

Audit and Finance Committee Meeting Transcript – 12/14/2015

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[9:12:46 AM]

>> Okay, good morning. We're going to go ahead and get started. I am Kathie tovo, chair of the audit and finance committee. We're meeting in the city hall chambers and the time is 9:12. Before us we have a few things that hopefully we can dispense with quickly. The first would be to approve the minutes of the audit and finance committee of November 16th.

>> Pool: I'll move.

>> Tovo: Councilmember pool moves approval. Vice-chair troxclair second that. All those in favor? And that's unanimous on the dais. I don't believe we have any citizens signed up for citizens communications. If anyone is here who wished to sign up for citizens communication, now would be the appropriate time to come forward. Otherwise let's move on to 3, the approval of the audit and finance meeting dates for calendar year 2016. Hopefully everyone has had a chance to look over those. Our next meeting would be January 27th, the one after that February 24th.

>> Pool: I'll move approval.

>> Tovo: Councilmember pool moves approval. Troxclair can we talk about the July meeting?

>> Tovo: Would you mind seconding it. Vice-chair troxclair seconds it for the purpose of discussion. And I agree, would you like to initiate that discussion?

>> Troxclair: Since historically the council doesn't have meetings in the month of July I think it would make sense for us to also skip the audit and finance meeting that month if it's amenable to you.

>> Tovo: I agree with you.

>> Troxclair: I will make that motion.

>> Tovo: So councilmember troxclair amends that motion. Are you comfortable with that amendment?

>> Pool: I am.

>> Tovo: All in favor of the amended motion raise your hand? That passes unanimously on the dais. And let me say -- after Thursday's meeting we quickly added several items related to real estate and related to the specific real estate transaction to this agenda and I'm going suggest that we go ahead and see if we can handle some of the other issues rather quickly first.

[9:15:03 AM]

Since the real estate I think is 10 and 11, and also six. So it's a little bit spread out on the agenda, but I think we should see if we can get some of the audit related matters done first. So why don't we go ahead and hear item 4, which is the animal services audit management response. We also have two speakers signed occupy this item. As you know, the city --

>> As you know the city appointed a new chief animal services officer effective in June. We issued this audit report in April so at the time the organization was in transition, the acting director had announced

he was leaving. So they originally provided a short response that they would develop an action plan and now today we have a revised management response and action plan provided by the new animal services officer taking into account our original findings and recommendations. And she is here today and is going to give you an update on where they're at with the recommendations in the original audit. >> Good morning. Can you hear me okay? I'm tawnie Hammond, the chief animal officer. What you say about Texas allergies is true I had to go run and get my water. Just briefly I wanted to revisit our audit and the auditor and her staff were good enough to meet with us and allow us to revisit the audit and response. The first thing -- I will be brief. It's pretty straightforward. The first finding I know you have the backup materials there in front of you. The first finding was that the chief animal -- recommendation, pardon me, the chief animal services officer should evaluate the kennel, shelter operations and implement strategies to ensure animal services complies with applicable state requirements and make recommended best practices for the housing and care of animals and areas of review should review determining optimal level of staff for kennel operations to meet best practices for animal care.

[9:17:28 AM]

Developing and implementing strategies to meet state requirements for animal housing. To ensure best -- ensure alignment with best practices related to capacity and animal care. And developing and implementing strategies to ensure animal services timely response to citizen and animal service calls. That was the first recommendation. And the -- my response to that is that we concur and we have completed an evaluation of these areas. We have appropriate staffing levels in place to meet these practices for animal care. Animal services policy and practices are constantly being evaluated to meet state requirements for animal housing and ensure best practices related to capacity and care. Staffing levels for animal protection are addressed in the upcoming city and county budget so business plan so that emergency service calls are responded to in a timely manner. And as far as the status, it's either planned and ongoing and I'll have a comment on this in a minute, but I just wanted to roll through the recommendations briefly. We are filling vacancies. Filling vacancies remains a constant variety for staff. The kennel expansion is on schedule and policies and practices are continually being updated to reflect animal care best practices. Discussions with the county executive and city staff have become for requesting additional personnel, resources, adequate to serve an expanding population as Austin and Travis county. The evaluation that I conducted along with the staff was completed 12-9-15, and as far as the status of what has been done, it's underway and will be ongoing due to the nature of the field regarding onboarding and filling vacancies and appropriate staffing level. Kennel completion is on target -- the project is on target, completion scheduled for August 30, 2015. And we're constantly updating practices. As far as the discussions with the county executive and looking at the budget plan, we're looking at target date of October 1, '16 for animal protection positions.

[9:19:38 AM]

The second recommendation was that we should -- the chief animal services officer should establish policies and procedures to ensure information collected on department information, such as records of call responses, is complete and accurate, including providing documented guidance to dispatched staff, prioritizing calls and sharing that field staff track and collect all necessary information for each service call including reasons for not responding. We concur with this finding and with the recommendation. The chief animal services officer took action -- I took action and my predecessor began tax in sharing the information collected on department operations such as records of call, responses were complete and accurate. We have created a flow chart and have documented descriptions of calls to assist the dispatcher in categories and calls as well as creating a field services policy and procedure manual. We

implemented a policy and procedure for tracking, collecting and reporting information related to service calls. This is -- the status is implemented July 1, '15 and 8-1-15. Policies and procedures should be established for drug inventories, including policies and procedures for drug purchases, storing and use, separation of duties and disposal of expired drugs. Including the documentation from expired drugs from unexpired drugs. I want to point out this was dealt with immediately by my predecessor and animal services staff. Took meet steps to shelter drug inventories and created policies and procedures for drug purchases, receiving and use, separation of duties, disposal of expired or defective drugs including the documentation of expired drugs and unexpired drugs that was implemented. We have an 8-21-15 date there only because that's reflecting our six-month self-audit that showed we were in fact in compliance still with the immediate actions that were taken.

[9:21:44 AM]

So that's an overview of that. And just a couple of points, if you will allow me to make in closing. I think it's very important for us to remember. For almost five years Austin animal services has been a leader for municipal shelters in the nation, saving more than 90% of the more than 18,000 animals that come through the doors each year. In fact, we know that Austin is the largest no-kill city in the nation. The other thing that I think is important to understand like other social changes or changes in technology and science, it's rapidly evolving field and that we're in the early stages of development as a profession and a field. In just 10 years we've gone from as a nation building pounds where we were impounding animals, moving to a shelter model where we offered shelter and maybe some programs and try to get animals adopted, put out a sign, invited the public in. And now what we have evolved to in communities like Austin is creating resource centers that are focused on humane solutions and prevention. The other thing that's important for us to know and in considering this audit or any audit is that there is no accreditation process or written standards for animal shelters. They do not kill animals for convenience or space. The existing standards and one use for this audit are minimal at best and not always applicable to an organization mandated to maintain a live release date over 90%. Because Austin animal services is unique and Progressive, we're following the nation, but also creating practices for others to follow. This is an ever-changing and fluid process that requires constant evaluation and adjustments. Austin animal services leadership speaks at multiple national conferences each year, including recently an organization in Europe. The city of Austin, Travis county community continues to grow by 120 people per day despite the unprecedented growth shelter intake has held steady the past four years.

[9:23:48 AM]

Most importantly building additional kennels and hiring more staff will not address the capacity issues long-term. To achieve long-term results my recommendations regarding capacity and care are work with Travis county and similar neighboring jurisdictions to implement compatible and consistent codes regarding animals and their care. Increased education and outreach staff as well as personnel focused on solutions. And share the most innovative, advanced technology and the best shelter software system are used to most effective interface with the public. Create a robust public image to engage the community in solutions and prevention. I look forward to working with colleagues in the city and county, animal welfare partners and the community in addressing not only the challenges and opportunities we face daily, but also ensuring the excellence in animal welfare that Austin is known for around the world. Thank you.

>> Tovo: Thank you, Ms. Hammond. I appreciate you coming in here so soon after taking your position and addressing the audit and the findings that were identified. Are there questions for Ms. Hammond about her response and plan of action? Councilmember Renteria.

>> Renteria: In your opinion what would it take to increase -- is there enough room at the animal shelter that you could build extra space for the dogs and cats?

>> That's a very good question. I think the campus has a lot of space there that could be utilized in the future. I think the best use of any dollars in the future would be around prevention. Being a 900 square mile county I think it might even be more appropriate as we leverage our resources, private and public partnerships, and with non-profits in the community, to develop satellite locations, if you will, for prevention, spay/neuter, education, what to do when you want to add an animal to your family.

[9:25:56 AM]

Our focus and really the animal protection officers do an outstanding job is keeping animals in home, finding out what the challenge is and what they need and helping to connect them to some of those solutions. It might be a non-profit, one of our partners in the community. Or it might be a solution that we can offer them. So I think to answer your question, I don't think we can build our way out of this. I think what it is is about best practices that are evolving rapidly inside the building, and that is expediting adoptions, making sure our technology is the best. We're doing that now. That's what we're looking at. But I think a community as large as ours, 900 square miles and then you have the unincorporated jurisdictions, it will be merging resources and looking at it the holistically.

>> Pool: Two things that you mentioned sparked a question for me and maybe it's a comprehensive planning outlook. One of them is fact that you mentioned that there are no standards in place for care in a no-kill city specifically. And then the other was you talked about working together with the county and seeing if we can have some smooth connections with them. And then you mentioned the other jurisdictions and Travis county, the geographic Travis county. Do you see -- how do you see that going? Is this like the big -- the big thing that you would be addressing over the next few years to try to do a better job in a comprehensive fashion, including the smaller jurisdictions as well as the county to try to address the prevention issues that we're looking at in a quickly growing population?

>> Thank you for that question. It's excellent. I think it's paramount. I think as I said going from a pound mentality to a shelter to a community resource center it's no different than libraries, parks, fire, rescue, planning.

[9:28:03 AM]

Looking at professional excellence we are already the best in the nation, but we need to refine what we're doing. We are working with Austin pets alive, they've been talking with us about creating a toolkit for other communities to follow. We've met with many, many communities around Texas since I've been here. Just last week Laredo, el Paso, met with Houston. I think fort Washington and other -- Australia was in town. Really we need to have standards and accreditation for communities that are dedicated to the most humane practices for pets and people. So we're already doing it, but we need to have measurable goals around that. What does success look like? So our auditor, who I really enjoyed meeting her and her staff and they've been most helpful to me, have something to follow and a guide when they're looking at what we're doing in Austin. The other part of the question was looking at the county and other jurisdictions, I firmly believe that for the past five years we've been absolutely successful. What the next five years are going to look like is making sure the county, making sure the other jurisdictions, that we all have the same regulations, the same laws that we're supporting each other. We're not working against each other. And I've already had an excellent meeting with the county executive of Travis county and we have an open house planned for January. We don't have the date set yet, but we'll be inviting in all the other jurisdictions within Travis county, having a pow-wow, a meet and greet and talking about opportunities moving forward. Truly it's not just Austin, the largest no kill

city in the country, it's really Travis county because we are the shelter and the animal services for the county.

>> Thank you. Councilmember Houston, thanks so much for joining our community today.

[9:30:05 AM]

>> Houston: Thank you for allowing me to be here today. How are you doing this morning?

>> Good morning, ma'am.

>> Houston: I have a question on the audit report page 7, exhibit 6. It's about the median response time for calls. Do we have officers working on weekends and at night or is it just 8:00 to 5:00?

>> At the time of the audit it was really -- they were only available from 8:00 to 5:00, the extent to which it has changed. That was one of the reasons you see the longer call times is if a call was coming in in the evening it wasn't being addressed until the following day.

>> We'll be looking at that. That's something we're doing an analysis of right now. We have two officers for 900 square miles. There may be four to six officers on duty and if they're sick or vacation or mandatory training that's something that I'm working on a plan in moving forward and talking with the county.

>> I think that's a concern of mine because in my communities animals get hurt in the evening and on the weekends. And this is the same conversation we had with the code department. The code violations don't just occur during 8:00 to 5:00. They occur at night and on the weekends. So I'm glad to hear that you're already beginning to take a look at that because that is a concern because when animals get hurt on the weekend they just lay there until they die.

>> We do work weekends. The deputy chief just walked in the room and we talked about the hours of services that the officers work.

>> Houston: What times on the weekend?

>> What are our hours on the weekend? Seven A.M. To five P.M.

[9:32:05 AM]

>> We have one officer scheduled until midnight and we worked collaboratively with the officer on emergencies, but we're seven days a week, eight to five with one officer scheduled until midnight working collaboratively with the police department.

>> Houston: So I would hope that we would look at other kinds of rotations so just like code is available acknowledged R. And night and more on the weekends when these things happen that we would also be able to collect animals during that time.

>> Yes, ma'am. If we spread the team out even further, we looked at that. And the response time already is an issue of how quickly 900 square miles, just going on ride alongs, we're getting to barely a third of the county when we ride along for a complete day answering calls. You throw in traffic.

>> Houston: Perhaps one of the things could be that we talk with Travis county, who we partner with about adding additional staff from their side since a lot of that is Travis county.

>> I just hit that meeting last week and they are very open to looking at that, particularly as we continue to grow and traffic is increasing as we know.

