

City Council Work Session Transcript – 05/03/2016

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[9:13:44 AM]

>> Mayor Adler: Good morning, everybody. Today is Tuesday, May 3rd, 2016. This is the Austin city council work session. We're going to -- we are in the boards and commissions commission at 301 West Second Street, Austin, Texas. We have our work session agenda. We had talked, council, about finding a day and a half on the calendar when we could pull aside time to schedule the continuation of the manager's personnel conversation as well as our own goal-setting kind of retreat function. I want to put everybody on notice in just a little bit I'm going to call that up so everybody needs to check back with their schedulers back in their office, but the goal is to actually get us to a calendar setting before we leave here today. It's been difficult to do that absent getting us all in the room. I hope that Delia's office is watching us today. She is not with us today. She is on capital metro business, so can't be with us. I would invite her staff to come down and participate with us when we actually call this item so that they can participate with scheduling. We're going to come back to that item. If Yvonne comes, we'll have everybody here to be able to do that. Let's start with the pulled items that we have, items 3 and 4 were both pulled by preliminary and Ms. Troxclair. I'll hold that for a second and see if don will come down. Let's go to item number 11 that was pulled by councilmember troxclair.

[9:15:52 AM]

>> Troxclair: [Inaudible]. I wanted to understand what is our current lease? So this is a lease, \$3.1 million for 10 years, and we have to get more office space in order to accommodate the staff that was -- that will be required to implement the fair chance hearing ordinance, right?

>> Yes. Rocket so what was the previous lease?

>> It's about \$18 a square foot and about 88,000, I believe -- I believe \$88,000. The owner of the building had requested that we move off of that floor and so that's part of the reason that we're also moving.

>> Troxclair: So what is -- do you know kind of the yearly difference or something that I can compare? I guess the difference between \$18 a square foot and 23.50 a square foot?

>> Yes, councilmember.

>> Troxclair: And do you know what that roughly equates to as far as our yearly lease?

>> Yes I have that right here.

>> Troxclair: Were you saying 88,000?

>> Yes, 88,000. And it's going to the entire space. It's not just for the additional space for human resources, but we're also going to be moving? Additional staff over there, so the entire lease rate will go up to about \$168,000 a year.

>> Troxclair: 168,000. So it's doubling.

>> Yes, ma'am.

>> Troxclair: Okay. I guess I was curious we had a lot of conversations both in committee and council about what the cost would be when we passed the fair chance hiring that was one of the questions that a lot of councilmembers had is what's the additional cost. And I know we talked about the requirement to hire additional staff members and we talked about that cost, but I didn't remember this cost being included in that conversation.

[9:18:00 AM]

>> Again, councilmember, this additional cost isn't entirely related to the additional personnel and I want to make sure that's clear. The additional \$18 a square foot we're paying previously was based on an old lease we had for a period of time so that rate is really low. And so I just want to make sure that the entire difference in the lease rate isn't attributed to the human resources. It's really broken up into a couple of different factors. The first factor is that the market rates are running, you know, 23, 25, in that area. And when we looked at some other areas close in to downtown the lease rates are running in the 30, \$35 a square foot. So we have the increase in the rent, but we also have a couple of different groups that are going to be moving into that space. So what I would need to do is sit down and go through the math. I didn't realize that was going to be your question this morning, so I haven't figured that math in that direction, but I would be more than happy to get that to you today.

>> Troxclair: Sure. That would be great. Thanks. Mayor Adler anybody else have anything else on this? Yes, Ms. Pool?

>> Pool: I guess I would say I'm not surprised our rents are going up. It's expensive to work and live and play in Austin. I don't see -- I'm not surprised. And the increased cost that landlords charge is also going to apply to us, unless and until we own all of our buildings. And even then our overhead will increase for other reasons. So I recognize the interest in getting some details about it, but -- anyway, it doesn't surprise me.

[9:20:08 AM]

>> Thank you.

>> Mayor Adler: Anything else? All right, thank you. Do you want to talk about item number 25?

>> Kitchen: I could just lay it out real quick. And I think maybe --

>> Mayor Adler: Okay. Ms. Troxclair pulled that. We'll let councilmember kitchen kindly out number 25.

>> Kitchen: And then you can have any questions you have. Also, I have some minor amendments to it that I'm going to bring, so I'm going to pass those out. Basically this bill -- this resolution builds on activities that our staff has been pursuing in the past and ongoing. As well as it builds on our smart city application and will work in tandem with the smart city application, whether or not we win. And of course we always say we're going to win. We hope that we'll win that application. So what this does is there's three parts to the whereases. Basically it has to do with supporting and continuing our efforts on fleet electrification. So directs the city manager to work with rocky mountain institute, vulcan inc. And the electrification coalition on an assessment. So the thinking is that we start with an assessment to determine the benefits, the timeline and the feasibility of increasing electric vehicle adoption in our fleet, in the city's fleet. Now, this is something that the staff has been working on so this will just build on and enhance their efforts.

[9:22:10 AM]

And again, this is in anticipation of the smart cities application. This is a component of what we're proposing for the smart city's application. The second resolve gives you some idea of the scope of the assessment. Again, without limitation, but it gives you an idea of what we're talking about in terms of the scope of the assessment. The revision that I passed out just adds some additional language to that scope. And that's to leverage any potential synergies to the extent that there are any, with other governmental organization and commercial large fleet owners. So that the assessment in addition to looking at what's happening with us internally and looking at important aspects of this, like benefits, timeline, flexibility and short and long-term cost savings. And return on investment. The financial aspects of this are important to look at, but also to provide for the ability as part of the assessment to look and see if there's any potential synergies within government and commercial fleet. And last part talks about engaging our commissions that are involved in fleet electrification issues, and we just added including the joint sustainability committee in addition to the urban transportation commission, the electric utility commission and the environmental commission. So I think that just kind of lays it out for you if there's any questions.

>> Mayor Adler: Ms. Troxclair, do you have a question about this?

>> Troxclair: Thank you. I wanted to make sure that since there were already five co-sponsors of this, any questions that we had that we did it in public. My first question was I'm familiar with the rocky mountain institute. I did a quick search on vulcan, inc. I was interested in why the other two that were called out, vulcan inc. And electrification coalition were the other entities specifically included?

[9:24:13 AM]

>> Kitchen: I think we have staff that can speak to that.

>> Robert spillar with the transportation department. So vulcan is involved in the smart cities grant. They're an organization that specifically is looking to electrify at scale. So as part of the grant they're offering a 10-million-dollar award to assist the winning city, but we're in a meeting right now with them over at Austin energy and talking about how regardless of whether we win or lose we would like their expertise and talent. The electrification coalition is partnered with them. They bring a lot of expertise. We're asking them to help us with the fleet inventory. They bring a lot of knowledge about the capabilities of the industry, so it's quite possible we'll be talking about things other than city [indiscernible] And vans and more the heavy equipment and ways to electrify. And here in Austin you know most of our electricity we can guarantee renewable sources so that's a huge opportunity for Austin to move to a more cost effective fleet model.

>> Troxclair: Thanks. So does this -- how is this different than what was included in the -- I guess in the generation plan or the community climate plan? I kind of thought that some of these goals were already included in some things that the city had passed. What's --

>> [Inaudible].

>> Kitchen: What this does is it moves forward with supporting an assessment. So it's a very specific analyze and support moving forward, but also to support that. And it's also a statement from our council that we support fleet electrification. We want to see what makes sense from a financial perspective, but that we support it and it's I think it's important for our smart cities application also.

[9:26:14 AM]

>> Troxclair: And my last question is the be it further resolved clause speaks to the benefits timeline and feasibility. I assume that costs -- I just knots that cost -- just notice that costs weren't included. I assume that whatever information comes back to us will be a cost benefit analysis, not just benefits.

>> Yeah. And there's roi in here too, return on investment is part of the assessment. So yeah.

>> That's what I assumed, councilmember.

>> Troxclair: Thanks.

>> Mayor Adler: I would reiterate and add in that with respect to the smart cities challenge that we'll be looking at lots of different kinds of things. And not knowing what ultimately will work or not work and what will make sense or doesn't make sense, but the expertise that vulcan and others are offering to bring to us is a real valuable thing that otherwise for that kind of survey we would be paying to get. And it's one of the benefits of being one of the seven finalists that is being offered to us. And we'll take advantage of it, but obviously we're not deciding anything at this point, but it would appear to me that if -- that the wave of the future over time is going to be to increase electrification both in terms of saving money and just the impact on the environment. So I -- it's smart for us to take advantage of this gift that we have earned and that staff has earned by so far negotiating us through this process.

>> And mayor, I would just throw in that as we do this, I think we need to think beyond, like I said, vans and sedans. Television la has just come out with a demonstration school bus, we had an all electric city bus here in town that has I think a 500-mile range so it's viable for service.

[9:28:19 AM]

We're talking about cap metro about launching their next bus rapid transit as an ebrt, electric bus rapid transit. And mayor as you know from riding electric bikes in Europe, the opportunity to electrify a part of our bike share program to make it a that much more accessible to folks especially with hills and terrain here in town, could be transformation.

>> Mayor Adler: I would just add parenthetically, an electric bike, I don't know if you've ever been on one of these, it's not like a motorcycle, it's not like a moped, it's like power steering for peddling. And for those people, let's say, that they would never get on a bike in Texas because it gets too hot,, they need to try one of these things. It was a pretty amazing experience. Thank you. We have -- let's go on item number 24. This was the proxy issue. I think there's probably a little more work to do on this between now and Thursday. The issue is that right now by council rule and policy if someone cannot attend a campo meeting, they can give their proxy to another member of our appointed delegation. So the four of us can give a proxy to another person, but by campo rules no person can carry more than one proxy. So in the instance where we would have more than two of the four people not able to attend we would have somebody who has a proxy that they can't give to someone.

[9:30:22 AM]

As we had recently when Judy Fath had their birthday party and we had that situation exist. So what we're trying to do is to find -- to determine whether or not we -- and what then would be the solution associated with that situation. And this is your -- we went to campo and asked campo if they would allow someone to carry more than one proxy. And campo indicated that -- the membership indicated I think a feeling that they were uncomfortable with someone being able to carry multiple proxies. But what they did say is that they would let somebody give their proxy to somebody else who wasn't coming from the governing board that initiated that. I have some concerns with that because I think that when the city of Austin appoints somebody the person who casts that vote should be somebody who is accountable to the electric of the city of Austin. So it's trying to find what that place is, whether you can

give a proxy to another member of the city council who may not be a campo board member or what we want to do in that situation. So that's the issue.

>> Kitchen: Mayor, I understand the sense of campo that you're speaking to, but we didn't actually vote on campo so it might be worth some further discussion with them.

>> Tovo: I'm sorry, I didn't follow exactly what you meant.

>> Kitchen: I'm not sure that campo would come down completely on allowing us to have more than one proxy because we didn't vote on it at campo. I understand what their concern was. They were certainly concerned that one person didn't come with all the proxies for their entity because then you would end up not having the full breadth of campo.

[9:32:28 AM]

But we didn't vote on that and we didn't explore other ways to perhaps deal with that. So I guess I'm still -- I'm not quite sure. Maybe you've had conversations I haven't, mayor, but I'm not quite certain that there's not something that can be done about the campo rule at this point.

>> Tovo: Okay, thanks.

>> Mayor Adler: Okay. Ms. Gallo?

>> Gallo: Since I was the sponsor of this resolution, just a few words, my impression is that the concern on campo with expanding the ability for one of the members to carry more than one votes, is a vote-blocking concern. And I do not get the impression that there would be a lot of support for expanding that. I think there's been discussion over the years about doing that. There are many ropes for that, but I think that is the main concern that they don't want one member to have a large block of votes on any issue. So I think that is some of the concern even when it does come up. I think you will hear that addressed. The other concern that I have is that there are a lot of other entities, members in campo who do not have other members in their organizations that are members of campo so when they are not able to attend and do their proxy, they do give it to other members that are part of other city and county entities that are not necessarily with them. So I think there is a procedure already in place that that happens. And that does happen. My concern being I think is as we on this council not only represent the city, but we also represent very diverse districts. There is a large portion of my district that is very concerned with the lack of road infrastructure that we have in our community. We're even seeing that as a large part of the conversation and some pretty visible, large zoning cases that are going on that traffic and the lack of road infrastructure is constantly comes up as one of the main concerns.

[9:34:35 AM]

So there may be situations where one of the members from Austin that serves on campo doesn't necessarily align with the policy of what their district is representing and the voices that are coming from their district. And I think for us to not be able to give that member the ability to have someone else that same vision and that same policy representation of their district makes me a little uncomfortable. So I think having the choice to choose someone that may or may not be within the Austin community of the appointees, I think that is an ability that we need to have as we want the voice of that particular member to carry forward in a point that they would feel agreeable with.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Yes, and we should have further discussion. I think it's appropriate when when we are in position for someone to be our proxy, I think it's important to be able to that as part of that proxy and part of that representation that the expectation is that a vote go a certain way. And I would certainly respect that. If someone gave me their proxy and they said I would like for you to vote for me because I

can't be there. I would like for you to vote X. I would respect that whether I voted that way or not. So I think that is certainly within the scope of what a proxy can do.

>> Gallo: And Ann always brings up the very thoughtful conversation about opportunities and positive ways to do things. I think if that is part of what we agree to, that personality that is carrying that proxy would actually cast a perhaps different vote for that proxy and that then we have the ability to do that within campo's governing rules, that that would certainly address -- that would certainly address the concerns that I have.

[9:36:37 AM]

Perhaps, mayor, perhaps this should be postponed until we can have this conversation with campo to do that because I think councilmember kitchen, if there's a concern that only the city council be able to address proxies, but they could address it in a way that it could be a different vote from the councilmember and the proxy that they're carrying, that could be a solution. It is still not going to address the issue of -- that we ran into before where we had only one of the four member points from the city of Austin attending the meeting. And if campo still does not allow you to carry more than one proxy we still need to address that. As those of us that are serving on campo know, it's a very complicated board to serve on from the policy standpoint and I would be very concerned with giving another member of the council that had actually not been at those meetings a vote. I think that that's really an unfair position to put that person in. And that would not be -- that would not serve Austin in its best way. So I would be uncomfortable with serving the solution that way. I would be uncomfortable to how on do we address if campo will not allow one person to carry more than one proxy, how do we get those votes to campo? Multiple, multiple layers.

>> Pool: I had a question. Were we defining alternate to be a different person or a member of campo, a sitting member of campo?

>> Kitchen: We actually don't have an alternate. So I don't know if that's a solution under campo's bylaws or not. That's a consideration. We just have proxies where someone can give their proxy for a particular, but we don't have alternates.

>> Pool: Currently the proxy is given to a sitting member of council?

>> Kitchen: That's right.

>> Pool: It occurs to me, unless I'm not reading it right, it talks about an alternate?

[9:38:40 AM]

>> Mayor Adler: Let's go ahead, rather than parsing it now, I think it's a good point that you raise with respect to the language on that. If we're not ready to really do this at this point, then let's just not try to push through on Thursday and let's ask you guys to get together and see what we can work out that would be a good way to do that.

>> Pool: Just to finish, what I was going to say, like in this last whereas on the first page it says, campo bylaws state that they may authorize an alternate to exercise that authority. So if it's a different person or sitting member of campo that could be defined and it could be actually a different person like maybe a staff person and a councilmember on this can sit as the alternate with the proxy vote and still be assigned to that office. Just a thought.

>> Kitchen: Okay. We can check into that.

>> Mayor Adler: That's good. Thank you. So it's probably likely then that this item number 24 will get postponed from Thursday's agenda. Did you want to speak to item number 29, Mr. Renteria?

>> Renteria: Yes, mayor. 29 has to do with

[indiscernible] On festival beach. And it's an ordinance amending the watershed overlay. And there's going to be a lot of questions asked on this particular item, and since I'm going to be out of town and taking out Wednesday over Friday, I would like to post tone to the next city council meeting.

>> Mayor Adler: Councilmember, as I look at this now and I missed it before, it looks like item 29 is just to set the public hearing for June ninth.

>> Renteria: Okay.

>> Mayor Adler: There wouldn't be any discussion. We won't allow any discussion on this item, but we may set the public hearing for June ninth.

>> Renteria: I'm okay with that.

[9:40:41 AM]

>> Mayor Adler: Sounds good. Let's now double back to the ones that we had skipped over now that councilmember Zimmerman is also here. That gets us back to item number 3, the water use management issue. Is there a briefing on this first? Let's have the briefing first and then we can have questions.

