

City Council Work Session Transcript –03/31/2015

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 3/31/2015 6:00:00 AM

Original Air Date: 3/31/2015

Transcript Generated by SnapStream

=====

[9:18:22 AM]

Mayor Adler good morning. Are you ready? All right. Ready? Today is Tuesday, March 31st, 2015. We are in the city board and commission room at city hall, 301 west second street, Austin, Texas. The time is 9:16. We have a quorum so we can begin our work session. Everybody ready? All right. The first thing we have pulled is number 4. It's the convention center item pulled by kitchen, pool and troxclair. One of the three of you want to start us off? >> I'd be happy to lead off. I just wanted to establish upfront that asking these questions today should not in any way be taken as anything about the X games. I know they are permitted and approved for the events trust fund for 2015 and I don't want any of the questions or the fact that we're asking for additional information or a briefing later has anything to do with what's going to happen out there this year. I just wanted to establish that. And I have some other questions if we get to them, but I would like, mayor, to ask for a briefing on the major events trust fund and the events trust fund and the legislation related to it at another meeting. It can be either in a committee or - probably in a committee. Again, this doesn't have anything to do with the X games of 2015 T. >> Mayor Adler: We'll go ahead and refer that to a

[9:20:22 AM]

committee. >> Pool: Thank you. Other questions I have to go to the taxes or affected by the major events trust fund and the regular trust fund, like hotel and alcoholic beverage and sales taxes. The incremental tax that's withheld by the comptrollers is held by both. I wanted to get into some of the details about it. The city doesn't have any real oversight of the organizing committee and that really is the focus of the questions that I'd like to ask, which is why I'm thinking that would be at a later time. And I think that if we take no action on this item it does not harm the X games in 2015. I'll yield the floor at this point? >> Mayor Adler: Can you talk to us about the timing issue? Six Rodney Gonzalez, deputy director for the committee city's economic development department. Lela may have that statement with regard to the timing. >> Thank you. Lela fireside for the law department. We have representatives from the circuit of the Americas and from the circuit events organizing team here today and they can talk more about their timing issues. My understanding from the conversations with them is that they've been advised that the -- in order to have a potentially viable application under the major event trust fund they need to have that application into the comptroller's office by April 16th. And in order for them to do that they have to have the authority, the city has to have a resolution in support of that and also the city needs to be what they call an endorsing municipality. Right now we're the endorsing

municipality for the regular event trust fund, which has a different window of time in which you look back to figure out what

[9:22:26 AM]

the tax impact it and the comptroller's office sets out what the fund will be for each event. >> Mayor Adler: Ms. Kitchen and Ms. Troxclair. >> >> Kitchen: My question is to follow up on that or have to do with -- on behalf of the city. Also that goes back to I think what councilmember pool raised, which was what is the -- what's the mechanism by which the city oversees that or holds the committee accountable? And the other question is why is it -- is it necessary to do it that way as opposed to the city just taking that action? >> Those are good questions. The city has two mechanisms for overseeing this process. The -- we have contracts with the circuit of the Americas and with the circuit event local organizing committees relating to the events and setting out requirements that they have to meet both for the fund and also for some sustainability, environmental and mwbe requirements. And so we monitor those contracts and that's done but the economic development department. There's a regular review in that regard. Additionally under the constitute, the endorsing municipality has to review the application, the economic information that's submitted, the attendance information that's submitted. We have to be very involved in looking those documents over and making sure that we feel comfortable as to their accuracy. And then also Rodney Gonzalez is an ex-officio member of the events organizing committee, so we do have representation and

[9:24:26 AM]

involvement in that committee. >> Kitchen: Okay. Well, I guess I'll -- I share councilmember pool's concerns also. I think this would be best addressed through a committee and deferred because there are a lot of questions that have to do -- in my mind there's a lot of questions about that relationship and how that should occur. It seems like a big change to me. I would be more comfortable if we referred this entire item to a committee. >> Mayor Adler: Ms. Troxclair and then Mr. Renteria. >> Troxclair: Can you just give us a brief overview of the status of I guess the X games? Because this resolution is pertaining particularly to the X games. I know we had it for the first time in Austin last year and I understood that they had committed to hosting it for three years in Austin. So this resolution I guess extends the city's willingness to endorse the event or be a partner in the event for another year, but also it looked like it added about \$150,000 in fee waivers. So I'm trying to understand what is the reasoning for the year extension as well as where about the \$150,000 in fee waivers come from? >> Sure, I can respond to that. Rodney Gonzalez again. The X games is actually willing to extend their contract to host the game here in Austin for four years so last year when this was brought forward the willingness was three years and now they're willing to do it for four years. With regard to the \$150,000 of permit fee waivers, that was in the previously adopted council resolution. So the previous city council had authorized cloc and co-da to come back to council for up to \$150,000 in fee waivers. So that item in the

[9:26:27 AM]

resolution is simply a carry forward from the previous resolution. >> Troxclair: So did we grant them \$150,000 in fee waivers in last year's event? >> No, ma'am. The fee waivers were not granted. The resolution authorized quota to come back to council for the fee waivers. However they didn't come back to council for the \$150,000. >> Is this \$150,000 a year? >> Yes, \$150,000 a year for the X games event. >> Troxclair: Help me understand if we didn't give them this fee waiver last year and we already have an agreement or a commitment to host the games in Austin for at least two more years, what is the

reasoning behind now offering them this fee waiver? >> The fee waivers back then when council had considered them were a means to help attract the X games because at that point we were in competition with other cities for hosting the X games. And choc as well as Cota felt that by the city offering \$150,000 in fee waivers that would increase Austin's competitiveness with regard to the other cities. >> Troxclair: But it doesn't sound like we committed to giving them fee waivers and we didn't give them fee waivers last year. So I'm just trying to understand what -- I understand the city usually uses those kind of incentives in competitive situations to attract these big events. I certainly understand the X games brings a huge number of people and tax revenue and all of those great things to the city, but I'm still -- it seems like there's a disconnect if they're already committed to be here why this is coming up now instead of last year and why we're making this commitment when there has already been an agreement kind of made? >> Councilmember, I think last year the \$150,000, they had the ability to come to council to actually get the 150, but they did not for whatever reason. But that wasn't because they

[9:28:27 AM]

were not eligible to receive the \$150,000. The difference this year is that in light of the pending legislation which has been two-thirds approved by the senate so far that there's a likely -- the likelihood of it being passed this year, this legislation, it probably will occur. So with that being the case the April 16th is what prompted this discussion. I don't think we are a big departure from anything that we've done previously. The only difference is if this can go to the major events fund, they're just stating that they would like an additional year. The only other addition would be the \$150,000, which in this case is what the previous council has had already approved. By all means, I think it would be a good idea to provide the council through committee an update, but I do not believe that this action is in conflict with any of the previous actions by the previous council related to the X games. >> And with passing this resolution that's \$150,000 a year for up to -- and we're extending it from two years to three years, so it's \$450,000 that we're talking about? >> Yes, for the remaining three years. >> Okay. >> Pool: But it's not a fund that would be handed -- >> But it's not a fund that would be handed out without further council action. They would need to come forward and say we need up to this amount in fee waivers and then council would need to review that and decide whether or not to approve it. And that's how the previous resolution was drafted. They had asked when they made this request for this language to stay in there, and certainly they're here if you want to -- and they would be here on Thursday if you want to hear anything further from them about why they wanted that to continue in the resolution. >> Mayor Adler: Mr. Renteria?

[9:30:31 AM]

>> Renteria: To my knowledge there hasn't been any kind of matching funds or y'all have never paid out any kind of -- I mean, allowed any fee waiver until this agreement was set. According to my understanding it's that the state wrote it up this way so that, you know, that's the procedure that y'all just are following. And it's like basically the state giving us the ability to raises all this money for no cost involved to us. Is that sort of like -- is that correct there? >> Sure. The program that we're talking about is indeed a state economic program. And so you're absolutely right. The state allows for their estimated sales tax and other revenues to be part of that economic incentive. And they allow a local match as well. In this instance cloc and circuit of the Americas are providing the dollars. There are no local for the vents trust fund applications. X games is just a little bit different in that when council approved the resolution they had authorized up to \$150,000 in fee waivers to come back to council, so as Ms. Fireside has pointed out, that only gives them the ability to come back to council at a later date for those fee

waivers. And as pointed out last year they didn't do that. This resolution does the same thing. They could come back to council on an annual basis for up to \$150,000 in fee waivers. >> Mayor, I think it's important to note that one thing that previous council, because of attention to the came and quite frankly the formula 1 races,? This instance the local match. We would have the local entity pay the match based on celoc's creation, they

[9:32:33 AM]

are actually paying the local match dollars. When we say the city is not paying anything related to that, if they were paying something it would be through the local match. In this case celoc would be paying the local match for this event. >> Mayor Adler: Okay. Mr. Zimmerman? >> Zimmerman: Thank you. I want to concur with councilmember kitchen. This sounds like something that would be a good candidate for a committee. If I could speculate what committee might it go photo? Would it be economic development or would it be audit and finance if we -- possibilities for assigning it to committee? >> Mayor Adler: I'm not sure. Depending on how the debate goes. It. >> Zimmerman: Okay. I would just say I hear what you're saying about the money has not been utilized or wasn't asked for last year, but I think certainly it creates an expectation. If we were to vote on this and improve it, there would be an expectation here that if they asked for the money they would get it. So that's my comment on it. Thank you. >> Mayor Adler: Is it time sensitive? Is the fee waiver provision in this time sensitive? And if it's not, could we approve this without the fee waiver, but with the allowance for the organization to make application under the major event? >> Yes. The fee waiver is not time sensitive. >> Mayor Adler: But the other is. >> Yes. The other is very time sensitive. >> Kitchen: I know you mentioned this before and I apologize. I'm trying to make sure I'm understanding it. You said it was time sensitive because there was something that needed to happen on April -- I'm trying to remember the date. 16th is that what you said? >> Yes, ma'am. >> Kitchen: And what happens on that date? >> That is the state application deadline I believe. Is that correct, Lela? >> Yes. >> Kitchen: How does that relate to the legislation that's referenced here, the state authorization for the bill that has to pass? >> They work together.

[9:34:34 AM]

Because the legislation is pending to potentially make this event eligible for this major event trust fund instead of the smaller one, and the deadline for that major event trust fund application has to be by April 16th. There's a deadline in the statute for the date by when before the event that the application has to be in. So they're wanting the authorization to put in an application with the city's support as they've done with other applications, hoping that that legislation passes. If it does not pass, then they would put in the smaller regular event trust fund application as they did last year. >> Kitchen: But the legislation is not going to be final before the April 16th deadline. So -- well, it might be, but it doesn't have to be. The session doesn't end until may. >> That's true. And they're trying to set themselves up to be potentially eligible, but they do recognize that if the legislation doesn't become effective in time or it doesn't pass at all that they have the option open to do the regular event trust fund. So they're trying to keep their options okay. They're trying to position the event for either situation. >> Kitchen: The legislation has it's written right now to be retroactive so its effective date would allow that application to be effective? >> That's my understanding. >> Kitchen: Okay. And if they didn't apply for that, the city could apply for that? Or is that not the case? >> The city would not -- the application is from the city, celoc is the city's designee, so they are applying on behalf of the city. >> Kitchen: The city --

[9:36:36 AM]

celoc would be the city's designee if we passed this? >> Yes, which is the same case as the previous X games application. >> Kitchen: Okay. >> If it's not passed, this nuance isn't passed, it will revert back to the events trust fund, the previous agreement. If -- it wouldn't be applicable to the major, but it would revert back to the current agreement that's in place currently. >> Kitchen: Or the city could apply. >> Just want to make sure that -- >> Kitchen: I'm not suggesting that that needs to happen. I'm just -- please understand I'm asking these questions to understand the scope of what we're talking about, not to suggest any particular action. >> Yes, ma'am. The city is indeed the applicant and celoc is making the application on behalf of the city. So your question of the city could apply, this is the city's application that we're talking about. >> Kitchen: Celoc would apply if it's acting on behalf of the city or not. Is that not correct? >> The reason we have celoc as the designee for the city is because they provide the local match. I can't see a situation in which the city would provide that local match. >> Mayor Adler: Ms. Houston and then Ms. Tovo. >> Houston: Thank you for the information. Again, I'm not here to -- thank you. To say that I'm against or for it. I have some just general concerns about somebody acting on my behalf that I didn't agree to have them act on my behalf. And so that's my concern. Is there something in the resolution that gives us a way out of that at some point? I'm fine with going on with the X games for this year, but I think we need time, at least I need time to look at the agreement, to make sure that I'm being represented fully on the circuit of

[9:38:37 AM]

events local organizing committee to have one staff person that is ex-officio that means a voice, but no vote or do you just sit there and report back? >> Sure. Maybe I can help out with that question. When the council had approved this resolution for the X games application, we then followed up with an agreement with circuit events local organizing committee and circuit of the Americas, which spelled out their obligations with regard to how they could act on the city's behalf and our obligations. Now, I don't know specifically, but of course within any agreement there are parameters for ending the agreement as you've asked. And so what may help is that if we forward to the council those particular agreements between the city and circuit events local organizing committee. So that way you can review them before Thursday and you can see their specific responsibilities. With regard to your question, I believe it was a question of my role as ex-officio, I don't sit there. Wayne Hollingsworth, who is in attendance, the secretary for celoc, can attest to how I ask questions, provide input, seek clarification, things of that nature. I'm a very active board member for celoc. And it's great to have that type of oversight if you will and the previous council had requested that type of oversight for the specific purposes. When you've mentioned when we've allowed another entity to act on our behalf, I think you will see the agreement calls for not just the ex-officio piece, but a lot of other measures to be in place. >> Houston: That would be helpful for me to see that. >> And when you talk about the stick and the carrot, our staff went through due diligence in creating an agreement with council input, I can say to you that councilmember Riley was very