>> Houston: I have one other question. I stopped by yesterday to see about becoming a volunteer and I noticed that it says complete criminal background investigation and a complete fingerprint scan for people who have lived outside of Texas for the past 10 years. Can you tell me what exactly that entails?

>> I was looking to see if the deputy chief was in the room. I'm going to have our deputy chief of animal services, Kristin Erback talk about the program.

>> Houston: Just about the criminal investigation and the fingerprint scan.

>> Tovo: You can also use the podium if you're more comfortable.
>> Yes.

[9:34:07 AM]

The criminal background check and fingerprint is something that we inherited and we're told it's necessary to be a volunteer at the shelter. We're looking at that and why it is and if it's necessary for the majority of our volunteers. We do also have public dog walking so anyone can come in -- any member of the public during our open hours can come in and walk dogs and interact with cats in any of the public areas. The extra security is for volunteers to be allowed to go in the non-public areas of the shelter.

>> Houston: I'm sorry, I wasn't very clear. I want to know what is the process to do a criminal background investigation? What do you all do once I fill out an application online to make sure that I don't have a criminal background or I complete a fingerprint scan. I want to know what that process is.

>> The person completes the needed forms and then those go to the police department and those are an external group outside of the shelter that processes those background checks. Someone in the police department processes those background checks and the person is approved to be a volunteer and they start volunteering in the shelter.

>> Houston: I see Mr. Washington moving up. Do you have specifics? We have other issues about fingerprint scans and background checks so I want to know the depth of what we do for our animals that we can't seem to do for our people.

>> Mark Washington. The process is the same process we use for employees and people who are acting on behalf of the city in the event that there are risks in which they either interact with vulnerable populations, children or adults. If someone has not lived in Texas in the past 10 years we can't use the dps record. So we have to search nationally. And that is why the FBI check is used to search in places outside of Texas. It's the same thing that we use for the workforce and any volunteers working in the city.

[9:36:11 AM]

>> Houston: We would do a fingerprint scan on I've lived in Texas in the past 10 years. You would do a fingerprint scan on me and that would go to dps?

>> Right. If you lived in Texas within the past 10 years we would not. Only if you lived outside of the state so we can search every other state in the country.

>> Houston: So for the criminal background investigation, which is since I've lived in Texas for 10 years, what does that entail?

>> Department of public safety check. That does not require the fingerprint examination, but we basically give your information to them and they run the check and they report back the results to the staff and the city, human resources department, and we let the department know whether or not they have an approved background.

>> Houston: Okay, thanks.

>> Tovo: Okay. Thank you so very much. Ms. Hammond, I think we do have two speakers. I did want to ask you since you're here and you were talking about some of the mobile pet adoption events, I thought you might want to just talk about the 12 stops of Christmas. I understand we'll have some animals here at city hall on Friday from 1:00 to 5:00.

>> We will have some. And Christine is going to come up and talk a little bit about that event. We're very, very excited about this and it will be a neat way to celebrate adopting animals and there will be some other festivities happening.

>> Yes, we're not quite ready to unveil our new adoption vehicle. It's coming. But until then we wanted to get our animals out and about in the community so we will be top stopping here. We have 12 stops all around the city trying to get animals available to people in different areas, not just the shelter. So this is sort of the -- what's coming up in -- around Valentine's day is we will be driving around the city with the mobile adoption vehicle. Which is done, we're not quite ready to drive it yet. You will see us out and about much more.

[9:38:11 AM]

>> Tovo: We look forward to see you on Friday.

>> We will have animals here. We hope everyone comes out and is in the holiday spirit and everyone is home for the holiday. The goal goal is always to empty the animal shelter and find homes for the animals during the holiday season.

>> What time will you be here?

>> I believe it is noon to five.

>> Tovo: It is 1:00 5:00 at city hall on Friday and also in the downtown area at trader geez the next day. But I think we have some other special visitors on Friday here at city hall. Hopefully it will be a festive day.

>> It's going very festive. It's a great time. Holidays are a very good time to add an animal to your home because people are home more often than not and can help acclimate and provide a little tlc and comfort. The kids are homes from schools and they can take time off from work, so it's a great time to be thinking about that. >>

>> Troxclair: I think tncs recently had a puppy day.

>> The Uber? That was an Austin pets alive promotion on delivering adopted pets via Uber.

>> Troxclair: So I was just wondering where the puppies came from. So they came from Austin pets alive.

>> Yes, or maybe us. We work collaboratively with them, but I believe that was Austin pets alive. That was their promotion.

>> Troxclair: Do you know if people -- if it relates in animals getting adopted?

>> Yes. I think some of these things, these programs and the adoption promotions are usually just getting people's attention, trying to connect with the approximately 75% of the population around the nation that has never visited a shelter or rescue.

[9:40:13 AM]

So these promotions when there's little quirky twists, is to try to get on people's radar and hopefully think differently about adding pets to their family. We want them to adopt, not shop.

>> Houston: I just have one more. If you could let us know when the vans are going to be in each district so we can support that and make sure that we get our email blast out to people so we can encourage that. And I want to thank the -- Ms. Hammond for the last bullet on page 13 of the audit report. We have to do something about spay and neutering because we cannot sustain -- we don't have the financial capacity to sustain more staff and more -- building more kennels. We've got to do something about making sure that those animals that are running lose are spayed and neutered. So I appreciate that comment.

>> Yes, ma'am. And we will be providing the councilmembers and the mayor with the schedule and information so we can be part of meetings and celebrations or anything that's taking place in the districts when the adoption mobile is ready to be rolled out. We'll be working with the staff collaboratively because we want to be in the places that the constituents in the community and

residents can connect. Thank you.

>> Pool: One last thing. I'm going to have a town hall in the spring so if you could just generally -- in may. I would like you to bring the van. It will be district 7 and we'll work with your staff on the date. It will be on a Saturday. Thanks.

>> On a Saturday in may. We will be in touch with you.

>> Tovo: All right, thank you. So we have two speakers -- we have actually one speaker with donated time. And is that Ms. Vega with donated time from Michael falsom? So you have six minutes.

[9:42:19 AM]

>> Hello. I support the no kill and I am happy that in place because we have adopted several animals from there. I have three concerns with the audit. First is the quantity versus quality. I think you share those concerns because of the questions that you asked. The shelter no kill, that's great, but it has to make sure that the animals are treated properly. The audit talked about animals being placed in temporary cages and that wasn't providing the proper animal care. To follow state best management practices. So what Ms. Hammond is replying the shelters to really comply those are minimum standards and for no kill we need new standards and actually Austin has those new standards. So my question is could you please -- my concern is ask them to document those standards? It's not enough to just say we have standards. What are they? And could you please vet them through the community, not just select a group of people and then come to council and get them approved. It's always better to have the best management practices in writing. The second point on the emergency service calls, that has happened to me. I called about a dog that was run over. They said well, we'll send somebody. We only have three officers. They don't come until 10:00. This was during a weekday. And it may be three hours to two days. We don't know. That's not acceptable. So I see that there's measures being taken, okay, but I'm wondering about the details because of what I read. And the response on the audit on the table on page 14 it says when the animal -- the acting animal chief officer was here he said we concur and we're going to get staff. On the status of strategies from Ms. Hammond she said that talks have started with county staff and city staff with getting more resources to serve the expanding population. When I read attachment a on page 13 the priority for staff is not necessarily for emergencies, maybe, that's what I don't understand.

[9:44:28 AM]

I want that clear. They say she's interested in increasing education and outreach. And they're going to have some of the staff for emergency calls. That needs to be clear. I think we need to think about solving the problems today and then working on the problems of tomorrow, not necessarily work on the problems of tomorrow, but the ones that are not as important or that -- we need priorities. We need to resolve that is important now, the other emergency calls. The additional staff, that should be dedicated for emergency calls. And then proceed to education. Now, the last concern that I have is all of this is based on collaboration. You heard what

[indiscernible] Said, we need to collaborate and work with partners in the community, create a robust public image to work. That's what's needed, but my experience is that's not what's happening and I'm hoping my words will be heard by Ms. Hammond who is sitting right next to me and by the councilmembers on the dais. In order for this to work owe foe this to work the community needs to be engaged, not only the ones that support it, not only the ones that agree with Ms. Hammond, but mostly the ones that disagree. You need to work with the people that disagree with you. That has not been my experience. It's been the opposite. And not only us, but valuable city partners are being treated with disrespect. That's the county not listening or meeting with community representatives. So this is what

happened. I email Ms. Hammond trying to get a meeting when she first arrived. It was awhile until I got a response. I understand she was really busy. We got one meeting, 30 minutes. We gave our facts on coyotes. There was a meeting and she approved the recommendation. I asked for a second meeting. She said we know your opinions, not facts, research, your opinions. I don't agree with her so those are opinions that get dismissed and brushed off. No more meetings. It's not only that, you can say that's Zoila and she's bugging her.

[9:46:28 AM]

The same thing with Travis county. We went to the Travis county commissioners' court meeting and valuable partner had already approved the recommendations for the coyotes, which is cancel the contract with Travis county. That approved they failed the judge. Okay, work with us, collaborate with us. Come join us. When you say we need to cancel a contract, that means those people are not managing the contract correctly. That's disrespectful. That's not the right way to proceed. So I have 10 years or 15 years experience in process improvement and collaborating, working together, networking, all of that is great, but that's not what's happening. You cannot only agree and work with the ones that support you. You also need to get the support at large support. Thank you.

>> Tovo: Thank you, Ms. Vega. Councilmember pool.

>> Pool: Ms. Hammond, if I ask a couple of questions could you respond in relation to what Ms. Vega has said? The report that Ms. Vega is referring to, I think that members of the animal services commission and probably you have had a chance to look at that report. Can you respond to the level of expertise or research that was in the document?

>> Which report?

>> It's one that Ms. Vega is talking about on the queue quote services -- coyote services.

>> She didn't talk about a report. She talked about the contract with the county, I believe. I'm seeking clarification. I'm happy to respond, but I want to make sure I'm responding --

>> Pool: That's it, the contract.

>> We have -- as most folks now we have an interlocal agreement with Travis county and Travis county has a contract with Texas wildlife services for wildlife management. And we receive a 10,000-dollar credit from the approximately \$1.4 million that we received from them under the county interlocal agreement.

[9:48:36 AM]

And we received that 10,000-dollar credit in exchange for the Texas wildlife services services in the city of Austin. And recently there was a commission meeting, county commission meeting of commissioners' court that the animal services chair spoke at and that I spoke at. And that the county executive, Ms. Fleming, spoke at. And there was other speakers as well. What would you like me to comment on?

>> Pool: I remember the conversation about the \$10,000 that the city was asked to participate in with the county. And the reason why the city chose not to continue that collaboration. Could you talk about that a little bit?

>> The recommendation from the animal services advisory commission, Mr. Lunstead, the chair, had asked the county not to renew the county. The county was 60 days past due on renewing a contract with Texas wildlife services. They needed to have a decision made at that meeting. They either needed -- they had to figure out a way to pay Texas wildlife services for the 60 days they had been working and providing services. The chair asked that they not renew the contract. Mr. Hundredstead please work with the city and create a wildlife management specialist. We'll hire our own biologist. We'll look at national best practices and create humane standards for wildlife management. I think timing is an issue

here. Rather than a lack of respect I think as a new animal services officer, the commission and county were caught cross ways because of timing. They were 60 days in area, they needed a decision, and our animal services advisory commission, which in fact they do have one representative that communicates with the county commissioners and has on this issue, was hoping they would opt out and work with the city on creating a position that would focus on a holistic wildlife management program.

[9:50:46 AM]

I was asked a couple of questions at that commissioners' court and I agreed that we do have the talent and resources and that's something that I could support. And I stated so publicly in the commission meetings. There will be something coming to council on that from the commission in January.

>> Pool: What I mentioned before about the research project I'm looking at the email from Mr.

Luninstead and he talks about a research paper that was done a few years ago on recommendations and the coyote work group did two years ago, evaluate the paper and consulted with wildlife biologists and other coyote experts and the explanation of the coyote work group was the research project had flaws. It was not peer reviewed. It was a research paper written for a pest control conference. This predates you being here, but --

>> Yes, I am aware of that and I concur. I think that the current methods that we're using, we're hanging our hat on a conference paper, not scientifically based, peer-reviewed literature. That is my opinion. And I do concur with that. I've got 23 years in parks management, 30 years in public service. And I think whatever we do here in Austin it should be based upon scientific data and proven methods as we look around the country. We're not alone. I think sometimes we get caught up in our Austin world that if we look around, Chicago has an amazing study that I've been looking at. They've got the longest urban coyote study on record. What they've been doing. And I think we want to emulate other communities that have -- safeguard the community as well as humane best practices. And public safety is very important to me. So that's my focus. And I've met with everybody that wants to meet with me, but if I don't agree with their opinion they may feel that that's disrespect.

[9:52:50 AM]

No disrespect is ever, ever meant.

>> Pool: Thank you so much. I agree with you that the basis should be -- it should be based in science and I do look forward to having some additional conversations with the county. I recognize that the timing was -- it was a difficult -- it was difficult to make something happen. Different than what had gone forward previously.

>> The timing was horrible. It was lose-lose. And we were trying very hard to be respectful, but if I'm asked a question in a microphone in a public meeting I have to answer the question.