>> Good morning, Greg Meszaros, director of Austin water. I also have Darryl Slusher, assistant director. We have a short brief hearing to provide context to these two items. This is connected to another item on the council's agenda. We have water code amendment and contingency code amendment, which are connected items. I wanted to take kind of a step back and talk a little bit about the value of conservation, why do we have a conservation program at Austin water and what value does it create for us. Through this latest drought our conservation program and all the responses we've had to various programmatic pieces of that, including restrictions in water management, say several thousand acre feet of water, this is the predominant savings that kept the Lakes from going below 600,000 feet. And our conservation programs were a big part of preserving the Lakes above the emergency level and implementation of additional restrictions and pro rata curtailment.

[9:42:44 AM]

Conservation also helps us manage our water supplies. We had a prepay about water use and water in highland Lakes and we don't have to pay for additional water of 201-acre feet for two executive years. Conservation also helps us manage future risk. We face a future with water scarcity and uncertainty. Certainly there's climate considerations, likely have a hotter climate, drier periods, even without hotter periods, looking at tree ring data is often subject to mega droughts, droughts that last many decades. Our conservation programs not only help to manage those risks, but with water planning. We have current water planning and the goal or one of the sentiments, values that was adopted through that plan was to maximize our local water resources and our conservation programs are very complimentary of that. What we're recommending in terms of changes to our water code and changes to the drought contingency plan are really trying to incorporate some of the experiences and lessons from this last drought. I won't read this table for you this detail. I'll summarize it a little bit. But the overall philosophy is underlined by the statement at the top where we're trying to tailor frequently, how often you use an irrigation system with efficiency. So the more efficient your water delivery testimony, the more often you're able to use it as a way to kind of provide the best MIX of water irrigation systems. So, for example, if you use a drip irrigation system, which is highly efficient, there's no limits on that.

[9:44:49 AM]

You can use that any day of the week, similarly for hand-held. You could use that any day of the week. If you use a hose end sprinklers, like oscillators that go back and forth, things you do on the hose end, we would recommend that we go ahead and return that back to a two-day schedule. If you use the automatic irrigation systems, the systems that we see as the most inefficient that we are recommending that we preserve that in a one-day permanent schedule. So the less efficient system, the more restrictions. The more efficient, the less restrictions. We would like you to combine technologies. If you have an automatic irrigation system and hose end you could use your automatic system on one day and hose end on another day to say get out a particular dry spot in your yard. So we do offer some flexibility we think with the mixture of the technologies. A few other changes to note, we are recommending to the council that we change the water code with regards to variances for new landscaping. Whenever you start a new landscape for the first time, say you move into a new house and starting a new landscape you typically need a variance from the watering schedule because the water -- you need to establish the landscape. What we're recommending is that variances only be granted for new landscapes that are drought tolerant. So if you're starting off with drought tolerant you can get a variance from the existing water schedule say if you want to implement a more water intensive landscaping. That would not be allowed as a variance to the watering schedule. So again, it's a step to try to get people to start their landscaping off in a drought tolerant way. The last item I would note for you is we received considerable feedback on softening opportunities for people to do car washing at home. That's something that we get a lot of feedback on. So we are recommending softening home car washing. You would still have to have an automatic shutoff, use a bucket during other stages, but really there's very modest water use in car washing and it was something that we heard a lot of feedback on.

[9:46:52 AM]

So we did recommend proposing a change there. The next slide is simply a high level summary. So you can see at a glance the watering schedule based on -- the proposed watering schedule based on the watering technologies. So the bottom of the slide shows that hand-held and drip irrigation systems can be used any day of the week, no restriction on any day of the week. The top shows how you can combine technology so if you have hose end which is allowed two days per week, you have automatic systems which we would propose stay at one day per week, but you can MIX and match those technologies to achieve two-day per week watering through the combination of hose end and automatic systems. I wanted to summarize for you some of the steps we took to gather community input as we were formulating these recommendations. We had a series of public workshops around the city that city staff helped to facilitate to give people opportunity to discuss proposed changes. We also conducted online surveys where people could go on a website and give responses to various questions. We had a significant level of participation. We had a lot of folks involved in online surveys although it did vary a lot by districts. Some districts, particularly the districts that are heavier in water use had high activity where some of the other districts the activity was a little lower. In terms of the participants, the majority of those that have participated on online survey did express a preference for two-day watering for our recommendations. Although if you look at it from a district perspective, six of the 10 districts proposed or supported a one-day per week watering schedule. So we tried to kind of take that together and formulate a recommendation that got at that interest. While we're not proposing automatic systems go back to two-day, we did propose to allow the hose end to go back to two days so the combination of those two together does allow more flexibility in the watering schedule.

[9:48:59 AM]

As I mentioned we got considerable feedback on opportunities, increasing opportunities to do home car washing. We did hear from people about hose end, that hose send a more difficult one day per week schedule because it's not automatic, you can't program it. If you missed your days, you're traveling during the weekend, you didn't have an alternative day, so that was another reason why we proposed hose end going back to two day. We did also take these recommendations through the boards and commissions and task force process and just to sum that up for you, water/wastewater commission reviewed this and recommended the staff suggestions on a vote of 10-1. We took it to the resource management commission and they voted 8-0 in support of the recommendations. Two were absent and one of the positions was vacant. And we also took it to the integrated water resource community planning task force that the council appointed and they voted 9-0 to support staff recommendation with two commissioners absent. I would note for you some financial considerations with regards to rates and our recommendation. Our forecast period, the five-year forecast period, we had estimated based on current one-day restrictions. And with our proposed changes, which would allow some systems to go back to two-day, that we estimate that that would generate about three million dollars in additional revenue and increase consumption by about 1.2 billion gallons. So some softening of our current stage 2 one day frequent watering and redoing our drought contingency plan and water code does have some financial changes to our forecast. And we would be assuming those going forward, but depending on how the council ends up voting we'll dial in the appropriate updates to our forecast. So that's a very high level discussion. We don't give you a flavor of the changes and why we did -- we wanted to give you a flavor of the changes and why we did them.

[9:51:05 AM]

We have staff available here to answer any questions you have.

>> Mayor Adler: Preliminary, you pulled this item. Do you want to start off?

>> Zimmerman: Thank you. Let me go to slide 7. The 1.2 billion gallons, what are is that in acre feet? We're trying to keep consistent management so we can compare apples and apples and we change cubic feet per seconds sometimes. It's hard for people to connect Numbers.

>> Let's see... That's about -- do you have a calculator? 325,000 gallons per acre feet, so if we take 1.2 billion divided by 325 that's probably about 4,000-acre feet, thereabouts?

>> Zimmerman: I would appreciate it if we keep consistent measurements because we talk about acre feet in other places. We do acre feet and acre feet. And that's analyzed on an annual basis. It says here 14 will you 2021, when you say financial considerations it would be useful to know what term that increase is, but you're saying that's annual. So about four to five thousand acre feet per year additional consumption, right?

>> Councilmember, let me just verify.

>> Zimmerman: I'll give you a second to look at that.

>> Councilmember, I probably want to verify that number for you.

>> Zimmerman: We'll talk about it on Thursday.

>> Mayor Adler: That same question readback to the additional -- question with respect to the additional revenue S that over time or --

[9:53:06 AM]

>> That would be per year.

>> Mayor Adler: Okay. Preliminary?

>> Zimmerman: We have some Q and a here that I believe that we just got. And we kept asking the question of the difference between stage one and stage two restrictions. If we were to have lifted stage

two as our 2012 drought contingency plan and instructed us to do many, many months ago, we were trying to figure out what the difference in consumption would be in terms of acre feet, right, between our stage two limits and what would happen if we went back to stage one. So what I have here in front of me -- I just got this information. Because of the heavy rains I had lcra -- let me back up a little bit to explain the complexity of this. We had a conversation with lcra, we used the word release because our Lakes went up over 100% capacity, right? And in which case we start to worry about flooding concerns. Because one of the purposes of the reservoirs is to protect us from flooding. So the lcra policy is when we get over 100% at some point, they start to open the floodgates. And yet they don't call that a release. What they call is a release is when we open the Gates to satisfy a downstream user for some demand that they've paid for, whether it's interruptible or non-interruptible. So far so when they say release they're talking about satisfying a contract demand downstream or environmental flow or whatever it might be. So I said you're releasing water and just flushing it down to the gulf of Mexico. No one is using it, no one wants it, everyone is water logged right now. So again, I've been asking this for about six to nine months. The difference between stage two and stage one is how many acre feet per year approximately?

>> Let me just make sure I have your question.

[9:55:08 AM]

You want to know the difference in acre feet --

>> Zimmerman: Difference in our consumption in acre feet per year.

>> Between our stage two and stage one.

>> Zimmerman: The 2012 drought contingency plan?

>> In what stage?

>> Zimmerman: Between stage two which we've been in all this time, and stage one.

>> Which would be going to one day per week watering --

>> Zimmerman: I thought it was one day per week.

>> Councilmember --

[inaudible].

>> Zimmerman: Let me go back to your slide number 3. Can we go back to number 3. It says existing ordinance, stage 1, twice per week automatic sprinklers. That's the big deal for people that work for a living and they can't stay at home and hold a water hose. They use automated sprinklers. It says here stage one was twice a week.

>> That's correct. I was just going to point out as far as the stages, there's also the stage at which the Lakes are the highest would be the conservation stage, and then stage one is when we get to about 1.4 million-acre feet on the way down, that is. So both of those under current code are two days per week.

>> Zimmerman: Then we've been above 1.4 million-acre feet for six months, seven months?

>> Yes. So I think I understand your question.

>> Zimmerman: Now we're over two million acre feet. We're overfull.

>> So in answer to your question, councilmember, to go from one day per week watering back to -- watering back to two day per week watering we estimated that that would increase water use by 5,200-acre feet, spread out over about a two-year period. That is there would be some rebound effect as people got reaccustomed to two day a week watering throughout the system that ultimately we would increase that by 5200-acre feet.

>> Zimmerman: Over a two year period?

>> We think there would be a two year rebound for that. Let me say it's hard to calculate.

[9:57:09 AM]

We have been in one day per week watering for almost continuously for over four and a half years. And so to try to estimate how much savings is baked in, how much customers would return to old patterns, how much water would increase, it's hard to do that, but we did estimate 5200-acre feet of water approximately over a two year period. Chronic if I'm wrong -- correct me if I'm wrong on that?

>> Zimmerman: I'm looking at the lcra hydro met data here, hydro met data.org. And this talks about the water that we release. We released in a day 6,500-acre feet in one day. So the difference between the watering as you just explained it, is 5200-acre feet over two years and yet we released over 6,000-acre feet in one day. These are staggering Numbers. I don't think the public has any grasp or concept of the volumes of water that we're talking about. The difference between the watering as you said in stage one and stage two is virtually nothing. And yet we demand that people have these water restrictions in place. I think that's why the constituents are angry about all this.

>> A few thoughts.

>> A few thoughts. One, as water demand increases, say we increase to 5,200-acre feet a year, that water demand increase would be for every year and likely growing as customers are moving here and establishing landscapes that are more water-intensive and we don't do conservation programs for times when the Lakes are full and we're in flood operations. You know, we do it for a building in that behavior change and when we're in drought conditions. One of the classic kinds of patterns that communities get into is you care deeply about water conservation when the Lakes are low and then you abandon those practices when the Lakes are high and certainly Austin water has been recommending that we be more mindful of managing water perpetually because we're in drought a lot more than we're in flood operations and certainly this last drought was a high-risk experience for the community, by many measures the worst drought we had experienced.

[9:59:35 AM]

I tried to indicate the importance of water conservation programs. We'd like to see that grow in the future as we're facing additional water scarcity risk. In any one year, particularly in flood operations, councilmember, you're right, they release hundreds of thousands of acre feet of water downstream to clear the Lakes for storm floods but you've got to think about it over a little broader horizon.

>> Pool: Mayor, I've got a couple of questions too.

>> Mayor Adler: Yes, go ahead.

>> Pool: Thank you for that, and I do remember the deep concerns and the feelings of impotence that we all had during the drought, and the feeling that those Lakes would never fill up again. So I think we have a bonus situation right now. Those Lakes are storage reservoirs, and the idea of the storage reservoirs is to share or to release water down the system and down to the coast whenever we have a surplus, right? That's how that works, right?

>> Well, certainly, yeah during flood operations, yeah, you have to release water.

>> Pool: So who is it that decides to open the flood Gates on on the highland lake system.

>> Lcra is the weather, they use a water management plan to manage water for basin users. It's it's a plan updated periodically. We went through -- substantially improved the plan. In addition during flooding operations they have an agreement with the army corps of engineers for how they operate the Lakes during flood and high storage, which is essentially what we've been in here recently with lake Travis climbing above 105,000-acre feet. Lake Travis has two purposes, water supply storage, in addition it's a flood management lake.

>> Pool: Right. And if we have concerns over or if any of my colleagues have concerns over how much water is released at any given time, what role does the city of Austin play in determining when those waters are released?

[10:01:38 AM]

>> Well, in flood operations, with we don't play a role other than coordinate with Icra that we manage flood risk with regards to the other dams that are operated. In terms of everyday releases of water that's done through the water management plan and we have a petitioner rights in that. We were heavily involved in water management plan updates and would be in the future. That's really the way we would manage that process.

>> Pool: And the agreement that we made with the Icra back when mayor Watson was in office, I think, if I'm remembering history right, that was to inject a sense of predictability in both the availability of the water because the region was really beginning to boom so we wanted to make sure that behad rights to the water and then also did it -- inject some predictability into the cost of the water?

>> Yes, I think both. The city of Austin wanted to lock up some of the available water supply in the highland Lakes. You know, the highland Lakes water is very coveted water, even other communities, San Antonio, has periodically expressed interest in purchasing large volumes of highland lake water. So this was a way to protect Austin's firm water supply, to reserve that water, and also prepay the water, I think to your point, about predictability with regards to this prepayment. You know, we've gotten more than our money's worth out of the prepayment predominantlily being able to push that trigger point off into the future so essentially I think you're correct, councilmember.

>> Pool: I want to just ask a question on a different topic. I was looking at the surveys and the results that came in from the surveys and the different pie charts and bar charts that were provided, and I was just curious, could a particular respondent, were there any controls on how often someone would respond to that survey?

>> I'd have Daryl Slusher respond.

>> You can only vote one time from a device so it's possible people could have voted more than once from different devices.

[10:03:42 AM]

>> Pool: That's was what I was thinking. I don't guess there's a way to really determine -- to control that. Each device has its own Ip address, right? Yeah, okay. All right. I really appreciate the work that staff has put into both giving us this presentation and the work that you've done and trying to mitigate the drought situation and help us get through that. It was really a dire time for the community, and I don't think any of us should for one minute forget what that was like. The fact that we have a good abundance of water right now is something to celebrate but it is something we absolutely should not squander, and I am clear on the concept of the highland lake system for -- to preserve the water and to - - what was the second one that you were --

>> Zimmerman: Flood control.

>> Pool: Right, the flood control. And thank you. And that's really important as well about so from drought to flood in central Texas we have both of those regularly in alternating cycles so it's tough work that y'all are doing. I appreciate the accommodations also that you are suggesting in the changes to the code and in this ordinance, where you will permit car washing, that you're suggesting that. I don't know that I'm keen on that personally, but if my district is looking for that, then that would make a difference in how I would view that. So thank you. I think you've put together a good compromise between the restrictions of the one phase and the liberties of the other. Thanks.

>> Mayor Adler: What is the water use for irrigating traditional lawns as opposed to drought resistant lawns? Is there a way to describe that in terms of house how old water usage indoors? How much -- I understand that we use a lot -- that when you're irrigating traditional lawns it takes up a lot of water.

[10:05:47 AM]

Is there a way to describe what "A lot of water" means.

>> Austin water. I'll do my best. There's a lot of variability, particularly depending on the types of plants you're irrigating as well as the size of a landscape. A well-managed automatic irrigation system might use about 3,000 gallons every time that it comes on. It's approximately at a rate of 15 gallons per minute that your spray head is going to come out. Conversely, if you're using a drip irrigation system as we would recommend for a native landscape bed you're looking at maybe a half gallon and minute and those can run for longer periods of time but it's a more efficient application rate because the water is going straight into the soil, there's a lot less evaporation, getting right into the root zones of the plants where they're needed.

>> Mayor Adler: So if irrigating a traditional lawn takes about 3,000 gallons every time --

>> A week.

>> Mayor Adler: That's over a week? That's two uses or --

>> Right. So I would say.

>> Mayor Adler: What does a family use to -- to compare that, so that I know how much 3,000 gallons is --

>> If you're looking -- sorry to interrupt.

>> Mayor Adler: I'm not trying to compare it to zeroscape. I'm trying to compare it to what a family uses in terms of water in their home.

>> Our average customer uses about 5700 gallons a month, and that's for all uses, which may include some outdoor and indoor. That's all of our customer bases on the residential side average. So 5700 gallons a month compared to someone with an irrigation system can be expected to use ten to 12,000 gallons a month and then if an irrigation system is used excessively or injudiciously we've seen bills 20, 40, 6,000 gallons a month, especially as landscapes go larger --

>> Mayor Adler: Is that 10,000 on top of the 5700 or is that 10,000 a month including the 5700?

