

City Council Work Session Transcript – 12/10/2013

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We're meeting in the board of commissions room, austin city hall, 201 west street, austin city, texas. The first item on the agenda is preselected agenda items. I have only one at this point. That is item 70 pulled by councilmember morrison. >> Thank you, mayor. Item 70 is the item to approve our recommendation to google the community connection site. We had it on the agenda, councilmember riley and I had it on the agenda and we postponed it so folks could have more time. So I'm not sure where folks are on it. But a good one is make sure everyone know that actually one of the organizations that was on the list that we had recommended from ett has withdrawn their application. So there is -- there are only 99 items on the -- on the backup that we had for the recommendation from council which we're looking to adjust as needed. So there is an open spot. I don't know what folks are thinking about it. Some had risen to the top or adjustments needed to be made. But we do have one spot. >> What do you envision that process to be? The additional spots? >> Well, for this spot, I would envision that through discussion and recommendations from council that we add another organization to the list. This foresees the possibility that some of the organizations may fall off eventually. They're in a fiber that's going go ahead. Once that happen, we have in the resolution that ett would

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consider different ideas, we figure out how many spots are open, ett would make a recommendation and council would approve it. I know there's been some ideas thrown out there. I would see something to the effect helping us before collecting the ideas before ett considers them. I would like to say that we did ask everyone to submit an -- all of the organizations to submit an application. And that helped us understand what the organization expected to envision. We would have spots open up, we would have a way to connect with organizations we were interested in adding for those kinds of things. >> And I would personally like to see that changed to allow any councilmember to submit a recommendation to staff. And if at that point you want to have it reviewed by the emerging technology committee, that would be okay. But I would like for -- for example, I have one right now that I didn't know until you mention it there was an opening, that I would like to submit and that would be the austin regional intelligence center receiving the application from them. That seems to be -- to me to be very

appropriate use for this kind of capacity. So that's what I like to see evaluate as a substitute on the initial -- >> on the initial list? Or well two things, mayor. We could certainly change the resolution so that it suggested that any councilmember that is having ideas to fill out the list eventually. Commit those to staff so they're all present before ett took a

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look. With regard to arik, you're saying we received an application. >> We received one, yes. So if you could -- if you could make that change in the backup resolution, that would be perfectly happy to leave it on consent. >> Okay, that's great. And I -- do you have specific language or would you like me just to -- >> just specific language, as I said, you might be able to say it a little better as long as it says that. >> Morrison: Will do. >> Mayor Leffingwell: Councilmember martinez? >> Martinez: I wanted to ask councilmember morrison if the organizations that aren't part of the 100 recommended, is there a prioritized list of those? >> Morrison: There are -- >> Martinez: Or just names in not in any specific order that didn't get selected? >> Morrison: They were all divided to four categories by staff. They were evaluated by staff. So that information about the evaluation is available and those lists are in rank -- in order of the staff scoring. Not so much of a scoring, more of an evaluation. I thought -- staff is here. I thought were those made available to the different offices already? >> Good morning, yes. Council offices did receive the total list of applicants earlier or late last week. So the organizations that applied. >> Did you run down and provide all of the application s? >> The list of original applications were include in the information >> Morrison: And did you include the breakdn by staff?

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>> Good morning, we can absolutely provide that. >> Morrison: Okay. >> To council. >> Morrison: Okay, so you seal that for the ett recommendation, we sort of fundamentally started? Do you think that's the starting point if I didn't mention it before? We juggled a lot to get us back around and to make sure there was one approach of only one per organization so you'll see it doesn't go exactly as the rank order there. >> Sure. We have 310 applications. So 100 to get to was a difficult process. But we made our best effort. >> What -- >> Mayor Leffingwell: What would be the process for considering the regional intelligence center as one of the original 100 now that there's an opening? >> That's certainly council's discretion to add the organization. There are a couple of criteria that google requires that this connection not be any critical mission employed over this connection. Because if there's downtime -- if there's any service that is critical google is going to provide technical support to this connection. It's 24/7 telephone support. But if it requires for them to come out and do an on site, it could be next day of service. That's one criteria. I don't know what type of information would be -- >> Mayor Leffingwell: Could you make that evaluation before thursday? >> Yes. >> Mayor Leffingwell: All right. >> Tovo: Mayor? >> Mayor Leffingwell: Councilmember tovo. >> Tovo: I'm not clear. 300 people applied, the committee, staff ranked them, and said the committee evaluated them and juggled them to make sure we were recovering the priorities, is the applicant they're suggesting, did they apply by the process. >> Mayor Leffingwell: They were unaware of the -- of the

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potential to make that up, the applications, so they didn't. But it occurred to me if there's any organization in the city that could better utilize the service, it could be -- certainly there's an organization that crunches a lot of data and they feel like it would be real asset to their operations. >> Tovo: I imagine it would be an asset to a lot of organizations, operations, but it sounds like we have 200 other applicants who got their applications in, went through the evaluation process. And what we would be doing if we consider this one on thursday would be to side step our process which it sounds like it -- >> Mayor Leffingwell: I'm willing to go through a process to consider that organization along with the others. I was just responding to councilmember morrison is what ill thought was her suggestion there was an opening right now and was a potential to fill it right now. But I never expected that. I expected it to just be in the hunt, so to speak. >> Morrison: Could I clarify? >> Mayor Leffingwell: Yes. >> Morrison: My preference is to stick with the process and only consider the folks that did apply by the deadline. That is what we adopted by resolution. Obviously council can waive that. There are one of the -- actually two city facilities that didn't apply that I would really think would be very interesting. One, the asian american resource center. And second, the airport. So my druthers would be to leave those for a later discussion if spots open up. And, mary, you said you had an application from arik, is that something that could be shared with all of us >> Mayor Leffingwell: I don't

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have it with me right now. But I can get it to rhonda. >> Morrison: Rhonda, if you can get it to all of us, that would be great. That's another thing, all of the applicants took a lot of timex plaining in their application of what they envision using google fiber for. That's one of the things wee to juggle in terms of where were the really exciting applications, where were there ways that service could be enhanced. So having the application available >> Mayor Leffingwell: Okay. >> All right, so staff will be considering or moving forward with 99 site recommendations and following up with et&t for the recommended additional site? >> Morrison: No, on thursday, I hope we have a list of 100 that we get council approval of. But it's my understanding that the mayor will provide the arik application to staff who will make it available to everyone and then we can have a discussion on thursday as to do we want to approve 99 or do we want to approve 100 and what would they be? >> Mayor, if I could add? >> Mayor Leffingwell: Sounds good. Councilmember spelman? >> Spelman: Thank you, sir. You would look at any applications that show up before the close of business and scoring the 310 you had in the first time? >> Council's desire. >> Spelman: That's what you were suggesting, mayor. >> Mayor Leffingwell: Yes, that's what I would like to see. Open to suggestions. I heard the one about the american resource center too. That's an excellent candidate as well as the airports. It looks like it's not going to be there now so -- all right. So that's all of the items. I have a couple of quick questions on some other items that were not pulled and just take a lot of time with this. First was the -- again, the item, councilmember spelman on

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the oak tree. I guess there was some -- are you talking about an \$85,000 total cost of the moving of the

tree? >> Spelman: Some of it would be private money, some would be a fund established for this purpose, yes, sir. >> Mayor Leffingwell: So that's from the tree mitigation fund that's established. That has a total cost. >> Spelman: I believe that's the total cost of the moving of the tree. We're asking the city manager and staff of whether or not this is a good idea. >> Mayor Leffingwell: Okay. It has to be done before december 31? As I understand it? >> Spelman: Tx-dot is going to start building the ramp december 31. If it's not moved, it's coming down. >> Mayor Leffingwell: Okay. Item 80, I believe, is councilmember martinez. Just a quick question -- I'm not sure you had the total vision of this. There's a statement in there that the standard for exclusion would be high and just the -- do you envision as the author of the resolution that a high standard of exclusion would be removing traffic lanes and removing lanes from traffic that were critical? >> The complete screech program was the program that came to town last week. Staff uses that as an option today. That is not what this contemplates. This is not directing the city manager to work with staff to identify lanes that we can move. It's counterintuitive. Complete streets about an improved flow of traffic which could include the flow of traffic. >> Mayor Leffingwell: I wanted to make sure that's a factor. Obviously there's lots of -- I

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personally live on a street that has been for a long time discussed that the discussion has been about adding sidewalks and so forth and in my neighborhood, it's been opposed to it because it would require the removal of a lot of heritage trees and so forth. That would be potential for seclusion. >> Martinez: And there would be values as it relates to the complete streets program. One could be the heritage tree policy runs in contra to the ability to create wider and more walkable sidewalks if there are heritage trees in the right way. All of those have to be contemplated. It's not saying ignore one policy over another. It's not saying implement one over the other. It's simply a complete streets. It's just kind of a program if you will that's being brought to different cities and we have an all-day conference with many council and staff and attendants, including yours. >> Mayor Leffingwell: Including me. The reason this is a concern for me. I know in the last few months, we have lost a lot of parking spaces, a lot of lane miles, especially in the downtown area. And I think that's something that we had a lot of criticism about. I want to make sure we go slow and be careful with evaluations before doing this p things lineback that. >> Great point. This does not say anything about moving forward and implement. I would expect anything of magnitude like reducing a lane would come back to council before briefing and presentation, possibly even action by council. >> Mayor Leffingwell: With that explanation, I'm happy to look personally I'm happy to leave that on consent also for

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thursday. One more quick one. >> Very quick. >> Mayor Leffingwell: The great wall controversy on item six. We received a letter today, I believe, from the executive director of ctoma. Expressing his willingness to conduct a process. It's complex, if we don't do it just right, we don't have the ability to do the wall from a to b and then from b to c. That may involve loss of funding for the entire wall section. So at that - I think we're okay on that. We have to have that discussion. But I think it has to be done with those factors in there. >> Tovo: Mayor? >> Mayor Leffingwell: Councilmember tovo. That's exactly right. In one

of the meetings where this conversation came up, the ctma representative said they would have to check with the department of transportation -- department of highway administration, rather, and see whether a redesign of that sort would impact the funding or whether just doing the southern portion would meet the reasonable and feasible tests. And that could continue to be constructed if the northern portion -- if the city withdrew the approval of the northern portion. But they were quite willing to go and have that conversation and -- >> Mayor Leffingwell: At this point, we don't have answers to these questions? >> Tovo: Right. But they are -- it's my understanding they are moving forward and getting some information and this resolution really just signal that we are revisiting that decision and we look forward to getting that information back.

