

# City Council Work Session Transcript – 08/25/2020

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[9:04:41 AM]

>> Mayor Adler: All right. It is August 25th. This is the city of Austin council work session. Colleagues, we have a quorum present. We're doing this virtually. We have three blocks of us to do. We have the briefings, we have some pulled items, and we have executive session. I'm going to suggest that we take them in that order and try to get through all the briefings here this morning, perhaps take a break for lunch if we need to, come back do the pulled items and then conclude the day by going into executive session and then not coming back out into regular session.

>> Tovo: Mayor?

>> Mayor Adler: Yes.

>> Tovo: Could we come to an agreement on whether we're taking lunch fanned so what time that would be? Just so we and our families can plan on that?

>> Mayor Adler: I think we

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will take lunch and let's plan on taking lunch about noon.

>> Tovo: Sounds good. Thank you.

>> Mayor Adler: If we finish and maybe we could take some pulled items after presentations before, but let's plan on that. All right. So let's then begin with the presentations. That we have here this morning. We have a covid briefing, a briefing on economic development organization and a briefing on the Springdale pud. And we'll take those in that order so that our public health officials, Dr. Escott, can leave

us and get to the commissioners' court where I think he's making a similar presentation. As we head off and before I recognize the manager to pass it to Dr. Escott, I want to say thanks to Dr. Escott and also to director

[9:06:44 AM]

Hayden, Austin public health. Looking at the response of this city I think it's been really strong, done a really good job of keeping the city in the right place relative to other cities where we're doing well. Infectivity is going down, which I think is going to be discussed today. The hospitalizations obviously getting to a number where we're not challenged. We have a community that has been listening and responsive to the public health officials that we have. And ultimately at the end of the day regardless of what's happening statewide or nationally, locally our community is recognizing what they need to do and it's up to them. I mention that because we need it to continue. We are at a place where most cities plateau and we have to drive down ineffectivity

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if -- infectivity if we're going to sustain the opening of businesses. And Dr. Escott and Hayden can do all their work, but it's not going to matter unless the community engaged. We still have as a lagging part of our community the Latino community. I think that we'll see this trend also break, but that's where our stag certify in our community -- stagger is in our community, and we're not going to get to a good place unless our entire community gets to a good place. So we need to redouble efforts associated again with pulling that community together with the rest of the community. So the I hope that that's something that director Hayden and Dr. Escott speak to in particular as they go through the presentations.

[9:08:49 AM]

Manager, do you want to start off?

>> Cronk: Sure. Mayor and council, as the mayor said there is positive news but we as a community and the country are in the middle of a pandemic and it will take a continued sustained effort from all of us and we have incredible staff really on the front lines of this. So with that introduction of appreciation to our staff, I'll turn it over to director Hayden.

>> Good morning, Stephanie Hayden, director of Austin public health. Thank you, Spencer. Thank you for the opportunity to provide an update today. Our staff continue to contact trace with target populations. We are constantly reviewing and providing updates to our materials and we move along the process. Every Friday we provide a non-nursing home cluster update with the daily report from communications.

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We continue to prioritize our Spanish translation as well as ensure that we have nursing services that are available on our nurse line as well as our contact tracing. With our testing efforts, as you may recall, the department submitted a plan for covid-19 testing and regular epidemiological response activities for calendar 2020. We submitted that to the U.S. Secretary for health and human services in compliance with house resolution 266. And our plan was completing 10,000 tests in may, 40,000 tests in June and 60,000 tests in July. This is a combined effort with Austin public health as well as we've received

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assistance from the state of Texas. Our hospitals, our public and private clinics, as well as our private physicians. So we were really excited to provide over 60,000 tests this month. And we continue to have the ability to test over 6500 people every week. We are continuing at our testing location, walkup site at dove springs, givens and walnut creek library and we are providing evening and Saturday services at those locations. If individuals are unable to -- those are walkup sites. So the we also continue with our drive-up site. If you're unable to go online and register, we urge you to call our nurse line. You can call 311. Our nurse line will -- staff will get you set up and

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registered and schedule you an appointment. With our long-term care incident management team update, overall there's been a decline in requesting for testing, strike teams and ppe since our last update in July. And this just coincides with what's happening across our community. Year to date we have tested 8,338 tests and a total of 47 long-term care facilities have been tested. We are now assisting other agencies with their testing needs. This testing requests have decreased, but what we are noticing is that nursing facilities are testing all the staff weekly on their own. As you may recall the Texas health and human services commission stated in order

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to move to a phase I facility design which allows them to have visitation so they are providing those services and we are providing technical assistance as needed. With our strike teams, they have a primary focus as you may know of stabilizing our impacted facilities so we provide those as needed and also provide models of ppe. So year to date we have provided to 19 facilities. There have been a total of

308 strike team operational days and on average they spent about 15 days at each of those facilities. In addition to that, staff have provided some training to the strike team as well as assistance with their n95 testing and teaching them about donning on and donning

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off all ppe. Our strike team requests have also declined for our ppe provision. We continue to provide that as requested. We have provided 224 ppe orders as of this time. That includes n95, respirators, gowns, surgical masks, etcetera. Our long-term facilities, over 100 were offered a one time. 35 of them took us up on the ppe push-back, which provides all of that information that I provided. It also includes disinfectant and other supplies. Our weekly deliveries of ppe have been provided to facilities that have clusters and cases. So we continue to provide that to them as well. With our homeless update, we have five pro lodges that are operational, we have 333

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guests there. Integral care continues to assist us with on-site behavioral services at all of the lodges. Downtown community court, front steps, Salvation Army, communities for recovery and integral care are providing the housing focus case management and supportive services. In addition to that, community care is providing weekly on-site services at three of the lodges. 25 individuals have exited to permanent housing so we're really excited about the individuals that are exiting to permanent housing. We're doing -- continuing to do testing in that community. We have tested over 680 individuals that have been in shelters or encampments across the city. We're continuing to provide

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the hygiene resources, which is the mobile showers and the stationary showers. And we've been able to provide over 2,000 bags of shelf stable food each week. We have a contract on the agenda, excuse me, with sysco with food bag services with the food bank. In addition to that, as a remind E the U.S. Census is going to be conducting a count of homeless people and they're going to do that in September of this year. Our outreach partners have continued to come together a ph post and other city departments have partnered with the downtown Austin alliance to provide bottled water, masks, covid education materials and other outreach efforts.

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With our community distribution, our staff, our health equity task force continues to partner with community organizations. We have established the top six areas where we need to provide ppe in those areas. We have partnered with agencies this past weekend and this weekend coming up. And so we have a list of our zip codes that we are providing those services in. The constituent is working on a six-week campaign with central health, community care and Travis county around messaging as well as we'll have psa's and do ppe distribution. The goal is to provide ppe and targeted zip codes in order to really provide that service to the communities where we see the positivity rate is higher.

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Our ppe distribution this past weekend were in the 78741 and the 44 area as well as del valle. We have another event this weekend at Gus Garcia, and we are working with the housing authority to provide some ppe to senior properties. As we continue to work through with our Pio, we are really working closely with all populations. Our staff will have a memo that will be sent out later this week to mayor and council to provide an update about the latinx services that have been provided. Our staff have also have been working to increase language access at all of our neighborhood testing site. With -- we've been providing

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some testing in group homes. What we were noticing is that there were an increase in the number of group homes and so we're coordinating with integral care to address those settings. We're also providing isolation and quarantining on site, but we're also assisting them in testing in ppe as well as the n95 masks. With our childcare in schools, as you may recall on the 14th, we release the school reopening interim guidance and staff are working on an faq. What we have established for technical assistance and questions for schools is an aph school inknow at [austintexas.gov](https://austintexas.gov) that is set up for all schools from

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pre-k to 12. As well as we have another mailbox for childcare providers where they can reach out as well. We provided some additional nurses to our nurse line to be a capacity for the capacity for the reopening of schools so we are able to track any covid-19 cases that come through and establish a report in that space. We also have been able to provide to our childcare providers curbside pickup this past Friday and Saturday for health supplies. This was a collaboration between Austin public health, Travis county agrilife extension and workforce solutions. So we were able to provide over 140 of those packages. We are working on additional information to solidify our

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task force and focus in on pre-k through 12. We are also working with colleges and universities where they may have additional information and support that they may need from the department as well. So as we continue to work in this space and we know we need to set up additional areas to provide the technical assistance in the space so we will be doing the same thing for colleges and universities. That concludes my report. I'll pass it over to Dr. Escott.

>> Thank you, Stephanie. I'll ask Amy to pull up my slides. Perfect. Thank you, mayor, thank you, council for the opportunity to update you on our

[9:22:09 AM]

covid-19 data. Next slide, please. Sorry, there seems to be -- okay. I can see it now. There we go. So I want to talk a bit about cases first. You know, there's been some chatter on social media about are we plateaued or not. So it's important that the council and the public understand that when we talked about the plateau that we've been seeing, it's related to the new cases. You can see that since about July the 29th, we've been relatively flat. We've had some oscillations up and down, but we're having trouble breaking through that 200 barrier in terms of the seven-day moving average on new cases. I will say that part of this it seems is the result of the data dump as we call it that we saw from the state

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due to a delay in reporting of earlier cases. Some of those cases that we've received in the past two weeks were from as far back as April. We had many in June and July as well. So what we've done we've asked our team to look at the delays and see what proportion of the cases that we're receiving and reporting are greater than two weeks old, meaning they're no longer active cases. So when we look at that data it turns out that over the past two weeks about 50% of the cases that we're reporting are no longer active cases. And this is largely due to that increasing data that we're receiving from the state from old cases. So while right now this appears to be plateau with some oscillations, we have evidence now that supports the fact that are cases are actually declining more

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substantially. Next slide, please. We can see the new admissions which have been our key indicator up until now regarding our staging of risk. And that's based on the fact that it's not as vulnerable to variations in testing and turnaround times and so forth. We can see that with our new admissions to the hospital, those have been steadily declining. We saw that we had a rapid decrease towards the end of July. It flattened out a bit. It's still on the decline and now is declining a bit more rapidly. As the mayor and city manager said, I think this is a reflection of the work that is being done across our community by individuals taking on the responsibility of protecting themselves, protecting their families and acting in a protective way. And that's certainly resulted in what we're seeing here.

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Next slide, please. We'll look at the overall impact on hospitals, we can see the total hospital beds being utilized in the blue. We see ICU admissions in the orange and the gray is the individuals on ventilators. All those numbers continue to decline and we can see that right now we're in a very good situation, less than 200 admissions total on that seven-day moving average and we continue to see decreases in the ICU and ventilator use as well. In talking to our health care executives and meet with them every week, it's the reports that we're receiving from them is that the hospitals are in good shape. There's plenty of hospital beds, plenty of ICU beds right now, plenty of ventilators. So for individuals who have been putting off elective procedures or going to the hospital for an evaluation or even seeing the primary care doctor for physicals or

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vaccinations for themselves or for their children, there's plenty of space. Now is the time to go. Next slide, please. Mayor and council, this is an update on the deck graphics associated with hospitalizations. I'll point out that we've -- in the green line we see our individuals who have identified as hispanic, a slight decrease, but relatively flat over the past couple of months. Again, still overrepresented in terms of their representation in the Travis county community. We're seeing steady increases in the blue line, which is our white non-hispanic, APD relatively flat in terms of -- and relatively flat in terms of our African-American population which is represented in the gray. Again, that line overrepresenting that community in terms of hospitalizations as compared to their representation in

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Travis county's population. Next slide, please. This is a representation of the hospitalizations based on age group. We can see last week I talked about the sharp increase in that 70 to 79 age group, which is that mustard yellow color which still is accounting for the highest percentage of hospitalizations this week, but certainly decreased as compared to last week. You can see a sharp increase in that 40 to 49

age group and can you also see an increase in the bottom, the gray line at that 10 to 19 age group, which is now representing four percent of all the individuals hospitalized. Now again, the numbers of individuals hospitalized is dropping, but we are seeing that that younger age group, that group when is going to school and to college, is

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increasing. So four percent represents the highest number to date as far as percentage before hospital admissions in our community.

>> This is an update of our nursing home and long-term care facility outbreak. You can see that several institutions have dropped off this week. We have two additional ones that have gone three weeks without a new case. And our hope is that they will drop off next week. Overall our number of new cases at 58, which is a substantial decrease from last week. As director Hayden said earlier, we're seeing decreases in the requests for strike teams and other supplies due to fact that the nursing home is now improving and other long-term care facilities also improving. But we'll continue to track this, we'll continue to offer support at those

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facilities and we're grateful for the fact that many of them have instituted their own measures, their own ppe and testing as director Hayden described earlier which is taking some burden off of the public resources to do that. But again, we will continue to support those efforts. We have lots of vulnerable individuals in our community, but the nursing home and long-term care facility still represents those who are at highest risk for hospitalization and death so we have to continue our vigilance for this group. Next slide, please. Mayor and council, I want to talk a bit about positivity. I've talked about this for the past several weeks, but I want to hone in on a little bit more. We're pleased with the fact that we've got a number of collaborators who are

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providing weekly feeds of testing data, that includes positive and negative feeds. And this was done in collaboration with UT and Dr. Mike penio who led this group and helped to bring this together so we're grateful for this partnership. But what we're seeing is a data feed that constitutes now more than 160,000 data points, positive and negative tests. Looking at this data compared to all the cases reported in Travis county by the state it represents about 87% of all cases, all the tests being done. So it is a representative sample of that testing effort that's being done. And what we can see is since week 27 we've had a Progressive decline in the positivity rate. We are in week 34 now, but we're only showing



you the data up to week 32 because we are still refining those feeds, we still want to make sure the feeds are timely

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enough that the immediately prior week and current week are not going to change much before we present it. But the last week that we're showing you here, week 32, shows us that we have a 7.6 percent positivity rate overall in our community. I can tell you that week 33, last week, shows a decline even further around five to six percent. But again, we are still anticipating from weeks 33 and 34 which we anticipate sharing with you next week. Again, it's also important to understand that there's substantial variation across our community in the rates of positivity. I showed this to you last week. This is updated this week. And this is showing us a breakdown by race and ethnicity of those positive activity rates.

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The red dotted line is the five percent mark which we would like to get everybody below, including the entire community, but we have more work to do. And what you can see here is that our African-American in blue and our hispanic or Latino group in the gold color are still close to or exceeding in the circumstance of our Latino community that five percent mark. So we have a lot of work to do. We should not be happy as a community unless all of these lines are below 5 percent or pretty darn close to it. And what does this mean? Does this mean that we as a city government or county government are entirely responsible for this? No. But it does mean we have to look at our efforts, we have to look at opportunities to increase those efforts and we have to continue to engage other community partners in helping us fight

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this. I'm pleased to hear stories about private businesses partnering with community groups to provide supplies, including ppe. Those efforts need to continue. If we have individuals in the community who want to know what they can do to help, they can donate to these groups. They can give them ppe, they can make cash donations, they can support this effort to target and support our communities of color. If we've made one revelation over the past several months it is that we can be a community as one. And we cannot be successful as a community unless we're all successful. And that means we have to focus on those who are still struggling with their infectivity rates and we have to push them down and that's going to take all of us. This is a breakdown of

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positivity by age group and I'm showing you week 81 through age 34. As I pointed out last week that blue bar, that 10 to 19 age group, is continuing to be high in terms of positivity as is the green bar next to it, the one to nine age group. This is concerning because as we are looking at starting schools in a couple of weeks, we have to ensure that we are testing this group of individuals, that we are encouraging as parents that those individuals are not engaging in activities which is going to increase their risk of infection and that means staying home when they can and when they are going out that they are going out in a protective way, wearing masks, social distancing, and paying close attention to that hand hygiene to reduce the risk of an infection to their mouth, nose or eyes. Next slide, please.

[9:35:25 AM]

>> Mayor and council, this is a breakdown of our top zip codes. This is from the aph feed. Again, you can see that some of the zip codes that we focused on before continue to be problem areas for us. We anticipate that later this week or early next week we will have a relatively live feed related to positivity rates in particular zip codes so that you and the community can follow where the hot spots are so that folks have a bit more information about where those positive tests are coming from and it will help us as public health, as the city and county and community, to focus resources on those areas that are experiencing the greatest challenges. Next slide, please. So I want to talk about our staging and we've been at

[9:36:26 AM]

stage four for quite some time now. We've had concern regarding the plateauing out of cases in the midst -- at the same time of decreasing hospitalizations. Now that we have the evidence that many of the cases that we've seen over the past two weeks are in fact old cases and as a result of the state delaying reporting, I feel confident now in making the recommendation that we change our staging risk to stage three. So what does this mean for us as a community? It means that we still must act in a protective way. We still must mask and social distancing. We still must pay close attention to our personal hygiene, particularly our hand hygiene, and we must continue to avoid social gatherings and gatherings of greater than 10 people. This is particularly important for those of you at higher risk or live in households with those of

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higher risk, so those over age 65 and those with underlying health conditions that may need to hospitalization and death. This also means that even though we're in stage three we must continue to

act as if we were in stage 4 if at all possible. And why is this important? Because we are approaching the start of school. We are approaching the time on September 8th when we want to send our children to some extent back to school. We have colleges and universities opening right now and it's important for all of us, including those young people, to continue to act in a protective way so that we can drive the positivity rate down, we can continue to drive our cases and hospitalizations down and we have a better chance of sustaining operations at our schools, colleges and universities and our businesses. Next slide, please. So mayor and council, I have

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a few slides and I want to talk about some fiction and facts that are out there on social media to clarify some of the information that we're seeing on social media. So a few things that have come up in the past couple of weeks that I want to address, one is that facemasks can cause pneumonia, bacterial and fungal pneumonia. This is fiction. There is not any clinical evidence to support the conclusion that it leads to infections like this. We have a very long history of health care workers who wear masks, other occupations who wear masks for an extended duration of time and no evidence that these things are true. The second one, that facemasks can cause toxic levels of carbon dioxide. Also fiction. Again, there is no clinical evidence to support this conclusion. While some individuals may

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get anxious when they wear a mask, usually it's just because they're wearing a mask. Usually we see this with new health care workers. But once you get used to wearing it, people become accustomed to wearing a mask. I bring this up particularly because it's important as we look to September 8th and the reopening of schools to some extent, it's important for parents to start introducing their children to mask wearing if they're the appropriate age group to wear a mask. It is part of what we have to do this fall semester in particular and possibly into the spring until we have a vaccine which is widely available. And these steps to introduce that mask-wearing beg regularly will help them become accustomed to doing it. So one that has been in the media a lot recently is

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misinformation relating to the assertion that suicides during covid-19 have out paced deaths from covid-19. This is also fiction. The fact is that covid-19 is the third leading cause of death in the United States and the fourth leading cause of death in Travis county as compared to our 2018 death statistics. There's no evidence in discussion with the Travis county medical examiner. There's no evidence to support that covid-19 or suicides during covid-19, so the first six months of 2020, are higher than they were in 2019.

