

## Mueller Local Government Corporation Meeting Transcript

### 09/08/2015

>> Mayor Adler: All right we're now going to call to order the meeting of the Mueller local government corporation that we just appointed ourselves to.

[4:43:02 PM]

>> Good afternoon --

>> Mayor Adler: Could you turn it up, bend it a little bit. End piece.

>> Deputy cfo, vice president of the Mueller local government corporation. On your agenda today are three items, one to appoint chair mayor Adler and vice chair Kathie tvo. Second item is the minutes from last year's meeting and third to approve the operating budget for the mlgc.

>> Mayor Adler: The consent agenda consists of those three items. Is there a motion to approve the consent agenda? Yes, Ms. Gallo. Is there a second? Ms. Tovo. Any discussion? Ms. Tovo.

>> Tovo: I don't know if I need to mention it again, but agenda item 1 I just need to add that E.

>> Yes, vice chair with an E I believe is the action.

>> Zimmerman: Mr. Mayor?

>> Mayor Adler: Yes.

>> Zimmerman: Quick question while we're looking at this. Maybe mayor pro tem can inform me on this. Sometime back I had supported a resolution that I think changed the commission makeup for Mueller such that you had to reside in a neighborhood or community adjacent to the Mueller development to serve on that commission. Do you recall that ordinance change that we --

>> Mayor Adler: Yes, yes.

>> Zimmerman: And so consistent with that, I'm trying to understand how we create a commission that says you must live within the community or close by but then we appoint ourselves -- I live way out in northwest Austin. I'm nowhere close to the Mueller community.

[4:45:02 PM]

So I'm trying to reconcile this conflict. How can the commission be required to live around Mueller but the board can live anywhere in Austin?

>> The commission is a different entity than the board. The board sits on the local government corporation to issue bonds and to take other appropriate actions relating to the development, which has been developed in part through selling city property. So it's really a city function, and that's why you, as the councilmembers, sit as the board.

>> Zimmerman: But if it's a city function, why did we limit the commission to only being adjacent to the Mueller development? If it's a city-wide project, chat commission be limited to one area.

>> The commission has different functions and activities than the local government corporation.

>> Mayor Adler: Actually, the answer --

>> The commission is an advisory commission.

>> Mayor Adler: I think the answer is the council had the prerogative to appoint who it wanted to to the commission and we have the prerogative to appoint this so the answer to the question is how do we justify that, wouldn't be a question for council, that would be a question for your colleagues.

>> Zimmerman: Okay. So there's no conflict of interest created for a councilmember who is actually in, you know, the Mueller area. So we have a councilmember that covers the Mueller area, right? Then we have a councilmember like myself who is far, far removed geographically, so does that not create a conflict for the person --

>> No, there's no conflict of interest.

>> Zimmerman: For the person who actually lives there?

>> Correct.

>> Zimmerman: Okay.

>> Mayor Adler: All right. We have the motion to approve consent agenda which consists of those three things, three items. No further debate, we'll take a vote. Those in favor of the consent agenda, please raise your hand. Those opposed. 10-1, Mr. Zimmerman voting no. Before we adjourn the budget meeting, councilmembers, I want to make sure of one thing with respect to the budget before we leave.

[4:47:09 PM]

There was some conversation about the fee that was charged for the permit associated with the health [indiscernible] Situation. We had asked staff to come back and tell us what revenue we would not collect if we did not charge that fee to one-time vendors -- I mean, 1-day events with one vendor. As it current sits, we did not incorporate that -- that change. My sense was is that the council wanted to do that. If we want to go ahead and do that, we would vote to reconsider the vote that we took first, and then we would make that change. Does that create problems if we do that?

>> I think you should -- I think we passed out this yellow sheet.

>> Mayor Adler: Yes.

>> Handout during item 1, \$53,739 revenue reduction. If you were to reopen item 3 to establish this new fee of \$35 for the one-day, one-vendor temporary food permits you'd have to then go back and reopen item 1 and find a way to rebalance your budget after --

>> Mayor Adler: We could take a motion to say we wanted to do that and that last action we took where we swept the money into the fund it would be the -- the sweep would be decreased by that amount.