>> Pool: Right. It sounds like the collaboration that you're planning with the additional standards and the questions that I asked you earlier today indicate that there is an expectation on your part that we will be able to collaborate in larger ways with Travis county and the surrounding municipalities in order to have the most humane animal policy and recognizing public safety. And also to make sure that we can address any fears that people have and get the data out there to explain what the likelihood is. Of different situations.

>> Thank you.

>> Tovo: Thank you. Councilmember Houston, did you have a last. >>

>> Houston: Just a quick comment is that we will be hosting on January the 13th health and human services, we will have another briefing on the coyote management situation and public comment.

>> Tovo: Thank you. This is a question for -Z in stokes. Do we need to accept this management

response? Would you like us to?

>> It would be valuable to.

>> Tovo: The second piece of what we did last spring.

>> I'll move.

>> Tovo: To accept the audit management response. Is there a second? Vice chair troxclair seconds that. All in favor? That's unanimous on the dais.

[9:54:52 AM]

Thanks so much for being here, Ms. Hammond and her staff. We're going to move around the agenda a little bit. I believe that item 8 will be relatively quick, I hope, and then I'm told 9 will be relatively quick. And also I believe councilmember Houston was here to also hear our presentation on 8 and that will be respectful of her time. Then we move back to our airport construction audit and then take up real estate all at once. So item 8, please. And we do have one speaker on this. Colleagues, would you like to hear this -- I think we'll hear the presentation and then the speaker.

>> Mayor pro tem, councilmembers, I'm Jeanette Goodall, the city clerk. Is this on? Can you hear me? Good morning. What we're going to do is quickly go through an issue that councilmember Houston brought to my tension with the African-American resource advisory commission. One of the changes that occurred from the last council was to increase the current membership to 17 and to include six members from very specific community stakeholders groups. You will see them listed there in yellow. One of the issues that this has caused is we've had some difficulty up until recently to get the community stakeholder groups to provide nominations and/or to get the African-American resource advisory commission to be able to agree on how to proceed with their membership. So in December -- on December 2nd, the commission had a meeting to discuss the membership makeup of their committee.

[9:56:55 AM]

They took a couple votes. You'll see four votes listed here. There were 11 members in attendance at the meeting. Their first vote was to recommend their membership stay at 17, as it is. It died for a lack of second. The second vote was to recommend that the membership be reduced to 11, one member appointed by each councilmember. That vote failed on a 7-2 vote with two members abstaining. Part of their problem is they are having difficulty getting a majority vote to agree on these issues. Their third vote was to recommend membership be reduced to 11 with the six additional members serving as ex-officio members, which would allow them to participate but not vote and not go -- not be counted into the quorum for the council. That vote also failed on a vote of 8-2 with one abstaining. There was a motion to reconsider this item and it failed on a vote of 4-7. They took a vote to recommend eliminating the African-American cultural heritage district which has declined to provide a nomination. That vote failed. They took a vote to recommend the four nominations they have received from four of the organizations and that vote failed. So we're having some difficulties getting their membership appointments made, which has a severe impact on the number of people who are able to attend the meetings and for them to reach a quorum of nine votes required to take action. So at the December 2nd meeting, councilmember Houston was there as well as I'm sure she will provide you with a lot of feedback as well.

[9:59:03 AM]

They asked if the clerk's office would just come to audit and finance for your thoughts and possibly a

recommendation on how to adjust their membership. And so we agreed that we would do that and if a recommendation came out of audit and finance, we would work with the law department to get that appropriate code change on the January 28th meeting so that they could proceed. And then we will work with the commission to implement any of those necessary changes.

>> Tovo: May I pause you here just one minute. So they need nine votes to pass a motion. They've had some trouble reaching quorum, but they have new nominees who have been suggested to the board, but they were not approved by the rest of the board?

>> Correct.

>> Tovo: And so -- okay. I didn't -- I didn't remember that there was a provision that the existing membership approve those nominations.

>> It's a -- if I -- I believe it's a nomination from -- nominated by the commission.

>> Tovo: I see.

>> And then come to you guys for -- for approval.

>> Tovo: Okay. Thank you.

>> Pool: Does the council have the ability to receive the nominations even if they fail at commission level and proceed forward with either approving them or not approving them or do we have to have a valid vote at the commission level to enable that issue itself to come to council? Because with other commissions we get yes, sir and no's and even votes out of commission.

>> I can confirm with law, but I believe you probably could. It's your commission so I think you could.

>> Pool: So these issues could come to the council to resolve.

>> They could.

>> Pool: Okay. And if that is different in this case, just if someone could explain why it wouldn't be.

[10:01:09 AM]

Thanks.

>> So a couple of the suggestions or possible options that you could consider is to leave it as it is with 17 members with the six stakeholder groups. And then I will confirm -- I can confirm with law if you can make the appointments directly regardless if a -- an affirmative vote on the nominations was reached by the commission. A couple other options you can consider is to reduce it to 11. One member appointed by each councilmember. You could, as they took a vote on it, leave it at 17, but make the six additional ex-officio members so that it doesn't impact a quorum, but you still get the feedback from the stakeholder groups. Or you could reduce it to 14, which is 11 appointed by council -- actually I think that should be 15. I have a typo there, and four nominated by unnamed stakeholder groups that the commission could elect throughout -- whenever they have a vacancy. That would be consistent with how the asian-american quality of life commission is structured. And that's the end of the presentation and I'm sure councilmember Houston may have feedback on her insights.

>> Tovo: I would like to hear from councilmember Houston.

>> Houston: May we hear from the speaker first?

>> Tovo: We actually have three. Michael Lee had signed up first. Mr. Lee, you will have three minutes.

>> Good morning. I'm Michael leave. I'm a member of the African-American resource advisory commission. I attend to speak because I didn't receive a copy of the report.

[10:03:12 AM]

I have a -- I requested a copy of the report on December 3rd, the day after the December 2nd meeting. I only received a copy of the agenda for this meeting this morning on Saturday afternoon. We -- there's seven of us, seven of the 11 of us voted in favor of having 11-member commission because we're having

difficulty getting a quorum and we want to do business. We believe that it will be easier to do business if a quorum was constituted of six rather than nine. The problem with the 17 as we see it is that you are counting six vacant chairs as human beings. On a certain level I have a problem with being equated to a vacant chair. And for purposes right now we've been told for the purpose of calculating membership, those six vacant chairs essentially count as people because it takes nine to have a quorum and you are counting a vacant chair as being equal to me. Somewhere in my mind I just have a problem with that. Secondly, the purpose of the commission itself is to -- under the by law, the bylaws specifically provide that the purpose of the commission is to advise the city on issues related to the quality of life of the city's African-American community. And recommend programs. If that is the purpose of the commission itself, we believe that the -- these additional members are just surplus, actually. And they are really unnecessary because -- because if it -- to address their needs fits within our duty. In my experience, I've been practicing law it will be 40 years next year, and I have occasioned to serve as legal counsel to commissioners court. I some some the processes of municipal government. And quite frankly, there are a few problems with the ordinance itself as we believe.

[10:05:19 AM]

I have something I would like to read and I can make it available to the body if allowed to do so. On close examination, the ordinance before us is ambiguous, has drafting deficiencies, and is in part fixal. The bylaws, both the old and new contain a serious internal inconsistency. The combination in present form present operational difficulties that can only be remedy by counsel with appropriate drafting by the city attorney. I would describe some of the -- that includes drafting ordinances, resolutions and other documents and papers incident to serving as legal council --

[buzzer sounding]

-- To commissioners court in Jefferson county. Does that mean my time is up?

>> It does.

>> I didn't bring any extra copies but I have an extra copy of my statement. But simply put, the ordinance is just unworkable now. I mean six chair -- those chairs back there can't be counted as people like me. If it is, we'll be back in 1865.

>> Tovo: Thank you so much for being here to provide your testimony. Mr. Linder, Nelson Linder is our next speaker, so you'll have three minutes.

>> Good morning. I think there's a context to this issue that needs to be discussed because I think there's a lot of misinformation about this whole process. I gave you a document that shows the naacp. Back in 2004 we formed a committee that did a report card on Tuesday and addressed -- city of Austin and discussed disparity on education, employment, et cetera.

[10:07:28 AM]

As a result of that, city of Austin, page 2, did a summary called a score card that did the same thing and they confirmed these disparities and did a very comprehensive study, very powerful study. And finally the third item is ordinance 2(006)052-5081, this was drafted by then-mayor pro tem Danny Thomas. He said look, this assessment is so powerful we're going to create a commission. Because the community did this whole process, did research, he was impressed. He said because in the future I want to recite these problems. I'm going to make a permanent commission and from a now on we're going to address these disparities. As an organization, I've been chair twice, vice chair twice. This is a hidden agenda. If you were to point to folks who have been recommended, we could go to work. The problem is we don't know the history, we're not having context, we're not having an honest conversation. The truth is there is some hostility against community based organizations even though we find that this process -- think

about what's being proposed here. You are going to elimination organizations who created this process? We are not a Normal city commission. It came from the community. Read the history. How are you going to vote people who who decree eighth process. You want a quorum? Make the appointments and we'll go to work. But the idea this is even a conversation to us is an insult. By the way, I talked to the hispanic [inaudible] Initially, I talked to the Asians. They embraced our process. We worked together. This is a community based idea. Think about having a commission where you take us off, we see the disparities every day. Who better than us to talk about it. We need your help. But we made the investment. Now everybody city of Austin has their own commission. We talk about disparity in the black community because of this process.

[10:09:31 AM]

I urge you to make the nominations [indiscernible] Make the appointments and go forward. And one final thought, think about the presence of having the commission vote other people down. These people voted me down. They voted me down. They voted me down. You want commissions denying other people that process, it's your job, no, no,. Take the high road here, put us to work, make the come no, ma'am -- nominations so we can do our job.

[Buzzer sounding] Thank you very much.

>> Tovo: Mr. Linder, I just want to make sure that I understand you. I think what you are suggesting is that the four who were nominated by the commission or who are nominated by the community organizations just go directly to council for consideration rather than be recommended by the commission?

>> Absolutely. And that was truly mayor pro tem Danny Thomas suggestion when he created that commission. That way you take the politics and insanity out of it. You make the appointment, not everybody else.

>> Tovo: We would illicit nominations and it would not stop at the commission. Then I have one other quick question for you. So the African-American cultural heritage district has declined to provide a nomination. Is that accurate?

>> That's accurate and they really were part of the initial quality of life. They might see a potential conflict of interest.

>> Tovo: So would you recommend then reducing the number? To account -- or replacing it with a different organization?

>> Opts out for better reason, we should respect that and move forward.

>> Tovo: So you would be supportive of reducing the number slightly or --

>> Not reducing the number, but if that organization says I can't do this, then accept their request. If you want to consider the -- is to have that option.

[10:11:35 AM]

Newly appointed.

>> Tovo: Very good. I appreciate you being hear. Councilmember Houston.

>> Houston: The difference if we still continue to to have it at the six groups thattist a vote of nine. At-point I'll be making a recommendation to reduce the number because the affirmative vote needs to be lower than nine. Especially when somebody opts out.

>> Tovo: Councilmember pool.

>> Pool: Mr. Linder, would you support or not support having the additional six -- ex-officio so they would be part of the discussion and a part of the group but their vote and their Numbers would not count against --

>> No, first of all, these community based organizations, these community based organizations should be ex-officio because they were creators.

>> Pool: Should or should not be.

>> Should not be. Under handed attempt that captures the same thing.

>> Pool: And then are we going to have an issue with not being able to meet quorum.

>> No, that's another line frankly. Because truth is you haven't even made the appointments so why talking about quorums. Under 10-1, many groups struggle to have appointments under 10-1. That's a council issue. Had you appointed these people back in July we wouldn't be having this conversation. I encourage the council to do their job, not us. We're not the problem. Make the moments.

>> Tovo: Councilmember Houston.

-- Appointments.

>> Houston: Councilmembers have made their 11 appointments. It's the additional six we've not been able to manage and some have opted out, some have shown no interest actually.

>> We need to verify that. And I still say it's your job, make the appointments. We're not the problem. We're talking about community based organizations. That's what the issue is. And talking about is reducing the influence. That's what this is really all about and we're going to oppose that no matter who makes the recommendation.

[10:13:39 AM]

Let's be clear about that.

>> Tovo: Thank you very much, Mr. Linder.

>> Thank you.

>> Tovo: This was kind of a new way of appointing for this commission and so I appreciate you all being here to help us understand how to move forward from here. Mr. Smith. You are next. And then our next and last speaker on this item is going to be former mayor pro tem Cole.