In fact, there's some evidence right now that those rates of suicide are lower than they were in 2019. Again, there is some delays as it relates to death statistics. We don't usually calculate them midyear.

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But when asked to do that this is the response from the Travis county medical examiner's office who is responsible for investigating and determining cause of death. Next slide, please. So another statement that I've heard that I want to clarify that seasonal influenza is more dangerous than covid-19. This is also fiction. The fact is that 176,000, more than 176,000 Americans have died from covid-19, more than 11,000 Texans have died from covid-19 since the beginning of this year. The CDC estimated that last year the 2019-2020 influenza season resulted in 24,000 to 64,000 deaths, which of course is eclipsed what we've already experienced with covid-19. The CDC also estimates that 3,516 Texans died during that same influenza season. Again, being eclipsed by

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covid-19. This is a dangerous disease. It is particularly dangerous for our elderly individuals over the age of 60 to 65. For those with significant underlying health conditions, and for our communities of color. So we need to ignore the fiction that we're seeing in the media and particularly social media. And understand the facts. And that means that all of us have to use reliable resources to get information on covid-19 and be very skeptical of information that is found on social media. With that, mayor and city manager, I'll turn it back to you.

>> Ellis: Mayor, I've got a question.

>> You're muted, mayor.

>> Mayor Adler: Thank you. I'll get right to you, Leslie. Dr. Escott, what does it mean to go from Orange to yellow?

[9:43:38 AM]

>> So mayor again, the big change is the group size going from two to 10, but still avoiding social gatherings. Again, individuals who are in that high risk category should stay home. It should only happen if they're essential and if they're going out to be cognizant of their spacing, of the hand hygiene and ultimately it's best if they can have other people go out for them to get groceries and to do that instead.

>> Mayor Adler: So right now with respect to schools, a lot of schools are staying closed until September 8th right after labor day and trying to open up, a lot of that virtually. Is there a link between overall ineffectivity in the community and our ability to be able to sustain the opening of schools?

>> Mayor, we think so. Again, we don't have a lot of evidence right now

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regarding infectivity in schools. We don't have a lot of evidence on how it spreads inside schools in the United States. There's some evidence from other places around the world. We have to understand that schools in the United States are different from schools in Sweden, in Germany, and other parts of the world. We know and we've certainly seen on multiple occasions from other states who opened early and allowed all students back to campus that that often relates in shutting down very soon afterwards. This is why we made the recommendation that regardless of the stage we're in on September 8th that the schools only open up to 25% of their capacity to allow us to refine our processes, allow the teachers and the staff and the students to work out the kinks in the system and to ensure that we can do that effectively without significant spread before we start introducing additional students into that space.

[9:45:40 AM]

>> Mayor Adler: Okay. Coming up right now we have the labor day holiday. Our community had a peak soon after the memorial day holiday. No peak after the July 4 -- no peak after the July 4th holiday. Any special suggestions or warnings with respect to the labor day weekend?

>> Again, mayor, I think the same workings that we gave July 4th are true now. If you're going to have a gathering, make it only the individuals within our household that you have regular contact with. This is not the time to invite family and friends over beyond that because we have to continue to act in that protective way. We can still gather, we can still get together. We should do that virtually whenever possible. If people make the decision regardless of my advice not to do it, if they make the decision to have those gatherings anyway, then they should be done in a way

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which is social distanced and masked. We have more work to do. And we have to understand that our ultimate goal is to get -- ultimate goal is to get kids in schools and keep the schools open. And if we sacrifice now by taking too many liberties, by being too free and disregarding that advice, we're going to feel it in September.

>> Mayor Adler: Two quick areas real quick. The first one is UT students. I understand that the university is going to great lengths to try to mitigate any impact that would come from university students that have a little bit higher infectivity rate of what we have in Austin because of where they're coming from throughout the country. UT is trying to encourage students to accept the same discipline that our community has, but in that regard do I understand they'll be testing 5,000 students a week so that if there is a spike or an issue

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it gets identified early. What about the frat houses and the sorority houses? Are we doing anything proactively to help there?

>> Mayor, we are sending letters out this week to those individuals who have been identified as the site operators for the fraternity and sorority houses to remind them of their legal obligation to follow the guidance as site operators. They have a responsibility to ensure safety, they have that legal responsibility and we are sending those out today and tomorrow. Does if we find violations we will take action to ensure that those violations are mitigated and that those types of environments do not pose a risk to the larger Austin community.

>> On social media this weekend there were videos that showed activity down on sixth street. Are you guys looking at that?

[9:48:47 AM]

>> Mayor, we are. We received the video as well. The video showed crowds of people. It showed long queues of people outside of a business who were clearly not social is distanced. Again, it's up to all of us to be successful at mitigating the risk of covid-19 in our community. And that means business owners need to be responsible not only for what's happening inside of their facility, but also what's happening outside. And we are taking a closer look at that. We have reached out to Austin code, the fire marshal's office and our public health environmental health service to investigate that.

>> And then the last question with respect to the Latino community, which is substantially lagging behind on overall infectivity, there was a report that came out from Austin public health in the beginning of June with different strategies to pursue.

[9:49:48 AM]

I guess this is either for you or for director Hayden. My understanding is that there should be a report coming out that kind of tracks that to say what we're doing or not doing or what we're prioritizing or not

prioritizing. So it's an additional way for the community to see what our strategy is with respect to the Latino community. I don't know if director Hayden is still on.

>> I'm here. Yes, we will have that to mayor and council on Friday afternoon. We have taken the document and we've readjusted the documentust so that it's a little clearer and we will provide that update to mayor and council on Friday. It will show things that the department has done over this time. It will show an increase of efforts that we are underway.

[9:50:48 AM]

For example, with the targeted zip codes where there is a high increase in positive activity rate, we are providing ppe in those zip codes, but in addition to that dr.our environmental health, inspectors are going by to make sure they have they're signage up and that they are doing the correct operations. We are also doing that same service for childcare facilities in those communities and providing additional education. So that's just a few of the efforts that we have underway. We are partnering with community care and central health on a marketing strategy as well as Travis county to increase all of our efforts of ppe. We are preparing a couple of

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psa's that we will generate into the community. And so there are several efforts that you will see on the document that we will share and if there are any questions, I'll be available to answer those questions.

>> Mayor Adler: I couldn't hear you.

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>> I couldn't hear you.

>> Mayor Adler: I said thank you. Councilmember pool.

>> Pool: Thank you to Dr. Escott and director Hayden for another very good and informative update. I just have three kind of specific questions. To get a little more proactive and less reactive on our data, I was noticing, Dr. Escott, when you were talking about some of the slides towards the end of the presentation where the delays in us getting the number of test results came in and we didn't know first that there was a delay and then we got them all. Can we maybe get real

[9:52:56 AM]

numbers on the dates those tests were either done or submitted so that we could assign those numbers to the dates where they would be -- where they actually occurred so that we have a better understanding of whether we have a mini surge or so we can get an accurate assessment of what the actual data is. Does that make sense? I'm looking for some kind of a -- two things, both an early notice from the state testing center that they do have a backlog and we should look for a large tranche of data coming to us later and not at the time that we had expected it. And can we take the data that we had got and reassign it to when those tests were either submitted or done.

>> Councilmember, we can't do that because of the reporting nature of the state which is that we report the cases based on

[9:53:57 AM]

the day that they're entered in the system. But the epicurve which is on that main dashboard, shows the date of the individual -- when they started symptoms, if they're asymptomatic when the test was done. I will point out that one of the things to help display any delays is going to be the active cases.

>> Pool: Right.

>> So the active cases are decreasing at the same time cases are increasing, that indicates that a larger portion of the ones reported are older than 14 days so they're already recovered at the time. And this is exactly what we saw last week, which initiated that investigation because we had one day with 350 cases reported and we had 303 recoveries in the same day. So that is a way to help tell the difference between new cases and old

[9:54:57 AM]

cases.

>> Pool: And what I would just say there is we need to have some active feedback in that loop to the state and let them know that we could use some additional distant early warning signals when something like that is going to happen. I understand that's their system and it's more of a persuasive discussion with them, but they need to know how those gaps are affecting the people on the ground, the across, which is what we are, and our transmission of that information. Second question of the three I had, on the zip code sort that you have, can you pull up that slide? Is that slide 10 maybe?

>> I'll see if av can --

>> Pool: The question I have there on the zip codes, can that number show what the numbers of population are?

>> Story, go forward two



[9:55:57 AM]

slides.

>> Pool: There it is. So if I'm looking for this, the ones on the far right, 78549, has fewer cases, personal cases, than over on the other side. 78621. Do we know what the real numbers are from those in the population distribution for those zip codes?

>> We don't have it broken down by population. Again, the team is working on a map, interactive map which will show positive activity by zip code.

>> Which is why --

>> We can see if they can do a measure based on population as well.

>> Pool: The reason why -- that's why I'm bringing it up. I've been following a couple of zip codes specifically in my district. And one in particular has been at the very bottom with the fewest number of cases for a significant period of time and now I see it's kind of in that second tier with

[9:56:59 AM]

more. And I'm curious to see what the real number change in that is and what the percentage of the population of infection is by zip code.

>> What you're seeing here is new cases in the past seven days. So those are the actual new cases for that zip code.

>> Pool: Okay. So you don't have population percentages in there.

>> I do not.

>> Pool: These are just real numbers. Okay. That would be an interesting piece of additional data. And then slide seven seems to be incomplete. And that's the slide on the nursing home cases. Can you pull up slide seven? There it is. So that looks incomplete to me. And I was just curious why that is. We talked a couple of weeks ago when you made the presentation about nursing homes, we requested that the

[9:58:00 AM]

nursing home names be added to that list and that has not happened. I haven't had any feedback from staff at all as to -- any feedback from staff at all as to why that would not have been done. The information is

public. We had a discussion here in work session about adding those names and I would like to see that done or if it's not going to happen, then this may be directed to staff, I'd like to understand why.

>> Councilmember -- councilmember pool, this is Ann Morgan. We are still following the attorney general ruling about the names of the nursing homes and I'm happy to visit with you offline. I thought that our office had done that. So I'll get to you right after this meeting.

>> Pool: Yeah, I need to be able to close the gap between what the public is hearing from press outlets and what we're providing since we are considered to be a pretty credible source of information. And it needs to be as comprehensive as it possibly can. I think a couple of us expressed that pretty clearly a few weeks ago. Yes, please have somebody

[9:59:00 AM]

give me a call, my cell phone would be great.

>> Will do.

>> Pool: Thanks, mayor, that's

>> Mayor Adler: Anybody have their hand raised?

>> Kitchen: Yes, I did.

>> Mayor Adler: Go ahead, Ann.

>> Kitchen: I have a few questions on nursing homes. Can you speak again to the trend rate? The reason I'm asking that is, I had hoped to see the kind of dashboard on our website that actually shows trends, just like we are showing trends in our bar charts with the general population, and also how we're showing trends related to our minority population. But I'm not seeing that, so I'm having to look at raw data -- I mean, I appreciate the data that

[10:00:01 AM]

you are making available, but now that perhaps we are seeing a little bit of relief in terms of the impact on our department, I would really, really appreciate having a dashboard. And by dashboard, I mean the only thing we're seeing on the covid page is the -- the spreadsheet you're giving us. The last one is on -- the last one that's on our public page is August 4th, I think. So I appreciate what you gave us today which is more than an update than that. But it would be really helpful if we could find a way to actually post some more user-friendly data that shows a trend, just like we're doing for these other areas with regard to our elderly folks. That's a request that I have, and I've had that request for a

[10:01:02 AM]

while, and I haven't repeated it recently because I've understood how much of a -- you know, how much under the gun our health department is in terms of what you're working on. But I hope there's a little bit of a breather now so we can be more transparent in the data that's available to the public. So my question is -- that's just a request. If there's something we can do to help, please let us know. But we really need to do a better job, I think, of making that information available. My question, though, is, can you tell me what is the trend in our nursing facilities, in our assisted living? If I was to -- if I was able to see a bar -- you know, a trend line, would it show us leveling off, or would it show us going down in terms of deaths and hospital admissions and infectivity in our long-term care facilities?

>> So councilmember, I'll get

[10:02:04 AM]

with the team again and find out where we are in the dashboard. You know, I would like to have that information available and accessible in the manner that you described. So that folks can follow that. Looking over the past several weeks, three weeks ago, our total cases were 89, for that week. Last week it was 112. And this week 58. So 111 last week, 58 this week.

>> Kitchen: Okay

>> So, you know, it is declining as compared to the past several weeks. And, you know, again we will continue to work and see if we can prioritize further the dashboard in a way that's more accessible and clear to you and to the community.

>> Kitchen: Okay. So can you tell from just looking at the past few weeks

[10:03:04 AM]

whether we are seeing an improvement for these long-term care facilities? Do you feel with confidence that we can say that we're declining at this point? Or do we need more breadth of data to look at?

>> Well, I think right now we are declining. And I will say that as the community infectivity increases, so do the clusters associated with the nursing homes and long-term care facilities. And this is why it's important for us as a community to continue to try to suppress, push down that infectivity rate, or positivity rate further, because it's -- you know, once it gets above 8%, 10%, it's really very difficult to have enough defenses up for those facilities that are really the most vulnerable. I'm not happy about the number of deaths that we've seen over the past several weeks. Many of those are from our nursing homes and long-term care

[10:04:06 AM]

facilities. And, you know, it's -- this is why we should not be celebrating right now. This is a devastating disease. It's devastated many nursing homes. It's devastated many families. And we've got to be vigilant. And that means we have to all compromise a little bit. And do so in order to protect those who really can't protect themselves.

>> Kitchen: Okay. Thank you. I appreciate that. So my last question is, again, you spoke to this, director Hayden, but I want to make sure I'm understanding. With regard to the assisted living facilities, do we know yet if they're all involved in testing? I know our nursing homes have. Just curious about our assisted living facilities.

>> All of them have been involved in some level of

[10:05:08 AM]

testing, because it is an environment from the health and human services commission, especially if you are going to have visitors. So that is a requirement. In addition to that, we have provided testing to over 47 of the 75 facilities.

>> Kitchen: 47 of the -- oh, I'm sorry, you said that earlier. So 47 of the 75 assisted living, is that --

>> Yeah.

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

>> Mayor Adler: Colleagues, any other questions? Councilmember alter?

>> Alter: Good morning. I appreciate all of the updates. I wanted to get a better sense of how the city is supporting our schools. You know, as a parent of kids in the schools, when you hear at least for high school what that looks like if you show up,

[10:06:09 AM]

there's really not much reason if you don't -- you have access to the internet, et cetera, you know, to send the kids. I'm just trying to understand how much we're working with the schools. There are very different needs across the different ages. And I just want to make sure that we're providing them the support and knowledge that they need. My impression is that we are, but I'd like some more information about the details.

>> I'll start. So, essentially, we have a weekly meeting with the superintendents across Travis county. Some from outside of the county. We have had conversations with folks from charter schools. We've also had conversations and meetings with private schools as well upon request. And so as you know, the department put together the

[10:07:11 AM]

guidance that was submitted on the 14th of this month, very comprehensive guidance. And each of them are using it. And are really excited about the guidance, and are going to be able to provide those plans on their website. In addition to that, like with the nursing homes, we have set up an incident command structure. That incident command structure will, one, we've increased the number of nurses that we have, as well as supportive services. So when individuals call that line, they're able to get information in general about covid-19, testing, et cetera. Within that plan, in the guidance, we've asked that there is a spot at each of the campuses as well as a general

[10:08:12 AM]

spot for each school district. So if folks have, you know, general questions, we've set up a mailbox, and so they can e-mail our staff, get assistance from them. We've also, within that incident command structure, we've also added a -- our epidemiologists are assigned to that specific group of folks. So they're going to be looking at the number of cases that we will have coming in from the schools, and will be able to provide as much technical assistance to them. And then lastly, in addition to our epi staff, our folks are establishing a task force for K through 12. And so that task force will operate like the childcare task

[10:09:12 AM]

force is operated. And so we'll have various representatives from the different school districts that will be a part of that. And so as things come up that affect each of them at that level, we'll be able to all work together on any kind of instances that come up. So those are the supports that we are providing to the school districts, and charter schools and et cetera.

>> Councilmember alter, I'll add, one of the challenges we have right now is the superintendents for the most part seem very engaged in that gradual risk-taking, starting at 25% and gradually going up from there, to ensure we can do each level safely before we move on to the next. We learned from reopening businesses that doing things too quickly is costly. And we're trying to avoid the

[10:10:14 AM]

same error in our reopening of schools. The challenge that we have is that T.E.A. Has threatened to not fund those schools that go beyond their grace period. And I think what we need now is, we need some more flexibility from the T.E.A. So that it will allow communities like ours to use the approach that we're using. Which is to go slow and steady, and ensure we can do things safely. And I know that that stress is being certainly felt by our superintendents around Travis county right now.

>> Alter: Thank you. And I totally agree we need to be pushing the T.E.A. And governor Abbott to hold our schools harmless in terms of funding so that they can plan and deal with the many things that are thrown at them, and have been working through a group that I helped found, I

[10:11:14 AM]

just wanted to do that advocacy, I think it's extremely important. So I appreciate you mentioning that. I did want to ask as a follow-up, there's a lot of movement around the country to move to outdoor schooling, and obviously August and September times, that's challenging in Texas with the heat. But as we move into later fall, and even winter, outdoor school is an option, particularly for some of the younger kids. And I'm wondering, to what extent are we looking at using city facilities -- we had a resolution at one point, I think, where we suggested doing that, but we exploring that with the schools as a direction? Because if you -- if everyone was outside, which much of the year you could do, the risks would be a lot lower for everyone, and for certain grades it would be feasible to do a lot of learning that way, if they

[10:12:15 AM]

had enough space and access to sufficient, you know, restrooms where they could manage it. Are we exploring that and looking at that?

>> Our staff are working with parks and recreation as well as libraries to explore that. We've had a couple of those conversations with

(indiscernible) From the schools. I think ultimately as Dr. Escott emphasized, I think the most important thing is to be able to scale up, to start at the 25% where we have 25% of the population in the classrooms. But ultimately, staff are looking into that a little more. And if that is something that the school districts would like, we're willing to partner with them.

>> Alter: Thank you. I'll make sure that some of our

[10:13:15 AM]

colleagues, that our trustees are aware of that. And I have a good friend who's really active in the outdoor space, if you guys are looking for additional information. Just let me know. Thank you for all you're doing.

>> Mayor Adler: Mayor pro tem Garza?

>> Garza: I just wanted to thank Dr. Escott and director Hayden for continuing to highlight disparities that we're seeing in the Latino community. And also, all that you've done to make sure that people are wearing their masks, and supporting my office in asking for resources. Myself and councilmember kitchen, with councilmember kitchen's office were able to do a distribution where we were able to hand out masks and sanitizer. Also the hispanic chamber of

[10:14:15 AM]

commerce. And I also want to recognize that the Latino community has lost some pillars in our community. We don't know if all of them are covid related, but we all know that the Latino community, the African-American community faced significant health disparities regardless of what may have caused their death. We know that there are health disparities. So we've lost (indiscernible), Johnny and Justin Moralez recently. If you don't know who those people are, I think most of you know Johnny, which was an advocate for housing, and music, and just a positive ray of sunshine. We get all the spectrum of advocates and we love all our advocates but Johnny was always so positive, and such a great person. He will be missed.

