mayor Adler, mayor pro tem Garza and councilmembers, my name is he had van eenoo, deputy chief financial officer for the city, with the presentation of the proposed budget

for fiscal year T 2020 yesterday, we wanted to give you an update where we're heading with our budget timeline and also talk about a change that's likely going to immediate to occur to the

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tax rate adoption timeline. Traditionally here in Austin with an October 1st fiscal year, we are able to sync to say two timelines up, but under state law, they're two distinct set of timelines and requirements related to adopting the budget, in adopting the tax rate. So first, let me get into the budget line, then on the next slide I'll talk to you about the tax rate adoption timeline. You can see on the screen here, we have three budget work sessions planned. The first would be on August 20th. That is just a regular Tuesday work session so you'll have other things on your agenda that day. Our thought for that meeting would be to largely use it to have a conversation with you about the discussion topics you would like to dive into deeper related to the budget that we would have on the 29th and September thank you very much. I'll be going along, having meetings with each of you over the course of the next week to ten days so start soliciting input from you about what are some of

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those topics you would like to see staff come back to you and put on those agendas for September 29th -- I'm sorry -- August 29th and September 4th. But those meetings are intended to get at your issues, so we'll be soliciting your input on those before we formally agendize anything. So August 22nd, we have a public hearing scheduled. We are setting that public hearing on the agenda before you, and then on September 10th, we would be posed for budget adoption. So that's our budget timeline schedule. It's the same schedule we've been talking to you about since all the way back in February, and we would recommend sticking to that timeline, despite the fact that we are anticipating needing to change our tax rate adoption schedule. The entire tax rate adoption schedule is driven by the date we received certification. We've been notified by tcad that certification would be delayed this year. Typically they get it to us -- get us -- get it to us by July 25th or earlier, that allows us to do all our

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calculations and include the information in the proposed budget. This year we have not received certification yet. The Travis county appraisal district board has actually authorized them to be as late as August 30th on their certification. The staff there have indicated to me that they will likely certify before that deadline, but we don't have an exact date yet. But once we receive certification, it allows us to begin with this timeline. After we receive certification, there's a need to set a maximum tax rate. We have to have that in order to put the public hearing notice out there, and the public hearing notice speaks to a tax rate that's being considered by the city council. So we need you to take that action to set

that. We can't have you take that action till we receive certification. So it's certification, set a maximum, put out a public hearing notice, and then the earliest we can have our first tax rate hearing is

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eight days after that notice, and the earliest we can have our second tax rate hearing is three days after that then three days after the second hearing is the earliest we can adopt the tax rate. So once we get certification, we'll be able to come back to you and speak to those specific dates. Just out of hope that we might receive certification by Monday, we did agendaize a setting of the tax rate hearings and setting the maximum tax rate item for your -- you know, for the agenda, for the August 8th meeting. We did not receive certification, so that would be items number 140 and 146 on the agenda, we would be pulling those off, postponing those to a later date. We can't do those items. Item 147 on your agenda to set the public hearing on the budget will remain, however. I will say that for any cities or school districts that have a fiscal year earlier than October 1st,

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it's -- this separation is very common, so Austin independent school district, with a June 1 fiscal year start date, they routinely have to adopt their budget, and then they come back in September to adopt their tax rate. So it's different for us, but it's not unusual in the whole grand scheme of things, and we will get through it and we'll definitely give you more information as soon as we have a better sense of when we'll get certification of the tax roll. So with that, I don't know if there's any questions or discussions on this item. That's all we wanted to brief you on. >> Alter: Thank you, Ed and city manager, I appreciate all the work that went into proposing a budget that aligned as closely as you could get it in your proposal as the strategic document and what you'd heard from direction from council. I had a procedural question. So I remember in the past that we had two public hearings on the budget, and I'm seeing one and I'm not sure if that is that we were

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required to do it for the tax rate so we did it for the tax rate, we had multiple hearings required by state law for the tax rate, and so we just did budget and tax at the same time. I had thought that when we had set our calendar, we had a discussion about the potential need to have a budget hearing as we did last year that was just dedicated to the budget hearing and was not part of our normal agenda because it becomes really difficult when people come to speak to us about the budget and we have to wait around for an entire agenda before we get to the budget, or if we're kind of piecemealing through that. And I can't recall what we landed on with that, but I remember we had that discussion, and I've always -- I've always experienced two public hearings for the budget, so I just wanted to understand why we are

having one and what our options are. >> And you're correct, we have traditionally had two public hearings on the budget. The requirement is to have one hearing on the budget. The requirement is to have

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two hearings on the tax rate. And we've generally we know able to sync those up. This year, with them being separated, we would be having one hearing on the budget and then there still would be two additional public hearings to be held on the tax rate, given how, kind of, intertwined the two conversations are, it felt to us that we are, in actuality, having three public hearings related to the budget, but we certainly could have a fourth hearing if there was a desire amongst council to do that. But there will be two additional public hearings that will be posted as soon as we receive that certification. >> Alter: And when is the timing when we would just go over again the timing that you're anticipating at this point that we'll hear about the tax certification. >> Right now our hope is, and kind of an indication is that we might see certification on August 20th based upon on how things are currently playing out. That could feasibly change.

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If that happened we would have one, if not both of the hearings the second and third hearing before budget adoption on September 10th September 10th. >> So could we have another hearing for the budget at that same time because it would still be before budget? I don't want to create like five-year. I just -- I'm uncomfortable with not having one budget hearing that is strictly kind of budget and tax rate. So for people who don't have the ability to come all day and wait around, that they have within opportunity to speak to -- that they have an opportunity to speak to us. >> Casar: I just want us to have as much clarity to the public and ourselves about when folks should come talk to us about budget stuff. Because I don't want folks to feel like it's a tax rate thing so it's not the normal budget day or for some people to know that's when they should talk about the

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budget. So for me as much clarity that we could have. What I've anecdotally heard and maybe even spread is that August 22nd council meeting is the one where you don't know exactly what time it's going to be and that August 28th is the one that we've set only for the evening, but looking at this it looks like there's maybe three. So I just really would want to -- I'm comfortable saying we're going to have two of them, one that is morning or more unpredictable, one that is evening, and if you want to talk about the budget, you should come then and talk about budget as opposed to having one or three or four to have two that are very clear, one that's evening and one that is morningish sounds good to me, but I'm open

to what other folks have said. I think what happened last year is we ended up not having evening on one of the days that we expected because we wrapped up our agenda on time and I think that wound up being troublesome. >> Mayor Adler: Further comment? >> Casar: Can we resolve it or do you want to resolve

