

City Council Work Session Transcript – 08/31/2021

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[11:15:29 AM]

>> Tovo: Mayor, while acm is being moved over can you give us the plan for the day? I heard you say we would time limit for the consultant to his briefing us in executive session, but what's the rest of the plan for the day? I think we have a couple of items pulled and then these two presentations. And do you have a sense of -- >> Mayor Adler: I do. Let me get on the screen here in a second. All right. I'm going to dead and convene the meeting today, Austin city council, August 31st, 2021. We have a quorum present. The meeting is being held hybrid the virtual consistent with the rules that allow us to do that as of today. Tomorrow we lose that ability, so the meeting on Thursday then goes back to just the regular rules, and that's why we're required to do speakers in person.

[11:16:31 AM]

So what we have today, colleagues, is we have one speaker to speak that I'm going to call. We had an action item today in the event that the court's ruled. The courts have not ruled so there won't actually be action but we'll go ahead and call that speaker who had signed up. We have txdot briefing on I-35 and we have tucker Ferguson with us from the state and we have rob here, so those two presentations, and then we want to ask questions about that. And then I wanted us to -- was asked to have us go into executive session to take up item e5. We have outside counsel sell working on that. We have them until 2:00 P.M. So these are the first three things to do, we're going to take the speaker, both presentations, time for comments and then we have to

[11:17:31 AM]

get back to executive session. Executive session we'll do virtually the same way we've agreed to do that in the past so that everybody can participate more easily. After that we have the pulled items, 54, 60 and 61, all relate to the same thing, which is the 12th street nccd and staff has a presentation on -- for us on that. We also have the council meeting procedures that we should talk through so we can give direction to our staff for the meeting at the end of September. Then we have four remaining executive session items, three of which are personnel issues with our appointees and one of them another legal matter. So that we can start moving

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quickly, if everybody is okay, we're going to go ahead and start with the one caller first. And then we'll get into the two txdot camera presentations. >> John Iken. >> Hello, council, my name is John Iken. Due to the governor's orders today the last day I could virtually reach all of you as it makes it much harder for people to get to city council for comment. I believe it is imperative for city council to be fully educated. I have attempted to reach each of you through emails and phone calls about setting up a time to have a brief phone call for our community on Brandt road. This case is to be heard by you on September 30th and now that in-person comment is required I myself may not attend and therefore I am taking this opportunity to do so now. Please allow me to do so for three minutes.

[11:19:32 AM]

Also search your program for 2177 Brandt road for my comments. This case was heard by the zoning commission and inability to recommend the rezoning to you. This is the right cause, but the wrong location putting poor people in harm's way for the following reasons. The proposed apartments will be sitting directly in the 100 year flood. It was confirmed after seeing a visual overlay of the developer site plan on top of the floodplain. Unbelievably the developer Jake Brown immediately refuted the watershed manager's expert evaluation. The proposed site surrounded on three sides by the floodplain and sandwiched between the Onion Creek buyout to the north and site. This will put poor people directly in harm's way and this is not okay. Also 25 of the homes in our neighborhood are already directly within the 100 year or 25 year floodplain, increasing flooding concerns. Brandt road flash flooded two weeks ago after a mild rain which I shared with you. The road is unsustainable as

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it is deteriorating. No divider, no shoulder, sidewalk, bike lane and pitch black at night. It has blind spots, hills and curves. A renter would have to walk directly on top of the road asphalt within the lane itself

over half a mile away to the nearest transit stop. The walk act score is [indiscernible]. The proposal is out of alignment with imagine Austin and according to staff. The developer claims that the very last thing we want to do is put a development on the ground or even propose to put a development on the ground that will be detrimental to any of the city infrastructure or more importantly the residents of the city of Austin. However, proposing this development is exactly what they are doing. This site does not give poor people the equitable housing they deserve. It is not safe. This is the opportunity for Austin to stand up for the safety of the poor and not put them in harm's way. The developer says they were founded on a belief that everyone deserves a quality place to live.

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Is flooding, a dangerous road, displaced wildlife and high potential for accidents quality. It is clearly not and not okay. There are many other things that our community and myself would like to discuss with you. Please search your spam boxes for Brandt road and I have multiple presentations for your review in the site and zoning case. I look forward to individual discussions with each of you. Thank you for advance. [Buzzer]. >> Mayor Adler: Thank you very much. We're now going to move into two presentations. Tucker Ferguson, welcome to the city council meeting. We also have a presentation from rob spillar. Manager, did you want to say something as we get started? >> Cronk: Yes, I will turn it over to acm piandaca. >> Thank you, manager and thank you, council for inviting us here today to have this conversation about I-35. We are first joined by tucker Ferguson, our Austin

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district engineer for txdot. Tucker has been a great partner with atd on not only the I-35 corridor, but many other projects as we work on the mobility system so I want to thank tucker for his partnership. You're also joined by rob spillar and rob will review some recent council action. We have been good partners with txdot in our community process and we're all committed to ensuring that I-35 meet our community's needs. And with this I will turn it over to first tucker Ferguson and he'll be followed quickly by rob spillar and then we welcome your conversation. Thank you. >> Thank you. Gina. Good morning, mayor. Great to be here with everybody here today to talk about the exciting things happening on I-35. This project has been many years in the making and I do have a presentation. Is it being pulled up?

[11:23:47 AM]

Thank you for being here this morning and I look forward to giving periodic updates on I-35. I've met with several council members, almost all of them and also the mayor multiple times and we will continue to do this. But just -- I don't think it's a surprise for anybody to talk about the central Texas and Austin region being one of the fastest grows regions in the country. The last time we had any major

expansion to I-35 was the addition of the upper decks near the university of Texas. That was around 1974 and the region's population around that time was about 84,000 people. Today it's estimated to be 2.1 and using the mpo campo model we expect in the next 25 years to double to get to 4.5 or 4.7 million people. In the meantime we've not

[11:24:48 AM]

had any major expansion of I-35. I've heard the statements in the past and the history that if we don't necessarily build certain things people don't come. We've not built it and they've come. And they're going to continue to come. I think it's because of the quality of life we have here in central Texas and in the Austin region that's attracting them and those are all great things. But along with that does bring additional traffic and I know we are shifting modes of traffic, but even if a portion of those folks do bring vehicles and supplies and trucking, we will continue to overwhelm I-35, which as it stands right now, is the most -- the number one most congested roadway in the state of Texas. It bounces back and forth between number 1 and number 2 every time that survey is taken. And last year's survey was the number one most congested. So we will remain there and if we continue to down this path of not addressing the

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expansion and the other needs of I-35, it will just continue to get worse. This slide shows some statistics of the local traffic break down and a lot of the origins and destinations on I-35 are local traffic. So it's not like we can bypass a lot of traffic on I-35 to a different location. The majority of it or 80% was still using the I-35 corridor. And we have some issues with safety. We've tracked the safety statistics on I-35 and it does have crash rates that are higher than the citywide average and we -- the statewide average and we need to address that as well. There are challenges ahead of us and work that needs to be done and has been done in the past. Next slide, please. Thank you, that was driving me crazy. Appreciate it, Spencer. This shows a timeline in what's been happening over the last several decades and this is a project that's not been conceived over the last few years and gotten us to where we are. It goes back to the '80s and

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'90s and 2000s and a lot of input and feasibility and investment has been made on this project from the city of Austin's investment on feasibility studies to our transportation commission, legislature identifying funds for this project. Most recently campo identifying over a billion dollars over the last couple of years and dedicating it to I-35. There's been a major investment in dollars and resources. We've also developed many concepts over the years. Learning about the history of this project I've looked back and seen different concepts that have been put forward such as extending the elevating decks on the

northern side through the entire city limits to address capacity and a number of other things that we've gotten feedback on and worked with the community. And have already incorporated a number of revisions, including removing the upper decks and lowering I-35 through the entire corridor and cross street. Bicycle and pedestrian accommodations, things that have been baked in to where

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we are now and proud to continue that partnership and getting that feedback from the stakeholders, from the city and rob's team has been great in the time that I've been here and we look forward to that continuing. But a lot has been done to this point and evolved to where we are today. Next slide, please. And this shows a depiction of the three alternatives that we just shared at our recent public meeting earlier this month. And the top line -- I apologize because it's very difficult to understand but if you get a chance to dig into this, it is very descriptive. And this is the profile looking from the side of the highway and the top one shows where the elevated sections are, where the cross streets are, and a quick overview are the yellow dots are the cross streets that go over I-35 and the others are where I-35 goes over those. And the grayed out area about a third of the way across that line is the

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upper decks right now. So they go across that cross streets. And the three below it, alternative one, alternative two, alternative three, were the ones that were shown at our public meeting on August 10th. Going through the evaluation process and looking at the benefits and the did he instruments of each of those, we've determined alternative number two, which was the one with the longest tunneling standpoint. We've eliminated that and moved forward with numbers two and three and a lot of the comments we've gotten, all three of the alternatives are very similar in nature and they are, but we will now be using if we can move forward the creativity of our design features and collaboration with the city to look at alternatives within these, but I go back to the changes that we've made and incorporated over the decades where we've refined this to point where we do have a very specific project

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in place. We don't have the opportunity or the ability to swing out out of the footprint that we have right now because of the tightness of the right-of-way and the businesses and the residences that are built up. We are very limited in a tight footprint already so we do have limitations on the alternatives we can do, but we're excited about these and working with the city and the community to collaborate on these solutions. Next slide, please. These were our evaluation results and I said alternatives two and three will be carried forward. The reasons for these is you can see faster response times for ems. We got feedback from our emergency services partners. The construction would be shorter in duration. As we

know construction is disruptive any time you do it, but specifically on I-35 through the downtown core it will be disruptive for many folks in that area and we want to continue to move traffic as efficiently and safely as possible. Improve traffic operations,

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less utility conflicts, less construction costs and overcosts of not having tunnels to be a much lower based on the annual lifetime and life cycle costs. Next slide, please. I do want to spend a little time on this because these are community alternatives that have been brought to our attention over the last several months or the better part of a year and we were asked to evaluate these community alternatives to see would these be good solutions for I-35. And we wanted to not do this with our own internal staff, but went outside to get an independent analysis. We hired the Texas transportation institute or tti to look at the community alternatives of reconnect Austin, rethink I-35 and look at or incorporate the uli concepts in many of the elements that group did a year ago.

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Basically we asked tti to do two simple things. Number one is the concept viable? And when I say is it viable we know anything is viable when you have the money. We asked the second question is what would it cost, but that wasn't a determining factor of whether it was viable. So we look at viable as if it can be done and if it is done how does it operate with the traffic that we have today and the projected traffic going forward and what would those outcomes be? So as you can see on here the three graphs or the three maps in the middle show the projected afternoon peak volumes in 2045 based on the campo model and shows the txdot alternatives, the one, two and three I showed on the previous slide, plus the reconnect Austin concept and rethink 35. And just to reconnect Austin would be to basically bury all of I-35, the interstate traffic, and cap it from about Cesar Chavez to mlk,

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put the frontage roads in and then redevelop the land on top of it. It is very confining and limits the on and off ramps that would lead to the results we see. Rethink I-35 basically eliminates the interstate entirely and turns it into a boulevard section. So it would be a six or seven boulevard section with traffic lights through the downtown core and that is reflected in the third one. So the legend on the left I want to point out shows the increase in traffic volumes based on the 2045 evening peak volume changes. And the red line shows the volume of those roadways would increase and the thickness of that red line would determine how much it increases. So the thickest of red line would be a 25% or more increase on those different roadways. You can see on the txdot alternative with the projected numbers of traffic

increasing over the next 25 years or so we do see an increase on interstate I-35, it's what we would expect. We maintain that a lot of traffic that's on the city

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grid even today needs to be on I-35, wants to be on 35, but their gps may take them to divert a short-term blockage ahead. So we would expect to see the increases on I-35 and that's where we would want that traffic to be. If you move over to reconnect Austin, and again some of the restricting factors of getting on and off 35 and some of the things that reconnect would do, it pushes quite a bit of that traffic on to the city grid, which isn't designed to handle that amount of traffic, not designed to handle interstate traffic and it doesn't operate very well. So you can see 25% or more increases on a number of the city streets, especially in the downtown area, more towards the eastside than the westside, but it does bleed a lot of that interstate traffic over on to the city grid. Then the third one, rethink elective, is not surprising when it's about turning it into a boulevard. You can see with the interstate turning blue the

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volumes of traffic on would go way down to the interstate, but pushes even more traffic on to the city grid. So with these evaluations we looked at these and we felt interstate traffic needs to stay on the interstate pushing or bleeding traffic by pushing I-35, pushing it into the neighborhoods and pushing all of that traffic is really something that's not -- something that we want to do. It simply isn't the right thing to do. And again I've met with many council members multiple times, those that I've not visited with yet, councilmember Kelly we're trying to get on the calendar and we will meet and have updates, but I will have a very hard time sitting across the table from every one of you, whether it's virtually or into a room on a map that would be to put a project on I-35 that would push 25% or more of that traffic on to the city grid. It simply is not the right thing to do. So these concepts in and of themselves as standalone projects don't operate efficiently and don't keep

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the traffic on I-35 that needs to be on I-35. But the good news is that many of elements in reconnect and rethink are things that we've incorporated into our designs and are going to take advantage of as we do I-35 further. So we go to the next one, please. And I want to show this because these are our goals and objectives on all of our I-35 projects we call mobility 35. And as you can see many of these line up directly with what rethink and reconnect want to do is optimizing the footprint, increasing capacity, enhancing safety, minimizing additional right-of-way for this project, improving operations. The next two improving east-west connectivity. We're very proud of what we can do with this. Improving

compatibility with the neighborhoods and improving bicycle and pedestrians. And a couple of things that we incorporated and adopted into the project will be constructing two non-thommed managed lanes in each

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direction from two giant to Ben white boulevard. We're lowering the traffic lanes and I show the removal of the decks and a rendering of what it may look like, but not only in the deck area, but also in the downtown core where it's elevated we'll be sinking that below grade and the highest elevation you will see on the corridor will be where the frontage roads are right now. Everything else would be below that. We're widening off 15 east-west crossings for buffers and shared use pads that will -- paths that will separate bicyclists and pedestrians on the lanes. We're have new pedestrian crossings at cap metro metro south of airport boulevard and another one somewhere between 51st street and U.S. 290 where the pedestrians would be most likely to use it. We're looking at lowering the design speeds on the roadways for those locations. We're providing over

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16 miles of shared use paths and will make the sidewalks Ada compliant and address bicycle safety. We're making 13 connections to the urban trail network and we have intersections that will reduce traffic on the frontage roads and allow that to operate more smoothly. So the one that I want to really focus on a little bit and expand on is increasing capacity. Go back to my first slide or second slide showing the wave of population of vehicles that are expected to move here in the next 20 or 25 years, we do need to increase capacity. And as a txdot engineer I'm going to say increasing capacity does not only mean adding lanes. So you may be surprised to hear that from a txdot engineer because I know many times that's what we're accused of is increased capacities only adding a lanes, but it's also more than just adding lanes. It's how you use those lanes. And the managed lanes that we're proposing, two non-thommed managed lanes in each direction will be HOV

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and transit only. Emergency vehicles would be able to use those. HOV and transit lanes and one thing we've heard loud and a clear with public outreach and visiting with the community is we need to prioritize moving people over moving vehicles. And we 100% agree. In order to be in the managed lane you need to be in a high supcy vehicle with two or three more occupants in it and that's to be determined as we develop the project or a bus to be in that lane. We will be moving people in more lanes than vehicles and we will be moving people and vehicles and also recognizing that this tidal wave

of population and vehicles is coming to us in the next 20, 25 years that is really in response to the great economy and quality of life that we have here in central Texas. The second capacity issue

[11:40:03 AM]

that I want to address and I talked about the buy pass lanes is the 28 intersections that we're looking at big the bypass lanes. This is a usage thing and not necessarily adding lanes. If you picture yourself on the frontage road system and you're coming into the downtown area, many times you will be on the frontage road and if you need to go several blocks you'll hit light after light after light after light, especially in peak volume, morning and evening rush hours. What the bypass lanes will do is take one of the lanes, usually the left lane of the frontage road, and it will peel it off and once you get to an intersection, it will usually peel off and go down and under the cross street and bypass that intersection. And if we're able to do that, those folks that are going multiple blocks will be able to peel off, bypass those signals and not get stuck at every light and really only the vehicles that need to be at the signals are those making right or left-hand turns.

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We think the incorporation of those bypass lanes will be a game changer for the downtown core. And we're incorporating those in many projects and the first one that comes to mind is the diverging diamond that we're building at Parmer lane. That will have bypass lanes to avoid the signal at Parmer to go underneath and around the bridge. We're doing that on 28 intersections here and I believe it will be a game changer not only for the frontage roads, but for those who need to go multiple blocks and keep the traffic moving and mobile and much safer for everyone. So I know that capacity improvement does get a bad rap sometimes and we're only accused of adding lanes, but the use of the lane is as important as adding additional capacity to meet the demand of what's coming down the road. Next slide, please. Here's what we're proposing. I mentioned some of these in my comment already. We're lowering travel lanes. More than 15 widened

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east-west crossings with a future at fifth street. Some of the other ones at the new locations, lower design speeds and enhanced person carrying capacity. What I really wanted to show on this is a rendering that we just put together of what a widened bridge with some buffers and some separation between the travel lanes and the bicycle paths or the sidewalk could look like. We're also looking at the esthetics programs and reinvigorating that to work with the city and stakeholders to really capture the character of the city and include art or skull captures. Again this is a rendering, the decision will be forthcoming but this is a design that we put forward to though what is possible on many of the cross

street bridges. Next slide, please. Enhancing safety is number one for us as well and this is just a shot of the existing airport boulevard and then the alternatives

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one and two -- I'm sorry, alternatives two and three. Everything would be at ground level except for the overpass on alternative three going over airport. This is looking at the city and Mike Trimble's areas to widen bridges for caps and stitches and those kinds of things. The details will be determined as we finalize a design on this, but very excited about the opportunities for many of these locations. Next slide. One last rendering, this is I-35 at sixth street. And I point this out because as you can see on the left on the current picture of this is that's the elevated section on fill material that sort of separates and gives that visual barrier between the east and westside and that will be coming down, we'll be sinking I-35 below the cross street and it would look something like rendering on

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the right-hand side of that. Final design will depend on the details, but we plan on sinking it below the ground on the frontage street and cross road level. Next slide, please. And one last one, this is at fourth street where we'll be adding the pedestrian and bicycle accommodations right there at the red line. This is on both alternatives two and three, so we'll be accommodating additional modes of traffic on this. Next slide. I wanted to show this and it's probably very small and very detailed and hard to see, but this is actually two strips of I-35. And if you pictured north is to the left and the top schematic or the top strip goes from airport to about manor and that matched line on the top of the strip matches with the left-hand line on the bottom of the strip. So this is laying out the whole thing and I labeled the roadways so you can get a frame of reference.