>> It would be including. By these broad estimates.

[10:07:49 AM]

>> Mayor Adler: Okay. So then what -- I'm just trying to determine a way how to describe this. So someone that uses an irrigation system on a traditional lawn basically doubles the family usage of water or more, depending on how efficient the system is?

>> I would say closer to triples most likely.

>> Mayor Adler: Okay. Thank you. Any further --

>> Mayor, another point there, Ms. Gross already made it, but back to the way we've got this ordinance structured, the automatic can use up to 15 gallons a minute, an automatic irrigation system, and the hose end more around 3 gallons per minute. So there's a -- then we structure it around the more efficient the irrigation method, the more frequent you get to use it.

>> Mayor Adler: I understand. Thank you. Ms. Troxclair.

>> Troxclair: So you -- the original -- the drought contingency plan that we're under right now was put into place in 2012? Is that correct?

>> 2012, that's correct.

>> Troxclair: 2012. And both of you were involved in putting that plan together?

>> All three.

>> Troxclair: All three of you were involved in putting that plan together. So I assume that at that time you put together something that you felt like was responsible and had an eye towards conservation even when we were in a period of high lake levels? Right?

>> Couple of responses. Yeah, it is a responsible planning, it still is a responsible plan. And two day per week watering is a conservation minded program. We're not here to trash two day per week watering. I think we're trying to take the lessons of the doubt that occurred in 11, 12, first part of 15 and incorporate those in the risks that we gleaned from that into a better plan.

[10:09:51 AM]

So that's our recommendation. We believe the plan we're proposing, which does manage automatic irrigation systems more aggressively is a better plan. But it's not a choice between irresponsible plan, two day per week watering, and a responsible plan. It's a choice between a good plan and a better plan is our recommendation.

>> Troxclair: Yeah, okay, thanks for clearing that up. Because there have been a couple of comments, you know, that you said you don't want to -- our community to abandon their conservation plans in periods of -- in wet periods, and then councilmember said something about how she supports continued conservation. I want to point out that nobody is advocating for -- I haven't heard anybody today advocate for seven day a week watering. We're talking about two days a week, which is still really relatively strict, and something that our own water -- the same people who are before us today recommended less than five years ago. So I'm not sure what has significantly changed between now and then, and I don't think that it's -- I don't think that the, you know, accusation that we're abandoning conservation if we support a strict schedule of two times per week is fair. Going back to the question of how -- what is the actual water usage between one day a week watering and two day a week watering, what is the -- I heard you tell councilmember Zimmerman that it's about, you know, I guess 26 -- 5200-acre feet over two years. What is the percentage? When you extrapolate that I guess out into the percentage of how full the Lakes are, what does that equate to? Like, if we start out with right now the Lakes are 100% full. If we went to two day a week watering, what would the percentage of fullness be expected to be?

>> Relative to full lake, it's a tiny fraction. The Lakes when full are approximately 2 million-acre feet, and so 5200 divided by 2 million is a very small fraction.

[10:11:59 AM]

>> Pool: So it -- so even -- if it -- if we started out with 100% full as we are today it would still be a hundred percent full? Less than 1%?

>> Divide 5200 by 2 million, whatever that is. That is the amount, the ratio of that.

>> Troxclair: Okay. So we're not talking about -- I mean, it is hard when we're talking about gallons and acre feet and for the average person I think to quantify how much water we're talking about but when we're talking about the fullness of the Lakes and the amount of water that we have, it doesn't even make a measurable difference from where we are today, we're faced with this decision today, right, where the Lakes are full. You're saying even if we went to two day a week watering, the existing stage one restrictions, that we would still expect to have a hundred percent full Lakes or that wouldn't have an -- measurable impact on the amount of water that's used?

>> Not that particular piece, but the Lakes change rapidly. I mean, the Lakes can plunge very rapidly to low levels. And these water savings are cumulative so every year you save that water, you can use that water in different ways. We're look at various water supply enhancements like aquifer storage and recovery and in the future we'll store more water underground. This kind of water savings can

compliment those strategies. As I mentioned it helps us manage our trigger in terms of once we hit the trigger this water, you know, has a financial value. And it's the totality of all your water conservation programs and drought responses. As I indicated over 115,000-acre feet of storage saved in this drought. So it's a imitation of -- you know, you win baseball games by bunts, singles, not always home runs and in a water analogy this is similar.

[10:14:07 AM]

You can save 5,000-acre feet here and 10,000-acre feet here and 3,000-acre feet here, it adds up. Councilmember, I'll put a financial value. San Antonio's vista ridge project where they're importing large volumes of ground water from counties east of Austin they're paying \$2,000 per acre foot, okay? 5,200-acre feet of water times that by \$2,000 per acre foot, that's how much that water is valued from a market perspective. So that's, you know, tens of millions of dollars for 5,000, 200-acre feet of water per year. So I wouldn't dismiss the value. Relative to when the Lakes are full it's a tiny fraction but the Lakes are only full a tiny fraction of the time. As you -- just look at this recent drought '06 was a dry year, '08, '09, '11, '12. We're in significant dry periods a lot more than significant wet periods.

>> Pool: Based on the data I looked at throughout that whole period, and I think I asked you this question in committee, if I'm remembering correctly throughout that whole period we ended up you -- the difference, had we had -- had we had two day a week watering throughout the whole period since -- throughout the period that you just mentioned, we ended up I guess it was six months ago when we did reach that stage one trigger, the Lakes were 88% full. Had we had two day a week watering throughout that whole time, the Lakes -- the difference would have been 1%, the Lakes would have been 87% full. Is that correct?

>> I don't remember the exact number, but if I gave testimony to that earlier, I'd stand by that.

>> Zimmerman: It's less than a percent.

>> Pool:.

>> Troxclair: It's less than a percent. I understand that our lake levels can drop. What I'm trying to articulate is if you look at the impact that one day a week watering versus two day a week watering has in the levels of the lake, it is a tiny fraction, in your own words.

[10:16:18 AM]

The reason that the Lakes drop are due to things that are outside of our control, and so you have to look at the cost benefit analysis and the amount of water that is being saved by requiring people to only water their lawns once a week, I don't think outweighs the benefit in the overall percentage of the lake fullness. But -- yeah, I just -- I guess the -- I'll move on. One other question -- or one other thing I wanted to point out as I see director smart over there is there have been a lot of concerns raised recently -- raised recently with the code department and on one hand I feel for the code department when we put things in place that people are clearly not going to abide by. I mean, the idea that someone with an automatic irrigation system is going to use their automatic irrigation system once a week and then go stand and hand water a second time in that week is just not practical. I mean, the -- if you had -- the value of having the automatic sprinkler system is for convenience, so that you can use it. I mean, nobody -- I think the amount of people who have an automatic sprinkler who are going to go hand water for that second time per week is incredibly small.

>> It's not exactly hand watering. It's a hose end system.

>> Troxclair: Hose end system, yeah. I mean, I certainly -- I have an automatic irrigation system, and I certainly wouldn't -- at my last house I didn't. Sometimes we used the hose end. Of course I was thrilled to have a house now that has an automatic sprinkler system that we don't have to worry about being

home and on the right day and going out and putting the thing out and moving it around the yard. It's a hassle. It's why people have automatic -- I mean, people -- nobody -- automatic sprinkler systems wouldn't exist if it wasn't for the value of the convenience.

[10:18:24 AM]

I don't think that's practical. And to have someone -- to say somebody who puts in new sod can't water their lawn, well, I guess you're just abandoning grass or making criminals out of everybody who puts in grass. It's not reasonable to assume that nobody is going to put in grass.

>> They put in drought tolerance sod, like if you point in St. Augustine you probably wouldn't get a variance. If you put in a drought tolerance you probably would. We're not banning grass.

>> Troxclair: Well, I think the reality of the situation is we put these things in place and then we expect the code department to come enforce them or, I mean, I was --

>> That would be us. We would enforce that.

>> Troxclair: You would enforce it. Okay. So I guess it's time and money we're spending to enforce -- I just don't think that it's practical. I understand -- I don't think there's anybody who doesn't support conservation or doesn't support reasonable, you know, watering in order to protect our resources, but when you put unreasonable regulations in place, people are going to break them and not only is it going to lead to you not saving the a water that you intended to save but you're going to cause a whole lot of hardship for people in the meantime and a whole lot of cost and expense for your department to try to enforce these restrictions. I just wish -- I guess my last question is, what is the point of it? This is a serious question. What was the point of doing a community survey?

>> Well, to get community input to help shape our recommendations, which is exactly what happened. We heard a lot of input about car washing. We made changes there. We heard a lot of input about hose end sprinkler systems being difficult to manage on a one day per week schedule and we took that input and made that recommendation. We do believe two day per week hose end does compliment the watering schedule even for automatic system folks. We used our experiences of the drought, some of our own judgments on Austin's sensibilities, some of the risks that we see and crafted the recommendation we brought forward.

[10:20:36 AM]

I don't want to keep repeating but there's other considerations, managing our trigger, so on and so forth, complimenting integrated water resource planning goals. I mean, the community task force saying maximize local water resources before you import others so all of that became the foundation or our recommendation. So it wasn't as if we ignored the community input but it wasn't a referendum either.

>> Troxclair: Sure. I mean, it just seems to me that we use or either staff or council uses the results of a community survey to their liking, if the community survey supports the already established position of the staff or the council, it's used as a reason to support it, but if the survey comes back and the majority of the people oppose it, it's -- we don't take it into consideration or certainly don't place as much weight on it. Because the most important -- I mean, I think the most public piece of this watering restriction conservation, yes, I do think people want to be able to wash their own cars in their driveways but I think the most important piece or most publicly discussed piece has been the two days a week verses one day a week and the community survey said that the majority of people want to go to two day a week and yet the recommendations that we've come back to are not only that we stay permanently in one day a week but also that we never even have the option in the future, that we change stage one as well as conservation stage to one day a week so even if it rains every day for the next ten years there's going to

be no structure in place to ever allow anyone in Austin to automatically water their lawns two days a week and it doesn't seem consistent at all with the community feedback.

>> It's just a recommendation, councilmember. And, you know, we're transparent on the community data, another use of it is for the council's policy considerations, and we've been very transparent with the results of that data and you have it today.

[10:22:37 AM]

And I don't know what I can tell you on that.

>> Mayor Adler: My sense is it's not criticism. She's -- the councilmember is just pointing out the position and defending it as it moves forward. Ms. Houston is going to be next. Then Ms. Tovo. Then Ms. Pool. Then back to Mr. Zimmerman.

>> Houston: I have two quick questions. Thank you for being here today. One is about the rates for people who are watering above the average, do they pay higher water rates?

>> Yes, we have a steeply inclining block rate so the more water you use, particularly as you get into irrigation water, you pay significantly more for that marginal water than compared to the lower blocks.

>> Houston: So I'm trying to figure out, because we've spent a lot of time, I see your proposed ordinance is giving people some options. Ways that they can water two days a week so I'm trying to see -- I don't know about acre feet but how much more water does the top tier or top blocks -- how much water usage do they use?

>> Well, it's probably -- and I might need David anders to help me. The top tiers, tier five, is probably about 5-7% of our customers reach that in summer months. If I'm answering your question there.

>> Houston: Right. How many of those. Then what is the cost? I mean, do they see a significant cost in fees? Different from people who use marginal water all year?

>> They do. Our -- they do. Our top tier starts at 20,000 gallons and the difference between the first tier, which goes up to 2,000, and the top tier, is an \$11 difference per thousand gallons.

[10:24:41 AM]

>> Houston: Per thousand gallons disagree yes, the volumetric portion.

>> Councilmember Houston, I'll add just over the last, say, five to six years during the doubt, we've had a lot of people really probably because of the one day a week watering mainly and the price, they have fallen out of that tier and gone down to where they don't use that level of water anymore. So we -- there's not as many people that hit those higher four and five as there used to be.

>> That's correct. You know, when the five tier block system was implemented, based on joint committee recommendations, the idea or the thought was that 10% of our customers would average consumption in block one, so below 2,000 gallons and 10% of our consumption would be in block five, above 20,000 gallons. But, you know, we've seen based on conservation and the rate structure that we're only -- we only have about 2% of our customers are in that top tier.

>> Houston: Okay. And, mayor, I thought the conversation was about the current restriction, which is one day a week watering and the department has come back with options for two day a week so I'm not sure what we're discussing now. Is it that you can't water with your electric -- your automatic sprinkler twice a week? I'm not sure what the conversation is because they've given us options. My concern is about the home car washing, and are we going to educate people to wash, cut off your water, and not let it run down the street and will there be some kind of educational campaign to say, you know, you can wash your cars at home now but just don't let the water run down the street? Because when I was campaigning I saw that and I had to -- please cut that off.

>> Yes, ma'am, we do plan the education program about that.

>> Houston: Okay. So, mayor, if you could help me understand, what are we discuss because I think we've got optioned here for two Daws a week.

[10:26:47 AM]

If we don't want to take these two options or choices the council can on Thursday make a decision to allow people to do a automatic watering two days a week, you know, but I think we've -- I've spent a lot of time on this now.

>> Mayor Adler: And we have as a group, yeah. Manager?

>> Just to -- little bit of clarification. Council does in fact have options here. You always have options, obviously, but I want to make sure it's understood that the staff is providing a specific recommendation as previously described in the presentation.

>> Mayor Adler: Okay. Mayor pro tem.

>> Tovo: I want wanted to say because we've had a lot of discussion and some of it has called into question your recommendations or expresses disagreement with them, which is fine, I just wanted to say how much I appreciate your approach. I think that this is critical that becontinue to emphasize conservation and have practices and policies that support that measure and I believe that we're all going to have to adjust how we -- how we live on this Earth. So, you know, starting with our yards and our landscape so thank you for your recommendations and your continued work on this area.

>> Renteria: Mayor?

>> Mayor Adler: Hang on one second. Ms. Pool and then --

>> Pool: Thank you. I just wanted to point out if my colleagues didn't see this, that the proposed watering schedule that's in our handout here today does allow drip or handheld watering for odd addresses on Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday. And if you are an even address and you're drip or handheld you can also water on Sunday through Saturday. The hose end and automatic irrigation allows for the automatic to be one day a week and the hose end to be two days a week.

[10:28:49 AM]

So I think there's plenty of opportunity to deliver water to our landscapes. The staff is proposing for newly installed landscaping, especially -- and when it is drought resistant to be allowed to have sufficient water delivered to it so it can establish itself, which is good practice for those of us who actually do that work in our yards and have for many, many years, P. And I just want to say I have personally installed a drip irrigation system. It's much better for the plants that are in the ground and the -- and for the soil. The absorption rate is much higher so you have a much greater efficiency for uptake in the roots, and I actually am a proponent of hose end watering. There's a lot of good meditation that you can do in your yard when you're out there personally with it. And I don't say that lightly. I think it's a really important thing to be outside and working in yards. Thanks.

>> Mayor Adler: Okay. We have another briefing and other matters to get to -- Mr. Renteria.

>> Renteria: My question is, you know, you had on the second page here delay the additional raw water pigment to lcra. Now, on the raw water, I know that once we exceed a certain amount then we're having to pay additional payment to lcra? Will that be an additional payment to lcra if we exceed that amount?

>> That's correct.

>> Renteria: And when -- if we exceed that amount, how long that additional money that we have to pay be divided among ratepayers? Will the higher tiered people that are using more water pay it all? Or is it

going to be where the -- also the lower rate people that want -- they're only using 2,000 to 4,000 gallons a month, will they have to pay that additional price also for that raw water that we're --

[10:31:00 AM]

>> They would see some increase. It would be the higher block water users would end up paying a little bit more than the lower block water users.

>> Renteria: Will the lower water rate users also be affected by that?

>> I think ultimately it would spread that cost across all of your rate base so they would have some impact to that.

>> Renteria: Thank you.

>> Mayor Adler: Okay. Anything on this before we move on? Mr. Zimmerman.

>> Zimmerman: Thank you, Mr. Mayor. I'm going to have a few more things to say about this. We're talking to Ircra, gathering some additional technical data, and that's been very helpful. We're talking to some of the civil engineering experts that talk about the inflows and the water availability monitoring and what have you. We're getting educated on it. But just a couple of quick points. You said six of the ten districts supported the permanent watering restrictions of stage two. I know that we had districts 6, 10, 8 that were pretty heavily opposed. Was district 5 the one that you're counting as being in favor of permanent restrictions?

>> District 5 had a plurality but not a majority in favor.

>> Zimmerman: So they were 49% in favor of the restrictions?

>> Correct.