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>> Cole: I have an observation. >> Mayor Leffingwell: Councilmember cole? >> Cole: Are we deleting that survey portion and allowing to go with rma to give us that information? Or how are we addressing that? >> Tovo: Our resolution asks the city manager to go be forward and repull our residents north of bullard. Ctrma did what they were required to do in federal standards which was to pull their residents in a resolution through certified mail and sending in the ballot. And they have -- that would probably be a good question for them. But it's my understanding they're not in a position to be in that poll. They did it once, they did it according to the federal standards. And if they reopened, they're starting to repull residents, it might require them to pull residents up and down the sound wall. Our resolution asked our city manager to repoll those residents, make sure that the resultsish that the neighborhood stand true, that many of the people north of bullard have indeed concerns about the construction of that sound wall, and if that's the case, we can evaluate what to do. >> Cole: So passing this resolution now does not conflict with the additional district that the rna has to do and the implication they have to give us. >> Tovo: Not a bit. While the city manager is repolling those residents, tx-dot will have information about whether the southern portion -- construction of the southern portion of that wall would meet the reasonable and feasible test and could consider federal dollars for its construction. >> Cole: Okay. >> Mayor Leffingwell: Any other comments before we go to briefings? Councilmember tovo? >> Tovo: I have a quick question about the tree resolution. So if that would need to be determined by the 31st of december, what action we won't

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MEET AGAIN UNTIL AFTER THE 12th. The city manager could find it reasonable or feasible to come up with the money. >> Mayor Leffingwell: My understanding that the amount of money required for the tree fund is smaller than the manager's capacity to do on his own hook. He wouldn't have to come back to council to commit that money. >> Tovo: How -- >> Mayor Leffingwell: The resolution authors it manager to spend up to \$85,000. The resolution makes that observation. >> Tovo: So it does authorize the expenditure of the city manager funds if it meets it criteria for those funds? >> Spelman: Yes. >> Martinez: Mayor? >> Mayor Leffingwell: Councilmember martinez. >> Martinez: I wanted to talk -- I won't be able to stay for the bir work session. I wanted to talk about bringing up 23. It's going to the parks board tonight, before animal advisory tomorrow evening. Not sure if all of you are hearing from

the amount of folks I'm hearing from, but it seems to be a level of discomfort with moving forward as it's presented in the backup, one regarding the leasing and two, regarding the event, fun fun fun that takes place every year that has not been accommodated like urban music fest and regea fest have been supported. We haven't worked out an agreement with fun, fun, fun fest which an annual event also in that area. I wanted to see if folks had any suggestions or thoughts about how we would move forward thursday if at all possible. >> Mayor Leffingwell: We ought to postpone this item on

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thursday which is what I'm going to be asking for. >> Martinez: Because of the subject matters? >> Mayor Leffingwell: Yes, because of those. >> Tovo: Mayor? >> Mayor Leffingwell: Councilmember tovo. >> Tovo: If I could, I wanted to add another concern that you all are hearing a about this. That is the connection to -- the extent to which the contract that parks department entered into may describe that area as an events venue. And so I'm certainly hearing from a lot of neighbors who are concerned that what it is -- what we're contemplating may in some way change the number of event days that are allowed each year. That also merits careful consideration, trying to parse out those issues, I think, is really critical. But it's a long-standing agreement with the community that only a certain number of event days will take place on auditorium shores and I want to better understand whether any that we're doing, whether it's the parks department contract or consideration of accepting the funds or the master plan is going to, in any way, open up that forum for a rediscussion. Because that in my mind is a much bigger issue. >> Mayor Leffingwell: Okay. >> Morrison: Mayor? >> Mayor Leffingwell: Councilmember morrison. >> Morrison: The issue of the contract and how it benefits is also raised in the end. I wonder if we could make that contract available to all of the councilmembers at least there seems to be some concern that maybe it was something that just happened in isolation and I figure better to get it on the table and make sure we all understand it. Mayor, I wanted to answer a couple of other thing, one, just to let my colleagues know -- we have the commodore perry estate zoning case coming up, 102 and 103. And you have made -- i79's been three years of controversy or

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two years of controversy. And I understand it now, there is a large group in the neighborhood to support and working with the applicants and develop them and come up with a long list of agreements that were made. There's also a group -- there's a much smaller group of folks that live nearby that were still in opposition. I have opportunity along with councilmember tovo to bring the applicants and those neighbors together and sort of buckle down and see where the disagreements were. And they have come one a tentative list of items that the neighbors felt could bring them to the point of not opposing it. And so it's my understanding -- we'll be meeting, actually, again this afternoon or wednesday afternoon to hammer those out. But it's my understanding that the druters of that group of neighbors and the applicant would be to go ahead with first reading and just make it, you know, get all of this on the record. But leave the public hearing open and so that is certainly what I'll be supporting on thursday. Hopefully we'll get a good resolution on that item. >> Cole: Mayor? >> Mayor Leffingwell: Councilmember cole. >> Cole: I wanted to go back to the auditorium shores. In the past, we had an

advisory committee. What is the status of that. Anyone from the parks board here? >> Mayor Leffingwell: Indeed we do. >> We didn't have staff here. We didn't realize this item was going to be discussed or pulled. I apologize. We'll happy to follow up and get

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information. I know the task force has been involved. I think when this plan was presented to council if you recall, they made a recommendation or supportive of the efforts moving forward, but I will make sure and follow up with staff and get you the information that you need on this. >> Cole: Okay. We have heard from people on this. We all have. It would be beneficial to have that. >> Morrison: Mayor? >> Mayor Leffingwell: Councilmember morrison. >> Morrison: The item number 131, the vested rights ordinance. And I think we all received a request for another postponement from ricah and staff put in a request to postpone it. I wanted to point out that it's been a couple of months, I guess, at this point, that oh staff has been working with ricah to come to terms with something that would be agreeable. I'm going to support that. But at some point I'm going to be interested to find out those discussions that have been ongoing for a long time, where they are, you know, what the sticking points are. So frankly I was interested in getting that on the cable on thursday. I don't know if there would be another way for us to get a status from staff on those discussions given the -- given the request. >> Assistant city manager. We'll get you a status in writing before thursday if that's helpful. >> Morrison: I would appreciate that. There are other stake holders besides ricah in all of this that have concerns about it. I want to ask staff to reach out to them and get conversation about where they are on the

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ordinance. And especially if there are going to be recommendations from staff based on the discussions from ricah. It would be great if we could get the broader discussion facilitated by staff before it goes back to council. >> Councilmember, we can do that. I know they have met with other individuals and other groups. But if you have specific ones that you have in mind if you let me know, that would be great and we'll get that done. >> Great. >> Morrison: And maybe the flip side of that, you can tell us what groups -- >> Mayor Leffingwell: Talking about potentially postponing. >> Ricah and fas have requested a postponement. >> Mayor Leffingwell: A good answer for now. A good question to answer next year. >> Morrison: Like in december, mayor? >> Mayor Leffingwell: Any time next year. Councilmember riley? >> Morrison: To go back to the auditorium shores item. If the item is going to be postponed, it would be helpful to get a memo from staff before the next meeting that lays out the discussions that both the parks board and the animal advisory commission along with relevant considerations. The restrictions, a summary of the restrictions that councilmember tovo mentioned on the concerts and the plan is for that. It would also be helpful to know restrictions applicable to the whole other park area in general across riversides is related to the discussions with transmission. The memo could also let us know where the discussions stand. Have we been able t work out an agreement. If not, why not? And I understand the partners are continuing to work on a long term plan for auditorium shores so it would be helpful to get an update on that. So we take a little more time and be helpful with background information from staff before we make a decision on that.

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>> Mayor Leffingwell: That's a good idea. I would like to ask we don't consider that item until January 30. Councilmember Tovo made a motion at the last meeting for me not TO BE ABLE TO ATTEND THE 23rd. So she didn't think I needed to be there. So I would like to be there for this item. >> Riley: Mayor? >> Mayor Leffingwell: Yes. >> Riley: One other item I wanted to mention. Item 67 related to the project. >> Mayor Leffingwell: 67? >> Riley: 67 is the item relating to the recommendation for Project Connect. I have had a request for a time certain on that item. And the request was that it would be sometime after work. Say 7:00. I understand we do have a briefing in the morning? >> Mayor Leffingwell: I would like to have the briefing and have the item immediately follow the briefing so I envision setting it for tomorrow or Thursday morning. We had the briefing at 10:30, then considered the item. That would -- that would be my preference. >> Riley: Okay, I wanted to put the issue out there. I know some folks would be interested in being here for that. They're going to get it if they'd rather have it after work. >> Mayor Leffingwell: I'm in favor of a time certain. I know there are people on both sides of the issue that would like to be -- like to be heard. And I think it's very important because this is basically potentially a make or break issue for -- for real in our lifetime. And we need to go ahead and consider this item so we can go ahead and be ready for an election next November 14. And just for your information, the advisory group did approve it on the 14th in one vote. Councilmember Morrison?