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But looking at what potential we have of capping or stitching certain locations, this is what was proposed by the uli last February when they came and brought their nationwide experts into us and gave us suggestions as well as what tti had identified as locations where we could possibly need verification on those locations. Basically caps are deck plazas between cross streets and stitches are widened bridges. So you can see at airport we have potential for a cap shown in green. At 38th street that would be a stitch or wider bridge where we could expand there. Other are at Dean Keeton and manor, from eighth to 11th and eighth to Cesar Chavez and then 15th street a potential for a stitch on the southside of 15th street. But we've been working very closely with the city and downtown Austin alliance and pleased to work with Mike

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Trimble who has been a fantastic partner with this and looking at developing this. They have a consultant on board that are looking for funding abilities and take them and incorporate them into our project. Next slide. I wanted to talk on the outreach we've done on this project. We've had a number of meetings and I believe the meetings I have had meetings with the council members and you, mayor,, I've probably had 28 to 30 meetings myself and we'll continue to do that because I think it's important for you all to have the latest information on what's happening on I-35 and getting feedback from you. We want to show you the developments you're seeing and hearing from our constituents and many times there are misunderstandings and we want to make sure that you have all the facts that you can answer the questions as well as bringing concerns and issues with us and so we can incorporate those into that as well as development. I had the opportunity to make a similar presentation yesterday to the Austin

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chamber of commerce at their mobility summit, was able to share the stage with our partners at cap metro and heard a presentation about project connect. And our project dovetails very closely with what they're trying to do. As we look at the population explosion that's coming our way there's not one single solution that in and of itself can help lessen the impact of the traffic that's coming our way and we're proud and pleased to work with cap metro so our project works hand in hand with theirs to address it at all modes. Next slide, please. So that's the last slide that I had prepared but I do want to address something that's gotten some attention over the last week or so and it's referring to a comment or a quote that has been attributed to our chairman, chairman Bruce Bugg, chairman of the transportation commission, that said he made a comment last year at a commission meeting in February where he submitted txdot to not going any higher or wider with

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I-35. I'm sure you've seen the news release and some of the information that has been out there. It's been spread pretty far and wide. And the no higher, no wider motto is something that's been repeated many times by many in the community as a vision and an aspirational goal for this project. And the quote that chairman Bugg made last year, I was actually around when that happened. It was after a commission meeting and it was a scrum of reporters that were asking him several questions. And it was a comment that he made, but I believe what's been portrayed over the last two weeks or so is a little bit misleading because we've been able to go back and listen to that recording and see the quote, and in

order for me not to mess it up, I'm going to read specifically what the question and the answer was. So the question was at least one speaker during the public comment period of the -- the public comment

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period of the meeting, at least one speaker brought up concerns that there are a number of businesses right along I-35, are businesses going to be displaced as a result of this expansion? And chairman Bugg's comment, his quote back, was well, our commitment is no higher and no wider, so we're trying to disrupt local businesses as least as possible. We're going to work with the local business community and he says he is in the private business sector himself and he sees what construction like that has done to private businesses and we're also going to try to minimize the impact on local businesses. And he further went to say that he was quoted that committing no higher or wider for disruption to local businesses, but final engineering decisions will come at a later stage in the process. So taking the entire context of what the chairman had said he recognizes that engineering decisions will be developed and based on the Nepa process, the environmental process throughout this. With that said, no higher,

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no wider, that's something that we really tried and strive to do on many of our projects no matter where we do it. We understand that taking property and taking real estate is very sensitive and going back to the goals that I had shown earlier optimizing the right-of-way and minimizing right-of-way takes is one of our core values that we will try to squeeze that down as much as possible. So as we go through this process and develop these plans and working with city and the stakeholders and the community groups around us we will continue to attempt to squeeze the footprint of this as much as possible, but the chairman realized those decisions will be made during the design process and through the environmental process will drive what that final footprint looks like. But our commitment is to squeeze it as much as possible and minimize those disruptions. So I thought it was very important to clarify that because what I've seen in some press releases and some quotes and articles only takes that small snippet of what chairman Bugg said.

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He does say those words, but it takes it out of the fuller context of what he meant and what the process forces us to do as we go through the environmental program. So again, our commitment is to minimize the takes. So with that, in closing, I really appreciate the attention and the invitation, mayor, to present the findings and where we are right now. And as we continue through the environmental process we'll look at these alternatives, work with the city, work with our stakeholders to put together the best possible plan for our region. We all need to be aware that doing nothing is still on the table. Any time

you go through the environmental process the no build option is one of the options that needs to be evaluated against all of the others. It would be disappointing to take all of the progress we've made to this point and we have a fully funded project by the dedication of our commission and throw that all away because all of these enhancements of the

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cross street bridges and the shared use paths and the transit connections, none of those do get to be done if we don't do the core project as well. So we look forward to moving this forward, asking your continued partnership. And rob's group has been a great partner with us and look forward to several years of a successful project. So thank you and I will pause and see if there's any questions. >> Actually, sir, if we could go right into director spillar's presentation and then we'll open it up for discussion. Thank you very much, though. >> Thanks. >> If we could get the next presentation, I appreciate it. Thank you, mayor and council. It's good to be here in chambers and making a presentation. I don't think I've made a formal presentation to you since before the pandemic. So it's kind of nice to be back. I do want to say thank you to tucker and to all the staff at the Texas department of transportation, especially the Austin district. They have been good to work with. You know, this is a really

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tough project and I want to reiterate something that tucker said is we're not at the end of the project, we're very much in the process of defining what those final alternatives will be as they continue to be refined as we go forward T. So that's really what I'd like to talk about today. So if I could go to the next slide. You know, first of all, we received some previous direction from council and I'd like to make sure you remember that. You asked city staff to engage with txdot in developing recommendations to council. I have a few of those recommendations today. You asked us to assist txdot in amplifying public engagement efforts. We actually have a city website on I-35 that communicates all of our communications to txdot in a transparent way so that people can get access to that. That website also provides information on upcoming public engagement processes. And we've also assisted with

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obviously the downtown Austin alliance and analyzing opportunities for lids and bridges. As said earlier that effort is led by Mike Trimble along with atd to make sure we have the engineering to support the decisions that txdot may have. We were also instrumental in making sure as this picture shows that we have the I-35 materials published in major libraries around time so that people can gain access to it as we move forward. Next slide, please. Thank you. We are in the middle of this process, but I think our staff has already been on record and will go on record again. Several recommendations for you. First of

all, we think that I-35 is incredibly strategically important to the city region. So as discussed by tucker, simply removing I-35 does not make strategic sense in terms of the freight that

[11:55:21 AM]

moves up and down this corridor is connections to employee opportunities and employee based as well as raw materials. So we think that the city of Austin as well as many of the communities along I-35 have really grown up and formed around a limited access freeway in this corridor. So we see that as necessary going into the future. So like txdot believes, eliminating I-35 is simply not an alternative that we would recommend to you to continue to look as as viable. That said, the current design of I-35, essentially the no build, the existing condition, really is not sustainable. We know that this corridor is one of the more dangerous corridors in our community. Just over the last five years there's been 40 pedestrian and cycle fatalities in crossing the main lines as well as the frontage road so that we know doesn't is leading to this unsafe condition.

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We know that everyday or it seems like every week in I-35 some portion of it is closed due to a vehicle to vehicle crash. It only closes when it's significant enough to require a fatality investigation or a major blockage. So those two items along with the fact as tucker said that I-35 is currently a barrier to east-west traffic, leading to many of the fatalities and serious incidents in people trying to get across that. Simply staying put at where we are, the no build is not a sustainable long-term solution here. So like many in the region atd and I believe that we need a transformative project to transform this corridor to improve east-west as well as north-south travel through this corridor, and that is a critical item. That leads us to the build alternative, if we can go to the next slide. And this is where I think -- wrong direction, I think. When we look at the

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alternatives, and this is an extremely simplified concept to illustrate an issue, txdot has come to us with three build alternatives. Really they provide the same capacity as indicated by tucker. Stacked in different ways. So we've not had the opportunity to have discussions with optimizing those lanes so many of my comments we're on will be about how do we optimize those lanes. I think another thing that we as many others in the project were surprised by the number of displacements that are potential from these alternatives, but now we have a number and initial design to work from that we are eager to work in detail with Texas department of transportation and see how we can minimize those impacts and make sure any displacements are only those that are absolutely unavoidable as we go forward. We've been working closely

[11:58:25 AM]

with txdot on design options and some of those you will see in the next slides. But if I can go to the next slide, please, it will really illustrate the concept. We need to figure out how to skinny up this alternative either by design elements or by taking a look at how we can optimize the lane elements or the operational characteristics of this corridor and that's exactly where atd staff and txdot are engaging right now. I know that before this meeting I had a consideration with tucker and he said of course we want to see if there's a possibility of skinning of this corridor. The rest of my comments are going to be how we might think about optimizing this design so it is something to truly meet the needs and policies of the city of Austin as well as the region and the state as a whole. So where do we go to look for inspiration or opportunities to make a difference in this corridor.

[11:59:25 AM]

And one of the things that we firmly believe is that we need to be using the latest national and best practice guidelines. And that may push us to have conversations about not necessarily doing everything which is in the txdot design manual. It may force us to look beyond that to experiences in other location. This picture here is actually 51st street interchange and we certainly -- was certainly not in the standard repertoire of txdot or the city of Austin before we engaged together and actually came up with a superior design here that met this location. This of course is not a panacea solution for the whole corridor, but clearly looking to national best practices is one place where we can go to improve the design. And that includes the separating of lanes. I think tucker called them bypass lanes. I think I called them distribution or CD lanes, but how can we maximize the lanes that we are building in this corridor to meet the

[12:00:26 PM]

needs of our community, and part of that we have to recognize part of the problem with the existing facility is everything happens in the same lane type, everything happens on the main lines. The mixing, the exiting, the entering, the HOV, the transit lanes along with the occupancy and freight traffic. So certainly using operational and design solutions, bringing in experts in the operations of HOV and continuing to argue for the preservation and the opportunity to in the future convert this to hot lane concepts, HOV and toll as they do in Dallas and Houston, looking at how we can incentivize transit and how we can maximize access to central Austin I think is really important. We know that demand is going to change over time and we need to be able to address

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that. Next slide, please. So separation by lane purpose, you've heard that there's different types of lanes. Certainly there's the circulation distribution lanes that are going to operate much like the current main lanes through downtown today. They allow that mixing of traffic from the surface lanes, the frontage roads, on to the freeway, organizes it before it puts it back in to the main lines. Those are very important. But there's also the frontage roads and especially the ones that are the surface. I believe we can design those much more like a city arterial because that's how they're going to function and they're going to be controlled in speed really by the signal system. We don't need any other type of speed control devices. The national system will largely direct the flow. If that's the case we ought to be talking about how they design and fit in our community. In terms of our arterial system. I'd like in the future frontage road system in central Austin to think about Guadalupe and Lavaca

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and that is essentially a one way pair of arterials and that's essentially what the future frontage roads will look like. Then we also need to minimize the impacts on adjacent land uses and one is cantilevering the frontage roads out over the main lines and that requires a higher level of construction and design but I think that can happen. Instead of the frontage roads being like this, turning them out and turning them into general purpose lanes. That's going to complicate ramping and access to the surface and we understand that. Next slide, please. The city also believes that not only in this state, but other places, communities have dealt with those type of ramping needs using portal ramps that may not come out like the traditional ramps that drivers in Texas are used to, more of the diamond or these may come perpendicular

[12:03:29 PM]

to cross streets, for instance. So up on the Clyde Warren there's certainly a portal ramp and this other example from Seattle, Washington is off the interstate five. So we are working with TxDOT to look at the ramp very carefully and see how we can do that. I think one important thing is as we look at these more exotic ramp types there's the possibility that those themselves may cause disruption and place displacements. As those happen we may enter into a conversation about trading off point displacements if you will on intersections for more of those linear displacements that may be occurring by the current concepts as they're designed. So those are throughout the corridor and really trying to lower those numbers and trying to fit the facility into our existing development. I think another thing is we have to think about the operations.

[12:04:29 PM]

I've worked on a number of managed lanes systems whether they be managed by location where you can get into them by HOV or occupancy, by type of vehicle transit or even by toll -- variable tolled managed. And I think how these lanes can optimize into the future and how we can use today. We should have that HOV be designed to more of the employment centers of UT, the capital complex and central business district because I think our studies will show that's where most of the demand in terms of high frequent vehicle and transit is destined for is the major employment centers not going by it. Alternatively if we can convince the state to broaden their thinking on future toll opportunities whether it be HOV toll kind of concept then those lanes

[12:05:30 PM]

may provide a different purpose meaning they may provide a better way to provide premium through traffic through this central part of Austin if that's the case. Then maybe we can look at the other lanes, the main lanes and the CD lanes and ask ourselves do we need all of those if we have access to that central manage the facility to provide some of that capacity. So those are some questions where I think we can take a look at how we can skinny up this corridor. And then also reflect the urban environment at the street level or arterial level. Next slide, please. There can be the ability to manage fees varybly on this corridor will be I think important technology to embed into the corridorment we know that we can reduce

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crashes if we can control speed it depending on downstream characteristics and so certainly there's other parts of the country that have deployed similar systems as you see here. Again, this is from interstate five in the northwest where they're able to show improved traffic flow and a reduced accident characteristic. So again trying to build as much technology into this corridor as possible. We know that travel needs are going to change dramatically over the next couple of decades with the intersection of automation, rubber tired high speed capacity transit and potential automation in that category. And we need to make sure that this roadway is sustainable over a long period of time so that it can adapt and be resilient as we move into this unknown future into the future. Next slide. You know, I was really proud to hear tucker talking about

[12:07:38 PM]

esthetics and art in the corridor. I think you will hear staff continue to advise you that we need to communicate to txdot and the region that this project needs to deal with east-west as well as north-

south. You've heard of the possibility for lids and we need to make sure that as much of that infrastructure can be built as possible to make those lids a reality, not just a pipe dream in the future. I think we need to acknowledge the role of this freeway in creating the divide it has been. I know there's a lot of debate of did the freeway cause the divide or just reinforce it. I tend to believe it reinforced the divide that we created statutorily. We helped to bridge a divide in that as well. But I think corridor esthetics, including the lid elements, can go a long way to repairing and mitigating that long-term impact that has been in our city for a long time.

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But it's going to take continued directed effort as we go forward. We know there will be some bridge columns in this process and I think San Antonio txdot has even shown some innovative ways to bring the community in and take ownership over some of the structures and that's what's shown here in this picture. And there's a huge supporter of let's define a -- this is an art museum that we happen to drive buses through as opposed to a bus tunnel that is decorated. So I think that is a fundamental shift in thinking and we're encouraging txdot to take that thought. I think Denver and certainly the Phoenix area have certainly done that with their freeway constructions, really created a theme that

[12:09:41 PM]

follows through and I think that can be a source of pride for our future communities even as we work to skinny it up as we go forward. I believe the next slide is my last slide. Yes. So the recommendations from staff that I want to leave you with, first of all to remind ourselves that the city has been involved in this for a long time. Almost a decade now when we helped the state restart this project. And because it is the most glaring mobility and safety issue in our region and really can't address vision zero and mobility if we don't address I-35. Staff believes that freeway placement is needed and that a transformational project is desperately needed. Staff plans to keep working with txdot to make sure that the build alternatives reflect city goals and policies and that includes making sure that we absolutely minimize

[12:10:42 PM]

displacements throughout this corridor and that we build a future facility that encourages the use of things other than the single occupancy vehicle. I would make a request to council, actually three requests. You know, you should continue to request further modification of the alternatives being carried forward, requests out of us that we continue to work with txdot, but that also we continue to really scrub and look at community proposals because some of the best concepts have come out of the community proposals thus far and been incorporated as tucker says. I think it's really important that the city remain engaged as a partner through the design process and advocate for design modifications

based on, you know, operations' thinking because ultimately this is going to be the last improvement I think that can be really made to I-35 and so it becomes an operations effort from here on out.

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And then also I think you all need to politically engage at the regional and state levels to observe preferred outcomes based on the city goals and policies as we go forward. So with that I would open it back up for questions to both tucker and myself and we'll try to answer as best we can. >> Mayor Adler: Thank you for the presentation. Colleagues, let's keep going here for a little bit. I think we should plan on starting executive session at 15 minutes after 1:00 as we look at our calendar. Councilmember Ellis, did you want to start off? >> Ellis: Thank you, mayor. As chair of the mobility committee, I asked for this presentation from I-35 and the transportation department since the I-35 project has further impacts than just mobility and given that it touches many districts and certainly affects all of them. Our community has shared

[12:12:43 PM]

that it wants to make sure that as the I-35 project gets built, that it does so in a way that is mindful of not only mobility needs, but also economic justice and climate change. This is our moment to ensure the project doesn't exacerbate the economic [indiscernible] Of our city and allows the city processes around transit, bike, pedestrian, wheelchair and stroller safety, vision zero goals and lowering greenhouse gas emissions to continue to improve the lives of those who live, work and play in the city of Austin. I also know that txdot does have an [indiscernible] Street programs so I know they are in with our vision zero programming. One of the things I go back to in I-35 and its progression is that when I participated in the uil panel I couldn't get away from talking about this not only as a structure, but what it means to our city. It's not just a highway, it's about how we get around

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town and we all know that it was built on top of a red line of segregation from 1928. We find that unconscionable today and we are trying to identify those needs. Early college high school this month the united nations intergovernmental panel on climate change introduced its major report finding that under our most optimistic scenarios in which we reduce our greenhouse gas emissions as much as scientists believe we possibly can our planet will continue to warm for decades. Droughts, heat waves, hurricanes, snow storms, the ipcc report confirms the evidence is clearer than ever that climate change is making the weather extremes more often and more intense and that human influence is driving these issues. It's with this knowledge and background that I want to make sure we're evaluating the I-35

project. It would be irresponsible for us not to be engaging in these conversations around how to make sure that as the

[12:14:44 PM]

cars do move through the city that we are ensuring there is more connectivity for bikes, pedestrians, wheelchair and stroller uses. For that my questions today will fall under the umbrella of how do txdot proposals allow and support for our city's goals of transportation mode shift away from single occupancy vehicles as defined in the strategic mobility plan. We know that txdot's plan is to move vehicles as efficiently as they deem possible, but these conversations around east-west connectivity are hugely important to our community. I am mostly curious, the first one, because I know I won't be able to get through all of my questions today in this setting. As far asking good building a cap -- building a cap or doing stitching projects, can the dollars that is put to the frontage, I think 400 million for the outer project and 600 million to the central portion, be used to fund the cap improvements or how much of those improvements could those

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dollars be used for? >> Thank you, council member. I think that might be a question that both tucker and I might respond to. As we've looked around we've even heard comment from federal highway administration that projects in Dallas, Houston and fort Worth have been built using federal pass through funds very similar to the funds you've talked about. You know, when campo designated those dollars they did not decide where they would go. I think we have some opportunities now with the change in alternatives to take a look with our partners at txdot to see if there's a way that some of those already approved federal funds could be shifted to help mitigate some of the impact that you're talking about. With that I'll turn it over to tucker.