[9:40:38 AM]

engaged in making sure there was some environmental language in that agreement. We have mbe, WBE language as it relates to the folks that we hired during the particular races. So there are specific things, values from Austin that are embedded in the agreement and that's what we hold them accountable based on that agreement between the city of Austin and this local group. >> Tovo: Thank you. I pulled this item because I thought it merited a much fuller discussion and I apologize for being late, although I did hear you all on my earphones. But I really want to just start with the timing and say when formula one came to the city and asked for the city to be its -- to enter into this relationship, there was a

substantial community discussion and frankly the fact that there's no local match from the city of Austin is as a result of that and substantial discussion and the raising of concerns. When this went through council -- and that was approved by council on a five-two vote, and I was in the minority on that one. When the organizers came forward and asked for support and the fee waivers for the X games, that at least received some discussion. Again, that was approved on a majority, but it was again a five-two vote. But what concerns me most is that this really is a subject that should merit some substantial discussion and again, as it was with the formula one, the imperative is to hear it and to hear it very quickly because there are pending lines. I'm not really -- deadlines. And I'm not sure with this particular instance why that's the case. They have the ability to apply to the major -- to the

[9:42:39 AM]

vents trust fund. They may get the -- they may get an expanded ability to apply to the major events trust fund, but for this year they have the ability to put the X games on without that additional funding. They have access to the major events fund. So I guess I would just question -- you've answered the timing from the perspective of the applicant. I guess I would just say I'm not convinced that this merits a very quick decision and review on our part. I think there are a lot of questions. There were many questions back in 2011. We've all received questions and I believe we had Mr. Victor in at citizens communication a few weeks ago asking us to look into some questions related to celoc. So we clearly aren't going to have time to resolve those between now and Thursday and I think it's appropriate that we look into it. So that's -- I look forward to thinking about the information you've provided us with and maybe submitting some additional questions, but to start off I'm not convinced it's an emergency that we do this very quickly with limited discussion. I guess I would also ask, too, the purpose, as I understand -- this gets back to councilmember troxclair's questions, the purpose I understand both of those funds is to attract events to the state. And with the case of the X games, even when they came to the council asking for support and fee waivers back in 2013, may 23rd, 2013, there seemed to be very strong evidence they were going to -- they were going to take place here in Austin. So if we're in a situation of endorsing a request for state money or providing local money to attract an event that's already here, I would say that I'm not sure it answers the very first question. The very first condition that should be present in all of our incentives packages, which is the but for clause, that but for

[9:44:41 AM]

this money they wouldn't be locating here. And so -- I mean, councilmember troxclair asked this question, but I still don't feel I have an answer to it. Why are we endorsing public support to recruit an event that is -- that is designed to recruit an event to the state when this event is clearly here? And continuing. And I hope it does. It's something a lot of the community event -- a lot of the community enjoyed. It has an economic benefit for Austin. But it's already here. >> Good morning. Director of the convention center. I think the competition for this event was fierce. I think that both Cota and celoc had to be together a very aggressive deal in order to capture this. I know Denver and Chicago put very aggressive packages on the table in order to bid for this and were coming really hard. Quite frankly, would still want to host that. The additional year certainly from the hotel community perspective, is very positive. >> Tovo: I appreciate that it's very positive and that especially from our convention center's perspective that it's an economic gain to the city to have it here, but you're using language that's in the past tense here for good reason. They have made a decision to locate -- despite the fierce competition they've made a decision to be here. And so why provide additional support or an endorsement that allows them to seek support from the state that's aimed at recruitment rather than retention? >> I think this is allowing celoc to also then -- here's my understanding is that the state legislation amendment

[9:46:41 AM]

that is going forward, which is going to put the X games in the major events trust fund category, that they are following through on an intention of how they had viewed the X games before, and what they were simply doing, may do, is to categorize that this legislation has major events trust fund, something that they had intended to do. And so this would provide them the access to that major events trust fund application, which I understand was the original intention. So as Mr. Tester pointed out, it was a competition last year and the competition at that point was for three years. X games is willing now to increase that an additional year to make a total of four years commitment. But with regard to seeking major events trust fund status versus vents trust fund status I believe that goes back to the original intent that the state legislature had had with regard -- with regard to categorizing the X games. >> Mayor Adler: Okay. Did you have one more question? >> Tovo: May I ask another question? I will submit these assuming I can get them in on time. I think if we are considering really the very same relationship that we have with f1, then I would want to see the agreements you've mentioned, but also I would like to see information about the funds that the celoc has received also met these, but generally what funds has celoc already received from the state, what its revenues look like. As I understand those are still all audited by the organizing committee itself. Those are not, as has certainly received a lot of discussion in the news. Those are not -- those figures are, I believe, still done by the event rather than by a state audit. So those are -- that's the nature of the questions that I'll be asking because again if we're really considering this on Thursday, we're

[9:48:42 AM]

going to come press -- we're going have to have compress a lot of inquiry into two days. >> Thank you. >> Tovo: I would like to know also and I'll ask this question on Thursday of the event representative, to what extent public funding is going to be part of their ongoing business plan. >> Okay. Thank you. >> Mayor Adler: Ms. Gallo and then Ms. Pool. >> Gallo: A comment for the councilmembers. Obviously there is a financial impact of the potential of the 150,000 per year in fee waivers. But I don't see any of that information on the front page under financial impact. And I think if all of the departments -- I'm not just singling you out, but I think it would be very helpful if there is a financial impact to make sure that gets put on the front page because that's kind of the first page we look. And then the second question was you talked about celoc paying the matching fund last year. How much was that that they paid? And let me make sure I understand that. That in the existing contract the city could have been responsible for or would have been responsible for or was never responsible for? >> The way the applications work is that the local endorsing entity is usually responsible for that match. However, the way that we've structured these agreements is that circuit events local organizing committee provides that match. So last year that match was \$176,352. Of which circuits events local organizing provided. >> And it wasn't that they were just gracious and agreed to pay for it. We didn't have to pay for it and they were responsible for it in the contract. >> That was part of our agreement with them as allowing them to apply on behalf of the city is that they have to provide the local match. >> Gallo: Okay. So if you summarize just quickly, what is the difference other than the extension of one year, what's the difference with

[9:50:44 AM]

this county versus the previous contract? >> The difference between -- and I think the difference might be the difference between the events trust fund and the major events trust fund is that the major

events trust fund allows for these events to capture indirect and induced expenses. Currently they capture what are called direct expenses or revenues, rather. Currently they capture the direct revenues from the event. They are allowed to capture other revenues and expenses in that regard. And also with the events trust fund for multi-year events such as this, the event has to have a reduction of 15% of allowed expenses per year. So with the major vents trust fund they are allowed to continue with whatever increases are seen in the revenues and they are allowed to capture the indirect and due expenses as well. >> Gallo: Is there any capture of income on the new proposed contract that the city would have gained or been able to acquire on the previous contract? Is the city losing any potential income streams on the new contract over the old contract? >> The city is not losing any income streams with any of this because of course we do not provide the local match. And no, we're not losing any income streams. >> Gallo: All right, thank you. >> Mayor Adler: Ms. Pool. >> Pool: So when you say that celoc is providing the local match, where did the money come for the local match? >> It comes from circuit of the Americas. >> Pool: And what sorts of fee waivers and subsidies does the city provide to circuit of the Americas. >> Zero in terms of subsidies or fee weavers. >> What about infrastructure or services provide? >> What the city provides, and we do this for every

[9:52:48 AM]

large event, and I categorize this following the first year of the f1 event is that we see an uptick, an increase if you will of the number of visitors to Austin. Visitors for the event itself or visitors who are coming to Austin because it's a good time period to come to Austin. So so we see an uptick in public safety expenses in particular for, public safety measures such as street closures, et cetera. A lot of that we do get reimbursed directly from circuit of the Americas. For example, the city has a contract or grand jury medical service providers have a contract with circuit of the Americas to provide on-site emergency medical service. And we get reimbursed for that at cost. And any other direct expenses such as direct overtime at the track are usually billed through Travis county. And if we also provide those, those are direct billed to circuit of the Americas as well. But things that are general in nature when you have an increase in activity in the city related to an event, we don't bill circuit of the Americas for that, similar as we don't bill south by southwest, fun, fun, fun fest. Those are just an increase in our activity and we take those O. >> I think during the budget discussions I'd like to dig in a little bit deeper on the fee structure and the waivers and we've already talked about doing that. The local organizing committee, is the membership the same as was on there originally? [Laughter]. Someone is trying to break in! >> Originally there were two

[9:54:48 AM]

original board members who have dropped off and we have Wayne Hollings worth as the secretary of the circuit events local organizing committee here to answer those questions and we've recently added another member as well named the president of the committee. >> Pool: Did the previous council approve the membership on the local organizing committee? Does anybody know? Lela, Rodney? >> That is not part of the agreement. >> Pool: I'd like to have a look at that. I'm curious how often the local organizing committee briefs council or reports its activities to council? >> Celoc has not reported to council. We provide an annual, as Lela had mentioned, an annual compliance review of all the events with regard to the applications as they've stood. And so that compliance review is for the contract with both celoc and with Cota. >> Did celoc have anything to do with the f1 report of their -- I think f1 did its own performance audit last year that was not very well received by the community. Did celoc -- was celoc involved in that or have any oversight of that or input? >> I'm not sure which performance review you're talking about. It may be a Cota performance review because we deal directly with Cota, so I'm

not sure what performance review you're talking about. >> Pool: Colleagues, I'm not comfortable with the level of oversight that we have on this local organizing committee and there have been a lot of concerns raised by the community over events out at the track. And I don't think any of them have been answered really sufficiently. Some of them touch on this issue, some of them touch on f1. I would be comfortable with

[9:56:50 AM]

simply saying that we will do nothing to impede the X games application to the events trust fund, but I am unwilling to sign off on an agreement that puts the city responsible, but has no real actual hands on with the application. It's applied for in our name, but we're not doing it. So I have a lot of additional questions and would really appreciate the matter of the contract going to one or two committees. I think a couple of them were mentioned by councilmember Zimmerman. >> Mayor Adler: Ms. Kitchen and then Ms. Troxclair. >> Kitchen: I was just going to say I would echo that concern. I also have a lot of questions about -- I'm not hearing a difference that's requiring this kind of urgency because if I'm understanding correctly, there's still of ability to apply for the ETF as opposed to the met. And I -- I'm hearing what you're saying in difference of the difference between capture, but I'm not hearing that that has an impact on the extent to which the X games can proceed. So unless I'm missing something, which is quite possible. They can still apply for ETF as I understand it and they can still proceed with the games under ETF as opposed to metf. So we could consider this kind of action for the future as opposed to the application that's due on April 16th. That's what it sounds like to me. >> We can certainly take a question from council and work with celoc with regard to response of what the met application would do with

[9:58:51 AM]

regard to the X games, and that might help council for Thursday. The other thing that we can do is provide a summary of our involvement in the application because we do get involved in the application. It's not a matter of simply allowing celoc to act on our behalf. They come back to us with the full application. We review the materials. We as staff sign affidavits to the Texas comptroller attesting to certain pieces of information within the application that they were true and correct to the best of our knowledge. So the application is not simply having celoc do the forms for us, but rather they come back to us with the full application and they have to get our signoff on it on all the information before it gets to the Texas comptroller. >> Councilmember, I think it's important to note that there is due diligence from staff's standpoint. I don't want you to think there's not adequate checks and balances. I think when we go to the committee, you will be able to see from start to finish the engagement of staff related to, you know, clearly, you know, there may be issues or ways that we can enhance that review process but I think there are some -- some ways that we've been trying to review agreements and working with the comptroller's office. In addition to that, I think it may be good to have our legislative team present on Thursday. We'll work with them to get some idea of where it is in the legislative process so at least you can have that as well. >> Just to clarify: My questions don't relate to any implication about due diligence and the actions of staff. Please don't misunderstand me. I'm not expressing any concern. I think there are policy issues here for the council to consider. >> Okay. >> >> Mayor Adler: Further conversation? Ms. Troxclair? >> Troxclair: I wanted to thank you, Rodney, for bringing up the point about the legislature because I do remember that it was the intent of the legislature last session to include the

[10:00:52 AM]

X games in the major events trust fund. And so ... Thank you for bringing that point up because -- because it seems like the -- I mean, I have already kind of expressed my concerns about the -- about the fee waivers that are associated with this. But besides the fee waiver issue, this resolution would allow the X games to apply for major events trust fund instead of -- in addition to the events trust fund, which was the original intent of that legislation that was passed last session. I am happy to, you know, at the -- if the mayor would like, I'm happy to -- and other committee members, I'm happy to take up issues going forward with fee waivers and economic development and the -- how the celoc is set up. But I would hate to -- to take action now that would prevent -- that would have any impact in allowing the event to move forward as I think it was originally intended by the legislature, as well as do anything that would prevent them from continuing the X games in Austin, so I just wanted to -- >> Mayor Adler: Mr. Zimmerman? >> Zimmerman: I would like to move that we end discussion on item 4. >> Mayor Adler: Is there a second to end discussion on item 4. Mr. Casar? Any further debate on this issue, raise your hand? One, two, three, four, five, six. Those opposed? >> [Indiscernible]. >> I want the other question to be taken. Somebody raised their hand. >> Pool: I had one more comment -- >> She didn't get a chance. >> Mayor Adler: I think people are concerned about, weeing through these agendas. >> If people want to speak, I don't want to cut them