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>> Morrison: I would like to hear everyone who wants to comment on this. This is a critical item. I've been following a lot of the discussion on special media and the news and all that. I hope we can find a way to accommodate everybody. If that means we do the briefing and take some comment in the morning and then table it until the evening when other folks could come, I will certainly support that. But it's important in my perspective in making and understanding the issues that this one of the few times that we have as councilmembers and I appreciate the work that the mayor and councilmember Spelman have done already. It would be important to me. I hope something like that happens. >> Spelman: Mayor? >> Mayor Leffingwell: Councilmember Spelman. >> Spelman: I understand the need to have the briefing and the public consultation at the same time, we do briefings at 10:30. It wouldn't be permissible for us to do a briefing in the evening to allow the briefing and the discussion to happen at the same time. >> Mayor Leffingwell: We could do that. >> Riley: This case, given we're having the briefing and council votes the same meeting that bringing those two pieces together is extremely important. But councilmembers Riley and Morrison were right, having this much of the public involved who have been involved up to this point have the opportunity to talk to us and tell us their views would be really valuable. >> Mayor Leffingwell: Well, what I don't want to see is it posted for a time certain of 6:00 and comes up in the last item that would be in the wee hours of the morning. I would like to consider it if we're doing it -- if we wind up doing it in the evening that we would consider it early in the evening. So if you set your time certain, say I would suggest 4:00 maybe

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so it doesn't go behind all of the other public hearings. >> Spelman: I thought we needed two levels, time certain, and time really, really certain. As long as it's really, really certain, the time is less important than the certainty. >> Mayor Leffingwell: How about absolutely positively time certain. Spoil a different level. >> Mayor Leffingwell: Councilmember Riley? >> Riley: At 4:00? >> Mayor Leffingwell: Nothing later than that. In the course of events can come right after evening break. >> Riley: That would be helpful if we can do it after evening break. It would be more convenient for some. So should we set it at 6:00 then? >> Mayor Leffingwell: 4:00. >> Riley: With the expectation that we'll consider it after the proclamations. >> Riley: Okay. >> Spelman: I'm confused if we're going to consider it after live news and proclamations, why not just say that. >> Mayor Leffingwell: It would put it after all of the zoning cases and all of the public hearings. >> Riley: Then I meant it in a flippant way, but I was certain about a time certain that we really meant to be certain. And we haven't typically done that. We typically say everything at time certain is 4:00 and we'll consider all of that and consider everything at the later time like 4:01. But I would prefer if there's a way to do it of having an understanding that as soon as we come back from break, this is the first item we take back unless we're halfway through some other item first. Get that understanding from me.

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>> Riley: Excellent, thank you, sir. Moim excellent. City council and responsibilities during the response. I think you have a power point for that. >> Morrison: Mayor? >> Mayor Leffingwell: I would question -- I wonder if I could give a little introduction and I appreciate staff being here to fill in, you know, how this all works. But if I could just explain why I ask that this be on for us if that's all right. You know, with the halloween slides, I think that obviously our focus and understanding and sensitivity to what happened, how do we respond? How the city responds, and how critical the response is during the disaster has come into focus again. I know we had resolution recently that asks us to look at the resilience of all of our different departments and builds on our hazard mitigation plan. And one of the things that has occurred to me before when we had disasters and occurred to me yet again at this time, we don't have a well understood framework for councilmembers to be involved in the response to a disaster. The number one role in our responsibility of a disaster is stay the heck out of the way of the staff responding to the disaster. That's number one. Clearly, the mayor has well defined roles, councilmembers, the mayor has authority to declare disasters and is safe in our crisis communication plan, for sure, as the leader of the city. But what I found was the flip side of making sure we stay out

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of the way so that staff could do their job and respond most efficiently is number one, I think that our constituents in some way expect us to show up. I was viz sitting with folks after the flood, the first time I saw them, they said, oh, finally, you're here. Where have you been. I think we as councilmembers have the responsibility to understand what's going on, provide support, know how to get the support. We have access to resources that can be helpful to the city. Obviously the city on its own does not respond. So this is an issue from a year or so ago when we had fires at the bastrop fires and we had

councilmembers -- we don't really have -- how can we put together a framework that allows us to be more productive. I think it's important, for instance, that all of us understand equally the command system that gets into place. I understand if we show up or visit, us being there may well get in the way of the staff. There was some confusion. How do we participate staying out of the way? I think we have to think about issues like open meetings and how do we make sure that we have a framework to avoid getting in the way of that. I had a great conversation with chief McDonald after this. We were sort of thinking about the resolutions. I know with the discussions with the flood, I understand they had discussion with a couple of other councilmembers, there was an organized visit to the eoc and down to the flood area. So that was a good thing.

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But my thought is we could avoid disruption if we put together a framework and guidelines to know what's expected. Avoid destruction, but also bring productivity and benefits to the response. I appreciate you for understanding that and I understand there's already work going on. I don't know if my colleagues have felt this confusion at all. In terms of what do we do? Who do we contact? How do we most efficiently communicate with staff and things like that? So I wanted to get this on the agenda so we could all talk about it. Councilmember martinez has a particular understanding of it just because of having been a first responder. But I wanted us to have a conversation and see if we could get some movement going forward to get some kind of framework for us to all work with. >> Councilmember martinez? >> Martinez: It's a delicate balance in terms of how to balance this, specifically with the floods. I received numerous calls that morning. Decided to go out myself. Immediately called chief McDonald and relayed what I was witnessing on the scene. Staff's response is we close down the rec center because nobody was there. No one on parker lane. People were wandering the streets aimlessly with things in their hands, not knowing what to do. They reassessed, got more information, and opened the rec center. Was that me getting involved? Some people would say yes. I felt I had a duty to respond based on -- for myself. I took that initiative upon myself. I don't know if that's always the appropriate response. And this is sort of -- this is

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certainly an anomaly. It is the 100-year flood event. It is not the rule. It's been a long time since I've been on the back of a fire truck. Things have changed significantly. I know we have a constituent base that reaches out to us regularly. And when they need something, they're not going to hesitate to call us. Because we've given them our contact information and they're familiar with who we are and what they're capable of doing. So I appreciate that this is on the agenda that we're talking about it. It's a delicate subject. I respect the city charter and the authority, and I said this is not making sense to me. And we were able to respond appropriately subsequent to that. I think the city did the best they could under dynamic circumstances. If there's room for improvement, as I said previously, we have to have that critical conversation and take a look at where we had gaps and mistakes. We should learn from it. If lines of communication are a part of that, we should have that conversation. >> Thank you, mayor. Councilmember morrison, thank you for bringing this attention to the table. Appreciate it. To address

what is a very important issue and a very important part of our mission when the city has confronted with any kind of disaster. I think you all know that the city has a well thought out operations emergency plan, and you're going to hear in a moment the context within which it characterizes the role for this honorable body. The gentleman sitting there will

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talk about that. You assume we'll go to emmitsburg, maryland to carry out an emergency simulation exercise over the course of a week. I've had the opportunity over the years to be certified and that program a couple of different times. And unfortunately, members of council are not going to be able to attend. But that, too, is an opportunity to understand what the role is of policy makers in actual simulations. Those simulations are set up such that all of the key players involved in the emergency response called upon to carry out their roles and that includes legislative bodies like the city council. So we'll do that in january. We'll come back with a full report to supplement the conversation you'r about to have today. I would like to call on deputy city manager McDonald to introduce the presentation along with the associate sitting with him. So, michael? >> Thank you, mayor, council, michael McDonald, deputy city council. Before, I had our director of the homeland security to go on with the presentations, but it's important to understand that yes, policy makers have a critical role in all of this, depending on the emergency. 18 to 20 years of operating at the executive level, I can tell you no two emergencies are alike. They're different in the complexities and where they occur and who they affect. So that is why in many cases there's a total disaster in an emergency because it's something that's unpredictable and there's certainly -- you know, know play bill that will fit all sets of circumstances. Certainly as we move, you observe to get to the operations

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center, all of the staff that -- the decisions and everything that take place in the main room, there's sort of a back room where at times we pull together for executive decisions and we pull together an eoc coordination group. I'll have mr. Laden explain that portion of it and talk about how the city manager and I feel that council could be more so involved. Thank you. >> Thank you for the opportunity to share with you a little bit about our policy coordination group. As chief McDonald mentioned, any disaster eoc activated, there are roles for the eoc coordination group. That group is part of the group. The mayor leads the policy group and he issues any declaration of disaster as needed for the city. He represents the city of austin's government. He's the person to do that. In absence of the mayor, the city manager leads that group. And also the city manager oversees all of the city's operations. The operations have gone on in the field. He's over all of that. As the director of homeland security and emergency management, I function as the eoc director. I manage the eoc operations, I provide emergency management policy and procedure guidance to the eoc policy and coordination group. The eoc policy and coordination group consists of any department DIRECTORS AS NEEDED, ACMS, ALL Of the elected officials like

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from the county if they're involved and any nongovernment officials that need to be there. So it's put together on who's needed. As we mentioned, we have a room across the hall from the eoc. Room 313, 317, all of that information is in the meeting. I maintain and manage the emergency operations center. I coordinate in the city, I coordinate preparedness, response activities with the county, the region, the state, and private state ch stake holders. So that's a big important part of my responsibility. That is what the city manager asked me to perform as part of my responsibilities. The city manager is the chief executive officer subject to oversight by the council. So that's clear. That's charter stuff. And it's definitely something that takes place from the mayor's role at the eoc, the mayor is typically the face of the city. We like to see the mayor is there. He leads any of the media relations things that goes on there. And that's important from a city perspective. The mayor does a very good job of that. He's always at the eeoc when we

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need him to do those kinds of things. The other important thing is the disaster declaration and state of emergency. The mayor is responsible for signing the state of disaster or declaration of emergency, whatever needs to be signed at the time. These documents gives the mayor additional powers beyond what he has to be able to manages the emergencies. When we need to request outside assistance, all requests are coordinated through the eeoc. So when the mayor coordinates through the eeoc, then we send it up to the county, the state, and the federal government. That's the system we have to use from the federal perspective. Everything is coordinated. If we need something, we go to the county, the state, and the federal government. Those are initial things that we wanted to share with you. Chief McDonald wanted to talk to you about the council's role. The unfortunate emergency we had this last time is an example of how the council makes things possible. The first was when the mayor -- when the mayor placed a declaration in place one of the early actions was to continue that declaration. What that mns is that puts us in a position to work with the state and frafl government for assistance. Right now, that is still moving forward with us, you know, with certainly we applied it across the board for small business, for public assistance, and for individual assistance. And we're still going through that assessment -- that