[10:15:17 AM]

Robert (indiscernible) In east Austin, I'm sure many of us maybe had gone to that cantina. It's now a different place. But I actually, you know, met a lot of people in politics gathering there, and strategizing and talking about how we could get more Latinos at the table. So I'm grateful for all he did, to help mobilize Latinos in politics. And Jessie Moralez who is the father of constable Moralez, a big supporter and always quick to tell me when I was doing something wrong, but also quick to tell me when I was doing something right. So I'm sure I could -- I could speak on behalf of the council, all of us, to send our condolences and love to their families in this very difficult time. And know that we really are doing a lot behind the scenes, talking to all our staff.

[10:16:18 AM]

Our staff is doing so much. This isn't an Austin problem, this is a problem in our entire country, that our black and brown communities are on the front lines doing all the essential work, and the ones being most exposed. I really hope it sheds light on the equity work that we need to continue to do as a country.

>> Mayor Adler: Thank you, mayor pro tem. I think we all second your sentiment. Further discussion, further questions for Dr. Escott or director Hayden? Councilmember Ellis, and then councilmember Renteria.

>> Ellis: Appreciate getting the most updated information we have. Is there any indication from the state that there's a commitment to turn that information back to us quicker? Or is it a matter of their

[10:17:20 AM]

processes to make sure that we don't have this backlog where we're getting data results sometimes months later? Have they said exactly what caused that particular concern? And if there's anything -- any steps that they can take to ensure that doesn't happen?

>> Councilmember, the challenge was that the state electronic lab reporting system was not built to have the capacity for tens of thousands of tests a day to be reported. What that meant was, particularly during busy times of reporting, that some of those labs were not reporting it. Since then they have substantially increased the capacity of that system, so we don't anticipate running into the same issue in the future. So they have updated the system. But I think as we've discussed many, many times before, the investment in public health infrastructure of the United States is woeful. And I think if covid-19 --

[10:18:22 AM]

covid-19 taught us many lessons. But amongst them is the fact that we really do have to have a strong infrastructure, and we have a lot of work to do.

>> Ellis: It's good to hear they've taken some steps to fix that. I've also heard similar issues with the workforce commission, which is not what you're here to brief us on, but antiquated systems, computers that can't handle the load that's being demanded of them right now. On some of these charts, it is good to see the risks coming down, but I really, really hope what people take away from this conversation is that you need to continue to stay home, and wear your mask. We're not in a space where we can say we're in the clear. What we need to do is keep doing what we're doing. So I know that you, Dr. Escott, and Stephanie Hayden have been, you know, advocating for these measures. You've said it in multiple ways on this particular call. But I just want to reiterate to the people who are watching that

[10:19:23 AM]



the coast is not clear, and you need to keep doing what you're doing to make sure that we're continuing to flatten that curve as much as possible.

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Thank you. And I want to thank you all, Dr. Escott and Stephanie Hayden. Mine is more of a comment than a question. You know, there's a -- we're losing great leaders here, but we're also losing friends and families here in our community. And when I -- my whole plea is to the coaches out there that have these little soccer leagues and they're coaching the little kids out there, you know, and I see them out there without no mask, families gathering, it's hot, they all hang out

[10:20:24 AM]

underneath a tree. You know, it's just a real -- it's sad that people are not listening to what we're trying to tell them to do, is how to stay safe. And we keep losing our family. When I see a soccer tournament going on where there's over 100 people out there, in this hot weather, and there's about three or four trees, you know where they're going to gather at, all underneath the tree with no masks. Coaches, this is just irresponsible. We ought to have -- to have these tournaments out here in the hot weather with these kids. These are people of color who are doing this, you know. And we're the ones getting the most infected. And when I keep seeing these kind of activities, it just breaks my heart knowing that these kids are going to go home,

[10:21:24 AM]

and they're going to infect their parents, or their grandparents. You know? And us on the east side here, and people of color, this virus happening, and people getting -- losing their apartments and having to move back in with your family, with your mother or your grandfather, or grandparents, you know, you all have to -- you know, there's a responsibility that we need to take. And coaches, please don't do those kind of things. I know there's a lot of pressure and you want your kids out there, you know, to get the training and the development that you want to see them become successful. But this is not the right time to do those kind of things. And I'm pleading for you all to please, take into consideration when you do these kind of tournaments, that you do social distance. Okay? You make sure that you

[10:22:24 AM]

provide -- tell the family

(indiscernible) Because it is too hot out there to be doing those kind of things. And people will be, you know, all gathering underneath the shade. So I just -- I'm just pleading with them, and hope that you use some common sense.

>> Mayor, you're on mute, but I think I read your lips. I want to thank the mayor pro tem for her tribute to Johnny and rabbit and Mr. Morales, and thank you, councilmember Renteria, for reminding our families about what it is that we need to do. Dr. Escott and director Hayden, I know you've addressed some here today, and the important focus on the Latino community and people of color generally. I think that we do need to sort

[10:23:28 AM]

of double back on what -- because we've seen some of that in the conversation today, how much of it as we see cases drop, but we see this lag in places like the Latino community, really, if we can start getting to a breakdown of how much of this is on the job, and how much is gatherings, so we can get the information clearly to people. We need people need to be careful in both settings, but I think that information would be really helpful. I think it also would be helpful, some constituents to start putting together on their own per capita data on some of these zip codes. If we could get that officially from the city, that could be helpful. Because sometimes we see a zip code on a map that's a certain size, but we don't always know how many people live in different sizes of zip codes. So that per capita data for zip codes may be helpful because some folks that may see a zip code may not see as many cases and may not know that actually per capita, it's a really,

[10:24:29 AM]

really high number. So those pieces of information I think would be helpful if you could get it to us. So that we can continue the targeted work that I know the city is doing. And then also, just a psa, that tonight at midnight, people -- it's the first deadline for the first round of red funding. So for people who have not been able to pay their rent, or have trouble paying next month's rent, please go to [Austin texas.gov/rent](https://austintexas.gov/rent). Councilmembers, please share that information as you can. There will be more rounds of funding, but this first round is really important. So again, we know there are people out working, or putting themselves in harm's way because they're worried about paying their rent and we want to make sure that the city can help them.

>> Mayor Adler: Thank you. One last question. Director Hayden, what is the epidemiology tell us about the contact tracing? Where are our clusters in the city?

[10:25:31 AM]

>> We are seeing more clusters with our retail, but we're also seeing it in our financial area, with real estate. So we're seeing more cases where individuals may be renting, or leasing apartments. And so our staff have been reaching out to those individuals, and we've provided some additional education, as well as some educational material, and then fliers for them to put in their lobbies, and waiting areas. Because those are the main areas that we're starting to see them.

>> Mayor Adler: Thank you.

>> Mm-hmm.

>> Mayor Adler: Any other questions before we let these folks (indiscernible)?

>> Yes, mayor?

>> Mayor Adler: Yes,

[10:26:33 AM]

councilmember tovo.

>> Tovo: I had questions about the plan of the institutions of higher learning. Do you have a sense of whether campuses like UT and St. Edwards are making plans to have isolation facilities on campus? Or are they -- if they have students who are testing positive, are they going to be utilizing the city of Austin's isolation facilities?

>> They're going to be using the city of Austin's -- our iso

(indiscernible). They'll be using those. And those are specifically for folks that are on campus.

>> Tovo: So when you are interacting with -- I know D. Escott indicated he would be communicating, or a letter has gone out from the public health department that should be arriving at fraternities and sororities this week, what is the messaging to residents of those houses?

[10:27:34 AM]

Are they -- if in the event that -- I hope in the unlikely event where somebody would test positive, what are their options? I assume they would have the same option other austinites do of getting in touch with public health and isolating, but is that a message that we're communicating out to the fraternities and sororities, and if they have a resident who tests positive that they should get in touch with public health to see about quarantining in our isofac?

>> This message going out is just to provide information about all of the orders that are in place for Austin right now. That information will also include a copy of the orders. We have received a request from UT, and we are going to meet with them. They have over 31 fraternities

[10:28:37 AM]

and sororities that we are going to meet with. They provide a health and safety document that they provide annually to the fraternity folks that live in those homes. So they're going to provide that. But they're going to get some additional information from us. So in that document, they are going to provide that additional information about, you know, if you test positive, where you would go, what number you would call, and how you would access those services. The goal for us is to not just for the university of Texas, but we are -- our plan is to continue this with the other universities that are here. We feel like it is very important for us to ensure that they have all of the information that other residents have received thus far. And with them coming back into town, we want to make sure that they have the most reliable education that they have. And that they know exactly what

[10:29:39 AM]

to do. So whether it's the health and safety, or the enforcement, we are going to provide that as well.

>> Tovo: Great. And as you look at other kinds of group living situations, I know some of the campus apartments, for example, have common areas and other kinds of spaces that are very often shared amenities. Are you communicating with those large complexes as well?

>> Yes, we are. In the past, we've had several conversations with the management of those operations. They've been very cooperative. They've closed down those amenities, and informed the residents that this was not an option for them in the past. And so we feel like we have a really good relationship with them. So we'll go back to them as well to provide that additional information.

>> Tovo: When do you think that kind of outreach is going to take place with the sort of

[10:30:40 AM]

private, you know, non-campus related apartments throughout the city?

>> So, we'll -- yeah, we're going to be working on that this week and next week, to get all of that information out to them.

>> Tovo: Great. And just to underscore something you said, the outreach of public health is with all of our institutions of higher learning, not just UT, HT, all of our -- all of the colleges within the area. Thanks for that, that's a big undertaking. I wanted to close by saying thank you for addressing some of the urban legends, about covid. I think that's really important as we continue to have, you know, really try to

understand how this virus operates, and how best to protect ourselves and our neighbors. Thank you for -- Dr. Escott, for pointing out some of the myths that are out there.

>> Mayor Adler: Any further

[10:31:41 AM]

discussion before we let these folks go? I don't see any hands. Dr. Escott and director Hayden, thank you so much for giving us the briefing today. Thank you

>> Thank you, mayor.

>> Mayor Adler: Let's move on now to the next briefing. I think it's the economic development organization.

(Indiscernible)

>> Sure. Again, thank you mayor, council. This has been a long time in coming to be able to present this to you. This was presented as a memo about a month ago, and we are happy to have this conversation in a work session and I'll ask Rodney Gonzales to lead the discussion

>> Thank you, city manager. And good morning, mayor and council, Rodney Gonzales for today. This is a recommendation on the creation of an economic development entity. Both the report and recommendations respond to council direction to deliver a

[10:32:42 AM]

feasibility study and bring forward specific proposals related to the creation of an economic development entity. Council provided additional direction to align the economic development entity with the intent and creation of an Austin cultural trust. In May of this year, council provided further direction to expedite a review of existing entities and resources that could be centralized to support the timely execution of recovery efforts that could secure or retain creative culture and community benefits. The economic development department executive staff and our consultant, Mack, have approached this particular project through several

(indiscernible) Work, culminating in a report provided to the mayor and council on July 31st as the manager had indicated. The work performed also included an analysis of best practices from across the country, which will be read today. Important to note is successful economic development opportunities operate with great

[10:33:42 AM]

degrees of autonomy, and the recommendations we're making are in alignment with those best practices. During the q&a we're prepared to discuss autonomy in more depth. At this time I'll turn the presentation over to Matt of

(indiscernible) Partners, and following the presentation of the executive staff, Matt and myself look forward to receiving council feedback on the report, recommendations and briefing. Matt, the presentation is yours

>> Thank you, Rodney. And good morning, mayor and council. I'm very pleased to come back in front of you in this work session and explain some of the work that we have done. We also have the full report available for you. It is a rather lengthy report so summarizing it here in the council work session, and we'll give you a chance to ask questions, and hopefully it will help navigate that. I just want to make sure everyone can see the powerpoint. I actually cannot see it right now, but if you can see it,

[10:34:43 AM]

we're doing well. There we go. Thank you, av. So this is part of -- can you go to slide 1, please. This kicked off back in December. We started meeting with many different stakeholders, all in all we met with over 70 stakeholders in what amounted to over 50 meetings, multiple stakeholders were in some meetings. We also met with them multiple times. We then went into research and benchmarking which culminated in our last council work session where we presented some of the research we'd seen around the country. That was task 2. In task 3, leading into and unfortunately then during the outbreak of the pandemic, we started meeting with stakeholders, including most -- nearly all of your offices to review some of the work we had done and look at the initial straw person proposal and get

[10:35:44 AM]

your feedback on that. Since March, we've been continuing to work on that, and coming up with this presentation that you'll see today, as well as the report, and also spending time with cmo, going back to some of the critical stakeholders, reviewing the specific projects to make sure we weren't speaking out of school with what we thought was possible, and the result of that is this presentation today. Next slide, please. So briefly, I'll go through the organizational structure and governance. The project list, some budget notes, and then next steps. Next slide, please. Advance one more, please. So just as an overall reminder of what we found, and we've said this in a couple of different ways in past presentations, both public and as we met with each of you, but the primary objective that I am recommending

[10:36:45 AM]

is to create a public real estate developer, meaning as cities grow to scale, you need an entity that functions as a real estate developer. The real estate developer doesn't become an expert in all other topics, but serves all the other pieces of the government to deliver the skills of real estate development to support other things that you want to happen, whether that's around homelessness, childcare, affordability. But having a development partner that can be trusted and with the appropriate governance helps that happen. Why does this work? Well, it means you have an entity that could move at the pace of the market but initially takes orders from the public side. It can speed approvals once there is agreement on what should be approved. So that you can deal with things in batches instead of individually. Reduces the burdens of government by creating new funding sources, once it gets started up, it does need support in getting started up. It also can own and operate real estate to generate money, or it

[10:37:48 AM]

can serve as a manager of real estate owned by the city as directed. The entity that we are proposing can accept charitable donations, can accept investment dollars and really blends both public and private deal making and generating more money and more policy outcomes for the city from underperforming real estate. Just as a note of the 17 cities that participated in the peer cities conference, that conference was referenced in a resolution authorizing this work, 100% agreed that the best strategy for doing this is to create an edc that had real estate values. Next slide, please. So what we found in all the benchmarks was that though there often is a single name that refers to an economic development entity in other cities like New York City economic development corporation, or Philadelphia industrial development, or investlanta. If you look under the hood, they're all a family of organizations, family meaning

[10:38:48 AM]

they are legally interrelated in some ways. And the reason for that has to do with the various economic development finance tools that are available at the local, state and federal level. So very often cobbling together a series of entities helps you accomplish some of your different goals. What we're proposing is there be a new single entity called the Austin economic development board, and that also integrate an existing entity that you are all a part of, and as well as an existing foundation. This kind of structure is what we saw in all the national benchmarks. There was no counterexamples of organizations that were completing the kind of tasks you're talking about. The aadc would also encompass the following existing entities, meaning the IDC, the regeneration fund, which if you recall is a new market tax credit CDE. It's just a financing conduit similar to the industrial

[10:39:49 AM]

development corp. Just a different kind of financing fund with the access to different sources of money. And also integrate some of the work of things like the Schwab. Also the adc could take on roles for the following areas without adding more new entities. Management of scw, supporting homelessness work as you directed in a resolution in August 8th of '19 and run a cultural trust as a member of the edc. Next slide, please. Just to kind of review this, because it is complicated, it's not you, it's me, it's extremely complicated. It always is. That's not unique. In fact, the other examples have many more entities than just three or four. Usually there's six, seven, eight, nine entities rolled up. But basically we would create a new lgc that has federal charitable status. It's an lgc and 501 C 3. It is an outside entity.

[10:40:49 AM]

However, it's obligated by contract for performance. Once the contract is signed, it's autonomous in its operation, but it has to follow that contract. You will review that contract. It also has a board appointed and controlled by the council. Of course, it's important to note in Texas, if there's going to be owning and operating and deal making real estate, a real estate broker's license must be obtained. This is very simple to do but an important thing to note. The IDC is an existing development corporation we found in '15. It was a 501 development corp, you were a part of it. And it would come back to you through the IDC. The eed would manage the contract as a group by council. Next slide, please. This is a stabilized view of once it gets up and running, what kind of staff it has. I've pegged it at about three years which is what our current

[10:41:50 AM]

budget shows. It has a board of directors that is appointed by the city of Austin council. And then a president and CEO with an admin. And four line operations, financial line, that is about funding infrastructure, and looking at financial vehicles to do value capture, and preserve affordability, a general council, it's extremely important that the entity being separate has its own general council, and that general council and the city's council can consistently work together to obtain the outcomes that you want. Chief operating officer, that looks over transactions, which is deal making. Asset management which is long-term management and repositioning of different assets, making them more efficient, managing the leases, controlling expenses, and planning, which, of course, has to do with where and when you do what you do. And in addition, chief of staff line which is really about government and community

[10:42:51 AM]



relations. And being transparent with the larger community about what is going on. So that people are always aware. Next slide, please. The composition of the board that's recommended is that there be a broad board representing broad expertise. Now, I want to remind you that most of the activities of the entity are governed by contract. So the contract will come to you annually, and you will give broad direction of what the entity should and should not do. The board, however, will bring into place various levels of expertise that will make sure that we're staying in touch with all of the different stakeholder groups and that something is not sacrificed in order to achieve something else. So the idea is to have a broad board, and then there could be specific advisory groups on other actions. But this broad board has these 15 places, each place represents an expertise, and the idea here

[10:43:51 AM]

is that for each of these places, we would look to an outside community group that would recommend three candidates for each place. And then the council would vote in one of those candidates. So for example, place 8 is urban regional planning. Perhaps you would decide that the urban land institute should be the nominator. The urban land institute Austin would put forward three candidates for that place. Put forward those candidates to you, city council. You, the city council, would select by a simple majority which of those three should be the board member here. Now, that's kind of a two-levels of government to ensure we depoliticize as much as possible this board and focus on the expertise. But the annual contracts gives you all the rights you need to govern the behavior of the organization. Next slide, please. So just to dig into what is that annual contract look like. Every year a contract would be proposed to you, the city

[10:44:53 AM]

council, propose real estate projects and contracts for services, meaning actions that might not be directly related to real estate management. Autonomy is really important. This process allows for both this balance of your governance and then autonomy. There's this one process to hash it all out and then there's a year of room to run to try to get things done within the constraints of what is agreed to. There's three general types of real estate projects. One of them is lease administration. This means that you would agree to or direct the entity to manage properties that you the city retain the entity. To manage it in a way that you request. The second is transaction support. This is when there is a large multi-party deal, and you want assistance from the end ti, kind of like you might get from an outside party, but in this case it will be much more economically efficient and