>> That's right.

>> Mayor Adler: So my question to the council is do we want to do those two things so as to have -- not have the fee increase for inspections for the one-day, one-vendor situation?

>> Zimmerman: So moved. I think that was our intention but I'd like to move that, if --

>> Mayor Adler: Okay. Mr. Zimmerman votes to reconsider items 3 and 1.

[4:49:09 PM]

Is there a second.

>> These would need to be roll call votes again.

>> Mayor Adler: I understand. Three and 1, is there a second to that? Mr. Casar that's correct. Those in favor of -- Mr. Casar seconds that. Those in favor --

>> Zimmerman: Point of inquiry. I thought once we vote a budget in throughout the year isn't it possible to make budget amendments throughout the year that don't make you go back and take another roll call vote on what you did?

>> Yes. At your next meeting could you vote to amend the fee ordinance to establish this lower fee.

>> Zimmerman: Why couldn't that process be done right now? We're making a very simple budget amendment. We don't have to go back and reopen everything up. We can not open up and not do the recorded votes all over again.

>> You're not posted to do a budget amendment but if you wanted to do something like that on your next agenda to -- I'm sure that we could put something on your next agenda to mend this fee and to amend.

>> Mayor Adler: My sense, it will take us 30 seconds to get through this. Let's just go through this and get this done and then it represents what it is that we want to do. There's been a motion and second to reconsider. Those in favor please raise your hand. I think it's unanimous on the dais. We're now reconsidering three and one. We want to -- I'll entertain a motion for number 3 consistent with what we did before, with the exception that it adopts the \$35 rate for a new class of one-day one-vendor events. It's moved by Ms. Houston, seconded by Mr. Renteria. Any discussion? Hearing none, we need to -- the vote to amend, all in favor of amending it raise your hand. Those oppose. The amendment passes. Final vote on number 3 as amended. We need a roll call vote. Would you please lead us through that.

[4:51:13 PM]

>> Mayor Adler, mayor pro tem tovo, councilmember Houston, councilmember Zimmerman.

>> Zimmerman: Yes.

>> Councilmember troxclair, councilmember pool, councilmember Garza, commissioner,.

>> Renteria: Yes.

>> Councilmember Gallo.

>> Gallo: Yes.

>> Councilmember kitchen.

>> Kitchen: Yes.

>> Mayor Adler: It's approved. I think that was unanimous. Now we'll go to item number 1. Which was also -- we approved the motion to reconsider, entertain an amendment to amend where we were before on number 1, so as to reflect the revenue loss associated with the fee change we just made and to decrease the last item we had done before the sweep and to the fund by whatever the lost revenue would be. About \$55,000 or so. Is there a second to that? Mr. Casar. Mr. Casar moves that amendment. Second from Mr. Renteria. Those in favor please raise your hand. Those opposed. We'll now take another roll call -- it passes unanimously. We'll now take another vote on number 1. This is the main motion. This is the overall budget.

>> Mayor Adler.  
>> Mayor Adler: Yes.  
>> Mayor pro tem.  
>> Tovo: Yes.  
>> Houston: Yes.  
>> Zimmerman: No.  
>> Troxclair: No.  
>> Pool: Yes.  
>> Garza: Aye.  
>> Renteria: Yes.  
>> Gallo: Yes.  
>> Casar: Yes.  
>> Kitchen: Yes.  
>> Mayor Adler: Ms. Troxclair when we took the vote before you had voted yes. Are you changing your vote now?  
>> Troxclair: I am. I'm really torn about it. I'm really torn about it because I think there are so many good things in the budget, but I was reminded of a pledge I took to not support a budget that wasn't at the effective tax rate and so --

[4:53:25 PM]

>> Mayor Adler: Okay. Then I'll recount the vote asinine-2. The budget passes -- as 9-2. Budget passes. That has us through all that. We have One item left on our agenda. So we are now adjourning the budget meeting if there no objection. That meeting stands adjourned.