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assessment process. But the action you took put -- and the mayor took, put all of that in motion. The second item, that's the action you took with regard to the permits, which I can't, on a surface for me it seems as if, well, they're just waving the cost of the permit. But it was critical because it helped us with the logistics of trying to determine how we were going to be able to do this in the field. Because the customary way of doing things which is to go through the texas center and work through the regular system and any emergency like that that couldn't take place. We had begun to think how could we do it in the field? We were running into that project of how to process it if the action you took allowed us to do that -- to process that in a field and help the residents out there tremendously. The other issue -- the other example of local policy decision you may have had to do with the towing. The flood like this, we had vehicles all over the neighborhood. This was no fault of anyone. It was a disaster. And so certainly it wasn't -- you know, we felt it wasn't the right thing to then charge people to go and pick up their

vehicles. And the action we took allowed us to communicate that and help people to make a quicker decision, particularly those that were struggling with financially to make a decision with regards to their vehiclings. So those were two good examples from local decision that we made quickly to help us. The next item there. This is more specifically to what otis is talking about with regards to our eoc policy group. And this is a -- this is -- this is certainly an area, I think,

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that would answer a lot of questions that you all made in your opening comments, that's contacting the city manager to attend the policy coordination group meeting. I think tt's the best area in which you can assist because I know you stated you're getting calls from your constituency and folks are wanting you to get -- to react. My recommendation and I'm city manager's recommendation would be that you contact us and more than welcome to be up in the eoc to see what's going on, and then more importantly, when we go back and discuss some of the policy issues, you would then have access to all of the information going on at the time and we have discussions about how you can possibly help in some of those areas. It would be difficult to put together a flat framework with regards to what's going to apply to every situation. As I said earlier, every situation is so different. When you get to the policy discussion and just the last two items is the sort of things that could be discussed to help the community, to help us. The reason we emphasize that you contact the city manager because we have to be, you know, aware that you can't have a situation where there a quorum. But it doesn't mean that all of the councilmembers can't come down. It just means that we have to handle the mayor and two councilmembers and then at some point schedule and get the rest of you down, the interpretation is as long as we're pushing that information out and having that type of discussion, then it's not something we would have to post but we would have to be aware of it to make sure we did have a quorum in place. The next item is to contact the city manager for specific mates.

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Getting the calls and the decisions come ing up, you contact the city manager if you're uncertain about, you know, the role that you could play and how you could be assistance to us. Certainly that avenue is always available to you. Then the other areas where the city manager, at times, have had US AS ACMs CONTACTING YOU OR HE Contacts you ourself to try to give updates. So that is the outreach we try to do to make sure we keep communication free flowing. As you can see, another good example during this event, you try to keep council updated with the communications we sent out through public information and eoc working together to give you ongoing updates of how the our recovery efforts were going and the steps that we were taking as we moved forward. And lastly, as I specifically requested that you could make to the city manager. Some of those request everything from -- from some of you with regards to wanting to set up specific tours out there. Set up specific touring with some of your constituency and fundraising and donation attempts. So that the city was unable to allow resources to assist in. That -- some of those have been, like I said, the policy -- the coordination group has been in place for a while. I think because we haven't had an emergency of this magnitude, to kind of fall to the back shelf and you know wasn't quite aware of how involved you could get. But, again, my

recommendation would be if you're experiencing something like this because we have to be nimble and in the situations in our life, but h

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do you show up at the eoc for the policy discussion. Thank you, mayor. >> Mayor Leffingwell: I would say that it's also really not the time for action by committee. There needs to be a hierarchy established, which it is right now, and we have to make sure that everybody is conveying the same message. And that message has to come through the chain of command, not -- not originally. Not initiated on the spot. The ios building, it never really rose to the level of disaster, but it required a quick response, the unseen response by our public safety units and all of the disaster response and others. It's a local situation. We're working with whatever the local government might be. The second one, they're going to talk about was an example of that. The ut shooter, another situation where we're very fortunate, but that was put together and thanks to the agreements we had, everybody was working on one team on that one. And the last one, of course, is the fires. Fortunately, the city of austin was not touched by that. Everybody around us was on fire, basically. We had some minor fires here in the city. But no major one. I think that the role that the city played with interlocal agreements with surrounding governments was critical to minimizing that disaster.

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Although sometimes it's hard to talk about minimizing and a big disaster like that. But it could always be worse. So I think it's important to realize that this hierarchy is established. We have plans in place to deal with that. And it's not the time to go improvising on the spot. In a tay, I got here monday morning. Got it in place. And there was a personal level to the governor asking for state assistance. That's an important part of it. Si think the chuckle here -- I think state law was involved here where I would be authorized to call out the national guard if the governor is out of state, so I could do that. So -- I'm not saying that I'm looking forward to that opportunity, but that's how it lays out. A good system in place, it worked well. We could go back, certainly. We're doing that going back. How do we do a little better job, where do we come down? One thing, for example, that I'm going to be looking at is really a structural issue. The devices we have to find a way to make sure -- the flood warning devices, we have to make sure they're not swept away in a flood. That needs to be fixed somehow. I don't know what the fix is. But things like that, we certainly need to correct. But the important thing is staying on message, be giving out correct information, be giving out the same information. As all of us have a role to play in responding to constituents and certainly like a lot of you, I know, just got out there and the big thing is talking to people.

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The councilmembers are passing the same information on the disaster response team. Councilmember morrison? >> Morrison: I appreciate your comments. You're stressing we do have a structure in place and the hierarchy and it's very critical we maintain that. And, of course, that we be nimble. And we

noefr what's going to happen to have that in place to make sure we can be nimble is critical. So there's not p nothing that could be completely detailed that could help us do a better job of this. For me, not to mention that the councilmembers are free agents and we're -- and there are only going to be -- I think the best we can do what we really should shoot for is to make sure that we all are working on the same page in terms of understanding the structure and that we have -- that we understand what's the best options would be for us and how to implement those options. Mary, you mentioned one of the critical things is staying on message and making sure that we have appropriate information going out there. And I think that really -- there were lots of us that were contacted and did interviews with the media. Which is entirely appropriate. But it was certainly clear to me that while this is an opportunity for us to sort of mess up. If we're not informed properly, if there are controversial issues going on, there are, we want to make sure -- and they're always going to be in a disaster, we want to make sure that the council is fully informed so we can express our informed decision as opposed to just responding to something or other. And I know we'll be doing it an after action report. Let's take a look at this. We always do that for a disaster that's part of the system and hierarchy that we work on.

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For me, is there anything we can discuss in the after action report. Councilmember martinez being on the ground and raising the issues to staff, one of the things I wonder about is who should I be calling. Because I don't want to call the wrong person and get in their way of doing the job. So my druthers would be, you know, I think we should think about having it well documented. You know, in general, this would be the person -- a liaison to call. We could be calling you, city manager. Which may be exactly right. I didn't know if that's the right thing to do. I think if we're going to looking at a new council and a new structure, having a district structure might bring new things into play. It will be good to get a maybe a play book or some guidelines that we could all agree on. Because I think that another situation that I wanted to bring up that I really wondered about in the flood is I was interested in going down early on to visit the flood assistance center and folks that were impacted and I happened to run into a staff member at a relatively high level that was going to be down there the next day. I said would it be all right if I visited with you. And they said yes, which was great. But afterwards I was wondering, you know, is that really a delegated thing. Because when I got down there, they had planned all sorts of resources to show me around. And maybe that wasn't the best thing to do. And -- >> and, again, that's why I made the comment a moment ago that I think was thorough to the backside of all of this is the critical role that you can play by showing up to the eoc and starting there first. Because it's difficult, even when I talked to some of you on the phone, it's the emergency I'm dealing with, it's still difficult to put it in to context of you hearing all of

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those things. Then us getting feedback specifically on how you can help in that instance. That's why, still, I would emphasize first there. Because then even if the example we just gave, you would coordinate that to you going down there. >> I appreciate that. If we as councilmembers could get the big picture to get the policy group, then we work it out from there. That's a great sort of guideline to suggest we were

expecting the councilmembers to be there. Then do we have to have an open meeting. We have to be nimble. But we can get guidelines in place. Or get clearer communication and understanding of all of that. So what I was going to suggest is get some action on that. I do think it's important to get some kind of playbook, something documented, especially with the new councilmembers. But bringing up these issues so we can pull it out. And I wonder if we could -- I know we'll be visiting these in the after action reports that maybe after that, you could come and visit our public health and human services committee and give or send a report out or something of what your recommendation is from that to be able to carry on the conversation? >> Spelman: We're happy to do that. At the end of the day, we're talking about the city's emergency operations plan. So after action report is complete, I think our preference -- my preference, would be to come back to the entire council because I think this is ginn what we're talking about, a council issue and so forth.