[10:02:53 AM]

off. It's a work session. >> I misinterpreted councilmember pool's hand being raised -- >> You want to go ahead and ask your question. >> Pool: I had a comment. My understanding is that our delay or tabling of the resolution has no effect on the application to go forward at -- doesn't have any effect on the bill. That bill is not contingent on us passing this resolution. They may or may not be able to apply for everything, but that -- that legislation can still go forward. This does not impede that resolution going forward is my understanding. And that is to councilmember troxclair's point. Thank you. >> Mayor Adler: Okay, Ms. Houston? >> Houston: As I said, if they can go forward with the major events trust fund, that's fine for this year. There are some policy issues that I still think we need to wrestle with, and that's a longer conversation. >> Mayor Adler: Ms. Gallo? Ms. To have have? >> Tovo: Do you have an estimate or has the organizing committee come up with an estimate of the maximum amount that they're going to request from the major events trust fund? >> So far the application, with the -- with the events trust fund, is a total of 1.69 million. The state -- the state match would be \$1,457,344. And the local match of which they would provide is \$233,183. So that's the current application that they have developed for the events trust fund. If -- if going forward, of course, they would like to present an application with the major events trust fund, they haven't developed those Numbers yet. >> Tovo: And those Numbers, as I understand it from the resolution and past experience, would be the

[10:04:54 AM]

economic analysis -- basically the analysis that suggests to the state how much they feel they would benefit economically will be provided by the organizing -- by celoc itself? >> Yes. >> Tovo: So celoc will come up with an estimate of how much they believe they will generate in terms of tax returns and those will be the Numbers, as has been past practice, those will be the Numbers upon which they base their request. >> Yes. After it's been vetted by the comptroller's office as it relates to the validity of the Numbers submitted. >> Tovo: I appreciate that. Though as -- as I mentioned before, I think that's certainly been a subject of discussion out in the public about whether -- whether that's a significant enough control to have the Numbers being prepared by the organizer themselves. Okay. So that -- I -- is there an application? That we could view? An application for the X games to the major events trust fund? Have they prepared an application with these Numbers in it that we could review and that you

could make available as part of the backup? >> You know, we may have a representative of celoc, perhaps Mr. Suttle. >> Tovo: I'm sure we do. I didn't necessarily want to make this into a public hearing, but I would -- I would be interested in reviewing any of that written information, if possible. >> Sure, he can talk about the application and making it available. >> Tovo: So, do we need to waive rules to allow a member of the public -- again, I wasn't suggesting that that happen here today. I was simply asking our staff if they have -- if the organizing committee -- you are citing some Numbers from an application. If you could make that available in backup, that would be great. >> Okay. >> Mayor Adler: Does anyone want to hear Mr. Suttle's answers to those questions? >> Okay. We can confer with celoc. I don't think the application has been submitted to the state, but we can confer with them about providing that information to the council. >> Thank you. >> For what it's worth in terms of the council having

[10:06:55 AM]

people's sentiment here, I think that we need a long discussion on how we do fee waivers and fee waivers for events that are revenue generating. And I think that's a conversation that we need to have and the committee ought to be having it. Generally speaking, I want the briefing on the trust funds, both the major and regular one, so we can understand those better. We will send that to a committee to do that. That would also include the city oversight of the -- of the circuit events local organizing committee and how that works relative to the city, associated city financial obligations, associated fee waivers and services provided. And we can send all of that to a committee. I -- hopefully on Thursday, we can have a better feel for the timing questions that have been raised. Generally speaking I probably come down saying that if there is state money that's being made available to the cities, I want to get as much of that as we can. If we don't get it, other cities are going to get it. If I have an organization or an entity that may not get future support for fee waivers, in certain instances, if there's money that comes to them from the state or is available, I just as soon it come to events that are happening in Austin than happening in Lubbock. So if -- when we discuss this on Thursday, if we could find out what the implications are of letting this entity make an additional grant application or not -- generally speaking -- for me, if it's an activity that we want to have happen in this city, speaking across the board on activities, and there's an opportunity for them to apply for a grant from somebody else, that brings money or revenue or support for an activity that we want in this city, that doesn't cost the city any money, my first impulse is going to say "Go for it."

[10:08:55 AM]

That begs the question of supervision and oversight and the other questions that I think we need to have a committee take a look at. Ms. Kitchen? >> Kitchen: Just one clarifying thing. The difference we're talking about, I assume just -- I apologize, I'm not completely familiar with met versus the ETF, I'm sorry, with the acronyms. But we're talking about a difference in money, right? >> Yes, ma'am. >> Kitchen: They can get money from the ETF, we're not talking about them not being able to get a grant. We're talking about the difference in the dollar amount, what's available to them. >> Yes, sir. >> Kitchen: It would be helpful to understand what that difference is. >> Mayor Adler: Okay. Ms. Troxclair? >> Troxclair: I was going to suggest the same thing, I think it would be helpful on Thursday or before then for the council to -- to better understand the difference between the ETF and the met and how they operate and my understanding is that the major events trust fund specifically outlines large events that are eligible to apply for those funds. And there was a bill that was passed last session that made changes to the -- Bo the met and the ETF. The intent of the legislature was to include the X games in that list of events that were available to receive met funds. There was a parliamentary interpretation that by the end of the session ended up that the X games was not included. This is my memory. But please correct

me if I'm wrong. So now the legislature is trying to address that situation, make sure that the X games is included in the met as intended and this would allow them, besides the fee waiver issue, this would allow them to apply for that fund. So maybe -- >> That's correct. >> Troxclair: All right. >> That's correct. >> Mayor Adler: Further discussion on this item?

[10:10:56 AM]

Hearing none, we will move to the next item, thank you very much. Next item is item no. 8, Ms. Troxclair you pulled this one. >> Troxclair: Sorry? Oh, me, me. >> Mayor Adler: Item no. 8, uh-huh. I would point out that Ms. Houston has asked us to discuss the annexation item no. 24, that wasn't pulled but we have staff coming for that. Item no. 8, do you want to tee this up, Ms. Troxclair? >> Troxclair: My understanding of this item is that we are the city is receiving a state grant to add an employee for the Asian American resource center. That money will cover the full salary of this position and then the city match or the city obligation would be to cover the benefits, about \$65,000 in salary and about \$40,000 in benefits. And my question, I'm sorry, did I ask this before, but we weren't able to get an answer before today, so thank you for being here today to hopefully answer it. My question is ... My understanding is that the parks department currently has 52 vacant ftes and 24 of those have been vacant for over six months. So can we -- use one of the vacant ftes, still accept the grant money from the state and be able to fill this position and save the parks department the \$40,000 that it would cost in benefits? In the short term? And then address the issue of adding an additional fte during the budget cycle? >> Thank you, councilmember troxclair, we sent it over this morning and I apologize it didn't get to you in time. >> That's all right. >> This is a position funded by the asian-american resource center, that is local non-profit in partnership, this is -- we already are using a city

[10:12:57 AM]

parks and recreation department position. We took one of our vacant positions, reclassified it, went through that whole process. The asian-american resource center is funding 65,000 the department is then funding the difference. So we are doing exactly what you are saying. And then they'll make us whole through the budget process. Just to clarify, though, and I have Kimberly up here, we currently only have 17 positions that are vacant and many of those that have been -- but nanny of those are actually in the offering stage or we've already gone through the process. So that report that you all received is two weeks behind and many of those have already been interviewed and offered positions, so hopefully that helps. >> Troxclair: Great. So I'm sorry, I said the state but I guess the asian-american, I had my state on my mind from the previous conversation. [Laughter]. So you are saying that, yes, that we are not creating an additional fte, that we are using -- repurposing an existing fte. >> We are using an existing fte with an existing position control number. Once the new budget time comes, working with the budget office to make us whole because I did have to take it from an area, but we needed the position so we could make that -- create the job and just to clarify, the three things that this position will do for the asian-american resource center is, one, help us with the protocol. There are a variety of asian-american communities in Austin that are -- that span a huge area and they are going to help us with protocol with the different groups. Number two is culturally relevant programming to make sure that we are addressing all of the different areas and culturally relevant programming and, number 3, help us reach far and wide in a marketing and communication outreach effort. Those are the three things that are obligated there you a contract on an agreement with us. >> Troxclair: Well, just to clarify, I was not at all questioning the -- the need for the position or the intent of the position or

[10:14:57 AM]

anything. My question was solely can we save the parks department \$40,000 if we use an existing fte. Which it sounds like you are doing. So then you'll be coming to and then I guess you'll be asking for the additional -- >> It will be coming back through to help us in the next time, in the budget and audit committee. >> Troxclair: Okay, thank you. >> Mayor Adler: Anything else on this item no. 8? Ms. Gallo? >> Gallo: Technical difficulties here. Thank you for doing this. I had the opportunity, I believe this is the same facility, to attend their Chinese new year. And it's an amazing building. >> It is. >> It serves an amazing purpose. This is a you've got the a huge asian population in this community, just the collection of items that they have there on display, I would encourage any of you that have not been there to visit. So thank you for helping to bridge to that community and seems like it's a really worthwhile facility and purpose. >> Thank you. >> Thank you. It is a great partnership, this is the kind of thing we need to continue to do with all of -- all of our communities because this shows that promise and coordination with the groups and give from both sides. It's going to be very beneficial. Beneficial -- >> This position, is it going to be a city employee that's actually going to fill this position? Are they going to become a city employee? >> They are a city employee. Their official title is community program services manager and they will be a city employee under the municipal civil service rules. >> Renteria: One more question: If another center had a non-profit and they had enough money to fill a position, is it -- you know, this money that you are getting for the benefits, is that a common practice? >> No. This is a -- a way to -- in

[10:16:59 AM]

tough times, to help look at ways we can partner with other groups, non-profits and others to help fund positions and in needed areas. So I hope that this isn't the last time we do this. I hope that this will continue so that we can continue to beef up these areas that we desperately need. It's a way to do this without the city having to fund the whole position. >> Renteria: Thank you. >> Mayor Adler: Mr. Zimmerman, then Ms. Houston. >> Zimmerman: Thanks, yeah. A quick question. Could you talk a little bit more about the 501 C 3 the asian-american resource center, it says here continue to support and assist. Does the 501 C 3 non-profit have employees of its own or how does it work together. >> This person is a city employee. >> Zimmerman: Huh-uh, I'm sorry. I want to talk about the asian-american resource center, the 501 C 3 itself. Does it have employees? >> They have -- I think a part time or two employee. This position, though, will also help them. It's a dual purpose. It will serve and work with us at the asian-american center and then they will also work with the asian-american resource center board, which is a non-profit board. I don't -- I can't go into all of the specifics, I don't know if kalonie can. >> I just wanted to share a little bit of background, I didn't come prepared to talk about their specific structure. Some background that I think is very relevant, when we think about the asian-american resource center, the community really stepped out to envision this facility and this particular non-profit played a major role in the city really organizing to create and find bond moneys to create the facility. So this is a consistent vision of theirs to support the programming and services to the Asian community. So we have a board. So they have a board, I'm not certain the number of board members, we can have someone come up and speak to that. But they have been working in collaboration with our

[10:19:01 AM]

department for -- since the inception of the opening of the asian-american resource center and also helped to raise dollars toward its mission. >> Zimmerman: Yeah, okay. Thanks. But it just seems important, right, if we're talking about part networking. I have no idea -- partnering, I have no information, I don't know how that work, I don't know their budget, how many people. I don't have any information. I appreciate that. If you could provide some more information for what the 501 C 3 is and

how it supports and assists, it seems important to the decision. >> We will do that. >> Zimmerman: Will the employee report -- it would still report to pard, not to the board of directors of the 501 C 3. >> They will be able to give feedback, but the review will be the -- what's called the city's form of evaluation which is considered this ssbr, which I cannot tell you right now what that stands for. But success strategy reporting and I do want to clarify one thing that councilmember Renteria stated. We have lots of grant-funded positions in the city. This is a little unique, though, with a non-profit type of grant funding. I don't want to MIX that, the other thing is, it is a grant funded position. They still fall under the municipal civil service rules and we'll provide that information for you. >> Councilmember Zimmerman's point, I'm kalonie hawks, the assistant city attorney, the attorney for the non-profit will be there on Thursday to answer any questions that you might have about their structure. >> Mayor Adler: Ms. Houston? >> Houston: Thank you so much for being here. I have a quick question, it set the asian-american resource may continue to provide annual funding for up to three years. So what if they don't? >> If they don't, as according to the municipal civil service rules, this is a grant-funded position. There is no rights to this position and the employee that is -- will be selected will know that it is a grant-funded position and that then will no longer be funded, neither by the city nor by that foundation.