[10:45:53 AM]

serving of your interests without different goals, such as maximizing dollars for a payment. So this transaction support, again, the title remains with the city. The transaction support is just functioning as another agency, or a consultant would do, only it's underneath you. And payments are made from that based on only successful transactions. If the transaction happens, then as part of that transaction there's a fee built in that normally the private side will pay. Then there's public development. This is if there are particular properties that you want this entity to go out and actually do development on, there can be some disposition of property rights here through either a lease, an operating agreement or a sale. It's kind of agnostic what you would do. Proposals will be made based on the project. Ultimately that has to be a reverter of rights, meaning you could take back the property if the public purpose is not achieved, but otherwise it's kind of an arm that is

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functioning as a public development. In addition to the three real estate types, the city may choose to contract with the edc to provide specific services to reduce the burdens of government. They could be paid directly via contract, like in allocation of money, or it could be funded as offsets to rents or other payments due. There must be a detailed report. It would happen in a work session like this, and be part of the public record. Next slide, please. Next slide, please. The initial project list looks very much like the last one we individually met about. The major projects focusing on southcentral, htu, the cultural trust, and international investment fund driving in dollars from internationally to help upgrade things like power infrastructure, bridges, or even housing, bringing that money in and helping direct it to the appropriate agencies with the appropriate oversight to utilize that in the city. There's also ongoing city-wide

[10:47:54 AM]

projects, supporting whatever public/private negotiations it is directed to do. And then supporting other agencies in their delivery of important policy goals on publicly owned sites. So just to be very clear, this question has come up on multiple times. This entity is not moving into the domain of other agencies. It is supporting those agencies with more hefts and back bench to just do the real estate part. So when it says supporting affordable housing, it's supporting existing agencies to support affordable housing, things like United Way for early childhood development. It's supporting inclusive growth around the tods, but not doing project connect, that's someone else. It's just helping with the other part that falls through the cracks if someone isn't managing it. Support of homelessness in that same sort of way, and supporting emerging districts, pits and existing projects as well as things as directed by this body. Next slide, please. This is very abstract, so I want

[10:48:55 AM]

to just be a little bit more specific. I think it will be helpful. As an example in southcentral water fronts, there's ongoing negotiations going on around the statesman sites. While those moved inside eed, there's desire from both the eed and the Schwab to have additional negotiation assistance. The negotiation is much larger than many others done in the past and very multi-year, multi-faceted. The idea would be that this entity could come in as a back bench to assist the EdD in negotiating things like the statesman site, or figuring out the -- which developers are going to pay for which parts of the infrastructure, how the pot is going to be split, what are the appropriate financing tools, if any. I know there is debate about that. There's no assumption about what it is. What you are getting is an entity to focus more staff on it with more expertise. More people. With htU, you're going to see the same kind of expertise

[10:49:56 AM]

that's needed in an scw, but a lot less resources to support that, unless we put those resources in by combining different projects. So in this case, the entity would use moneys generated from other projects to support positive and inclusive outcomes around htU, protecting vulnerable communities. On the cultural trust, you could see something like leveraging a \$12 million greater facilities bond into \$100 million worth of actual real estate developing capacity and also save fees from outside brokers and consultants. You're kind of bringing that in-house through this entity. Outside brokers and consultants are great, I'm one of them. I'm kind of putting myself out of a job here, but this would be your own staff through this entity, although it's not city staff, it's city directed by contract. And then when you look at things like early childhood education and childcare, this is something that is near and dear to my heart. I've been very much part of the

[10:50:59 AM]

pre-k education program in new York City. When you're looking at an entire community trying to figure out what inclusivity means in growth, if you take the perspective of a family trying to raise their children and look at all the big things in their basket of goods, their big expenses, it's housing, it's childcare, it's education, it's fresh food, and it's transportation. So trying to figure out how you provide those things across the city, kind of putting them in little pieces in other projects is a fairly complicated thing to do for an agency that only focuses on childhood. Normally you would zoom out and have a real estate agency kind of figure out how to sprinkle it across all the necessary areas. Next slide, please. So what does that mean. This sounds like a lot of stuff you're doing already, what's the special sauce. Well, a couple of different things. First is that you're aggregating a bunch of contracts in districts that used to be piecemeal in different places. And so instead of having a lot

[10:52:00 AM]

of small things, like lighting a bunch of candles around the room, if you move all the candles to the center, you can start a campfire. If you bring things together, then that's the same money that's split between one admin and one director for ten organizations, you wind up being consolidated rather than having 20 people, ten execs, and 18 more people that can create specialties around real estate development, around program delivery, around cultural trust for the same amount of money that you spend. So this is operating expense efficiency. This is just applying some organizational development as you have grown as a city, to how you are managing some of the projects. In addition, you get things like cross-subsidy. If you're only focused on really big projects, then you can only do the projects that self-finance. So southcentral waterfront looks like a very self-financing project, but when you look east,

[10:53:00 AM]

you look at places like htu, it's hard to see how that advances to protect vulnerable populations. You deal with it by using some of the money created in the bigger projects and cross-subsidize it to projects that aren't going to create that money. That's not their point. They're trying to protect vulnerable people. This allows for community development and inclusive growth projects to happen much more rapidly, and creates feasibility for projects that don't cash flow on their own. It's one of the biggest complaints about economic development that it focuses only on big projects like cash flow, but projects have to be funded from somewhere. And in a shrinking budget environment, you really need to figure out how to cross-subsidize as one of the tools in your tool chest. The broker fees are saved, because if you use this entity for doing a brokerage transaction, it won't take a market rate, or if it does you can dictate that that money be spread back out to support things like a cultural trust. And then finally, maybe most

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nuanced, but extremely important, is swaps. The idea of being able to swap capital dollars and operating revenue. Capital dollars are very specific in terms of what they can be spent on, both just by statute and also specifically whatever is passed. Operating revenue that's created from running real estate in es tense becomes free money in the sense that it can be utilized just like a general fund's money, or even looser since it's running through this entity. There's a chance to be able to swap moneys from one to the other. So that, for instance, while there are restrictions on using the creative facilities bond to pay rent in long-term leases, because there will be operating revenues generated from the investment in facilities, there will be a stream of money that isn't from those bonds, that then could be repurposed to put in place long-term affordability for different entities. If that sounds confusing, it is. I'll try to say it again. The capital dollars are very

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restricted, operating dollars that are generated from projects that aren't tax dollars but generated from projects have less restrictions on them. By creating an entity that could generate operating dollars, it means you have more policy flexibility and more ability to quickly spend that money. But you say this is an outside entity. It has restrictions on where moneys go and which part the entity can keep versus the city. It's basically -- gives you a pool of money to spend very quickly on direct policy goals. Next slide, please. One more advanced, please. So what are the funding sources, cost neutral to the current budget. The idea is to take the existing fund balance that's in the IDC, about 200,000, and transfer it over. And then also do a budget transfer from the existing EdD personnel budget. Then go out and get contributed income, a foundation capacity

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building grant over three years. These are fairly typical. You can get them once, and they are about bringing in money so the organization can scale until it has its own revenue sources. And those revenue sources will be through the real estate revenues noted earlier. Transaction fees, real estate rents, trustee fees for managing, financing. Next slide, please. This is probably a little bit too small to see. You have an earlier copy of it. The thing that I would say that has resulted from a bunch of feedback is, there are almost no earned revenues shown in '21 and '22. We're going to assume a more conservative approach so we don't need to come back to the well and say, oops, we ran out of money. I do hope this entity would outperform this budget. But as it is now, you see in '21 the transfer of the IDC money that's up here in the upper left, and then a three-year grant -- or three-year transfer

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from the EdD. And then a three-year grant starting from '22, you see on the second to top line there. The last two years you see transactions starting to generate money. And likewise, we scale the organization to being able to survive on whatever moneys are there, as you get more transactions, you get more folks. A couple notes. There's specific provisions in here for the hiring of outside counsel, as well as bond council where needed to do any bonding projects which, of course, would be approved by this body. But even still, just to note that those things are taken into account, as well as on legal services until a full-on general counsel can be hired. There are dreck torsion and officers, liability insurance, protecting any employees who might be working with the city, and filling any roles here, as well as protecting all board members. Next slide, please. This yellow shows on the

[10:58:05 AM]

personnel chart how we anticipate the staffing loading up. As I said earlier, this will depend on what revenues come in. This staffing up is based on that budget that you just previously saw. And what it says is in 2020, potentially you would have a halftime chief operating officer and transaction manager. In 2021, those would be full-time and you'd have a new infrastructure investment finance manager, and president and CEO for half-time, and the following year you add the assistant CEO, financial analyst and so on. The numbers means it's a full-time position, and 1.5 is just increasing for raises, cost of living raises as we go forward. So ultimately you get to that full scale in '22 that I showed on the earlier slide. And in '23 more folks than that working on more deals. Next slide, please.

[10:59:09 AM]

In terms of administrative and tax avenues we still need to do a formal review of the organizations and work with the law department and work on things previously to reflect on the new proposals. Those documents would also include those nominating bodies as proposed for you all to review. That's remember for each place on the board. There would be a nominating body who would propose three so we can put forward some suggestions but we didn't want to surprise anyone by putting something out here at this point. And we're happy to take all of that feedback. In addition, we would recommend that the interim CEO be the current EdD director until a search can be done and a CEO hired. We also, part of the reason for that is just to reinforce the connection between the city and this entity. It's not a completely external entity like daa,

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it's not an internal department, it's something new you don't why vet and I think showing something under your control. We think that the hiring needs to be done as soon as possible. In addition, it would be the preparation of an interlocal and a preparation of proposals around scw and the cultural trust. Both I think are in urgent timing issues. Next slide, please. This is the final slide. The next step from the perspective, if you want to move forward with this, a vote of council would establish the entity. The initial approval of the budget would give the entity two to three years of runway based on what has been proposed as budgets neutral. And then eventually the approval of the interlocal, although I would suggest that you hire those people to create that interlocal and not have a consultant like myself do it because it will be very important for

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that. We can currently assist with all of that, but if you want to move forward with this, I would say having those people in the room or at least one or two of them at that time will greatly improve their ability to serve you in the future. I believe that is the final slide. So I'm happy to take questions or review anything that you're seeing here.

>> Thank you, Matt. I really appreciate it. And we certainly welcome council feedback and questions not only concerning the briefing, but the report and recommendations that were issued [indiscernible].

>> Mayor Adler: Okay. Comments? Councilmember harper-madison.

>> Harper-madison: Thank you. I'm glad you said comments because mostly it's just comments. I'm super excited to see what's going to happen here. It's definitely going to change the game for the city. I look forward to being able to submit some more potential projects for consideration because d1 has many, many that would be

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perfect, perfectly served by an entity like this. I did have one quick question. And Matt, I wanted to tell you, you don't give yourself enough credit for really simplifying this in a way that the layman can understand. You did a great job in presenting the information and it not being too complicated. The one question I had is when you made reference to the part about it's an lgc so it has some pregnant of autonomy, I saw under the list of funding sources, I didn't see grants there. If that were the foundation - is that where the foundation comes in for the grant part?

>> Yes.

>> Harper-madison: I'm sorry, go ahead.

>> There's typically a capacity-building grant that folks like Rockefeller or Ford have offered traditionally in the past and that normally is around a million dollars that is benchmarked over three years to achieving certain milestones as you go along. Now, with covid the way it is and everything going on we'll need to check that those things are available,

[11:03:17 AM]

but I think there will be an increase in those funds for entities like this that are trying to address historic inequities and areas of growth.

>> Harper-madison: I think that sort of answers my question, but on an ongoing basis. We have multiple entities that on an ongoing basis are able to secure grants for funding purposes outside of that kind of endowment. In which case the question I had there is if it were a federal grant, for example, is there enough separation between the city and the entity to where there wouldn't be a requirement for city to match any of the federal grant?

>> Probably if -- if the entity did go after federal grants, for example, if it were helping with some specific project, whether it was around housing or transportation, typically what would occur is that there is enough separation, but it has to come from somewhere.

[Indiscernible]. In the entity itself or

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philanthropy or you make the argument that a city spend what's happening already is the match and no new monies need to be spent and that kind of depends on the grant.

>> That's kind of the beauty of the entity is they can raise money. So philanthropic dollars can go towards the entity. This is super exciting. Thank you very much. I appreciate the presentation.

>> Thank you, councilmember.

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

>> Kitchen: I have a couple of things --

>> Mayor Adler: Hang on, Ann. Councilmember Flannigan and then councilmember tovo.

>> Kitchen: I thought you called on me, sorry.

>> Flannigan: Thanks, mayor, I'm also very excited about the opportunity this presents. I have a ton of questions I won't try to get through now. Based on the way you laid it out, and forgive me for the string of acronyms that is

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required to ask this question, but it appears that the edc is actually an lgc, and the IDC is actually the edc.

>> I think that sometimes the acronyms get in our way and state to state people use different acronyms for things and they also use the same acronym to mean different things. So I think what we're trying to propose is an economic development entity that matches what we see in other places that are called edc's. In Texas law the edc is something different and the ldc is something different so we've synthetically created a group of entities that represent what you might see in Atlanta or new York or Oklahoma City. And we're just can calling it the edc even though it's not a Texas edc by statute.

>> Flannigan: And the way this is structured, the IDC

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is the entity that would be able to do land acquisition at the pace of the market? Is that right?

>> Not the edc. The IDC is keeping financing ability with the councilmember so any bonding that might happen is the body. The lgc is allowed to bond as any entity is. If there is a large financing or a large project that requires that and bond monies is going to be used, it should really come back to council for approval because even if this edc does bonds and it's not technically the city's credit, it's going to be perceived as a moral obligation of the city and we've seen a lot of issues with that in the past, especially in the '70s and '80s and we just want to make sure that the council still has the ability to veto any large finances. So the IDC is really just a financing entity being used by the edc, keeping the governance of that with the

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council.

>> Flannigan: Yeah. At a high level, I'm concerned that we're building a structure that will still be hamstrung by the same challenges city staff faces in acquiring property and we've seen that problem repeated over and over and over again. It was problematic getting the property for public safety land in my district, which took a long time and missed a bunch of opportunities that we should have bought. And some of that being how long it takes the city process to acquire land. And my recollection is when we talked about this the last time is that the lgc has those same issues under Texas law. So for me there's a lot of good work to be done around what should happen once a property is acquired. And once you acquire it, then you've got a little bit of runway to do that work, council involvement and etcetera. But the acquisition is where you succeed or fail.

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And I worry about a structure under Texas law won't actually put us on equal footing with private market sectors, which means we won't get the properties we want. I was also concerned about some of the cultural trust stuff. And you didn't talk about it too much. In the memo it very much seemed like a lot of the cultural trust work was reliant upon existing property owners being philanthropically minded. That they wanted to come to the table and participate. And those aren't the ones we're losing. The ones we're losing are the landlords that are not in this community or not particularly interested in coming to the table in a community benefit minded way. So that's why I'm really focused on the land acquisition process question because that's where we made a lot of promises, but it will fail when it comes to move quickly in the market. Yeah. Do you want to address that?

[11:09:24 AM]

>> Yeah, let me address both those questions. The first -- before saying both of those things, I want to say it's not magic. There is still going to be -- it also is a city creature so there has to be some approvals that come from you to enable it. How broad those approvals are, they could be extremely broad once a year and the entity can run faster than you could believe. Or you could keep a tighter leash and it would be much harder for the entity to do anything. But there's no prohibition on the Igc from acquiring land. It can acquire it as fast as a private actor. It can spend monies that do not come from the city. It could bring in private investment dollars and buy properties without even engaging with the city. Those not issues. The issue is given the allocation and runway for anything that is using city money. So if you are going to use public money then it comes

[11:10:24 AM]

with public strings and that's why you are a recipient or the

[indiscernible]. Acting on it is much more quick. In terms of the cultural trust piece, the cultural trust does not rely on anyone being philanthropic. We did some investigation on buying current properties that are with specific cultural and music entities. We didn't look at every single one. I think doing a follow-up to the rfi will be important. What we saw is that if there was not continued extract active personalism that pushes the rent up and up and up, a lot of the entities could stay where they were. They didn't have the certainty of the future and didn't have the capacity to individually acquire their sites even if they had some of the money. So the idea is to give them a safe development partner

[11:11:24 AM]

in this entity and scale it citywide so it's not one building or two buildings. But you take that 12 million and leverage it with some equity participation from some of these smaller groups to prove that they have some support in the community and then negotiate and bid properties one against the other. What's going to happen is that the landlords will have a harder time pushing their prices higher and higher because there will be other options rather than being stuck to just doing one project at a time when you're really stuck with whatever the other side proposes. So I'm not saying that it is easy, but I would say that it definitely is a practice that we've seen in other places and also that there's no impediment to moving forward with it. It can happen very, very quickly, but not if you go after each one one at a time. So in this time it would be the entity going to council and saying okay, we want to do an rfi and then an rfp this way. This is how we're going to use the money, this is the

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criteria we're going to use and we would like to go out and buy 20 of these things in the next year. And then the count will debate it and either give the contract and move forward or not. And then there will be full ability to fully execute it before coming back to council. >>

>> Flannigan: Okay. I think that's an important detail. It's not like other land acquisition that we've done in the past where each individual property comes back to council and there's executive session and like all the things is that we're setting this on an annual path and it executes at the speed of the market.

>> Yeah. It would be a --

>> It's an absolutely critical feature and I'm glad the way you articulated it, Matthew, because we don't do that now and we have lost many opportunities, not just on the land acquisition, but we've lost opportunities just in the operations piece, the south central waterfront report detailed that.

[11:13:24 AM]

That because we didn't move faster on edc and we didn't move faster on other things that we lost opportunities. And it's a challenge for the council, but we've got to really lean in. I'm not speaking to my colleagues now, about you we've got to really lean in on how the market works if we want the market to work for us and we can't treat this like it's just an arm of staff. And manager, to you, I have multiple times thought we were doing similar things when we were trying to leverage outside entities. The grant program that councilmember alter and I created for business and non-profits and others ended up still having a ton of city staff involvement that I think was not the intention of us because we wanted it to move faster and then it didn't move faster. And I don't want us to see us making that same mistake here either. A lot more work to be done and I have a whole other page of questions, but I think I'm done for now.

[11:14:25 AM]

>> Mayor Adler: As a quick post script, I'm not sure I would want to discount the possibility of the philanthropic piece to the cultural arts element. The housing conservancy is buying all their properties, to your point, Jimmy, at market value, but there's an investor group in the city that wants to contribute philanthropically to the preservation of some of our iconic places and are willing to put up money and get a three percent investment if it's down that purpose. I know as they're going out and getting money for housing they're getting asked about is there a parallel fund for eye sconic music places in the city and there's not one, but it sounds like to me this could be one element of the financing stack that an edo could be looking at or pulling in.

>> And I'm glad you brought that up, mayor. Honestly, you probably hang out with a different type of person that I hang out generally. I'm not in those

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conversations, but you brought up the music venue and I think it's really important because we've talked at length about music venues on the council and we didn't do anything in the budget for them, and I think that's really problematic. We tried some stuff earlier in the year that went the way it went. So we're going to want to be really clear about how this can advantage our live music industry in a way that is not just about preserving because preservation alone is not a funding source. We have to really think about how the market operates, especially in the areas where there's a lot of development opportunity that is untapped.