>> Zimmerman: So, I mean, if you're going for the gold, you know, give them a 50% because they're almost there. I just -- I don't like it. Let me make a technical point about why the districts in the western part of the and I are strongly opposed to the rationing. It has to do with the difference in soils, as you know, and you guys know this, when you move to the western part of our city and county you get into more limestone. Really crummy, thin soils. They have very low plasticity index, can't absorb very much water. It might be three to five, the plasticity index. When you go east and get toward clay-based soils, you get up to 30 or 40 plasticity index, you have soils that have a lot of clay and can absorb a tremendous amount of water, meaning that on the east side, as I go east, I can water one day a week, seven days later, there's still some moisture in that high plasticity soil.

[10:33:11 AM]

When you go to the west, and you water once a week, it cannot absorb enough water to keep your vegetation healthy for one days. There's a technical reason why these people understand that one day a week watering is damaging their landscape. And of course none of that is in here because it doesn't support the behavioral change. And I think we're losing trust with our constituents and water customers because this started out as conservation, when the Lakes are lockers everybody supports that and it has morphed into social engineering and behavioral change. So that's why people are upset about this.

>> Mayor Adler: Manager?

>> Mayor, I just want to take this opportunity to really express my appreciation to the director and his entire team. They've been on a long journey involving a lot of work, a lot of community involvement to get to this recommendation. They've been to a good number of the advisory boards who have displayed and indicated their support for the staff recommendation. I just wanted to acknowledge that, Greg, and your very hard work and that of your team. Thank you very much.

>> Mayor Adler: Okay. Thank you very much. The next -- we'll stay here for a second. The next item is number 4.

>> They're both connected.

>> Mayor Adler: So we've covered that?

>> Yes.

>> Mayor Adler: All right. That gets us then to the other briefing on the codenext update.

[10:35:32 AM]

By the way, while they're setting up, councilmember Gallo has asked that item 51, which is the public hearing related to neighborhood plan design tools garage placement standards, which is set on the calendar for 4:00, actually be called at 4:00. She's not going to be able to participate in the meeting after proclamations and music and would like to be here for this debate. That's item number 51 on the agenda. Okay?

>> Good morning, Mr. Mayor and councilmembers. I'm Jim Robertson. I serve as the manager of the urban design division in the planning and zoning department and I also currently am serving as the project manager for codenext. I'm joined by my director Greg Guernsey and my colleague on codenext, Jan Todd. Jan served as the editor of the natural and built environment code prescription, which is certainly the primary reason we're here today. And I should mention that we are -- I'm also joined by both a number of my planning and zoning but also watershed protection, parks and recreation, development services, and I'm probably leaving others out, who also joined in the creation of this natural and built environment code prescription. We have staff here today. We -- because our -- the primary authors of these papers are city staff, of course we are working closely with our consultant team on drafting the code but also they played a role in creating -- they're playing a role in creating these code prescriptions and actually I think we pretty much have it set up now that some of our consultants should be able to join us in late June, when we come back to council for the second of the code prescriptions, which deals with the really crucial topic of household affordability.

[10:38:02 AM]

With that I will jump into our presentation this morning. I want to mention that I am sort of asking your indulgence a little bit this morning because we realized that it's probably been over a year since really codenext came before council as a body. I believe it was perhaps early spring 2015 was the last time this project was before council. So I'm going to spend a few minutes this morning, a little bit of background, little bit of information on what we've been doing in codenext, where we are in the schedule looking ahead. Let's consider that an investment of time because when I then come back to you in June, come back to you many June, we'll have covered that ground and we can jump straight into the meat of that next code prescription, which has to do with household affordability. So the first part of this is sort of some background, where we are. The second part really jumps into the meat of the natural and built environment code prescription. We don't need any action from council today. And wily are here for you to be informed, to ask us questions about the topics covered, and we will be repeating this at your will in the coming months with the balance of our work during 2016. At the bottom of this slide is a chart that sort of shows the schedule for 2016. We are rolling out these code prescriptions. There are four of them in two month cycles. We're right at the tail end of the first one, the natural and built environment and at the beginning we were over present to go the code advisory group, the next one household affordability until about 9:00 last night. Then we do mobility, fiscal health and then delivering the draft code for public review right around January 2017.

[10:40:04 AM]

Today of course this this briefing, working with the calendar folks, we also have placeholder dates for subsequent council work sessions in June, August, and October. And what we would propose for you is once we have walked through these and have seen these issues collectively, that perhaps there be some form of a special session or sessions -- and I'll defer to your will on that and your guidance on that -- to really look collectively at these and really get -- perhaps get into the meat of some of the policy trade-offs and so forth that have been raised by these code prescriptions.

>> Kitchen: Mr. Mayor? Should I ask questions now or wait until we go through? One of the items I want to talk about at the appropriate time is the time line. In particular the special session. And how that might look. Because I want to make sure that we understand, you know, these prescription papers deal with policy, and I want to make sure we understand what the route is for policy decisions getting into the code. So I don't know if you want -- should we go further in the presentation and then have that discussion or --

>> Mayor Adler: I think it would be good to have the presentation because it will give a little larger context but I agree with you, I want to look at that. I also want to look at the possibly of honor being the working of the cag and maybe building in two or three meetings with the council and the cag between now and the end of the year, where we said as a -- sit as a group and the cag can talk us through, walk you through some of the policy trade-offs and considerations. I grow.

>> Kitchen: Okay. We'll come back and discuss the time line after the presentation.

>> Yeah. And I certainly think by going through this presentation, you'll get a pretty clear sense of what some of the policy trade-offs in the MIX are here.

[10:42:13 AM]

So that may inform your direction on that. Codenext sprung directly from imagine Austin. It's priority program number 86 imagine Austin -- number 8 of imagine Austin. Of course the language there specifically, this is a direct code from imagine Austin, talks to -- about promoting a compact and connected city. We though regard codenext as really a way of implementing imagine Austin across the board, all of the priority programs, all of the topics and issues that it addresses. What have we done to date? There was a listening and understanding phase in 2013-2014. It produced two key reports, the listening to the community report and another, the community character manual which remains a very important document, probably the most exhaustive understanding of our city that there is in terms of the character and the form and the nature of all of the communities that make up Austin. Then there was sort of a diagnose and propose phase. It produced from the point of view of us who are sort of charged with revising the code probably the most important document of that work was the code diagnosis and then the team laid out options for the coming approaches. I want to spend a moment on the code diagnosis because I really think it provides a really quick way to understand what some of the basic goals for codenext are. It laid out a top ten, if you will, list of recommendations for deficiencies in our current code and ways they might be connected. This is -- corrected. This is my way of organizing. There are three of those that are really substantive in nature, they're not about process and procedures. They're about who we are as a city. Those are the sense that our current code really is a one size fits all and it doesn't reflect the diversity of places we have here in Austin.

[10:44:22 AM]

The other two are house how old affordability and mobility, it called it an auto centric code but fundamentally relates to mobility and of course those are some of the big picture issues for Austin, as identified in imagine Austin. The other issues primarily are really more about process and procedures and I put a picture of the cover of the Zucker report on the left because it -- of course it post-dated

imagine Austin but it highlighted a lot of these same things, some of the deficiencies in our code and how they impact us as a city. So in some ways codenext is a way of both implementing imagine Austin and addressing some of the deficiency that's were made in the Zucker report and of course we're moving on many of those as we speak. We for the life of this project have been working right alongside the code advisory group, which the mayor mentioned a few minutes ago. It's charged with two primary things, to assist in public outreach and to provide feedback on the development and implementation of the ldc, land development code. Last night's meeting, we wrapped up about 9:00 last night was the 47th meeting of that code advisory group. They have done a lot of work. They are to be thanked for their service. Some of them on our advisory group have been there since meeting number 1. It was reconstituted and sort of expanded in 2015 and so we've had a number of new members who are now fully up to speed and active participants. I do want to point out that the code advisory group has been an active partner in creating, reviewing, soliciting comment and providing feedback on these code prescriptions, which are some of the major works and of course we'll talk about the first of those in a moment. Community engagement. During the listening and understanding phase, this is just some key metrics on this slide. 48 briefings, 80 interviews, 85 small group meetings, et cetera, 237-5238 media stories -- 238 media stories.

[10:46:27 AM]

It's a bunch of Numbers. The take-aways is the diversity of the type of events. I can't take any credit for this because I was not the project manager of codenext during this time period, but I would challenge anyone to find a code rewrite process that had a more robust listening and understanding phase than this one did. Even in the last ten months, when we have shifted from sort of the listening and diagnosis phase into the sort of phase where we're really focused on creating the new code, drafting the new code, this is some of the things we've done since then. Once again, I would ask you sort of in addition to looking at just Numbers look at the diversity of events. One of the things we did a couple months ago in March was this red it ama ask me anything event, it's an online event, we had almost 150 people firing questions at us or 150 call-in responses over the course of two hours. We had a big event last November, sound check, where we had over 600 attendees and several of you came to that event. Our status and our schedule. So here's what I've talked about listening and diagnosis. This is kind of where we are right now. Fundamentally code writing. We will go through a robust public review and comment phase. I am -- when people ask me, I am generally reluctant to tell them exactly how long this will last because it needs to last as long as it needs to last in order to make sure that people have the opportunity to understand the draft code, to ask us questions about it, to see how it works, you know, in other words we'll sort of demonstrate how it works. And only then can they really be educated, reviewers and respondents and provide us meaningful feedback on the code. So I would like for that to certainly last several months. So by about, you know, let's say mid2017 we'll go back to the drawing board, revise the code and then bring it forward for consideration and adoption.

[10:48:29 AM]

And then of course one of the key functions as well is the mapping portion of the code, and we use the word "Mapping" to refer to the process of adopting a revised zoning map, which is what puts the zoning chapter of the code in effect on the ground. A little bit about these code prescriptions in general. What are they? For one thing there are more user friendly way than hard core technical code language to talk about some really key topics. Household affordability, how we regulate and how we protect our natural environment. Mobility. In some ways they are a preview of the direction we are taking. They are not a position -- appositional, in the sense they're not just white papers. We do make hard recommendations

as to the direction we believe the code should take. We drew the topics from basically the major topics we've been hearing about for several years during this project. They're a way of talking about trade-offs, you know, and we want to get feedback from the community and you'll get a sense of this today, on some of these key recommendations. Are they too strong? Are they not strong enough? Have we struck a balance between competing values? And that notion of competing values is really a key thing, and I want to pause on that for just a second. I'll give you a specific example. So here's a picture of a parking lot. We like parking because it's convenient. It allows us to move around if you have -- if you can afford a car and can get around in a car it makes moving around very convenient. It also helps support retail. We like robust -- you know, we like our businesses to be healthy. But that parking lot also causes a lot of impervious cover and we know we don't have to -- nobody has to tell us in Austin about the effects of impervious cover and flooding. I believe we've had three basically hundred-plus year floods in the last three years and parking is really expensive as well, even surface parking is not cheap but when you're in an environment where you have to use underground parking or structured parking it can get really expensive up to as much as -- we heard last night from a developer as much as \$40,000 a space for underground parking.

[10:50:48 AM]

So we have a trade-off here. Do we promote mobility? Promote environmental protection, affordability, business? That's a hard conversation. These hard questions are embedded in the code. Here's other quick example. This is a model showing two different residential projects, one is parking at two spaces per unit and one is parking at a half a space per unit. So automatically you can see trade-offs. The building is bigger in one. You know, there's a big parking field in one. Probably parking is more convenient on the one that has less parking. That might cause, you know, depending on the nature of what's in that building spillover parking on to the street. Those are values we need to consider. But let's throw another value into the MIX. If the savings by -- on the one that has less parking are plowed into and -- into the rent, we're able -- that project is able to lease a unit for \$12,000 less. It goes from \$51,000 annual income required to rent a place in that building to 39,000. Once again, trade-off in values. Mobility, affordability, and so forth. So these are our professional recommendations. Obviously ultimately you will be the arbiters of how we embed our community values and policies in our code. We have four topics. I think I've mentioned them. Natural and built environment. That's the first. Household affordability, mobility, and fiscal health. There will be a little bit of a common framework among these. You'll see that. We basically frame the issues in sort of where are we now? What are the conditions we're in? What are the problems we're trying to solve? Where do we want to be? That's where we look to prior guidance that council has given us, other initiatives that the city has undertaken and then we say, what are the prescriptions? What are we recommending as the tools that a code can use in order to address these issues? How do we create them? We, city staff, are the primary authors.

[10:52:48 AM]

As I mentioned at the very beginning, we're working a lot with our fellow departments on some of these papers. We'll actually be working with partner agencies, for example, already on the affordability one, we worked with cap metro because there's some affordability aspects of public transit. We actually the code viewsey group is a partner on this. The code advisory group has appointed generally three or four people to each of these topics and we have them -- we provide them with an outline of the paper, get their guidance based on that, we then provide them a rough draft of the paper and they give us recommendations for revisions and so forth. We city staff ultimately though are the authors and we'll take the -- you know, the buck stops with us in terms of what the content of these papers are. How are

we getting 9 well, we're doing a whole lot of things. The code advisory group, per their charge from city council is helping us a lot. They have scheduled sometimes three and even sometimes four of their meetings to each of these four prescriptions. They're actually going out to stakeholder groups that they're familiar with and getting feedback as well. We've done walks. We've -- we have speak up Austin as our primary sort of record of public comments, and I think you may have in front of you 140 some pages we were asked to sort of give you a sense of what that was. This represents the raw -- and we'll keep it raw. We're not going to edit this. This won't go anywhere. This will be available to the public of feedback we've received just so far on this first code prescription. Of course we -- we'll get feedback from you as we go through this and so forth opinion what will we do with it? We feed it right back to the people writing code for one thing. Which is both city staff and our consultant team. We want the feedback we receive. We want this calibration of our values to be reflected in the code that we bring to the public in January.

[10:54:49 AM]

The schedule? This is the same slide I showed before you. We're rolling these out in 2-month sequences. Here are the dates of the four briefings and then I -- sort of a vague reference to another council event or events between now and the end of the year as well. So with that let me jump into the meat. That's -- now we have that out of the way. I'm not intending to repeat that information when we come back to you for the second paper. Thank you for your indulgence and now I'll get into the meat of this first paper so I wanted --

>> Mayor Adler: Hang on one second.

>> Kitchen: Would this be a good time since we've gone through the process part to sort of have some discussions about that.

>> Mayor Adler: Okay.

>> Kitchen: Okay. My fundamental question goes back to -- I guess you can back up to the slide right before that. If we can do that.

>> Of course.

>> Kitchen: Which is the time line.

>> Yes.

>> Kitchen: I think that what -- what I'm trying to get at is if I'm understanding correctly the prescription papers highlight the policy issues. And they basically contain the recommendations from staff. And we'll -- will reflect the community. So my question is, what is the route of those policy decisions getting into the land development code? And when does the council weigh in on the policy issues? So I can give you one example is -- you know, in this prescription paper, there's discussion of connectivity. So and there's language regarding connecting roads. That's a policy issue that -- there's been some discussion about in the mobility committee is scheduled to take that up at some point, probably early fall. We've had some cases around when should you build a road? When should you connect by trails, sidewalks or whatever.

[10:56:49 AM]

It's a policy decision. So I'm trying to understand, if I'm hearing correctly, the prescription paper will represent the policy issues and the decisions about the policy issues that then the code writers will use when they write the code. So that's my threshold question. Is that the thinking in the process?

>> Yes. And generally we're not -- we're not policy makers of course. I want to -- I want to make sure we're on the same page with that. So our first source in terms of making our recommendations is where the council has established policy. Through implementing imagine Austin and through other actions and initiatives taken or set in motion opinion you are correct, though, I mean I think we would not be honest

with each other if we weren't saying that a code didn't -- doesn't -- is not an embodiment of a community's values. So we are generally -- we are -- our first source is what council has already established. We will make recommendations, though. Sometimes there -- I confetes there's probably some extrapolation based on what we've heard from the community or what maybe imagine Austin says in terms of it will be our recommendation that the code go this direction. Ultimately the final test of that will be -- or the final evaluation of that will be when we have a full land development code. One of the things I guess -- one other thing I would say is I would caution us not only here in this room but in the community as a whole to not put ourselves in a position where we are setting anything in stone, in the sense that ultimately these issues -- and we're find the more we work on it, the more we find it to be true. These issues echo around with inside a code.