[10:21:04 AM]

>> Houston: Thank you. >> Mayor Adler: Anything else on this item no. 8? Thank you very much. >> Thank you. >> Mayor Adler: Item no. 9. Kathie is not in the room. We will come back to number 9. Item no. 10, Ms. Tovo I think will need to be here for the conversation, we will pass on 9 and 10 and go then to item 14. Pulled by Ms. Kitchen? >> Kitchen: I pulled this item just to -- I know we'll have a longer discussion on Thursday, but I pulled the item just to say that I agree with the approach. I have some language changes I might be suggesting as part of an amendment, so I just wanted to let people know that. For example, the items that the plan, the implementation plan should address. I would -- I have -- my recommendation is just -- just relate to giving our staff a little more direction on what we're looking for. I have no concerns about their -- about their proceeding with the recommendations. It's just that -- that I think it might be helpful to outline in those items that we would like to see a timeline along with the implementation plan. And a timeline that attaches some target dates to the -- to the recommended metrics, so that when we're -- you know, when the staff is going through the process of reviewing metrics, that there's a timeline associated just so that we know what that is and that we give the staff direction on when we would like to get feedback on that. So that's the type of thing that -- that I would suggest. Just might be helpful to us and to the staff in terms of what we would like to see in the implementation plan. So ... I just wanted to signal that so that I was -- I will try to put that together, my suggested

[10:23:04 AM]

language, in time for everyone to take a look at it before Thursday. >> Mayor Adler: Okay, Mr. Casar? >> Casar: I just want to signal that I would be very open to seeing that. Since this will likely be going through the neighborhood planning committee that as perhaps staff needs extensions on that timeline or that we can get things done faster or slower, what I would commit is making sure we are setting that back as regular reports back to the full council or recommendations for adjusting that timeline because I know that this is an extensive report with -- it's going to take a lot of work and so what I'm committed to is making sure that we're working as effectively with staff on making those timelines as realistic as possible, while still being aggressive and giving updates to the full council about why we may need to adjust -- I think it makes sense to try our best to set timelines at first and then have to fool around with them later as events arise. I think that's totally appropriate and we'll just work with you. >> Kitchen:

Okay. >> Mayor Adler: I would hope to, Ms. -- I would hope, too, Ms. Kitchen -- I think this is an important moment for the council to -- to show leadership on this issue. And to communicate the expectation of the community. This resolution calls for two reports, I guess coming back from the city manager's office, that require both short-term implementation and then roughly 30 days later what the plan is for long-term implementation. And I would hope and trust that both of those reports would come back with timelines in them. But I certainly would have no problem with stating that explicitly in our resolutions. I think this is a huge issue for the community and one that we need to be real clear about what the expectations are and to come to a -- to a common ground with the staff in terms of what's to be expected.

[10:25:05 AM]

>> Kitchen: There's one other item that -- that I would like to understand and I'm thinking about whether it makes sense to put in here or not, but that is just the relationship between this process, and the codenext process. So that is something that I think would be helpful for the council to understand. I don't know what the answer to that is. I just think it would be helpful to understand that and we may -- it may or may not be appropriate to put language to that effect in this resolution, I just think it's important for us to understand and that the -- where appropriate, though, the timeline on these two procedures have -- have a connection in that regard. So ... >> Mayor Adler: I just want to make sure that one is not waiting for the other. >> Kitchen: That's right. But they also need to be talking to each other. >> Mayor Adler: I understand that, too, Ms. Pool. >> Pool: Then the third piece, I think, is the reform in the permitting office, which is a separate and more specifically targeted work activity, but they all three of them I think inform one another. Is that correct? Permitting office, changes to the permitting office? >> Mayor Adler: I would hope, we will see on when the implementation plan comes back. If we prescribe the way to achieve the objectives, then we are now controlling that. And can be responsible for that ourselves since we don't have the ability to hire and fire in this perspective, I'm probably going to be most comfortable with being really explicit about what the end result is what we want, that we agree upon and then -- and then let the staff implement it and meet those objectives. >> Pool: I agree entirely. I just wanted to make sure that the permitting, the process of permitting, which has been talked about a lot as an area for focus is part of the larger effort. And I think we've talked about it comprehensively that way. Thank you. >> Mayor Adler: I think so, too. My expectation as well.

[10:27:05 AM]

Further discussion on this item? Ms. Gallo? >> Gallo: I think the entire community will be really excited that we're moving forward to -- to change and address some of the many issues. And I -- excuse me. I know at least from constituents that I know are more than happy to step up and help us know the issues and the concerns and the problems that they've had. So I think there's going to be a really good way to collaborate with the citizens of Austin to be able to do this and move this forward, but I do think that being as detailed as we can in our expectations, not necessarily the way to fix it within the department and let the city manager's office do that. But be very explicit in what we expect and the problems that we have seen that we have certainly all heard about is absolutely a route to go. So ... We look forward to visiting with that -- about that over and over again. Thanks. >> Mayor Adler: Any discussion? Further discussion on this item? Then we'll move then to the skipped item no. 9. >> Tovo: Thanks very much. I have some questions for staff about this item. This is a new manager, as I understand it, and I -- my questions really regard youth programs. Some of our facilities, it's my understanding, that our south tennis facility provides more extensive youth programs than some of our other tennis centers. I know this in part through the experience of one of my staff members. But also because occasionally we have

received questions from constituents about why there aren't youth programs available at all of our tennis centers. And so -- as I understand it there have -- there is an applicant who provides youth programs at one of our others, in ad to their other services, they are not the one that's being recommended. The one that is being recommended does not specifically talk about the youth programs they're going to offer. So could you address that

[10:29:06 AM]

particular element of this? Application? >> Kimberly Mcneely, assistant director with the parks and recreation department and our colleague Lonnie who oversees the tennis centers is with me. I will be looking over to the purchasing expert, just because we are in a no contact period right now, so I want to make sure that I don't say anything that would put this opportunity in jeopardy. If you could just hang on one second. I believe I can answer that question with no problem but I'm not the expert so I just wants to make sure. Okay. So the rfp, the basics of what we're expecting to see, as far as youth programming, are that there be a quick start tennis program for 10 and under, which is a skilled development program. It's a -- fun games to help children develop the skills necessary for tennis. We're also looking at junior programs, which are, you know, 10 years old to 18 years old, which include lessons, and clinics and team sorts of opportunities for individuals to play the game of >> And then the other part of this is is that it's our expectation that the programs be put in place that meet the community needs. And so while those are just examples, that does not preclude this group from then surveying the community and determining from a tennis standpoint what else should be added to their youth program complement. >> Tovo: Thank you, Ms. Mcneily. Just to be really clear those are your expectations and will be codified in whatever agreement is reached with whatever vendor the council selects? >> We have specific performance measures for programming. We meet on a quarterly basis to make sure we review those performance measures. So to answer your question very simply, yes. >> Tovo: Okay. Just want to be sure we will have youth programs at Caswell in particular I think that may be one court, one set of courts

[10:31:07 AM]

that we've received questions about with regard to youth programs so I want to be sure, if we're hiring a new vendor, that that will be a certain part of our -- >> That's correct. >> Tovo: Very good. Thanks. Since you mentioned the no contact period, this is one of those issues that always gives me concern. Since you've raised this, I just want to clarify. It's my understanding that the restriction is really about contact with the vendor and staff. There's never any restriction of what we can talk about here in open meeting, is there? I mean, with regard to asking questions about the rfp, I could even ask questions about the vendor itself, I thought. >> That's correct. But if I can provide some additional explanation. There's actually two regulations that we're observing currently. One is associated with the confidentiality of the proposal content. That's subject to state law. The other is city ordinance with regard to no contact. So the reference to no contact is really more associated with vendors and their representatives contacting city officials outside of a public meeting. So to your point, that would be correct. In a subtle meeting we're free to have these discussions. >> Tovo: Right. >> Those those discussions, however, start to go into the contents of the protocols, proposals, that's when we're coming up to obligation under state constitute with regard to maintaining the confidential, the proposal contents, during the authorization process, up through the contract authorization. So once the contract is authorized, that's when the statutory obligation ends, but the no contact obligation continues through the signature of the contract. >> Tovo: Okay, thanks. So really maybe it was more the second piece -- >> Yes, ma'am. >> Tovo: That at at issue here. >> It was most likely my broad term for what I thought I was allowed and not allowed to

do. I didn't mean to misinform anybody. It's just my ignorance. That's why he's here. >> Tovo: It's good to talk about the state regulations. That's not something we talk

[10:33:07 AM]

about a lot and I'm glad to know about those. The no contact thing is a little clearer to me. Thank you for saying that. We know what we can and can't do. Can't pick up a phone and call a vendor. We can talk in the context of a meeting, but I wasn't as aware of the fact that the proposals themselves are confidential until the contract is authorized. Is that what you said? Very good. You've assured me that youth programs will be part of whatever you negotiate. Thank you for being here. >> Mayor Adler: Ms. Houston. >> Houston: Is this a time-sensitive matter? Why can't this go to a Co committee? >> It is time sensitive in that we've extended the existing contractor for a certain amount of time and we could reextend that. I do believe that we have the opportunity or we do have permission to go ahead and reextend that for a certain amount of time. I would look to our expert about whether it's three months or six months. And so the urgency of it is such that we would want to make sure that we fully vetted this and so that we didn't go outside of our extension allowed -- what we're allowed to extend the contract. If I -- it's a process that is an established process that we followed. We did have community engagement that was in part of the process. So there's no reason why it couldn't go to committee, but the reason why we brought it forward to the full council is that we thought as a department we had done our due diligence in making sure that we followed processes, engaged the community and did exactly what is appropriate when selecting a contractor. But there is -- without -- assuming that we're within the extension time period that we're allowed, there is no urgency. >> Houston: Thank you. I'm just asking that, Mr. Mayor, because I'm just trying to see

[10:35:09 AM]

when that process starts. Does it start next month or is this something that could go to the appropriate committee and then they move it up with a recommendation and then we don't have to have the conversations at council meeting? Or is this something that we have to act on Thursday? That's the only reason I asked. >> Mayor Adler: Do you want to address that, in terms of the contract is this. >> Yes, sir. The current contract expires on June 2, so the implementation time approximately necessary for the new contractor to start would be 30 days. So if we authorize this week, then that would put us within the period of time to get the new contract implemented before the old contract expires. We are in a holdover term with the current contractor now. If we were to need additional time we would have to negotiate an interim extension of the current contract. That would be bilateral so subject to whatever terms and pricing we carry forward from the previous contract. To southern California it's available to us, just would be subject to our negotiating it with the contractor. >> Mayor Adler: Ms. Tovo. >> Tovo: So, you know, as we think about how to use the committees most effectively I continue to get back to the question that councilmember Gallo asked the other day about how will audit and finance handle the issues that may or may not get referred to it. And I think this is really a subject we need to discuss, especially with regard to purchasing. Do we want every single purchasing item to come to audit and finance and, you know, if so, we just need to all acknowledge that will then require all of the staff associated with all of those purchasing contracts to attend our audit and finance meeting, to then attend the relevant work session, to then attend the relevant council session. If there are contracts about which nobody has any significant questions, I'm not sure that's a great use of all of our time. But if that's -- if that is the -- if that is the will, that every single purchasing contract go to audit and finance, then it

[10:37:11 AM]

would be helpful to get some feedback from councilmembers about which items they believe we should spend time discussing, if there are no questions that arise from the committee itself. I mean, you know, in thinking about my response to councilmember Gallo's questions, I think dollar amounts would certainly be something that, in my estimation, would trigger an audit and finance review, a different kind of contracting that perhaps we haven't discussed or an unusual agreement or something that doesn't come up very often, like the celoc arrangement. Those would be items around which we should spend time talking and spend the staff's time presenting, but, I guess, I just throw that out there. It's not clear to me yet whether the council really wants us to review every single purchasing item that comes forward. >> Mayor Adler: Ms. Houston. >> Houston: And I don't think that was my intent. But my intent is to say that we need to get some contingency in consistency in what we do. Sometimes we have things at \$117,000 a year with several extensions and ask specific questions and other things we say, oh well. So I just need to know what the rules of the game are so that I can play well. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I would like to ask the audit and finance committee to bring forward some suggestions to us, you know, not to create more work for you but that would just help us, you know, and then we can all weigh in on that. But, I mean, you guys would be in a position to maybe make some suggestions along the lines of what you just laid out. And then we could provide some guidance. That would be helpful to me. So -- >> Tovo: Mayor, if I could. >> Mayor Adler: Yes. >> Tovo: I agree. I think that's our intent. But this is really the reason I'm asking this question is because I think some things are emerging but as these issues come up and the questions come up, it's helpful just to spend a little time figuring out what

[10:39:13 AM]

about a particular contract people would like discussed. And I think I hear, councilmember Houston, that the extension of contracts would trigger a review, in your mind. So that's just another criterion I'm going to add to my list. So thank you for spending some time. I completely understand, I think, your question about when are we switching to the new process. But I saw it as an opportunity to get back to the question councilmember Gallo raised, to try to get some feedback on what people would like to see reviewed. >> Mayor Adler: I think it would also be helpful, Ms. Kitchen, if that working group on transition into the committees could also get together to address this as well as some other questions that have been raised. There have been questions about how we uniform -- make uniform the reporting that comes from committees and other issues as well. >> Kitchen: Okay. >> Mayor Adler: Ms. Gallo. >> Gallo: I'm a tennis player so thank you for being here. Kind of my opportunity to ask some questions. So the Texas tennis center, are they currently managing any of the other managed tennis centers in Austin? >> The answer to that question is no. However, the individual who is -- the representative or in charge of the -- the owner of the Texas -- the Texas center, I'm sorry, is a -- I'm looking at, he has 44 years of teaching experience and has spent 18 of those at cast well. So he's actually currently as Caswell as an employee but put together his own package and his own proposal and it was the entity that ended up now being brought forward for consideration. >> Gallo: So he's one of the pros, teaching pros there? >> Yes, ma'am. >> Gallo: The previous company managing this facility, are they managing any of the other