>> Mayor Adler: Colleagues? Kathie.

>> Thanks very much. First of all, I want to thank you. Our staff and our consultant for this, really great work. It's very exciting to go on the brink of actually seeing the economic development corporation up and running. And so often the work that

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we do takes a long period of time and say while we're the council that will see this to true and correct, I want to acknowledge a -- to fruition, I want to acknowledge a former colleague of mine. I've done this before, but again, we have sometimes the public isn't always aware of the various shoulders we're standing on and I just want to acknowledge my former colleague, mayor pro tem Cole, who did the first of the resolutions, I did the next two that have gotten us to where we are. But it was really her initial idea that began this work. So I hope she's probably not watching and when I get a chance I'll have to give her a text and say we're getting closer. I too have a slew of questions. I'm going to try to minimize them today and organize them into batches. But I would suggest this is a very exciting new venture for the city of Austin and I'm 100% of moving forward as quickly as we can. And I know given that one of my other colleagues said he has a lot of questions too,

[11:17:31 AM]

it would be useful if we set up a q&a portal. I don't know what the best way to do that is, if it attached in the first discussion or a future council agenda. Or maybe the budget q&a if we could start generating those I think it would be helpful. First of all, I wanted to say just in -- in picking up on what the mayor said there were several references throughout the report to the fact that with regard to the cultural trust that it would be best working alongside a foundation or leveraging a foundation that is raising money. So I'm not sure if you had a particular foundation in mind, and if you did if you would even want to -- the cultural trust, rather, if you would want to acknowledge it in this forum, but I just wanted to point that out, mayor, that you're talking about a private organization and the report specifically references that this piece of work would do best if it's working alongside a

[11:18:33 AM]

foundation. I would think the same is true of the work surrounding homelessness that we have some partners in the community that are already raising money in the area of homelessness and that I would want our economic development corporation to do the same, work alongside those organizations in really helping raise money together and leverage those resources. Is that consistent consistent, Matt, with what you are thinking? You have all kinds of -- your audience here is expanding. We're all keenly interested in it.

>> Hopefully we're winning them over. I think this is a couple of pieces. The beauty of this entity, and it's a similar thing to what we're talking about with councilmember Flannigan in the last is that it's blending both private investment and non-profit donations and even of of those can come in with

[11:19:34 AM]

certain restrictions. The reason I'm stating is that it should start with a partner foundation is that the work of fund-raising and philanthropy is based on relationships that get created over years. And if you have to move forward with something quickly I think it should always be a choice for this entity to partner with other existing entities. Just because it has the structure to do things doesn't mean that it should move forward as a maverick lone factor, but what would happen on the for-profit side is establishing investment funds that would be managed by this entity, but maybe bringing in groups that are fond of funds or other types of entities like that that are interested in certain kinds of investments, but not all. On the non-profit side normally what you would do is set up donor advised funds at existing foundations and ask for people that have that priority already to allocate money in that direction. Now, we had very, very preliminary discussions with the community foundation, but did not spring on them that we wanted them to be

[11:20:38 AM]

[indiscernible]. We asked them if they would be open to that and they said yes. There's no reason not to build a coalition of every interested foundation. Is there we're trying to uses that a gathering place for resources and it gets spread across the spectrum. Some projects are going to cash flow and those can take investment dollars and some projects are going to need subsidy and those will need philanthropic dollars and we can build this together in this whole spectrum.

>> Tovo: That's really in essence the conversation and the commitment we made to may of our non-profit housing providers and others that if we set up an lgc related to homelessness we would not be competing, we would really be wanting to grow the pot for everybody.

>> We would want to hire a third-party developer, core a third-party rfp, we would help them within the city entity and it would save them money, time and expertise hopefully.

>> Tovo: Yeah, I think

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that's is right. With regard to the venues, I want to just note for my colleagues, I concur and I'm extremely concerned and have seen lots of concern out in social media and in other places about our venues' survival. And as your report notes, projections are that as many as 90% of our venues might need to close during this period of time if they don't receive some sort of assistance. So I would point my colleagues to page 22 that talks about that as being a super high priority for the economic development corporation. I wonder if this is a question for offline about what is the time frame -- you've outlined a time frame, but how quickly could they do that work and can we afford to wait with the economic development corporation to get up and running to really take action on that venue support. So two other sort of

[11:22:40 AM]

sections of questions that I wanted to touch on. One is about staffing and the efficiency of services and how it could draw on the city of Austin resources. And then I want to talk about [indiscernible] To speed through projects more quickly and I want to relate that to the conversation on page 15 about that the projects may not necessarily follow the same policies as the city of Austin. So those are related, but slightly different. One of the situations is I appreciate the information you've provided in here about the projected budget and the projected staffing. That's very helpful. I would ask -- it helped get a sense of how we would grow that to scale. I'm interested too in seeing kind of what a workflow would look like over the next couple of years, especially since some of these projects you've

[11:23:41 AM]

identified, HT's and south central and the venue are such time sensitive, time critical projects. So if that's something that staffing consultant could do phonos the next periods of time, that would also help just kind of see how we grow the scale of the projects and the revenue in and out and how that pencils out. One thing that we've noticed, and I think you've addressed this to some extent how we rely on existing city staff and some existing city budgets. I wasn't aware necessarily that personnel savings in a time of hiring freezes actually accrued to those departments. I thought that went back to the general fund. So I'll need some more information about how much is in EdD that is a personnel savings, and the extent to

which that's true of other departments. But one thing I would just say is we've noticed in the local government corporation that is the sobering center and I serve on that board, there are times where it

[11:24:42 AM]

would probably be cheaper and more efficient to use city resources. For example, in the area of hr, in the area of Pio, some of these are costs that you've built into the scaled up version of staffing. I would ask and this may be a question for our legal staff to come back to us with. To what extent could we rely on this lgc using some resources of the city on an ongoing basis evening if it's on a contractual -- rather than hire a pr person, maybe they could use the resources of the city. It's a legal question, but also a budgeting one if we could in the weeks ahead think through what's the possibility. I don't know if you have any comments on that, Matthew?

>> I can answer. We did do investigation of that and we can provide a memo that was created to provide that specific topic in consultation with legal. I think that you're going to

[11:25:44 AM]

have attention the more things you try to use the city's resources, the more this will just be like the city and you won't get any of the advantages. And that's just a line that you have to decide where you want to be. There's no right answer. But very typically this entity won't enjoy the same confined of benefits that some city based union employees might get. And there are offsets to that by providing different kinds of benefits that city employees don't get so you have to weigh that in terms of attracting people just from the entity versus serving with the city S.

>> Tovo: Definitely. And my guess is my colleagues would be interested in that memo too. I think that brings up a couple of questions. One is the thing I talked about in economizing the first couple of years of costs and I see both the edc would grow out of it in the way the sobering center would, but in the first

[11:26:44 AM]

couple of years it's costly to have outside counsel, it's costly for an hr professional. It's challenging if you don't have those professionals in-house to get that level of expertise if you can't kind of lean on the city's resources. But the other thing is that we all share a very strong sense of values of how we want to treat our city employees and how we want them to be paid and how the contract be should be handled. So the that really brings me to my second question that I indicated about T speed that -- we want the edc. This is one reason why we want the edc. We want it to be nimble and move quickly. On page 15 it talks about your report addresses that it would meet the state requirements. The mandates for the entity to exactly mirror all city of Austin

[11:27:44 AM]

policies to fully utilize the benefits of creating a separate economic development entity. Could you help me understand what that means and, you know, would you be -- would an entity of this sort still undertake its projects in a way that respects the wage floor that we've set, the kinds of provisions that we've made for worker protections and other things, and if so what is -- what does that reference mean I guess in this context.

>> So what the reference means is that when you dispose of properties to the entity, meaning you do a long-term lease or a sale, which is just that third category, not when it's doing lease administration and not when it's doing transaction management. You specify specifically what policies you wanted to abide by, if there's no legal requirement for it to follow the city's policies at some point. You can say, and you have to follow every city policy. You can say that. That's up to you. I'm just noting that as long

[11:28:48 AM]

as there's a public benefit achieved in the disposition and that is written in the contract, it does not mean that every single thing that is required from the city automatically is required. You need to specify which things. And you can imagine this becomes relevant if, for example, the entity also works with the community college system. And the community college system might have different requirements that it wants to go along with this. So it's not so much about evading requirements as it is about specifying which ones are appropriate to each project, and that would be done by contract. It's not done by law. So that's all I'm saying. And you could say that every project exactly follows exactly what you have already or you can say that there is something different for some reason that you have in your mind that is policy based.

>> Tovo: Great. Thank you. I know my colleagues have other questions. I'll yield for now. Hopefully we'll have time to come around again. But thank you. I think your report really indicates just the value of having one and the need to have one. I wish we had one in place

[11:29:48 AM]

already. They've been so successful in other states at really helping get that cares funding out to organizations and individuals who need them. So I wish we already had one in place, but the next best thing is to get one up and running soon. Thank you for the work you did to help us get on that path.

>> Thank you very much.

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



>> Kitchen: Thank you. I share my colleagues' enthusiasm for this and all the comments that have been made so far. I want to underscore two things and then I have a few questions. I want to underscore the need to move fast. I think councilmember Flannigan and others expressed that. That's the whole point of this is to be able to move with more flexibility and faster than we're able to move now. I also hear the caution in terms of that balance between the connection to staff and the connection to

[11:30:52 AM]

the city as opposed to the flexibility and autonomy for this type of organization. I think that's very, very important. When we get down to making decisions on how it's structured I'm going to be looking at it with an eye towards that. I really think it's important when we look at the reporting structure and how this entity reports to the city council that we consider it reporting directly to the city council perhaps or some other way in which we're not just talking about another entity that is, you know, buried within our staffing structure and our departmental structure. So I know we have some examples, for example, in the housing arena, where these kind of Idc's report directly to council. So I would just ask you to that aredo that. I do have some specific questions related to the proposed government structure around the cultural trust. It does make sense to me to have a program under the

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edo. I would like to suggest thinking about the way it's set up, though, given the proposed governance structure because if I'm understanding correctly, what is proposed is that you have the cultural trust as a program of the edo. And I think there was language in there about a committee of some sort being associated with that program as an advisory committee, but it still reports up to a board that only has two people on it with a background in music or art. So I would want to as you all bring this forward give some consideration to the authority of that advisory committee on the cultural trust because I think that those kinds of -- whatever decision making that's important in the program that relates to specifically that level of expertise, I would want that advisory committee to have some authority there because I

[11:32:56 AM]

would not want to have them report up to a bigger board that doesn't have that background or experience. And then either lowers or priority of what's happening in the cultural trust program or overrules it in some way. So I would invite you to think about what's a way to structure that. The other thing about the board structure itself, the whole board structure, is the basic idea makes sense to me. I'm concerned that it's a little bit rigid. That it's made perhaps too slotted. Every single slot having a specific -- coming from a specific part of the community with a specific slot to it. I would invite you to

think about a little bit more flexibility there across that, particularly since -- although this will have a range of [indiscernible], there are some areas that we'll be focusing on at least for the initial years.

[11:33:59 AM]

So I'd invite y'all to think about that too. Did you have any comments on any of that?

>> I would love to bring forward just one comment that we had talked about previously. But the council hadn't heard with regard to the cultural trust. I think that the via contract we can establish a specific advisory board that is particular through the trust. And as with other programs, the board, the overall organization, will really just be moving along with things that have already been contracted. So in some places it's a little more advisory than usual with your board because a lot of the organization's behavior will be governed by this annual contract. And as a part of that contract this body can establish that decisions need to be done but X people that have the following expertise and that won't allow the rest of the board

[11:34:59 AM]

to way lay that. And I think that while -- it's really attention here. I personally believe having worked for a lot of these corings that the number of projects the organization is going to do is going to far exceed what you see in the reports in the first two years. And you want to make sure that you set off with the right foot. That the right people are in the room and don't feel like that organization is not for me. It's not involved with fill in the blank, homelessness, k-12, whatever it is. You really want it to be a convening body for all those different levels of expertise and that is definitely balanced with the concerns that you're raising, and I think the way you balance it is by contract establishing that certain contracts have certain priorities.

>> Okay. I hear that. I would like to hear a little bit more consideration to the structural aspect as the contract changes from year to year as opposed to how you're setting up the structure. So I hear what you're saying so perhaps it's just in --

[11:36:00 AM]

we know that the arts is an area that is a top priority so I would want to consider starting out of that in a structural way, perhaps in the laws or the articles of incorporation some specific thinking around what does that particular advisory group do. And yet we can set it on a contract basis, that's true, but that's not as -- I think this is more basic and critical to the actual structure of the entity. So then two other areas that I think that this entity could speak to over time is I think you've already included a suggestion

that perhaps working on what happens with city's unused properties might be something. I forget how you put it, but --

>> Underutilized.

[11:37:01 AM]

>> Kitchen: Underutilized, sorry. I think you already said that, right?

>> That's correct.

>> I'm excited about that. I think we have a lot of parcels that we've identified over the years that are just sitting there and it would be nice to in some way be able to do something with those. I'd also like to -- I don't remember reading one. You know, we have over the years done some sort of planning. I mean, the south central waterfront is a good for example of what, but we also have some neighborhood level planning or at least in one area that I'm familiar with and that is the first sort of neighborhood planning that we did or regional planning that we did after -- recently. But anyway, so a lot of times what happens is there's some visioning done for an area and there's thinking about the commercial parts of an area like a redevelopment of

[11:38:01 AM]

shopping centers or things like that. And then that sits there because the -- there's no mechanism for helping to -- we're helping an area incent or actually get to that kind of development S that something that could be considered as part of this?

>> Absolutely. And I think that one of the things that you'll have in this is the full spectrum of activity if you review that organizational chart again. Normally engagement begins with community outreach through that chief of staff government, public relations person to get feedback around planning. It then moves into a planner who is under the C -- who would work with the community and the council to get the necessary approvals and ceremony plans the planners make that you are referring to. But that's done in consultation with transaction and asset

[11:39:01 AM]

management people who can haul the balls as they come and say if you do it that way where is the money going to come from or if do you it that way how will it start? It's a linear process. I usually refer to them as gardens and that you are planting gardens across the city and they are have the various stages of development and as some of them flower can you harvest them to fund other ones and you are

constantly in a state of trying to bring everyone up and integrating that planning with transaction and asset management expertise is sort of the special sauce here that gets things to actually be accomplished and not sit on shelves. A lot of times the issue with shows shelf plans is that there was no economist or financial person around or they were done in a different climate or didn't take into account the acquisition. A plan is hard to implement unless all those things are implemented.

>> Kitchen: Yes, thank you. What we have right now is we

[11:40:04 AM]

have some district level planning that was done in the past that -- I'm not talking about the neighborhood part of it, I'm talking about the commercial aspects of it. Like the south Austin combined neighborhood plan had some envision is along what could happen along Ben white for example or some shopping centers along there and there is zero incentivism to make that happen. So I would be excited about for some select kind of -- we're doing that right now when we talk about the south central waterfront, for example. This is just another example. I'm excited about the possibility we could actually have an avenue to explore some of these kinds of things. So let's see, I just have -- I'll have other comments later, but let me just ask about the timeline.

[11:41:04 AM]

I saw a timeline this morning for the two staff people that need to get this going. So this might be a question for our acm. Do we think -- when exactly do we think the organizational documents would come back to the council so we could vote on this? Because I'm assuming that the order is we need to vote to create it which means we need to vote on the organization of the bylaws and actually create it and then we look at the staffing. And if we can do that over the next month outwore? What is the thinking of the timeline?

>> Councilmember, you're entirely correct. It's our intention to come back to council in the September time frame with the articles of incorporation and the bylaws. We'll use the feedback that we receive today to guide the development of those articles and bylaws. I know you mentioned some concern with regard to the board delineation and that will be specific in the

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articles of incorporation and bylaws. So we welcome any additional feedback in that regard. We try to be as general as possible but we'll have to get some information in the articles of incorporation in that regard so any additional feedback is welcome. But we do intend to come back in the September time frame with both of those documents and to begin the work immediately to your point of hiring the staff

that's needed. There will have to be some city staff work to supplement the initial work. We envision that. But it's our intention to get off the ground, up and running as quickly as possible.

>> Kitchen: Okay. Then I would just echo what others have said. I think for this to be useful it has to be nimble, move fast. It has to do something that we can't do in our staff right now. Property acquisition is one of those key things. So I'll look to you all in your recommendations that you bring back to us about

[11:43:05 AM]

where you think that balance is, but I just want to emphasize that I don't want an entity that is -- I think it's important to have an entity that doesn't report up through a structure that then -- that then gets mired in our existing departmental structure. So thank you. >>

>> Councilmember alter.

>> Thank you. So I'm really excited about this direction. I want to thank councilmember tovo for tirelessly pushing this direction and councilmember kitchen for the cultural trust for your leadership on those. I have a bunch of questions and I would -- I know there's a request to have a q&a portal and opportunities to have questions, particularly if we're going to move forward with some speed on this. So I will try and limit my questions, but I do have several of them. First I'm trying to

[11:44:06 AM]

understand on I think it is page 24 in the description of the cultural trust, it seems to suggest that somebody would sell us their property at 10 percent past appraised market value. So it is suggested that it be a requirement of the rfp that purchase prices be no higher than 10% of appraised market value. How does that work. I don't understand why somebody would sell it to us for that.

>> I apologize. That is a typo. No more than 10% of appraised market value. There's a limit as to how much above could be accepted and that would provide a negotiating platform that we referred to earlier and I apologize again for that typo. But the concept is that there's going to be a limited number of -- limited number of venues or spaces that will be purchased and let's say you decide to do five phases. Ideally there will be 20 available spaces and we

[11:45:06 AM]

could negotiate with them with this hard cap and kind of say, anyone above 10% above the price, you're not even going to be considered. And that prevents a different dynamic than just going to an individual landlord and saying we want to say, please give us a good place.

>> Okay. That makes a lot more sense to me. So let's say that the property was going to be 12 million and we're doing 80% with the debt and then we're paying two million from our creative space bond. Who is paying the other two million and what is the ultimate over like the ownership structure?

>> So if it were 12 million and we were doing an 80% that means that there's 2.34 million in equity, of which 1.2 million would come from the creative spaces bond in order to acquire property. That property would have to be in title of the city in order to comply with the bond requirements, but then could be utilized by the cultural entity.

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The requirement of the cultural or music entity would be to raise the other bit of the matching equity in order to get access to the space and then to pay the rent that covers the debt service. We did some analysis and in general that rent covering the debt service is lower than the rents that they currently are paying in most cases or is nearly equivalent.

>> Alter: So they are paying for profits that we wouldn't necessarily be getting and we wouldn't be looking to net the highest and best use for that property, which could be different.