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it later? >> Alter:'s>> Alter: Where's the 28th date? >> That is not a regular council meeting. We would have to call that meeting, so that's something that we could talk to city manager and the city attorney about getting a meeting on the 28th just for a tax rate hearing. Again, it's not on here because our thought would be that we would come back with two additional hearings on the tax rate. At least from our perspective we're so intertwined that the things that would likely be talked about would be one and the same. But there's a desire to have that second public hearing on the budget, we can work to make that happen. >> Casar: The idea being our council calendar has the 28th on, but because of the tcad issue you're considering not having it that day. >> It would probably be a different day. We didn't want to notice that day and then have it end up being September 4th because that's when it needs to be because of the timeline requirements that I laid out on that slide. >> Casar: My preference

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here and now, which can be changed, but my preference is for us to pick two dates early enough in advance before we're in budget deliberations, before we've made a lot of our decisions, have those two days. And then whenever we have to have the tax rate days, tell people we're really not trying to hear budget those days. I think -- I don't know what the state law requirements on how much testimony is we have to take on those days are, but I think if we communicate early and clearly enough, these are the two days for you to testify on budget that the other days maybe we can just fly through those pro Forma rather than people not knowing when the days are or for the days to be so close to budget adoption that folks don't really know whether it's worth it to come or not. I would rather not find out on September 5th or something that there is something that is unfunded or needs to be funded that I hadn't thought of as we get close to adoption. >> Mayor and council, this feedback is very helpful because we don't want to hear more hearings, but we want to be very clear with the public where they can

[11:03:43 AM]

have this dialogue. So if there's a general feeling on the council that the 28th is still a good rate ladderless of whether we have -- regardless of whether we have the rate from tcad or not and we want to have the hearing on budget, let's stick to that and call it done right now and we'll make adjustments

as we hear more information from tcad. >> Mayor Adler: In answer to your question, if we can't do the rate on the 28th and we have to come back and do the rate on the fourth or fifth, there will also be opportunity then for the public to comment on the rate. So there needs to be able to be public testimony there even with that. >> We might ask people to comment on the rates, but not on budget issues because we have the other two days set for budget issues perhaps. >> >> Mayor Adler: We could certainly try. >> Casar: You're the mayor. >> Mayor Adler: Regardless, I think let's grab the 28th and let people know they will have an opportunity to speak. >> Alter: If we can get some can clarity, though, on

[11:04:44 AM]

timing of when we want people to come. I don't know what items we have currently on the 22nd to be able to give folks a sense. You know, again, I think we need to have an evening opportunity and potentially a daytime opportunity, and if we can get some clarity, maybe a proposal on Thursday that allows us to do that, and it could be that on the 28th we have that we'll be there at 10:00 A.M. And we will be there at 10:00 A.M. Until whenever there's people during the day and that we're going to then come back at 6:00 and take testimony if we need it. I don't know what the right answer is but I think if we have a large agenda on the 22nd as we have in this week, if any of the zoning items get postponed or they need multiple readings, that it was very uncomfortable my

[11:05:45 AM]

first year I think when we had budget that we didn't hear until after midnight for one of the hearings and I think that was why last year we had a set aside hearing for budget so people had a specific time. So maybe, city manager, you could -- mayor, you could come back with a proposal on Thursday and then we could have some clarity for folks. >> We'll do that when they post it on the message board, but we'll elevate that. Yes? >> >> Casar: Mayor, what I'm hearing, I think is the case, is that on our council schedule that we previously adopted, the 28th was set for 6:00 P.M. And then the 22nd is just as part of our normal agenda. So one idea to float out there is just to have the 22nd be the daytime one and the 28th be the evening one and encourage folks that can come in the day to come on the 22nd, but if folks want to come early on the 28th too, I'd be open to it. I think it's pretty clear to say daytime 22nd, nighttime the 28th and we

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can get work done in our offices on the 28th during the day if we just have it be a night hearing. >> Mayor Adler: I heard that. Let's look at what we expect the agenda to be on the 22nd and maybe we just recess it and go do that, but we'll see what the agenda looks like. Great. Thank you very much. Let's go to pulled items. We have about an hour before we break for lunch. Let's see how quickly we can move

through these. The next item is item number 39. Mr. Flannigan, Jimmy, you pulled the farmer's market please? >> Flannigan: Yes. So this is the result of legislative changes, but I wanted to know from staff how we're expecting to make up the difference. My understanding is it's in the neighborhood of 40 to \$50,000 that is going to have to be made up somewhere for the health inspections related to farmer's markets. So I don't know if there's already a plan to make up that difference. So I'd like to know that and

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then I have one comment. >> Good morning, Stephanie Hayden, director of Austin public health. Basically just from the farmer's market fees, the reduction is about \$42,000, but overall with environmental health fees we are looking at a deficit of \$15,000. Because overrule we will be -- overall we will be providing more inspections, we will have more -- an additional -- we're estimating more facilities that we will need to inspect. So the bottom line deficit is about \$15,000. And so we don't see that as being such a large impact. And we're feeling sure that we would be fine with that

[11:08:49 AM]

small of an impact. >> Flannigan: I'm have interested in an offline conversation about how that is getting managed through cost of service for each of those different type of fees, but I'm also hopeful that we're looking at all of the ways that we spend money related to the farmer's market ecosystem and that we are right sizing these investments to account for changes in the legislature. >> Okay. >> Mayor Adler: Okay. Yes, Kathie. >> Tovo: I just wanted to ask a quick question. You each mentioned different numbers. Did you say the same number? I thought you had a larger number, councilmember Flannigan? >> Flannigan: I was talking about just the part impacted by the legislature, but my understanding is that the department is finding that the total universe of fees collected will increase in other areas that will partially offset. So I want to know more about that because I want to understand how that complies with the cost of service stuff, but we can have that conversation offline. >> Okay. >> Tovo: And I'd love to

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not necessarily participate in the conversation, but participate in that because I'm real interested in that too. Thanks for leading on that. I love farmer's markets. I go to them regularly. I think the city should support them. I have to say I am -- I was taken aback by the this legislative legislative change and the role that our farmers markets may have played in that because we're doing -- we're really trying in so many areas to recover the cost of service and to not pass those costs on to other participants. And the city has been a very good participant and partner with our local farmers markets and that just surprised me. I'm glad you've been able to find ways to offset that increase that we will face and that it's 15,000,

15,000 of course that we could have spent on other things had those costs been able to be borne by the provider. So anyway, thanks for your work. >> Mayor Adler: Thank you. Let's pull item number 61.