>> My name is Greg Smith with the Austin revitalization authority. I'm also here as one of the community based stakeholders that was part of the original -- I'm speaking from being the original participant of the quality of life initiative that took place in 2009. I'm speaking to you as a stakeholder with one of the subcommittees dealing with neighborhood revitalization associated with the quality of life that came up with the 55 recommendations. I'm speaking to you as a -- there was a commissioner for the last five years on African-American quality of life and I'm also speaking for you as immediate past chair of the African-American resource advisory commission. I'm here today to ask you to -- neither you nor city council consider the changes to the membership other than the discussion, I believe, making those recommendations directly to council versus taking it -- having it be recommended by the commission first. I support the vision of the former mayor pro tem Sheryl Cole and wanted to expand the committee to include community based organizations at the time council was moving to the single-member district. If community based organizations is part of the commission, it reaffirms the original mission of the African-American quality of life that focused on the areas of arts, culture, business, economic development, health and neighborhood sustainability. The council action of December was delivered and is desired to expand the commission and thus expand its realm of influence. It is telling that a member of the current commission is against expanding the commission, the membership of the commission.

[10:15:43 AM]

A sitting commission who does not want to share the dais with community based organization not only goes against the original mission of the quality of life initiative, but it violates the spirit, violates the spirit

of the 10-1. I ask this council commission to not advance the proposal to change the ordinance to the full council. Thank you.

>> Tovo: Thank very much, Mr. Smith. Welcome. Our next speaker is former mayor pro tem Sheryl Cole who also chaired this committee. So welcome back. Glad to have you here.

>> Thank you mayor pro tem Kathie tovo and thank you to all the current sitting councilmembers. I am here today to try to shed some light on what was the thinking at the time and just say that I applaud your taking this up in this particular committee. Ever since the original quality of life study was done, it was focused on community based organizations. And I can assure you that during my time in service, which was eight years, there were four community organizations that were very involved in African-American issues and there were numerous ones that came before us. And they were the urban league, they were the naacp, it was the African-American chamber and it was the Austin revitalization authority. They were always consistently at the table on African-American issues and I did not at that time believe that even though we were going to a 10-1 council that we should not put special emphasis on maintaining those groups at the table and I was especially concerned that we get too far afield from the quality of life initiative. So I added the community stakeholders there. I understand issues are there with councilmembers, you guys as a whole making your appointments and then specifically to this commission.

[10:17:52 AM]

And I know you all have a lot to do, but I just encourage you to do that and to give special emphasis to those organizations. Thank you.

>> Tovo: I have a question for you. Thanks for being here to talk about you were the sponsor of the resolution that expanded the commission. What do you see as the best path forward? Is it the one recommended by two speakers of just having those nominations from community organizations go directly to council? A.

>> Yeah, I think that would be a good option to go directly to council, but with the appointments to go directly to council with full consideration of particular organizations that need to be stakeholders named specifically for the commission because of their integral role to the community.

>> Tovo: So stay with the -- stay with the named community organizations, just have their recommendations go directly to council for consideration.

>> Absolutely.

>> Tovo: Okay. Super. Thank you. Other questions? Councilmember Houston.

>> Houston: Thank you so much for bringing this up today in audit and finance. The resource advisory commission has been struggling for almost a year now trying to figure out how to make this work and how to get work done. They are all very passionate, the 11 members on the current commission are very passionate. They care about the city, they care about the African-American quality of life initiatives and so they've been struggling internally about how to get this done. Although I understand both Mr. Linder and Mr. Smith's recommendations, it seems to me that there are other African-American quality of life -- I mean other community service organizations that are not by name and so I would like to suggest to you all that the recommendation be to move it to the full council, specifically recognizing the Austin area urban league, the black chamber of commerce now, the national association for the advancement of colored people, and the Austin revitalization authority.

[10:20:10 AM]

That would be the four specifically named organizations that were in the ordinance that Mr. Linder handed out. And not fill those other two spots because there's so many new things, like what about the

men and boys harvest? I mean there may be other things that come up, but these four are named specifically in the original legislation and so I would recommend that we move forward with those four. And reduce the number to 15. I mean, that's -- I'm just saying that to you guys. I can't vote in this, but move forward and then reduce the number to 15.

>> Tovo: And so we would be not including the African-American cultural heritage district?

>> Houston: Or the ambassadors of the carver library.

>> Tovo: Okay. Thank you. Councilmember pool.

>> Pool: I was looking back at the 2006 ordinance and it had a different lineup including pro arts collective, health care worker and educator. So, you know, before reducing the Numbers, I really would like to think about that a little bit. It sounds like the folks who both started this effort and are still deeply involved in it feel like the makeup is appropriate and having the additional -- the Numbers are appropriate and the problem is getting past the quorum so we can get people appointed to it. So I don't know why this got held up at the commission level when the recommendation didn't come to council. It doesn't seem like that has been a stopper in any of the other commissions that are out there so I would like to see that come to us as soon as possible so that there are no additional delays. And I get the sense that the group that's out there is really willing to get to work and dig in on issues that have been pending over time and also that they are already working hard on.

[10:22:17 AM]

And I would support continuing that effort. So if I could ask staff to bring those recommendations to council so we could have a vote so that the work can continue.

>> Houston: And may I respond to that, this will be the only sitting city commission that has that many members on it, which creates an undue burden, 17, on the ability for them to do work. 17 is what you are saying.

>> Tovo: At the moment I think the downtown commission is having -- we're looking at options for that one to help them facilitate -- to help facilitate their business. Mr. Linder?

>> I wanted to correct Ms. Houston. We have been here a year. It's not been a year. We have not struggled for a year. Once the charter changed, we -- this has been an issue for four or five months now, not a year.

>> Houston: Mr. Linder, thank you. What I was saying is that you all in your commission meetings have been talking about the number on the commission since I was sworn in in January because I was at the first meeting where this came up and it was an issue then. So that's all I need to say, sir.

>> And I need to say this, our commission made more recommendations to you than any time in our history so we were effective. The time frame is a year.

>> Tovo: Thank you. Vice chair troxclair, did you have a question?

>> Troxclair: I just wanted to clarify councilmember Houston's suggestion. Can you just restate it one more time what your suggestion would be to make changes?

>> Houston: My suggestion was to add the four original community groups that are acknowledged in the ordinance, the Austin American urban league, the black chamber of commerce, the naacp and the Austin revitalization authority because they are named in the original legislation.

[10:24:23 AM]

>> Troxclair: Okay. So total 11 members appointed by council.

>> Houston: And four --

>> Troxclair: Four members from those organizations. And the members from those organizations would be ex-officio?

>> Houston: No, they would be full voting members and come to council for appointment.

>> Troxclair: That came to council for appointment. Okay.

>> Tovo: I need to ask our city clerk a question. So I understand -- and back to the point councilmember pool made about the nominations being held up in the committee, I don't think the ordinance the council -- I don't think the ordinance as we have it on the books allows for those recommendations to come forward the. The way it's crafted they sort of stay there and we need to address that.

>> I would want to confirm with law because this is the first time we've had a commission that hasn't been able to --

>> Tovo: So I think it would be necessary for us to change the part of the ordinance that deals with that so that council would have the option of appointing those. Would it be an option to keep everything as it is, change that so the recommendations go directly to council for their consideration of approval, but change the -- but to reduce the affirmative vote that's necessary so that it reflects the fact that we have four nominations rather than six?

>> My concern with changing the number of quorum is that then you are going to get other boards and commissions who maybe have vacancies that are being impacted by quorum come to you.

>> Tovo: That's right.

>> And/or the quorum is going to change from month to month depending on when the nominations get made. And so keeping track of what the quorum would be at any given meeting would be difficult and then going back and trying to backtrack why a vote got passed on seven in July versus nine in October I think would cause some confusion.

[10:26:29 AM]

>> Tovo: Thank you. That was exactly the discussion we had at the downtown commission so I appreciate your reminding us of that. So as I understand it, the board has received nominations from the urban league, or the commission, the black chamber of commerce, the naacp and the Ara. The African-American cultural heritage district has indicated they don't intend to make a recommendation. What about the George wash con carver ambassadors.

>> Mark Washington, I want to correct for the record. On the December 2nd meeting, there were four nominations and the chamber had not supplied their nominee at that time, but the ambassadors from George Washington carver did along with naacp, the urban league and Ara. Since that meeting we have been advised of the nominee from the chamber, they have just not been presented to the board, but they have made application. I also would like to -- for the record to provide some perspective, that it wasn't until the December meeting that the commission had an opportunity to consider the other nominations to make to the council because the -- I believe it was the November meeting was the first time they had a full appointed commission of 11 members. And there was some -- because of the lack of inability to be quorummed since the July meeting it's been a difficulty getting people there and the agenda item to be heard in order to consider the other community based nominations.

>> Tovo: Okay. Thank you. So we have five of six nominations from community organizations and we're not anticipating getting a sixth.

>> Correct.

>> Tovo: Okay. Thank you. Vice chair troxclair.

>> Troxclair: So I still -- I'm hoping the clerk or councilmember Houston can clarify. I'm still not quite understanding what the disagreement is within the commission that has led to the nonappointment. Do they not support the members that have been nominated from the community organizations or what is the holdup with the -- them --

[10:28:36 AM]

>> Houston: They are here and I'm pretty sure that they support the four that are named in the original ordinance. The other two I'm not sure where that came from, how they got -- because we have other community based organizations that, like the African-American men and boys harvest. So I'm not sure how those two got added to the list, the ambassador's group is a very powerful group that acts for the carver library, but there are other things, and so they are always welcome to come to those commission meetings like they are to any other and talk about the issues that concern them, so it's just trying to get it to a size that is manageable where people can get resolutions passed and get them sent to council for action.

>> Troxclair: So I guess I'm asking specifically about the change from the commission making -- confirming the nominations and the council making the nominations.

>> Houston: I don't have any problem with that. Other commissions do that. They come straight to council so that's not an issue. That was drafted a long time ago so that change is very workable and I think very appropriate.

>> Troxclair: Okay.

>> Tovo: Councilmember Renteria.

>> Renteria: I'm just curious. The names that were nominated from these organizations, did the commission take a vote on that?

>> Uh-huh.

>> Houston: Yes, that's on that first page. Well, they never did actually take a vote on the four names. We never even got to that point at that December 2nd December 2nd --

>> It's my understanding they did.

>> Houston: I think it was the last -- mark, can you help? I think that was the last thing we voted on, whether or not to accept those four applications, and I think the vote was no.

>> Right. The nominees were presented to the commission and they were not approved in the affirmative.

[10:30:39 AM]

>> Under vote 4. It should be vote 5 actually, but -- yeah.

>> Renteria: And was there a reason why? I'm just curious why they rejected the names.

>> My assumption, and this is only my assumption is because there's not agreement on whether or not the six should be voting members or be members, I don't --

>> Just varied perspectives what the size of the commission should be among the new commissioners.

>> Renteria: The new commission wanted to make it just four instead of the --

[inaudible].

>> And I think part they didn't want to take a vote, they didn't want to necessarily move forward with the nominations when they couldn't agree on the total number of the commission itself.

>> Tovo: Though that shouldn't really have been a question posed to them because that had already been addressed by council.

>> Houston: And I think they wanted -- they just kicked it to city council, which is what I think the reason we're here at audit and finance today.

>> Pool: I'm ready to make a motion and then I have a question.

>> Tovo: Councilmember pool.

>> Pool: I would move to change the ordinance so the nominations come directly to council. And then here's where I have a question. Reduce the number to five to acknowledge that the cultural heritage district community advisory board doesn't want to make a nomination. So can I -- am I able to ask this question?

>> Tovo: Sure. Why don't you go ahead and we'll see if there is a second for councilmember pool's -- I'm happy to second it.

>> Pool: Okay. The question that I have is can we add language to an ordinance that acknowledges the affirmative nonappointment of a person to a body so that that number is not considered in the quorum?

[10:32:55 AM]

If an organization specifically opts out and says they don't want to make an appointment, is there any way in law in our ordinance that we can acknowledge that? Because otherwise that chair is empty and it does have an effect on -- potential effect on actions moving forward.

>> I understand, I think, what the question is. I don't know if I know the answer to that. I think I would have to confer with law. One option you might have is to make the language read where -- however many additional members you end up selecting, that they may come from these organizations or they may come from a different organization if a new organization comes up in the future who express interest so that you could replace -- if the cultural district didn't want to participate but maybe the harvest group did, I don't know.

>> Pool: That seems kind of messy.

>> Tovo: Okay, so that -- we need some legal information about that. Were you trying to craft language so that if this named organization decides in the future to make a nomination, they would have the ability to do that?

>> Pool: Exactly, so it doesn't stand in the way of this important commission doing its work.

>> We can also include what we call the two-thirds rule that we talked about for the downtown commission. Some of the commissions that have larger groups have that and I don't have the language right in front of me, but it does address some quorum issues that if they only have a quorum, then it's a two-thirds of those present.

>> Pool: Of those present.

>> But if they have more than just one, so if they would have ten, then the two-thirds doesn't come into play.

[10:34:58 AM]

>> Mayor Adler: Is law is able to --

>> Pool: If law is able to craft that language, it would seem to be a helpful provision. My understanding in having conversations with our law department that wasn't the case. So if you can pursue that and bring us back some language, I would be supportive of that and that may be triggered in this case so that we could leave the makeup of this commission as it stands by ordinance, move the approval of the nominations to council, and then if it happens that one or more of the additional stakeholder community groups don't want to make a nomination and they indicate so in writing that there would be a trigger.

>> Just to be clear, that two-thirds rule doesn't reduce the quorum typically. So if it's 17, regardless of two not being nominated or appointed, the quorum is still nine. It only impacts an individual meeting where only nine are there. But if ten are there, then the quorum is still nine. It's just they have to have nine in order for the two-thirds rule come into play.