[10:41:13 AM]

facilities right now? >> No. >> Gallo: Okay. And I just wanted to point out, the fact that you got -- they got 700 responses from the survey that went out just confirms, once again, if you combine youth and adult tennis players it's the fastest growing sport in the country. We are at a severe shortage for

managed facilities in Austin. And so my question is, I know that Austin high has removed itself off of the managed facility. I think that's still the case? And was that a budgetary constraint or was that because of the interaction with the school district? >> I'm going to answer that and law Lonnie to firm in case I get it wrong. That was based upon, again, community engagement feedback. We received feedback from individuals telling us that they didn't feel as though that particular tennis center was run to their level of expectation, and so they were looking for more open court play, more opportunities to have a space in neighborhoods they could utilize tennis courts. And so the department decided, based upon that feedback, that we would see how the process worked if we were to allow that to just be an open court space. It's a little bit of a hybrid because you're still able to reserve courts through Lonnie's office and still have an opportunity to have reservations there. At this time, at least as I understand it, and I'll allow Lonnie to confirm, we've received positive feedback, the majority of positive feedback, although I'm not going to say that there's never ever a glitch in the operations, but that by and large it's been positive feedback. >> Gallo: And I think the issue is league play, the reserving of courts for league play. And I know that was a tough one to lose there. >> Yes, ma'am. Excuse me. The courts are available to be reserved for league play on Saturdays and Sundays. So that still hasn't changed and

[10:43:14 AM]

there's a fee for that. The lights have been converted over to a push button timer so they're still available in the evening for free play, which is unlike any of the other aid facilities. This is the only one that's lighted. So we still have an interlocal agreement with aid to maintain the courts, the nets, wind screens. We have city crews that do go by and pick up the trash and do all of that. The courts are still available for rental for league play on weekends and tournament use. >> Gallo: Okay, good. Back to Caswell again one of the biggest issues we have therefore people that play is the parking. Parking, parking, parking. Is there -- how do we address that? How do we help you address that? Because with the 2-hour parking that is just not enough for a match play? We're kind of at two and a half to three hours and you can't give out vouchers or whatever you need to do. Is there something we can do to help address that? >> So the department is currently working with our transportation department. That area is right-of-way parking. It's not owned or operated by the parks and recreation department so right-of-way parking has specific rules and regulations because it's throughout the entire city. So we're working with the transportation department to see what options we might have, and we recently met with them probably a month ago, and they were going to be looking at their current business model and seeing if there was anything that they could do to help us. One thing that we have done is we do provide -- for people who work there, we do provide parking passes and the transportation department has allowed us to do that. And the second thing is that we're look to stripe the area so that people will park in designated striped places which will hopefully provide more opportunity for parking instead of just arbitrarily choosing a spot and not being able to necessarily have enough space for maximum number of cars. So those are the two things we can do immediately and we're still working with our transportation partners to see what else we might be able to

[10:45:16 AM]

do. >> Gallo: My office would love to help with that. I mean, that is really a big issue for people that play there. Thank you for what you're working on. >> Mm-hmm. >> Mayor Adler: Anything else? Ms. Houston? >> Houston: Councilmember Gallo, this is not about Caswell because I'm not a tennis player but we've got an excellent resource on Johnny Morris road that I'm sure people would be happy to have you play on. >> Absolutely. >> Mayor Adler: Anything else on item 9. >> Gallo: I've played on it, and it's great. >> Mayor Adler: Anything else on item number nine? We'll move to item 10. Thank you. This is

the one that was pulled, Ms. Pool? >> Pool: I haven't had a chance to talk with mayor pro tem about this but I did want to advise that this item is being postponed and pulled off of the agenda for Thursday, and we're going to meet with staff that are sitting here today. What I'd like to do is go ahead and move forward and I think the question that's mayor pro tem tovo and I have may be finally answered in the meeting that -- we're just now being able to have with staff. It's taken a little while for all our schedules to match. If that's okay with you, mayor pro tem? >> Just say yes. [Laughter] >> Tovo: Sorry I'm not in the game. I've been told to say yes. >> Mayor Adler: The question was I think your office came and said you didn't need to discuss item 10 if it was being postponed. >> Tovo: That's true, absolutely. >> Mayor Adler: Our understanding is it's being postponed to the 22nd. >> Pool: 23rd. >> Mayor Adler: 23rd, all right, thank you. Yes, Ms. Garza. >> Garza: I think a question on why this keeps returning like this? That's the primary reason? Because of schedules? Okay. Thanks. >> Pool: I was going to ask that question too but I thought I would ask when we got into our meeting, why it keeps coming back. Yes, the questions haven't been

[10:47:16 AM]

sufficiently answered. Thanks. >> Mayor Adler: That then moves us then to the next item -- thank you very much. That moves us to item 15. This is pulled by Ms. Pool and I think this is your resolution, Mr. Renteria. >> Renteria: Thank you. I was about to pull that myself just to let y'all -- let the rest of the members know. You know, the reason I enacted this resolution was because of the concerns of the residents. It wasn't to -- we have situations where we have these trailer -- food trailers are coming into neighborhoods and are setting up these smoke pits, and, you know, they're literally just barbecuing right next to single family houses around the clock, seven days a week and there have been a lot of neighbors that are complaining because it's, you know, a quality of life issue. You know, I know for a fact that -- knowing that I have smoked some barbecue, not as often as I would like. [Laughter] >> Renteria: I know that I closed all my windows to make sure that the pit is not even near my doors because the smoke that lingers into your house. It stays there all day long. So this is basically, you know, just to have all the shareholders to get together and discuss, you know, that we have issues with families that have kids and, you know, we're going into the ozone period here in Austin, and, you know, we're facing, you know, an issue of --

[10:49:16 AM]

just -- we just have to admit the air here in Austin is not of the greatest quality and now we're going to have smoke pits next door. But I also want to just -- I did some research and this was just -- I initiated the ordinance so that I could get some more feedback. So this is basically what -- there are some changes I made to it, now that I've been getting some more feedback. You know, we're going to be amending this to reduce the distance to 100 feet from the smoke stack to the residents property line. That's one of the items. And, you know, we also wanted -- on the smoke scrubber, we're going to revise that word so when we get more information from this -- the stakeholders, that they're going to be able to, you know, address that issue for us. And, also, that we're asking the city manager to gather, you know, all the input, input and provide it to the -- you know, get input from the residents and the businesses, come back, and also that it goes to the planning commission and then, when it gets back, that we can assign it to the planning and neighborhood committee for more review. So that's basically what I'm asking for Thursday, is that, you know, we have -- we've had a lot of people that have been calling my -- and e-mailing my office about this situation. And, you know, we don't have any problem with the long established barbecue businesses, you know, that have been around for years. I've never had a complaint about, you know, any of these places, you know, before -- you know, like franklin. I went there and

hanged out in that place when I was 14 years old, 1964. It was a barbecue joint.

[10:51:19 AM]

It's been -- ever since I've known been a barbecue place. Iron work is another one that's been here for, and there have never been any complaints from these businesses. What I'm afraid of, if we don't address the problem that we're having now, is that every little trailer food is going to have -- can haul a little barbecue pit and park it right next to your house, we're going to have problems. This is why I'm trying to address this issue now, before it gets out of hand. >> Mayor Adler: Thank you. Yes, Ms. Pool and then Ms. Troxclair. >> Pool: So here's a procedural question. When we set up the committees, did we include a pathway that is go to council and then be referred to committee? Or do we have a process where we can go directly to a committee? In other words, does this item actually have to be on the council agenda in order for it to be referred to the specific committees that the mayor may decide to send it to? >> Mayor Adler: It does not have to be referred to a chi. In fact as chair of a committee you can pull it up. Committee councilmembers can go to other council people and we have referred some things that V come up in conversation directly to committees as well. So there are lots of different ways that that can happen. >> Pool: So I just wanted to say that if it does go to committee, I'd be interested in a read in on the economic impact on the small businesses, which we all support. And I do support regulations for health and safety reasons, but, as you say, there have been large barbecue pits around town for decades and they have not been a problem and I think I would like to understand the difference here, why -- and I know that they're in the trailers, but it wouldn't just be trailers. I mean, I think this is a larger

[10:53:19 AM]

question. It's a larger question than just what you have here. Thank you. >> Mayor Adler: Ms. Troxclair and then Ms. Houston. >> Troxclair: I just wanted to ask if there was a reason. Because my understanding when we set up the committee structure, the default would be we went to committees first, and if for some reason there was an emergency item or if there was a situation where something that was generally supported by the council but was having issues in a committee, then we could get three -- a total of four councilmembers to sign on in order to bring it to the full agenda. So it was more of a safeguard rather than the constant. And I know it's difficult during this period of transition because we have passed several items from council on the regular agenda while we're getting the committees set up. But it seems like this would be the kind of issue, what you're talking about, you know, you're listening to feedback and making some edits to the resolution, it seems like that's exactly what we set up the committees for, so that we could have that discussion there before we sent the resolution to the full council. So is there a reason that it's on our agenda? Josh it does have four sponsors so I can take it directly to the city council and then we can decide whether you want to -- this full council can decide whether they want to send it to a committee or instruct the city manager to come back. It's going to require some kind of an ordinance change. So we still have to -- when it -- we get that information back, we still have to -- it has to go through the planning and it's still going to have to go through one of our cheese. >> Troxclair: Okay. So, mayor, it seems like there may be some additional clarification needed based on councilmember pool's questions and my questions and councilmember Renteria's -- >> Mayor Adler: Well, we've designed a system that has lots of different ways in. One way in is to have it go straight to a committee.

[10:55:19 AM]

Another way in is to have four people to say that we want it to go around the committee. So those are alternate ways in. There F there was additional guidelines in terms of preferences, that might be a real thing for the transition working group to take up, but from a rules standpoint, we have multiple ways into the process. >> Troxclair: So, I guess, my question was, is there -- was your intention to by pass the committee system by getting three other cosponsors and putting it on the agenda or was your expectation it would be on the agenda Thursday, we would have discussion on it and then it would be sent to a committee for further discussion? >> Renteria: Well, my intention has always been to have it go through committee, but I also wanted to make it -- let it go through the process of having stakeholders meet with -- through the management process first, you know, we run it through management and then they refer it to a planning commission. So -- and let it go through that process, where you're getting all the input that comes in from all your businesses and your neighbors to, find a solution to this problem. And then -- because we're going to have to address that problem as it comes, and then let it come back to the city council. As an ordinance change and then we can discuss that through the committee structure. >> Troxclair: I know that you're dealing with a specific issue in your district and I certainly appreciate your efforts to try to respond to your constituents. I do have some concerns about the implication of the -- the city-wide implication on our businesses but that's a discussion we can have further in committee. >> Renteria: My biggest concern is it is going to be summer, we're going through spring now,

[10:57:20 AM]

summer. We're going to have people that want to live in their backyard and I would hate to have to believe that, you know, there would be a business that could just move right into a vacant lot next to me because it's zoned commercial -- which we do have a lot of in east Austin. You might not know but anahali, all of the corner lots are commercial there. Family houses. What if this guy wants to put up a trailer in there, opens up and starts smoking the whole neighborhood out? I wouldn't want it in my neighborhood. So that's Beal what -- and this is a health issue. Now, I'm not -- I have people that -- I mean, are really just, you know, upset. They're even talking about having to move out and sell their house because they're not going to live around in that kind of condition. You know, that's my response to that. I know that there's some small businesses, but, you know, we could come up with another solution where we can make it a conditional use. You know, we can -- neighborhoods can, at this point when we have -- in June and February, we can opt out of having trailers in our neighborhood. Now, do I want to get rid of all the food trailers in my neighborhood? That's one of our legal rights that we can do, that we can just say we don't want food trailers in our neighborhood anymore. And we're looking at from sixth street -- from seventh street, from 35 to Chicon to the lake and we can say, okay, that's it. We're tired of them. We're just going to not put up with. Now, I don't want to do that. I want to make it so that we can work it out. And we can't do that, then you're not going to leave these neighborhood contact [indiscernible] Any other options. >> Mayor Adler: Ms. Houston was your microphone on because you wanted to talk? >> Houston: Yes. >> Mayor Adler: Ms. Houston, then Mr. Casar and then Ms. Kitchen. >> Houston: When I don't want to talk I try to turn it off.