[11:10:54 AM]

Councilmember kitchen, you pulled this, the historic voting survey? >> Kitchen: Yes, I have just a few short questions and I think I may have answered most of them. So when I first read this I was remembering that when we approved the hot tax funding last year we had a discussion about doing an historic survey throughout the city. So I don't have any -- let me just say upfront I don't have any concerns about this item. I just remember that our conversation last year about the hot tax discussed funding to do this kind of survey throughout the city so that we could identify historic buildings throughout the city. So I'm now understanding that those are two separate items, and I want to confirm that. And that there is -- that the study of historic properties throughout the city is still happening and

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is ongoing and perhaps not completed yet. So I want to confirm that. And that this is a separate item. >> Jerry rusthoven with the planning and zoning department. You're correct, we have two different things going on. One is -- we have two items on this week for purchasing to complete surveys in two different areas of town just like we did in 2016 when we did the east Austin survey. We found that survey to be very useful in our work. It saves us a lot of work, gets a lot of stuff done upfront that we can expound upon. But we did have a separate effort last summer that we're working on to identify historic properties near tourism sites and that's separate from this item. This item is to hire consultants to go work on the more detailed survey like what we did in east Austin. >> Kitchen: Okay. And then just one last question then. The other item, do you know when it will be completed? >> No. We used interns last year to work on that. We had I think about 19 interns working on that. The data has all been collected. We'll work on sorting

[11:12:56 AM]

through the data and categorizing it. >> Kitchen: When you have an estimate of when that one might be completed if you could let me know. >> Sure, will do. >> Kitchen: Thank you. That's all I had. >> Mayor Adler: Okay. Anything else on this item? Great. Let's move on. >> Harper-madison: I have a question. I was just looking for some clarity. Two areas that are mentioned and I'm not certain where they are. University in Windsor -- which Windsor. We have four of them. I I asked my staff that same question this morning. It's the university is the west campus and north university area as well as Hyde park. The other item that's on your agenda is for Hancock and upper boggy creek and neck north loop. And these were

identified from the east Austin survey. The consultant who is actually one of the contractors on this agenda recommended which areas we tackle next. They gave us five recommendations and these

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are two of those five. One of the five we found out the neighborhood is already doing the effort on their own. That would be Bouldin neighborhood is already out there doing a survey on their own. So we thought we wouldn't tie your contractor to doing that because they're already doing it. And these are two of the areas that were identified as priorities in that list. >> Mayor Adler: Okay. Let's call the next item. Item number 71, councilmember kitchen, you pulled that one. It's about the drinking fountains. >> Kitchen: I just pulled that because I had posted a potential amendment, which I thought -- which I think is consistent with councilmember tovo's item. That was just to expand the geographic area to consider -- I'm not suggesting that this expansion area is the best area and that it needs drinking fountains. I just thought it should be considered as part of the

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entire area. So I just pulled that to give everyone a head's up if you haven't had a chance to see it that I posted a potential amendment on the message board. I also -- I also pulled this item just to allow councilmember tovo if she had any comments she wanted to make since I'm not in the forum. >> Mayor Adler: Anybody else want to comment on this? Kathie? >> Tovo: Sure. I appreciate the parks department and the document they were providing and I hope we can get the document up there and I'm sending copies around. So if the suggestion is to expand the boundaries, I'm happy to do that. It does look like this area is fairly well covered with water fountains and so I'm not sure that that really rises to the level of the highest priority areas.

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But if the idea is just to include it -- really we were trying to get, you know, an area that I think is very heavily used and very heavily trafficked and we don't have that kind of accommodation as -- or very many of them as most other major cities or some other major cities have had. So again, I -- I know we can't talk outside of this meeting, but I guess I would just -- we can talk about next Thursday whether it makes sense to expand the geographic boundaries knowing that the geographic boundaries include I think a lot of areas that include water fountains. Thank you. I appreciate the conversation because had you not made that suggestion, I probably wouldn't have asked for this map and I think this is really helpful moving forward and good research for us all to have. >> Mayor Adler: This is a good map. Thank you for getting this map. Anything else on this item? Okay.

[11:16:58 AM]

We're going to go on to the next deal then. Item number 72, Jimmy, you pulled that one, economic development entity. >> Flannigan: Yeah. I'm excited about this, thank you, councilmember tovo, for putting this on the agenda. I handed out one amendment. It should be very straightforward. I just want to ensure that we're exploring all the uses allowed by state law and in the next item it has similar language about all the powers prescribed by the code and so I'm hopeful we can ensure that the edc is doing all the things allowed by state law. >> Mayor Adler: Okay. Kathie? >> Tovo: Sure. I think that's fine. I will say in -- did you pull the next one too? >> Flannigan: Yes. >> Tovo: Are we going to talk about that separately? >> Flannigan: Yes. >> Tovo: I would say I'm happy for us to explore all the uses. I think they would function best if they have some pretty narrowly defined purposes and that may lead sexual abuse the lgc conversation. But I'm happy -- the language is in the main

[11:18:00 AM]

exactly what we intended. So I'm fine with the amendment. >> Mayor Adler: Okay. Item number 77. >> Flannigan: And on 77, my question is more about the revised backup that talks about where city council approval is going to be required. And I see that it's going to be recommended by the manager what those will be defined. And so I want to make sure that I'm having conversations with staff about my take on this. I think that these entities work best when we as a council give them the authority and then they can go as quickly as possible to solve the problem. So I would want to reduce as much as possible the requirement of coming back to council and trying to find space on agendas and leading down a very difficult path. So we can answer the question, but I'm going to be more on the side of giving them the authority to go quickly. >> Mayor Adler: My understanding is the intent of these and where they work well is to be able to have a nimble entity so you have to be really clear about the lanes in which it needs to operated. But then my understanding is the whole purpose of this was to create a more nimble