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Talking about laying out or clarifying procedures for council's involvement and role in regard to the emergency response. I think this is the venue that we ought to do in that. >> Morrison: That sounds good to me. I wanted to look around, the literature is very interesting. Most of the literature is written in magazine articles and stuff. There's one that I would be happy to share with folks that kim came out interestingly in a recent emergency management magazine. About elected officials' roles. Most were written by staff. And most of them sort of have a narrow perspective on how do you manage the el elected officials with the underlying assumption that the elected officials just want to get out there and get their face on the news or something like that. I don't think that's what you're seeing here at all. We may well be on the forefront of sort of a different kind of conversation and how a city can really do a better job of responding to a disaster. >> Mayor Leffingwell: I'm not on the public health and human services committee, I used to be. But certainly, I do have a mayor -- whoever the mayor is, has a key role to play. And I think it's something for the mayor to be included with the entire council. And not -- not to a committee. I think this consensus or agreement in the after action report or recommendations you might have come back to the council preferably in a work session. Councilmember martinez? >> Martinez: I wanted to add some additional comments. I appreciated the conversation, obviously, from my background,

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there absolutely had to be commanding control. No doubt. There this is a quasimilitary operation. If you're dealing with a disaster or emergency, one person is in charge, it trickles down from there. The day of the floods, my staff called me and said it sounds like you need to be out there. It rail lit rally told me -- it's not because they wanted me to get out on the news, they knew something significant had happened. I literally told them for two hours, we don't have any business out there. We have hundreds of emergency personnel doing their job. I don't need to get in anybody's way. After receiving repeated phone calls, I said let's go take a look myself, take a peek, I agree. I think it's a delicate conversation when you talk about how do we manage elected officials? I get that. I don't want to be in anyone's business. But if you can create the lines of communication, but I think have with our city manager, my

experience is we get the phone calls, 4:00 a.m. 3:00 a.m., chief McDonald is on the phone with us letting us know of the critical incident that just took place. That, to me, is exactly why I called him first. Because I feel that level of comfort and that level of communication that has been created during incidents like that. But if we need to formalize it, city manager, and make it to where we call you directly, whatever you feel is best. Again, you plan for these extreme circumstances and you pray and hope that they really happen. And in this case, the rare happened. I think we can learn from immaterial. I don't think we'll see this as a normal operation moving forward. It's one of those one-time crazy incidents. >> All right. I just want to underscore your last point. Because I don't think in my tenure here, we have responded to a number of emergencies in the city of Austin.

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Had it occur directly here in the city. We were activated because we were providing emergency assistance, other communities, municipalities. All of the instances, the city, the emergency responders, the first responders, our departments and all of the others, from my standpoint have done a fantastic job in each of those instances. And councilmember Martinez' point, this is an extraordinary event, quite frankly. No way to anticipate it. I want to say in regard to that as well that I think the response is extraordinary given extraordinary circumstance circumstances. I think the first responders, our staff, the agencies that are involved in that, I think they stepped up to the plate and did an exceptional job given the extraordinary circumstances. So while this conversation is appreciated and I think in -- an important one to have, I don't want it to cast a shadow over the response, the exceptional response to the recent flood and to the other responses to previous disasters have either occurred here in Austin or we were responding and our emergency capacity to assist others that were in need. Because I think by in large, this city does an exceptional job. >> And I would agree with that. I want to go back, again, and the IRS building as the example because of the quick response, one person outside of the airplane lost -- only one person. This is a guy flying an airplane in a building with a 55-gallon drum of gasoline in the plane as a bomb. That under anybody would expect that normally it would be wiped out. But thanks to the response of fire department, poured millions of gallons of water on that building in the first 30 minutes and prevented the loss of further life, saved the

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building. It's there today, rebuilt. Thanks to the excellent work here. The U.T. Shooter, a guy running around with a high-capacity weapon on the campus shooting it. Nobody lost their life except for the shooter, thank, again, to the excellent system we had in place and the collaboration between different governmental agencies. So our commander haven't lost sight of the fact that we've done well, we responded well in these situations. We need to acknowledge that. At the same time, we can always look back and see we can do it a little better, maybe. >> Cole: Mayor? >> Mayor Leffingwell: Councilmember Cole. >> Cole: I think we've done a great job. I agree with all of the comments that we're not trying to get in the way of the way we want to help people, we're also responding to our constituencies, it's coming up for a reason and it's coming up for a reason because I think councilmember Morrison recognized and we talked about it before that council was not being properly included in the loop so we

could respond to the constituents in a manner that we thought was appropriate. And appropriate doesn't mean getting in the way, it just means being able to respond. So you don't want to be a councilmember who's just trying to be on the news and be seen just because there's a disaster going on and you're helping with it. But at the same time, your constituents expect to see you out at the scene or responding to what they're asking for. And they don't understand when all they see is different people on the staff doing things and they don't know the coordination, they don't know the plan, we don't know the plan. And so this after report is going to be critical in that it actually, I think, documents what should happen. I know that sometimes when we've had critical police incidents, we've had a press conference. And the mayor called the press conference and he made a statement that, you know, this is affecting our city, we're

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going stand together, we're going to deal with it. So maybe we should think about, and sometimes this discretion, that something like that happened and the councilmembers have come together and made that showing of support or handling the item. Just like that. And that all of us are a part of a team that's going to address the major issue impacting the city. Not just all over the place. I got calls from constituents but also county officials and other jurisdictions. We need to look at how we're going to deal with that also. It's important to have the discussions. I appreciate all of the discussions. It is an issue that needs to be addressed. >> Thank you. >> Thank you. >> Next we have a discussion in city hall renovations related to the transition. Similar to districts, location of specific departments and related cost estimates. We had somebody from staff making this presentation? >> Mayor? >> Mayor Leffingwell: The new guy? The new guy is going to do this -- all right, city manager? >> Mayor, we do have information here today, but given how this is -- this is council's agenda, we assumed this was council discussion item. >> Mayor Leffingwell: I was just asking if there was -- just discussion only and so the floor is open. >> Cole: Mayor? >> Mayor Leffingwell: Councilmember cole? >> Cole: I asked for the item to be put on the agenda. Because we have the question of how much costs will be incurred to renovate city hall has been at the forefront of management's consideration and we've had some

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discussions about that in finance. The only aspect of that that was discussed in audit and finance was actually in connection with the move of the auditor versus the move of the economic development department. I want to be very clear that we're not trying to play favorites in the department. We know that the department is critical to the city as well as economic development. It was the audit and finance's strong feeling that it was important for the auditor to remain in the building but actually any of the details of actually moving the economic development department out or any of the departments, any of that, we have not been involved in, but we want to make clear that we have a responsibility to look after the fiscal diligence of the city. And we were told that it would cost an extra \$200,000. And I wanted to focus on that aspect of it. First, let me ask, how many personnel are in the economic development department? >>. [Off mic] >> it's still off. >> There it is, okay. Deputy director for the city's economic department. We have 28 seats in the economic development department, three of those are vacant, but they are in the process

of being filled. >> My understanding that economic development is divided among various city buildings. >> Yes, sir. >> Cole: What is the total number of personnel in the economic development? >> That's 50, that includes one that we have for austin resource recovery that's an economic development specialist. We had 49 from the department but we house one from a.R.R. >> Cole: Okay, and if economic development was to move to silicon across the street,

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wouldn't it be reunion iffing the portion of the department? I'm trying to understand that. >> Unfortunately not. When we worked with real estate originally, we tried to achieve the that goal in mind, but unfortunately we couldn't accomplish that given the space limitation. >> Cole: So, from the last audit and finance committee meeting, it was my understanding that a portion of the economic development was across the street, is that not true? >> Not across the street. Let me go over the different satellite locations we do have. We have the cultural arts DIVISION, WHICH IS 9 1/2 FTEs, They're located on the first floor of second street underneath the convention center parking garage. Then we have the small business development program located at the one texas center. THAT'S 12 1/2 FTEs, THEY'RE Located at the 13th floor and the 7th floor of one texas center. We have the music department, if you recall, council, last year or a year and a half ago, you adopted a resolution asking the city manager to group a number of different divisions together. Music was one, along with special events from the transportation department and folks from the police department, the fire department. And so we've got music in that suite of offices and that's four FTEs OVER THERE. That is the tenth floor. And here in city hall, we have the global business recruitment and expansion division, that's 6 1/2 FTEs, PLUS THE ONE, AUSTIN Resource recovery. That's 7 1/2. Support services, 7 1/2, is also located in city hall and read about, which is nine. >> So, if the -- what is the

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total amount of space in the silicon labs? >> Going to let lorraine answer that question. We were given 10,000 square feet. But that's gross. We understand the usable square feet is much less than that. >> Cole: Okay, lorraine? >> Yes, ma'am, the gross is 10,566. And that area includes restroom space, hallways, some other areas. That is a common area. >> Cole: Okay, so the only point I'm trying to get at is I untold from the audit and finance committee meeting is that we would have an opportunity to unify the economic development department in the silicon lab space. Is that true or false? >> That is not correct. That is only that the council mentioned, but we did look at that and it would not be able to combine in the space. We looked at that. >> Cole: Okay. But when we say that we have 25 personnel, we actually have at least 50 personnel in economic development? When you look at it throughout the various locations? >> Yes, we do. And mayor pro tem, yeah, the numbers I read you earlier, the FTEs, YOU KNOW, WITH THE BUDGET Process we do is we allocate individuals' time to different functions and that was the allocation of time in terms of the number of bodies here in city hall.

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>> Council member, sue edwards, assistant city manager. We don't really have a space problem being located in different areas. As rodney mentioned, some of the music is over there in the permit center and they need to be there. They are with the small business development. They need to be at 1 texas center because they deal with small business and zoning and those kinds of issues, so they are very specifically put in areas where their function crosses over with another department's function. When the move was first talked about, we did talk about having arts and culture move over to the silicon labs' building but there was not enough room to move the folks that were here and combine them with the arts and culture over there, and that was done by a space planner -- professional space planner. >> Cole: That's where I am remembering that discussion. It was discussed but it was dismissed? >> That's correct. >> Cole: Let me go to you. Have you had any discussions with the auditor about the cost estimates? >> Again, ray areano assistant city manager and I personally not have had conversations with the city auditor on this matter. It has been with staff, in particular eric stockton building services officer and I believe lorraine has had conversations with the city auditor. >> Okay. The city auditor actually provided a letter in response to the costs that you provided and I want to make sure that all of council has a copy of that but I want to point out some of the things that he had to say. Is -- that he worked with the architect the last three months and that basically a lot of the renovation costs that you are contemplating to have to be done, that