[10:59:21 AM]

>> Mayor Adler: Just making sure. Sure. >> Houston: I've got two concerns. One is that I too felt that people in my district always felt like they were having to respond to a resolution rather than being there, having the conversation prior to the resolution being drafted. And so it was my understanding that that -- even though that's an option to move it up to the city council level, that the conversation would start in a committee and then together the neighborhood, the owners, the small business folks

could come together on some kind of agreement and then move that up through the process. But I'm understanding the urgency of your request. The other thing is that in district 1, there are many well-established barbecue places that have been there 38 years and longer and yet we have new neighbors moving in. I'm very fearful of what a broad-based ordinance like this would do to some of our well-established businesses when new neighbors move in. We have not had any complaints up to this far, but with an ordinance this broad, I can see that my new neighbors would say we don't want Sam's barbecue to be barbecuing anymore and they've been there for 38 years. So it's those kinds of things I think we really need some time to discuss. >> Mayor Adler: Okay. Mr. Casar. After miss kitchen, Ms. Tovo. Mr. Casar. >> Casar: I'm fine. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I was going to speak to process. You know, I think one of the reasons I think we created all the routes is because there's a lot of nuances and sometimes a matter -- it might be appropriate to bring it to the council first and then it becomes a direction to the city staff to create something and send it through that process or it may be just to bring to -- to

[11:01:23 AM]

elevate the issue and let the public know that this -- in a more formal way, that this is something to let the public and the neighborhoods Nona more formal way this is something we're going to address. So I think there's several routes. I don't -- you know, from my perspective, I think we're all saying -- on this particular item, I think we're all saying there's a need for further discussion, as councilmember Renteria has indicated. And so from my perspective, there's a number of different routes to get there. So I think we'll work out this process. And I think the transition committee can have some discussions, but I do think we still have to allow -- we have to allow some flexibility and discretion for the councilmembers because we're all -- we're trying to deal with things in our district and we're trying to express them in a way that our district understands. So sometimes it may make sense to bring it to the full council and then send it to committee. So . . . >> Mayor Adler: Ms. Tovo. >> Tovo: Yeah, I appreciate and agree with those. And as a cosponsor, really, that was part of my interest in seeing this. We have a pretty well-defined stakeholder process and public hearing process for code amendments and so beginning that process seemed to be -- seemed to provide the kind of opportunities to have that stakeholder discussion rather than having a discussion at committee about whether to have a fuller discussion in the community, just to go right to that community discussion seemed to me appropriate. But I appreciate you asking the question because I think we should always be asking that question as we try to sort out what path something should take. And so as councilmember Renteria said, you know, we're certainly hearing feedback from different restaurants and community members, and I think certainly the intent is to make sure that whatever the considerations are, that those things like cost and whether there's an ability to treat long-term restaurants differently from new ones, whether there is an ability on the city's part to do that I

[11:03:24 AM]

don't know. So those are some of the things I hope we can, as we talk to stakeholders, get some more feedback about. You know, what are the concerns and are there ways to craft something that would not be so overly broad but would be pretty targeted to maybe the new ones or the ones where there are complaints? And that's -- that will be some of my interest in seeing, in addition to, again, what the remedies would cost those businesses. >> Mayor Adler: Okay. Ms. Troxclair. >> Troxclair: Just wanted to make a comment for the stakeholder group. I -- from my perspective, going forward, I feel like in setting up the new committee structure we made a commitment to the community that the reason for that change was so that they could have input taken into consideration earlier and so they could be a part of

the crafting of the resolution. So my -- and I understood that when we did that, although we provided lots of different avenues and there are going to be lots of different situations and circumstances and there's not going to be a one size fits all rule, I was under the impression that we were going to operate under kind of the default of let's have the committee be our first stop unless there's, you know, another -- not an extenuating circumstance but unless there's something unique about the item. So that's how I'm going to proceed, as if -- going forward, if there's -- if I'm going to bring an item forward, I'm going to take it to committee first and go from there. So that would be my feedback to the -- as we're figuring out how to operate within this, within this new structure, that would be my feedback. >> Mayor Adler: Misgarza, you're on. >> Garza: I had a question about the transition committee. I don't know if I missed that, and I like to blame things on pregnancy brain lately. [Laughter] >> Garza: Was that on the message board is this. >> Kitchen: No at one of our work sessions we took volunteers

[11:05:24 AM]

and of course anybody else who wants to participate is fine. I'll post we just now got it -- you know, we're trying to align schedules so it's just now been set. I'll put that on the message board. I'm not even remembering one. But the volunteers at that time were councilmember troxclair, Microsoft, pool, Casar. There's not a lemon here. We can make this a broader group, we can post, it do all of those kinds of things if other people would like to participate. So -- >> Garza: And it's going to address, like, how -- if a councilmember wants it to go straight to a committee, how they would do that? Like talk to the chair of that committee or -- >> Kitchen: Well, the idea behind the transition committee was to address any kind of procedural kind of things that came up. So my thought was that we'd start with just a list of the kinds of questions that have been raised that as we're learning, you know, and then bring that back to a work session so we can talk about them. >> Mayor Adler: Why don't you go ahead and post that on the message board. >> Kitchen: I'll do that. Anybody can participate who wants to. >> Mayor Adler: Okay. >> Kitchen: And we can design that committee in whatever way we want. But the idea was just to have another setting in which we could kind of hash through some of the these things coming up as we -- you know, as we work. And then bring them back to the full committee -- to the full council to see if there's any action that people want to take on it. >> Mayor Adler: Okay. Next item we have is item 24. This is the annexation issue. Ms. Houston. >> Houston: Thank you so much, mayor. And thank you all for being with us today. I brought this up mainly because this is the first time we've had an annexation issue come before the new council and would like to now how did the -- how the decide decides when to an ex, where to an ex? Is there some plan, some logic because there are parts of Austin in district 1 that have never been annexed so it's kind of unusual. I'm not sure whose district it's

[11:07:27 AM]

in. Oh, I'm sorry. But if you could help explain that to me so I understand how that process goes on. >> My name is VI Collier, I'm here from the planning department. This particular area is an owner requested annexation. The owner is look to develop the property. It's currently undeveloped and the city reviewed this area back in 2011. And at that point in time, the owner had the option to enter into an agreement with the city that would delay annexation while they continued to use the property for ag uses but at the time they decided to build something and develop they would come to the city and comply with city regulations. In this case they've submitted aa service extension request and asking for connection to city utilities which are available to properties all around. So I don't think there will be any issues with them getting city utilities. They've also indicated they'd like to file zoning and get that process underway and so this annexation would be required to bring them into the city's zoning jurisdiction. So annexation itself involves an initial notice to property owners listed on the appraisal roll,

30 days in advance of a public hearing. The city has got to conduct two public hearings and there's additional notice that goes on the web page and in the newspaper for those and then following the public hearings there's an ordinance that is approved. So there's actually four visits to council, one to set the hearings, two hearings, and then an ordinance that is at the end of the process. >> Houston: So other than the owner request, how does the city decide? Does the city ever decide when they're going to annex land? If so, how? >> We do. Staff keeps track of where the utility is being asked to extend service and where different developers are submitting applications to subdivide property or filing site plans or just generally around the edges of the city where development activity is occurring. And then each year we'll go through, you know, just kind of

[11:09:28 AM]

tracking that development activity and make a list of areas that would be suitable for annexation or that it's timely to annex and bring those forward for council to consider generally towards the end of the year so that all of the city services and everything changes over with the calendar year and in January the areas are actually part of the city. >> Mayor Adler: Okay. Thank you. Any further questions? Ms. Tovo. >> Tovo: Just a quick one. I think it's extraordinarily useful to have the district Numbers attached to all of our zoning cases and I would ask if we could do that really with other kinds of items too, annexations, floodplain variances, if we can start getting in the habit of doing that, that would be really useful. And I appreciate the extent to which you've done that already. >> Mayor Adler: Okay. Anything else on number 24? That gets us to item number 26. Ms. Kitchen, Ms. Tovo. This is the staffing issue. >> Kitchen: I just pulled it because I remembered that we sent this item to committee and wanted to hear from the committee. >> Tovo: And I pulled it for that reason, just to provide a little context. And I hope my committee members will also join in. We had two discussions about this one, about a 2-hour discussion, the second was a shorter one. I would say the first discussion was characterized by lots of questions. It was apparent pretty early on that there were different ideas about what these positions could do and where they might be situated in response to the proposal that the councilmember -- that the mayor and other councilmembers brought forward. There seemed to be some consensus around the idea of having there be -- of providing support across the council rather than just through the mayor's office. And so we did consider, I would

[11:11:32 AM]

say, four -- and I'm happy to provide this information. But in light of our first discussion, our second discussion, I, as chair, distributed what I saw as the four emerging proposals. One was the original, the mayor's proposal to add the staff to the mayor's office. The fourth option was a -- to do nothing at this point and add it during the budget process. And then the first and second provided different options for staffing. One would be to provide several new staff in the audit and finance -- excuse me, in the city auditor's office, providing more of an across the council support. The first option, which is the one that the audit and finance voted unanimously to recommend to the full council, would be to provide two staff to the mayor's office and one staff member to each council office. And I'll let -- I think I'll leave it there. I have some personal comments to make about it, but that is what the group recommended to council in response to its consideration of the mayor's proposal. I will say there was discussion about information we needed, and that, I think, is reflected in the audit report that came forward. Some of the additional information we did receive yesterday, which is the cost, what -- the conversation we weren't able to have because there were so many moving parts is what are the -- where would those funds be taken from if they are -- and what would be the implications, not just on this budget cycle, but the following year. There were also concerns expressed about when that cost comes back, you know, will it

be something that -- you know, what -- about the size of the cost. And so we did discuss before voting on this that this is also a scalable proposal. Right now it's expressed as one staff member for each office and two for the mayor's office it it could as easily be cut in half,

[11:13:32 AM]

though that was not the vote that we took. >> Kitchen: So does that mean that the -- that there will be a resolution or an ordinance that the -- that's coming forward to us from the audit and finance committee? >> Tovo: We were charged with reviewing the mayor's proposal that was sponsored by several -- and this is our response to that. I think these are amendments that could be made. >> Kitchen: I'm just curious about what we're going to be voting on on Thursday. >> Mayor Adler: We have the return of the item number 40. >> Kitchen: Okay. >> Mayor Adler: As set. But we've asked the committee to take a look at it and would it be possible to have amendments to that item when it comes up on Thursday consistent with -- or other wise. >> Kitchen: I'd like to see the amendments before Thursday. That's what I'm asking. So . . . >> Mayor Adler: Okay. >> Zimmerman: On that point, our office is going to put up on the council message board we're going to put up an amendment. We're going to do that this afternoon. Sorry I haven't done it sooner. Been super busy. It would be great if other people could put up various amendments so we can look at them on the council message board. >> Kitchen: Yeah, I'm expressing it it. It's hard to do that on the dais. I know it's not always possible but to the extent we can it's really helpful if we can get that on the message board before we walk into a meeting on Thursday. >> Mayor Adler: Ms. Pool. >> Pool: I know Mr. Vanenu is here and just to recap the memo he sent to us yesterday, the cost for these 12 positions is 300 some odd thousand dollars for the rest of fiscal '15, which is five months. It includes a small amount of overhead money, specifically for computers because we all have sufficient desk and furniture in our offices to accommodate an additional person. Can you remind me specifically what the dollar figure was through the rest of fiscal '15? >> For the staff it was \$328,953

[11:15:37 AM]

and we did include \$1,500 per staff member, total of \$18,000 for computer and phone equipment. >> Pool: This was after some real careful questions as to the time frame and what we already have available, and that -- to determine that it would be both budget neutral and use existing positions throughout the city. And -- >> And as such, I mean, I think there would need to be some council action in that -- you know, directing staff to proceed, but given that we're using existing positions and existing budget tear appropriations there -- you know, there would not be -- it would not need to be additional council action from that regard. We have positions in our support services fund that council previously authorized. We have funding for those position that's council has previously authorized. We've done a lot of work looking at our overall support services fund, which is a fairly large fund, looking at vacant positions and doing like an early job of look allege our budgetary year end projections and we believe that there's sufficient vacancy savings in that fund as a whole to accommodate adding these additional positions to the council's office and to the mayor's office, without a budget action being required for fiscal year 2015. And then the desire of the committee was to take this topic up again in fy16's budget process to determine the permanence of it. >> Pool: I wanted also to point out that we changed the salary calculation from the maximum paid in a council office to the average, which is something like \$53,000 and of course with the associated benefits it would be staff's -- councilmembers' determination if they wanted to hire a full-time person or for a temporary period of time or if you want to employ interns it would be a dollar amount.