[11:19:00 AM]

thing. We just need to make sure we define the lane as well. Kathie? >> Tovo: I think we had accidentally posted the wrong version so the changes were the most recent version we had worked out with law. So that's why there's a new version in the backup that's been posted, so I just say that to call user attention to the fact that the one that's posted now is the one that we had intended to post. With regard to that point, there are a couple of questions that we've not attempted to provide final answers for in the resolution and one of them has to do with really the scope of the lgc. I think it's -- I intent my intent in bringing it forward and I think the most critical purpose of this group is to function in the same way that

other cities' business councils do. Which are usually a mix of public-private individuals whose primary focus is to

[11:20:03 AM]

raise money. Other cities have started local government organizations focused on homelessness. It's more broad and has a policy piece and a planning piece. I think we've got those other elements well covered in our community and don't -- especially with the work that our homeless strategy officer is going to do to connect to those groups. I don't want the lgc to focus on planning or policy. Howard said it well, we don't need another planning -- we don't need another planning group. I completely concur. I really want them to focus on fund-raising. Within that we do have some questions to answer in the scoping period of how they will, number one, interact with the city and the strike fund we're setting up as part of the city. Does the strike fund live in this lgc or part of the economic development corporation? So the question about what kinds of expenses -- what kinds of -- whether they'll be spending their money

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still remains to be answered. I've heard very different opinions on that and haven't -- at this point I think the best model might be a hybrid where we want them to be flexible, we want them to be able to respond to immediate needs. When they were doing pop up clinics, there was a need for lots of bus passes, there was a process of trying to find money because who had money. Those are the things that I see this lgc being able to help with very nimbly. So that's an easy things to carve out, those lower dollar expenditures within the monies that they've raised. The big question I think to raise for this lgc is what extent they would be using the funds they're raising to acquire a property. We want them to be able to accept donations of property and donations of services, but do we want them to be able to actually spend some of their fund-raising? I just throw that out as a question that I think relates to the one you just asked about whether or not -- if we're broaden

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broadening -- if they have a broader purpose than just raising money, are they the ones that make the decision about spending that money and if so what are the thresholds that they have to come back and seek council approval? Those are a bundle of questions that we need to sort out. We just have some more thought to put in to narrow this down. But the intent is to be whatever entity is purchasing is going to be positioned to purchase property we want them to do it nimbly whether it's the economic development corporation or through the lgc, whether it's separate, I think we just have to determine. >> Mayor Adler: To be clear construction to clarify my comment and in -- just to clarify my comment and to

get gut feels on this issue, I think this is primarily in my mind a fund-raising body to be able to get that and I think it needs to be populated with people that are going to best be able to do that because that kind of partnership I think is greatest in need.

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I would hope that the area within which they're then functioning is consistent with whatever it is that is the action plan that's been adopted that is basically being marshaled by Laurie. So being able to raise the money to be able to execute that plan. So I see that strategy officer and in your office as kind of having that oversight to make sure that it's executing within that plan that's been adopted by the council and adopted by the community. That's what I meant. I don't see this group as being discretion to be able to stray out of that or to go other places. In part because I hope that there are people that are raising money on that that actually have an interest in how the money is spent and that would be a conflict in my mind if they're both raising the money and then deciding how to spend it. So we really do need the city and this officer and your office and saying this

[11:24:05 AM]

is why we've been charged to do. So I see that kind of control happening. That's how I thought it would happen at that level. >> Tovo: And that -- and I agree. That may be why the purchasing of large scale or the major investments happens through a different process or the other entity. And I want to thank councilmember kitchen. She actually suggested as a co-sponsor suggested language that makes it clear that we're operating in accordance to the action plan. But just in case that we don't talk about it on Thursday, I want to say the other comments I've heard from members of the public is that we don't want to be competing to -- there's a little concern out there that we are competing with non-profit organizations that are also doing their own fund-raising. I want to assure all of them as I have been this is not intended in any way to compete with those private

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fund-raising efforts. We need all of them. This is really an attempt to, one, help increase the pool of money that we have available for our social service contracts, especially as we go into some really different financial years with the tax cap. But also to provide a way for people to give. This is something that we get asked all the time. How can we help financially. And we have many very generous individuals in our community who are helping support individual organizations. Some of them have foundations that have given large grants and that is wonderful. We need to text potentially -- exponentially increase the services for homelessness and for individuals and as well as other grantees,

but with the intent of helping supplement the existing fund-raising that's going on, not supplanting it. >> Flannigan: Know my appreciation for this public

[11:26:06 AM]

dialogue about clarifying the intent of this and it may be helpful for staff to come back with the next steps. >> Mayor Adler: Let's do the next item. Alison? >> Kitchen: I have a question. Just quickly. My other question, this would be something that -- you don't have to answer just now. I am curious about whether this is an avenue to look at funds from other public entities. So that's something that we can talk about also. And I wanted to thank councilmember tovo for bringing this forward. I think it's a necessary piece and it will be very helpful. >> Mayor Adler: Okay. Let's go to item number 78. Alison, you pulled this. >> Alter: Yeah. I wanted to provide a quick update. So item 78 is calling for a climate change emergency and in doing this we will be the first city in the south and we will be

[11:27:07 AM]

joining with over 700 jurisdictions around the world to do this. My office has worked closely with the office of sustainability, working to make this a useful document that charts out some of the next steps that we need to be taking given a climate emergency. We have some additional language and some changes that I will post as soon as we have finalized. I want to make sure that I run by my co-sponsors before we post them, so please be looking out for that posting on the message board. And if you are one of my co- co-sponsors, councilmembers, whatever your names are -- [laughter]. Tovo, kitchen, pool and Casar. It's been that kind of morning already. >> Mayor Adler: We moved chairs and stuff. [Laughter]. And it's been a month! It's been a month since we were together. >> Alter: It's different

[11:28:07 AM]

after our break. Anyway, I want to make sure that we touch base so that I can clarify with you the changes before I post those. I think this is a really important resolution that will help us to be responsive as we have tried in the past to be to the climate crisis, but there's always more that we can do. And I'm hopeful that other jurisdictions will be looking to Austin as an example of things that they can do in this varying and connected world that is important. So we will post that as soon as we have the updated version. >> Mayor Adler: Sounds good. All right. Let's do the next item. It is 91. Street impact fee. Ann, Alison, you both pulled that. >> Kitchen: I pulled that because I wanted to give my colleagues a head's up that

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I'm-- at this point I'm going to be suggesting that we go ahead with our hearing on Thursday, but then we allow some more time for the mobility committee in our August 21st meeting to dig into some more of the details so we can come back to vote on August 22nd. I've confirmed with staff that that will not cause -- that going from the August eighth to the August 22nd won't cause any difficulties in terms of slowing down anything. So I just think it's a very complex issue and one I'm very excited about, I might add. But I wanted to make sure that the entire council as well as the mobility committee had time to ask all the questions because there's quite a few questions about it. Councilmember alter, I don't know if you -- >> Alter: I had some specific questions. Director spillar, are you in a position to answer them?