[12:16:49 PM]

>> Thanks for the question, councilmember Ellis. The over one billion dollars that campo over the last couple of years has voted to dedicate to I-35, much of that, the first 400 has been allocated to the north and south project so that's going to add construction. We could not pull that back and dedicate it to the caps or the stitches. The other 633 that voted on last year similarly has gone into the infrastructure that would be the -- the central part, so that would also already be spoken for and allocated to the construction of the central project. So I would say that the money that campo has already dedicated could not be. The -- the total \$4.9 billion package would be what is needed to build the infrastructure for central. Now, that's not to say that we could not through the npo and planning process pursue further funds as they come down the road in future

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years. But it's been made very clear by our commission and our administration that -- that several of the category funds that are available to us -- specifically category 2, category 4, 12, which make up the bulk of the funding for this project cannot be used for the local enhancements and needs to be raised locally. Which is consistent with the pattern and the model that was done in Dallas. >> Okay. That's helpful. I know that we at some point were talking about other partnerships were doing the cap itself. We implemented into your plans. Let me see. I've got just one or two more, because I know my colleagues also want to have a chance to speak. Is there any portion of this that can be narrowed to make it safer to cross? For example, the section between manor and Dean Keeton has a narrower footprint. So I'm curious about this

[12:18:54 PM]

cantilever type of design. >> I think that's another area where city staff plan to work closely with txdot to really push on the design assumptions to see if we can utilize some of the very -- very same concepts that are being used in the area that you mentioned where it was -- it has been able to be narrowed a little bit, if we can use those in parts of the corridor. I think that's very much a technical design issue in process right now, though. >> Okay. Then the last one that I will ask is do the HOV lanes provide the same benefit to transit at the variable [indiscernible], we had seen some transitional advantages and increases in ridership in the mopac express lanes that use the variable toll lanes since they began operating. Do they support capital metro's ability to move people on buses as efficiently as possible. >> Thank you, councilmember. Let me start with the

[12:19:55 PM]

central Austin ramps. From that center. We specifically worked with capital metro early on to find the best places to come off and operate through central Austin, capital complex and hopefully UT. Those are placed appropriately. I think the question will be can we through operations analysis assure ourselves that transit will have an advantage even over two plus carpools, because the higher the occupancy the better off we are able to meet our requirements. Or policies of the city. I think that's still up for analysis to figure that out. I know that capital metro in the past has -- has talked about wanting transit only ramps and that is something that -- that I don't believe txdot with highway funds is able to construct, so we would need other funds to build some of those transit only ramps. I think the advantage is if

[12:20:55 PM]

it is a hot lane environment as you identified on mopac, that you can use price incentives to maintain some of that transit access accessibility. In a smaller footprint. I hope that we can continue to look at that with txdot. Even -- even in the non-tolled environment that we indicating that we are obviously working under, like -- you would like us to push that concept as far as we can. >> [Indiscernible]. >> I want to make a couple of comments, councilmember Ellis. First on the hot lanes. I want to make it very clear that the -- that the decision to toll or not to toll is not a project level decision or even an Austin district decision. That is txdot's position right now. We are in non-toll environment. So that's how we are proceeding with this project. But back on councilmember Ellis you asked between Dean

[12:21:57 PM]

Keeton and manor, that area. That is probably the tightest corridor that we have on the entire length of I-35, about a 200-foot right-of-way. And just to -- just to understand with -- with not even expanding the highway at all, just to bring down and perform the demolition of those upper decks, will take some additional footprint and as you can imagine, building -- any of us who have built something, at their home, your footprint of influence and building during construction is always a little bit larger than your final product. We need to look beyond what the final product and the footprint would be, because that's we are doing construction, there still may be some right-of-way impacts just to get the equipment in there and build while we keep traffic open. That's the other challenge. Not shutting down completely, but keep multi-lanes open in either direction while we are building this, it does take

[12:22:57 PM]

a footprint expansion to build it, even though that may not be what the final footprint and the project looks like. >> Mayor Adler: I'm going to limit everybody to five minutes, so we can get through as many as we can here in the period of time. Because then we need to break. If we have extra time we will pull back. Councilmember kitchen and then councilmember pool. Five minutes. You are muted. Anne, you are muted. We can't hear you. Anne, I think you might need to call back in maybe. They can hear? We are not hearing you in this room. [No audio].

[12:24:03 PM]

Leslie, if you talk, can we hear you? I just want to see if we can hear Leslie, will someone else speak so we can see if anybody else can be heard? So we can't hear anybody who is calling in. >> We will look into it, mayor, thank you. >> Mayor Adler: While we're doing that, let's go to the dais then? Councilmember Casar? >> Casar: Thank you, mayor, thank you so much for meeting with me and for

your presentation here today. Mr. Spiller my questions are just quickly for you with the limited time. >> Sure. >> So first, it was mention of lowered design speeds on the access road at which design speed are we -- are we looking at for the alternatives before us right now? >> Well, I can go get a different answer from txdot or from the city. Let me answer quickly. You know, I think that those

[12:25:07 PM]

frontage roads need to get close to 35 or 30, 35 probably. That requires us to consider different speeds on the frontage roads. Actual operating speeds, not the design speeds. I think with an arterial environment it's rare that you would be able to reach those higher speeds. The benefit is that reduces the need for sound control between the freeway and the adjacent roadways. It also presents a much safer pedestrian and bicycle environment. >> >> Casar: So what is the difference in any calculation -- first of all, what is the difference between the design speed and operating speed? >> I think design speed is what the curvatures, the radii are designed for. Typically, it is higher than what the actual speed limit is. I will point out, these are largely going to be straight roadways. The design speed is going to be high regardless if we are

[12:26:08 PM]

planning to operate it at a lower speed. Because on straight roadways, we know people think they can drive faster. >> Casar: The operating speed is the speed limit you post, the design speed is how fast you expect people will likely drive on it or try to drive. The design speed in your view, Mr. Spiller is about what on many of the frontage roads. >> I think it should be the 40, 45 miles per hour an hour to be 30 or 35. >> Casar: I think I hear you saying what it should be at. What do you think. >> I think it was 35. That is a detail. I think lower design speeds can give us design opportunities we don't currently have right now. >> To add to that. This section is nine miles in length, from Ben white to 290. It probably wouldn't be consistent for the entire

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length. The downtown, densely populated, the bicycles and pedestrians, that is all to be determined. >> Got it. >> I concur. >> Casar: I appreciate squeezing this into the smallest -- smallest footprint possible. Mr. Stiller, given the options presented to us by the traffic engineer, do you think it is appropriate for this proposals to be certainly narrow. >> I think there are certain opportunities. Construction may cause a wider footprint during construction. When it is finished, yes, I believe it can have a smaller footprint. I will translate what that means. We may need properties for construction that can be redeveloped afterwards. I think there are both

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operational as well as design options that we need to push on to try to skinny this up, yes. >> Casar: So it sounds like you have a shared goal from what I heard from Mr. Ferguson to get this into as much of the existing footprint as you can. >> Yes, councilmember. As Mr. Ferguson said, the hardest place is where the decks are. The decks were originally built because there wasn't enough right-of-way to fit at the time what was thought to be needed there. It is a similar situation now. How we fit as much within the footprint, and that may mean we have to expand somewhat. But to minimize that wherever possible. I do think it is important for council to understand, we're building through the central area the 11th largest city in the country. It is unlikely we can avoid all impacts, hopefully we'll

[12:29:10 PM]

reduce that. >> Mayor Adler: We'll try to come back to you again. The other people. Tech, let us know when you cleared that. Mr. Tucker, I will take my less than five minutes, if I could. First of all, I'm also in agreement that we need to do this project on I-35. And see the engineering that is done, to see what happens if we turn it into a boulevard, I think the impact on the street system indicate that we need to have this high-capacity, the project going through our industry. So for me, it is a question of how do we execute that in a way that is best? I have three concerns that, to me, are real significant in terms of ultimate support for the project. The first one is the slimmer question or lower question also everything we can do to not disturb and take somewhere

[12:30:11 PM]

between 150 and 190 properties. I think it is real important and also real important for our city that it visually just not be that wide. It has such an impact on how people move and how people see one side of the city versus another side of the city. So really looking at whatever it is being done around the country to make things slimmer and narrower are real important for us to do be able to do to not have that interruption. The second one is the cap or lid question. I think that there needs to be a cap or lid on this. I think it is something that ought to be part of the project cost paid by txdot. I think that is the trend. I hope that in the environmental studies, the federal government requires that to be done. When a project like this is built, it just seems to be, it shouldn't be built without that. And that goes beyond making it

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capable. I think it should actually be done. In Houston and Dallas and fort Worth, where they're talking about capping those projects right now, are they using local dollars for that? Did they use local dollars? >> A combination of local dollars -- from what I remember on the Dallas project, a combination of local dollars, I believe there were other federal dollars such as earmarks available to them over the years. The mpr, in our case, the category 7 available to allocate. Again, the decision for txdot not to use two, four, twelve is an agency decision not a district decision. We're following the lead of our administration and limiting those funds for caps and the local enhancements. >> Mayor Adler: If you can communicate up to the higher levels, as you are here, representing us as the district. >> I absolutely will, mayor.

[12:32:14 PM]

>> Mayor Adler: It doesn't seem right when we were presented with the opportunity to use those funding, it was for us to do a major project we couldn't otherwise do. In fact we were going to do a major project when others couldn't, because we put up the dollars. Other cities are getting big projects, too, except they have their money leftover to cap it. It doesn't seem right. So I would really like this to end up as -- it is so much more expensive to do an alternate time, to have construction that is not designed to be able to do this and integrated with the construction makes no sense to me. I hope that from the federal level and at the statewide level, it just becomes part of what it is that this project needs to be. I think it would be important to be able to get local support for the project. Recognizing that even if -- it might be worth us waiting four or five years to hopefully

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maybe there is a different approach to these kinds of things or getting in line again for different moneys in the future. In order to be able to do this project right. Then to do it in a way that is a practical matter might preclude us from ever being able to cap it. The last one is the managed lane issue. I understand again that is not a district decision but a larger decision. My understanding is everything that we're doing would enable this to be converted to managed totally if that is the decision in the future. We're not doing anything to preclude that, is that correct. >> That is correct. We talked about this in the past, that is important. >> It is important on the Nepa study. I don't know if it needs to call out the possibility for two or three plus or call out that possibility. What I would not like us to do and couldn't support a project moving forward, is if we are

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doing Nepa in a way to require us to redo environmental work to do it or head sourced funds. Does that make sense? >> It does, I'm not sure on the answer. I have to get it back to the environmental experts to incorporate that, if we need to incorporate it. >> Mayor Adler: For me that is a threshold issue for the

project. Tech, have we cleared up the capability for people to speak? Ann you want to try to see if we can hear you? Still cannot. I don't know. Because we could hear Paige, obviously. Paige stopped and we lost this. >> Mayor, can you hear me. >> Mayor Adler: Yes. >> You can hear me? >> Mayor Adler: I can. >> I don't understand why you can't -- >> Mayor Adler: Ann is back now, too. You have five minutes.

[12:35:16 PM]

>> Kitchen: I appreciate the questions and statements made. I have the same concerns. Thank you councilmember Ellis for bringing this forward. I think it is important for the whole council. I want to thank you tucker and rob for working together. This is important. The first thing I want to say is I want to reiterate from my perspective and I think probably my colleagues would agree, you know, we gave our staff direction, you know, a while back to work closely with tucker Ferguson and his team to work on the issues that were important to the council. So I wanted to reiterate that direction and ask you again to continue that effort. I know you are doing that Mr. Spiller. I want you to continue to work very closely with Mr. Ferguson and his team to continue to try to work towards modifications and ways in which to address the concerns that the council is raising.

[12:36:17 PM]

So I wanted to reiterate that. I will drill down just one question. Since I know there are lots of questions. I want to ask more about the shared use paths, and specifically because I think that the east-west connectivity is important. I think we have an opportunity to do things differently, besides 35. Really enhance the ways we have connections across and underneath that freeway. My question to both of you, I think, is it contemplated the shared use path will have a vertical barrier, like trees, for example. To protect users from cars and shade in and more comfortable to use? As you speak to that, can you speak to, if you know yet, how many feet on average are there between the edge of vehicle travel lanes and the edge of the shared use path.

[12:37:17 PM]

The purpose of my question is, I think we have an opportunity to really do things differently and more functionally usable for people as well as aesthetically usable or more aesthetically pleasing for people. So that the freeways don't feel like such a barrier and people can actually use their feet or their bikes or roll with the wheelchairs under or over the freeways. So can Mr. Spiller or Mr. Tucker -- Mr. Ferguson, can you speak to those questions? >> I will start. Thank you, councilmember, that is a detailed zone I know my staff have been communicating ideas about how to shade the cross structures and stuff. I don't know the final recommendation has come forward yet. I will turn it over to tucker. I think that is a detail we're

[12:38:17 PM]

not quite to yet. We're very much working on the placement of the pathways, still and where they best cross. A great example is to get the red line grade separated as it comes over the frontage road downtown which makes it safer for all the modes including the bike path to go across there as well. >> Not a lot more to add than what rob said. We have a great opportunity to the cross-street bridges. The rendering I showed, we have the opportunity to have 20-foot buffers and shared-use path of 10 feet. That gives separation. We have heard clearly from the community that the separation is important to the travel lane to the shared use path. We'll incorporate that. Along 35, it may be different. Those have to be figured out in final design features as well. Given that we are continuing to try to shrink and minimize the footprint of that, it may

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not always be the desired 10 or 20 feet we would like to see in order to keep the footprint as slender as possible as we have been talking and with the previous comments. We do recognize it is very important for the safety of all the users. >> Kitchen: Thank you. I assume that that kind of approach applies to areas under the overpasses also? Again, maybe you can speak a little bit to this. Tucker. The importance of welcoming, so to speak. People need to feel safe when they're crossing under freeways. So is it part of your design and part of what txdot can look at, the various kinds of, you know, design elements that can be put in place, so we're not just talking about a strip that people can walk on?

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>> Yeah. If we have an underpass location, we would incorporate lighting to make sure that there can be safe passage. If you go back to one of the previous slides, it shows the profiles. I do believe the majority of the cross streets are going to be over 35. It would look similar to the rendering, I showed. There are some under, but the fast majority are over 35 to keep the depressed section under the side streets and frontage roads. >> Mayor Adler: Thank you, we'll come back to you. Leslie, you want to go? >> I wanted to dig into 130. Rob, I don't know if you made the statement or tucker if you made it. About truck traffic north and south on I-35. The major truck route, the north part of the country to the south part of the country. Back in the '90s, when we were looking at building state

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highway 130 txdot talked about it prospectively as a truck route. So that we could shift -- the concept being the more trucks and through traffic removed off I-35 on to another road and in this case, at that time it was 130, because it was seeking approvals to be built. And so there was a lot of conversations at that time about that being the city bypass. Many cities do that. In the end, as we know, that did not happen. I recognize that the truck industry has a significant lobby at the capitol and didn't like the idea that there would be tolls. So -- I will also remark that when you drive on roads in the northeast, there are plenty of tolls on those major highways and state highways and the trucks are on those and paying. It is also that they're not

[12:42:23 PM]

familiar with toll structure and factoring them into their long haul costs including the amount of time they sit in the traffic when they go north or south through Austin, but they could skip those backups which they also cause when routed to 130. I want to remind you gentlemen, where is 130 in the discussion of the I-35 expansion? And why not make a city bypass for through traffic and the truck transport? >> Thank you councilmember. You know, I'm not sure I can attest to why 130 was built or not built. That was before I worked for the city here. But, you know, I think that 130 is pulling a lot of traffic. It may start to look like

[12:43:26 PM]

commuter traffic than it is through traffic. I think there are a lot of dynamics that draw that. One thing we did learn from the early studies that the city did about i35 is that much of the traffic, something like 85% is local to the region. I suspect that that also translates to much of the truck traffic, that it is redistributed in central Austin, 71, 290, or destinations located here in the city. So there is a portion of that traffic that 130 clearly doesn't respond to. We subsequently as a region improved 183. I think both 130 and 183 will be critical while we're constructing I-35. I think a lot more people in the through trips or trips that the corridors serve will do some discovering during the construction of I-35 of those other facilities. So hopefully those facilities will play an important role in taking some of the load that

[12:44:27 PM]

still needs to get through Austin while we construct. Txdot says it is a six-year construction program. My hunch is that is probably optimistic. It is probably more like a decade when we get through. The reality is we have been building for almost a decade now and I-35 the interchanges and so forth. I think those will be important from a regional systemwide basis, that is what I would suggest. Tucker might be able to provide more information about that. I don't know. >> That is correct. Councilmember pool, you're one of the councilmember on the list to get together and we have not visited yet, I look forward to that.