[10:58:50 AM]

Affordability of course is a unifying issue. Even connectivity is an issue that it has implications perhaps for affordability, for mobility, of course you know that. And so having said that, at no point over these coming months would I recommend anybody sort of say, okay, that decision is made. So we are certainly open at any point the council seeks to provide us advice or input or direction. My only ask would be -- or my only suggestion would be that we not lock ourselves into a certain corner because we can only make these when we look at the -- when we look at the -- at

>> Kitchen: Yeah. And I agree with that. And so that's why I'm looking at the special session that's how here and I wanted to have more conversation about that. Maybe that's the time to -- obviously at some point there has to be some decisions made on these policy items, you know, because that's what's going to be written into the land development code. And they're iterative, so maybe by the time of the special session is the time to do that and all along the way providing feedback on the policy issues that are embedded in these prescription papers. I think we need to understand the process because from my perspective I don't want to end up with a code that's been written, a draft code. And I don't know where along the process if there's a particular policy that I think should be impacted or my constituents think should be impacted, where's my opportunity to have that addressed. So, for example, if there are some things that are said in the current prescription paper that we're looking at now that perhaps I might have some concerns about, what is the process or perhaps constituents have some concerns about the public.

[11:00:52 AM]

What is the process for addressing those and getting those changed? That's what I'm trying to understand.

>> I will defer -- I mean, I defer to council. I -- obviously this is a council work session. And our thought was we would provide you with these briefings at the council work sessions, and then I think it's absolutely prudent that there be some auxiliary method by which the council can have, you know, key discussions amongst yourselves and perhaps, you know, provide some direction as to, like, we lean this way or so forth. I don't have -- I'm sorry, I don't have a "Please do this." I think that's a really key question for you.

>> Kitchen: Well, I would recommend, and I'll let others talk, is I would recommend that we nail down the time for the special session, and that we use the special session to do a check at that point in time on where we are on policy. Now, I don't want to wait until then, but that's one thing I think we should do. The other thing is that the mayor -- you can speak to that earlier, having some meetings with the cag. And then my next question would be these papers are drafts.is the thinking that there's a timeline

for turning those drafts -- taking those drafts and incorporating into them the feedback that you're getting?

>> That -- the wording draft on the paper is kind of artful. Our intention is not to continually rewrite issue version 2 of the paper and three of the paper. We regard these papers as in some sense a preview and a conversation starter.

[11:02:54 AM]

The value is not so much in creating 2.1, 2.2, 2.3 of the paper, but in the conversations that the papers in these topics allow us to have to then take that back to the code. I don't know what this would look like, but our thinking would be as we approach toward the end of the year and we have made our way through this series of pretty challenging topics, and should we take into account more recent conversations?

>> Kitchen: Let me take that and then I'll give others the opportunity. Following the line about what happens with the prescription paper, if the prescription paper is something that we're going to look to understanding that it's iterative, et cetera. If it's something we're going to look to toward the end of the year about what provides direction for the consultants in writing the code, then at some point this prescription paper that we have now needs to reflect the -- all the -- you can't hand to the consultants here is the prescription paper and here's the feedback we got. The consultants need some kind of -- need some kind of direction and the public needs to understand which of these are going to go into this.

>> Yeah. In terms of -- the feedback, we're capturing all the feedback and it will be fully transparent and available available to anybody. And it will in essence be were you to go on to our website, when you click on this first code prescription they'll in essence be an appendix that is that.

[11:04:59 AM]

The second thing would be we are -- because we are preparing a summary of the feedback, and that -- so the prescription and the summary of the feedback, we're saying here is what we've heard. That is going to be a more accessible document for a lot of people and that will go to our code drafters as well so that they say, okay, there seems to be a lot of support for this proposal, this other one, and there's people raised some really legitimate concerns about that.

>> And that puts the code writers in a position of making a policy decision. I know it's not all black and white, et cetera, et cetera. I have questions about putting the code writers in the position of deciding between this and this. So -- I'll step back and let others ask, but that's -- that doesn't seem to be a good process to me.

>> And councilmember, I think I understand what the struggle is that we're dealing with and I'm not prepared with an answer on this -- of my own today, but I think what we're struggling with is we can't make the decisions now. The decisions ultimately come later and we're thinking about how is it that we make sure that we are being respectful of the feedback and input that's coming in such that it shapes a recommendation while still getting what it is we've paid for, which is a comprehensive, independent code-writing process to where we're not trying to make decisions until we can see how each part of the code is impact bid another. So I think we're in a complicated, by an important place right now and I I guess I would say I sort of understand -- I understand perfectly well why it is that you raise that concern and I'll think about it and maybe want to touch base with you to sigh what we can do to make sure that the feedback is impactful and meaningful, while at the same time we're not jumping the gun and making decisions on prescription papers when those decisions would be made on whatever code we adopt in the end.

[11:07:28 AM]

We could write a code prescription paper saying one thing, but in the end what really matters is what -- what doesn't matter that much is what code gets brought back to us depending on what code we pass. I want to make sure that we are thinking about how the council's policy feedback is being put back into the process and the community's feedback is being put into the process while at the same time not making us go through the same conversation entirely twice either.

>> Kitchen: Yeah, I agree with that. That's a lot of the question the public is asking, and they need an answer on that. And so do we. And I don't know what the right answer is. But I do think that not -- I do think that there has to be some kind of policy direction to some extent and that's why I like these prescription papers, and I think it's a great process to go through this discussion during the year. And that's why I was mentioning looking at the end of the year maybe distilling down. But I -- it's a lot easier to think about policy through a prescription process than a code.

>> And that's the -- and again, I'm hopeful that this is going to become clearer as we work our way through this. My understanding is that when we talk about tools and mapping, what we mean by that is that the first part of the process is for the code writers to say these are the different kinds of options we could put on a commercial street. Almost like a menu. Here's a menu of different ways commercial streets could look. And different kinds of commercial streets. And these are different ways that neighborhoods could look. Here's a menu for how you might treat neighborhoods. And here's a different way that transition areas could look, menu items.

[11:09:29 AM]

Whether any particular menu selection makes sense for any particular place is not addressed at the stage when you're developing what the menu of options look like. And the menu for what a corridor would look like, commercial street would look like, in any particular area, depends in large part on what the neighborhood's going to look like in that area on the menu choices and what the transition menu choices are going to be. And it could be that different neighborhoods make different choices and it could be that different neighborhoods are making choices between -- if we pick this commercial street then this is the transition that makes sense or we could pick this kind of commercial street and then this kind of transition makes sense, but the first part of the stage is without regard to locating any of the menu options. It's just saying these are the menu choices that we want to have available. And then the second stage then is we then try to apply those menu choices to actual particular locations in the city. Is that at a really high level what that process is? , I've used that same metaphor of a menu or toolkit, yes. Our first job is to deliver you -- I guess the old term, cadillac toolkit is to give you a toolkit that will enable us as a city to accomplish our policy, goals and reflect our values. The application of that will, of course, --

>> Mayor Adler: And when we talk about toolkit what we're talking about are different ways that -- am I correct?

>> Yes.

>> Mayor Adler: What that means is what are the different ways a commercial street could look? What are the different ways a neighborhood, what are the different ways of trans? And then we map it later. So my hope is that the first part of the process, which is what we call kind of writing the code, is the compendium of the different menu choices that would be available for different kinds of properties located in different kinds of places.

[11:11:44 AM]

And my hope so we have enough menu options so that when we're actually sitting and mapping we have choices to be able to make and conversations to be had, the neighborhood with the commercial property owners and vice versa and everybody talking. We have enough menu items to be able to decide. And I don't know how this process is going to look, but I can't imagine not including something in a menu that anybody wants because it's just a menu choice without regard to whether anybody ever actually locates it anywhere in the city. When the neighborhoods actually sit down, the neighborhoods and the communities sit down and are making choices, I'd like -- who knows what will eventually be the social contract that is identified. So I like that first part and I hope that you do that. And quite frankly, when you present to me here are options for what streets and corridors and centers could look like, it's going to be impossible for me to really evaluate those in the abstract until I can see what the tradition -- what the transition menu items might be. And it's going to be impossible for me to investigate that or evaluate that until I know what the neighborhood core menu items are going to be. So I hear some people in the community asking for the menu items to come out in one category before the other categories come out and my gut tells me that that may not be the right thing to do because I don't really -- because the answer to the question is this right menu choices with respect to a neighborhood in part is going to be answered, well, it depends on what the transition is and how wide the transitions are or how limited the transitions are and what the commercial are. So I hate for us to be engaged in a really serious, exhaustive conversation about menu items in piecemeal because so many of those questions are going to be determined by the other menu items and it's the overall context that makes sense for me to have so that there can be trade-offs or discussions, but we almost need to see one versus the other.

[11:14:05 AM]

That said, I think there's really important work that I desperately want the cag to bring to me as a member of the council between now and the end of the year while that's being developed. And I think why that's most helpful to me is is to have the council focus conversations on the value choices that are ultimately going to be made.

>> I'm sorry, go ahead.

>> Mayor Adler: And I'll wrap this up real quick. So my sense is what you would like to see us do from a scheduling standpoint is to schedule several meetings that are joint meetings with the council and the cag where we are able it to have a conversation with each other and hopefully the cag with walk us through some of the higher level value conversations. That I think your prescription papers may precipitate, so that we can start -- and I know Greg -- Mr. Casar wants to precipitate this. And to me it's not so much making the policy decisions at this point because I'm not sure I could really make the policy decisions until I see the overall thing, but what I do want to have is a pretty robust community conversation on the higher level value choices to see if in those conversations there can be as we go through the issues is there a larger community consensus that begins to develop on what those higher level social exact questions are. That's -- when I saw the prescription paper, to be frank as I read it quickly there was a lot of it that kind of went over my head because I'm involved in the conversation listed is what you thought were trade-off questions and I'm looking forward to be able to have the cag walk me through or walk us through those kinds of things.

[11:16:12 AM]

>> May I interject one other thing that I didn't before in terms of the role of the cag. I mentioned the cag enrolled three or four people to work with us not only in the creation of each paper, but the model that they have set up and it looks like they're going to continue following would be those same three or four

people continue on through and ultimately because the cag has given consideration to this set of topics that that small group is in the process right now of putting together in essence a draft document that's going to be brought before the Craig in the coming weeks. That the cag would perhaps even vote it. It would be up to them to decide on how they want to vote, which will represent the cag's response and set a recommendations on these prescriptions. So that is one tool that would be to you and to the public moving forward is the cag intends to wrap up each set of conversations with something that they endorse, if you will. And that will be one tool that will be available to you. Of course, another tool will be our summary of what we heard. Not just -- not just including the cag, but also from the public as well.

>> Mayor Adler: Middle

>> Mayor Adler: Ms. Pool and then the mayor pro tem. Do you want to go before me?

>> Houston: No, go ahead.

>> Mayor Adler: No one has talked first. We're just working around.

>> Pool: I appreciate the trade-offs issue that you raised and what I would say is -- and I realize that the two parking spaces per unit versus half a space per unit is simply illustrative, but what I would say is if we're going to be choosing one or the other or something else, if that's a trade-off, we also need to have mechanisms to ensure that if indeed a trade-off is being done to keep the cost of a unit down, I want to have robust mechanisms and constraints somehow written into our code to make darn well sure that if we are making a trade-off that that's what actually happens.

[11:18:32 AM]

Because so oftenning it's ephemeral, it sounds really good. It's like the pictures we see from architects on the pretty drawings and when the thing gets built you didn't understand it was going to be up 500 feet in the air because of the slope and those trees that were in picture, they never really were on with the ground. So I want to make sure that we have a reality check with we do talk about trade-offs, it's got to be specific and it's got to be enforceable.

>> Yeah. And that was illustrative just of the trade-off. The value that resides there in talking about parking. And absolutely you could -- we believe that you could put in place in essence a density bonus program where if a project is going to take advantage of that substantially reduced level of parking there are some community benefits that would come along with them taking advantage of that.

>> Pool: Not only community benefits, but assurances into the future, far into the future that they actually are. Because I too am having some real difficulty with the term affordability and it means different things to different people and it means different things to the same people on different days. And my district specifically is concerned about the increases in our property taxes and just trying to stay in the homes that they've invested in. This is the biggest investment of their entire lives and they hope to retire there if possible and maybe even pass it off to their kids. So being able to stay in your home is huge for folks in district 7, and I'm pretty sure my district is not alone in that. If you jump to your schedule for code provisions and this builds some on what councilmember kitchen was talking about. During the budget last year councilmember kitchen and I sponsored a budget amendment to the planning department, \$250,000 that was used to bring optics into town and to have a community engagement that includes optics.

[11:20:40 AM]

And I don't have any evidence that that has actually happened and so I would like to find out where the \$250,000 ended up and what was it used for because it was pretty explicit direction from council in our budget amendment on that. And I -- so they would be in this schedule for code provisions lined up with the different briefings. I think it's really important for us to get the consultants into town and that we

have significant interchanges with our consultants. And the last thing I would say is that I appreciate the think document and what you're demonstrating here. You did say in answer to the mayor's question about the comments that you are going to analyze them and have a summary of them, but I think that this is a fairly high mountain for our community to climb and what they really want to know is if the suggestions that they are making and if they are making them repeatedly and they're not alone in making them, how are have they been woven into the prescription papers and then to code? The community wants to see concrete evidence that the concerns that they may be raising on a prescription paper is actually going -- is changing some of what the language is. In the document. So I basically want to know how do we know that our feedback, the community feedback is not lost if it's not by amending the draft prescription paper. And what I'm hearing you say is you will do a summary of it, but you're not going to amend the prescription paper. I guess what I would say is I don't know it's the best tact to take. I think people taking the time to weigh in on the prescription papers would like to see their concerns put -- integrated into the prescription paper.

[11:22:45 AM]

And you may have a concern at this end of the continuum and a concern at this end and that we talk about those. And that's where we get the list of what the trade-offs are, right? Because this could be the parking continuum to use your other example that some people say we don't need any, and some people say we need one for every adult living in a home or two per apartment unit per bedroom, one per bedroom in an apartment unit. So where do we land on that continuum, but with he need to describe that continuum. I think you have -- I think you are nodding toward that with your trade-offs piece, but I don't see that as significantly being acknowledged as far as being added to the actual document for discussion. Thank you.

>> Tovo: So I have some feedback that I wanted to provide from some of the cag members and some feedback from a neighborhood association and kind of some of what I'm hearing out in the field. I think I'll wait until after your presentation to do that. And I have some questions to ask you about the prescription paper. But I too highlighted that one example. I understand it's a illustrative and intended to be such and don't want to dive into the trade-offs related to parking today, but just to be really -- just to underscore something that councilmember pool was saying, if we are making trade-offs to reduce parking with the expectation that that will lower housing costs, then I expect when we are evaluating the code that there will be a provision saying if you're renting a unit without a parking space, your rent will be lower than the other units by some substantial amount because we often have considerations in front of us with arguments like that. If we require, say, no parking at the residential building going downtown, then that will be cheaper for those who are renting or purchasing those units and individuals will find other ways to get around.

[11:24:54 AM]

Well, a lot of people still do have cars and then they'll need to find a place to park them downtown, which will take up parking space that could otherwise be available for our retail. So it does create -- we're basing this on a lot of assumptions, but again if we're expecting that the cost per unit is going to come down, but we're not putting any kind of mechanisms in place to ensure that, we're relying on the goodwill of the development community to reduce those prices because their costs have gone down and I don't think that's the way the market works. So I don't know if you have a response. Is that the intent that if you were to do something like this that there would be a corresponding mechanism to ensure that it does make those units available at a lower cost?

>> The intention of using the example was simply to illustrate that the point of how these things are interacted when we talk about parking let's remember we're also talking potentially about cost and potentially about affordability. I agree that parking is something that -- it is an entitlement. If we allow a project to provide less parking and perhaps that project is going to place a greater burden on public resources like parking resources elsewhere, then yes, that's a perfect situation where there's a quid pro quo. A perhaps they take advantage of the reduced parking, but they provide -- like you say, maybe there's a word to ensure that there are units available at a lower level. Another community benefit that would be in a program like that would be if you will have less parking maybe you need to have -- some of this space that otherwise would be devoted to parking on to green infrastructure. Or landscape benefits. That too would also be potentially community benefit. Yeah, it was simply meant to illustrate that there's a connection to affordability and there is value that is sort of at stake in the amount of parking a project provides?

[11:27:01 AM]

>> Sure, I get that. I guess I want to say that I think that again just as an example, that's the kind of -- that's the kind of approach I expect to see if we're talking about trade-offs, and really I think you articulated this well. If we are making a trade-off because we think it's going to lead to more affordability, then let's ensure that happens and not rely on the benevolent spirit of the development community to then lower the prices on their own.

>> Mayor Adler: Ms. Houston.

>> Houston: Thank you, mayor. First of all I want to tell you that I don't envy the job that you have. Most of us who went through imagine, some of us have really good memories of that and some of us feel like this is the second nightmare that we've experienced. So you've got both the urban community, the urbanist perspective and the people who live here who see their culture, their quality of life is being designed by people who don't live here, will not live here, they'll go back to someplace else. So it's really disheartening to have to go through this again. Thank you for being patient with us. I understand that these are -- that there will be a time for policy questions, but who's making up the definition? So when you have on your slide number 4, lack of household affordability, who defines what that is?