[11:17:38 AM]

The other thing I wanted to point out was I recognize that some of the prospective thinking on this decision relates to the uncertainty about how much money we will have to fund specific programs that were funded in -- with found dollars last year. We don't have any budget Numbers yet to work from so we don't know what -- we haven't had that briefing yet, but I suspect it will be happening soon. The last council had a certain amount of money left over or that was found at the end of the year so that, for instance, \$500,000 was sent to the library department in order to reopen the libraries seven days a week, which they had been closed down since the great recession about four or five years ago. And I recognize that there is energy behind -- and I share it -- to look to fund, for example, the library department in a way so that we don't have to retract that. And I think there will be a level of uncertainty about our funding and how much money we have in the budget until we start having the budget briefings. So that's -- that is a question I think that's out there with regard to how to use this money that otherwise might be freed up and available for another program in fiscal '16. And then I would just end by saying that that doesn't help my office get from here to there. When we are basically drowning in the -- and councilmember Houston isn't here. She kept saying that her head was still above water, she hadn't yet submerged but we are finding that the level of constituent service that I want to give to district 7 is taxing

[11:19:43 AM]

the capacity of my staff even with the intern who is coming in to back up one of my staffers who will be leaving on maternity leave. And then, also, all of us getting up to speed on the initiatives and the larger initiatives I'm undertaking as chair of the open space committee, and there are many issues and there are some other really big projects that I will be involved in as the year rolls out. And so I'm just laying out there for everybody that I know I can really use the assistance, and I really feel like I'm not alone in this. Thank you. >> Mayor Adler: And you had asked -- I'm sorry. And you had asked, Ms. Pool, at the committee meeting for me to give reaction to this. So if I could do that real quickly, I'd like to. The first is I want to thank my colleagues for consideration of this issue. I think it's an important issue for us. You know, staff hasn't changed at city council for over ten years. But the city has grown tremendously in that period of time, fastest growing city over the last four years, I think in the last year we were 50% growing faster than number two. I think with that comes additional responsibilities and expectations for all of our offices. I think that there are new expectations that come with the 10-1 system whether to every one of the district offices, in terms of the greater hands-on that the districts expect at the constituent level and I think that it also increases the demands and expectations for the mayor's office being the only one of the group that's elected city-wide. We had proposed five temporary employees for the balance of the fiscal year. The proposal has come back at two from the committee. We had proposed giving each of the offices \$25,000, which I think is roughly what the one

[11:21:44 AM]

person per office is for the balance of the year. So that's real close to what we had proposed. And for the offices and the mayor's office we had asked it to be at the -- capped at the highest current staff salary. We had said -- actually mayor or council and that the meeting had changed to the highest of the council offices. I know that all the offices are swamped and I look forward to the conversation in the budgeting process to figure out how it is that we actually move forward in a responsible way, given the expectations. I asked my staff to take a look at, you know, the constituent work that was being done just because I know that the person who is handling the constituent work in my office is working weekends

and evenings in order to be able to respond, and that would indicate that we're -- you just look at the cap filings have anywhere from four to 20 times the number that other offices have out of the mayor's office because, you know, we serve city-wide. It's also important, I think, for our office to be present as much as we can be present, as each of the offices are holding meetings around the city. And we're trying to be present for the -- as many of the in-district meetings that each of you are having as we can. I think it's important for those constituents in those environments not only to see their district representative but also to see that what they're talking about is important enough for the mayor or for the mayor's office to show up. In addition there are ceremonial and constituent community outreach issues which fall, I think, to the mayor's office. We have someone who, again, is working overtime and full-time just writing comments for things that we are going to speak to. You know, there aren't that many where we're expected to speak for 30 minutes to an hour, but

[11:23:45 AM]

those exist. But beyond that, it's not unusual for me to be speaking two, three, four times a day at events. And I'm doing that also on Saturdays and I'm doing that on Sundays as well around the city. I don't think that any of our offices are staffed to the level that they need under this new system to be able to function correctly. And I think that if we do this well, that we'll be able to ultimately return greater resources to the city. I'm frustrated every year with the council fighting over a limited pie, as the conversation is now being framed already as we end this budget year. It just happens that way for as long as I can remember, and I really want to have attention devoted to how it is that we increase that pie outside of public funding, with social impact funding and other kinds of ways. And I want the bandwidth to be able for us to be able to do that as well. Some of the information that was provided to the committee looked at the other top large 20 cities that were all council, mayor, focusing on those. And in those cities, most of them had a mayor's staff anywhere from two to eight times as large as the city council offices. What we have right now is one and a half times in Austin. Again, I think that everybody's office needs to be -- but I recognize we're also at a point where we're talking about compromising on this issue, and I want to participate in that too, although I want to be part of the conversation when we actually look at this going forward because I think that we can be, you know, penny foolish if we're starving these offices and stopping them from being the real transformative function that they can be as compared to

[11:25:46 AM]

how council has worked in the past. You know, it would be really nice in the mayor's office to be able to have someone that does the constituent work, even though it's more than a job for one, given the load that we have so far, to have somebody who could be a communications person in a way that this office has the need before, as well as the person who is at the desk, trying to make appointments and I'm sure all our calendars are busy. It's disconcerting to me that I'm now setting meetings for 15 minutes and 20 minutes in order to be able to work through the agenda, but there's no choice for that what I want to do better than that if I could, because it frustrates me, as I'm sure it frustrates the people that I talk to. But to be able to have the extra -- in addition to that, you know, to have some of the desks doing that and then the policy support. And a lot of what we're doing is in terms of trying to help make the committees work well, the policy conferences that we're doing and trying to use the tools collectively of the bully pulpit and of the convening power. So I see the proposal, which is to have one for everybody, which I think is great. The limitation down to two I would respectfully push back and say if I can't get five please give me three or four for the balance of the next few months, pending the larger discussion in the audit and finance committee. Then we have some real good qualified people that you've met that have been,

to a degree, just volunteering here to help. Frank Rodriguez, who chaired the hispanic quality of life commission serves on central health, has budget experience as a city employee. Brandy comes from the environmental area, gives us another voice here. Leslie brigesse, an attorney,

[11:27:48 AM]

speaks five languages, helped create the asian-american resource center. Private practice would be making 150 to \$175,000, but is willing to come here and work at a lower level. I think that all of these things -- because you had prince who started out in a foundation community and now here in this town and now has a ph.d. There are people that I think will help us be more effective collectively. So, again, I appreciate the time. I want to be part of the longer and broader conversation. You know, we're two months already past January. I just -- to the degree that you would ordain to help me be effective, would I like it because I'm not being as effective as I should be. Further debate? Ms. Tovo. >> Tovo: Yeah, thank you. I said that I was presenting the committee's report and did. I would say I do think we need to talk about how we want these to appear on the agenda. It didn't seem at all appropriate to present a resolution from the audit and finance when in fact we're evaluating a proposal that was made by a particular group of colleagues. I will call your attention, though, to the report in the backup that does lay out exactly what it is. I think those provide exactly what the amendments would be. But I will say just for me, as I evaluated this issue, the option I mentioned, item 4, would have been my great preference. I think that these are considerations that should be done with a mind toward the other budgetary needs, and I would have preferred and still would that we take up the longer term issue and evaluate it within the budget when we are aware of the other needs, the other financial needs and the consequences on our fund. While there may be funds available in the support services fund, that's a fund that different departments

[11:29:49 AM]

contribute, to including Austin energy and if there's a fund balance at the end of the year it rolls into the following year and that's less money that those funds have to contribute. So there is no -- I mean, it is budget neutral in that we won't from something else but in the end there's an effect on next year's budget. Those funds will have to contribute more to make up that gap and so we are -- you know, we are spending money that could potentially reduce contributions from Austin energy and what not. So I think we just -- you know, it's a important question. But for me, I thought that this was a good compromise, in part because it resolved one of the big issues. One of the strong issues, as I articulated for, for me when for those I was talking to in the community, is making sure that was as we move forward and set up structures that could extend long into the future that we're being really mindful of what those consequences could be and an equitable distribution of increased staff across the whole council and mayor's office was a primary concern. And this proposal achieves that. I will have a much harder time and will not probably support a proposal that shifts that balance back again. And I want to express, again, I think this is an incredibly difficult conversation to have in part because we're talking about particular individuals. Most of whom I've worked with in the past. I have enormous llp for them. I think we should -- I regret we're having a conversation where there are real individuals who would potentially be hired because it makes this a very difficult conversation to have. And I think we need to contemplate this in terms of the path we're setting up for the future, and to do that, I believe we need a more equitable distribution of staffing. >> Mayor Adler: Ms. Troxclair, and then Ms. Kitchen. >> Troxclair: So for -- it might be helpful -- because it took a little bit of digging for

[11:31:51 AM]

me to find it. The report she's referring to in our backup is council committee report audit and finance committee and it kind of does a little -- it lays out the four proposals that we considered to give y'all a little bit more background information. And then the recommendation on the second page is ultimately what the committee voted to support. So from a process perspective, this is just a recommendation. It's still the mayor's original proposal that's on the agenda for Thursday. So I know that there was some discussion on amendments and that. I don't think that the council -- somebody can correct me if I'm wrong, this isn't an amendment. So the council doesn't -- somebody would have to offer an amendment if the council were to adopt this recommendation. Because otherwise we don't vote on the recommendation that came out of the audit and finance committee. And I wanted to point out in this document, under the recommendation, we did have -- he we had a prolonged discussion about a couple of different aspects, but my concern was that I didn't want to -- for this vote, for this proposal to set an expectation, that we would simply -- that we were doing this in a budget neutral fashion through the end of this year, and we would just simply add more positions or add more money next year. My intention and, you know, in voting for this recommendation was -- my hope is that we can find a way to make this budget neutral. We had -- going forward. Not just in the temporary space. We had a conversation about the must be of vacant ftes. The city has over a thousand vacant ftes. The current proposal would allow for those ftes to be transferred to council offices. And so I just want to reiterate in front of the full council that that was -- that's a concern of mine and that is why

[11:33:52 AM]

we -- we're very careful about the wording that we ultimately adopted, that he would would have to take an affirmative vote of council to continue funding these positions in fy16 budget and the intent of the committee is to add these positions in a budget neutral manner. So I just wanted to point that out. And, also, mayor, I wanted to give you the opportunity, if you want to, because I know there was an article that came out that discussed you hiring temporary employees, and I know I had concerns about how that impacted our discussions of this proposal and whether or not your -- if we passed something that allowed -- that provided for additional employees, that those employees would be above and beyond the temporary employees. Or if you could expand on the current situation in your office so we have a better understanding of the implications of the resolution, I would appreciate it. >> Mayor Adler: The article related to two people, two of which would be covered by this if it happens. I was just spending down the extra money in my budget to try to keep them viable candidates while we went through this process. That extra money in my budget I think runs out here in a couple of weeks. So that's what that was. It was my budget. It was money that I spent trying to keep these people available to be hired. Ms. Kitchen. >> Kitchen: Thank you. My question just goes to the -- how much plex flexibility there is in these recommendations? I know it's couched as one fte but, you know, our offices are different and our districts are different. It seems to me that the concern should be the dollar amount, you know, not how we spend that dollar amount in our individual offices. And so I would be interested

[11:35:52 AM]

in -- you know, unless there's some reason that I'm not aware of, I would be interested in having the flexibility to spend that -- whatever that dollar amount is in a way that makes sense for my office and not be tied to one fte at this salary. So I would hope that people would be -- I would hope that the council would consider it appropriate and acceptable to use these dollars just like we do right now, our budget gives us X amount of dollars and lets us spend it the way we need to. So that's what I would be interested in. >> Mayor Adler: Ms. Trox. >> Troxclair: I don't want to speak for the full committee, but

my understand when we were having these discussions was that -- and my understanding of our current office budgets is that we have the flexibility to spend that money. >> Kitchen: Okay. >> Troxclair: As we see fit. So although it is being presented as an additional fte because I think that was originally what the conversation focused around, hiring an additional staffer, the number -- we did -- the recommendation was to cap the amount. >> Kitchen: Sure. >> Troxclair: So that we had certainty as to the amount that we're spending on this proposal and that decision was -- or that recommendation was to cap the amount at the average salary of the current council staff. But my understanding, and, I mean, city staff can correct me if I'm wrong, is if this were adopted we would have the same flexibility with these funds within our budget as our current budget. >> Zimmerman: Put another way if the money is allocated in the name of an fte you don't have to hire the fte. It doesn't have to be one. You can take the money and reallocate it if you see fit. If we put just money in, we don't necessarily have authority to hire more people. >> Kitchen: Got you. Thank you. >> Mayor Adler: Ms. Garza. >> Garza: I just wanted to make a few comments.

[11:37:53 AM]

I appreciate the mayor, your willingness to compromise on this issue. I too agree that there needs to be an equitable distribution of any additional resources. I don't think we'll ever get to a level of being able to provide the constituent service that's we all would hope that we could provide. Unfortunately, we'll never get to that level. And reward with regards to -- while the mayor is still the one position elected at large, we still have to get up to speed on every single agenda item, which is, you know, right-of-way vacations in district 8 or 9 and so we're all seeing the -- you know, we're going to weekend events and seeing each other at weekend events and so I was very involved in the movement to 10-1. In fact that spurred my interest in running for council really. And a big concern was the fiscal impact of 10-1 and just as is now. Just adding the three councilmembers and the staff for the -- you know, in the existing structure. And I'm very concerned about adding additional staff. I understand that we have a new system here and we're all trying to, you know, figure out how best to make our offices the most efficient, and I appreciate audit and finance's compromise here and I guess I'm curious to see where the discussion goes on Thursday. But it's going to be really hard for me to support 14 new positions -- well, no it would be ten, 11 -- 12 as proposed right now. But those are just, I guess, some of my concerns about moving forward with adding this additional staff. I definitely -- I'm not going to disagree that we need it, but I

[11:39:56 AM]

don't know if -- I don't think we'd ever get to a point where we can provide the kind of level of constituent service that's we wish we could provide to our constituents. >> Mayor Adler: Any further conversation on this? Ms. Tovo. >> Tovo: I have a couple of quick questions for our staff about the memo. Primarily about the memo they provided. The average amount -- and that was -- was that based on council and mayoral staff or just council staff? >> Just council staff. >> Tovo: Thank you. As I understand it there would be an option of whether to use some of the fund balance and support services or actually identify vacant positions? I'll just say for those of you who weren't present or didn't watch the audit and finance discussions, I mean, there were -- it was a little hard to get a handle on some of these issues because there were questions that needed to be answered to get to the next level of information, and one of them is the vacancies. And so we did not have discussion about which particular vacancies might be identified as possibilities for this because we had to answer some other questions first. And so what would be -- well, let me ask this question. I think I heard you say that any action we took on Thursday would not necessarily require you to come back to council and authorize

the funding? It was my understanding when we considered the mayor's proposal the first time that when we talked about it at the council meeting, it was described as an act to ask the city manager to come back with a funding question for us. That it was a two-step process. What I think I heard you describe earlier is a one-step process. So the same resolution. I'm trying to figure out what I understood was a two-step process to one that could be resolved on Thursday and the funding allocated. >> I think the resolution then and now asks for staff, basically like you characterized, come back with funding options to do this.