Great question, it comes up. If you refer back to one of my slides, it is 80 or 85% of the traffic is local traffic. They stop on the corridor. Couldn't take advantage of 130. There is another fact that said only 7% of the through

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traffic on 35 is truck traffic. So maximum through traffic would only be 7%. That will continue -- that could use one-third. I think we have legislative restrictions on forcing trucks or forcing vehicles on to 130. We have bond covenants, again, for paying off the bonds used to build 130. I continue to get questions that are agency questions and policy questions that are not Austin district related. But these kind of things have been brought to our attention before. I think that the change would be minimal since most of the traffic is heading somewhere downtown or leaving somewhere from downtown that would continue to use I-35. >> Mayor Adler: Sounds good. Somebody else want to go. Councilmember Renteria. We'll have come back. >> Renteria: My question is short. [Overlapping conversations] >> Renteria: Our conversations

[12:46:29 PM]

we have had about lowering the ih-35 in the downtown area, you were saying that you were going to build the infrastructure to put a cap there when you were building it. And y'all are just going to build just the infrastructure and we could later on come and put a cap on there. Is that still true right now? >> The additional infrastructure to support the cap, we can build it as part of the project, but the elements need to be funded by the local enhancements. What we're doing is we're environmentally clearing the footprint that would be necessary to build the infrastructure and the caps, but the actual support systems if you want to look at it that way, and the infrastructure is part of the local enhancement to be funded by the third party. >> Renteria: We will have that ability to put that in there

[12:47:30 PM]

once you complete 35. >> We'll environmentally clear and that will be part of the process as we continue the project. >> Renteria: Thank you. >> Mayor Adler: Mayor pro tem. >> Thank you, mayor. I believe these are tucker questions. I will pass the mic if necessary. If the project investment factor intro the modelling here? >> Tci ran the model and I believe they did include the Orange and blue line when the factors when they modelled the traffic patterns. >> Do you know, can you expand on what impact did they have on future traffic projections? >> The cap metro model? What impacts they had on future traffic projections? >> No, the project connect investments factored into the

[12:48:32 PM]

modelling, if those were indeed considered, what's the impact they have on future traffic projects? >> I don't have that information. But I can track that down. I don't know if tti ran a model without project connect and went one with project connect. I did learn this week they did consider the blue line and Orange line when they ran their traffic model. I will have to go back and see if they ran one without the blue and Orange line in it. >> If they had not taken into consideration the project connect, what is the impact two new light rails will have on the traffic projections. That information would be helpful. >> I will gather that. >> So are you working with cap metro to make sure the crossings at Dean Keaton and mlk and seventh street can be equipped with transit priority treatments for the upcoming metro rapid lines there? >> We're working with their

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plans looking at what they want to do and seeing where those intersect or overlay in our right-of-way and project. There are certain locations where we will be building in the same location as they will. We certainly need to make sure the construction activities are synchronized so we're not first and they're not first and the other coming back to do that. We certainly want to make sure their connections and transit priorities to get into the managed lanes is as free flowing as possible. There is a lot of opportunities to do that more so in the north project and south project, more outside of the limits we talked about today. For example, tech ridge, we're working closely to get from park and right into managed lanes to travel into the downtown core. Also south side, looking at opportunities to get more easily into the downtown core by way of the managed lanes. Absolutely we're working with them. We have our staff engineers looking at their plans and their profiles to see how we can coordinate all of our

[12:50:34 PM]

activities together. >> Thank you. I appreciate that. We only have five minutes. I have three more minutes and two more questions and comments. >> Mayor Adler: You actually have two more minutes. Go ahead. >> Hoping to build 135 housing units in our city limits by the end of the decade. Does that infield development factor in the modelling? >> The campo model that is used does take inputs from the local government on what the expansion and estimated population growth are. Specifically those 135 units, I don't know if it was incorporated into the campo model. It does use the inputs from local governments on the expected growth over the next 20, 25 years when a project traffic volumes and growth. >> It would be great to know if their calculations include that specific goal number. As a benchmark. >> The I-35. >> If we have more space for

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cars we expect more cars to fill that space. With the current growth projections, how long do you expect it to take for the new I-35 to become just as congested as the current I-35. >> The new i35 will not be general purpose lanes. You need certain criteria, transit or HOV to be in there. We're not pretending to say the expansion we're building is building our way out of congestion. Moving more people than vehicles. You have to be HOV or transit vehicle to be in the lanes. We expect and hope that some of the vision of the city of people car pooling and van pooling and ride sharing would take advantage of those. Those lanes will be more reliable and more accountable as we move traffic through. Our hope is they will be utilized. We're building them to be used. We don't want them to be vacant continue it will be a more reliable, transit, HOV

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route as the community grows and population begins to expand. >> Mayor Adler: Ok. >> I wish we had more time. I appreciate having those questions. >> Mayor Adler: I wish we did, too. Councilmember Fuentes. >> Fuentes: It is my understanding you received 4,000 emails from our community. I wonder if you would share some of the feedback you received and the content of the letters. >> Those were form letters, asking us to fully reconsider the reconvert Austin or -- reconnect Austin or rethink 35 or Austin models. The results of what we asked tti to do is what I showed earlier. The stand-alone projects would funnel much of the traffic that needs to be in i35 into the neighborhood. We made the conclusion that those as stand-alone projects

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could not be sustainable. Many of the elements, cross streets, shared use paths, in I-35 are incorporated and other features as we move forward. The vast majority, 99% of the 4,000 letters I got were basically form letters with similar information asking us to consider those as alternatives. >> Got Ya'. Thank you. Colleagues, I wanted to give a reminder that the south portion of I-35 the replacement is slated to start - I believe construction will start next year? >> To be lead in January 2022. >> We went through a community engagement for the south portion. We would like to see the feedback and comments given. I want to highlight the important need to make sure the voices of the community are considered in the

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expansion and replacement, especially since construction is only a few months away. >> Mayor Adler: Councilmember Kelly. >> Kelly: Thank you. I was born and raised in Austin. A lot has changed since I was born. You mentioned earlier if we don't build infrastructure, people won't come. We clearly need the

infrastructure because Austin is a growing city. I look forward to meeting with your office. I will ask my questions then for the sake of time. I'm happy to see the forethought that went into this project. I can't wait until it is finished. >> Mayor Adler: Colleagues, I will need to leave the dais. I will turn the chair over to the mayor pro tem here in a second. I hope somebody asks the question that the project cost went from 4.9 to 4.3 without

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the deep and whether that is available to pay for the capping. Rob, you heard my questions, if you would help me prepare a letter to respond to txdot, I appreciate that. I will recognize councilmember tovo and turn it over to the mayor pro tem. >> Tovo: You said we need to enter executive session at 1:15. Are we not breaking for lunch? What is the plan? >> Mayor Adler: Take a five-minute break, and walk back with it. We will lose council at 2:00. >> Tovo: At 1:15. >> Mayor Adler: That is my suggestion. My suggestion is call up e4 and e5 and make the call in executive session if you do e4. I will post on the message board with the items that are left with a suggested time frame to take a look at when you do it. I will just find out from our office what you decided. So Cathy, your five minutes

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start. Mayor pro tem, I'm keeping track on my phone. You're on time. You might want to do the same thing. Councilmember tovo. >> Tovo: Great. Thank you. Thank you very much. This has been a very good conversation. I appreciate having it here at the work session so we can all participate. I don't serve on the mobility committee, but certainly this proposal has -- will have a tremendous impact, transformative impact on mobility throughout the city but also some of the proposed changes that could have a real impact on my district. I appreciate my colleagues that have asked questions about some of the areas within my district, including some of the areas through the cherry wood area. I would like to, you know, encourage the continued collaboration between our staff, among our staff and txdot. Thank you, Mr. Ferguson for your commitment to continuing to work to really minimize impacts on surrounding businesses.

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We have lots of local businesses in that corridor who employ, you know, represent, not just -- not just local folks who own the businesses but of course, they employ lots of individuals in this community and serve a great purpose. I hope that as the process continues, we'll see alternatives that really have as little impact on those small businesses within that corridor as possible. Mr. Spiller. Director spiller. >> Yes? >> Tovo: I have a couple of questions about the design speed. I think I heard you say a slightly different definition for design speed than what my colleague said. If I understood your description of

design speed, it is the speed capacity that that road is designed for. Not what you think people will drive, right?

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We're encouraging -- >> Ok. This is going to get a little wonky. I apologize. >> Tovo: Because we're so limited, I will ask the second part and you can handle both. Hopefully we can speed through this one. When you talk about design speed are you also talking about design speed for the highway itself or just the access roads. As I understand, there is a connection between the length of the frontage road and the design speed. >> Right. I will try. >> Tovo: Is that also corresponding to the design speed itself. >> I will try to be brief and tucker can tell up. Design speed is designing the roadway to meet the speed expectation of the drivers. As you modify that, you start to set the speed limit. Your second, hopefully that answered the first question. If not, I can follow-up with

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you. The second question is yes, there is a relationship between the main lane speeds and the frontage road speeds. You can't have -- you need that relationship to be close enough so that drivers can physically slowdown as they enter a -- slow down as they enter an urban street from a limited access environment. >> Tovo: I hate our time limit. We have to curtail some of the conversation. So in terms of if we wanted a 35 -- if we wanted a 35-mile design speed on the on and off ramps, does that speak -- I would assume that that speaks to a lower speed along the highway itself? Is my impression correct that having short -- that all of this impacts, the design speed is really closely related to the impact on surrounding businesses and how

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much area you might need. >> It certainly could. I think that is an area we want to look at. I think design speeds is where you are going, helps us to determine the length of ramps, the angle of the ramps that need to come off. How fast drivers can slow down to get to that speed. So those are all elements that I think can help us look at opportunities to narrow this up. But those are areas where we will look coming up. >> Tovo: Thank you. >> Councilmember, tovo, I hate to do it, your time is expired. Are there other folks? I can't see chambers. If anybody in chambers had your hands raised. >> No, we're all good here. >> Awesome. Councilmember pool, Renteria has spoken. I see no other councilmembers with their hands raised.

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Councilmember kitchen? >> Kitchen: Quickly I wanted to ask Mr. Spiller and Mr. Ferguson about aesthetics. I wanted to ask Mr. Ferguson to talk for a 347b9 about that. It sounds like from what was presented that that is a component of design that will be part of the process. I wanted to confirm that. >> Yes, aesthetics will be part of the ongoing process. We'll reengage the aesthetics program we began many years ago, pulling in members of the community, members of the city, and our staff to see what aesthetic we can incorporate into the design and project. We are able to do that. >> Kitchen: Ok. I wanted to say I think that is really important. It is critical for how people feel and really makes a difference. And people's ability to use the space. So I'm really pleased to hear that.

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I know that it is something Mr. Spiller spoke about and also the two of you will work together on that. Thank you. >> Thank you, councilmember. I encourage you if you see something neat on another freeway, take a picture safely, send it to us. That is how good ideas get corrected. >> Councilmember tovo. >> Tovo: Thank you. I was asking questions of our director about the ramping. It is my understanding that in one of the letters that you transmitted to txdot, you suggested an alternative ramping system. I wanted to ask whether any of that alternative ramping system is -- has been incorporated. Is there a possibility to do so. And if our staff have an opportunity to explain what the benefits are of the ramping system proposed? >> Right. So I showed pictures of that, councilmember in my slide show at the portal ramps.

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Really now that we know that there is an opportunity to rethink how we might skinny these alternatives up. I think the ramping options are very much available. We have been talking about it with txdot for some time. We're engaged and working on that now for a meeting for this month. To look at alternatives to move people into the arterioles from below. It is to bring people off the depressed circulation or bypass lanes into the arterioles, we believe that will improve the congestion loading attributes. So definitely engaged in that. >> Did that answer your question? >> Tovo: It did, thank you.

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>> Councilmember Casar. >> Casar: Thank you for your time and presentations today. When we last spoke about this, we -- several of us had our own individual letters moving forward. Mr. Spiller, we passed a resolution. My hope was for a narrower design, for support for transit, for more space for housing and places for people to live and to work. Not fewer. As we have seen in things like the

reconnect proposal creating more tax base for the city. More places for people to live inside the city and safer speeds, especially on our access roads. So that's why with the current alternatives presented to us, I wouldn't want to sign off on this from our side of the table as the city government. But I want to be clear, nobody I've spoken with is advocating for the current I-35. We understand it isn't safe, it has to be changed. We want to see a change. But everybody I've talked to

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and everybody here knows this is not a once in a generation but potentially a once in a lifetime opportunity. We want to get it right. I appreciate we have spend this time and hearing from the community and I keep hearing especially in the part that intersects with my district that we want to see something better. I can't support this alternative, I appreciate the conversation across the dais. I appreciate the engagement, I think that -- I don't think anybody is saying we like what we have. But if we're going to be making such a significant investment, I think we can do much better for the folks living in the city who want to be able to get east to west and want to have improved quality of life and safety and really who in the future, we need a much more transit, supportive option for us, if we want to be able to get around and shift from the past. So while there have been some improvements, I want to see more connections across the

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freeway, see the safer design speeds and see it narrowed up the way you described. >> Thank you, councilmember we will continue to advocate for that. To continue to improve the alternatives. I think the best message to put out there is we're not at the finish line yet. I think you will agree to that. That we're at a point where now we know what the challenge is, or continue to define that challenge. We'll continue to work on that together. Absolutely. >> Thank you director spiller. Any other questions? Councilmember Ellis? >>. >> Ellis: No further questions but we're getting to the end of the conversation. I appreciate the community wanted us to do this discussion at mobility committee because of time constraints we thought it was best to do it all together at a work session. I appreciate tucker Ferguson and director spiller doing the presentations with us so we can get better clarity on some of the specific q&a and to

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understand next steps. It seems to me there is still work to do. I agree with director spiller working with tucker Ferguson to address the questions we have moving forward. If we can get a quick deadline for comments, I know it was extended. I can't remember the date. I thought it would be prudent for folks to know when and how to look at the information to provide their comments. >> I can't remember the

exact date councilmember Ellis, we did extend it by 15 days. September 24, I'm being told. >> Ellis: Ok. Thank you very much. >> Councilmember Ellis, I would point out the deadline is so that comments are published with the public outreach report that is being put together for the last public outreach effort. We're in the middle of this effort. Txdot will keep receiving and accepting comments until the

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draft environmental impact statement is reviewed by the public. This is just a deadline to say let's scoop up all the comments and put them together at this point. >> We look forward to continuing to work to find a solution to benefit the community as best as possible. >> Thank you councilmember Ellis. With that, I had a few closing comments. It does feel like it is rounding out. I know we have to get to executive session. I will cut it short. As we're having this conversation about this project, you know, I-35, like project connect, it is one of the generational investment, I think councilmember Casar made reference to that. I said it before, I will say it again, it needs to reflect the city's values. Those spelled out specifically in imagine Austin, strategic mobility plans, climate action plan, vision zero plans. One of the things about project connect, it is truly a

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community driven plan. Cap metro has done public engagement, collecting community feedback before releasing the plan. Then we as a body got to work with cap metro and the board to provide our input before we decided what to put -- to put it to voters. Then the voters got to learn about it during the election before they ultimately decided overwhelmingly to support it. I don't think we get that luxury and this process. Txdot draws up the plans, does a few weeks of public input and it is up to that department to ultimately decide whether it did a good job and whether it should be move forward. That is the kind of top-down process that gave infrastructure investment a bad reputation for their track record of tearing communities apart and displacing the underprivileged. I would like to think that we're beyond that point in our history. But this isn't something I'm

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willing to leave up to blind faith. Txdot says they're listening. I appreciate the fact that you all have extended the current public comment period to September 24. I encourage every austinite who cares about the climate, who cares about the safe mobility, about preventing displacement, about resolving the sins of our segregationist past and about the kind of city we'll leave to our kids and grandkids. I encourage -- I implore you to weigh-in. You can find the information online for open houses at mycapx35.com. We really have to let txdot hear all of the voices. My hope is people that don't normally engage in these conversations are fully present in participating. If there is nothing else, I

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will take this into executive session. It sounds like we have time constraints with council over there. Give me a moment. I will find my script. Okay. So the council will now go into closed session to take up four items pursuant to section 551.071 of the government code the city council will discuss legal issues related e4, discuss legal issued related to vamos, versus city of Austin, et Al. Pursuant to the city code they'll consider personnel matters and benefits for the city clerk. E2 k0678sation and benefits for the city auditor. And for the municipal court

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clerk. Is there any objection to going into the executive session on the items announced? >> Mayor pro tem. Also please include item e5, discuss legal issues and lawsuits and claims related to the Austin police department related to the protests on may 1, 2020. That is also pursuant to the government code. >> Is that sufficient that you announced it? It is not in my script? >> Yes, it should be as part of the record, if you would accept that as an item to also include in the items for your executive session. >> We'll also include item e5 for consideration during our executive session. >> Thank you. >> You're welcome. Thank you for bringing that to my attention. I appreciate it. So with no objection to go into executive session on the items announced. The council will now go into executive session at 1:13 P.M.

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I believe we were encouraged to get over as quickly as possible. I will go directly. I will see you guys over there. [Executive session]

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all right. So we are out of closed session, closed session we discussed legal issues related to E 5 and E 4, the continuation of the Austin city council meeting on August 31st, 2021. Let's take a second and talk about council procedures. The clerk says that the meeting on September 2nd has already been set. That is this week, so we are really talking about what happens at our next meeting which is the end of September and thereafter. For September 2nd, all speakers are going to be in person and we do not have the ability to -- we have been told allow people to speak virtually and councilmember kitchen scad question on that so we will need legal council to address that issue for us. But on Thursday it is

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anticipated right now and it is set up for everybody to just speak in person. Like before the pandemic speakers will use the kiosks in the lobby for speaker signup, so rather than going online as we have during the pandemic, we are back now to kiosks, which means if somebody wants to speak they have to actually physically come here in order to be able to sign up. We are taking speakers into batches like we have been doing at the remote meetings so speakers speaking on things other than zoning will be called roughly at 10:00 o'clock or thereafter, after we identify what we think is going to be on the consent agenda and those speakers have to sign up by 9:45 here in person in the morning. Speakers that want to be in the second batch at 2:00 P.M. To speak on the zoning cases have to be here in person in order to be able to do that, just --

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can't do it online. And they have to sign up by 1:45 P.M. We closed down speaker signup at 9:45 in the morning and at 1:45 in the afternoon. So we are just talking about speakers for September 30th or thereafter, council, you, colleagues may have other things that you identify in terms of potential issues for us too take a look at. It seems to me one of the questions is, do we want to continue to take speakers in batches? In the morning and in the afternoon? Do we want people to be able to donate time? Do we want to have people pull items other than councilmembers when we take things in batches, any one person can pull an item.