>> Well, I think that is used generally generically there. And of course, the next --

>> Houston: So let me put a pin right there for me. So when you use it generically it doesn't mean anything to anybody because it means so much to so many different people. So when you load up that with household affordability, that doesn't say anything to me about what it is we're trying to capture.

[11:29:03 AM]

Some people using missing middle, but we're going to use terms that we have not defined yet and I think that is a question that this council needs to talk about. What do we mean when we use that term? So everybody is clear what the definition is or what we see as we mean as affordable housing or household affordability to be.

>> Maybe generic wasn't the right word. Generally. That is drawn straight from the diagnosis. And what that means is at its base level is a general characterization that there are a lot of cost burdened households in Austin related to the burdens imposed by shelter. And some of those in -- that spreads across a wide range of incomes, all the way from those who are the poorest among us to those who work in this building. When I say generally it was meant to mean across a wide spectrum there are a lot of cost burdened households in Austin. We'll of course -- we can get into this in greater detail in about six weeks when we're here talking about the household affordability paper. Generally to get a couple of terms out there, when we talk about affordable housing, we are talking generally about housing that is

affordable to people at a certain percentage of median family income. Usually at least 80% and below. A lot of times that -- most of -- a lot of that is provided through some sort of contractual obligation or a public -- or the city has a stake in it. The city or the housing authority. When we talk -- so that's affordable housing. When we talk about household affordability we are talking about households across a broad spectrum and we're talking about basically what are the mechanisms to ensure that Austin's households are not unduly burdened by the cost of housing and of course right alongside that typically is the cost of transportation, which is usually the second largest expense for a household.

[11:31:18 AM]

So that's a broader term, household affordability. Affordable housing we usually mean at least 80% and below of median family income.

>> And councilmember, the cag last night had a very lively discussion about this that certain cag members actually presented discussions about affordability and the length of the affordability, 40 years, long-term, 99 years. How deep do you go? Is there even distribution across the city of where people could afford units that was provided by the category last night. I think in the next prescription paper in particular you will have that discussion and it's going to be quite lively because this is probably one of the largest topics that our community faces. So in this particular paper talking about adult and natural environment, we talk about it more general terms than the affordability will be discussed with this next prescription paper, but your cag members are certainly looking at this and taking it to heart and diving in to those deep questions about what does this exactly mean by affordability because of income levels? >> So that was just an illustration of who is defining the topics that you have here. Who is making those definitions? The other question I have is you mentioned cost burden. People who work in this building and yes, some of them live here and work here. They don't live here, they live in Hutto. They have to drive in to work everyday because not only are they cost burden, some people are also on food stamps and get other forms of assistance. So it's -- I just share that.

[11:33:26 AM]

The other question I need to say is something that I've said here on the council since my freshman year is that there is always a danger of surveys and questionnaires not being neutral, but being biased towards one particular goal or to lead people on a particular path. So I don't know who made up the surveys or the questions, I don't know whether the staff did or the consultant did, but that's something that during imagine Austin we were very aware that there was bias that could lead us down a particular path. The path that the consultant or whoever the powers that be are want that particular conversation to go. So I just want to encourage us to try to have neutral surveys and questions so that people are not programmed /to go/(ing)to what certain direction. I have not seen them so I'm just throwing that out because that bias is already -- as I kind of look through this document that councilmember pool was handing out, I was looking at the usual responses and people who know the process, are very intentional about it, including some of the our neighborhood people who have had to learn what all this land development code means and what it means for a broader community. So sometimes we tailor our surveys and our questions so that the real estate people, the developers, can deal with that. I just want us to be neutral and try to gather the information from people who will be impacted by the decisions that are made by you all and this council long into the future. And then the last thing, since I may not get a chance to talk again, the last thing is I'm responsible for the folks in district 1 and the viability of our neighborhoods are threatened.

[11:35:30 AM]

Everyday there's a demolition -- two or three times a week there's a demolition permit. And I don't see what we're talking about here to maintain the viability of neighborhoods. I don't see that. It seems like we're moving forward, the train's left the station. We're going to continue to do what's happening around us now, which to some is gorgeous and esthetically pleasing and to others it's not. I think there needs to be a variety of housing options for people, but they don't all need to be up. And even though we talk about the density and stopping the urban sprawl, as a city council we keep annexing land which means we'll keep moving further and further in my case east. Those things are not connecting at all. That's another policy issue that I think that this council needs to have a conversation about. But there's nothing that says that we're going to try to protect existing neighborhoods other than we're going to try to make them more denser and try to find ways to put more housing on smaller and smaller lots. Those are my comments and I would hope that we would have a larger discussion about policy issues at some point.

>> Mayor Adler: Do we want to get to the policy component? Yes, councilmember kitchen?

>> Kitchen: Just one quick thing. I think we can have another conversation between now and the June presentation. On getting some more specifics on to how these processes are going to proceed, but just two comments. I would echo what others have said and that is that -- this is a very tough thing that you're doing and we certainly appreciate the efforts of the staff. Don't take any of this as being critical. We're just trying to improve the process and also make sure we set up the process in a way that we can do our job. So with regard to the consultants, I think -- I want to confirm that I heard this correctly.

[11:37:34 AM]

That at our June 51st briefing that we can expect to have one or more of the consultants present.

>> Yes.

>> I think the reason that's helpful is that we have a range of consultants. Some of them are more specific to code writing. Some of them have had a lot of experience with the policy issues. And I think it's helpful to us to really use them, get what we're paying for, so to speak, for the council to be able to hear their perspective on some of these policy decisions. So I just wanted to confirm that I was hearing that. That we would have some presence on June 21st from whoever the appropriate code people that know about affordability and have experience with affordability. Perhaps, Abe farcus I know is an expert in housing affordability.

>> Mayor Adler: Let's let you go ahead and start with us on the policy component.

>> Can we switch back to the -- so under the general category of natural and built environment, we have sort of 40 specific prescriptions ranging across a set of seven categories. And they're shown here. I'll walk through these. Before I get to those I just want to mention some across the board recommendations. First of all, we regard as one of the basic jobs is write a code that is capable of creating the city that reflects our character and our imagine Austin vision and values. There have been a number of recent initiatives and I just called out a few hire.

[11:39:34 AM]

The watershed protection ordinance of I believe 2013 or 2014. The green infrastructure working group, the council created what's called the housing transit jobs action team to look at the nexus between those. And that work has informed across the board. There's new knowledge, new technologies and new best practices. And so our code -- I'll specifically point to a few of these as I walk through here. So you will see those creeping in. We want to have a code that provides precise definitions. We talked about that a moment ago, the importance of clarity and meaning. And then of course just to have a

code that with a clear set of processes, predictable and efficient. So what I'm going to do now is walk through those seven hours and I have a slide or two for each one of these that gives you a general sense of sort of the philosophical context within which the prescriptions that I'll then walk through, out of which they emerge. So here on water and watersheds, we as a city have a decades long legacy of extraordinary watershed protection. Around we have some of the best, the greatest experts here working along with me on this. So moving forward it is our intent to carry forward that legacy, not to back slide on that. There are some new horizon issues, though, that need to be considered with regard to this category. One is water as a scarce resource and the presentation you had right before us highlighted that. It doesn't happen to be today's circumstances, but one has to only go back I guess about 18 months and our reservoirs were at about 30% of capacity.

[11:41:40 AM]

Flooding is a new reality for us. Three roughly 100 year plus floods within the last three years. So those are some new things that our code needs to reflect. So in these code prescriptions attempt to do that. One, first of all, let's maintain our legacy of watershed regulations and even the recent improvements that have been made to them through the watershed protection ordinance and so forth. This is a rather big one here. We are recommending that the new code would require redevelopment projects to match the discharge rates of storm water for undeveloped conditions. This is a change from current practice. And a little bit of the reality behind this is we are now seeing a huge amount of redevelopment of sites that were developed before we even had our current watershed protections in place. These are developments that did not adhere to the setbacks that would apply today to the impervious cover limits, perhaps, that would apply today. That in some ways is perpetuating a legacy of flooding and sort of mismanagement storm water. So we are making a proposal here that new development would in essence be required to challenge brought their storm water protection as if it was starting from undeveloped conditions. This is a big deal and we're hearing a lot about this. A couple of other things --

>> Pool: Mr. Robertson, really quick. You were talking about the second bullet there. The redevelopment would require mitigation and then the third new redevelopment sites would be required to retain official use storm water on site O that second bullet why wouldn't you also include new development in your recommendation as being required to mitigate? I think that for the few undeveloped parcels of land that are central city located, the new development there will have, I might even argue a bigger impact on downstream flooding because generally what few sites there are would have been more open and absorbing the water and now they'll have impervious cover and development.

[11:44:04 AM]

So I think before we say put that in, you might want to go back and change the focus of this to include all new as well as --

>> New development already is. The change is new development is already subject to a whole lot of watershed protections. And what this is is a change to sort of treat redevelopment -- redevelopment of sites that are already developed the same way.

>> You disagree with what the councilmember said.

>> Yeah. I didn't write new development because that's already the rule.

>> Pool: I think that would be important to say so peopled in that.

>> We're treating it the same, thank you. And one of the ways that a site can minimize its impact in terms of stormwater is to retain stomachwater on site. And this is one where the third bullet actually combines the notion of flood protection, water protection as well as water as a scarce resource. So

we're actually proposing to write a code where sites would in some circumstances even be required to put water on-site to beneficial use, perhaps to harvest it for landscape use and so forth. We're also want to be able to take advantage of right-of-way. That represents a very significant portion of the overall land area of our city and in the right circumstances it's an asset from a water quality and asset point of view. So this was an opportunity to put green infrastructure in the right-of-way and help with water quality, storm water management and so forth. Paragraph and then of course we already have a complete streets policy which has a green streets element to it so the code ought to reflect that. That's council policy. Landscape and trees -- yes, councilmember.

>> [Inaudible].

>> Kitchen: One other item that I think comes under this section that I would like to emphasize, I think reflecting it in the prescription paper, but perhaps not as strong as I might prefer, and that's the fact that development and redevelopment is -- all the infrastructure is evaluated when we're considering development and redevelopment.

[11:46:27 AM]

I think the language here says incremental redevelopment should occur in step with an evaluation of infrastructure, including drainage capacity. I agree and I want to state that really strongly because I think -- I know we're working towards that. I don't know that we accomplish it all the time. I think it's absolutely critical when we're thinking about development we're also analyzing the infrastructure. At the same time and the impact on the infrastructure from a couple la vive perspective. So I think it would be important to emphasize that.

>> Thank you. Landscape and trees. The background here is we have owe this is a little bit like watershed. We have a decades' legacy of landscape and tree protection, but there are some new realities. We are increasingly experiencing an urban heat island effect, climate change, water scarcity and so forth. And there are also new technologies out there. So our code prescriptions are, one, historically we've relied on what's called the street yard, essentially the front yard of projects. As we perhaps move towards a city where in certain portions of the city buildings are brought up to the street in order to further other interests, we need to think more healthcaerly about the site as -- holistically about the site as a whole. So we will recalibrate the code so that we're looking at it holistically from a landscape and tree protection. We want the code to make clear to the projects that impervious cover is a maximum, not a guarantee of buildable land. In other words, you may have 65% impervious cover, but you may have because of critical environmental creatures, trees, protected trees and so forth, you might not be able to get there. We want to make sure that's clear in the code. By the same token, if a project can provide open space that provides both landscape, in other words, protected trees, sort of indigenous landscape and watershed protection elements.

[11:48:33 AM]

If it can meet double duty and do both with a set of standards, we will let projects take advantage of that. That's a way to get a more compact development pattern. And then we will continue what is a functionally approach an already being taken by the landscape and tree staff within the city, which is to really do -- take a site by site approach and not just put a number on a site and say you have to protect this many caliber inches of trees, but to look at the site holistically.

>> Pool: And I have a question on urban heat island effect. Do we have a way to measure the heat island effect that's manifesting in downtown Austin?

>> I believe we do in the sense that I am obviously not a meteorologist, but you see fairly broad temperature swings already in our city between the central city and not even the constant suburbs, which likely is some element of the urban heat island effect.

>> Pool: The reason I ask is because it relates to the canopy, our tree canopy, our urban tree canopy especially and the loss of green space, open space parkland as we densify. And I would like, as we talk about that and some want to see that you can't have -- I think we need both. In a healthy development area. And part of that is because of the urban heat island effect. If the trees and open space and lawns and gardens are just one of the things that we have available to us in order to counter the heat island effect, which is very real and it's supported, and I don't hear that element of the conversation much when I hear people talk about densifying.

[11:50:35 AM]

There has to be a balance there as well.

>> Yes.

>> Pool: Thank you.

>> Compatibility and transitions, this slide of course illustrates what we are not seeking in our city in terms of graceful transition between a commercial use and residential use. A multi-story parking garage, a freestanding condenser unit and so forth. We have -- we currently and historically have tried to ensure compatibility between residential and nonresidential uses through essentially two metrics, distance and height. And this diagram here actually is a diagram, manifestation of what's written in code. It essentially establishes a tent within which a structure can be built and how tall it can be. It applies generically across the city, though, regardless of the context. And as a result it has perhaps some limitations and I want to talk about those a little bit. First of all, they're not context sensitive. They don't take into account, topography, vegetation, building design and so forth. Second of all, they're tied to zoning and use, which are fundamentally ephemeral conditions. Zoning can change, use can change and so do we want a standard that provides protections that can come and go based upon the ephemerality of those two conditions. As I mentioned they rely on two factors, distance and height essentially. They do potentially have some impact on our imagine Austin goal of accommodating reasonable amount of growth in our centers and corridors. I have a diagram here that we generated along burnet road. And what it shows is while there's some areas where there is a fairly -- white is essentially areas that are not subject to compatibility.

[11:52:39 AM]

There's some broad areas. North south is left to right on this. The big S shaped intersection is Anderson lane and burnet road. But there's some really narrow areas around there where compatibility has a significant affect on that corridor and we've seen that in the flesh with a lot of the redevelopment that has occurred. So with that in mind our code prescriptions are in the areas of the city that get -- that could be rezoned to form-based code, those form--- the form-based code has a very generous set of building standards. And this is a generic diagram I pulled from a form-based code. I'm not sure where. And form-based code. Typically they're not as obsessed with use, but they do provide a lot of standards in terms of building massing, building setbacks, step backs, building heights, parking placement and so forth. So that is a much morphine tuned way of achieving compatibility. So in the portions of the city that are rezoned to form-based codes, our recommendation would be that those that -- that compatibility there be accomplished by the way that the form-based code is deployed and not by a generic off the shelf standard that might apply elsewhere in the city. Form-based codes typically also each zone within a form-based code authorizes the use of a certain number of building types. So we can

also achieve capability by applying form-based code along with the base of allowable building types that occur within each zoning district.

>> Pool: Real quick question. How then, Mr. Robertson, will we deal with structures that have been approved by council in say the past 10 years based on various requests and entitlements, but that are out of scale with their surrounding neighborhoods or their surrounding -- any of the buildings surrounding them.

[11:54:49 AM]

How do we force fit them into thigs prescriptions?

>> I'll let my next-door neighbor who is an expert on non-applying but legal and so forth issues.

>> So councilmember pool, if there's a building that's already been issued a permit and already constructed, it's going to be grandfathered from our regulations. We won't force people to tear down buildings or to give up a plan that they already have approved that's still alive. What effect would that one structure that is possibly not compatible with the surrounding area how would that apply to the surrounding buildings that it is not compatible with?

>> We would certainly work to provide that construction of the properties. And when that property comes in for a remodel or for new construction, that's only at that time. Right now we have apartment buildings from the 1970's, early 80's that are coming in right now that you see coming down the city because they're getting to the end of their life. So those are structures that might come back. And then at that time we would apply those new standards to those structures.

>> So there would be some influence on the new structure that may not be compatible with the surrounding area.

>> That's right.

>> Pool: On any changes to the structures that are surround rounding it when they come up for --

>> For reconstruction or remodel.

>> They are the ones that take a long time to implement. It may take decades that you might see some changes in areas that have under construction today that have completed buildings in only the last couple of years.

>> Pool: Thank you.

>> And this is simply an illustration of how sort of the various building types that are allowed in form-based code, including missing middle type housing how you can accomplish a transition.