>> Correct. And also there would be -- it's not figured into the calculations, but additionally this is a potential for cross subsidy to have other uses in those areas that are just relatively market or closer to market uses. And there's also an efficiency that you're going to gain from having the economic development entity manage all those spaces. You won't need 10 property

[11:47:08 AM]

managers. You will need one, that they could go between the spaces, saving the operating costs that otherwise would be multiplying.

>> Alter: Okay. So then all of that makes it easier for the venues who are largely renting in a lot of these cases. Thank you. You said at one point that this entity needs to have real estate powers. And I understand what real estate expertise is and that the city could benefit from having more real estate expertise. Can you help me understand unless it's simply the types of projects that you were talking about, what you mean by saying it needs to have real estate powers with the assumption that the city doesn't have that right now. I understand expertise. I understand the projects. But there was that piece there I'd like more information on.

>> I think it's a couple of different items. One of them is because of this annual contracting process, and this goes back

[11:48:08 AM]

to councilmember Flannigan's comments, once the process is decided on, the entity then stands on its own two feet and is able to engage in contract negotiations without necessarily having to come back. As long as it fits in the box that you have created for it, it can go forth and sign a contract and be a landlord or be a tenant or acquire a property. That's its power just as a standalone entity. In addition, it can do things like take out a mortgage. That's not the city's credit or bonding, just like normal real estate developer will need to be able to raise equity, which this entity can through private investments. Take out debt, which this entity can. And negotiate as a principal in getting a deal done. Now, all that negotiation if it involves any city money or any city buildings, will be subject to the agreement that you have with the entity that's done on an annual basis. But that agreement might be for 15 different projects or

[11:49:10 AM]

properties. And it will be one long drawn out council hearing section where you have the questions and see the reports and all that and then say okay, go forth, we're comfortable tweaking this and that. We want to add this, take away that. Go. And then the entity has the power on its own to enter into contracts.

>> Alter: But the power to zone if they want to do something --

>> No regulatory power. They won't have the power to do discretionary approvals. I'm just talking about the power that any Joe or Mary that's a real estate developer could have, which your agencies don't have. They have to come back through you to execute the power of the government. But the -- but real estate stuff. This entity will have zero regulatory power. It's not a level of government. It's an entity that is charged with certain specific tasks around managing real estate.

>> Alter: Would there not

[11:50:11 AM]

be a value, though, in having special connections back to city to expedite zoning cases that are on city land through the process?

>> Absolutely. There would be a huge value in that and the way it's contemplated here currently is that there would be a preapproval in that annual contract for certain outcomes. And as long as it stayed within the bands of those outcomes, it was fine. So for example, you could say go do a project. It needs to have at least 10% commercial that's affordable, 25% affordable housing and the rest like do anything as long as it's not luxury condos. And as long as it fit that bill, it could go out and do those things in terms of preapproving something like a pud or a master plan, that's also something that could happen in advance and then the entity could march along implementing it. So even before an rfp goes

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out or negotiations start, the entity could have the certainty that it has your will and is able to do deals within the constraints of that will and not need to bring up a public negotiation into the public discourse to be retraded and retraded and retraded.

>> Alter: But that's not a feature, per se, that would be negotiated on a property by property.

>> It's a feature of process. What we try to do is have it negotiated at once onlily and those things are persistent unless they're changed annually. A lot of these projects could be multi-year and we could get a preapproval to do certain things with certain projects within boundaries of economic and social benefits. >>

>> Alter: You mentioned the aid which before today I never heard of. Can you tell us how it is and how it raises money with bonds? I think there was an arf also that I never heard

[11:52:12 AM]

much.

>> The regeneration fund. Those are two entities you created in the past, you broadly the city, with the attempt to push forward various limits that you found in your ability to do economic development. The regeneration fund was a CDE which I'll let actually Mr. Gonzalez talk about because I believe he was the one who pushed that forward and that is an able to leverage new market tax credits and a funding source for particular projects. You need a standalone entity to do that just by federal law is how you access that money. Normally that entity is paired with a larger organization like this and is able to accomplish it in that way. When it's standalone it's hard to manage those projects, it's harder. The industrial development organization was something that was started I want to say six years ago and I can look it up for you. I think it's noted in the report.

[11:53:13 AM]

And the idea was that it was the first step towards this concept of having an economic development entity and the idea that you could do conduit financings allow you to bring projects forward based on the revenue of those projects. And not a general obligation of the city. It's a very standard form that exists in almost every state. I think there's one state where you don't have a similar entity and it's a financing vehicle. It's a vehicle that allows you to take advantage of the city's credit status and large scale to get financing done at a lower interest rate than a private party can get. In general it's restricted to not involve housing, but to involve other kinds of economic development and manufacturing



development projects. It's really a -- it's something from a by gone era when industrial projects were the most job generating ones, but it's used in every state now as a financing arm from everything from office to cultural to whatever needs to be financed. And it's very specifically

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in order for anything to be financed, this is a shadow entity today who is meeting its shadow of you. Its board is you, the city council. It has no staff. It has powers, but they're not being highly utilized. Let me turn it over to Rodney for correcting anything and also talking about the regeneration fund.

>> Thank you, Matt. The Austin regeneration fund was created in 2010-2011 as a conduit to apply for new market tax credits. It's not been used at all. We've kept it around, if you will, in the event that we need to use it and I think that's when these cases of why keeping it around was important. So that way we could use it for these purposes. But we had created it back in that time period for the market tax credit application.

>> Alter: Thank you. The last question I'll ask today is so we have had

[11:55:15 AM]

conversations or have acted on some city owned properties. I'll give you three examples and maybe you could -- Matthew, you could pick one and just tell me how it would be handled differently if we had had this entity in place, and given it some role in these properties that we currently own. So mckalla place, colony park where the Home Depot site, how would having this entity have allowed us to do more than we did or are doing in those cases? And you can pick any one of them.

>> Um, I think in particular what it would allow you to do is pull revenue streams for lake colony park, let's say. Pull revenue streams from other projects in order to be able to advance more

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quickly with that project and also utilize the edc as a potential landlord and construction arm so that you could actually push forward through sort of mixed responses to an rfp in order to be able to move forward. I don't know if you want to add anything to that, Rodney.

>> I think you covered it. Thank you, Matthew.

>> Alter: When you're getting the stream, then -- where you're getting the streams of money then, I mean, that's an example where we're subsidizing a project, then we are advancing our public good, not when we're making money off of it. So if we were -- I don't know which example, mckalla place, if we

were to make money off of it, how would that -- you don't have to pick that one because I don't mean to be controversial. I'm just trying to come up with examples that we have city-owned property where we're -- where we have an opportunity to turn a profit to be able to invest in other things.

[11:57:16 AM]

>> I think also there's a couple ways that I'll try to twist that. I'm not trying to be evasive. I just don't want to be highly critical of things that I was not involved as an expert at. I think that there's two real pieces that occur. One of those pieces is that as you see each of these projects that you have worked on, which a lot of them have been fantastic frankly. A lot of times you've had to look to outside entities to manage them and those outside entities, as that money goes out, even if it's a friendly entity, it's not efficient from a dollar basis. And that's why you need to, like, look at a property making money. There's a different way to do it, which is that as you aggregate projects, there's more overhead monies that are needed to manage those projects if you're consolidating them. So it gives you more flexibility to make different choices on what the rents are and who

[11:58:16 AM]

is in them. That's the efficiency of scale. And then the second piece is the cross-subsidy piece of when you're a hammer everything looks like a nail. When you're a public development entity, rather than being in the silo of doing housing or doing infrastructure or doing homelessness, you can look at each project and say, what is the most public stuff I can shove into this and still come out as not needing additional subsidy and can I pair some uses that make money with some uses that don't so that they can all cost subsidize one another and I can get an outcome and it would be very hard, for instance, if I wanted to just put in place an early childhood education program that maybe fits like 10 or 15 people. But I could do that standalone, the marginal cost of doing it is going to be so high I'll need to get a building or do a lease and figure out the program and all that. But if I'm doing it across the city in 30 places and I'm also helping with affordable housing in 30

[11:59:17 AM]

places and I'm also helping in cultural in 30 places, all of a sudden I could make this mix product type that I could just scatter everywhere and the cost of doing each so I danced around a little bit, but I hope that answers your question about how some of these projects could have been different. I think centralizing the funds that are coming from the city for management and using them more efficiently and optimizing the program so you maximize out sites with as many uses as possible, some of those sites contributing to the subsidizing other uses of those sites. So it kind of minimizes how much outside money has to come in, and also maximizes the pace at which those projects are actually happening.

>> Alter: Thank you. If we're going to go on a pace of a month with this, I'll want to have a deeper conversation

>> Absolutely. We're glad to do that.

>> Mayor Adler: Mayor pro tem Garza.

>> Garza: I was able to read your lips, so ...

[12:00:21 PM]

I just had a quick thing I wanted to daylight, and I think each of us got the information from the early childhood development. Your understanding of the importance of it, and how it would be something that would not be overlooked, but nonetheless, this corporation will last a very long time, and you may not be around to continue to emphasize that policy area. I just know personally, I will have two new childcare facilities in my district and I hope it's because of the advocacy I brought, one at the new municipal courthouse, and one at the springs health center, and I think the 10-1 council brought a lot of attention to this, but previous to that, it was councilmember tovo and I think it was because she was -- her and councilmember Martinez were the ones with young children on the council at the time. And now we have a council with a lot of -- a lot of us have young

[12:01:23 PM]

children. So my only -- I don't know how we're going to approve this, but I would ask that we add a place on the board for early childhood, because it really is different from K through 12, and the only thing I could think is I know you don't want an even number of -- maybe you're trying not to -- I went to the other side of the spectrum and thought, I didn't see any, like a senior representative, and so maybe there's an opportunity, and I don't want to open the floodgates of what about this, and what about this, but it is definitely an area that needs attention. And I know one example is Texas neutral added a childcare facility, and as I spoke with them about the process and they told us every obstacle that they faced, the CEO was the champion. And he even said there were times when he was just going to say, forget it -- not that he would say that, there were just so many obstacles, but he stood firm in saying, this is

[12:02:24 PM]

important to my employees, and so you need that advocacy. So that's my only thing I would add is if we listen to the concerns of those in our early childhood community, and add a place for them.

>> Mayor pro tem,

(indiscernible). I've met with the United Way, and certainly have discussed those concerns, and we are happy to add that position to the board. We're working on the details of what that looks like, in terms of exactly what you pointed out was the even number. So we'll come back to you with a proposal that includes a representative in early childhood development. But also takes care of the issue that the board members have. Childcare is important to our city, and we're stressing it in economic development. It is an economic development issue as well as a social service concern. So more to come in that regard, but happy to accommodate that question.

>> Garza: Thank you.

[12:03:28 PM]

>> Mayor Adler: Councilmember Ellis?

>> Ellis: I'm also thinking about these places and what the responsibilities would be for all of these. I'm assuming that the bylaws would delineate more details about each position. I just want to confirm that was the intent for something we would see soon.

>> Yes, that is the intent. And I think what we're aiming toward is a strategic council, and outreach council. Is kind of the form that that governance board is really creating. And what I would suggest could happen is that that board on an annual basis is setting forth a strategy that guides its requests from council in terms of properties. And by having those different expertise there, you can imagine

[12:04:29 PM]

a strategy that refers to what -- my favorite strategy which doesn't have to be the one selected by this board, but is the basket of goods strategy of saying, okay, I'm a family making a median wage, what do I need to buy in town, and where can I and where can't I buy it, and what does that mean about my ability to live a life that is appropriate. So that's access to early childhood education, it's access to food, housing that is not rent-burdened, access to Kurt turl facilities, access to recreation, fresh food access. Like there's sort of an established web of things that we think about actionably, but specifically you would analyze that locally and say, this is where people are spending money, this is where we think it's important, this is what we hear from the constituency, and then that board of -- that board's primary objective is to hold the

[12:05:30 PM]

organizations' feet to the fire on the one hand and project a vision for the future that is integrative on the other hand. Which it's very -- you try to do that as a body, but your time is very limited. So having that additional input from this, you know, board will help support you in making decisions about where you want to allocate the resources. That primary objective is going to be holding the line on the growth mission and not getting lost in the sauce of accomplishing some specific project at the expense of the people.

>> Alter: I can appreciate that. You know, for instance, there's one that says affordable homelessness, and continuum of care. Is that an idea of addressing affordability in housing, and at the same time making sure we've got social service programming? Like trying to wrap around two

[12:06:30 PM]

different aspects of what it may cause people to experience homelessness. Is that kind of where some of these are splitting off?

>> That's correct.

>> Ellis: Into the different positions?

>> That's correct. I would say there's a couple of reasons why there is a position proposed on that board. One of them is it may have been specified by this body in an earlier iteration of this body, which is the case for the continuum of care position. Another one is, it might involve seriously a soning with another agency or specialty group, that it's important for that group to be in every conversation, so they don't get out of sync. I think that's a little bit more what is referred to with the affordable housing homelessness position versus the continuum of care. And then a third reason why they might be proposed on there is it could be another body that might have access to real estate in a similar mission, so when you think about whether it winds up being UT, or whether it's aid, or like there could be different

[12:07:32 PM]

groups that for similar reasons you want them in the room constantly so that there is some participation in that plan-making, and a willingness to maybe co-rfids, or give up the management of certain sites in order to accomplish different goals. They're really going to want to have a voice inside the board room to be comfortable in doing something like that.

>> Ellis: I agree with that sentiment. I think that's going to work really well. Similarly is workforce versus workforce development is one more about, you know, building practices in worker safety, and another about education and training. Is that kind of where that came from?

>> That's exactly correct. I think that workforce is really about the -- also the treatment of workers, and issues of wages and workforce practices, whereas higher education and vocational education workforce development is about retooling the workforce to be more eligible or more

[12:08:34 PM]

productive in employment, versus the ones that are already in employment, and you're making sure that the way they are treated or how wages are set or, you know, working conditions are satisfactory.

>> Ellis: I really appreciate that. I also like mayor pro tem's suggestion of having kind of a focus on access to childcare, or access to assistance, for maybe the little bit older. I like those conversations. But if we're going to move to an online q&a, I want to make sure we've got all our bases covered. It sounds like a lot of thought's been put into it, so I look forward to those continued conversations about these specific positions.

>> Thank you, councilmember.

>> Mayor Adler: Councilmember Renteria?

>> Renteria: This is really exciting. You know, I have a lot of vacant and underused property in

[12:09:36 PM]

district 3. But I want to give you a scenario, how would it work if we had a facility, a building there that we're going to -- that's part of the parks department but they don't have the resources to turn it into the cultural centers that we want to see, how would you work with -- how would that work with your proposal?

>> I think it could work a couple different ways. I'll give one example, and just understand that it's in your discretion if you want to do it this way. But I think what would typically happen, in my view, is that this entity once formed, would then go around and sit down and have meetings with the different agencies, and say, and departments, how is it going with real estate? What are the things that you're trying to accomplish that aren't working? And in the case specifically, I think what we see in a lot of places is this approach to parks and rec which in general have been -- have less and less

[12:10:36 PM]

resources as many other organizations do, and historically we're stewards for a lot of cultural programming and that's moved in a different direction, but they don't have the new staff to manage that. And so what we would probably recommend is why don't we do an mou or a lease administration

agreement for this entity to take over management of those facilities, and help develop them, along with the rest of the cultural trust programming and have similar manager expertise, but subject to whatever rights and oversights either parks or the city in general wants to have in those areas. And then again, you've got the economy of scale. I will just -- it might sound complicated and I'll just tell you when I used to do orientation for my staff in New York City, the first day, all day, hours, would just be spent on all the different types of agreements we had with all the different departments and agencies and what the different rules governing that was.

[12:11:38 PM]

Because there are so many. But that's administration and bureaucracy that's not a necessary evil, to make sure every law is followed, everything is tight. But what can happen is, leaning on the expertise of this organization, once it's trusted, that it's not going to run away with the bag or do something that makes people embarrassed, to just take over common functions that, you know, one asset manager can manage 20 cultural facilities. But if each of the cultural facilities, one's with park, one's with EdD, they're going to have each their own manager. You're wasting some money and time there that you could probably want to spend on other things.

>> Renteria: That really sounds good and great. I really want to keep my office informed, because it sounds like a great opportunity to help some of these struggling theater groups and cultural groups that are really struggling in our

[12:12:39 PM]

economy because of the high rents that they're experiencing. And I just don't want them to dissolve and disappear. So thank you.

>> Thank you, sir.

>> Mayor Adler: Kathy, do you have something quick? It's almost 12:15. Kathy?

>> Tovo: Oh, sorry. Thank you, mayor. I'll make it quick. One, I just wanted to acknowledge my staff who have worked really tirelessly on this. Shannon Hally and Ashley Richardson. And with regard to childcare, Ashley Richardson is actually the one who had raised this as a possibility, and in talking with Matthew, you shared with us that the New York economic development corporation has that as a focus. So Ashley had reached out and talked with individuals in

[12:13:41 PM]

organizations like early matters and success by six, and others. So thank you to both my staff for their great work on that, and especially for that good idea. It was my understanding, based on my conversation with Rodney and Veronica, that that had been incorporated into the revised recommendations, to have that position. And so thank you for confirming that here today. Just one last super quick question about something that talks -- toward the end, I know this will raise questions in the public as it did in my mind. There is a section toward the end of the report where it's talking about advantages that projects could have. And there's a reference to the pilot payment for property tax. And I wonder if you could -- and also city pricing on utility costs, which I need to better understand, because I think our city departments have the same utility costs, any other project does, there is no discount. But if you could just quickly

[12:14:42 PM]

share with us what the pilot payment for property tax is, so we have a sense of what that is. Because I'm intrigued.

>> Thank you for those questions. In terms of the pilot payment, when either the city owns the property and the entity manages is on behalf of the city, or if there's a transfer of the property to the lgc, there is the ability to update some portion of the property tax. If that is chosen to do, it has to be a choice that would come back to this body, or be a part of that annual contract, then you can establish a pilot level of payments. One of the, just a payment in lieu of the tax, you can say it won't go up as fast, it's just a negotiated amount approved by the city in advance. So for example, one of the things pointed out in red river was just how much the operating expenses inclusive of the vast increase in property tax was

[12:15:43 PM]

really hampering the ability of the entities to continue to operate. It wasn't even so much rent, it was more that the operating expenses kept going up and up for management of the outside of the facilities, increased utility costs, and extremely vastly increasing property tax. If the city winds up deciding to leverage the creative facilities bond into a larger amount and essentially creating cultural infrastructure of city-owned sites around different areas and districts, then a choice could be made to also stop the rise of property tax happening as fast in those locations by instituting a pilot schedule. I think that makes sense from the sense that otherwise you're just paying yourself, and makes it a little bit difficult for the entity to do it. But I would suggest them paying something, because that can be used as building a capital

[12:16:43 PM]



reserve for repairs, or operating expenses, or things that generally those organizations when they run their own sites don't do, and all of a sudden they have a sudden event, of losing a water heater or a roof and it's a whole thing of the we could just take care of that. And what was the second part of the question?