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>> I have additional staff here, councilmember, and hopefully we can answer some of your questions. >> Alter: If you need them to reassign -- that you had the right people there. And I'll try to kind of pick among these so that I can be focused if we're not going to be voting on it on Thursday. But I do think it's important for the public coming to speak. Can you please provide clarity on how different land development code assumptions would factor into this process. There's been certain assumptions that have been made about the land development code to come up with the process for the street impact fee formulas. I'm trying to understand how different land development code assumptions ultimately affect the street impact fees, assuming they would vary by area, but if you could speak to that briefly. >> Liane Miller, Austin transportation. I'll speak on that briefly and then maybe let Cole

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expand. Yes, the land development code is important for our future development. The land use assumptions are growth projections for the impact fee. It's a 10-year projection of growth based on a couple of different -- there's different ways to do growth projections, right? There's demographic projection, which is what our demographer does on demographic changes, but those are not based on land use assumptions or zoning. Then there are ways that we can look at the developability of different parcels of land and actually look at a capacity analysis for land itself and use that to project growth. And what we do in land use assumptions is a blend of those two approaches. And I would say another way would be what the strategic housing blueprint did, which was more set a target for growth in units to accommodate a certain amount of need that we have. So looking at those three different ways, we looked at

[11:32:16 AM]

the demographic projections for that 10-year forecast and also what a carrying capacity could be for land based on several different factors. Imagine Austin being the guiding principle of centers and corridors to accommodate new growth as well as emerging developments. That in a 10-year period accommodates a lot of our growth, but is a lot of what we already know about. And also growth trends in general. So we didn't look at the codenext or the land development code zoning specifically in developing these land use assumptions. So while the code has some impacts, I would say our land use assumptions are independent of those. So I don't know if you want to add. >> I would add -- [inaudible]. I turned it off. Cole kitten, Austin transportation. One thing that you have to consider in forecasting is

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there's really many ways to do it and they're either all wrong or they're all as best as we can do, but they're all predictions. So really what we have to ask ourselves is this a reasonable assumption. Looking at what our projections do forecast is 125,000 dwelling units over those 10 years. Clearly the land development code assumptions can either constrain or support whether or not we can deliver 125,000 units. However, in with regard to the street impact fee land use assumptions, 125 units over 10 years is a reasonable amount of growth. You know, at the end of the

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day, what those growth assumptions do is calculates your fee. So the more growth you assume to occur, that fee gets spread out over more units so it's a lower fee. If you think that 125,000 was too much and that we need to make it fewer, then that fee would be increased over the number of units. >> Thank >> Alter: Thank you. That last part is what I had wanted to make sure I assumed correctly in doing the calculations. So on what basis and timeline are the assumptions updated for the land development code or the land development assumptions. >> When they have been or when they will be in the future? >> Alter: In the future. >> In the future. So state law requires that we update assumptions every five years at a minimum. They can be updated at more frequent periods of time if

[11:35:22 AM]

necessary. One reason that some communities have to do that is if they annex a significant amount of land that would change the growth projections. So that's just one example, but we have the ability to update them more frequently if that's needed, but at a minimum would do every five years. >> Alter: Thank you. I wanted to ask if we could get -- I don't know if this would be from you or from water, but I think it would be really helpful for us to have a memo that lays out the impact that the impact fees had when they were adopted by water and wastewater and what that has meant for city finances. I believe councilmember tovo was involved in that when she was on council and establishing those impact fees,

but I'm really excited that we are moving in this direction and that we will have these studies to be able to use those fees to build out our transportation

[11:36:26 AM]

network. But as we're thinking about this and getting to a point, I know at this point we're not making a policy decision about what the fees are, but I think moving forward and even when we're having that discussion it would be really helpful to understand how much having those impact fees for water and wastewater would be to shore up the finances for Austin water and increase its bond rating and allow it to diffuse debt and other kinds of things that allow us to have the infrastructure we need for this growth to happen in a fiscally responsible way. So I think that we have an example just here in Austin where we've used this where I think it would be helpful to have that and maybe along with that also some further examples than what were in the backup about I think it was Fort Worth that had it and how it was contributing to their ability to meet their infrastructure needs. >> Councilmember, could I ask a clarifying question?

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Do you need that before you're ready to take action on this first part or can that be something as part of the study as you said? This is just the first step. That the actual decisions occur probably in January. >> Alter: I guess it depends on how much we are going to move around what you're presenting. At the moment I'm pretty comfortable with what you're presenting, but if we're going to end up modifying it in ways that would undermine our ability to achieve those goals, I would want that sooner. If we're not voting on it Thursday obviously we don't need it for this Thursday and certainly the next meeting, but if you want a conversation with my office about some of the constraints involved with that, I would be happy to consider it. >> Of course we want to do a thorough job so that sounds like some additional research on our part. So just offering. If that's part of your ongoing deliberation, the final decisions on the actual fees will probably occur right after the first

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of the year. So certainly we'd be able to provide it by then to allow to you have some better information. >> Alter: Maybe we can have a better sense on Thursday of what the public comment on is that and if colleagues have a sense that they're going to be moving a lot of pieces around, I think it would be relevant at this stage. If we're not, then we might be able to wait on it, but certainly definitely before. >> And just to clarify again, I think this first public hearing is really about the land use assumptions that are going into the calculations as well as the geographic areas and the projects that fall into those. And so we're a little bit constrained by state prescriptive guidelines as to what to go in. And I

think you will see that this is really the first step. Council certainly has the opportunity as this progresses over the next six months to that next final sort of fee vote to even then make some changes as we

[11:39:29 AM]

approach the final sort of setting of the fees. >> Alter: Maybe you can take a look and get a sense of how much time you need for it and also we can see the public hearing on Thursday what direction things seem to be headed in that regard. Our impact fees done in the same way in limited purpose as with full purpose? Yes? >> Yes. But not in the etj. >> Alter: And then when we talk about the roadway capacity plan, that is broadly speaking not for transit improvements per se, but are there elements of the improvements that we need for project connect that involve roadway stuff that is covered. >> Let me answer this and you can add on to it. You know, by state law this has to relate to roadway capacity?