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It used to be before the pandemic if two people signed up that item was pulled by speakers. In this case they will -- if we are doing it in batches we will already have spoken, they may have a councilmember pull somebody but there is a question of pulling items. Timing for speakers signup, do we with a want to explore whether or not we can do remote signups with the kiosks? When people have been signing up remotely before we have a count the day before so we are able to plan the day a little bit better in terms of how many people are speaking. That is also enabled us to potentially adjust the time for speakers to make sure that everybody gets a chance to speak without having to be here all day. And us being here all day and well into the evening. So how much time for speakers is

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then an issue, whether that time is for all items they speak on or whether they get that amount of time for each item, whether we want to make the time available considering, to consider the number of people that have signed up to speak, whether people can donate time. I think those are the kind of things that I have identified. I think we need to hear early on the legal issue with respect to whether speakers participate remotely and do you want to ask that question, Ann? >> Yes. I wanted to ask specifically, I know that, and I just don't remember what all we explored prior to the pandemic, but I think it is a new day but I do think that it is very important for us to do everything we can to allow people to participate and to -- virtually is very

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important. When we set up a situation where people can only participate in person we are excluding part of our population and putting them in a position where they have to choose between you know, their individual circumstances and their own health or their family's and their ability to talk to us. And I don't -- I think we should do everything within our abilities and within the law to allow options for people to participate virtually. Everyone's circumstance is different. Some people can take risks. Some people, it is not much of a risk. Some people it is a lot of risk. So anyway, so I want to -- I want to know

what our range of options are and I would like to know that first from a legal perspective, what are our range of options? We understand that there is a practical you know, constraints we have to think through how we might do something but I want to start with, what are our range of

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legal options and I would like to understand the why behind it. I respect our legal department's conclusions based on the law and I want to hear that too but I also want to hear the why and what is it based on? >> Okay. Council? -- Counsel? >> Mayor and council, we have Caroline Webster on the line and she is available to address the questions. >> Ms. Webster. >> This is Caroline Webster. Did you want me to go ahead. I saw councilmember tovo had her hand up so I wasn't sure if I needed to wait. >> She just asked the question. >> Okay. So good afternoon, everyone. So the basic law in the open meetings act is that members of the public are allowed to participate by videoconference but not by teleconference.

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Under the rules that were suspended by the governor that expire tomorrow, folks were allowed to call in by telephone and of course that is how you have been conducting your meetings for the last several months, but once those are -- once that suspension ends then the only possibility is for people to participate by videoconference. There are various technical requirements that apply to that sparse visibility, hearability, whatever the proper word is for that, but -- so we have to be able to see the councilmember's face, et cetera just as we have been doing but just primarily the option of telephone communication is taken away. There must be a video communication. The law is special in some ways for the city of Austin and other large cities that extend into three or more counties. Most cities cannot use this videoconferencing option except under certain circumstances but since the city extends to three or power counties you can extend

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by, attend by videoconference and so can the public. As long as the technical specifications can be adhered to, then it is legal for the public to continue to participate in -- by videoconference or in person in sort of a hybrid situation. >> Mayor, if I may follow up. >> Go ahead. >> What are those technical requirements? Is it? Is there a way to summarize those quickly for me or at what level of detail they are? >> They are quite detailed. Sometimes, so I can't really go into it that much but it has to do with basically that multiple speakers are not able to speak at once. >> Pool: Okay. >> Everyone is visible, of course, the councilmembers whenever they are speaking or voting that needs to be visible but also when folks are

participating from their home they have to be visible and they have to have a camera that we can see them. They have to be heard by all other participant whose are either physically present or

[2:58:47 PM]

participating by videoconference so there are technical specifications that I am sure someone else would be better qualified to answer than me but that is basically what it comes down to, not just you all being visible but the person who is calling in or videoing from their home or from the library or what have you. >> Kitchen: Yes. My primary concern is with individuals being able to speak to us, testify to us. That is really what my questions are around. And so it would seem that pace time might be something that would be a potential, most people have a telephone so -- okay. Well, that answers my question from my perspective and others may feel differently but from my perspective I would like us -- I would like us to allow that option. I know that I don't understand what all of the technical requirements -- technical challenges might be and so I probably need to hear that, but I think we owe it to the public to allow that kind of participation so I would like us to see what we can with do to do

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that. >> Mayor Adler: Any time you want to also join this conversation, Jeanette, to talk about any of these issues from your perspective, please make sure that you do that. Mayor pro tem and councilmember Fuentes. >> Thank you. Go ahead. >> I am sorry. >> >> Mayor Adler: Go ahead. Jeanette I think also going to speak but after you. >> Got it. So thank you, chair and thank you councilmember kitchen for very passionately presenting that concern, because I share it entirely. I also think you know, as an additional measure of concern, I think some of the technical requirements also are various for a number of folks who otherwise would like the opportunity

[3:01:14 PM]

speak to the council about your item. So I really -- I just want to echo councilmember kitchen's sentiment about feeling very strongly it is our obligation as a municipal body to do anything we can to make -- to continue to allow people to participate in this process . I think folks who are not being a part of this conversation weigh in brings unique perspective and it is critical that we all participate and I will take it a step further. I honestly feel like there is, you know -- that there should be just it seems wrong to ask a person who knows that they have additional concerns to put themselves at risk.

[3:02:15 PM]

And I mean that for our constituents but also mean it for us, the people who are a part of this body. I think about, you know, for me, for example, I have been very vocal about being immunocompromised even with my third dose, even with my additional vaccination, I don't feel comfortable being -- I don't -- I don't think we should have to make that choice and I think, you know, especially for people who are immunocompromised or who by way of their age are you know, have additional risks to consider, it feels to me like this goes against all of our attempts to make our process accessible and it also, frankly seems to me like there should be some degree of liability for asking people to risk their health. We take extraordinary -- we go to extraordinary lengths to be compliant with Ada

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considerations. Well, I don't know how this is any different, so I just, again, want to express my deep concern and disappointment that this is the direction we are going and I really hate that we have to, that we don't have any choice here. That feels wrong. >> Mayor Adler:. >> Okay. Kathie, do you want to say something before -- okay. Councilmember Fuentes: >> Fuentes: Thank you. And I echo the comments the mayor pro tem made to be mindful of everyone's risk levels and reiterate my support for having a virtual option allowing us to either explore the facetime opportunity. That is great point, councilmember kitchen, to bring up as part of the audio, video portion of the testimony and also you know, look at setting up sites within our libraries and our communities as another way for folks to be able to a swing by their local library and

[3:04:15 PM]

provide testimony from there. Also I wanted to share that I am supportive of taking up testimony in batches. Of course I would love to hear -- I think that would be easier on staff and on working families who perhaps only have a limited window to be able to be on stand by to provide testimony rather than driving to city hall and having to spend a good chunk of their day here waiting to testify. So also supportive of us having that batch allocations. Thank you. >> Mayor Adler: Kelly -- >> Thank you. I know it has been extremely helpful for a lot of people in district 6 to be able to call in remotely and if possible I definitely think we need to continue with the remote signups, just so that it eases people's ability to be able to sign up for a council meeting. I am curious at what point it might be suitable to go back to fully in person, given our current situation, maybe we can lay out a timeline for that.

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Pain we do something temporary now and then move forward but I also think it might be helpful for us to get feedback from the community on what they would prefer so they feel involved in the process and can participate on what their preference might be. Any option that allows people to participate in government is important in taking down barriers for that, and taking down barriers for that is incredibly important to me. Thank you. .>> Mayor Adler: Thank you. Councilmember Casar. >> Casar: I want to go through four or 50 of the items, four or five of the items you went through. I think the telephone, the diversity of people has increased, that folks, we have heard from people at their jobs, they step away for a moment. People on the bus have called in. I think you know, families and kids in the background, people that can't figure out childcare can call in so I think phone option is something we should -- we should find some way to track how this has improved things and continue to bring that forward to the legislature for us to be

[3:06:18 PM]

able to allow that phone option for people. I understand and would be interested from the clerk and others some of the complications about videoconferencing outside of the library. I think phone, we have figured that out but I imagine there might be different security issues and technical issues and other issues we should just think about and figure out on videoconferencing. I know we currently have at our libraries but before we move something with something more expansive than that I think we should have the conversation. Because of course you want that accessibility but also want it to work. As far as pulling of items I think that it has been good that councilmembers choose whether to pull an item or not, because there just have been lot of instances we maybe had three speakers in support of an item and that ends gets that item pulled and they have to stay all day, our staff had to stay all day and they didn't want to so I think if a councilmember chooses to pull a item I think it is

[3:07:20 PM]

better than based on a number of speakers. As far as everybody being in the morning on the general consent I think that makes sense and everybody being on the afternoon, zoning. I would have the council think about if a set of speakers all want to stick around for the vote, if there might still be exceptions for us to say, look, this group of six or seven speakers is going to be here all afternoon, no matter how long it takes for us to take up the item, maybe we just heard about it then when it is fresh. I think that -- I would be interested whether that exception would slow us down or not. To competent it seems like it would not slow us down but maybe that would be an exception we could consider. As far as remote signup I would be interested from the clerk's perspective how that has helped us or not from the mayor's perspective, sparse how that has worked. I think it is more convenient for the public but I would want to know how it affects our operation but it seems like a good idea to me for the reasons that councilmember Kelly and others have mentioned. As far as donation of time, I am

[3:08:23 PM]

ambivalent on that issue, you know, potentially we could say that, you know, you only have one person - instead of having three or four people donate time. But I think ultimately people that want to just come and talk to us, get a chance to do that in the morning and not having to wait around all day I think has had very positive reviews and we should keep doing that in the person and see how that goes. >> Councilmember Ellis and councilmember tovo. >> Thank you, mayor. I appreciate you laying out some of these options for us. >> Ellis: I am appreciative of the remote signup, just because it helps us kind of see as we prepare for next day which issues we might talk about more in depth so that is really helpful for me to be able to understand that as we prepare for our meetings. I do like being able to do all of the consent speakers at least together up front, just because I think it is respectful of people's time to be able to know

[3:09:24 PM]

at 10:00 A.M. They can speak or 2:00 P.M. They can speak and then they can continue to follow our deliberations but don't necessarily need to have their phone on the line on hold for an extended period of time or need to wait in chambers for an extended period of time because we know that is hard on a lot of people in town for many different reasons. And I do remember a, I think there was one instance that may have been a citizens communicates where we had someone communicate from a library so I think it was probably very helpful for that individual to be able to go to a city owned facility, like councilmember Fuentes already identified, so I am supportive of the that and I think sparse being able to pull items I think if we take speakers together the way that the clerk has been calling them together we are still getting that sense of when there are a lot of people signed up on an issue they are fairly passionate about that and they think it affects their neighborhood or something they are working on in the community, so I do like having them together. I don't know that they need to

[3:10:24 PM]

be pulled off consent for us to be able to appreciate that value in the community and to hear those voices. So those are my thoughts. .>> Mayor Adler: Councilmember know. >> Tovo: Thank you, so I think everybody on the council at this point either today or in previous meetings has expressed appreciation for the opportunities that virtual meetings allow, afforded our constituents to participate in ways they hadn't been able to necessarily before or to allow opportunities for people who had not participated, to participate. So I think instead what I would like to spend some time doing today is talking with our tech folks and our clerk about whether any of the honests people have suggested are options and just in case people are tuning in I think it is really important to reiterate that where it sounds like, you know, the great majority if not entire council is really supportive of continuing those kinds of efforts and where we

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are being prohibited from doing so by the state. So-so I would like to talk or check with to wrap up my comments by coming around to ask those questions of the clerk of what is possibility from facetime to a different web-ex platform to other kinds of things that have been suggested. In terms of remote signup, it is not clear to me that that is -- where that falls in terms of legality or in terms of our technical abilities so I am interested in that but you know, a lot of the questions you have posed, mayor, are ones we have revisited multiple types now in the course of our time under ten-1 so I am not entirely clear why we are -- why we would make changes to some of those. I mean it is always good to review meeting procedures, but we have in the past spent lots of time talking about when people should be able to speak and I think we had developed before the pandemic we had developed a practice of allowing

[3:12:26 PM]

people to speak in the morning, if they are there in the morning or allowing them the opportunity to speak when the issue comes up. I think you know, as a community member who spent a lot of time at aid as a rabble-rouser, I guess, you know, one of the complaints that I and others often had is very often you were confined to the citizens communication case of it and the issues wouldn't come up until later and think as a decision maker and as a community member I think there is a lot of value of having that testimony at the time when decision makers are making -- are considering and deliberating on that issue and it also affords us the opportunity as councilmembers to ask questions of people who have spoken, if in the course of our deliberations we realize we have a different understanding about something somebody said and we are still here we can call them back up to the podium and ask. I understand not every community members wants to do that, some want to come in the morning and we have again in the past made

[3:13:27 PM]

provisions for people who wanted to do that, and you know, certainly if they want to do that in the morning that's fine, but I want to see us continue to preserve that opportunity for people to speak at the time issue comes up as well. In terms of the remote signup, I think that is a great opportunity, but I think people should also have an opportunity to sign up the day of the event so I hope to -- I mean the day of the meeting. I hope we allow that to continue. Very often the press covers issues on Wednesday that are happening on Thursday so sometimes people are only hearing about it, about a particular issue the day before. And so there are some other issues that I think you highlighted for conversation, like the time -- the time individuals get to speak, donation of time, and who pulls things from a consent agenda,

and again we have had various ways of talking about those in recent years, and so I am not sure buy -- I am not understanding why we would revisit those. I think the compromise is we

[3:14:28 PM]

have made in terms of affording people people the opportunity to speak for three minutes on each issue unless there are a huge number of people and then it starts cutting back, the ability to pull things -- you know, when we have multiple people show up on an item we know that that indicates there is -- that is an issue we should look at more closely so it gets pulled from consent, so for those of my colleagues who have expressed what is really a request to change procedures that are -- I believe are set now in code, I guess I want to hear a little bit more about why we are considering doing that. I am all for opening up -- I am all for making our processes more accessible, some of those changes I think two in the other direction so -- that's sort of a question to all about why we would change some of those things, especially in terms of pulling things from consent. But I would like to get around, mayor, to asking those qu

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questions. I don't know if I pause there if somebody wants to jump in but then I want to ask those questions of the clerk. >> Mayor Adler: Yes, let's give everybody an opportunity to highlight their issues and then ask the staff to respond to the universal things. >> Tovo: Which is why I mentioned that. >> Mayor Adler: Not quite yet. You know, for me on this, I think all of these issues are coming up now, councilmember tovo, because for the last year and a half we have been doing it in a certain way and I think we have been able to see what kind of practices result in meetings. I think it has been -- I think the way the meetings have gone over the last year and a half through pretty incredible work on the part of our clerk's staff has had meetings run pretty efficiently and people being able to participate as well as not leaving us in a position

[3:16:32 PM]

where we were meeting late on issues, and I think that that has real benefit to making sure that we are sharp and that there -- we have been using best judgment but for me I would let people participate remotely, but I think -- I think that has been a really great thing. I don't know what the technology availability is based on that but I would hope it would be something that would be available to somebody as easily on their phone, if they had a phone in order to be able to do that so that it is not just having to go to the library. But certainly I would have that option available to somebody that wanted to go to a library that may not have a phone to be able to participate. Participate. So being able to participate remotely where it is technologically possible does seem to be legally possible under certain

rules I would have that. I do like people speaking in batches, and enabling those people to be able to speak and then to leave.