>> Tovo: I think you've answered it more or less. So the pilot is not a named program, you were just suggesting a pilot program?

>> Yeah. You could (indiscernible) To limit the increase in taxes.

>> Tovo: So I would just like to request -- I think several of these questions are really legal ones, so maybe in the next couple weeks we could have an executive session about some of these points, what is legally within the city's ability to do. And to our -- and Matthew, if you have -- if you could point us to where in your report where this exists, I haven't read through the appendices as clearly as I need to, but perhaps in some of the information you provide us now,

[12:17:43 PM]

you have some examples of how other municipalities have done this kind of work, in terms of property tax, or utility costs, or other kinds of things that help make that economic [lapse in audio].

>> Absolutely.

>> Tovo: Just to go back through them would be useful

>> There's quite a lot of pages in the appendices.

>> Tovo: And we'll have to see

[lapse in audio].

>> We've explored what is possible with both internal and external legal counsel and we're happy to discuss that, especially in the case in which you're just getting an autonomy of scale on utilities, or if the entity creates some utility possibilities, either whether it's solar on roofs, or helping with (indiscernible) Adjusters, or however it works out in the negotiation of Austin energy and others.

>> Tovo: Great. Thank you.

[12:18:45 PM]

>> Kitchen: May I have just 30 seconds?

>> Mayor Adler: Go ahead.

>> Kitchen: Given all the conversation about the cultural trust, I just want to help the public understand, there is an rfi that has been issued now related to the creative space fund, and I want to thank the EdD department for getting that out there. And I appreciate all their work on it. I want to emphasize for everyone that a decision has not been made about how exactly that 12 million in creative space bonds will be spent. So the conversations today are ideas, but that rfi is designed to request ideas from you, the public, from our creative sector, our cultural spaces, our music spaces. So please do not take any of the conversation that we've had today as limiting factors. The purpose of the rfi -- and you can see the written language in the rfi -- but the purpose is

[12:19:46 PM]

to generate creative ideas at this point. The conversation today has been great. You know, in terms of talking about how this edo and the cultural trust can really help us leverage the 12 million. But please do not hear it as limitations at this point. We want everyone's ideas.

>> Mayor Adler: Just quick thoughts before we go into lunch, and then coming back to do full items. Included in the legal issues that we raised, I would like to go back to the land ownership question with respect to the \$12 million of the bond. Because I think there are creative ways for us to take a look at that, that might not be a limiting factor, as concerns current operator-owned venues. They might not otherwise be able to survive but don't want to lose control of a piece of

[12:20:47 PM]

property, but would still be operating within what would be the public benefit strict turns that we would outline. I, like my colleagues, are supportive of this and would like to see it happen sooner than later. I think there are immediate needs. We're already missing opportunities that some of our colleagues have already said. I think it brings three things that are critically important. It brings the ability to act quickly, speed, having a contract with the city government, and being able to be nimble and operate as quickly as the market operates. Already we're seeing us lose locations for permanent supportive housing and the like, just because we can't move quickly enough, because of the restraints on government. Second is the expertise. You know, we have some great consultants that we hire. We hire a lot of them that help us on real estate. It would be great if we could bring that expertise in-house

[12:21:49 PM]

this way, so that we have that organization with that portfolio that could command the highest level of real estate expertise, and have that operating on the behalf of the public good, or this is a way to get that happening. And the last is the ability to be able to leverage, being able to go from 12 million to 100

million potentially on the cultural, is an example of that, to take assets and move them across projects, and types of projects. There's just a huge leveraging opportunity that we can't otherwise do. And I think that's going to be critical. So I really appreciate the presentation from Matthew and Rodney and synovia and Veronica, everyone who worked hard on this. Colleagues, it is 12:22. Do you want to come back here, say, at 1:15 to do the pulled

[12:22:50 PM]

items? We can do the pulled items and then go into executive session. All right. With that being said, we're here at 12:22 recessing city council meeting and be back here at 1:15.

[In Recess]

[1:19:07 PM]

>> Mayor Adler: I think we're set to go. Colleagues, it is 1:18. We're back from recess. Today's city of Austin council work session on Tuesday, August 25th. Meeting is taking place virtually. We've been through our briefings this morning. We have pulled items, and then we will go into executive session. Council member harper-madison.

>> Harper-madison: Real quick, actually, this is a question for Ann, can you remind me how many of us have to be on the screen? Is it just a regular six-person forum or --

>> It's important for having -- six people is great so the people can see you during this time when the open meetings act has been waived, in part, because of the pandemic, you can appear by telephone. But for the public, it's better for you all to have six people be seen.

>> Harper-madison: Okay. Thank you.

[1:20:07 PM]

>> Mayor Adler: That's a -- not a legal requirement.

>> The legal thing under the pandemic, because we have an emergency, you can appear via telephone, as well as video.

>> Harper-madison: Okay. Thank you.

>> We do have one briefing for -- that Mr. Russell will be presenting.

>> Mayor Adler: Okay. Let's start there. I apologize. Let's start with the pud briefing.

>> Okay. Good afternoon mayor and council. I'm Jerry rusthoven with the planning and zoning important. This is the Springdale pud. It requires we present a briefing prior to it being submitted, that's the purpose of this briefing, no vote required today. This is a 38-acre piece of property located at 1011 and 1017 Springdale road. It is currently zoned --

[1:21:15 PM]

it's long imagine Austin corridor, airport boulevard and Springdale road, both of which do have high-capacity transit. Beginning in the 1940s, the site was used for what's commonly referred to as the east Austin tank farm, the petrochemical storage facility. Over time, the facility grew bigger and bigger and had several large storage tanks on it. In the 1990s, the community rose in strong opposition to having such a hazardous facility in and among the neighborhood. The city downzoned the property from industrial, the companies that were using it agreed to leave the site. The site was remediated. However, it does that allow residential use. Only commercial uses are allowed because of the previous usage. The current pud proposes a commercial project, therefore. The applicant is requesting several modifications to the code with the pud, specifically taking the height from 60 feet up to 90 feet, to modify in

[1:22:16 PM]

compatibility to allow for the same thing, and also to allow for modifications within the critical water quality zone, but only for the purposes of providing an urban trail. What the applicant is proposing in exchange for receiving those modifications is to reduce the impervious cover from an allowable 90% down to 50%, provide a 50-foot easement for an urban trail, called for in the urban trail master plan, to use green infrastructure such as green building and rain water collection and other things, in the construction of the project, to remove plants from the property and replace them with native plants, and pay fee-in-lieu of

[indiscernible]. As far as puds go, this is an uncomplicated request, simply asking for a couple of things in exchange for doing a couple of other things, and I'm available for any

[1:23:17 PM]

yes, sir.

>> Kitchen: I can't tell -- you're muted.

>> Mayor Adler: I was asking him to give us back --

>> Kitchen: Okay. Sorry.

>> Mayor Adler: Ann, go ahead.

>> Kitchen: So Jerry, did you say what the size of this pud is?

>> It's three acres.

>> Kitchen: How many?

>> 30.

>> Kitchen: 30 acres. Okay. And what are the circumstances -- well, actually, I don't need -- I'll read up on the details. Thank you. Bye. Thank you.

>> Mayor Adler: Colleague S, do we have any questions on this briefing? Council member tovo, and then council member alter.

>> Tovo: Thanks, Mr. Rusthoven. Could you give us some sense of what you see as -- what the applicant is identifying as substantial benefits?

>> Sure.

[1:24:17 PM]

>> Tovo: What are the benefits that go beyond conventional zoning, what are the community benefits?

>> Sure. The main ones are providing the trail easement, reducing the impervious cover from 90 down to 50, providing the affordable housing, which is the tier 3 requirement in the pud ordinance, and using the green building and green infrastructure in the reconstruction of the site. The restoration of the property that's going to remain undeveloped.

>> Kitchen: With regard if the [indiscernible], regard -- to the

[indiscernible] -- I'm sorry, I've forgotten the tier 1 and 2 and 3 requirements. What are they seeking?

>> Two star is standard and the project proposed is three star.

>> Kitchen:

>> Tovo: My apologies if you said it and I missed

[1:25:17 PM]

is, what are the former units?

>> The site was the tank farm, so the remediation certificate -- sorry -- the remediation that they received, you know, that they did and was approved by tceq only allows for commercial development, does not allow for residential development. So they're proposing to pay fee-in-lieu of for affordable housing because they're asking for greater height but there would be no units on site because they're not allowed.

>> Tovo: Thanks.

>> Mayor Adler: So council member alter?

>> Alter: Thank you. Jerry, if you could just go through the variances and what they're trying to build. I didn't hear anything for parkland but I did hear urban trails. Is that going to be residential?

>> Sure. So one of them is to modify, to allow for development in the critical water quality zone, but that would be not for commercial development, that would be for the urban trail easement that they're proposing to provide.

[1:26:17 PM]

The second one would be to take the height from 60 feet to 90 feet, and the third one would be a modification of compatibility to allow for same thing.

>> Alter: Is it seen as a residential or commercial site?

>> It would be required to be commercial. Residential would not be allowed because of the [indiscernible] Use.

>> Alter: That's what I was thinking. I missed you saying that thank you for that.

>> Mayor Adler: Council member Renteria.

>> Renteria: Do you -- you're saying that the fee-in-lieu -- how much is that amount?

>> We don't know yet. It would depend upon what the square footage is of the area above 60 feet, it would be based upon a formula of the amount above the normally required limit of

[1:27:17 PM]

60 feet.

>> Renteria: And that's not an enterprise zone, is it, or where it is -- because I know there's a lot of -- around it identified as enterprise.

>> I'm not aware of the enterprise issue. I'd have to look into that.

>> Renteria: Okay. Yeah. I'd be very interested to find out also because they're offering -- that particular program offers a generous tax break in the end.

>> You're talking about opportunity Zones?

>> Renteria: Opportunity Zones, yes. So, yeah, I would really like to find out if it's in the opportunity zone.

>> Okay.

>> Renteria: Okay? Thank you.

>> Mayor Adler: Colleague S, anything else on this briefing? Jerry, thank you,.

>> Sure.

>> Tovo: One super quick last question. Jerry, what is the residential development

[1:28:19 PM]

triggering compatibility on this project? I was just trying to --

>> Some single-family that's nearby.

>> Tovo: Okay. All right. Thank you. How close are they to the site?

>> I don't know the exact length, I know generally speaking they're seeking compatibility modifications. When they actually submit the pud we'll get into actual being location on the site and see exactly to what extent they'd need to waive portions of that, they'd probably have a difference in the height and distance.

>> Tovo: You said 602090 60 --60 to 90 and a waiver to have the trail within the easement of the critical environmental feature.

>> Yes. Those are the three things they're asking.

>> Tovo: Do you have -- as part of the community benefits, are any of -- are they proposing to have a priority for locally owned businesses

[1:29:19 PM]

within a commercial development?

>> They've identified that they would make an effort towards that, and, you know, in the briefing submittal, what we call the assessment submittal, we'll take a closer look at that when they file the

actual pud. They said that they're trying to do that, and we'll trying to more clarification of what that means as we go through the actual clarification.

>> Tovo: Yeah. I think that would be

[indiscernible] Okay. Thanks.

>> Sure.

>> Mayor Adler: Thank you. Thank you.

>> Sure.

>> Mayor Adler: All right. Let's go on then. We have pulled items. We have a series of items that relate to the police activities. I think item number 25 was pulled, but my recollection is that 25 has been postponed by

[1:30:20 PM]

staff. But all the items pulled are policing items, with the exception of item number 49 -- I'm sorry, item number 57. So let's start with the police items. I don't know if they're the kind of thing that we can pull all together. These were pulled by council member Flannigan, mayor pro tem, and a few of them by council member harper-madison. Do we need to take them individually, or can we take them collectively? Council member Flannigan.

>> Flannigan: Thanks, mayor. Mayor pro tem and I pulled all these items, mostly as an opportunity to have a process question about how we want to incorporate these moving forward. We've gotten through the budget. I think we did some good work there as a full council. But we all know these keep coming up kind of on every agenda. And I don't want the public to think that we've taken our eye off the ball, even though many of these themes --

[1:31:21 PM]

many of these items seem perfectly great on the surface, victim services and mental health. So I'm not looking for -- at least for my part, pulling them just to kind of acknowledge this for the public and then say to staff, you know, y'all put a memo out to council yesterday. And that's a little bit frustrating because we could have talked about them at the public safety committee two weeks ago, or a week ago if we had more warning than just the posting on Friday. And I know that staff has a much longer run way than two weeks, than the council does. And so I want us to get into a better rhythm about reviewing these types of things so we can ensure things move smoothly at council meetings and get all the other work out of the way. I have some small -- smaller detail questions on a few, but that was generally the reason why the -- I don't want to speak for the mayor pro tem, but that was generally why I was pulling them, was just to get us and the public to see we're not taking our eye off the ball here.



[1:32:23 PM]

>> Mayor Adler: Okay. So I'm going to pull them collectively as a group and let's continue the conversation. Mayor pro tem.

>> Garza: I just have a general question for all of them. I'm fine talking about all of them together. As we talk about decoupling some functions and possibly moving them into other areas of oversight, my main question was, some of these -- some of the departments within the department would be -- that are receiving these grant funds would -- would be a part of the decoupling thing that we're thinking about. So my main question was, as council member Flannigan said, there's some importance -- you know, there's ppe and mental health and victim services, so I just want to know, is there any prohibition from - if we

[1:33:24 PM]

decouple, from continuing to use the current money for its intended purpose? I don't know if there's staff that can answer.

>> Mayor pro tem and councilmembers, mayor, I'll start and then I believe [indiscernible] Can pick up if I misspoke in any way. But mayor pro tem, to answer your question, these grants are issued to the city of Austin, and so there is flexibility in how they would be managed going forward and not directed to the police department. So as we continue through this reimagining process, we'll keep in mind as we look at the administration of they of these grants but they're issued to the city. I completely agree, we certainly need to get this information in a more timely way. Obviously we're still running a city at the same time and the budget was just passed two weeks ago. We are planning to and will issue in short order a general memo that will talk about the process that we'll be using when we're looking at these

[1:34:24 PM]

grants because the resolution that the council passed in June really directed us to have a much more rigorous oversight of these grants, so they would be aligned with the direction that council is giving. And so we want to make sure that we're providing that updated process to you. But I'll pause there and see if Ariana wants to add anything.

>> Good afternoon, thank you, city manager, mayor and councilmembers, to address -- just amplify what the city manager said, yes, we are taking a close look at all these items, and I appreciate council member Flannigan, your comments about how we might [indiscernible] This process based on your direction in the June resolutions. We have, in fact, actually held off on a number of these requests for

council action, pending the delivery of the budget so we can bring them all for you here today. We have a couple more at

[1:35:24 PM]

the next council meeting and we will provide a memo specific to those. Then, mayor pro tem, to your question, the grants are really to the city of Austin, and so depending on where a service might end up, if it happens to be outside of the Austin police department, we'll still be able to manage those grants. I've been working very closely with A.P.D. Grants manager Ms. Fitzgerald, she is part of the financial section with A.P.D. And as you know, we're taking a look at how we might move some of those administrative functions out of A.P.D. And provide a more centralized or different location. And so these are all things that are consistent with what council direction has provided, and will continue as we figure out the reimagining process with the department.

>> Mayor Adler: Okay. Thank you. Anybody have any further questions? Council member alter?

[1:36:25 PM]

>> Alter: Sorry, I'm losing my voice today. I appreciate my colleagues pulling this. I have added the amendment about the grant review to our resolutions in June, and I look forward to the memo that you've promised, kind of documenting that. I think it is important that we have a broader view. I think something that would have been helpful, as you presented some of these, are -- you know, they're coming and accepting into the fiscal year '20 budget but we're really using -- it's unclear whether we're using them for funds moving forward or backwards, and whether they are new programs or existing programs. And I think we need that kind of clarity when you present them. Some of them were very confusing in how they were written up, and we've asked for some clarification, but I think on a very basic level, that kind of information needs to be in there. Many of these are funding

[1:37:26 PM]

very important services, but we'd love to know, you know, some of these for victim services and DNA, it was very confusing if they were new or if they were existing, and I think that's important information as we're evaluating what they're putting into public safety and different parts of the reimagining, if these grants are going to those kinds of things. So I'd just ask that you pay a little more attention to those details moving forward.

>> Thank you, council member. Again, this is our first time kind of keying it this way and this is very helpful feedback for us. And mayor, if I may, just to clarify, item number 25 on the equestrian center, we're actually withdrawing that, not postponing, withdrawing that item pending the reimagining effort.

>> Mayor Adler: Okay. Thank you. If no one has anything else, we'll go to item 57. Council member harper-madison.

>> Harper-madison: Council member harper-madison?

[1:38:28 PM]

>> Harper-madison: Sorry, I had to toggle. I had actually item 34. Council member alter, I'm losing my voice today, too. I think there's something in the air. I think between what council member Flannigan asked and mayor pro tem asked, my questions have largely been answered, my others. But I still have questions about item number 34. Just some of the language made me nervous. It reminded me of a similar program that was almost deployed in district 1 that I didn't think was going to be as beneficial to the community as what folks thought. So I was hoping that somebody could lay out for me exactly what we hope to accomplish here. I mean, I see what's written in the backup, but I want a person to tell me what it is that we hope to accomplish here and how we're going to be as careful as possible about targeting particular communities in this way.

>> And, council member

[1:39:31 PM]

harper-madison, rey Arellano again. We'll be happy to explain a little more about this one, and actually as we look at the council's direction from the June time frame, this is one of those that we're going to make some adjustments in order to be consistent with council direction, as well as to reflect kind of what we're hearing in the community. And so if I might pass it off to Karen.

>> Hello. The [indiscernible] Neighborhood program, it has always focused on violent crime, and we have requested things for overtime primarily for officers to do target enforcement in the downtown area and in the Riverside area, which were shown to have high

[1:40:32 PM]

levels of involvement, up through -- I believe it's 2018. I don't think there's been a study since then, but I've requested an update. After meeting with Mr. Arellano and staff about council's direction in June, we are attempting a rewrite that will incorporate a more forgiving type approach to addressing crime. We're going to be working on a series of pas, that we hope to complete by the end of this years, and then we're also hoping to pair this project with another couple of grant programs that will bring community members in on the conversation, especially on the video production side. In this next psm grant, we're thinking about also including, instead of using the majority for

[1:41:32 PM]

overtime, we're thinking about splitting it and using some of those funds for a neighborhood liaison who can work within the communities that are most impacted by violent crime and weapons involvement. So I anticipate the public safety committee and commission perhaps weighing in on how we look at the budget adjustments for this grant and others moving forward. And I've created, along with Mr. Arellano, a very detailed excel sheet that has every single grant, pending and active, with a lot of the information that council has just asked for. So hopefully that will be helpful.

>> Harper-madison: I think it'll be helpful, I just don't know that now is the appropriate time to move this item forward. I'm certain that there's a deadline for the grant, in which case you want to go ahead and apply, but with so much that's uncertain, I don't know if this is appropriate, is my concern. I'm certainly willing to

[1:42:33 PM]

continue to listen.