[11:40:29 AM]

As you know we're also working on the transportation criteria manual and so for some of those roads we will designate that the payment for incentives needs to be concrete so it can better handle the heavier vehicles that are represented by transit. Because that is the specified design in the criteria specification manual, these fees can help pay for the cost of that roadway. Just for instance, like sidewalks are part of the roadway definition and therefore sidewalks are part of the fee. But the transit vehicles probably not. So if it's defined as a part of the road construction, absolutely it can be included. So as we better understand the design parameters coming out of project connect, but also out of the transportation criteria manual, which is going on parallel to this, then not guilty R. A lot of those costs will start to fall into the fees. >> And looking ahead to January I have on a number of times asked for -- to

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have some examples of how this would play out with zoning cases that might be more family to us so that we could understand the way this interplays with providing us additional funding for our network, but then requires them to still do the immediate vicinity is set of improvements and so that we can understand this interplay with rough proportionality. So I just want to flag that. Again, the last question I had is for the intersection portion -- I guess of the roadway capacity plan, which were not all part of the asmp, if we find that between whenever we vote on this on the 22nd and when we adopt it in January is that there is an intersection that needs to be added, that is also possible to be added so that if we don't have all of that worked out for the 22nd

[11:42:32 AM]

that this doesn't mean that it can't be added in this process moving forward. >> That's correct. The resolution you have in your backup has a clause about if any changes need to be made to the assumptions those can be incorporated at the next council action with the adoption of the fee. So in any changes like that, identification of the new intersection could be added. >> Alter: Great, thank you. >> If I may say one thing about delaying the vote or the council action on this, of course that's council's prerogative. I would recommend that if that is your decision to dry to the 22nd that you consider leaving the public hearing open to the 22nd. State law requires you to make a decision at the council level no more than 30 days after the public hearing on this particular type. So that obviously if you've held the public hearing hoping you're still holding it so you close it the same day you make the decision, it would make us feel much better of those aligning very close together together. >> Kitchen: Can I ask a question? I want to confirm that -- I

[11:43:33 AM]

laid this out, I didn't hear anyone object. I want to make sure no one is objecting to unconscious doing this in two parts like this? Voting on the 22nd. >> Mayor Adler: I'm fine with it going to your committee if that's something that you want to do and the staff is okay with it. I would like us to move forward and get it done so that we start -- >> Kitchen: I do too. We absolutely need to move on it and the 22nd will be -- >> And just to reiterate, work hasn't slowed down. We're still moving forward. If we go beyond the 22nd, then assumptions changing do affect the work product. >> Mayor Adler: Okay? The next item here is item number 100. Jimmy, you pulled that? >> Flannigan: Yes. So when we dug into this in my office it seemed to me that the front and side yard parking is restricted everywhere. It's just a question on which department is enforcing it. And that this process created 10, 15 years ago,

[11:44:35 AM]

allows neighborhood associations to opt in or opt out of whether or not APD is the enforcement mechanism. Am I interpreting this correctly? >> Yes, councilmember. Jerry rusthoven, planning and zoning department. This issue has kind of a twisted history and if I could go back for just one minute, I was actually working on the council staff when this was approved back in 2001. So it was about 18 years ago. There was a specific neighborhood that approached a councilmember trying to get a citywide ban on front yard parking. I remember seeing photos of a duplex street that had a lot of cars parked in the front yard. There was resistance to that because as was stated at the time in certain communities that's considered to be okay. Had to do with economic abilities, how many people were living in the duplex and what the nature of their jobs were and contracting trucks and things like that. So the council is kind of torn on it. And they ended up coming up with I think a rather clumsy solution that involved allowing neighborhoods to opt in in a yearly process to ban parking in the front

[11:45:36 AM]

yards in their neighborhoods and that would be enforced by the Austin police department. There's already a section of the code where you're alluding to that says parking must be on a hard, paved surface. That would be enforced by the code department. So this is enforced by APD and the other section enforced by code. What started to be confusing is base frankly much of the council was opposed to this idea at the time, they created a system whereby a neighborhood had to opt in, but then after three years they were automatically kicked off the list unless they reopted into the process. So it was an opt in process that had a three-year cycle. The very next year the council changed their mind and got rid of the three-year limitation and said that if you were ever put on the list that you were basically on the list for good. So what happens now is as required by the ordinance, the city sends out an email -- a letter to every neighborhood association asking them if they would like to be put on the list. What happens is you have neighborhood presidents that are new. They read this letter and they go oh, sure, I think this is a good thing, we should be put on it.

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Even if frankly in some situations there's nobody parking in the regards in their neighborhoods and the deed restrictions already prohibit that. Is a good example is we have a neighborhood on this list, Harris branch, that's asking to be opted into it. The end result is the ordinance also requires that after the council adds them to the list of neighborhoods that are prohibited we have to send a letter to everybody within that neighborhood telling them that they are now on the list and that they can no longer park in the yard after the fact. In this case it's almost \$16,000 that we will have to mail out. For that reason in the code rewrite the staff is not recommending that this process continue. We're actually proposing that it be eliminated. It's administratively a nightmare. I don't believe it's a high enforcement priority for the police department. And the idea of having a yearly process to determine this that we should decide for the whole city whether it's okay or not okay, but it's a convoluted and

[11:47:38 AM]

expensive process for the city. So this would be hopefully the last year for this process. >> Flannigan: That's great news. They've going to be my hope. I think it does open an interesting question about what are the types of -- are there other tasks like this that we have assigned to APD that might actually better be done by code enforcement and as a way to better put our officers into the places they really have been highly trained to do? And my instinct is that code enforcement has a lower cost per hour than our police department does, and a whole host of other reasons why it might be a good idea. So it might be good to look into those types of activities that we might be able to shift over to code enforcement. I'm glad to

hear it's going away. I don't know if I should ask Jerry this question, but it sounds like we shouldn't approve this if it's going away anyway. We're sitting on 10,000 letters -- >> This year it's required by the existing code. It directs us to go through this process once a year. My suggestion would be to comply with the current