>> Tovo: So councilmember, I would suggest that your motion -- number one, I want to clarify were you recommending that this be -- audit and finance recommend this to full council.

>> Pool: Right.

>> Tovo: We don't need to seek a resolution for the commission and not have it come back here.

>> Pool: I want to move forward on approving the nominations that have been made. The rest of it, the

quorum aspect, I think that needs to be worked out by the members themselves and commit to coming to the meetings.

>> Tovo: I think the clerk has offered a suggestion we've talked about with regard to other large commissions which is the two-thirds. I do think it sounds like and after this conversation it makes sense - we can continue to have language in the ordinance that recognizes that if the African-American cultural heritage district -- if you wanted to include that, that they continue to be there if they decide to put a nomination or just eliminate them altogether but I don't think we should keep it at six if we know that seat will never be filled.

[10:37:17 AM]

That is setting that up for a difficult challenge.

>> Pool: That was the original motion.

>> Tovo: Do you want to incorporate the two-thirds --

>> Pool: Yes.

>> Tovo: So we would be asking our city clerk to work with law and make sure that on our council agenda we have the ability to approve that ordinance, to approve that as an ordinance so we can move forward. And councilmember Renteria. And then councilmember Houston.

>> Renteria: I'm just having a problem understanding, you know, the -- I mean the ordinance itself, it's -- it says 17. So are we going to change the ordinance to 14 or I mean -- I mean to me I feel very uncomfortable having to make these decisions about, you know, what group is going to be involved with. This is very uncomfortable because, you know, I don't -- I mean these nominations, do I know them or -- I mean, you know, and I always believe we should have 11 because each member has, but now we're going to pick five or six or four, I don't know however it's going to end, but I mean are we sure who we want to be on this commission and who we don't want to be on this?

>> Tovo: Councilmember, the existing ordinance already specifies groups that make a nomination. What we're -- what this motion would change is that it would reduce it by one because one organization has -- has decided not to make a nomination. And it would -- instead of asking the commission to approve those recommendations and then they go on to council, it would skip the commission. It's my understanding based on our conversation here and city clerk's information we have the -- and the information from Mr. Wash Washington, we have five organizations who have identified a nominee. Councilmember pool's motion would allow those nominees to go on to full council for their consideration, and if that is affirmed, then those Numbers would become part of the African-American advisory commission.

[10:39:25 AM]

But those -- you know, the existing ordinance already has identified those organizations who should have a nominee.

>> Renteria: You are referring to the 2006 ordinance or --

>> Tovo: I'm referring to the ordinance as is currently on the books. The ordinance as currently on the books --

>> Renteria: How many groups is on --

>> Six. And that was passed December 14th.

>> Renteria: Okay. And these groups are -- I guess they not nominated to the commission, but the commission said no? Is that correct?

>> That was the vote that was taken on the 2nd, yes.

>> So the commission has the authority to reject the ones that -- the six names that got nominated for

the commission.

>> This is the first time that I'm aware that a commission hasn't forwarded the nominations received when they are nominating.

>> Renteria: But the commission has the authority to reject?

>> Uh-huh, they did.

>> Tovo: As the ordinance currently stands, yes, it does councilmember Houston.

>> Houston: Well, I just wanted to say I need to see what legal says before this comes to council to make sure that we're not putting them yet again in an untenable situation with the number of people, number of slots that are available, and then, of course, people are not going to always be present and so there's always going to be that quorum issue. But I think, you know, I was trying to think about how to say this. One of the issues is that on the 11-member council, there were -- there are four holdovers from the prior commission, and I don't think that there was enough conversation with the commission about why this was being proposed.

[10:41:33 AM]

And so it kind of took everybody by surprise. And I'm sure that if I'm misspeaking, then Mr. Linder will tell me that, but that's my remembrance of it is people were not aware that this had happened and they were kind of shocked and so it was not -- it's almost like they weren't including in the conversation before this was passed in December of 2014 and it was implemented January 2015. So that's some of the issues that are going on underneath that. Again, the reason that I was sticking to the four named in the original resolution is because they are named. When this commission -- committee was set up they were set up. How you introduce other community stakeholders as we grow and in the city there will be other kinds of interests that -- there's no way to change them. Once they are in the ordinance, those are the four representatives or five or six that are going to be in place. So there's never any opportunity to bring new information to the table. So that's why I'm sticking with the four because I think it's easier to - to justify why they are going to be there because they were part of the original quality of life process, and also if other people want to come, it's open just like every other board and commission to come and make a presentation and to be included and participate.

>> Tovo: Okay. Thank you. Vice chair troxclair.

>> Troxclair: And I guess there would also be an opportunity for a variety of other organizations to be involved by them recommending people to the councilmembers for us to use as -- in our individual appointments. We could always appoint people through our individual offices that are a member or representative of an organization that might not be specifically listed zone

[10:43:37 AM]

>> Houston: Absolutely. Mr. Linder represents naacp. He's been appointed by I think expect so he has a dual function there. But that would be a specific board chair for -- I mean a seat for the naacp, which may or may not be Mr. Linder. So I think those are the reasonable ones. I'm not sure why it needs to be expanded more than the four that are in the original ordinance.

>> Tovo: If I may, number 1, we need to move on, we're terribly off schedule. It sound like there's agreement across the Diaz to make a change. I think what is in dispute is oops whether that should be the four in the original 2006 ordinance or five of the six in the existing ordinance. Councilmember pool has made a proposal for the five so let's go ahead and vote on it and figure out what to do next. Any other discussion? Okay. All in favor? Any opposed?

>> Renteria: I'm going to abstain.

>> Tovo: Okay. However, we need three to pass. So that motion fails. That was -- that was a vote of 2

with expect and I voting for it as well. Councilmember troxclair voted against, councilmember Renteria abstained. Is there another motion.

>> Renteria: I will make a motion to [inaudible] Recommendation.

>> Tovo: So councilmember Renteria moves to recommend to council and I'm just going to summarize it and then you all tell me if I've got it right, to change the ordinance such that those recommendations of four, the four named in the -- the four organizations named in the 2006 ordinance would have an ability to recommend -- recommend to the full council nominees and that would be approved by the full council rather than stopping at the commission.

[10:45:39 AM]

Councilmember Renteria, did you want to consider the two-thirds rule that our city clerk mentioned year doing for some of the larger commissions to help them -- help facilitate their business.

>> [Inaudible].

>> So the two-thirds rule would mean if they only had exactly just a quorum at their meeting, that for that meeting they could reduce the affirmative vote that is needed to take action on items. But only if for a meeting where exactly a quorum was present. We have it for a couple of other larger commissions.

>> Tovo: Is there a second to councilmember Renteria's --

>> Pool: I'll second it.

>> Tovo: Vice chair troxclair actually had her hand up. Councilmember Renteria, I think you were thinking about the two-thirds. Is that part of your motion?

>> Renteria: I -- that's -- I guess I have no problem with that as long as, you know, since, you know, the city business has to be done and this is a very important commission. And so I -- yes, I'll go ahead and go --

>> Tovo: Because we could also do it as an amendment if you are not certain. Okay. Any other thoughts on this? Vice chair troxclair.

>> Troxclair: I would prefer to do the two-thirds as a separate --

>> Tovo: We'll do it separately.

>> Troxclair: Clean I can talk about why.

>> Tovo: We have a motion on the floor to recommend that full council change the ordinance such that four members of the named commissions would be directly approved by council. Any other discussion? Any other amendments?

[10:47:44 AM]

Okay. I'll just say that I think it would be wise to consider the two-thirds. I think that will help them conduct their business. If anybody would like to make an amendment to that effect.

>> Troxclair: I thought we were doing a separate motion.

>> Tovo: I was going to do it as an amendment if anybody wanted to make it but let's vote on this one. All in favor? Any opposed? Okay. So that's the recommendation to council.

>> Pool: Did we accept the two-thirds trigger on that?

>> Tovo: We did no.

>> Pool: I will move to accept the two-thirds.

>> Tovo: And I will second. Vice chair troxclair.

>> Troxclair: The whole -- how do I say this -- I think it's important the people participating in these commissions are active and engaged and committed to the work of the commission and if we are having problem getting a quorum, especially in the commissions where we're adding additional people beyond our 11 appointees, then I think we need to come back and take another look at the membership and

address the reasons as to why we are not able to get -- the people who are appointed, why they are not showing up and if we need to make further changes in the makeup of the commission. To me it's -- if we're going to reduce -- I think we should stick with -- now that beer making a recommendation to reduce the number, we should see if that works. If that doesn't work, it's an indication there may still be some issues with the makeup and we should come back and address that separately.

>> And I have the language in front of me so I can read you directly how it reads.

>> Troxclair: Sure.

>> This is because we have it with the early childhood council. If only a quorum of the early childhood council is present at a meeting, a board action is adopted by affirmative vote of two-thirds of the quorum.

[10:49:46 AM]

If more than a quorum is present at the meeting, a board action must be adopted by affirmative vote of the members necessary to provide a quorum.

>> Tovo: Thank you, city clerk.

>> Troxclair: To me it's a symptom of a larger issue. Instead of ignoring the symptom or finding a way around it we should address it. I'm going to stick with the recommendation of the 15-member board.

>> Renteria: And you know, this is an interesting conversation because I think that we're having problems with a lot of the commissions not be able to meet their quorum. I'm very concerned about that. I had a couple of my appointees saying, especially in the bidding and standards, they get called stating the meeting is canceled because there is no quorum. We need to visit that. It's been to a point it's delaying a lot of city business and costing a lot of money to the people -- the people having to live in these conditions and the commissions can't meet a quorum, I'm very concerned about that. I think we really need to look in the future about this problem that year seeing right now with our commissions. So I'll support that.

>> Tovo: Thank you, councilmember. Any other comments? All in favor? Any opposed? That passes on a vote of 3-1 with councilmembers Renteria, pool and tovo voting affirmatively and vice chair troxclair in opposition.

>> Houston: I want to thank you all for taking this up out of turn and how much we appreciate that.

[10:51:49 AM]

As I said in the beginning the group really does want to get to work and some of the items that we passed in the budget session in September were things that had been percolating up from that group since 2013. So they are ready to move forward.

>> Tovo: Thank you very much for attending and participating in this discussion. Your input was really invaluable. Okay. Number 9. This is another item that really we need to pass -- we need to address here today so this commission can continue to do its work. But colleagues, we're going to have to start moving rather rapidly. I just want to let you know we have about an hour and we have what could easily be three hours of business and we're going to have to stop at noon so we're going to have to be careful with our time.

>> Jeff Burton, interim assistant director in human resources and I'll move swiftly to support your needs. You should have a briefing document called item 9mcs briefing. Just some very quick background. Article 9 of the charter establishes the municipal service commission to have five members. Ordinance establishes the commission as a 2-1 city board and designates this committee to review applications and make recommendations for appointments. Currently you do have five commission members sitting on the mcs commission. I'm not going to go through their bios, but you see those in front of you and please

note the first two on the list, their terms expire may 9th of 2016. Now, the issue before you today is that we do have one commission member, Ms. Rubinnette, who has submitted her resignation so creating a vacant seat through 2016. We're here to talk about options. One thing I want to point out the options presented before you are based on how you've handled these appointments in the past.

[10:53:52 AM]

You are not required to advertise or post for these vacancies. They are just listed as a reference to how you've done it in the past. So really the three options before you, if you choose to solicit for commission members, is to post a solicitation just for the unexpired term which would go through the 9th, or you could post a solicitation for the unexpired term and one more term, which is really the extension of this short term opening. We do have one commission member, Ms. Perez wisely, who has indicated she will be seeking reappointment when her term expires on the 9th. Or you could post the solicitation for both the unexpired term and the two terms that are expiring in may to put it all together as part of your selection process. That's if you choose to post. And the next steps would be if you choose to post, we would recommend 30 days or so, bringing the applications in front of you for your January meeting for review. And then you would proceed from there.

>> Tovo: Thoughts or questions? I have one. I noticed you said if you decide to post. Does the charter allow us the discretion of just making an appointment based on the applicants we received last year?

>> Yes, it does. We could make appointments for the spring that would not take effect until 5-9?

>> You could use that process to make the determinations to fill the short-term opening and use the process and leverage that process to make the longer term appointments in may.

[10:55:55 AM]

>> Tovo: Would we need to wait until may for those appointments?

>> I'll defer to the clerk for that time in question, please.

>> Tovo: That would afford us of doing the opportunity of all of those interviews in January, making those decisions and having all of the applicants come in at once.

>> Gina Estrada, boards and commissions administrator. Once they're added to the boards and commissions list on the council agenda and it's approved then that is when they are a member. So if the audit and finance committee made recommendations let's say in March, I would not add that to your council agenda until closer to may when the term would be in for after the may 9th expiration date.

>> Would we not have an option of having the approve them to -- having the council approve them to take effect on X date? We could explore that. There are different ways it looks like of maybe managing that. Colleagues, do you have a recommended action to pursue here based on what we've heard from staff? Vice-chair troxclair.