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You know, I just I would drink every time somebody would come up to the microphone at 7:00 o'clock in the evening and say they have been there since 10:00 o'clock in the morning and they had to wait eight hours and now they have too way of a short period of time to talk to us so I like people being able to speak in batches. I also like people being able to sign up ahead of time because I think that enables us to really manage the meetings a lot be better. And I think also gives us the opportunity to be able to make sure that even on days when there are a lot of people speaking we are able to order the day in a way that still lets us get our work done but gives people a chance to be able to participate and not go to delays which I think is you know, unfair and, in itself too so I think people signing up ahead of time, the practice that we had is I would then say to make sure

[3:18:35 PM]

that the council knew how many people had signed up to speak and what I was recommending in terms of how to manage that and obviously the council that ability on any given day to see that recommendation of the chair and say, no, we think it should be -- we think it should be this as opposed to that, asking people to get up to speak and speak to all of their issues I think is also something I think that has been able to keep the meetings moving forward, so I would continue to do that. Pretty much I would have us continue to do most if not all of the practices we have done over the last year and a half, because I think that they have worked well. Anybody else want to introduce anything else before we ask staff to kind of respond to the universe of questions that have been raised? Kathie? >> Tovo: I also wanted to talk about procedures in the kiosks

[3:19:36 PM]

and things like that, but I also want to have an understanding of -- we have a conversation around these issue, what is the plan for how we are going to make decisions about these issues? >> I am not sure there is a plan other than. >> Tovo: Pardon me, I was in the middle of a sentence. I am not sure there is agreement on all of these points and I would like an opportunity where there is not agreement really to talk about what -- what opportunities are there for making multiple possibilities available to our constituents. >> #01: H. >> Mayor Adler: And we can do anything we want to do, I put it on the agenda because I thought we should just address it affirmatively and give some direction to Jeanette and staff. But there is no requirement for us to do or not do any -- or limit to what we can do or not do. Do. So should we try to resolve some of those issues today, such as

[3:20:38 PM]

whether individuals who would prefer to speak at the time an issue comes up have enough opportunity to do that? >> Tovo: Should we try to resolve some of the issues around you know, who -- how many -- how many and when things get pulled from the consent agenda? Or do we want to give it a little bit of time and think about it? >> Mayor Adler: We can probably do both. Things there seem to be consensus on we can give that direction to Jeanette. The things that, you know, the group wanted to do a different process, it can happen that way too. And it is an opportunity for us to talk to kind of see where everybody is. >> Tovo: Thanks and wanted to say I really appreciated the way our staff have set up the chambers in terms of blocking off seats and making sure that individuals who are there in person will have appropriate distance from the person

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alongside them and I would ask that we do that. I am not -- I haven't been in city hall in a couple of days but I believe last week when I was in, I didn't see -- dots. There may be dots at the kiosk that my suggestion would be if there aren't we would make sure those are there and there is kind of a plan when we have controversial issues for how people will line up and register in the kiosk, especially since that is not something you can do do. Well, usually it is something you can do, actually. But anyway, those are again things that continue to bring -- I think what would be helpful if we could resolve is like the technological challenge -- one of the things we all agree on I think is trying to make it possible for people to provide video testimony or to join -- to join the meeting virtually and just as we are talking I am getting questions about what options will be available for that on Thursday so if we could

[3:22:39 PM]

talk with our staff about those challenges and how we can surmount them, that would be really helpful. In the way that the county does, I believe. >> Mayor Adler: And again I think the rules have been set for Thursday and I went over those at the beginning and I could go over them again if people wanted that to happen but I think that the clerk and staff are kind of locked and loaded on that. All speakers are in person on Thursday speakers will use the kiosks in the lobby to sign up and speak. We will run it in two batches, a 10:00 o'clock batch and a 2:00 o'clock batch as we have been doing. Signups stop at 15 minute before. So 945 to for that batch and 1:45 for that batch. And I would point out that there is nothing to stop a councilmember from calling anybody up when we discuss an item. Everybody has that ability. When an item is called, you can

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call someone to ask questions of and you can always do that as well, and we have done that over the last year and a half as well. Councilmember kitchen, did you have something before we -- >> Kitchen: Before -- I am sorry? >> Mayor Adler: Before we have staff, Jeanette and staff speak to some of that? >> Kitchen: Yes, I do. And I have already asked my question that ja threat can ask to, I would ask as she speaks to it to give us some timelines. I know we had this conversation before so I know she shared this information with us in the past but I would like to know, if we want to get to a point where we can allow for some virtual participation by individuals by September 30th meeting, what is our deadline for giving direction on that? So I want to understand that too so -- >> Mayor Adler: Okay. The Jeanette, do you want to talk to us about any or all of these? >> Well, first, I appreciate you

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think I can solve all of these problems. I can't. So let me say that first of all. Whether or not I think it is possible you will probably need direct the city manager to make resources available for certain things, because there are things that are outside of my control. Second, we completely as staff completely up the concern with covid, because you are talking to probably four people that have been here from day one, so we completely get it. Second, online registration, it bay working for you all but I can tell you it is not working for us because it is a nightmare compiling that data.

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And so to give you an idea, for each council meeting I probably spend a good 15 hours each week prior to the meeting doing fog but compiling and cleaning up the registration data and that is just what I am doing. That's not what my staff is doing with exporting it from one system and then importing it into the speaker signup system. So I have reached out to ctm about making the kiosks available for remote registration and I have been told that they would need additional resources in order to make that happen, mainly from a security and risk perspective, because that server contains other applications that if we got a huge number of registrations coming in could

[3:26:48 PM]

take the server down. I don't know what all the applications are on there, but one of them I can tell you that would impact council meetings is our ability to upload agendas and backup for meetings. That is one additional system that is on that same server. So they will need additional resources in order to make a more secure online registration form and process where the clerk's office isn't spending hours

each week before a meeting, because we honestly cannot maintain that long going forward. I will let Corey speak to the technical requirements. I don't know enough about-face time to know if that is even a possibility. I will tell you the difference with the libraries and what we had done in the past from a

[3:27:50 PM]

nontechnical perspective is when we have someone remote from a library, we were bringing them in from the library and putting them up on the big screen and all of council was on the dais. The difference and the difficulty and the complexity is into a hybrid council meeting where some of you are not here, some of you are on the dais and so we are trying to merge two different conferencing systems into one, and we are not sure if we can do that. We haven't tried it. And so it would require additional equipment at the libraries to use that, because they are using -- the previous system would not work for a hybrid council meeting setting, so they would actually need a dedicated computer or computer there that would people would

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log in and there is that -- that library staff would have to kind of manage those speakers as they are coming into the library. That is possible it all depends on how many resources we have available towards it. Again, that is not my staff, because I don't work at the library. So that is basically the difference between what we had done in the past and what would need to be done for a hybrid council meeting with virtual video testimony from other individuals outside of the city. As far as batches, yes, it does make it easier for staff, but I will also point out because I would be remiss if I didn't, virtual meetings are much more

[3:29:52 PM]

labor intensive and the example I can give you from my perspective is in a precovid, pre-pandemic era the clerk's office usually had two people supporting the council meeting. With the hybrid and the remote speakers it takes five of us to handle the speakers plus the material. That is the impact to our office. And that is just my staff. That is not ctm, that is not atxn, that is not anybody else. That is just the impact it has on the clerk's office. Anything is possible. And we will do whatever council wants but it does impact our resources. I will let Corey talk about some of the technical issues with the

[3:30:55 PM]

videoconferencing and what we may or may not be able to do at the libraries and what we could or couldn't do with facetime, because I have never used facetime so I am not the best person to address those. I will say if -- I will say from staff perspective the more complex you have your council meeting rules, sparse pulling and when people are going to speak, the more difficult it becomes for us to manage that and to be able to let speakers know, this is when you are going to be able -- need to be available and online. So I am just going to make that case that watching does make it easier for us to be able to tell people when they are going to need to be available. >> Mayor, I have a few questions about what the clerk said. >> Mayor Adler: Okay, go

[3:31:56 PM]

ahead, Kathie and then Ann. >> A couple of things, first I want to make sure I am understand, you are talking about watching, making it easier for the clerk's office and you are talking about watching if we are allowing online testimony; is that right? I am just trying understand whether -- >> So I am only talking about like watching virtual speakers. >> Tovo: Okay. Not -- because now if the assumption is that most speakers have to be in person, I am assuming what you said about watching and the impact on the clerk -- >> Yes. >> Tovo: It is only relevant in the online environment? >> Exactly. Because in person, they can get a better feel or they can hang out here some place in city hall and wait for their time and you know, we would track them down if they are in the building to come into chambers like we have

[3:32:56 PM]

done in the past when we have had large groups. It is the ones that would be joining virtually to speak. It becomes difficult for us to know when to tell them to join if there is not a specific time to tell them. >> Tovo: Yes. That I understand. I understand that completely. >> If you are going to do something like that, then best option for you to consider, and you would want to do this on your Tuesday work sessions, is to identify a specific time for a certain item that we can then group people like we have done in the past with the audio where we had large numbers or -- and we kind of separated them out. Otherwise it becomes difficult for us to give them instructions on when to be available virtually to join the meeting. >> Tovo: Okay. Thank you.

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I just wanted to clarify that was really for online speakers, not in person. >> Yes. >> Tovo: One of the things you said I have another question about and maybe this is better answered by Corey or Lori can elaborate but you were talking about the challenges of merging, of having the two systems work together, of the library, the library online transmission -- or the library video transmission with a hybrid system for councilmembers, but is there an opportunity just -- you know, I think this is the way the

county works. Could everybody get the same web-ex link and door those councilmember whose are joining virtually that day, they are using that web-ex link and the members of the community who are registered to speak are using that web-ex link and when it is not their time to speak they are just simply muted? I am wondering why that can't be the portal, just in the very same way it has provided a portal for the whole council when most of us are online, I

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mean if most are in person and just several councilmembers that are joining virtually, can't they and the public use the same seasonal? >> I will let Corey answer that question, but before I turn it over the Corey, I will point out a big difference, because I have sat in on your joint meetings is the number of speakers that the county has versus the number of speakers that you have completely different level and that has an impact also on the quality and so Corey will talk about that. >> Tovo: Thank you. >> Mayor Adler: Hang on just one second. Ann, did you want to say something before they speak? >> Kitchen: Well I have some questions also for Jeanette, but I am happy to have Corey answer this question and then if I can have some time to ask some questions too, that will be great. >> Mayor Adler: We will come back to you after.

[3:35:58 PM]

Corey. >> Coryell lis with communications and technology management. Councilmember tovo, to answer your question, the library -- can if we were to go to the route of having public testimony from libraries, we could all use the same web-ex system and we could all use the same meeting design that we are currently using, meaning the libraries would be on an attendee side and when it is time to take a speaker from that library we would just move that particular library over to the panel and step speakers. We have initially reached out to the libraries so they do know that this is a possibility, that we could be coming to them and asking for resources or for them to participate in council meetings and we will continue that conversation here very shortly with them to hopefully bring that to a reality. As far as taking remote speakers

[3:37:02 PM]

from accepting public testimony from personal cellphones and computers, we would not be able to bring those folks in to our web-ex meeting for just fear of compromising the meeting security, on the attendee side, so we really want to either offer a solution that is library based. There is also a vendor option that we are exploring. The same vendor who assisted us in managing our telephone testimony over the pandemic is developing an option that may allow us to bring public in via video from a personal device, but that is still in development and we will continue our conversation with our vendor in regards

to that. I hope that answered your question. And in regards to americaning systems, so the route with the

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vendor, that would require us to merge systems, so their system is independent of our web-ex system, and those two subpoenas would need to be merged in the room in order for two-way communicate to be established in a secure manner. But we are currently set up to meet guidelines through our web-ex system and those guidelines can continue over if we offer remote testimony from libraries. >> Kitchen: So, Corey I think what I am not clear on, you did answer my question, I appreciate it. The question I am still not hearing a response to, how does the county protect the security of their meeting if they are using the same web-ex link, if they are, using the same web-ex link for callers and participants in their meeting? And maybe it is an issue of scale that they have just fewer people so it is less of a risk and I guess to the extent of -- to the extent that risks aren't something we should talk about in public I am happy to take

[3:39:07 PM]

that off-line but -- but if that model is working for them, if we can figure out how to you know, how to keep our meetings secure but do kind of a similar system situation. >> Councilmember tovo, I will need to reach out to the county to talk to them about their meeting design and the way they are accepting public testimony. I do not believe the public testimony currently is coming through the web-ex system. I believe it is coming through a telecom system and being merged with the web-ex meetings. I have not seen video testimony in a county meeting via -- from a public meeting. >> Tovo: Thank you very much. >> Councilmember tovo, I think they are using a similar system that we have used for the audio, just a different vendor. So I think early on, sometimes you were here, maybe discussions with Larry schooler and so he is the vendor that is providing the

[3:40:11 PM]

connection with the audio testimony from the public so again it is one person in the web-ex that is joining all of the individuals. >> Tovo: Oh, okay. Thank you. >> Mayor Adler: Okay. Ann? >> Kitchen: Okay. So we can spend a lot of time talking about the technical aspects which I think is important for us to understand but what I want to ask you guys to do is you know, I would like to take it off-line and really understand the range of possibilities here. If I am hearing you correctly, Corey, what you are saying is that you all are -- you are exploring an option with the vendor, if I heard that correctly, an option with the vendor that would allow for video where people could dial in just like they do right now for a zoom or a web-ex or something

[3:41:11 PM]

like that. Did I understand you correctly? >> Councilmember kitchen, yes, you did, so we have initially contacted the libraries just in summary, and the vendor that we are currently using to manage public testimony via teleconference has developed an option for video. So it is under development, excuse me, and we are continuing our communication with them and talks with them in hopes that maybe we could use that for our council meetings. >> Pool: Okay. The I am going have to back up for a minute, because I am trying to understand why you can't just do a separate web-ex or a separate zoom or there are a number of different systems that people use that people can sign in to, and I am not -- I guess I am not understanding. I may have missed this in some of the conversation, but I am not understanding why we can't do that so that people can dial in. Why do they have to go to the

[3:42:13 PM]

library? >> Councilmember kitchen -- kitchen ditch other question is. >> Kitchen: The other question is, presume for a minute .. Whatever system the councilmembers are on is separate. I am just talking about a system for the public to dial into. So what is the security concerns about that if you have you know, a setup -- and I may just not be understanding you, so if a meeting, zoom, I know zoom may not be the best, but just using that as an example, zoom or web-ex or some other system and people can dial into that system, what is the issue around that? Because if I am understanding correctly that is not an issue of people dialing into that -- having security issues with what the council meeting is or am I misunderstanding? >> Councilmember kitchen, the main issue with that is just the

[3:43:14 PM]

same thing as it is with our -- with you all's web-ex, the security and integrity of the meeting, the possibility of the meeting being overwhelmed because the link was shared to thousands of some group that had some malicious intent on taking the speaker web-ex down. The vendor managed option would be more secure in that it is vendor managed and they are able to work with the members of the public one-on-one and say connect to test audio and their video before bringing them on inside the council chambers. >> Pool: O okay so it is not a technical issue. It is more an issue how, if I am understanding correctly it is not a technical issue but more of an issue of how you admit somebody into a meeting? And the person pour it takes to do that as opposed to just giving everybody the links so they can sign on? Is that what I am hearing? >> Partly.

[3:44:15 PM]

And like I said, it has to do with the security and integrity of -- integrity of the web-ex meeting, being able to keep the web-ex meeting running in -- running well and performing well and the possibility of the meeting being flooded or overwhelmed is the main issue. >> Pool: Okay. So would that be a fear of too many people signing on? I am trying to get to the specifics. When you talk about security and integrity, I want to know exactly what we are talking about here. And if I am understanding correctly what you are talking about is, it is not that people can't call in and sign on. It is just that we are all familiar with, over the last year, having to do with this, how do you manage a meeting such that, a, you don't have too many people signing in and that you have some order to it in terms of people are speaking? Right? So that's what we are talking about, is how to manage the meeting, right? And when you

[3:45:16 PM]

say security or integrity, are you talking about so many people that you do, that it could take down a system or some other aspect of the system it could take the meeting down? >> Yes, ma'am. That's what I am talking about. >> Pool: Okay. So that is what you are trying -- that's what the vendor is trying to solve for is the controls that are in place on the number of people that can actually sign into a meeting and who they are, right? And is that not an issue for telephone participation? Is that a different issue for video? >> Councilmember kitchen, you going to have to repeat that question. I apologize. I could not hear the. >> Pool: So we do this right now for telephone. This is the kind of control issue you are talking about now in terms of the concerns of having too many people, too many people having the link so they can sign in and take down a system or otherwise lose control of the meeting, is that for video or is it an issue

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that we have had to deal with and we have figured out a way to deal with it for telephone? >> So for our teleconference that where we are bringing the public into our meetings that is vendor managed process, but I mean, to answer your question, if I can understand you correctly and we can take this off-line and have the discussion too, but the main issue is you know, will the web-ex get overwhelmed because someone shared the web-ex link with a group that had malicious intent. >> Pool: Sure. >> And too many people joined. >> Pool: Sure. >> We can certainly look that different ways to try and secure the meeting but that is going to be a very manual process and could be something that would require more staff resources to manage. I do understand your question, though. >> Mayor Adler: Does it make sense for us, Ann, to say as a

[3:47:18 PM]

council that we would really like our staff to take a look at trying to figure out how it is that people can participate remotely. >> And sign in remotely? And those are two technical questions you say you don't know the answer to, but if you could -- does it make sense to ask our staff to go away and try to compaq with what the solution would be? If any to those two things? >> Kitchen: Yes, I think it does and that is something I was getting to is that I would like to, as to, ask you all to do that, but -- and I hear what you are saying that is one of the thing you are working with the vendor on H I would like to understand the timeline and also would like to understand what other cities have done and so perhaps we could move relatively quickly on getting that information from you. >> Mayor Adler: If there is a way to set those up for September 30, that would be great and if there is not, you know, get back to us and tell us what you are doing and what the

[3:48:20 PM]

process is going to be. >> Kitchen: So, mayor I would like a little more clarity around that. >> Mayor Adler: Okay. >> Pool: What I am asking Corey, really Corey to do is really to get back to us with a memo. Is it something you could get back to us in a week or so or where are you at on putting that information together for us? >> If I can -- I can certainly send a memo out by the end of next week. >> Pool: Okay. >> That would work. >> Pool: And with I would like to talk to you and contact you off-line. Others may want to participate as well but I would like to dig into the details so -- >> And councilmember kitchen, just to clarify, some of the difference with the audio is we are actually calling the individual. They are not calling us so they don't actually even have the

[3:49:21 PM]

number. The only time they get a dial in number is during the council meeting if this have lost connection and they e-mail me and I have confirmed that they are a registered speaker. Then I give them a code that allows them to dial back in, but previously, they don't even have a number. We are the ones calling them versus them calling us. So they don't have a number to share. >> Kitchen: I understand. So my question to you then, and you don't have to answer it now, is why could we not do the same thing for video? It is just a matter of the code that you are giving out. >> Well, because I can't call someone to have them join for a video. >> Pool: You can call and give them the code. I mean we can talk about this off-line, but that is one of the things I want to understand. So -- >> And I would just ask you to remember sometimes we have hundreds of speakers that you are asking us to call with a

[3:50:23 PM]

code. >> Mayor Adler: My sense we are not going to solve this on the dais, right? And anybody, Ann would like to be a part of this process and that's great but if you could get back to us about looking at -- I think those are the two technology questions, can people participate remotely and can people sign up ahead of time and technology take into cost, take into account security issues, but also talk to vendors and as councilmember kitchen said maybe talk to other people. You can imagine somebody is doing this somewhere to be able to find it but to see if you find that. We are just not going to be able to solve this on the dais. It is almost 4:00 o'clock and we still have the presentation on the urban thing and I just want to have sort of where we can actually solve or decide. Go ahead. >> Pool: I have one last question. I would also suggestion, if, suggest, if it is helpful to you and I know you you know what you

[3:51:24 PM]

are doing here, Corey, but if it is helpful to you you might also speak too the Austin tech alliance. This have helped us solve for other issues in the past and they may just have some information that might be useful for you. >> Thank you, councilmember. >> Mayor Adler: Councilmember Renteria. I'm sorry did you want to say something? >> Renteria: Yes, I also wanted, if the city clerk could also give us how many people she is going to need to run this operation. >> Mayor, just a word of appreciation for our staff that is working very hard, not only throughout this pandemic but as we transition back to in-person how we might be able to accommodate more of our community. I will just note for the memo that we will come back at the end of next week there will be some updates but it will also be what remaining questions and issues that we are looking into with some general time frame which we might be able to get you answers so just to manage your expectations that we are