[11:56:56 AM]

We actually -- I actually drew this from a project we did several years ago, the airport there boulevard corridor project in the distance would be airport boulevard and as you transition into the neighborhood perhaps you would have row housing, missing middle houses and transition right into the single housing in the neighborhood. Our recommendation would be that in the balance of the city that is not zoned to form-based code we retain at least some version of -- or something like our current compatibility standards because they perform an important function. Design for mobility. First of all I want to point out that the third code prescription is going to be about mobility so we'll have a robust discussion at that time. The basic theme here is this is not a paper about accomplishing mobility, but the basic theme within this paper is how do we tame the negative impacts of our -- of our mobility infrastructure while at the same time retaining reasonable and convenient access to the necessities of life? So it's more about the physical impacts of mobility infrastructure. One has to do with parking. I love this picture on the lower left. It's actually a recent redevelopment project on burnet road, pint house. It's taken from the side of the street and he defy you to see where the street ends and the parking begins and the building

because they all blend together. This is not a best practice. And when you look at the practice in a linear nature it is a very precarious, not very pleasant and flat out dangerous pedestrian environment when you -- when you have parking that may take essentially you have a continuous driveway, almost the full - - sometimes even the full width of a parcel. So one of the recommendations will be some parking standards that sort of minimize the negative impacts of this.

>> Kitchen: Mr. Mayor? Let me just ask a threshold question about this section.

[11:58:59 AM]

Since there's a whole prescription paper on mobility, I assume that the -- how are they going to work together? There will be more detail on these and other issues in the mobility prescription paper, is that right?

>> Yes, yes. This paper looks only at sort of the physical impacts of mobility infrastructure. It's not about mobility as a means of moving around as much. So we'll probably loop back to some of these, but we'll talk about a whole lot of other things in the mobility paper.

>> Kitchen: Okay.

>> Parking requirements. We've talked a fair amount about that already. We'll provide a toolkit that will enable, and this goes back to the mayor's comments earlier about really deploying the menu, if you will. We will provide a toolkit that enables us to perhaps provide some reductions in parking, especially in areas in the presence of significant transit service. We are actually under the umbrella of codenext undertaking the Austin street network plan right now. Where we're actually looking at our roadway network and how it gets designed. The old process, and I've simplified it some here, is basically you look at the function and then you end up and that produces the design. We're working towards a code that would have a new process that does look at the function, but it also looks at the context. Take Lamar boulevard, which stretches from the far north end of Austin to pretty deep in south Austin. It's a long roadway and it has somewhat similar functions the whole way, but it passes through a wide variety of areas. So we're looking at a code that would take into account context as well as the mode that that road will serve in a particular area to produce design. Here's south oltorf. A lot of pedestrian oriented businesses, but the roadway section is identical to what the roadway section is five miles south on south first. At our sound check we developed an image, if you begin to take some steps to make the roadway design take into account the context.

[12:01:09 PM]

We also will bring forward a code that will -- that will recommend higher levels of connectivity and this goes to a point we spoke about earlier. This would not only be for redevelopment but for new development, in order to ensure that we're building the city when we're doing green field development, we're building the city that can mature and support mobility options deep into the future.

Redevelopment.

>> Kitchen: Could I?

>> Mayor Adler: Yes, Ms. Kitchen

>> Kitchen: I just wanted to talk again about connectivity because I'm not -- the way the language is written in the prescription paper, it talks about ensuring that development sites include roadway connections and where that is not possible through pedestrian and bicycle connections. We'll have is a setting where we can have more discussion about that, but from my perspective, that's not the way that I would talk about the trade-offs because it's not always -- it's not always that the roadway connection is the default best way to do it in existing neighborhoods. The illustration that you give here doesn't take into account existing neighborhoods. Yes, you may build that way if you're building a new

neighborhood. But for existing neighborhoods there may be circumstances where actually the best use for connectivity is a bicycle or pedestrian connection, not a roadway connection. And so to have language that says where that is not possible, I don't think -- I don't think reflects the kind of trade-off balance that I would suggest. So this is an item that I mentioned before that -- that atd staff has mentioned to us and of course as a council we've had discussions about, and so the mobility committee is expecting to take up a discussion of how we think about roadway connectivity in the city

[12:03:11 PM]

>> That's fantastic, and that will be of course of great use to us. Redevelopment. The conundrum we have here of course is imagine Austin unequivocally calls for compact and connected city, focusing new development and corridors and centers and yet undeveloped lands in many of those centers and corridors is relatively scarce. How do we then craft a code that balances, you know, redevelopment and centers and corridors with our water quality and stormwater values, mobility and parking values and so forth? So that's kind of a delicate type rope walk of competing values there. Our code prescriptions area are within this -- within this area are once again sort of potentially having a tool kit that allows for reduced parkings in areas that are highly walkable or served by transit. The -- I just brought forward the one I've already mentioned, which is treat compatibility through the form base standards in areas where we apply those standards. Connections. Require walkable block sizes. That's part of building the sustainable city for the future. And then we'll carry forward subchapter E, it was an early venture in some ways into form based coding of our city in terms of building placement, parking placement and so forth. Green field development. The basic ecos here is let's make sure that the city that we are in the process of building through green field development is a city that we're not going to be 30 years from now baling ourselves out from the mistakes of the past. Which we find ourselves in with lard to some of the development that -- with regard to some of the development that occurred over the last 50 years and that has to do with basic values of mobility, sustainability, connectivity and so forth.

[12:05:14 PM]

And so our code prescriptions basically set in place -- we've set in place a green field development, regulatory realm which ensures that our city values of today are built into that. So one of them is -- one of the recommendations is more in the way of cleanup thing, which is our current code is littered with things that could be in the zoning code. We're going to try to make the subdivision code be only what it's about, subdivision and move a lot of things over. Going to some of those other things that I mentioned, mobility, environmental protection and so forth, we would like for there to be a greater connectivity requirements in green field development so we're not having to deal with some of the dilemmas that councilmember kitchen referenced a few moments ago ten or 20 or 30 years down the road. Smaller lot sizes to potentially allow a variety of housing types to be built in green field development. Creative designs, allowing creative design solution that's particularly if they enhance environmental protection and through means such as conservation subdivisions and then meaningful green spaces, not what's left over. Meaningful place that's perform functions, that provide community value and so forth. Parks and open space, and I believe this is the last category, and I believe councilmember pool kind of talked about value of a robust and open parks and open space system. It becomes more important as we more towards a more compact and connected city we don't lose our need for -- we don't lose our need for access to meaningful green space. Our code prescriptions reflect that and we will be offering up a code that provides the mechanism to create and support a wide variety of parks and open space types based on context, based on the needs in the neighborhood and so forth.

[12:07:28 PM]

We'll also bring forward some of the changes that have been made to the parkland dedication ordinance, updating the fee structure and one of the things I want to point out there is the last bullet there, which is that a public space -- I mean, excuse me, a private open space, if it's dedicated and secured for public use, you know, might be something that we would give projects credit for because in some ways it relieves a public burden but provides a public benefit. And then, finally, metrics that incentivize green infrastructure, going back to early on in the presentation about stormwater management and water quality and ensuring that our subdivision regs and so forth ensure -- ensure access to greenways neighbor parkland. This is the schedule we've been on the lastating weeks or so for this code prescription. As I mentioned the cag had -- the code viewsery group had four meetings about this. We've had a walk. We've been out to perhaps dozens of individual group meetings talking about these topics, culminating in today's session with you. This is a reiteratation of those seven topics. I wanted to sort of give you a retrospective of those. There are a whole lot of policies. We've spent a lot of time talking, lot of questions and good discussion about how do we reflect, embed our values and our policies into the goal? This is a snapshot of some of the policies that are triggered and manifested within this paper, neighborhood character, affordability, parking, watershed protection, sustainable growth patterns, and so forth. These are all policy issues that ultimately will find their way into our code. And I return to this slide --

[12:09:30 PM]

>> Kitchen: Mr. Mayor.

>> Mayor Adler: Yes.

>> Kitchen: Just on this list of policies, what would be helpful to me is a little bit more of a drill-down. So because these are categories. It doesn't tell me what the trade-off is or what the policy issue is.

>> Yes.

>> Kitchen: So just for future reference, I think it would be helpful to define them a little more specifically. And I really appreciate bringing forward, you know, what are key policy issues in each one of these prescription papers. I think that's very helpful. So I'd encourage you to continue that as you brief us on these, but it needs more detail.

>> Yes.

>> Kitchen: So parks and open space, what is the policy issue around parks and open space, for example? Neighborhood character, what is the issue? Do you get what I'm saying?

>> Yeah.

>> Kitchen: Thank you.

>> In some ways they're trade-offs and I through some basic -- these are not specific but on the slide I pulled up right now, these are some of these trade-off values. Now, what I think you're asking for is even diving down a little deep near the specificity into where in the code do these -- I hate to use the word ? But meet up with -- but meet up with each other.

>> Kitchen: What exactly is the policy question? How would you pose the window someone.

>> I understand.

>> Kitchen: That's what I mean. From my perspective, I'm going to continue to use "Policy." I'm a little uneasy with the term trade-off because trade off some in people's minds implies an either or or black and white and I don't know it's always that way.

>> I agree totally and I use that term carefully recognizing that our goal always is to achieve synergies rather than winners and losers. And that concludes my presentation. Thank you.

[12:11:32 PM]

>> Mayor Adler: Mayor pro tem

[off mic]

>> Mayor Adler: Councilmember pool.

>> Pool: . Mayor pro tem.

>> Tovo: I was hoping to get my Numbers down. Anyway, thank you very much. I had a couple questions for this -- thank you for the presentation and the summary of the document. I wanted to ask a couple questions about the document itself. And I think I want to do that in part by picking up first on something that councilmember Houston said earlier about -- in the context of demolitions. You know, we have a large number of demolitions taking place throughout, especially the central city and I believe district 9 has the highest number, and I have those Numbers I think on route to me, but it's a staggering number I get, you know, at -- just as an example, Bouldin creek is going through a survey of a local historic district and they have had a lot of energy and effort behind that for the last couple years, and I'm getting emails from some of the neighbors saying they're losing about a house a week in an area that they are studying for local historic district. And I know that this is an issue in the area that's undergoing study and analysis in the east Austin historical cultural survey. I may not have the name quite right. So I, too, I guess would like to see some clearer policy statements in these documents about preservation of existing structures. I think it hits our goal of neighborhood character, which is one of the policy areas that you've identified on 59. I think it hits our values of sustainability because of the embedded energy costs that are already in those older structures and, frankly, I think it hits our interest in affordability because, you know, very often those tours are being replaced with -- those structures are being replaced with much higher cost, rental or ownership opportunities.

[12:13:44 PM]

I think the city frankly needs to take a much stronger stance with regard to the preservation of particularly residential structures and I'd like to see these policy documents and the resulting code really reflect that very strong commitment. I reference I do see to demolitions in this document is on page 29 of the natural and built environment code prescription, and the statement is "Redevelopment will sometimes take the form of demolishing what is there and replacing it with something entirely new and the new code will address that scenario." So clearly our new code will have to address redevelopment, but it concerns me by bit to have -- to have a comment about demolition, you know, the old will have to give way to the new in circumstances without that strong statement about the importance of preservation. So I hope we can get there. And then I can coupled with some of the comments that I see in the housing affordability paper which I think we're not discussing today -- is that right? I think that we are -- I think that we just need to have -- I think we need to have, frankly, a stronger policy discussion on that particular point. Then I wanted to talk a little bit about some of the -- can you help me understand how this -- how this prescription paper interacts with our existing -- our existing goals of -- and responsiveness to the natural vegetation that might exist on a site? I'm not seeing quite as many references to that as I might. So let me give you a few examples. Again, this is coming from the actual prescription. In the discussion about tree preservation use a site by site, don't use a one size fits all, look at reasonable use of and reasonable access to the property.

[12:15:49 PM]

How does that -- how does reasonable access -- how is that going to interface with our existing heritage tree ordinance and our interest and community value of working with the existing vegetation on the site? If you could help me. That's just one example, but there are others of that sort in here -- uh-oh, sorry I asked that question. Our city arborist had stepped out he was here, I think, and then made way for the media to come in. But it's really a more global question, and that is I see -- you know, I know there's a commitment to not -- well, I don't know. Is there a commitment to not diminish the protection of things like the heritage tree ordinance?

>> Yeah.

>> Tovo: Do you intend that the resulting code is going to express a strong interest in encouraging the development that occurs on a site to use and retain as much of the native vegetative landscape as possible? Is that going to continue to be a guiding assumption?

>> Yes, it will. I think one -- the one sort of condition I would place on that is that one of the sort of overall sort of Mon mantlas of codenext is to provide some consideration of context and that's because in some ways a trade-off of values. Imagine Austin speaks very clearly about, you know, redeveloping centers and corridors and so forth and becoming a compact and connected city. And in some ways that value in some cases runs up against our environmental goals. So in that context what we are proposing to do, with regard to landscape protection, tree protection and so forth, is to use more in the nature of performance standards, not so much dictate that X percent of a site needs to stay undeveloped, but really take a look at the site itself and apply performance measures that will allow that site to redevelop in a relatively compact way, but ensure that it still performs those environmental functions.

[12:18:06 PM]

Tree protection I don't -- there's not going to be -- I don't think we're really going to see back-sliding on tree protection. That's not our proposal, any way. With regard to landscape and green infrastructure, I can defer to some of my -- is Aaron still here is in I don't know if, Aaron, you want to talk about green infrastructure and sort of stormwater protection in a contextual sense. But the main thing, though, is in areas where we really -- where our values are to promote compact development, to allow some flexibility subject to performance standards, such that we preserve high-value landscape and ensure that the landscape that is preserved really performs the functions that we as a community want it to perform.

>> Tovo: So I guess I'll just -- and I think this may have been on your slide about where we have to have conversations. I would say that that's certainly going to have to be one of them, right, because --

>> Yes.

>> Tovo: Clearly, if I clear a site of all of its heritage trees, I can build more and I suppose you could say that's better serving the needs of creating a compact and connected city. It's certainly not supporting our goals of sustainability and preserving the urban canopy and the neighborhood character but also the environmental benefits that you get from those trees and so, you know, that is -- and I guess that brings me to really the question that I keep hearing, and it was the subject actually of a resolution at the south river city citizens neighborhood association meeting last night, and I've heard this question both from the cag members with whom I'm in contact and, again, this was the subject of a successful resolution at srcc last night, and that is it's very hard to understand exactly how these things are going to work without being able to start seeing some of that code itself. You know, and right now we know that's an area of policy where shall D -- where we have to have a policy discussion but I think it would help this situation if we could see some of that draft code.

[12:20:08 PM]

So my question to you is, the code is being drafted, as I understand it.

>> Yes.

>> Tovo: And there's been a call both from cag members as well as from community members to start seeing some of that draft code rather than wait until it's completed and have it revealed all at once, and so I wondered if you could address that.

>> Our current plan is to release the full code to the public in January 2017, and there are at least a couple reasons behind that. One, as has been sort of made evident today and I think there's even been explicit discussions of it, one piece of the code cannot be evaluated or reasonably evaluated as to what kinds of outcomes it will produce and whether it reflects our values without looking at it in the context of the rest of the code as a whole. You could say let's just get parking right for mobility purposes but then you might be -- that might have consequences for, you know, flood mitigation, affordability, you know, the pedestrian realm and public realm and so forth. So it is -- we don't want -- what we don't want to do is get into sort of deep in the weeds or deep in a hole on a particular piece of code and get ourselves -- try to make decisions based on is that good or bad when it can't be looked at in the context of the code as a whole. Another sort of reason why we want to do this is more just sort of, I guess, a sort of what we would regard as a best practice, is we want to bring forward a code that is clean and workable and does as close as possible -- achieves as much as -- as close as possible to our community values as opposed to just throwing stuff out there. Maybe it hasn't been synchronized with other pieces of the code. I don't know that that serves anyone's interests, to have discussions over, you know, raw pieces of code when in fact those pieces are still malleable because they're being coordinated with other elements in the code and so forth.

[12:22:19 PM]

So that's the rationale behind our approach, is to have discussions on these really key issues that are addressed by the code, but have them in a more sort of colloquial way, even though we're talking about things that will find their way into the code itself.

>> And we've had discussion with the community. We've had character manuals, we've done the diagnosis. And so the prescription papers allow us to kind of fine-tuning before we get the product to you. We've had discussions on many different things through the years, where if we just talk about that one issue, whether it's accessory dwelling units or garage placement, we can spend months, weeks, talking about one particular item. So we're trying to bring this forward to you in a timely manner, but in context of all the different pieces. There's going to be plenty of time when you actually get the code many your hand and all the citizens to look at this in context about, well, how one piece affects another. So the fear that I think that I have is that if we bring out pieces we'll be discussing those pieces and kind of losing site of the -- sight of the whole and I would like to bring the whole together as quickly as I can to you but in context of all those other pieces working. We are writing the code. And as we come forward and we talk about these prescription papers, there are certainly pieces that you might emphasize that this is more important than that. Or you're not spending enough time looking at some of these issues. So I want to be able to bring those issues to light and put them into the code and let you see how those pieces have interacted as we go through these prescription papers but I think it's very important to bring this together contextually as a single document and not necessarily parse it out. I know that there are pieces that people would like to see. We've talked about having a table of contents and bringing that over so you can kind of get an overview of how the code might work, brow -- how that would work but I don't want to get lost in the weeds on particular issues and drag everything down.