>> Troxclair: I think it stands like -- in order to be fair and in keeping with the process we have done if our appointments thus far for people who are reapplying after their term has expired, I think it's fair that we open up the position for applications for both the one being vacated and the one expiring next year. It makes sense to me to do that all at one time and let people know there may be two vacancies. My only comment would be that I don't know that December 16th to January 15th is enough time for that to be open because of the holiday season, people are out of town, it might be difficult for us to get the word out and get the number of applications that we might want to have a broad range of people represented.

[10:57:57 AM]

So my suggestion would be that we either delay that until January or just extend it to maybe February first or something.

>> Tovo: Okay. Vice-chair troxclair, that would be item -- you're looking toward option 3 with changing the first bullet on next steps until February 1st. My only question to staff then would be how will that affect the municipal civil services commission's ability to work in the meantime since it will be a lag? They'll be missing one commissioner for maybe as much as a month and a half.

>> They are able to hold and conduct business as long as they have a quorum. They would have four -- they would have to minimally have three present at the meeting in order to take any action. And they have one hearing scheduled for December and we have two hearings scheduled for January and February is more of a work session and their second meeting is open.

>> Tovo: Do you anticipate any problems reaching -- I guess you really don't have any sense of it, but we have two days in January where we know there will be one member short and they will need to have a quorum.

>> They would let us know if they're not going to be able to attend and if we're not going to have a quorum we would always cancel the scheduled meeting.

>> Tovo: And realistically even if we had the posted closing on January 15th, that won't help the January meetings regardless. Vice-chair troxclair were you interested in making that in the form of a motion?

>> Troxclair: Sure. I move that we post the solicitation for both unexpired terms and have the posting end on February 1st.

>> Tovo: Is there a second? Councilmember Renteria seconds that? Any other discussion? Okay. All those in favor? That passes unanimously.

[10:59:59 AM]

Thank you.

>> Troxclair: Can I ask one question? Did we have any other information or was that the end of that item? My other question is are there any -- is there any -- I want to understand. I don't think that there are any requirements in the charter that specify that we need a certain expertise in any areas, but because we have these two vacancies coming up, are we going to make an effort to focus the posting or the applications on maybe areas of expertise that -- I don't know if there are areas of expertise that are missing, but if so it would be good to know that to understand what we're looking for. Like I know, for example, in some of the other appointments that the council has made we've focused on it looks like we need to have a financial percent or we need have someone with a medical background. Whatever it is we look at the membership of the board holistically and try to plug in so we have a broad range of backgrounds represented. Is that something that has been contemplated or that we might want to think about?

>> That is what has been done with the last two processes that we've gone through for appointments is I believe you're correct. I was trying to pull up the charter, but it's not working. I don't think there's anything necessarily specific listed in the charter, but council over the past two times that we've done appointments, the audit and finance has come up with a list of criteria. And so when we get those applications then the clerk's office on the spreadsheet that outlines all of the applications we list those who have reported that they have those qualifications.

>> Troxclair: Okay. I guess I'll more asked -- I would be interested to hear from staff or interested parties if you feel like there is an area that is not being represented or a voice that would be representful in rounding out the discussions of the --

[11:02:11 AM]

>> I will let hr answer that since they actually provide the staff support and attend the meetings.

>> Mark Washington. So I think the past thinking has been we want a committee that has diversity of perspective and either from the -- when we advertise it we ask for people who have either a labor management background, that have worked either in management, understand organizational, human resources, or they have worked on the labor side and worked with unions. Or organized groups or have worked in -- have legal experience and perhaps have worked with both labor and management on employment law matters. So we advertise and then when we as the clerk has mentioned, when we start vetting the applicants we identify for the audit and finance committee what kind of backgrounds they have and the committee can then determine what is the appropriate composition.

>> Tovo: Councilmember pool, did you have further comments? We need to do some regrouping here. I need to hear from our auditor whether the airport construction audit is essential to go forward this month?

>> I think -- I will say that's probably a very short presentation.

>> Tovo: Then let's take that up next. I understand that we have a presentation that really does have to happen today. That's the campaign finance data initiative and then the real estate matters are things we're taking up today and also next month, but I think it's important for us to at least have some brief discussions about that today so our staff in the intervening month have an opportunity to know what some of our questions are. So again, I think we're going to have to plug on and try to make it through the whole agenda, but I would just advise you that we're running pretty short on time, so if there are questions we can ask between now and council or between now and our next audit and finance we might choose to defer those.

[11:04:27 AM]

Welcome.

>> All right. This is audit of our airport construction project. This is a project that we did anticipating continued construction and expansion at the airport so we wanted to get in early and look at some projects from a construction perspective. I'll say overall this is a very positive audit. We did have kind of some positive things and positive areas for improvement. And Patrick Johnson was the auditor in charge of this.

>> Thank you, mayor pro tem, councilmembers. I'll kind of skip through some of this. As corrie said we evaluated the process on the projects at abia. And just suffice it to say as background that the airport is growing faster than I think their master plan had anticipated. And you see a flow chart here that essentially looks at the construction process that is overseen by public works department and our department. So with that I'll kind of walk through the flow chart with our findings. The first phase of the process, the sponsor department identifies the need of projects. And for the projects we tested at the aviation owe whoa found the aviation department effectively identified construction projects as well as funding sources for those projects. Next the capital contracting office is responsible for the vendor selection phase of the process. And that's both the design and construction contractors. For the projects we tested, the process and to identify the appropriate vendor each time, however we noted a few documentation issues. First the office did not have a documented process to determine why single bids were received for solicitations. Also we noted documentation and calculation issues for vendor scores for a few of the projects. Moving to the overall construction process, we engaged a construction audit consultant to look at the single project from beginning to end. And our consultant found that the public works department followed best practices to manage the main overnight apron project and also there were no significant deficiencies note understand a detailed evaluation, vendor changes, work orders.

[11:06:41 AM]

And the consultant's report is included as appendix C in our report. Next public works is also responsible for the project design review phase of the process. Again, for the projects we tested we noted documentation issues mainly related to quality control plans. These plans detail several elements, including the code specifications and laws to be followed. We have that design schedule on who reduce those designs.

-- Reviews those designs. We found that not all the elements of the plans were documented and the schedule is based on 30, 60, 90% completion were not always followed and design approvals were not always documented. And finally we made two recommendations to the capital contracting office. One to the public works department. As you can see on this slide. And those departments have concurred with our findings. I'd be happy to answer any questions.

>> Tovo: Thank you. Colleagues, what questions do you have for our auditor?

>> Pool: Do we need a motion to approve this?

>> Tovo: We would need a motion to accept the audit. Councilmember pool moves to accept the audit. Councilmember Renteria seconds it. Questions, discussion? Vice-chair troxclair?

>> Troxclair: I was just going to say that we did have a meeting and go through this audit last week, and I can follow up with them with any other questions. It's not that we are not interested in following up on the recommendations, but for the sake of time I can follow up with them after the meeting.

>> Tovo: Thank you. And thank you for reminding the public that very often we have an opportunity to ask our questions of the auditor in our premeeting that we each have with the city auditor. So if you don't hear us asking lots of questions sometimes that's why. All right. Any other comments? All those in favor? And that's unanimous on the dais to accept that audit. I'm sorry, Mr. Lazarus, would you like to provide a follow-up? I apologize for skipping that piece of the audit.

[11:08:44 AM]

>> No. I think we always appreciate the comments that come from the auditor. There's some changes we need to make to ensure that documentation is more available and we've initiated those changes, so we're excited about going forward.

>> Tovo: Thank you. We do have your in-depth response here, but so you have implemented any changes that are necessary. Did you want to elaborate? I don't want to cut short your time here because we're running behind schedule.

>> In the response we noted that separate to the audit we've gone through an internal review of all of our practices as part of our accreditation review and those are all up to date. We do, I think, have -- need to recommit ourselves to ongoing education for our project managers, which we've committed to do. And we need to do a better job of cross-walking from certain contract documents to make sure that it's easier to find the information that's needed. So those are good inputs and changes that we'll incorporate and we've already started that process.

>> Tovo: Terrific. Thank you very much for being here to provide that information. Okay. We are now going to move to item 7, which is the campaign finance data initiative. And I understand this is a somewhat lengthy presentation. And if you could also remind us, this is headed to council for your -- about to implement it next month.

>> Yes. We didn't want to wait until next month because the audit and finance meeting meeting is after the January 15th filing deadline. So at that point there would be no reason to update or get any feedback. So it is a lengthy presentation, but we're going to skip over the bulk of it and we're just going to go to the part on submission and the validation because that's really where the majority of the work has been done.

[11:10:50 AM]

And we will also offer -- if any of you are interested will schedule a time to actually meet with you.

[Video playing] I'd like to go through the entire presentation or to go through any questions or show you any of the processes, et cetera. And the good thing is by selecting the parts to skip you won't have to listen to me anymore since you've heard from me on a number of items today. We're actually going to skip over to slide 8, which begins the submission process. And I'm actually going to turn it over to Bob Guz, who has been a key staff member who has developed most of this -- these processes.

>> Thank you, Jenet. Thank you, council members. What I'd like to do is as quickly as possible walk through the work that we've done to date and give you an idea of what you'll be seeing shortly in terms of the information you will need to provide to us for the January 15th filing deadline and where we hope to be on February first in terms of publishing all of this data on the city website. To date what we have done is done a very detailed analysis of all of the campaign finance forms for the candidate office holders and the related schedules to them, so we've done a complete review and audit and tabulation of every line, every box, every form, every place where information is required on the form as well as schedules A, B, C, D, E, F 1, F 2, F 3, F 4, G, H, I, K and T. And essentially boiled all of that information down into a single Excel workbook that has seven tabs in it to collect that information.

[11:12:53 AM]

So that's what the filers would fill out and then provide to the clerk's office. So we have seven templates. Two of them -- well, where it was possible we have tried to be consistent with the Texas ethics commission. Two of them were leveraging their templates for our own purposes and then we had to create additional ones for the schedules that they currently don't support doing any kind of import. Again, keeping in mind that not every filer would have to fill out every single one of these templates. For example, if you did not make any direct campaign expenditures during a reporting period you can skip all of those columns. If you didn't have any travel outside the state of Texas you can skip that tab and all of the related columns. We have to have in our data model every possible contingency and every possible scenario so it seems like a lot of columns and a lot of data, but any individual filer will not have to generally fill out the entire template. Again, we designed this with the intent that filers who want to use the TEC system to generate the PDF's that they need to file with the clerk would be able to do so for contributions and expenditures. And we will be doing a fairly detailed evaluation of the data. As I mentioned we went through all of the forms, all of the schedules. There are currently 207 pieces of data that are identified on all of those forms. They're listed here in terms of how they background. On the seven tabs that we've created, again, any individual filer would probably not ever have to fill out all of these columns on all of these forms. But again your templates have to accommodate every possible scenario that could possibly exist the other thing that we've included within our template is a little tool tip, that is if you hover your mouse over the header of the column it will give you some helpful information about what's supposed to go in that column.

[11:15:11 AM]

Here's a quick screenshot of what that looks like. Again, if you hover your mouse over the header of the column it will tell you what goes in that field. And you can see there that there are seven tabs, one for cover sheet, one for the committee notifications, contributions, expenditures, loans, credits and then travel outside of Texas. We are also developing a user guide on how to use the templates, how to use the Excel spreadsheet, use your data.

>> The media that will be provided and a very detailed technical specification guide that goes field by

field, data element by data element, and identifies what type of data it is. For example, is it a text, is it numerical, is it a date? Is it required? Can it be left blank? So very detailed notifications of what kinds of data have to go in every single one of those cells for someone who wants to look at that level of detail? Just an example page from that technical specification, we tried to highlight cases, for example, on the cover sheet, the filer's last name clearly is a required field. We tried to highlight those fields that absolutely are required and if it's left blank we have no option but to reject the file. There are a handful of fields that meet those criteria. Our intention is to provide to councilmembers a USB drive with the user guide, template, technical specification, as well as the templates on a USB drive. So we would give that all to you in a package. As Jeanette offered, we would be happy to go over that and those materials if that would be helpful. We are working on an internal tracking system within the clerk's office of how we would process the receipt of those data files as they work through our internal process from receipt, posting through the database and ultimately presentation on the city's website.

[11:17:23 AM]

Any questions on what I've talked about so far?

>> Troxclair: Just a quick question on the last slide, the USB, the packet you talked about. I want to confirm that that will be available to everyone. I don't want -- I just don't want current office holders to have any resources available to them that test of the candidates might not have.

>> Yes. The reason bob mentioned current office holders is you are our pilot project for the January 15. So we will give them to you. But going forward it will be on the web that people can access it any time. And then for candidates, et cetera, when they come in we will give it to them as they start to file their paperwork. So -- and we plan on contacting the PACS and different folks that we know will have to file in 2016 to let them know.

>> And if a candidate calls the office for -- with questions about how to fill out the paperwork or what goes here or what dates they're reporting about, is there someone in the clerk's office that's going to be able to clearly answer those questions? Because I know that that was an issue in the last campaign, a lot of the candidates had trouble with what all the requirements were. And I know it's tough because the city doesn't want to be in the position of giving legal advice to candidates, but at the same time sometimes it was really not legal advice, it was what are -- what are you, the city, asking for on this form, or what date should this apply to? And I just -- I would really love for us to be able to answer those questions.