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code, we do this this one last time, I guess, and then in the code rewrite -- the other option is simply to not approve this item this time around, but certainly in the code rewrite what we would propose is some cleanup language that would not only not this process or bring this process into the code rewrite, but would also clarify that all the existing ones are kind of cleared out so that we don't have questions about where this is allowed and not allowed. >> Flannigan: I'm just going to vote no on Thursday. I don't think there's a reason to send out tens of thousands of notices on something we're going to end soon anyway. Whatever happens. >> Mayor Adler: What's the impact if we don't vote yes on this? >> If you don't vote yes on this, then APD would not have the ability to write tickets for people who park in front yards in the neighborhoods that are listed in the backup. >> Mayor Adler: Okay. >> But code enforcement will. >> Code enforcement, like I said, the requirement is that parking is required to be on a hard surface. I think where it becomes a debatable issue is when a permit is approved and a

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house requires two parking spaces they're shown to have a driveway, they get their building permit, the house is built, after the house is built if somebody parks on the road, what happens? That's what this was intended to address. Code believes they can enforce that through the existing code. At the time this was done 18 years ago it was felt it needed to come back. >> Mayor Adler: Okay. Thank you. Let's go to the next item. That gets us to item number 131. After we do 131, there were three items that were pulled. I think they're touching on real briefly. One is 75, one is the sconing case involving the -- the zoning case involving the hoods folks and one is item 92. So we'll call those quickly at the end of the ones that were pulled timely. Jimmy, 131. >> Flannigan: I'm asking to postpone this to the 22nd. We're working with the developer. This is an odd property that is half etj or a little more than half etj and half in the city. And so we're trying to figure out the right way to

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handle this so that the city is able to kind of maximize the benefits to the community and maximize the opportunity in a very odd shaped hole of the city right at 45 in my district. It's a squirrely little line. So just asking for a postponement as we work these details out. >> Mayor Adler: Item number 75, shoal creek. I just wanted to give -- I'm supportive of these projects. I'm going to bring an amendment that

does two things, I think, and I'll post it. The first one asks to look at funding streams in addition to the tif that's been created down -- because we have funding for the bicycle network and the urban trail network and other possible funding

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sources. So I don't want to be limited so just taking a look at that one. And the second thing is just asking the staff to talk to us about priority, these projects compared to the other trails or preservation or other things just so that we can confirm that this is the next most priority thing for us to be doing. Kathie? >> Tovo: Thank you, mayor. I think -- so we had received a suggestion that the staff take a look at a pid or some other funding mechanisms, and it was our understanding that we can't add in that additional direction to look at other funding streams because our posting language was very narrow. So I had intended on Thursday very in line with -- I'm in complete accord with your direction. I think we just have to offer it as direction rather than as an amendment is my understanding based on our conversations with staff because the posting language was relatively narrow, though I think it -- to some

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extent -- well, I think we just unfortunately posted it too narrowly for that. But I think that's -- >> Mayor Adler: And to the degree that we can't make that part of the item, I do not want to hold up the item. And since it's just the resolution itself is a direction to staff to take a look at something and come back, I would feel comfortable doing it by direction. I'll take a look at the posting. >> Tovo: That's great. We had intended to do the same thing based on the feedback that we got that probably was some of the same feedback you guys got. With regard to the priority, it was also my understanding -- it was my understanding really based on my conversations with the shoal creek conservancy that we are equipped to undertake this and they have been working on it and are -- and needed some kind of additional direction or from on council to help facilitate the work with staff. So my hope is that we're not jumping ahead of other high priority projects, but we're just kind of affirming the work that's already going on that is largely being done by private entity.

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>> Mayor Adler: And I think that's good from my understanding too. I just want us to dot that I and cross those T's because I'm concerned about accidentally or inadvertently creating a precedent where if there's excess capacity in a tif that that then extra capacity then gets just moved over to other projects in that area because they happen to be in that area. I think there are other cities in the state that do that and they are kind of governed by tifs and other areas of controls. And if it's tifs and we've avoided that I think it's good governance and that we've done that. >> Tovo: So in terms of prioritization, you're

talking about with regard to the tif. I thought you were talking more generally about prioritization in terms of projects generally. You're talking about prioritization in terms of the tif funding or both? >> Mayor Adler: I see them intersecting. I'm fine using the tif funding, I'm fine using the urban trail funding or the bicycle network funding. I'm -- I want us to take a

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look at all of those funding sources that are possible. Second, I want to make sure that this is the priority project and that whatever is the priority project for those kinds of funding that they're the ones that get that funding. I just want to make sure that just because there was a tif in an area where there was also a project, that project isn't the next thing to be funded because it's the next priority within the tif area as opposed to being the next priority within the city. >> Tovo: Okay. Thanks. >> Mayor Adler: Greg? >> Caesar: To that same point, I think there are real benefits of having a tif, especially when it generates more revenue because you've done the project and so that helps the whole city. I'm going to -- there's a lot of items on the agenda. I'm going to look closely to see if there's amending language or if it's just better just expressed as we -- because I know this is just a first step. But what I want to avoid, I think it's similar to what the what

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the mayor said, because there's a tif in an area, extending it or extending its boundaries can be a useful feat and an easier thing for us to do as a council because we may not be around in several years or whatever. But then that could potentially create unintended inequitable outcomes where places that are near tified things get more none than they otherwise would if we just prioritize them citywide. I'm not saying that is anybody's intention with this. It's just a slippery -- there's a reason we have a Seaholm tif, there's a reason we have the Mueller tif. And if we use it that it generates more money for the whole city that's a good thing. If it ends up getting projects up in line or further up in line because they happen to be near a tif that may not be as good of a thing. So I want to make sure we're careful about that. But of course, excited to see these sorts of improvements in this part of town. I just don't want to accidentally cut it in line of something else that

[11:56:46 AM]

should get the money. >> Mayor Adler: Sounds good. One more item to call, item 92. Ann, you had pulled that? >> Kitchen: Yes. I just wanted to give my colleagues a head's up about my question, and I have -- I can ask one question and then -- because this is an item from -- item from the staff, I don't have quorum issues so we can have some more conversations if we need to. So my question is: What this changes to, it sets a threshold of five or more manufactured homes. We had had some conversation

before about the threshold relating to the term of the lease being at least 30 days. The concept being that with rv's we wanted to avoid creating a -- what is essentially a camping area for people coming and going in a residential area. So my question is simply the thinking behind using the

[11:57:48 AM]

five or more manufactured homes as a criteria, as opposed to or perhaps as an alternate criteria that the minimum amount of the lease. So that's really my question. Can you speak to that now, Jerry, or do we need to take it offline? >> [Inaudible - no mic]. >> So the issue came up when we were doing the mobile home zoning cases that were initiated by the city council. We discovered that there were a lot of rv's in mobile home parks which is in today's code technically not allowed. We have two categories, mobile home park, which is what we know it is. And we have rv campground, which is a separate use. What we found is when we went to mobile home parks there were both at those locations. So we initiated -- we asked the planning submission or council to initiate a code amendment to allow for rv's and discussing with code enforcement and discussing it with public health, we discovered that they had -- our first initial approach was to limit the number of rv's as a percentage.