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they don't need. Are you familiar with that? >> I have not seen the auditor's most recent memo, if that's what you are referring to. >> Cole: Well -- and he also says that he has not had that discussion and I think I am probably going to let my line of questions end here because I do think that you guys do need to corroborate because in one memo he says it will cost him an extra \$400,000 to actually not be located in city hall, and he didn't need the additional conference space that would be lost in some of the renovations that y'all would be talking about. So I don't want to spend all of council's time talking about the 200 versus 400,000 versus the \$10,000 which you would have had to pay anyway, but I just want to say that we need to be very prudent when we are looking at what the costs are going to be and that we are not trying to incur any additional costs but policy issues such as the potential of having -- bringing edd back together and the policy of us having access to a direct report should be apart of that discussion. And I appreciate what you have done thusfar and I think you need to work a little better with the auditor and just act like a team. >> Mr. Mayor, if I may in response to that. >> Mayor Leffingwell: Go ahead. >> I believe -- it is my understanding early on in this process, to make the transition to the ten single district -- council districts, based on feedback from some council members early on in having the city auditor stay within city hall, staff looked at that process and tried to take into consideration some of the city auditor's requirements -- space programming requirements, and in the process of looking at that in the summertime frame up until early november, we had assessed that the space tip wasn't going -- space fit wouldn't be good for them

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and we in fact could meet their requirements better in moving them to silicon labs. In the november 8th

memo that was provided to council, as we looked at this matter, again, in evaluating making a decision moving to city auditor counts as one aspect of it but we also thought in terms of the business perspective, taking a look at what would be the impact to departments at this stage, as in my memo, determine that we would have to do a temporary move for the city auditors in order to maintain a timeline so there would be a total of three moves incurred from this and not to mention as well, from a public perspective, in terms of impact, the economic development and the public that they interact with, certainly the business leaders, the companies and so forth already know where economic development is located and so there wouldn't necessarily be a transition in terms of informing citizens as to where economic development is located should we decide to move that department, and so for these reasons, in taking a look at them, not just the cost, that the staff certainly planning to move the auditor's office at this stage. >> Cole: I do want to recognize that early on when the audit and finance committee expressed concerns about the auditor not being in the building, that I spoke to the city manager and I know that he communicated to the professional staff a desire to look into that and I really appreciate that that was done, that was responded to very timely, and at this point I just want to be sure that we are still having that discussion and keeping things on the table. Thank you mayor. >> Mayor Leffingwell: I will be brief I want to say in our council management form of government, this is the city manager's decision to make, as far as where departments are housed and placed. I -- I -- so I support his

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decision based on the merits, and, but most of all, I support his prerogative to make that decision, as the city manager. And I think to talk about it, it's good but to get into the nitty-gritty to design spaces and figure out the square footage and number of employees and all of that, I think it is way outside the council's prerogative. Council member tovo. >> Tovo: Since we approved the budget, I think it is our prerogative to look at the costs that are projected. So I will disagree with you on that. >> Mayor Leffingwell: Agree to disagree. >> Tovo: Sure. It won't be the first time. >> Mayor Leffingwell: Or the last. >> Tovo: Probably not. We had a pretty lively discussion in our audit and finance about the policy issue and whether a direct report and to what extent having our direct report in the same building is of great benefit, so maybe I will leave that to my colleagues but I did want to talk a little bit about the projected costs because this was in large part presented to us as one of a cost savings and so I would like to hear a little bit more about why, for example -- there are some b costs here. Paint, new carpet, new furniture. Why are those presumed to be essential for the auditor who presumably has furniture that could be moved down the hall and economic development department has carpet so why -- a large part of the expenses are -- are coming under categories that I wouldn't regard as really critical. >> Eric stockton building services officer. Let me sort of set the context for the estimate. The estimate reflects the standard approach that we take in our experience in remodeling office space, to make it ready for use based

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on the requirements given to us by the occupant, in this case, the city auditor, so if we go into a space,

there may be some costs that could be considered replacement costs, for example, carpet. Some day we are going to replace the carpet. It has a life cycle and we are probably only a few years away from that. Some of the furniture costs involved here might be related to if we can't sit the panels and workstations that exist currently in one or two work spaces over there, for example, in investigations unit into the new area that we would be setting up for the investigations group, we might have to purchase additional panels or work surfaces. It is our experience that sometimes furniture doesn't translate one to one from one space to another, so some of these costs are just simply based on our experience on doing these type of remodels. This is an estimate. It is possible that some of these costs would go down. Some of them may go up. But in our best opinion, these costs represent the most likely outcome in terms of expense to make this space ready for the auditor's needs as they were expressed to us. >> Tovo: Okay, but I think I heard you say some of the furniture might need to be replaced. So there has not been any kind of really careful analysis looking at the furniture in determination that none of the furniture could be moved down the hall. It is just as likely that all of the furniture could be moved down the hall and reused which would be in concert with the practices of sustainability. >> The concept is to use most of the furniture in economic development space. It has to be pulled apart and put in a different configuration in order to achieve the number of workstations the auditor currently has. >> Tovo: But the existing furniture in economic development could be reused for the auditor?

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>> Yes, in combination of some of the pieces from the auditor's office. >> Tovo: Okay. So that sounds like furniture, then, the furniture estimate -- >> that's what this cost represents. For the furniture vendor to come in, take the furniture apart, put it back together in a new configuration and there may be some few marginal workstations we would have to add or pieces we would have to purchase to make it work in the new configuration. >> Tovo: Would some of those expenses be incurred if they moved across to silicon labs? >> Yes. >> Tovo: So there would need for reconfiguration of spaces and work furniture if they move to the space. So that would be a cost either here or there? >> Yes, it will be a cost associated either way with furniture. >> Tovo: Okay. I think I heard you say carpet would be replaced because we do that when it is reaching the end of the life cycle so if economic development stays here and the carpet reaches end of the life cycle, that's going to be a cost that we incur at some potentially soon point, whether the auditor stays or goes? >> That's correct. At some point, we will replace the carpet, regardless. >> Tovo: Okay. And then I guess I wanted to ask a question -- we did talk about, at our meetings about the cultural arts and their move back and forward. I hear you saying, assistant city manager, edwards, that space isn't an issue but at some point cultural arts was in the building and had to move and I thought it was a space issue. >> Thank you. Sue edwards, assistant city manager. I may not have been as clear as I could. As we reorganize different functions need to move and so we move a function as opposed to moving bodies. So it was better to move some functions that were out of city hall into city hall and move some of the

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functions, cultural arts that were in city hall, out city hall. >> Tovo: I understand music moved out and

moved over to one texas center, right. Weren't they in the convention center when they were reorganized to 1 texas center or did they go directly there? >> They went directly to 1 texas center. Music was located here and although we have two of the four positions that assistant city manager sue edwards mentioned work with the planning and development department, it was not feasible to divide the small division in two. So we needed to move all four so that way they could be one cohesive movement and so when we the cultural arts, we had international group there where they were and brought them to the city hall and promoted them to the recruitment division and moved them over to that space. >> Tovo: Is there a reason cultural arts -- if you had druthers and your wants, would you have the cultural arts still here, with the space constraints? >> As we have new positions, we are always going to have to figure out where to put those so we have grown fortunately in the last few years by a few positions so it's not just a problem now but it is always going to be something that we incur for anyone. >> Tovo: Okay. I guess I would ask -- maybe this is a question for the city manager. One, I think we heard from the assistant city manager at the audit meeting a that this decision was settled. Mayor pro tem cole, I heard you say you encourage them talking but I want an answer from management whether this is up for consideration or still a decision. I heard the answers we were getting about why this move was necessary is one of space constraints and costs, and I believe what we are hearing, as we drill into the details that many of these costs are going to be incurred whether the auditor goes or stays, and we have

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an economic development departments that growing, and so I am not sure -- that is growing and so I am not sure either of those are major considerations. So I would like to hear from the city manager, whether the council committee has asked you to leave the direct report, the city auditor here in the council building, I would like you to explain why you feel from a mission-driven reason why the auditor should move and economic development should stay. >> Ott: Well, let me respond and directly to one part of your -- your query and that is the decision has been made, so I will start there. And really for all of the reasons that you have heard about, both at your audit and finance committee and what you are hearing about today and what you heard -- read about in correspondence that we sent to you. Certainly cost is a factor. There is a delta there that I have from a business standpoint, have a hard time justify -- justifying that kind of expenditure for, but there are other issues, too. There are certainly operational issues and the interaction that economic development has with, you know, departments in city hall, my office, the attorney's office, the cfo function, the variety of different interactions that occur on daily basis and allow us to be efficient and do what we do from an economic standpoint. I think it was pointed out that lots of people are customers that come in from outside to transact business with the economic development department. All of those things were taken into account. We were looking at the space of egrso and the space that the auditor has. It contains no surplus space for the mover there so it would be a function of squeezing them to some extent into that -- into that space. So there were a variety of factors. I am repeating much of what

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has already been said, either today or on previous occasions. I thought it was made clear at the audit

and finance committee meeting by the staff that was present that the decision, in fact, has been made so I am simply affirming that for you now in light of your -- your question to me. >> Spelman: Mayor. >> Mayor Leffingwell: Council member spelman. >> Spelman: You referenced the customers of economic development. You reference your own staff. You reference other city staff members, other city departments, but it seems to me there is a really important constituency that is involved here that was not consulted at all and that is city council. The city auditor reports to us, not to you. He is not your staff. He is our staff and it seems to me that it would have been at least polite for you to have engaged us in that conversation before deciding where our direct report was going to go. Why didn't you do that? >> Ott: Well, council member, I did have conversations with a number of council members around this table in regard to that. In fact, I believe that before, even when we were just in the process of exploring what our options were, as happens from time to time, our conversations got beyond the room and the people around the table, I think even to the city auditor -- and it is my understanding at that point, when he heard that we were contemplating that his -- his move as an option among other options, that he began to talk to members of council and express his desire not to move, and during that period of time, I had conversations with a number of council members about that. Mayor pro tem, council member morrison and others, about, you know, about their desire to see the auditor remain in city hall. We sent out a couple of correspondents before any final decision was made. In fact, the first one was