>> That is something we are working on with the law department on working to balance that, legal assistance versus legal advice. So I think we have an option that we will offer for the 2016. I'm just not ready to say that because I haven't gotten confirmation from the law department that it is agreed upon by all parties, but I think we have an option that we'll make available.

[11:19:32 AM]

>> Troxclair: Great, thanks.

>> Certainly at a minimum if there are questions about if I leave this field blank is this going to result in an error that causes my file to be rejected? Or if I put my data in this format is that going to create a problem? Anything that relates to the technical formatting of the file absolutely we can answer those questions.

>> Troxclair: Okay. Yeah, it is -- I know we're doing the best we can to make the process open and transparent and y'all are doing a great job of trying to make the process as simple as possible, but reality is there are still a lot of different forms that candidates have to fill out and it can get really, really confusing. So just to the extent possible -- to the extent possible it would be really great to provide

clarity.

>> After we receive the data file we have built a staging database, a staging area where -- we will receive the data file. We will run through a virus scan check so that either deliberately or inadvertently there's nothing malicious on the drive that we don't want to insert into our system. Once we've cleared it through that we'll put through a machine on the network. We'll take that file and we actually move it into a staging base where we can run data validation against it. We spent a fair amount of time building a set of rules to identify what types -- for example, is the data file in the correct format? Are the fields in the places where we think they need to be. Do they have the data we think they need to have. We have developed an extensive validation process where we will identify three different types of conditions. One will identify errors. This will be a situation where we just can't accept the file because something is missing or there's something structurally wrong with the data file. That means we just have to reject it. We cannot upload it into our production database.

[11:21:35 AM]

I thought it would be helpful also to define what I'm calling warnings. These are situations that would not prevent us from uploading data into the database, but there is a discrepancy in the data that the filer might want to know about. And lastly a notification which would simply be a notation that we've gotten a piece of information that wasn't necessarily required or that we're going to modify in some way prior to uploading the data. And I have some examples here. For example, if don't have data in a field that can't be left blank. We can't accept the file. For example, if you have an expenditure record and there's no amount we have to reject the file. The field is formatted in an incorrect manner. For example, the date field isn't formatted as a date or it's not a valid date. We have to correct the file. An example of a warning, if there's a mismatch between two fields in the data file for example, a filer is reporting a contribution, but they report that -- that that was filed on schedule B that was actually for pledges, we would provide a report that said hey, on this line item there appears to be a discrepancy or a agreement between two different fields. Or there's a list of values that are prescribed for a field, but something else has been provided that's not on that list. Notifications if we find, for example, that there were no expenditures or no contributions, we would simply put a notification that we didn't find any records J to confirm that we didn't find any records of that particular type: Or if there's a dollar sign on the amount we'll have it in database. We will have a report of all the findings to the filers that will identify errors, warnings and notifications and will specifically say which template, which row and which column we detected either the error, the warning or the notification.

[11:23:46 AM]

And we've attempted to come up with very specific, very meaningful messages to make it clear where's wrong and what needs to be corrected in order to accept the file or upload it into production. This is just a real quick screenshot of of what that looks like. You'll note for example that an error is marked in red so that it stands out. It indicates which row the error occurred, which column it occurred in. If you provided a value it will tell us what the value was, trying to make it as easy as possible for the filer to identify. We're going to keep this on file with the actual data that was provided to us as a permanent record of the filing. Any questions about this?

>> Tovo: I was just telling councilmember pool that she was the mock. She was the mock office holder. Vice-chair troxclair?

>> Troxclair: So this will be due -- this form will be due at the same time that the other tec paperwork is due in person?

>> Yes.

>> Troxclair: And for the first time will there be a grace period where if someone attempted to turn in the file that had an error, maybe it was rejected because of an error --

>> The way the ordinance currently stands is if it gets rejected then you have one business day after we notify you to resubmit it. If it was accepted with warnings, I'm working with law to make sure that I have the authority to do this, but we felt we would also give you that one day grace period that if you wanted to review it and resubmit with corrected information that we would do that as well so that the data that's going out there is as clean and accurate as we can get it.

>> Troxclair: Okay.

[11:25:47 AM]

Good. And just to refresh my memory, you will still have to come in person to file notarized paperwork and email or provide this electronically in another way.

>> That is correct.

>> Troxclair: Thanks.

>> Now, I heard a rumor that tec may be looking at ways that they could initiate some type of license agreement for their software. I was surprised when I heard that from someone who works at tec because we have been in a lot of contact with tec over the last year and hand heard that before. So we are going to be following up on that for a long-term strategy. The rest of the preparation pretty much just goes into what we have to do, what the time lines are, et cetera, which we're happy to answer any questions, but I know you still have a lot of agenda items on your agenda for today.

>> Tovo: Thank you very much, city clerk. The additional things you have to do are not after the January 15th filing?

>> We're going to be cutting it close. I wanted to give kudos to my staff, bob Guz, Katherine and working on this project since it got turned over to us. It's a pretty complicated process and our goal is to make sure whatever we get is good, clean data that we can verify and that hopefully the candidates and/or filers are comfortable with going out on the public website.

>> Tovo: It looks to me like the project timeline, phase two, three and four, we could take up at a future meeting, but why don't we spend a few minutes if it's all right with my colleagues, looking at the step 3 publication.

[11:28:00 AM]

I think it's important for the public to know you have done a tremendous amount of work in a short period of time and you still have some bullet points in front of you to launch this before it launches on January 15th.

>> Right. So we still have some work that we're doing on the submission process, finalizing our internal processes. We're going to be training staff so that they know what to do when everything comes in. And assuring that the information as it comes in to us is secure. Because the one thing that we want to make sure is that there's no alteration of the information once it gets delivered to the clerk's office. The other thing we're trying to work with law is to distinguish the ordinance currently says if you file it on January 15th, you have -- and it gets rejected, you have a business day to correct it. To try to figure out how we define or do we need to define, if you submitted yours on January 16th because it got rejected, but somebody else came in on January 16th and just filed it initially, how we distinguish between the fact that you filed yours on time and they filed theirs late so that the press knows that, finalizing the user guide. So definitely for your -- the January filing we would love to get feedback from everyone. On the guide. We want to firm up the guides so they are useful to the users. And so they may make sense to us.

The one thing that I think my staff have learned, you will never see us run for office.

[11:30:04 AM]

Finalize the notification language to the filers. Our goal is at least initially for this first year we're going to notify everybody if your file got accepted so that you know as well as if it got rejected or accepted with warnings. And then what to do in those cases. But our goal is to let everybody know one way or the other. And then for publication this is the area that we're really still working on. We're learning the online data portal. And so I will say that for the February 1st deadline for publishing that information, it may not be pretty, but we will have it out there. But our goal is to then start working on how we design more user friendly filters and reports or different things that the general citizen who doesn't want to download all of the data might find useful. So we're also looking at are there guides or something that we can create for the public on how to use the published data. But those are things probably won't be in place February 1st. And

>> Pool: I wanted to point out one thing. In the past if we had errors on our submission, someone else would have to draw it to our attention and this way you all will be able to capture it so corrections can be made almost immediately and I think that is a huge plus for the public and also for the candidates and the office holders

>> We're trying to find ways we can use validation because technically what we're validating is whether or not the data file that you gave us is structured the way we want it. If the information is correct, necessarily. But hopefully we've given enough thought into those data validation rules that it will at least bring to a filer's attention possible issues with the quality of the data.

[11:32:11 AM]

Not just the structure of the data file.

>> Pool: Around example of that would be if you put a word in where a number should be or vice versa.

>> Correct. Or if you identified that a contributor was an entity and you listed a first name. Things like that. You may want to correct for -- to eliminate future possible questions.

>> Tovo: Thank you. Further discussion on this item? Okay. Thank you so very much. We appreciate all your work and also the presentation today. Apologies that it had to be abbreviated but I think you've covered the main elements, and we appreciate that.

>> Thank you very much.

>> Tovo: Okay. Colleagues, we have the remaining items on our list are -- on our agenda, rather, all relate to the discussion that we had at last week's council hearing regarding winebago tract. I'm going to suggest we have a variety of issues before us. One is the review process for potential real estate sales and our staff have provided us with a presentation and I believe this was also part of the backup last week, this very helpful chart. I do think, and there seemed to be interest in our council and committee in the broader issue of the process the city uses in evaluating potential real estate transactions with publicly owned land. That is kind of the broad issue that our committee has been tasked with looking at and I think that's a very appropriate discussion, very ripe for council consideration. We have -- the other two items, though, are more targeted, while obviously related, they're more targeted to concrete actions that we're going to -- and decisions we're going to have to make here in the next month so I would suggest, with great -- great apologies to our staff, I'm going to suggest that we at least, for the moment, table the discussion -- the broader discussion about real estate transactions and go immediately to the other two items on our list since we know we're being faced with decisions on those here in the next month.

[11:34:31 AM]

And as I communicate to the staff, you know, these were added to our agenda quite late. Austin resource recovery is going forward meeting with our financial staff to look at various financial options so at least they can provide with us that information next week, whether there are other options that might exist. And so this is just a very preliminary conversation and an opportunity for us to share with both our real estate staff as well as our Austin resource recovery staff any questions we have. And so Mr. Get hart is here to talk about a little bit about the business plan presented to us I believe on Wednesday evening via an email and memo. Thank you, Mr. Gethart.

>> Yes, director of Austin Austin resource recovery. You did receive my memo. We had brief discussions at the council meeting. Where do I begin.

>> Tovo: I have questions. I'd be happy to kick it off. I'd like to my colleagues, is that app acceptable plan for the rest of our meeting plan, that we look specifically at ten and 11 and then move back to the general overview if we've got remaining time? Okay, thank you. I appreciate you providing us with some of the detailed financial information in the memo and I want to talk a little about some of those memos and be sure I understand them. With regard to the estimated revenue overtime, it looks to me as if the estimate is \$70,000 -- you're anticipating getting about \$70,000 in leases from entities that would relocate on the manufacturing hub?

>> Yes, I introduced Natalie, our project manager on this project here. And the recycling -- economic development recycle liaison --

>> Good morning, the \$70,000 is what we estimated our ongoing operation and maintenance cost, it's our expectation that will be covered by our lease revenues. We don't yet have an estimate for what those lease revenues would be.

[11:36:33 AM]

>> Tovo: I'd ask if it's possible to bring clarity, that estimated revenue. That would be important. Thank you for the clarification, the memo said you expect the operation and maintenance to be at about 70, you expect it to be covered by your leases but you haven't yet estimated how much that lease will be.

>> That's correct.

>> Tovo: So the memo also talked about a phase one and phase two and it wasn't clear to me whether you're anticipating the leases are going to cover the o&m in phase one shall is that at full buildout?

>> We expect the operation and maintenance costs to grow as the project grows, but it -- let me rephrase. It is for -- at full -- I think it's at full build-out but that figure shouldn't really be too impacted by the second phase because it really only builds a second portion of the road. I don't know if that answers your question.

>> Tovo: So if I understand your point, that estimate of when the costs will be covered is at full build-out but it could be, and I hope that you'll, again, put some clarity around this between here and our council decision. It could be at that time that the costs are -- that the costs are incremental as the leases increase. I guess the upshot is do you expect from day one to cover your costs with your leases or is that something that you'll be able -- that in the beginning it will require some financial support from the city from Austin resource recovery from other means and then at some point it will become revenue neutral?

>> Couple of clarifications there. Part of the maintenance of the site is the trimming of the grass, the weeds, the general landscaping and so forth. That's being performed by our staff right now as part of landfill maintenance. And, in addition, as the site is developed, there's some pool -- some stormwater pool maintenance, as well as street maintenance, maintaining the road surface and the street lighting and so forth.

[11:38:46 AM]

And the street sweeping. That happens overtime as it's fully built out. There's static expenses we're incurring now but also new expenses as we build out.

>> If I could clarify. The road maintenance costs do not hit right away because the road will be newly built so that's what I meant when I was referring to costs increasing over time. But actually as tenants take over tracts of land, our responsibility for that will shift from Austin resource recovery to the tenant to maintain that property. So it would not -- the overall -- the landscape maintenance would not increase overtime.

>> Tovo: I had some other particular questions I think would be more appropriate just to send in the form of a question and answer. That way we can just kind of keep this to high-level discussions. I wonder if you could help me understand your financing plan at this point.

>> Yeah. In short, the original authorization through council on accepting the Eda grant was that the -- both financing would be through certificates of obligation. You've heard from us before on that issue, but due to the fact that it was an economic development program, it was researched and discovered that we couldn't use the cos if so we shifted our match. It's the match of the grant is expenditures related to the project. We have authorization from council on expenditures, but what we're trying to match is the revenues to match those expenditures. It's the revenue plan of that business plan that's at question. We shifted recently, in recent months, to a land-sale format, which brings this issue to your light. And that is the surplus land that has about under the stewardship of my department, I recognize that city -- that's city land but under the stewardship of my department, the bomb road site has been leased and authorized through a 40-year lease through council and was our desire to take those lease revenues and fund this project.