[3:52:25 PM]

not going to be able to answer all of these questions by the end of next week but we should be able to outline some of these key themes we are hearing and what avenues we might be pursuing to help provide Claire difficult for council on a path forward. >> Mayor Adler: Okay. Thank you. So one of the questions, September 30th it looks like we will set those up for batches, councilmember tovo asked the question could we also do it in a hybrid kind of way? Can we also have people if they want to speak in the morning they can sign up and speak, and if they wanted to wait until the item came up they would have the opportunity to do that too. Logistically I am not sure exactly how to do that, Kathie. If somebody comes in and we have -- we think there is going to be a consent agenda and somebody wants to speak on something that ends up -- they don't know at that point whether it is getting pulled or not, necessarily. So they are here in the morning. They are able to speak on it in the morning, if it is not being

[3:53:27 PM]

pulled, but I am not sure they would know whether it was being pulled or not before they had to make the election to speak in the morning or not. Does that make sense? >> Tovo: Well, wouldn't it work the same way it did -- and I do have a question that I need to ask about Thursday before we move on, but -- wouldn't it work the same way it did before the pandemic where you know, you read out the consent agenda, you let us know which items have been pulled, because councilmembers having pulled them or because of the number of speakers, and then we hear from the speakers, you know, whether they are over the phone or video or in person, we hear from the speakers who have signed up on consent agenda items, as it is being pulled from the consent agenda but they want to speak about it now, they speak about it now, right? I think it works just the same way it always did with the exception of if we pulled item must be 90 because councilmembers have pulled it,

[3:54:28 PM]

we would allow that person to to speak mousavi even though we are not going to take it up later. I the I that would be the only change from our pre-pandemic process. >> Mayor Adler: What if somebody, what if an item gets pulled after people have spoken? And someone says, if you are going to pull it I want to speak later, but it hasn't been pulled yet so I am going to speak now and then it gets pulled later. >> Welsh I guess mayor we just do the best we can as a council. Usually when that happens it is a councilmember where you say, hey, your questions are more extensive than we thought so I think we should pull it. I mean, you know, I think we just are going to have to do the best we can to be really clear about which items we are going pull before, before the members of the public -- before we hear from them on the consent agenda and now and then there is going to be something that you know, we -- I mean, I think the times

[3:55:29 PM]

where that is going to happen are probably going to be -- we know what we will pull before people start speaking and sometimes we add to it but we will just all try to make a better effort of before people start speaking you know, have a really exhaustive list of the things we are going to pull. >> Mayor Adler: Councilmember Casar. >> Casar: I agree with that, if there is going to be -- if people want to stay and speak on a pulled item we just have them all talk them and unless I heard there was some inefficiency with that I think it works fine with that and sometimes it is more fresh and usually we have pulled it. I agree with I think councilmember tovo saying one change is -- is that folks could just speak in the morning, even if it is pulled for later, the second change that I had mentioned in my comments that I think is better for everyone is that if a councilmember -- if no councilmember on the dais are pulling an item that that speaker sign up and speak on it

[3:56:29 PM]

in the batch in the morning of, the reason being that either happens when all of the speakers are for it anyway and it is going to pass, so why have all of the staff and people wait? Or, second, if you know, a couple of speakers wants to register think a dissents but it is an 11-0 consensus, that item then is still gives the speakers an opportunity to talk but if no councilmember is interested in pulling it then we don't keep our staff and the item hanging out. I think those are the only two differences but I agree councilmember tovo, that often we might just have people who aren't going to say what the mayor says, I have waited 10 hours to give my two minutes and often there are a group of people who want to watch the vote and talk at that time and we can allow that at their choice. >> Mayor Adler: What we are going to do, so what I understand is, we do the two batches, we have the ability to be able to talk in the morning on those things in zoning and they can talk first. If they want to talk later, and the item was pulled, they get a chance to talk later.

[3:57:32 PM]

If they speak in the morning, and they don't speak, it ultimately gets pulled and that is going to be our discipline, so the other changes, speaker don't pull items, only councilmembers do, and we are all going to endeavor to do a better job of pulling things so that somebody strategically knows whether to speak now or whether to speak later. Yes, councilmember Kelly. >> >> Kelly: Yes not really to is circle back to what councilmember pool said but Corey if I could ask you a question real quick. Maybe you mentioned and maybe I am incorrect, but you said it is under development, the software you are possibly utilizing for videoconferencing, is is that correct? It is not fully developed yet, right? >> Councilmember Kelly, yes, I am speaking to the same vendor that we used for teleconferencing during the pandemic, is developing a system that, where they can manage

[3:58:35 PM]

bringing public testimony in via video to public meetings. This is the business of just what they do, and, yes that is currently under development and near completion from what I understand. >> Kelly: So I guess my concern there is it won't be ready before future meetings so I am wondering if in the middle you might be able to provide us with options that are similar to what our current vendor provides that might do the -- do the same thing if that is possibility. >> It is most likely the libraries will be ready to at least pilot some sort of program where we can allow public testimony from different libraries so that s'more likely solution, but I will follow up with the vendor and get back to you all. >> Kelly: Okay. Thank you. >> Mayor Adler: So another item for us to discuss might be how many time speakers have, what we have done for the last year and a half generally speaking is we have tried to do the meetings so that the speakers that speak in the morning batch, we try to kind of

[3:59:37 PM]

have the universe of time of people to speak such that we have a shot at actually being able to vote on the consent agenda in the morning and speakers have a chance to speak. If there were a lot of speakers in the first batch, in order to still preserve that opportunity, we cut back on the amount of time that those speakers have, but the goal was to try to get us 12, 12:30, past those speakers and past a quick vote on the consent, but not any of the pulled items because we can get to noon the more we can get to citizen communication speakers. The reason .. We did that was it gave us time for lunch, it gave us time for executive session and at two o'clock we had another batch of speakers that we needed to take, and we were trying really hard to get the first batch done in the morning before we had the second batch of speakers speak, so we had the speakers that speak at 2:00 o'clock will the afternoon,

[4:00:37 PM]

we tried to take a look and see how many of the items we thought were going to get pulled, they were going to have to be a part of our afternoon work in addition to those zoning cases that we had, recognizing that those speakers were going to speak beginning at 2:00 o'clock, and trying to limit us to just, you know, an hour or two hours on speakers, so that we had -- you know, if you have two hours of speakers speak at 2:00 o'clock it gets you to 4:00 o'clock in the afternoon and you still haven't handled the pull items from the morning or the pulled items on the agenda. So based on the number of items that the people seemed to be pulling that was on the agenda, and that -- adjusted that timing to be able to do the other, so it is how much time people have and then there was the question of when you spoke at that point did you speak on multiple items and have time to share so we

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don't see it all the time when we have multiple -- and we have some people that like the opportunity to be able to speak to us on multiple matters. Sometimes they get donated time, if you if you have one person who speaks for three minutes, gets one donated person, six minutes, and if they could speak on five different items they could have someone come to the dais and speak to us for 30 minutes in the morning or in the afternoon. And we just set up a system that recognizes that and has given everybody a chance to be able to talk, but at the same time has tried to preserve an opportunity for us to have a manner for people having a shot in having dinner with the family or being home in this job. So the three questions associated with timing is how much time do people

[4:02:40 PM]

have? Can it vary on days based on the workload that we have and people signed up. Can you shared time which we haven't done in the last year and a half. And you have to speak for everything within that allotted time or do you get multiples of that allotted time. Those I think are the three questions on speaker timing. Councilmember Fuentes. >> Fuentes: Thank you, mayor. Just to speak to the first one in looking at how we structure out day, I really like what you laid out, how we have been doing it this year in terms of looking at how many speakers we have signed up and trying to apportion their minute allotment based on the number of speakers we have so that we can take a vote on the consent agenda before noon. I think that's a really good way of doing it. For us to be more efficient with our council members and laying things out so we're able to discuss business before it gets really late into the night, taking big

[4:03:41 PM]

important votes late at night is something I hope that we could do very sparingly. So if we can plan out our day so that individuals know that if you're on -- if it's the consent agenda item you can speak in the morning and have that time frame allowed. That would be helpful. Thank you. >> Mayor Adler: Councilmember tovo. >> Mayor, I just want to point out, I don't know that we have a consensus on -- I think which are and I believe are the only ones who weighed in on the issue on how things get pulled from the consent agenda and I made my point earlier and Greg did then and that was the assumption on how we were going to operate. I think our approved council rules indicate that if two members of the public have signed up against something that it is pulled from the

[4:04:42 PM]

consent agenda. So that is something that I understand would require making a different decision, which if it's the will the group to do so we certainly could. I have some reservations about that. I would rather we come up with a different threshold if we found that we want to make that change, maybe it's two, five, something like that. As I think about the issues where we have overwhelming support if not an 11-0 vote, overwhelming support on council, those tend to be issues where there's been a lot of sometimes excitement in the community to talk about something, but I agree that it often takes away from our conversations about other issues. So I don't know that our time is best spent hearing from dozens and dozens of speakers talking about an issue where we know it's going to pass, but we have in the past made a decision to allow the public to

[4:05:42 PM]

participate in those ways. At the same time, there are times where those two speakers who have asked us to take a look at something on the consent agenda have raised a point that some of us haven't

thought of. I can't think of an example right now, but I believe there have been times where that actually opened up questions for our council that we then had to deliberate on. And even though it's just two people, those two voices can be significant. So again, I would just ask maybe that threshold isn't the right one, we could also -- there's also a work around here. If I'm the only one who is interested in that issue, I can try and look at the issues where people are signing up on it. And if we have a significant number of the public who are concerned about an item and have signed up on the consent agenda, but don't have ability to pull it,

[4:06:43 PM]

under rules I can pull that as a city councilmember so that I could handle it as an individual choice, but I want to highlight that that is a point where we've had two different opinions about it and it would be good to have more dialogue either today or in the future on it. And on Thursday I have gotten a question about video testimony as I mentioned, but the question really is this: Our rules are what they are. It's in-person testimony only in the past we've allowed a perfect to show the -- a person to show a video. I want to know if that's allowed. Can someone show up at city hall and then show video testimony from someone else? And I would assume consistent with our past practice the answer would be yes, but just want to make sure that it's still something we're set up to do. >> Mayor Adler: Yes. If that person has whatever their time allotment is that's theirs to use and they can certainly use it that way.

[4:07:43 PM]

>> We would just ask that those videos be submitted hopefully prior to the meeting so that we can get them moved over and ready to pull up so that we have them. >> Thank you. >> On the other question, Kathie, about whether people could pull their own items. >> Had tried to raise that in the last conversation we had and focused on that issue. But I'm happy that you've pulled it back up again if that wasn't something that was clear or decided. Which is why I asked you about -- I asked the hypothetical question on the scenario and I thought we had moved past it. But does it stop us from continuing in that conversation here? Abby? >> Kitchen: I wanted to say since councilmember tovo raised it, I had the same concerns she has with regard to pulling items.

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And I also feel like if we're going to -- I think some of our requirements are in writing. I thought we had a written policy. I thought we did this through a resolution. If if we're going to be changing things we need to do it with the resolution, I think, if I'm remembering correctly. On this one particular item that councilmember tovo raised, I do agree with her on that and not seeing a need to change it. >> Mayor Adler: You're right. We should pass a resolution and in any particular instance ways a body have a

decision to how we handle those kind of procedural rules and certainly that can always go to a vote of the council when we're together if anybody asks for that kind of thing. Offices I'm just trying to see -- I just feel -- I have always felt badly what people are waiting all day

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to be able to do something and then dinner comes and it's after dinner and they come up and I have always felt guilty as they testify and I think that [indiscernible] Some of the things have helped up. And there are always trade-offs involved in something like that. So I was comfortable as councilmember Caesar had suggested where people didn't pull items, council members can pull items if they wanted to. And then recognizing that on any given item any one of us can call anybody they want to to speak to it. But we can certainly see if anybody else wants to talk about that or we could take a quick vote on that to see where people were. Yes, mayor pro tem? >> Kitchen: Sorry, go ahead, Natasha.

[4:10:49 PM]

>> Harper-madison: I don't know that it's here nor there as it pertains to this particular line of questioning. I will say this, feedback from our constituents consistency the complaints are access or the lack thereof and how long our council meetings take. They cannot wrap their heads around why we deliberate what seems like endlessly over items. So I just wanted to put that out there as a primary source of complaint I hear from d1 constituents. Our meetings are just too long. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Yeah. I don't think we can vote rightfully on this particular issue you're raising. We don't have anything in backup and plus we're in a work session. So my thought is if someone wants to bring forward this change, if I'm remembering correctly, because I know

[4:11:49 PM]

we've voted in the past on various procedures. If there's a document on the various procedures, then if someone wants to bring forward that change, that's fine. We can vote on it at that time. I don't see how we can vote right now. >> Mayor Adler: I think you're probably right on that. If there's a consensus on if we need to vote on something, I think it needs to come back that way. What about timing? Does anybody want to diplomacy? >> Mayor Adler: I could come back with a list on how we've done it and people can make changes to and it there's a document for front of us for people to edit, we could post something to the message board in our long delay here. Does anybody want to raise any other issues or talk

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about any of the other elements? Donation of time, how much time speakers have? Whether one time for a speaker to speak on all their items? Councilmember kitchen? >> Kitchen: I think I understood you correctly. I just want to make sure that I understood. So if we're going to bring any changes up, we should do it in such a way that the public has the opportunity to comment on. And if we're going to vote on something. So I think that's what you meant when you were talking about posting on the hemmed. I just wanted to clarify that we would just use our normal processes and have something proposed that we were going to vote on so people would know we're voting on it. I couldn't tell -- I think that's what you meant, but I just wanted to clarify that. >> Mayor Adler: Yes, we're not voting today.

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The rules we vote on at the end of September will be the rules that the majority of the council wants to use. So just like we have a set-based policy that's kind of where we start from, and if there are changes from that, we've posted that recommendation ahead of time and the council could always say no to those things? Council can do that for the last meeting in September. And if anybody wants to raise any of those things for a vote we can have that vote. But I'll try to get something out that identifies all these various issues ahead of time. But the -- so we'll handle it the same -- not necessarily the same outcome, we'll handle it as we've been doing the last year and a half and before that where ultimately on any given meeting the majority decides how that meeting goes. All right. Anything else people want to talk about before we go to the next -- Jannette?

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>> Mayor and council, we will get back to you with options. I will reach out to other cities, but as far as I know I have not seen anyone that is doing video testimony. Most of them we're doing audio. And most of them are starting to come back in-person only with maybe an option for the audio, which will expire at midnight tonight. I will reach out to them, but as far as I have seen and heard, nobody is offering video at this time. >> Mayor Adler: Great, thank you. Go ahead and put that in the memo at the end of next week too. Myrna, did you have something? >> Yes. I guess since we're having this discussion, we'll need some dialogue or instruction in the near future on how we will proceed with boards and commissions. We need clarity from mayor and council and the law adapt they're meeting

[4:15:57 PM]

statutory requirements with regarding to also maintain virtual public comment. >> Mayor Adler: So I think it would be helpful too in that memo, if you could, to put in a section on boards and commissions.

Obviously the boards and the commissions are asking the same kind of questions for their meetings that we're asking for here. It gets more complex because some of those are televised and some are not televised. I don't know exactly how all the rules relate in the same kind of wait versus sovereign and not sovereign boards from state law. There are also some local requirements that we've put in that are not necessarily followed from state law, but I think generally the questions are the same. What flexibility, if any, exist for boards and commissions to have people participate remotely, speakers and/or members of the board itself, the

[4:16:58 PM]

commission itself. So if you could address that in that context, that would be helpful too and maybe that would help us put our arms around those issues in that context. >> And I will just close by just the reminder to everyone that as far as I can tell, we would be probably the first large city that would be trying to accomplish such a thing, so I would just ask for your patience because this is probably going to be a learning experience for all of us as we try to figure out how this is going to work and whether or not it is viable long-term. >> Mayor Adler: And I think that's real important so thank you. I don't think anybody necessarily comes into it prejudging necessity of that stuff, so -- any of that stuff, so some of the requests you may come back and say it's possible, but it's going to cost a lot and it's going to present security concerns and if you want to put in recommendations at this point from your perspective, that would be fine too.

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But to kind of help identify the issues for us so we could put our arms around it. Thank you. L colleagues. It is 4:20. Let's go to the pulled items from the mayor pro tem and the presentation on the east 11th street. Mayor pro tem, do you want to open this up or should we let staff speak to us first? >> Harper-madison: I think it would be helpful if staff could lay it out? Some of the subject matter really is just so complex, there's so much history behind it and it's multi-tiered. There's just so many layers, so I think them getting us sort of level set and laying it out will be helpful and then I'd like very much to follow up with my questions and concerns. >> Mayor Adler: That would work. Rodney, I'll turn it over to you. >> Thank you, mayor pro tem and mayor. We have Erica lake and Laura Keating from housing and planning department to present on the topic.

[4:19:01 PM]

>> Good afternoon, mayor, mayor pro tem, council. My camera isn't working right now, but we wanted to provide a short presentation about the recommendations regarding the urban renewal plan at east 11th and 12th street nccd's to hopefully make the conversation on Thursday. So we'll give you a tiny bit

of background and also talk about the differences and the recommendations between what the urban renewal board recommended, what staff recommends and what the planning commission recommended. So Laura cadetting will provide that -- Keating will provide that presentation and then be able to answer questions. >> Mayor Adler: Can everyone hear Erica? Okay. Keep going.

[4:20:02 PM]

>> Laura is going to take away the presentation if we can get it pulled up. >> Good afternoon, council, as they're getting this pulled up. I'm Laura Keating from the housing and planning department and thank you for taking the time for this presentation. As Erica said, we're going to go over -- broadly over the modification for the urban renewal plan and the east 11th and 12th street neighborhood conservation combining districts, known as nccds. This presentation will focus on where the recommendations differ between the urban renewal board planning commission and staff, but I'll be happy to answer additional questions about the changes to these documents after the presentation.

[4:21:08 PM]

So after providing some background I'll go over each item separately. At the end I'll touch on recommendations regarding existing single-family uses that applies to all three items. Development along these corridors directly east of I-35 is controlled by both the urban renewal plan and the nccds. The plan supersedes local zoning regulations, which includes the nccds. Currently the east 11th street nccd and the plan have conflicting regulations for some properties and this leads to a lot of confusion about entitlements. The council's previous resolutions initiating the zoning changes included the following goals: To update the 11th street nccd to maximize the value of nccd owned property.