[11:58:49 AM]

But because an rv has an engine and can get up and move, code was really concerned about their ability to enforce that. In other words, might be three today and two tomorrow and five the next day. So they really didn't want us to go with the percentage because of a difficulty in enforcing it. So what we decided to go with was that a by definition a mobile home park would have to have at least five mobile homes. And the reason we chose five is because that's the number that triggers the mobile home tenant relocation provisions. So we wanted to be sure that those were triggered, but again, we didn't -- the request of code, didn't want to get into the percentage. I imagine, I'd have to ask them, but putting words in their mouth, which is probably not a good idea. There might be an issue too with the terms of the lease as far as their ability to get a copy of that lease might be difficult, but I can talk to them about it. >> Kitchen: Okay. So the concern -- we can talk more about this offline. But my understanding -- I understand there's a number of concerns that we're trying to address with these

[11:59:49 AM]

changes and that one component of those concerns is that -- what we have right now is as you said rv camp grounds and mobile home parks. We don't want rv camp grounds in areas that we're trying to support for residential use. But but to my mind, an rv can be something people live in on a longer basis as opposed to moving more often and camping. So that's why I had focused on the -- focused on the length of time that someone was staying in that particular -- in that particular structure in a place. I hear

what you're saying about the triggers for the tenant protections, I think is what you said -- I don't want to do anything that inadvertently causes difficulty for -- for being able to access tenant

[12:00:50 PM]

protections where we need to. So I need to have some more conversations about that. But assuming we're not creating difficulties there, to my mind, the problem we're trying to solve is the permanency of somebody actually living in a place as opposed to them actually camping, and to my mind, an arbitrary number of one kind of unit versus another kind of unit doesn't get at that. >> I agree with you. If we had 100% rv's then it's an rv campground, not a mobile home. >> Kitchen: I said it's a campground if people coming and go. If they're living in those structures for an extended period of time, I don't see why those structures can't be their home. >> Right. There are people living in rv's in mobile home parks for years on end. Perhaps we could say it needs five mobile homes to make sure it's covered by the ordinance, any unit in there, whether an rv or mobile home, must be leased for a certain period of time.

[12:01:51 PM]

>> Kitchen: I'd be interested in exploring that and if my colleagues have interest in that, I'd be interested in discussing it with them. >> Mayor Adler: Thanks. As concerns some of the zoning items, I just note that items 107 to 111 have been items of some note in the community. There were some disruptions at the earlier hearings of these, and I just want to say that it's my intent to have us follow our ordinary rules of decorum so that we can appropriately work through our meeting. Greg, did you have some other zoning items you wanted to comment on? >> Casar: Yeah, I also want to highlight for folks because I haven't had time to dig into it or meet with folks about it, I just found out that item 123 is also an item at airport and Goodwin where it's an older multifamily where, at least if my

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experience, knowing folks who have lived there, walking by it, seemed to be more market affordable existing units, really large project that the mayor raised has similar questions and issues, I think those are just really -- again, I just -- as we are thinking about adding hundreds of thousands of units and capacity across the city, what we learned during the deif you think the codenext process is that we can do that without having to add those on top of where existing working class folks live, since we're in the middle of that process, I generally want to be really careful about -- about doing significant upzoning and potentially are validating useful of those units, knowing how many other places we can spread them to, and item 123, Goodwin and the airport, is a case where we can be doing that. It's not the case we should never do that, but I want to express

[12:03:53 PM]

some real caution and hesitation around doing that in those parts of town. And to reiterate, of course, what the mayor said around as we address issues where there's a lot of feelings and that are important to folks in the community that of course we need to maintain decorum and one our meetings efficiently and well and right, but I just want to flag for everybody just my continued heartburn about -- about us voting to demolish existing affordable housing in order to get some measure of affordable housing where we have older multifamily if we can actually create more opportunities for multifamily in other parts of the city, with the limited places we have currently zoned multiple family, I understand why folks might say this is one of the limited places you've given us but we just have so many opportunities in other parts of the city to do that, and I hope we will do that this year. >> Mayor Adler: I think those are good points and these cases are really tough. I'll take a look at all the ones you mentioned with that in mind. There's some advantage in having

[12:04:54 PM]

affordability that is permanently available, as opposed to affordability that exists now. Jimmy. >> Flannigan: The language can be important here. We are not voting to demolish anything, and rezoning will not prevent properties from being demolished. This is conversation we've had before about short-term impact and long-term. >> Renteria: Item 99, the applicant is going to request for a postponement. >> Mayor Adler: 99, postponement? >> Renteria: Yes. It's texaco -- station there. >> Mayor Adler: Okay. I think that gets us through the stuff. Good job. We don't have to come back after lunch. We're going to go into closed section and take up three items,

[12:05:55 PM]

discuss legal matters related to item e2, the November 2019 election, and e4, legislation enacted by the 86th legislature. E1 and e5 have been Braun pursuant to 551.086 of the government code, we're going to discuss competitive matters related to e3, energy generation resources. Without objection then, we will go into executive session. It is 12:08. Following executive session, we have no further business to conduct. I'll just come out and close the hearing.

[3:14:45 PM]

[Kathie Tovo] Good afternoon. I am Council Member kathie Tovo. We concluded or discussion. We are out of closed session. The City Council is out of closed session. In closed session we discussed legal matters related to items E2 and E4 and competitive matters related to E3. Having no more business before the City Council today we stand adjourned. Our Work Session stands adjourned at 3:15 p.m.

[3:15:40 PM]