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back in -- back in august, I believe and at that time that was before we had much of the debt associated with the analysis that was done, as these folks are describing. You know, we -- our first inclination was to look for an opportunity to keep the auditor inside city hall but upon further analysis, data collection and things you have heard today, we thought it wasn't the most viable decision, viable course of action. We sent council out another CORRESPONDENCE, I BELIEVE, In november, indicating, you know, giving you an update and indicating what our intentions -- our intentions were and prior to that we made a couple of attempts, as I recollect, to engage the city auditor. I went down to his personally. He was not there. We tried a second time and then he was indisposed for a -- indisposed for a period of time and given our schedule we needed to meet and so sue arranged a meeting with one of the deputies and this was before the decision came out because we didn't want the auditor to hear about our decision or read about it, we wanted him to hear directly from us so there was a meeting between my staff and his deputy in his absence to kind of lay out the rationale behind the decision that we made and then we corresponded -- we sent another correspondence to the council, so as I said, you know, no disrespect, certainly none intended. You know, we were very clear in terms of the input that we had gotten from council members. We understood that. We took it into account. We just arrived at the decision that we did for the reasons that I have outlined and staff has outlined. >> Spelman: (Indiscernible)

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I appreciate you talk to go to deputy city auditor, given that the city auditor himself was in the hospital. If you talk to you can talk to. If you have the august 13 email, I would like to take a look at it. I am almost certainly neither I or my office said that we would like the auditor to be located elsewhere than city hall or

if we said anything we wanted the city auditor to be located as close to the city council as possible. But I will look back and see what that says. Do you have a date for the august email? >> Ott: One memo is dated november the 8th, and another is dated are august 8, '13 and more recently, you got a memo from ray arreano dated december 5th. >> Spelman: We are responding to actions on november 8th, at this point, it is what we are engaging in right now. I will look back at what went on august 13th, but it seems to me -- I have been adamant in my own -- I am just one person among 7 of us, but I have been very persistent in my belief that the auditor, as a direct report of the city council needs to be close to the city council members and had you asked me personally, had you given me a call, I would have said, this is what I would have preferred to have happen. Understand I am only one of 7 but I will let the rest of us speak for ourselves, but I personally would have preferred to have been consulted directly. >> Ott: Were you unaware of the issue, council member? >> Spelman: I was aware of the issue but I was not aware the issue had been decided and I certainly did not expect the issue would be decided without somebody asking me what I thought. >> Ott: You first became aware of the audit and finance committee, is that what I should take from your comment. >> Spelman: There had been a buzz about this sometime before that -- >> Ott: Prior to audit and finance you were not aware. Is that what you are telling me?

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>> Spelman: Well, there was discussion of this -- there was arose a discussion of this. We did not have a public opportunity to engage in the issue until the audit and finance meeting in which we all expressed, I believe unanimous belief that the auditor should stay close-by. >> Ott: Well, I understand your perspective. I have heard it from others. I disagree with that for the reason as I outlined. >> Spelman: I am not suggesting that this -- my primary concern here is that I have close contact with the auditor, because my staff and the auditor's staff are in constant contact. I think it's better for the city government in my staff and the auditor staff are together and I think that is probably true for other city council offices. Again, I will let the other 6 council members speak for themselves on that subject. But -- >> Ott: May I ask what does constant contact mean? >> Spelman: We see these guys all the time, they do audits all the time. They are asking what kind of audits do you want us to do. We talk to the chief investigator for the office as well. You know what goes on, people send us emails, phone calls, sometimes anonymous of things they investigat and we are forwarding things like this to the audit investigators on a regular basis. We can do this across the street. I am not saying the world will come to an end if they move accross the street but it is easier for me and my office if they are close-by and we are more movement with them than the economic development office and one other thing if the economic development office and the business community -- I suspect the business community are capable of understanding that they can walk across the street rather than walking into city hall. I think we can all be trained on that subject. >> Ott: I am not sure I would characterize as the primary customer but an

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important customer and I also characterize the other interactions that economic development has with other city departments including my office in city hall. >> Spelman: That's a consideration, I agree. >>

Mayor Leffingwell: In response to your comment, council member spelman, I have a little bit different view that there needs to be constant contact between council members and the auditor. I was the sponsor a few years ago of a charter amendment which strove to make -- strived to make the city auditor independent not only of city management but also of city council, and the way that they manifests itself in this charter -- th charter -- the auditor was already a direct report or an employee of the city hall but this -- of the city council, but this charter amendment made -- this charging the city auditor required the super majority of the council but the idea behind that was the auditor, in my view, then and now, should be sort of apart from the whole operation and not be subject to constant input from the council or the city management. He should be -- he should be an independent entity, sitting there, taking the 35,000-foot view of city operations. So I disagree with you a little bit on that need for constant interaction. >> Spelman: Thank you. It is entirely possible for the auditor to be independent and still seek input from the council and I think that's where we are right now. >> Mayor Leffingwell: We disagree on that. I think that constant interaction, your staff, his staff, I think that -- that kind of erodes the concept of his total independence from everybody, which is what I would like to see. Council member riley. >> Riley: I have a question for the city manager. You mentioned august an email. Could you remind us what the august email said? I am not -- I don't -- >> august email.

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>> Riley: You mentioned an email from august. Can you remind us what that said? >> Ott: Yes, there is -- august 8, 2013, it w%s simply a memo, probably came to you through an email. It is just the status of city hall 10-1 renovation project. >> Riley: What did it say in regard to location of the auditor's office. >> Ott: This particular one, it was before our detailed analysis, our intent was to maintain the auditor in city hall. >> Riley: I see. Well that leads me to the main question that I have for you and that relates to a concern we've heard from the city auditor. He -- he tells us that his greatest concern is about the lack of collaboration on this matter and of course he is not talking about the lack of contact with council. He is speaking of the lack of coordination with his office. He says for the past three@ months he has been working with building services architects to design space on the west side of city hall because that was his expectation. He only found out very recently and indirectly, he says, that, in fact, the plan -- the decision had been made to move his office across the street. And that is a move that he says he is not prepared for because he said while he spent months planning a move within city hall there had been no planning of utilization of this land space for his department and he is calling into question some of the cost figures because he says there has been no real back and forth conversation with him or his office about the way they could minimize costs with respect to the utilization of this space within city hall or with respect to the space in silicon labs. In fact, his understanding was since he was not involved in the planning of silicon lab space that the cost figures provided are based on generic industry estimates so I just wonder, especially given your awareness that council had a desire to keep the auditor's

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office within city hall, why wouldn't there have been some back and forth dialogue with the city auditor about how that -- that could be accomplished in a way that might minimize costs or -- or why didn't we

see coordination with the city auditor on the construction of this space from silicon labs? I heard your comments about -- about your efforts to reach the city auditor and I am a little just puzzled about the disconnect between what we are hearing from you and what we are hearing from the city auditor because he is very concerned about the lack of collaboration with him and his office. >> Ott: I think there was some interaction. I think the staff involved the auditor. Up think there was even a tour, if I am not mistaken or an opportunity to tour the space of silicon labs, so I was on the understanding of the staff level there was interaction with regard to both spaces, the new space and the existing space, but -- >> council member, that is correct. The staff had been working with the auditor initially and took him to see the silicon lab space and discussed the options that were there. After that, the staff had worked with both building services and lorraine wiser had worked with the auditor to look at maintaining his space here in city hall. We have a space planner -- a professional space planner that did work with him. The city auditor basically laid out what his program was, how many desks or seats that he needed. So there was a program that was laid out. Once that was completed and everyone looked at it, it became apparent that it didn't fit exactly, and so we took the program that city auditor had given us and lorraine and eric then

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worked with the space planner again to look at the silicon labs' space with the exact same program. >> Riley: And so what I am hearing from you is this was a fully collaborative process involving the city manager and the city auditor? >> Ott: Council member, you are hearing what you heard in response to the question that you earlier, you talked about a -- [multiple voices] >> Ott: You talked about a disconnect and I am simply trying to respond to that in the context that there was a connection, not a disconnect and it was just characterized to you. >> Riley: Can I ask a question? The question I was trying to ask is was this a collaborative process between the city manager's office and the city auditor's office? >> Ott: I think it was, and . >> Riley: AND SINCE WE HAVE The city auditor here and you all hear, I want the city auditor to offer his comments. I heard from you it is a collaborative process and ken, I am hearing from you that it lacked collaboration. >> Ott: Again, council member, you keep characterizing my response in a couple of words. You asked the specific question about -- in regard to explaining the disconnect, and we simply, in the course of our response, tried to explain how it was not a complete disconnect and that there was interaction, you know, between my staff and the auditor's office in regard to this matter. >> Riley: Are you questioning my characterization of this as a collaborative process? >> Ott: I am just trying to stay true to the response that I gave to your question. >> Riley: Okay. Well, I am not sure if the city manager is saying whether it is collaborative or not, but, ken, would you mind offer your opinion about this? >> Yes, I certainly would, ken boyd, city auditor. I first found out about this situation when I had elaine and I think sue talk to me back in august-july time

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frame, that I -- there is a plan to move me to lcra or to some other location at that point. , As opposed to moving across to the area in discussion in city hall. I -- I did go on a tour with them because they indicated why don't you go take a look at it. However, I told them the decision would have to be made

by the city council, that I was not accepting or accepting that. The concern I had as far as receiving any correspondence when there were letters going to the city council, I was not aware of those. I did get a message at one point -- again, I did not receive a letter. I actually called up and talked to Elaine and I said, am I staying in the building and told that I was to begin working with the architect who has been 95% of my contact. We did finish -- there is a plan for staying in city hall that was 95% complete. There is a few things that could be moved around and pretty much the conclusion was, with some adjustments that we accept that I am not going to constrain us and we could fit, and we could fit comfortably with regard to it. I didn't hear about the counter decision until the last letter -- I guess the November 8th letter, that came to city council and I was able to get a copy of it and was told, no, we are going to move you. As far as costs, there was never any discussion with me about, Ken, this is going to be too expensive, is there some other way. I said I intend to use everything that we can in the current plan or the plan that we have completed, I think, in October, pretty much all we were looking at the area for CEIU is going to be walls -- building three small walls and removing a couple of them and two cubicles that needed to be sized up and everything else we thought we were going to be using that EGRSO had in place with some adjustments at the end to make them into bull pens for our temp employees and