[4:22:08 PM]

To allow regulation and align the plan with the zoning. Next slide. So beginning with the urban renewal plan, the boundaries of this plan which was adopted in 1999 aligned exactly what the 12th street nccd and with a portion of the 11th street nccd. Properties along I-35 and rosewood avenue are within the 11th street nccd, but not within the planning boundary. Broad changes to the plan include taking a definition section that's primarily related to land uses and replacing it with a land use section that mirrors the draft nccds. Site development standards, which are currently in the plan will be moved to the zoning and referenced by the plan. The process to modify the plan would be aligned with the rezoning process for

[4:23:10 PM]

ease much use in the future and many sections have been reorganized, outdated information has been removed and relevant information about changes to the area have been added. Next slide. The urban renewal board thought it was important to add a vision statement to the plan. The vision they developed was to champion sustainable revitalization reflecting diversity, achieving equity preserving east Austin's cultural history. The planning commission recommended some slight modifications which included adding community informed and compatible mixed use development. The board responded in an official letter that should be included in backup with agreeing with planning commission that development should be community informed, compatible and mixed use, but they just don't think that this language should be in the

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vision statement which is more at a higher level of the plan. Next slide. So moving on to 11th street, the differing representations touch on subdistrict boundaries, floor area ratio, height and motel-motel use. Here is a map of the existing subdistrict. There's no proposed change to the boundaries of subdistrict three which is shown in blue in any of the recommendations. It's also important to note that subdistrict three is outside the urban renewal plan boundary and there's really no proposed change to entitlements for this area. Next slide. As subdistricts proposed by the board and supported by planning commission convert the subdistricts four and

[4:25:15 PM]

two into one and two to align with adjacent properties. The recommended nccd proposes that subdistrict four will now be along rosewood avenue and this is just an avenue that is also outside the planning boundary. The recommendation also says that this subject will now be subject to their base zoning entitlements. Next slide. Staff supports the recommendation with the exception of the creation of the new subdistrict four. The application of base zoning entitlements in this area would reduce entitlements and create uses for the properties. So this is proposed to remain in subdistricts one and two. Next slide. As mentioned before, the urban renewal plan and the

[4:26:15 PM]

nccds have inconsistent regulations. The areas in pink on this map show the plan's project areas that have day-to-day regulations which supersede the nccd. This has implications for both F.A.R. And height, which we will review in the next slides. The current F.A.R. Regulations are very complicated. They vary between the plan and the nccd. And on some properties depend on the size and use of the site. For both

subdistrict one, two and three, the subdistrict is asking for removal of the limits to control the size of buildings. [Indiscernible] Has recommended specific f.a.r.s for each of these subdistricts, but these are the same or higher than current entitlements. So none of these

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recommendations would reduce entitlements, except for when it comes to subdistrict 4 as discussed earlier, applying base zoning entitlements would reduce entitlements for some properties and that's why staff is not supporting the creation of that subdistrict. Next slide. When it comes to height regulations, there are also inconsistencies with the plan and the nccd. The urban renewal board proposed height maximums based on context rather than subdistricts, and planning commission supported the board's recommendation. Staff also supports the recommendation with the exception of subdistrict four and we can look at those maps on the next slides. So this is existing height maximums. The areas in gray show where the height comes from the urban renewal plan rather than the nccd.

[4:28:17 PM]

Next slide. The board's recommendation is similar to current entitlements for subdistrict one and two, but provides a step down from 11th street to juniper street so that's why you see the blocks split in half and it's 60 feet along 11th street and 40 feet along juniper. This recommendation is also supported by the planning commission. Next slide. Staff recommendation only differs along rosewood avenue where staff supports height maximums remaining the same. Next slide. Moving on to uses, the urban renewal board is recommending that the hotel-motel use is permitted with conditions in subdistrict 1. The planning commission has recommended that this use is conditional use neighborhood concerns about a cocktail lounge being an accessory

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use to a hotel. Next slide. So looking at 12th street, the points where the recommendations differ are similar. The recommendation for a liquor sales use no longer differs, but I will go over the deliberation behind that use. Next slide. In terms of F.A.R., properties within the plan areas shown in pink do not have F.A.R. Limits. All other properties are subject to their base zoning. Next slide. The board's recommendation is that F.A.R. Limits are removed to provide consistency for adjacent properties. The planning commission recommended that base zoning standards apply to all properties. Staff supporting the board's

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recommendation because it carries forward entitlements for most properties. Next slide. In terms of height, the board and the staff recommend no change to the height maximums which are shown here by subdistrict. Planning commission did recommend that subdistrict two's height maximum be reduced from 50 feet to 35 feet, which would effect most of the properties along the northside of 12th street. Next slide. I also wanted to highlight the way the uses are allowed on 12th street is changing significantly. Currently uses are allowed through their base zoning, which within this nccd is primarily cs zoning. The nccd provides additional restrictions by prohibiting certain uses. Additionally the nccd has a list of pedestrian-oriented

[4:31:19 PM]

uses that only apply to parking garages to ensure an active street. Next slide. The proposed nccd will function more like 11th street which lists the allowed uses within the it could. The intent is to encourage uses that create a pedestrian oriented environment with neighborhood services. Unlike 11th street the use must also be allowed in the base zoning district of the property. For sf-3 properties the base zoning properties apply in lieu of the permitted use table in the nccd. Next slide. Similar to 11th street, the board recommended that hotel-motel use be permitted with conditions and the planning commission is just also recommending that this

[4:32:20 PM]

is conditional along 12th street. Next slide. The board's original recommendation was to make liquor sales conditional on 12th street. This use would also need to be allowed through the base zoning so only a few properties would be affected. Planning commission recommended that this use be prohibited which is the entitlements for today. So after reconsideration the board supported carrying forward the prohibition of this use so there's no differing recommendations. But it has been a part of this public discussion. Next slide. Staff has received a number of petitions against the 12th street nccd. We are still working to validate petitions and calculations will not be complete before your council meeting on Thursday, but

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staff is seeking some direction on first reading so we can begin to prepare the ordinance for second and third reading. Next slide. Next slide. So the last item is related to existing single-family uses. The urb created a section called the save and except section that would allow specific addresses to have existing uses remain permitted regardless of the use table. PC also recommended that all single-family uses can

rebuild and are not limited in any way by non-conforming standards. So the urb's intent with the save and exemption -- save and except provision aligns with the PC's intent. So staff is currently reviewing the draft to make sure that all existing homes

[4:34:23 PM]

are included and we're also working with law to see how we can best implement this intent through the language in the ordinance. And with that I can take questions. >> Mayor Adler: Mayor pro tem. >> Harper-madison: I didn't know if Erica had anything she was going to contribute in addition to. Should we go ahead and start? >> Erica, did you want to say something else? >> Hi, everyone. I'm back in the system. I didn't have anything to add, just that we're available to answer any questions. >> Mayor Adler: Okay. >> Harper-madison: Thank you, I appreciate it. In which case my first question is -- first of all, thank you guys for walking us through some of the

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challenges with using -- with this whole subject matter. I know that it's complicated to say the least. So thank you for the presentation. Can staff talk about the challenges of using affordable density bonuses in the urban renewal plan area and what steps would we need to take in order to allow the use of affordable density bonuses? >> Trish, would you like to take that one or would you like me to do? >> Tricia Lange with the law department. The urban renewal plan would need to authorize the use of the density bonus programs. >> Harper-madison: That

[4:36:23 PM]

gives me a second question about making changes to the urban renewal plan. >> As in how difficult that would be? >> Harper-madison: Just speak in general how difficult would it be? Is it possible, what would it require? Is that a community led effort, a council effort, council action? So the city manager, could you just speak generally to how the process works? >> I think [indiscernible] is going to answer that question. >> And Trish, if you want to chime in, certainly let me know. So I'm not sure I can get to all the specifics of that, but basically there are overlapping regulations that do supersede one another so as Tricia mentioned, we would need to have a change

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the regulations so that the regulations that are most binding -- that may not be quite the right word, would allow for the density bonus program. It wasn't our understanding that that was part of the direction provided by council as part of this process. So that is certainly one of the reasons that we didn't look into that. If council was interested in that it would I think require additional conversation and amendments. I don't know if it's posted on Thursday to be able to do that. We would need to look into that. And perhaps we could do that while you ask other questions.

[4:38:33 PM]

>> Mayor Adler: You're muted. Mayor pro tem, we can't hear you. >> Harper-madison: Oh, thank you. I was just saying I don't know that that answered my question. I'm trying to figure out how to articulate my question more clearly. I'll move on to the next one and think about that a little bit more. If I speak to my intent you might be able to reverse engineer it and get to the response. But my next question is what is the proposed height limit for blocks 16 and 18? >> Yes, the proposed height limit for those blocks is 60 feet on the southern half of the block facing 11th street and 40 feet on the northern half of the block. >> Harper-madison: I'm sorry, can you say that last part again? >> It's 40 feet on the northern part of the block facing juniper street and 60 feet facing 11th street.

[4:39:35 PM]

>> Harper-madison: Maybe you can help me with the rationale for not ensuring the height on those blocks for the flexibility and the ability to achieve the greatest amount of affordable housing possible? >> Yeah. So because the nccd waives the traditional compatibility standards that applies citywide, the height was calibrated to mimic those compatibility standards while still providing for some flexibility. >> Harper-madison: Compatibility standards based on -- did you say citywide? Compatibility standards? >> The nccd waives the height and setback parts of the citywide compatibility standards. So then height was applied based on adjacencies to mimic the compatibility standard. >> Harper-madison: But the

[4:40:37 PM]

entitlements on those tracts would have the height at what? >> The current entitlements? >> Harper-madison: Uh-huh. >> The current entitlements differ. In some situations they're panelist in the -- they're 50 in the plan. The current nccd has its own compatibility standards. So I would have to maybe dig into the details and get back to you on the nccd question. >> Harper-madison: That would be helpful. Thank you. I know that at least one has expressed some concern that we potentially lowered the height on those tracts so I would like to be able to speak to the rationale for doing so very clearly. And then my last question before I go back to my previous question about the change with the urban

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renewal plan, on 12th street the use for college or university facility is permitted only on the second floor of a building. As opposed to not permitting it on the ground floor of a building. This seems very oddly specific to me. And I'd like to understand the rationale behind that specificity. >> Yeah. So many of the uses are owe they wanted an active street site. So if it wasn't an active pedestrian use it's only permitted on the second floor allowing for retail and other services on the main floor. So that applies to many uses that are only allowed on the first floor and only allowed on the second floor. So those can certainly be reviewed, but that was the intention behind that?

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>> I appreciate that explanation, and can you speak to that review process, please? >> I just meant if council wanted to review any of those uses they could provide us more direction on first reading. >> Harper-madison: Thank you, I appreciate that. And I -- I'm not sure if Erica, if you've thought about my question with change in the plan. I didn't quite -- I wasn't able to glean what the -- procedurally what does it look like step by step, what has to happen. That's what I was attempting to ask and I don't know that I articulated that well earlier. >> So Trish can address that. >> Harper-madison: There was somebody else earlier who started to respond, it was a man's voice, I don't know who it was, but somebody who said maybe I can answer that or somebody

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else can answer that. I didn't hear. I hear you speaking. >> I said that Erica leak was going to take that question. >> Harper-madison: I see what you're saying. I'm hear to hear what Trish has to say. Maybe it will help to patch it all together with a complete understanding. >> So mayor pro tem, the council could add affordability unlocked so the urban renewal plan amendment that is before you this week. So an nccd today can utilize affordability unlocked and the amendment that was before the council is to align the plan with the nccds. We would not be able to go beyond that, but we would -- the council could add affordability unlocked to this particular modification that is before you this week.

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>> Harper-madison: Thank you, I appreciate that. To be clear, you said this week. So this process could include adding affordability on it? >> Correct, Thursday council could include affordability unlocked into

the urban renewal plan. >> Harper-madison: I appreciate that response. I have a few other questions, but I'll slap them together and send them over to you guys as a group. Thank you. >> Mayor Adler: Trish, is the limitation on what we can do this week on the questions that the mayor pro tem is asking, is that because you can't change the plan or the posting language is just to make it conform to the nccd? >> The posting language is to align the plan and the nccds. So if council wanted to have a separate density bonus program just for this particular plan area, we would need to go back and get the recommendation of the urb and the planning

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commission. >> Mayor Adler: So we couldn't just change the posting language for second and third reading? >> Let me think through that and see if it would work. The concern I have if we created something new for this particular plan area is we would not have the recommendation of the board or the planning commission. That being said, though, council could on first reading add in affordability unlocked to the plan. >> Mayor Adler: I understand that. And I don't know that we would want to do it, but if you could check that posting language question I would appreciate it. Colleagues, anything else on this item? Staff, thank you for the presentation. Mayor pro tem, thanks for pulling it. Kathie, did you want to do 13 here? Is that something -- do you think it might take a long

[4:46:43 PM]

time? >> Tovo: I don't believe so. Is this our last item of the day, mayor? >> Mayor Adler: Yes. >> Tovo: So I pulled this item because I have some questions about it. It appears we did a similar one for the same film last year, but I don't believe we had conversation around it. And I need some help understanding some of the criteria that we're using. So this is an item that would -- would give \$213,910 to walker Texas ranger series under the creative content incentive agreement. And this is not something we've done a lot of and I need to ask staff a variety of questions including as I look over the requirement guidelines it looks as if they may date back to 2014. I'm looking at some of the references within there they are talking about how much is going to be set aside for the program in fiscal year 2014 and as it becomes relevant for a variety of ropes. One is that I think it's

[4:47:43 PM]

always important to revisit some of our incentive programs and determine whether this use of general funds is still the right priority. Two, because as I look at it, some of the requirements and some of the guidelines that this would have to meet are outdated in terms of our wage requirements. So for example, the film and television projects need to be -- on need to pay at least union wages which I assume this particular awardee fits that piece of it, video game and visual effects project only need to

pay workers \$11 an hour, which is out of step with our current program requirements. Throughout the city. So staff, can you help us understand -- either in the course of this conversation or through the q&a, what our history has been of making awards under the creative content incentive agreement?

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Is this still a priority that we should be using for our really scarce general fund dollars and if so why? And then with all of our incentives I know we've talked in the past about what they should be meeting the but-for requirement. So is this a program that wouldn't be filmed in Austin if we don't provide that \$213,910 of incentive? I don't know if staff have comment they want to make now or if they would like to make them in the q&a. I also need to know whether it talks about the amount of wages that would be spent in the five county msa area, but in looking over the incentive program guidelines they talk about a local spend about the creative incentive needs to be a percentage that is capped at

[4:49:44 PM]

a particular percentage for a local spend. And of course the five county msa is local, but in terms of our dollars, I would really want to know what that local spend is in terms of city of Austin ways and means or ways and means to city of Austin residents. >> So mayor and council, we have economic development staff that is logging in. I know we've got chief economic recovery officer Veronica Briseno on the line as well as other staff that are joining. >> Good afternoon, council, Veronica Briseno, chief economic recovery officer. I will have staff joining me to specifically answer some of the questions. I think that overall the need for a program like this, when we're looking at economic development tools, the creative incentive program in particular we consider important it because it's a way to really

[4:50:44 PM]

emphasize the work that we're doing in our creative economy, a way to encourage the growth of our creative economy. In the case of this particular project the walker programming, it is something that was filmed in Austin and was decided to continue filming in Austin. In regards to -- it looks like we're having difficulty having staff log on. In regards to the history of the program we have the q&a if helpful as well as the specifics on the spend in the Austin proper. I can give you those answers in q&a. >> Tovo: Thanks. I'd also like to know what kinds of arts productions have received the creative content? Is it just film? You talked about the creative economy. Have our incentive creams in the past for creative agreements helped to subsidize anything other than films, that would be another question I have as you answer the hit one.

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So -- the history one. Thank you very much. And how about the but-for requirement. Is this a film that will not go forward absent this incentive? >> We've got perfect timing. Kyle just joined us so I'll ask Kyle to answer that question specifically. >> I apologize. I was trying to join the webex meeting.

Councilmember tovo, could you repeat your question? >> Tovo: Yes, I think there were a couple of I think given the time I will need to follow up in q&a. The question I just asked is we often talk about our incentives programs that incentives should be offered if we meet the but-for requirement. So is this a film that would not be moving forward if not for this creative content incentive that the city is providing.

[4:52:48 PM]

>> So he want to introduce myself, Kyle Brandon with economic development. Based on our conversations with [indiscernible] Productions and CBS, we believe that this is a project that would not happen but for this incentive. Additionally but for this incentive we believe that we would not be able to secure the wages that are being paid to local residents as expressed in the company's application. >> And it's about a 26 million -- so the 213,000, \$214,000 that we're providing to this almost 26-million-dollar project is critical to it happening? >> We believe so. Additionally the amount that we're reimbursing to the economy is an investment of the economic impact that the city is seeing as a result of that spend here locally. So based on an analysis, [indiscernible], we're

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estimating that the city will be receiving a total of \$260,000 in direct and indirect revenue as a result of this project. So we're reimbursing a portion of the revenue that we expect to see as a result of the company choosing to commit to the city and the program overall. >> Tovo: Okay. I would be interested in seeing that analysis as well as the answers to the other questions. In particular I'm interested to know how it is that there are other criteria specified in the incentive guidelines in terms of application to the Texas film commission for film incentives and some other things, and I would like to ask that specific question about wages -- wage requirements and whether this is just an old draft from 2014 and those wage requirements have been updated or if the wage requirements for this program just haven't kept pace with our other wage

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requirements. >> I would have to get back to you with response on that. >> Tovo: Okay. Thanks very much. If that information could be provided in the backup and the q&a, that would really be helpful. The

other examples that are cited here as shows that have really helped drive tourism to different towns or -
- it's Wilmington, Delaware is such a much smaller town so I'm really wanting to understand better how
this investment really plays out here in the city of Austin. Thanks so much. >> Mayor Adler: Anybody
else have any other questions on this item number 13 for right now? Hearing none, colleagues, I think
those are all our pulled items and other things. I think we can adjourn this meeting now at 4:55 and
we're done for the day. We'll see -- we'll be together on Thursday.