[11:41:58 AM]

If -- one of those funding options was to add 12 positions to the budgets of mayor and councilmembers and to appropriate Numbers from our ending balance of the support services and in would all take council action. We'd have to do an ordinance and amend the budget. If the pleasure of council is simply to direct staff -- and we've done this work and believe we can do this, but within the context of existing positions that have already been authorized by the previous council as part of the fy budget and funds that have been appropriated for those positions to work within existing staffing levels and appropriations to accommodate adding 12 positions for the remainder of this fiscal year, staff has done its work and believe we can do that without a budget amendment and that if council wanted to do this on a permanent basis then as part of the fy16 budget process we would have to include the positions and the funding in the budget prop proposal. So I think it's a matter of -- if we're now talking about a funding option that doesn't require any budgetary impact that's budget neutral, then we wouldn't need a council action to amend the budget. >> Tovo: Okay. So would you be using fund balance or would you be using vacancies? When you and I spoke about vacancies you suggested that those would need to be on a rolling -- I thought I understood that's -- >> That's how -- >> Tovo: On a rolling basis. >> Yeah. >> Tovo: How would we be funding any positions that were voted on on Thursday? >> Well, there's roughly eight or 900 positions collectively in our support services fund, which mayor and council is part of. And just doing rough math here but at any given time somewhere in the neighborhood of seven to 8% of those positions will be vacant so let's say 50 to 60 vacancies at any time it's it's a treadmill, changes every day, as progressions hired and positions leave. But one thing that's pretty constant is at any given time we've got about seven or 8% of our positions that are vacant.

[11:44:03 AM]

Staff manages that situation. I mean, there are situations that occur where we may need additional resources in this area instead of asking council for an additional resource in that area we first look to say, oh, we've got a vacant position over here that we can use to fill that position or that need on a temporary basis, you know, we might have a position over here that's in the process of being reclassified and that process is going to take three, four, five months. Who while that's happening we're going to go ahead and use that resource to meet this other need. Sometimes it's a council direction. I'm just making up an example but this is just a larger example of that. Staff does this all the time, kind of managing our overall budgets do meet needs as needs change, as needs arise and as needs change and to try to do that without creating an additional budgetary impact. Sometimes we can do that. Sometimes we can't. Just depends on where we are in the fiscal year and what our projections are looking like and how large the need is. So, you know, that's what we've done and we've -- we firmly believe we can manage this between now and the end of the fiscal year. It's just kind of through that thread mill process, the vacancies and working with the departments to identify vacancies that for one reason or another maybe aren't ghost to go utilized for the next four or five months to meet this need for the remainder of this fiscal year. On a permanent basis I can tell you that all of the positions that have been approved for our

support services department, all those department directors have a need for those positions, and, you know, would be able to explain to you, you know, why they're vacant, where they are in the hiring process, what's going on with those positions and why they need to maintain them. >> Tovo: So you are just contemplating -- you're not contemplating transferring any of those fte positions because that would require a budget amendment? You're just -- you would respond in funding this were it to pass using the balance in those funds by doing the rotation? >> That's correct. >> Tovo: Can you very

[11:46:04 AM]

briefly -- we're really short on time -- explain or maybe the city manager's office can explain the process of loaning staff. You know, as we talk about needs in council offices and needs in the mayor's office, I wonder if you could explain what the protocol is for borrowing a staff member from another department to meet that need. I know the mayor has a need of a staff member on loan. When I first started I borrowed a staff member, I believe I also compensated that department, at least in part. That was in the first -- I didn't have staff when I started so for about three weeks I borrowed a staff member from another department. Could you just describe, what is the protocol? Is that something available to all of our offices? And is there a compensation for that originating department? If you want to answer that during the q&a that's fine too. I just think if we're talking about resources available we should have that information as well. >> Sure. We've tried to help out at each of your offices as they transition to 311 -- 311 staff have helped out, the mayor's office has staffers that been on loan too. We intend them to be temporary, to transition, as y'all have come on and tried to realize all your duties. So it really is a case by case and we're trying to help out as best we can on a temporary basis. >> Tovo: What would you regard as temporary? >> Well, especially through this budget cycle, until y'all decide what permanent needs do you, we've been trying to help out as we can through this existing budget because y'all have been set by a previous council, although you're a member of that, with your current staffing and as y'all anticipate additional staffing of the budget process we've tried to help out through that time point. >> Tovo: Now until end of September? >> Right. As departments weather the storm of having a staffer being in an office, we've tried to help out as we can. >> Tovo: Is there compensation back? >> We have not done that at this

[11:48:05 AM]

point. >> Tovo: Okay, thanks. >> Mayor Adler: Anything else further? Mr. Renteria O. >> Renteria: You know, I supported 10-1 and I worked it really hard in my area, especially east Austin. You know, my group, we walked and knocked on -- and distributed over 14 -- materials to 14,000 doors on the east side. And during that process, you know, I really noticed that, you know, there's a big need out there. You know, walking through dove springs and east side and to montopolis, you know, I seen that, you know, the conditions that these neighborhoods are. And, you know, when 10-1 won, I decided I was going to try to make a difference and make sure that we can get the services that is really needed into that area. But, you know, getting elected to 10-1 and realizing that, you know, there's so much need just in my district that I never had the chance to take a look at the big picture because I'm not working on the big picture. I'm concentrating on, you know, providing service to my district. So, you know, when the mayor came up with the idea of increasing his staff and then paying it by foundation so it wouldn't cost the city any money, I thought it was an excellent idea. But we decided that -- as a city council, that we wanted them to be paid by the city and have them as in -- city employees. That also brought a dilemma about the open meeting act, whether these added employees, how were they going to communicate with? With us? That's what brought on what we're debating and discussing

[11:50:06 AM]

today, is that, you know, here -- now we have -- loaned out the budget and we're adding more money -- spending more money, and next year we're looking at about over a million dollars. Here we're also discussing about, you know, the homestead exemption, we're talking about adding other social programs. And, still, even when we add extra members to our staff, we're still not focusing and working on the big picture that we need to be -- that needs to be saw. We have the affordability problem, we have the transportation problem. And this is the big issues that, you know, I'll challenge anybody here in the city council members, that when they get that added staff, are they going to be focusing on these issues? We're not going to be able to provide a solution, and we need these extra people that can be able to focus on this big issue, you know, and not just having them here, my staff. I know when I get a staff member, I'm going to have them working in my district and not be focusing as much on the big picture as trying to get the needs and service that's I need in my district. So I just want to let my colleagues know that, you know, I supported the mayor on his position at the beginning, knowing it wasn't going to cost us anything. But I know there was a lot of concern about the power, having that many employees, the mayor was going to have that many added staff members. So, you know, I -- this is the compromise that I did. I'm really not happy about the -- adding more staff to my -- to the councilmembers, but, you know, if that's what's really the only thing we're going to be able to get out of there then -- you know, that's why I went ahead and voted for that. This raised -- well, it's not a

[11:52:09 AM]

resolution. So I just want to let y'all know that's how I feel. >> Mayor Adler: Thank you. Ms. Kitchen. >> Kitchen: I'd like to echo that concern. My concern is -- my overarching concern is that we have a mechanism and the staffing to support it, that we can take a look at the big picture. And I just don't think we've done that. So I'm hoping in the next budgetary cycle, when we have longer time to think about it, that we will do that. I mean, we're not going -- we've got huge issues. We are not going to solve if we don't do something different about how we approach it. And so, you know, I appreciate all the effort that everyone has made in this regard, and, you know, I will certainly support a compromise, but I would also like to challenge all of us to really think this through as we have our conversation for our next budgetary cycle. I personally think some leveraging of private dollars is appropriate with the right amount of controls, you know, to make sure that we're not being unduly influenced. But we've -- anyway, my bottom line is I don't think we've gotten to where we originally said we were going to, and I'm certainly willing to spend some more time to think about how that can be done. And I would just hope that we would have the creative thinking and open minds to think about that as we go forward. >> Mayor Adler: Mr. Zimmerman. >> Zimmerman: So maybe I'm the only person on the council who served on a mud board. We prepared a budget that was, I don't know, a million dollars or something, but in the tenure I was there for eight years, we decreased our spending every year in eight years and decreased the out of pocket taxes and the perception in our community was our service actually improved. The main thing we did was take

[11:54:10 AM]

care of a park but we continually improved that park. So somehow we were able to cut our expenses and still have service that's looked better to our small neighborhood. To speak to councilmember Renteria, I'm as fiercely fiscal conservative as anybody in this room. If we increase the budget to the city council and mayor by a million dollars, there's nothing to say we can't decrease it in the city manager's office by four or \$5 million. So it's really up to this council how we do the budget and how we spend

money. And we can increase the budget for the council, elected council, and decrease it in other places. And it's my hope and expectation that we do that and that we change some priorities. Traffic really hasn't been prioritized. The big picture you talked about, you're right about that. We're inundated mostly with agenda item that come to us from the city manager's office. It's not us generating the majority of the items we have to deal with. So I think the extra staff helps us a little bit to get ahead of issues. And councilmember pool -- kitchen, I'm sorry, I really, really don't want us to be going outside, you know, for private funds. We need to operate as a city. I think we need to reallocate and LE prioritize what we're doing. So that's what I want to see happen. >> Mayor Adler: Ms. Gallo. >> Gallo: You know, one of the things that 10-1 has done and one of the things that we have encouraged through our public engagement task force and all the things that we're doing and the fact that we're out there in our districts, meeting people and listening to concerns, is that we have established a responsiveness to our constituents that has probably never been there before. And I think part of that is the desire for people to get engaged and now they feel like they have a voice and someone that will help them with issues that perhaps they haven't gotten any traction on in the past. And we're being very successful

[11:56:11 AM]

with that. The castle system has been incredible but it takes our office responding to those calls or e-mails and being able to input that. So we've become the facilitator and I can tell you right now we went through, as we've been starting our newsletters we wanted to give people a sense of how busy we've been because we're not responding as quickly as I would do in the private sector business because customer service is important and people expect immediate responses now. In the first eight weeks we have over 12,000 e-mails coming into our office. 12,000. Now, a lot of those are just the blanket e-mails that go to everyone, but a good portion of those were actually our constituents that needed our help. We do not have the appropriate staff in our office to be able to respond, and it's important for us to cover the big picture and to do broad policy, but let me tell you, it's as important to the citizens of Austin that they've got a voice and they've got somebody that will pick up the telephone or answer their e-mails and help them make their lives better and get their problems solved. So however we want to do it, I support the fact that we need more money in this budget to increase staff. And as we increase staff, then it gives us the time to not only look at the broad picture, but to also deal with those policy and budget items that we're really looking at with a fine-tooth comb. It gives us the ability to look at fee waivers in detail so we know we're spending appropriately and we can save our constituents money. It gives us the ability to look at just a variety of things that perhaps I don't want to say rubber stamp but that have been continuously proposed and acted on by councils without a lot of thought. We can't do that without the time to do that. So however we want to come up with it and however we want to allocate it and the mayor's office is obviously doing a great job in what they're helping us with, but however we want to fund that, we need to fund it. We need to fund it sooner than later. And I think just in our

[11:58:14 AM]

attention to detail and attention to the budget, we'll be able to save the citizens money. And I think that's why we were all elected. But we've got to be able to have the time and the staff to do that. >> Mayor Adler: Any if you recollect conversation on this item? We've worked our way through the budget. We have some items in executive session. So we're going to recess now and move to the executive session room. The city council will go into closes session to take up five items, the city council will consult with legal council regarding item a1, legal issues related to mercer et Al. Verses city of Austin et Al., cause number one. 13-cv830 in the United States district court, item a3, legal issues relating to the

filing of eminent domain issues, extension project, item a4, legal issues related to open government matters pursuant to section 551.074 of the government code the city council will discuss the following item, item a2, personally matter related to the appointment of the new city auditor. Any action to going into executive session on the items announced? Hearing none, the council will now go into executive session. [Executive

[12:42:53 PM]

>>> >>>

[2:14:36 PM]

>>> >>> Test test test this is a test of the city of Austin captioning system. S 1, 1, 1, 4, 5,. >>> >> 1, 2, 3, 4, 5,. >>>

[2:40:43 PM]

Item legal issues related to a 1 through a 3, as there's no longer a quorum of council, I call this -- I adjourn this meeting of the Austin city council at 2:30, P.M. Thank you. >> Tovo: Good afternoon, we are out of closed session, in closed session we took up and discussed personnel matters related to item legal issues related to a 1 through a 3, as there's no longer a quorum of council, I call this -- I adjourn this meeting of the Austin City Council at 2:30.