[11:40:58 AM]

It was also our desire to fund the remaining parts of this project through the winebego sale and two additional land sales. And so the shifting from certificates of obligation as a revenue source to land sales. If that is at risk, as I hear, then we are shifting and looking for alternative financing mechanisms which we could present at your next meeting.

>> Tovo: This yeah, that sounds great. I'd like to understand at least what some of those other mixes are. Can you -- mechanisms are. What are the other two land sales that are contemplated?

>> One piece of land is -- on the remanufacturing hub site, it's 9.5 acres, on the northeast side of the tract. It is isolated from the other hundred acres and so our concept was lease the southern half of the remanufacturing hub, sell the northern portion, 9.5 acres. There's also a 25-acre pit at the landfill that is no longer needed for landfill operations, not needed for the remanufacturing hub. We thought we'd sell that as surplus land as well. The synergies we thought, that is the site of the remanufacturing hub, sell those two parcels and fund the remanufacturing hub. We have not proceeded through the real estate process at this stage on Lorraine's process to sell those two. We have developed the surveys and the.

>> Initial appraisal.

>> Initial market appraisal. We have done those two piece buzz have not researched whether other city departments desire that land or any other part of the project -- process. We stopped when we heard the concerns. However, those two parcels are located at the former landfill.

>> Tovo: So I guess as we look for carefully at your revenue expectations and the other financial projections you've done, I'd like to understand; they changed from the beginning, given that you're now selling off part of the tract of land where you were locating these, this use?

[11:43:12 AM]

>> When we were developing this project three years ago, there was significant discussion between the law office, real estate office and myself on whether we, as a remanufacturing hub, we sell parcels or lease parcels. So there was that discussion early on, is it appropriate to develop an industrial park where you sell the individual parcels or does the city retain ownership through leasing. We opted primarily to stay with leasing for one reason, and that is we can control the life use of that property, the intent, the -- to stay within the remanufacturing concept supporting the 0-waste goals so that the primary purpose of not selling was to retain the nature of the project through the lease terms. We can do so with restrictive covenants in selling the property. We thought we so sell these two properties and still retain the structure of the remanufacturing hub primarily through the lease properties but with restrictive covenants on the sale properties.

>> Tovo: So I have two more questions on this particular topic. I guess -- you know, I don't want to put you on the spot but during the bull creek conversation we had some conversations, and I thought they were in public, that you can't use certificates of -- when we were trying to figure out how to fund the possible purchase of the bull creek land, it came out in the course of that discussion that you -- it's unadvised to use certificates of obligation. So I'm not sure how we got so far down the path on this one. Is there something about the proposal that changed from the time that the grant was accepted until now? Or. . .

>> Just been evolving under certificates of obligation?

>> Approximately -- I'd have to check my calendar, but it was approximately March of this year that we identified that we could not use the certificates of obligation due to state law and it being an economic development project.

[11:45:24 AM]

>> Tovo: Okay. Thank you. And I have heard some questions, and I think that if you have an opportunity to go before the zero waste commission, I know it sounded like they had an interest in maybe discussing this concept a little further, could you help us understand whether there are any -- it was -- somebody mentioned in passing that Texas dispose systems had begun some of the ground work for remanufacturing facilities on their site. So either today or between now and then I'd like to better understand whether there are -- whether the city is likely to face competition in this area, because that, too, I think is something we need to understand as we move forward in thinking through the IFS and the financial success of this model.

>> I will say that that came to light in 2010 as we were forming our master plan and it was decided and very much discussed at the zero waste advisory commission that there would be a need for two industrial parks like this. It was discussed in open session about tds's plans. I do not know what their current timetable is and how they're progressing, but given the responses that we heard from our letters of interest, I absolutely believe we can fill two industrial parks, perhaps even more. The interest is there. The issue is creating the synergies around the collection of recyclables, commercial and industrial and residential recyclables with, as feed stock to businesses. As we talk to these businesses there's minimum volumes of feed stock that they need. I believe, going back to the original statement, that both industrial parks could fully be filled out.

>> Tovo: Thank you. That's very helpful. Other questions for our financial -- our Austin resource recovery?

>> Troxclair: Well, can we maybe check in or have an update from tds about the progress of that?

[11:47:27 AM]

Because I do think it would be important to understand the scope, many the scope of our conversation, when they might be moving forward and --

>> I can ask for their update, yes.

>> Troxclair: Okay, great.

>> Tovo: Other questions today? What is the -- so what -- I think that what we can do is, if there are questions that you have for staff between now and our January meeting, we will forward them on -- maybe we'll forward them on to you directly.

>> Yes.

>> Tovo: Very good. Thanks so much for being here and we understand you are going to sit with our financial staff and look at whether other options exist. Thanks so very much. Number 11 is the sale of the land at winebego. Ms. Reiser, did you want to provide us with a little overview?

>> Just a second. Yes, councilmembers, I just wanted to answer a few of the questions and give you some background on this sale. This is a 9.4 acres. It originally appraised for \$141,000. We went out through -- for request for offers and we received offers for \$133,000, but the packets were incomplete so we had to reject all proposals. So we immediately, within the next couple of weeks, went back out open the streets for proposal, and at that point in time we received a highest offer of \$154,173. And so we've -- with that sales price on the land we estimate the amount of taxes that will generate to be about 34,500 a year as vacant with 7,000 going to the city of Austin and 17,720 going to aid.

[11:49:46 AM]

We went through a process where we did notification to everyone. We sent out these postcards here and -- to gauge what community interest there would be. And we did not receive any responses of concerns or issues with the sale of the property. There was extensive conversations with the kennsington and their main concern was activity on the site and their time line and their final request or desire was to have businesses on there that would mainly operate during the weekday and that would lease less activity on the weapons and evenings when they were at -- weekends and evenings when they were at home. We did look at the sale of this property. We also looked at the lease of this property. The reason we recommended sale was twofold. One is the client department, the other is that the fact this is an industrial piece of property and we thought keeping it and the potential industrial uses concretes more of a liability in the long run, depending on the types of uses on it, if there's any environmental chemicals out there used or any other types of environmental uses. So so we went ahead with the recommendation to sell it, whereas another property more in the neighborhood area that bob -- he recommended that he lease that property. We did offer the property to aisd, and they did not desire it. We did also do some internal research to all departments to see. The only request we did receive back was watershed wanted us to increase the buffer in the back, which we did when we offered it for sale.

[11:51:52 AM]

We also went through all the different transportation -- the different imagine Austin and groups to see if there's any other use of this property, and we just received that they were okay for us to sell this property. We did go through different -- three different types of transportation review, and they did look -- and they all recommended that we could move forward with a sale. There is a rail spur on the property next door. It's not connected at this time but that site next door used to be Missouri pacific owned piece of property where they did maintenance on the trains. They had a long rail spur from the main line of the track where they could bring the trains off and do work on it, which that was back quite a long time ago. But the rail spur does not go through to our property at this time. And the

transportation considered it too far away from the Bergstrom spur to really be of use at this time and the contest to reactivate that rail spur from the Bergstrom line to our site. So we looked at a lot of different issues that council has brought in the past. We've tried to follow the different recommendations that we've received, and -- but we're open to any further recommendations or anything that council wants us to look at in the future.

>> Tovo: Sounds like maybe I have the only questions here today. Councilmember Renteria.

>> Renteria: So the recommendation was to sell this property? Is that correct.

>> Excuse me?

>> Renteria: The recommendation was to sell it?

>> Yes, sir.

>> Renteria: And the money -- the price that we will get is 1.45.

[11:53:56 AM]

>> Yes, 1.450 -- sorry, I said the price per acre.

>> Renteria: Okay, thank you.

>> Tovo: I'd like to talk for a couple minutes about the rail spur.

>> Yes, sir -- I mean, yes, ma'am.

>> Tovo: I guess what I'd like to understand, we have heard from a few individuals who are looking at this from a mobility perspective and see that area -- and I'm assuming -- I actually have just -- I have gotten some information from them but not actually had a conversation with them, but my guess, in their pointing out it's on a rail spur, they see this track may be useful or this area may really appreciate and be much transformed if the city of Austin ever moves forward with an urban rail plan that would go to the airport, that there may be responsibilities for this area to really be quite different and that this tract could be very strategic. And so I guess have you had that conversation with transportation? And I would like to get -- I would really like to get their considered feedback on whether this would be -- if we had an option to hang on to this piece of land, whether there could potentially play a role later on if we ever had an urban rail line that went from, say, downtown out to Bergstrom.

>> Councilmember, we did send it out to review and then we -- sings Gordon Derr just says it's out of the way, if there's other groups you would like us to check in with, I think there were three different transportation groups that we checked with. And I can pull the notes from those. That gave us -- that they did not comment that it was needed for rail. So we just went with the recommendations that we received at the time.

>> Tovo: I understand. That makes sense, thank you. Then I'm looking at the letter that we received -- I think it went to all councilmembers last week. I actually retrieved it from my spam folder so it may have landed in yours too, colleagues. This is from the president of the kennsington park homeowners association and talks about this tract of land lies adjacent to several of the backyards of the residents in our neighborhood.

[11:56:09 AM]

We welcome good and -- we are none the less mind informal our past our neighborhood and its critical environmental features have been threatened by inappropriately proposed uses of this tract, the most infamous being the bfi recycling proposed back in early 2000s. They have credited the city for providing over the years a series of protections. I assume they're talking about on that tract itself, including 150-foot undisturbed wilderness buffer. They wanted to make sure any potential buyer was aware of that restriction and any others that the city may perfect V placed on that tract over the years in response to the neighbors in the back.

>> Yes, councilmember, as part of the bid package -- and we will have a restriction on the property when it's sold, that that area is a buffer area.

>> Tovo: What is the critical environmental feature they're referring to?

>> They're saying that there -- for many years they've said there's some natural springs out there. I've been out there many many different times with the neighborhood, especially back when bfi purchased the tract, and I have not been able to see it. But we've been through a drought period of time so could be now that we've had more rain it's -- there's more evidence of.

>> Tovo: Okay. Thank you. That's helpful. And as I understand from your conversations, there is additional housing going in in relatively close proximity to this tract. Is that right?

>> Additional housing?

>> Tovo: The -- I think that actually was a response that came from our parks department so maybe that's better targeted to them.

>> Yes.

>> Tovo: When we asked them to estimate the number of households in this area and the number of households coming on board I believe there's a new development in that area with some others projected.

>> I think that area is north of 71. I think there's -- that's the area where we're -- we are purchasing the additional area for parks and that we've already purchased one of the areas and union use for a dog park.

[11:58:13 AM]

>> Tovo: We can get clarification on that point somebody pointed to it and it was definitely south of 71 so I'll get clarification on where that was. Colleagues, other questions at this point? So I think we've been asked to provide a recommendation. Again, this is sort of our preliminary discussion. I've shared in our regular council meeting a little about my perspective. This tract I believe really requires more discussion. It is, number 1, in a parks deficient area, number 2, real close to other residential, and I believe we should think whether there are some other strategic purposes that we could put this tract to if it remained within our portfolio and it were possible for to figure out other ways of matching that grant. I'll mention one. Some of you had an opportunity to hear the art space representative -- representative from art space recently at preservation expanse they do really interesting prongs around the country. They help municipalities actually find the funding to do those. One of the things they specialize in is eater-live work space, a premise need in our community and this could be really interesting to consider for this purpose. Some artists require that kind of zoning to do their art. It's also, as we've talked about, in a parks-deficient area. Anyway, I appreciate the council for allowing us additional time to talk about what the possibilities are there, and thank you, staff. I know you've done a lot of due diligence on this tract and thank you for continuing to answer our questions about your process. Other thoughts or comments? Councilmember Renteria?

>> Renteria: My whole thing is that, you know, that -- that that lot is -- it's an isolated area. It's very difficult to get to. There's only one way to

[indiscernible]. And the costs it would cost to put a road through there, I don't know if it's really worth it. So my recommendation still is to go ahead and allow it to be sold, but that's my recommendation.

[12:00:22 PM]

>> Tovo: Thank you. Yes, he said would. Vice chair troxclair.

>> Troxclair: So you're looking to take a vote to make a recommendation to the full council about whether or not the parcel should be sold?

>> Tovo: Yes. We had talked about staff about having these items. Because it's linked to Austin resource recovery and Austin resource recovery is sitting with finance these are also slated for our agenda next month.

>> Troxclair: Okay.

>> Tovo: These were kind of an opportunity to air some of the questions so our staff could answer them and we could be pondering and submit any additional questions we would want to have answered before it comes back to council. All right. Other comments or questions about this or any other item? Again, to our real estate staff, I apologize for delaying the broader discussion but we'll look forward to that on our next month's agenda. Other things that you'd like to see on next month's agenda?

Councilmember Renteria.

>> Renteria: Yeah, I'm sorry. I was late for the -- did we approve the calendar for next year?

>> Tovo: We did, with one amendment, and that is to eliminate the July meeting.

>> Renteria: Okay.

>> Tovo: Otherwise, the only item we have deferred to next month is number 6, and then, again, we will see 10 and 11, we'll have those posted again as well as executive session in case there are additional questions and our staff will have additional informs for us about financing. Okay. Seeing no other business before us, we stand adjourned at 12:01 P.M. Thank you.