>> We have applied for the grant already. We do anticipate receiving an award. A resolution is required for every [indiscernible] Grant, which is what we're requesting today. I could just give you assurances that we heard what was said at the council meeting in June, and the council meeting since then, and have no plans to move forward until we have agreement from the public safety commission and committee on any plans to move activity forward.

-- We won't do it without everyone being on the same page.

>> And council member harper-madison, we'd certainly be glad to meet with you and your office staff on how we can structure the concerns of the community.

>> Harper-madison: I appreciate that. I also appreciate the public safety committee, I wonder if that's the more

[1:43:33 PM]

appropriate place to bring these kinds of considerations.

>> Mayor Adler: Okay.

>> Renteria: Mayor?

>> Mayor Adler: Council member Renteria.

>> Renteria: Yes, Ms. Fitzgerald. You also have been working with other grants that have come down to Riverside. I know that there's been other grants that have been awarded to us to study the Riverside corridor and all the problems and crimes that are going on there. Is that part of this program also?

>> There are separate and distinct projects but we're coordinating activities between the two. Riverside is another one that we are -- we paused back in -- I guess it was april-may time frame because of covid. And then it helped that

[1:44:34 PM]

we paused it because in June, we received this council directive. And it has completely changed the way that we are viewing the Riverside togetherness project, even the name of the project itself. So that's another one that we plan to go back through the committee and the commission process in order to help us make sure that we're in line with what the community wants and what could actually work and help the most people.

>> Renteria: And I know that y'all are supposed to give us a report on -- on what y'all found out on this last grant. Have y'all been able to put that together? And is there -- is it somewhere that you have a report about what y'all -- this past year's activity with that prior grant and what y'all did with it and what's -- what your finding was?

>> Are you talking about the Riverside project or the psm project?

[1:45:36 PM]

>> Renteria: Yeah, the Riverside project.

>> So the very first year of the Riverside project was all planning. It was the development of a implementation plan, along with the university, and an early action project that measure Austin assisted with. We don't have a -- basically an analysis of the first year. We do have an implementation plan that we planned to publish, but we're completely rewriting it. So I'm sure we'll put it in the archive section, just so that folks can refer back to the work done. But quite a bit of it is irrelevant at this point, it was targeted enforcement, domestic violence, outreach. And I think we're revisioning probably \$500,000 worth of activity at this point.

>> Renteria: Okay. If you can -- if you can give us that information,

[1:46:37 PM]

too, when you make your presentation to the -- to the planning commission.

>> Sure.

>> Renteria: You know, and public safety and whatever other department. I'd be very interested to find out what you're finding there and, you know, what's the recommendation is to address all those issues that -- you know, that were funded to look into.

>> We also did interviews in that area, about 200 community members, but I think it will help with the conversation quite a bit, at least afford us a baseline.

>> Renteria: Great. Great. That's great. So keep us in touch. That way we know exactly. Because we had a lot of concerns also, my office did, when that -- when we saw that item on the agenda, that -- exactly what's going on now, you know. So I know there was some grants -- money that had been already spent there. So thank you for that,

[1:47:37 PM]

for that information.

>> Sure.

>> Mayor Adler: Anything else on these? Council member harper-madison.

>> Harper-madison: So the other item that I pulled was item number 67. It's the spectrometer item. Is there any -- is there staff that can speak to that? I'm wondering whether or not we can postpone this, and I think my question is along the lines of the same decoupling question that mayor pro tem asked earlier.

>> Council member harper-madison, we have Dr. Dana [indiscernible] That can provide more detail. This particular procurement is based on the -- on a grant that that was made available to us in the current fiscal year. Based on the current timeline we've asked for an extension of one month to bring it to you after the budget process, so with this first meeting. If we aren't able to approve the item, then we will essentially have to return the fund to the

[1:48:38 PM]

originating grantor. And so if Dr. [Indiscernible] is available, we can answer more detailed questions, if you'd like.

>> Harper-madison: I think ultimately the more detail would question, I'm asking, like, mayor pro tem brought up, if there are certain departments that would move, then what are the implications of having made the investment in this equipment?

>> The direct answer of that there's no implication. Again, the funds would go to the unit now known as forensic science bureau. We're contemplating -- that's one of the units we're contemplating moving out of the department, and that should have no effect in terms of the grant funds going to be utilized for for that equipment.

>> Harper-madison: Thank you.

>> Mayor Adler: Okay. Mayor pro tem Garza.

>> Garza: I had a question about 66. I don't think that's a grant -- wait, maybe it

[1:49:39 PM]

grant money. But can we currently use this -- is this brand new equipment? For the helicopter and a platform?

>> I believe it is but I'll defer to A.P.D. Reps, perhaps Karen, if you can answer that.

>> I -- I think this one is the heson project.

>> Yeah, this is the multiple functional seating and propel attachment, number 66.

>> I didn't actually apply for this one. I think it was

[indiscernible]

>> Garza: And the reason I ask, while we're trying to get staff, in case staff isn't here, if you can have the answer on Thursday. When we've talked, we

[1:50:39 PM]

expanded the role of A.P.D. In so many ways, and there was a lot of concern about certain types of equipment used for crowd control, and I'm just thinking of my own experience, I guess, in public safety. It was always -- why can't I think of the ems helicopter?

>> Oh, star flight?

>> Garza: Yeah, star flight was the helicopter that -- any kind of rescues required were done by star flight. I never saw a rescue or police propelling down into things -- I don't want us to be adding a new cost when we're trying to, you know, pull back on these things. If this was something replacing something then, you know, I could see, but I just would like to know why we are adding -- what this -- what kind of scenarios this would be assisting with and why, in my experience, it was always star flight that did that kind of work.

>> Go ahead.

[1:51:39 PM]

>> James mason is apparently on the line and can answer that question about the helicopter.

>> Mayor Adler: Do you have information?

>> [Indiscernible]

>> Mayor Adler: Yes. Please go ahead.

>> Apologize, I was having technical difficulties there. The new equipment, we've been asking for this piece of equipment for several years. Of course money is granted as we go along each budget cycle. This did get funded this season. It's paid for fully by the grant. It is an attachment to our latest helicopter, which is now seven years old. It allows for two crew members, for two passengers, so to speak, to sit on each side of it, and to enhance the helicopter, from where we are now, mainly, if you

[1:52:40 PM]

remember, the b3 was brought up because it's way more powerful helicopter than the 120 original one. This is able to take crew as well as, like -- we can take crew into remote areas and drop them off with equipment, much more easily to be able to pro propel them down into areas more easily, we have a lot of greenbelt as well as hill country that's accessible, as well as we service ten counties wide, and we're able to drop off fire, police, or ems into areas where normally we wouldn't be able to be accessible. And they would actually repel down on a fast rope and be able to get down and fight fires or help people that are medically in need of -- of assistance. So that's what the seats are for. We went through capcog.

[1:53:41 PM]

Like I said, I've been in special operations for two years now, and we've had -- it's been on the item, and we finally got it funded to be able to have that capability to the helicopter.

>> Garza: I'm sorry, mayor -- have you found -- are there other incidences that we were unable to provide help because we didn't have this equipment?

>> So, it adds to our capability of the enhancements of the helicopter. By far, A.F.D. Has been trained with repelling, as well as

[indiscernible] Buckets and stuff like that, if you remember the bastrop fires, the reason why fire chief had allocated to get a more powerful helicopter, it gives us that enhancement that we just don't have



anymore. We're in the top five of one of the areas that could potentially be a wildfire area. And this was to give us

[1:54:42 PM]

that enhancement to get crew where we haven't been able to get them before it's all in preparation, it's all about saving lives and saving property.

>> Garza: Yeah, but I'm just asking, has there been an incident where we lost a life or property because we didn't have that equipment?

>> Not to my knowledge, no, ma'am.

>> Garza: Okay. And is this -- this is -- so it's the 88,000 -- it's purely grant, and there is no city snatching is that right?

>> Yes, ma'am. The grant takes care of the whole thing, yes, ma'am.

>> Garza: Okay. I might have a couple more questions but I'll I'll do that offline. Thanks.

>> Yes, ma'am.

>> Mayor Adler: Council member tovo, then council member Flannigan.

>> Tovo: Thanks. I actually had a question about number 34. I think you didn't see any hand, mayor. But let me ask a question about this one, too. Thanks for the

[1:55:43 PM]

conversation. When the -- I remember the conversation that transpired on the dais when we were talking about whether or not to purchase the helicopter, and part of the rationale was that it could be available to more than just the police department and could be used in the way that you just described, Mr. Fitzgerald, in terms of assisting the fire department and other entities that needed it. So that was one of the reasons why such a big expenditure seemed to be valuable. So I would like to understand better, really, if you could give us some information between now and Thursday, about the kinds of -- the ways in which the helicopter has been used for those purposes in, say, the last several years, the last five years maybe, how it's assisted with emergencies, and if it is -- what is the advantage of sending this helicopter versus star flight? Is there an economic -- is there a financial advantage to having -- to

[1:56:44 PM]

having this helicopter go, if we have people fall in the greenbelt or other kinds of places where they might need this -- this technology to assist. My question about 34, I am -- I guess my first question is, it's listed as being for the downtown as well as Riverside. It sounded like most of the conversation circled around Riverside and some of the work there, so I'm not entirely clear on what the work would be downtown, and the prevention -- the prevention items that are described in the backup doesn't seem to match with the overtime piece that you were describing. So could you address -- address some of those issues? What would be happening in the downtown? Is it all downtown? What is the work that is -- what is the work that is aimed at violent crime downtown?

>> Karen, you're muted.

[1:57:45 PM]

>> Can you hear me?

>> Tovo: Sorry, I attached your name to other representatives so I apologize for mixing up the last names. Sorry. My apologize.

>> That's okay. We asked for funding so that officers could do targeted enforcement of violent crime and crime with weapons involvement, it's the organized crime division. And there -- they basically took mapping that was created back -- I think it was 2018 citywide report that showed that the Riverside area and the downtown area were hot spots. The reason why Riverside keeps coming up is because we have a federal fund source in Riverside for a separate project, and the U.S. Attorney's office and DOJ always encouraged that when you have hot spot areas, if you have state and

[1:58:46 PM]

federal funds, you coordinate services. So that's why the mention, but it's basically the same activity, is proposed in both areas. With the prevention, we started discussing the greater prevention piece that I mentioned back in June when council passed that resolution. We wanted to make sure that every single grant comes in line with your directives. So with psm specifically, we're thinking neighborhood liaison, we're thinking about a greater amount of pas in videography and photos and some online work. So that is not currently reflected in the budget, but it absolutely will be once we decide how we're going to move forward with each project. Does that answer your question?

>> Tovo: Yes. And we may just immediate immediate -- we may just

[1:59:47 PM]

need to reach out between now and Thursday. I'm somewhat familiar with the work of the organized crime division in the downtown area, that's been a source of -- of conversations that I've had, including on walkabouts and ridearounds in the downtown area. But it's not -- it's not exactly clear to me how the prevention would work. But I did just want to make sure that what you're describing is work that would be focused both on downtown as well as on Riverside.

>> Yes, ma'am.

>> Tovo: And since some of it is prevention, how do you envision -- how do you envision this work taking place with the new office of violence prevention that the council passed, that council member alter had brought forward?

>> I am not very familiar with that. In my conversations with Mr. Arellano so far, we have really focused on what to do about the

[2:00:48 PM]

grants to bring them in line with council directive. We haven't taken that next step to actually plan. We are, right now, setting things up in order to meet with the committee and the commission and community members, and then start to make decisions with the group for larger, outside of A.P.D. Group, about how to move forward.

>> Tovo: Thanks. Well, I would suggest that maybe some revisions are in order for the language on Thursday, that perhaps acknowledging -- I don't know where my colleagues are in terms the of overall support for the area, but it does seem appropriate to reference the office of violence prevention, and that this the work, if approved, would go forward in accordance with and perhaps even, you know, largely led in conjunction with the office of violence prevention. At least the pas and things of that sort is what I have been kind of

[2:01:49 PM]

envisioning would take place within the office of violence prevention. Obviously, the work of the organized crime division is outside of that, but this is a mix. As I understand the conversation here today and backup, it's a mix of both the work of organized crime prevention and those units that are, you know, on the ground in these areas, and the other piece of it is prevention and education. Am I understanding that it's sort of two components?

>> We're trying to create a more balanced way of rolling out the projects, yes. So definitely a mix.

>> Mayor Adler: I think I had called Jimmy next, and then Alison.

>> Flannigan: Thanks, mayor. City manager, let's just put this on the radar, I think it would be good at some point to review the interlocal agreements. I know the helicopter is not the only thing we do that we are on call for

[2:02:51 PM]

the region. It would be great to go back and look at how cost allocations are handled, since we're obviously taking on the expense and the management and the administration of the liability.

>> Will do. Thanks for that suggestion.

>> Mayor Adler: Council member alter.

>> Alter: So thank you, council member tovo, for raising the ovp in conjunction with 34. The first step for the office of violence prevention is kind of a technical study, really understanding the prevalence of violence in different forms so that we can set up an office that best meets the needs. And I think that for the areas that are cited here where we know there is larger amounts of violence, I think there would certainly be opportunity to both inform that study from what we already know, as well as use that study as we're making resource choices in the future about what to deploy and

[2:03:53 PM]

really using that study which will be based in the community to be able to inform that. So I think that's important. For the helicopter with the seat, I'm probably the only one here who's actually been in one of those and fleck one of rescued in one of those. I think it's really important that if we have a grant to fund that equipment, that is just super important that we have that capability with all of our greenbelts and our risk of wildfire. I don't remember when the helicopter itself was authorized and who paid for that. I think that's a really different question than getting a piece of equipment that the largest function is rescue that we wouldn't be paying for.

>> Mayor Adler: Okay. Further comment? Yes, council member harper-madison.

>> Harper-madison: I was just inspired by council member tovo's contribution there and

[2:04:53 PM]

thinking, you know, what some of the things that I introduced to this budget were work around recidivism and re-entry. It would be great to make sure it's full circle and that we include those as well, as opposed to studying how much recidivism there is, but also being able to prevent and talk through re-entry as well in the community. And that would be -- I don't know if we ultimately have landed on both

the equity office and -- I think that was funding the innovation office, their solutions architect. But I think that would be another way to really round it out and make it more robust.

>> Mayor Adler: Okay. Further discussion? Yes. Delia.

>> Garza: I just have never been rescued by a helicopter, but I have

[2:05:53 PM]

seen star flight being used to pluck -- pluck is not the appropriate word -- attempt to pull a person who had drowned out of the greenbelt. And instead, we carried him out because he was actually a firefighter. So my point is that, obviously, there's a need. I'm curious why A.P.D. Would be taking that on when star flight actually does that work, so it's not as if there is not -- we don't have the capability already. We have a helicopter that does that exact work, so I was trying to understand the need, frankly. And so that's my main question.

>> Is [indiscernible] Mason still on the line?

>> Yes, I'm still here.

>> Garza: Mr. Mason, thank you. That wasn't -- those are my concerns. I wasn't asking a direct question.

>> Mayor Adler: Well, it's important, we need

[2:06:53 PM]

to speak to that question. I don't know if you want to let us know between now and Thursday or if you want to respond to it now.

>> Garza: Oh, sure.

Yeah. >> Mayor Adler: Mr. Mason

>> Mayor, if I may, we can probably do a good job of articulating that in a written response to a council question, so I'd like to take that

[indiscernible] --

>> Mayor Adler: Okay. That'll be fine. Any other questions at this point on the policing items? Council member alter?

>> Alter: I just want to add that I think, you know, star flight is really important and they do really important work. I think the issue is that this helicopter is out and about doing its daily work with respect to traffic and other kinds of things and may be called upon to do something, and may be the resource that is closer and may mean the difference for somebody, if star flight is being used elsewhere.

[2:07:54 PM]

So I think there are -- to me, I don't see them as either an either/or, but I welcome more information from staff to understand whether this is a good decision or not.

>> Mayor Adler: Okay. Further comments, colleagues, of these policing items?

>> I'll just acknowledge and appreciate this discussion with mayor and council. I think as we continue to reimagine and look at our own processes as a result of the council direction back in June, this type of discussion and conversation is really critical as we continue to make sure that we're -- we're having our processes match the direction from council. So thank you for this.

>> Mayor Adler: I said, you know, at a high level, there are real important functions that policing has in our community to keep us safe. When we have the opportunity to have these functions supported from outside of our budget, beyond what our taxpayers pay, it's something I

[2:08:54 PM]

think we should be taking advantage of. Further conversation on these items before Thursday? All right. That gives us then one last pulled item. I think you pulled it, council member Flannigan. I think it was -- what was it? 57?

>> Flannigan: 57, yes.

>> Mayor Adler: Okay.

>> Flannigan: So I got some answers back from staff. So this is what appears to be capital renewal for equipment at the golf course, netting at the golf courses. And according to staff, it's gray rock and Morse Williams, and it's being funded through the bond program, the 2018 bond program. When we did the bond program, I don't remember specifically saying golf. There's a little bit of confusion for me whether or not -- it's the difference between a legible expense and a mandated expense. So can staff clarify if

[2:09:54 PM]

these dollars are mandated to be spent in this way, or they're just eligible from a bucket from 2018?

>> We do have staff on the line. It's just going to take one minute to get them over here.

[2:11:05 PM]

>> Council member, sorry about that. I'm with the parks & recreation department. We basically had four million dollars earmarked for irrigation and general maintenance repairs at the golf courses. And this was one of the repairs that we had been planning on doing for some time now, especially at both of the golf courses, with Morris Williams and gray rock, like you mentioned. So we didn't specifically have every item outlined, but it was part of our general maintenance, repairs that we're doing.

>> Flannigan: But to be clear, it's -- staff is programming money that could be spent on irrigation and maintenance in any way, in any of our parks.

>> No, no. This was dedicated directly for golf funding only. So we have four million dollars earmarked for golf, specifically.

>> Flannigan: There was golf-specific funding in that bond?

>> Yes, sir.

>> Flannigan: Well, I'm going to go back and look at that. To my recollection, I didn't vote for it anyway, so I don't feel too bad about it.

>> Mayor Adler: All

[2:12:05 PM]

right. I think those were all the pulled items that we have. Colleagues, you ready to go into executive session? All right. Here we are at 12:12. We're going to go into closed session to take up two items pursuant to 551.071 of the government code. We're going to discuss legal matters related to item e2, then pursuant to 551.074, personnel matters related to e3, employment duties of the city manager. E1 has been withdrawn. So without objection, we will now go into executive session on the items announced.

We will not be returning as a group to this session. I'll return just to close us out. And with that, colleagues, here at 2:12, I will see you in executive session.

[In Executive Session]

>>Mayor Adler: So we are now out of closed session. In closed session we discussed legal matters related to Item: E2 and personnel matters related to Item: E3. It is 5:42 p.m. and this City Council Work Session is adjourned.