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any folks we would get from the university. But other than that, we felt we could fit in there just fine. We don't plan on growing -- actually we had one position grow. We have 32 now and we were asking for 33 in case that occurred, to add to the staff. That has been my concern. When I do look at those costs, I don't understand them. I am not saying they are wrong, right, but at first blush, it appears they are pretty high compared to what we were asking and we are more than willing to have a discussion about what we can do to reduce the costs further. For example, I wanted all of the offices the same as, you know, sometimes when you build offices for people at the same level, they all going to get upset. Two offices are bigger than two others. I can live with that. My folks will have to live with that. That would cut a lot of demolition down, I think. As far as moving me out to get it done, I may be wrong about this but the only area that really needs to be worked on is the result that includes walls would be the CEIU area which would pretty much mean building walls and then they would work inside the area without bothering the rest of my folks. They could move on over at that particular point and CEIU would probably move in the conference room until it is done. So there are some solutions, I think having a discussion, sitting down -- I may not understand all of the laws and all of that we have to follow with regard to construction but we can certainly have that discussion. From the collaboration perspective, I do remember that you had come down. They told me you had come down but the next day I was in the hospital, so I really couldn't get back to you very easily at that point and I would have. I did know the reason you came down and I indicated to give a reason it was coming up. But I thought it was (indiscernible). So that's sort of the way that we see it right now. Again, I will say, I do think it's important from an auditor's perspective that the main stakeholders for

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us, according to the city charter is city council, that we are supposed provide information, transparency,

accountability, and to improve the operations of the organization and I think it's -- yes, while I can do my job. If the city council tells me, ken, you've got to go across town, I will figure out some way of doing my job the very best I can. But I think it is very conducive to having that trusted relationship, the ability to go across the hall when things are popping that is important for our office, and particularly when we are going to have not only this city council but a new city council who doesn't even know who we are, so ...

>> Cole: I have a question. >> Mayor Leffingwell: Council member riley, go ahead. >> Riley: Just to wrap up, ken, so I hear you saying you believe you did not have a back and forth conversation about how costs could be minimized in order to keep you in city hall? You saw a list of costs but you didn't have an opportunity to work with anyone to see how the costs could be reduced? >> Other than yesterday, I think my staff met with eric. Eric, we looked at the costs but there was not enough information for us to analyze what is there, particularly with regard to silicon valley. >> Riley: Of course that was long after the decision was made that you moving out? >> Yes. >> Riley: And the plan to relocate your office temporarily for some months, have you had an opportunity to work with the manager's office as to how that would work? >> It would not. >> Riley: It seems like it would have impact on the operation of your office, for at least a few months? >> I think it will have impact. >> Riley: Mayor, that's what I am getting at. I am concerned when a lack of coordination with the city auditor actually affects our workings of the direct report. I think that is of concern for the council. >> Cole: Mayor, I have a follow-up question. >> Mayor Leffingwell: Yeah. Go ahead. >> Cole: Ken, another issue

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that I think is important that you have talked a little bit about before is the security issue in connection with your location. Will you lay that out? >> Well, we would have to come up with some better security and considerations in that building because it is not secure. While city hall is and particularly when we are talking about our investigations, and also in normal audit, we are required by our standards which is required by law in the city that we maintain confidentiality of our working papers until such time we should file a report that you guys approve in the afc so I am concerned about the ability to maintain the kind of security that we need. >> Mayor Leffingwell: Council member morrison. >> Morrison: I want to make a couple of comments because I appreciate the issues that have been brought up. Clearly, you know, the issues of how does this affect policy and how is policy involved. I am very respectful of those issues. Clearly the process to have appropriate collaboration and coordination happen is a question and then of course we had the question of the appropriate roles and where decision making lies in this based on all of the delicate and textured issues on -- textured issues on the table but I want to bring back to one issue that council member tovo brought up, and that's whether we are involved with a financial issue and the point being made, it is part of the budget. It does come to us as part of our purview in some regard, especially in -- and I believe that will -- and maybe you can confirm for me one way or another, that this will eventually be an item on our council agenda for approval of the contract to redo this. Is that correct, or has that already been approved, or what would we foresee in that? >> (Indiscernible). >> Morrison: I guess the real point I want to make as

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we wait for an answer on that is that I would hate to get to a point where it's automatically expected that the council is going to approve something that shows up on our agenda. We are not accepting our responsibility if we are not doing due diligence and evaluating as opposed to just rubber stamping that. >> Mayor Leffingwell: Okay one of course would be not to do until this office leaves -- until this council leaves office and a new council is elected. They can make that decision but I wanted to talk to you a little bit about -- I sent you an email this morning. I don't know if you have seen it, that the memo that you sent out to all of the council members on last thursday, I believe it was, basically editorializing, in my opinion, glorifying your role as so essential to new council members who were coming in here and wouldn't really know what was going on and, therefore, the staff and the city manager would have so much more authority, and you had -- you were quoting some media outlet that had speculated on that, and I@ just wanted to tell you publically, as I did by email, that I thought that was extremely inappropriate for your role. >> May I respond to that, mayor? >> Mayor Leffingwell: You may. >> I understand you are saying but I think as my role as city auditor when it comes to being effective and providing information and providing sources for accountability and transparency that it is my role, I think, to -- when I see a potential situation, where it's going to affect my ability to do that, to bring that point out, and that's why I included that in the email. I was not trying to go -- we certainly aren't going to be the key thing. We are just one of many ways

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of making sure that the new city council has the information that they need. >> Mayor Leffingwell: I think the clear inference of what I was referring to is inappropriate. The clear inference is that new council members would not have the ability to do their work on their own without your help. >> Then I miscommunicated. That was not my intent, I don't think that is the case. But we can help them. >> Mayor Leffingwell: I have conveyed my concerns to you and really, I think more than that I would like to convey the concern that I think you have inappropriately intervened in this process and advocated for something that you wanted to do that is really not your prerogative. It is the prerogative of the city manager's and I am very disappointed in that, also. >> Morrison: Mayor. >> Mayor Leffingwell: Council member morrison. >> Morrison: If I can have the floor back. I want to say, I, in fact, have not heard the city auditor say I do not want to move out of this office. What I have heard the city auditor do is provide information and some context for the decision that's being made and they have made it -- and from the office in general because we -- the city auditor was out for a while, made it very clear that as far as they are concerned, they work for the city council and they will take direction from the city council and that's what I've heard. And if I can get back to staff, did we -- did you get an answer for us? >> Yes. The -- we are going to be using a job order contract for the construction and renovations for city hall itself, and public works is going to double check with cmd and see if that's actually going to return to council for action in the future. >> Morrison: So do we have an idea of the overall costs of the redo? >> The overall costs for the renovations associated with city hall which includes chambers, executive offices and the build out of the office area for the new council members is budgeted

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at 2.5 million at this point. >> Morrison: You gave us that number in another memo. >> And there is other costs associated with the lease, silicon labs, which elaine can -- which lorraine can speak to, annual rent of 184,000 and right now we are estimating 350-450 additional costs of make-ready of that space and then there are other costs for audits not directly related to 10-1, such as technology upgrades that are not included in the 2.5 million. >> Morrison: So could you help me understand, make sure we have clear, if it's done under a job order, does that mean that we already have those services in place and it won't have to come to council? >> It may not but I really don't want to speak for contract management. >> Morrison: They are not here. >> They are not here. There may be some circumstances where it would go back to council, based on an amount or other considerations but I am not certain. >> Morrison: Okay. Maybe if staff can get back to us on that, I would appreciate it. >> I will call and get that answer. >> Morrison: Great. Thank you. >> Mayor Leffingwell: Council member tovo. >> Tovo: Yes, I want to concur with my colleague, council member morrison, on your comments regarding the auditor's feedback on this. I, too, have heard either our auditor or auditor staff say many times they will do what council directs them to do and they have not, in my opinion, inserted themselves inappropriately on this discussion. On the contrary, we on several occasions as audit and finance committee asked more information from them as to how such contemplated move would impact their work. Much of what we are hearing from them are responses to our questions. The meeting we had most recently was just one of several discussions we have had about the impending move. I remember at least one other we had several months ago where I thought our committee expressed real

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concerns about the possible move and I am -- it distresses me that though we had pretty significant messages from that committee and to our city manager, that was still not -- that was not the decision that was reached, to leave the city auditor where we felt as the four members of council who work most directly with the city auditor and his staff, that was not regarded as the direction our city was going to go and I think that really is unfortunate. I think we all benefit from having the city auditor here and I would underscore one point, that -- that kind of maybe is part of what council member spelman was talking about, when we talk about users of the city auditor, you know, we have residents of this city who also come to city hall to work with the city auditor and to meet with the integrity staff, and they also, you know, are used to coming to city hall. So what I heard from our discussion about economic development is that those users, you know, are more comfortable coming to city hall rather than potentially to another location. Well, the same could be true of the individuals who meet with the city auditor and need to, so that the city auditor can do his job and his staff can do their job. And so I -- I guess I really don't feel that I've got yet a real understanding of why it was more important for economic development to remain here than it was for the city auditor, and I know we have talked about costs, but I -- I believe that in our discussion with mr. Stockton about which costs would be incurred with this move versus a different kind of move, that many of those costs are going to remain the same. This doesn't strike me as a cost-driven decision. It strikes me as a decision that included other -- as all decisions do, included other kinds of reasons and I -- I appreciate the ability here today to discuss some of those, but I am still not -- I am still not persuaded by the

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decision. Another issue, I guess, we will have to agree to disagree on. >> Cole: Mayor, I will just close up and say that I appreciate, ken, your work, and I appreciate the manager's work and all of the work of the audit and finance committee. I have asked for another item to be put on in executive session because I do think a lot of times recently we have gotten into these discussions back and forth, you know, kind of whose decision is it, and I think that we are all states men and we want to draw that line where it actually should be and that's really the discussion we should be having and we can do that in executive session, so I respect where we are right now and look forward to having that discussion on thursday. >> Mayor Leffingwell: Okay. Thank you all. It completes our agenda. Without objection, we stand adjourned at 11:20. [City council meeting adjourned].