[12:24:37 PM]

>> Tovo: Thanks for that explanation, and I think that coupled with the discussion earlier, you know, I'll think about because I think that was some something like what you were talking about. And at this point round or flat, I see the value and I understand why people are asking to see parts of the code because it's a little hard to see how the prescription paper is going to translate into actual rules on the ground and without knowing that it's hard to know where one falls on comments in the prescription paper. And so, you know, I can see why people might want to see examples of it in the actual code as it's going to be -- it's it's going to be written and I also, you know, take -- will take into consideration the points you said about needing to see it in a comprehensive way.

>> Mayor Adler: I can see that both ways too and I understand the frustration. It's almost like we need everything to happen first. We need all the pieces to happen first. I'm trying to think of what the parallel is to that. It's like as we're moving into the budget session, if something brings up something and says I think we should spend a lot of money on this, not in the context of the budget, I mean, that funding thing makes perfect sense to me. I don't know -- I mean, I'm all in favor of so many of these things when you look at them by themselves. So if we're going to have a conversation about how much I'm willing to compromise on any one of those but I'm only looking at that, my answer is I don't want to compromise at all because I like all of this. But at the same time I recognize that at the end of the day we're going to have to reach some kind of social compact here that will mean that we can't deliver 100% of the best of everything that we would want to have, and -- on the one hand I am concerned about having those things come soup that we have kind of a theoretical conversation about how much do we love this element? Because I love it and I'm in favor of it a hundred percent up until you ask me how do I balance that against something that runs into that.

[12:26:40 PM]

But I do think that we have a really talented group in the cag of folks, and I think that these kinds of trade-off decisions or policy decisions or weighing or prioritizing, there has got to be a way for us to be teeing up those conversations in a meaningful way, and an important way. The cag can help guide us through and set up those conversations. So I want to develop with councilmember kitchen the concept of -- and with other people, of having -- in addition to the time line that you've set, an opportunity for the council to interact more directly with the cag, to have -- to ask the cag to actually think not about policy categories but to actually start debating the trade-offs offer the context questions. Maybe it's the context questions. I'm not exactly sure what it is, but it's a really talented group of people, and I want their work to be meaningful and there is a lot of direction and guidance we need and the trick now is to find out over these next six, seven months while finishing that, before it came out, if we're going to wait until it comes out, how do we make that time most useful and give the council the greatest return of that expertise and those people? Ms. Kitchen. Then Ms. Pool.

>> Kitchen: Yeah. I would say that I am -- I'm comfortable with the approach for the -- the full code coming to us in January, provided that what we're doing is we are addressing these policies along the way and we're reflecting what the community is saying about these policies in a way that they can see. And that's why we had some conversation about revising these prescription papers. So that they can know that they're being heard. But, also, so that we are providing guidance to the folks that are actually writing the code.

[12:28:42 PM]

To me the code is -- to me the process it's like doing a contract, where you had your -- you have your term sheet first and then you write the language or like when we do our resolutions and we say, here's the policy that we want reflected, and then we ask for the language to come back. To me the first step is

making sure that we are on the same page in terms of these policies, understanding that that's an iterative process. So I'm okay with not seeing the language, but that is assuming that we nail down our approach to addressing these policy issues and we nail down how it is that the city or the members of the public can see that their concerns about policy are reflected. And if the prescription paper is going to be the document that captures, that then we need to figure out how it's going to do that. So that would be -- that would be the -- my thinking on that.

>> Mayor Adler: Ms. Pool.

>> Pool: Thanks. Along those lines, what councilmember kitchen is talking about, I think a disposition tables would help a lot in that. And so I would like to have the staff of consultants provide that for us, to lay out current code section where it's moved and spelling out how these specific sections were changed or not. I think that would be highly useful to everyone. So some disposition tables. I think that in the water and -- watershed section we've got some pretty difficult challenges in implementing a number of major changes, and we've got state law on grandfathering and have to reduce impervious cover and mitigate the effects of impervious cover from existing development. So in the existing water protection ordinances where we have maintained or improved, I really want to make sure that we explicitly include save our springs ordinance and everything that that means to this community and that's specific urban watershed protection standards.

[12:30:50 PM]

I want to talk a little bit more to the disposition tables. That's also -- the -- in mapping the decision. So we just need to have explicitly set out who makes the mapping decisions and how they're making them and when. Landscape and trees, I want to make sure that we are recognizing the importance of landscape and trees, and they need to be protected, not merely recognized. So I don't know if the language that you have throughout is just in the recognition of it, but we really need to have stronger language, and I think that the mayor pro tem has certainly spoken to that earlier today. I'll just jump ahead to a couple of other things that I think have not yet been mentioned. In the redevelopment section, I previously mentioned open space and heat island effect. We have text here that higher density modes and corridors must sacrifice or possibly discard green spaces and I really think if that's a recommendation you're making we really need to think about that because the heat island effect will be magnified. And in green field development, number 3, it looks like it's stating that many of our current environmental protections will be retained and suggests that others will not be retained. So if there are any that you are looking at not retaining or watering down, we need to be explicit about that and that should be a clear policy decision by this council. The last one I want to toss out, we've got the parks and open space section. We recommend for residential development parkland dissuasion but we don't talk about that for commercial development and maybe that's an area that we should also look at. If we're going to expand our commercial development, maybe there's also a policy decision made with regard to the amount of green space parkland, open space that is dedicated as well to that development and then that will help us on our impervious cover goals, heat island effect mitigation and the general overall quality of life and retaining the beauty of this town, which a lot of it is in our natural environment.

[12:33:09 PM]

Thank you.

>> Mayor Adler: Mr. Zimmerman.

>> Zimmerman: Thank you, Mr. Mayor. Maybe it's going to be my technical engineering side coming out again, but I would be the guy that would take standards, specifications, guidelines, documents and turn it into something real. And in that light, I just have to say, first I'm not a plan of centralized planning

because it fails it it has failed here. This city has had centralized planning for decades and we're the most unaffordable and congested city in central Texas. It fails. Be that as it may I want to turn to page 50 and give one example of what I see page after page after page. We're talking redevelopment, and there are a number of utterly meaningless subjective words on this page. Let's start with walkable. Walkable accord to who? A 20-year-old? An 80-year-old? My eight month pregnant wife? Something that has bad knees, bad hips? That one word right there walkable is almost undefinable. Served with transit. Here's another one, served with transit. I've got an area in district 6 close to 2222 and 620. It has one bus in the morning and one bus in the evening. It's worthless. And yet that would be called served with transit, right? So an area like downtown here that has numerous bus stops in a crowded area and quite a few passengers, I might say that would be served with transit but where I am in district 6 you could say it's served with transit but it's meaningless, worthless. And it goes on. One of the problems we have with existing code is the subjectivity and interpretation, different interpretations that's not predictable. Down here it says require road -- I think somebody mentioned this, sidewalk trail, bike lane connections as opportunities allow.

[12:35:11 PM]

Defined by whom? Under what circumstances? This is really depressing. I don't want to be critical of the people doing this because I -- honestly I think you've been asked to do something impossible. You've been asked to do something impossible, and the simplest prediction I can make this month, we're going to waste millions of dollars on this and when we get done in January we're going to be right back where we were when we started. A lot of anger and unhappiness and the basic problem is we have mutually exclusive choices. I'll just give you one more. Affordability. My colleague councilmember Houston keeps saying we never define affordability. Well, let me just say affordability in terms of getting the maximum amount of living space for the least amount of money, whether it's renting, buying. You know, I want -- I need a certain amount of space to live for the least amount of money. That's going in the direction of affordability. So we say we want affordability. Then we say we want green space, open spaces. Well, if we have green space, it means we can't use the land to build residences because we need it for green space. Well, if we can't build square footage to live in because we need open space, that means the square footage that we build is going to cost more. So we have these divergent interests, we want more affordable spaces to live but we're also demanding green space and they are diametrically opposed. And it's full of this stuff. Diametrically opposed objectives. So as an engineer and people bring me stuff and they say I want it this way and that way and they're diametrically opposed and I explain rationally why it's impossible to do what you ask me to do, sometimes they'll say do it any way. I say no, we don't do the impossible. Pollses and pleasure politicians and bureaucrats can talk about the impossible and write it down on paper but they cannot accomplish it because it's impossible.

[12:37:17 PM]

>> Mayor adler:yes, Ms. Tovo.

>> Tovo: I wanted to go back for a second in looking through some of the feedback I got from one of the cag members, Susan Moffett. They too echoed the point I made before about, you know, that there are certainly members -- I don't know whether it's widespread or they're just individual members of the cag who wanted to see parts of the code, but she suggests at least it would be useful to be told which recommendations that the staff plan to incorporate into their code and which they plan to reject. And in looking through some of the specific examples with regard to schools, so Susan Moffett represents the joint subcommittee of the school district, the county, and the city. And so she's been doing great work reaching out to schools and working with the trustees and really talking about some of the code

elements that are particular to schools. For example, reductions for on-site parking. We've talked a little bit about parking and I know that will be something that you may propose within the code. Well, with close proximity to the schools that environment changes. So if you have reductions for on-site parking in an area where there's a school, that can really exacerbate traffic, local traffic conditions around schools and present a safety issue and so that's something she's heard from some of the school personnel that's of concern. So I think what that -- that's an example of some specific feedback that's been presented to staff, but it's -- not clear whether that's really going to be a factor in the code we write. Are you incorporating those kind of suggestions you're hearing from the school district or from someone like Susan Moffett who is in touch and passing on those suggestions? You know, I don't know whether you want to address that particular -- I wouldn't ask you to address that particular example. It's just an example of the kind of very specific feedback that you may be hearing in response to the code papers policy -- I'm sorry, what are the papers called again?

[12:39:20 PM]

>> Code prescriptions.

>> Tovo: Code prescriptions. You may be hearing particular feedback to the code prescriptions but it's not always clear, it sounds like, whether or not -- you know, what are you going to take back and rewrite and what is feedback that Uber going to ignore?

-- Feedback that you're going to ignore?

>> Well, my answer will have two parts. As Susan -- we've spoken with her on a couple occasions about that particular thing, and that -- that's great to hear because that may be an area we would have missed. So now we have that information to make -- you know, to take into account as we sort of take a context approach. That may really come to the floor during the mapping phase as the mayor says, when we're making decisions about where do we want to allow reduced parking and where it would be imprudent to do that. On a general level, we're not -- we're not really right now trying to sort of declare winners and losers on these competing values. We want to hear from the public so we have a sense of where -- what the values of our community are, but I don't -- but to sort of say, like, you know, number -- number 17 on page 4, that's gone now. I don't know that really until we've gone through this whole process we will be able to say, you know, that really shouldn't survive moving forward based on all the feedback we got. I think, we'll have to look at it in the context of the conversations that occur, you know, now and in the coming months. So we really aren't in a position to sort of say, oh, that one, that one is dead now. Or, no, that one is going to trump everything that may come forward. It's, you know, unfortunately it's more nuance than that, but that's the only way we really feel like we can honor the conversations that are yet to occur.

>> Tovo: Okay. So at what point are you going to incorporate then feedback into the code -- I mean, are you just blasting through drafting all the code right now and then in August you'll look over all the feedback and decide what of it you're going to incorporate into a redraft of the code?

[12:41:40 PM]

Elements? I mean, it would seem to me that you're -- anyway, I don't want to dictate your process, but, I mean, it seems logical that you would be iterating on particular sections of the code as you're receiving feedback from it, and I think that's -- that was the suggestion she was making, that it would be helpful for people to know, you know, what of the feedback you're hearing is actually informing your redrafting of those code elements. And let me just also, I want to be fair to Susan's points, that was one of several examples, you know, another was no paid meters in an area near schools because it discourages parent involvement no, inappropriate uses near schools, like liquor sales. She had a list of very particular

concerns. I was just using that as an example to say that's an area where I think we certainly want to make sure that feedback is going to play back into the code.

>> And I think the feedback that we receive along the way influences what gets actually written in code. So I don't think there's a cutoff point by August we're going to have a certain thing done and never going to go back. I think it's more of a continual process that we're going to look at these different sections because as we go through each of these prescription papers, it might force us to go back and reexamine something that we may have drafted in draft form again because of something that's been brought to our attention. So I don't think there is a late point after which each of these prescription papers is -- the discussion has been processed to the point where we can't go back and look at something that may come up on affordability after we look at mobility or vice versa.

>> Tovo: I appreciate that, and that makes complete sense to me, that there's not going to be a cutoff point where you're no longer drafting. I guess what I was trying to sense out is are you blasting through all of the code now and leaving the redrafting for later, the primary redrafting? Or as you hear feedback, are you tinkering with particular sections of code before you move on to the next?

[12:43:45 PM]

Is there an iterative process happening right now --

>> I mean, I think there's --

>> Tovo: -- That is not going to mean you don't go back later and make other changes? I'm just saying are you making adjustments to particular bodies of code now or are you revving all of that for -- leaving all of that for later until you've received all of the feedback or a whole bunch of it?

>> I think there's an iterative nature to what's going to be happening on our team over the coming months in terms of drafting code. In terms of sort of parking -- take parking St. Standards as an example, calibrating those based on feedback we receive and we may say, oh, look what happens over here if we adjust those standards there, and we'll go back and say, okay, what if we dial them back this way? Does that not have the unintended consequences we had before? So I think the code drafting process and the code review and refinement process, we -- that we're going through is iterative in nature and, therefore, is particularly malleable based upon what we hear through these conversations.

>> Tovo: All right, thanks.

>> Mayor Adler: Ms. Houston.

>> Houston: That's helpful because Ms. Moffett has been sending these kinds of reports in for a while, and the person that represents district 1 on the code advisory group also says that things have been sent in but they don't see anything in the draft prescriptions that we're talking about for this one that they're -- that's even alluded to some of the issues and concerns that they've had. I happen to live in a neighborhood that's very close to the university of Texas, so when there are football games our neighborhood is overwhelmed with parking. And it's so bad that the ems vehicles have a difficult time navigating because they're on both sides, as well as hey maker and some of the other things off manor road so I think those are specific but we don't seem to see those things about -- in open spaces or, you know, what -- the feedback that we're getting is not that -- it's that -- is it that people are not being heard and that the code is being drafted and some of these things are not being attended to.

[12:46:09 PM]

For example, I went on the -- what was it called? The sound check -- I didn't go on it but I watched the posting on the board. It was on martin Luther king, Jr. And which I can con, and -- chi con we have a pocket park, gas station and wash tier yeah and by the times all of those things got through all of those things were gone, things important to our neighborhood but are still there in the schematics shown to

people so our pocket park is gone. There's density there. Our gas station is gone. There's density there. Where we have the washeria is gone. So it doesn't seem -- we talked about that, that day when I came through at Lincoln center and it seems like the people who live in those spaces are marginalized so that other competing interests get their expired outcomes so that's a concern to me. The last thing I want to say, the PDF somebody legality me look at because we didn't get it is entitled the next Austin, imagining our growth and keeping our character. Were there people on the low end of the wage scale and communities of color that feel like the next Austin excludes them. They feel the next Austin excludes them so I just need y'all to know that because you're building an Austin, but it's not being built for people who actually need to live here because, as we do away with parking in downtown condos and hotels, people have to work there. People have to clean those buildings. Where -- how do they get here? And I know you said there's a nexus with transportation and density, but this is really. They got to get here when that building goes up. They've got to get her to work. There's no parking for employees.

[12:48:10 PM]

So there's a disconnect somewhere between what y'all see as the next Austin and what the people that I represent see as the next Austin, and that's my last comment.

>> Councilmember, I think with the next prescription paper, the mobility that follows that cag is much more involved, they will -- you know, as part of the presentation last night, they were very much a part of that presentation that we made from staff and to the other colleagues. And they're playing a larger role in the prescription papers. So I think you'll see that change with the next paper that we present you.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: I just want to bring around, we've talked a lot and we've all kind of come at it from different ways about the need for there to be built into this process a reflection of what people are giving us in terms of policy. And we've suggested different ways. I mean, we've talked about revising the prescription papers, about other kinds of things. I want to nail it down. I just want to nail down that -- I guess my request is for the staff to come back to us, and I don't really want to wait until the June presentation. I think we need to do it sooner, with the specifics about how you're going to address feedback. I think that we can talk and give you our ideas and some ideas have come out today, but I think I'd like to know exactly what's going to happen. So I don't think you can answer that right now, but is that going to be -- or do you think it's workable to revise these prescription papers? Can we do the kinds of indexing that councilmember pool had mentioned? Or some other mechanism. And I'd like to suggest that the time line that you've presented to us include that on it. So that when we're getting -- so that we can help the public understand when and -- what document they should look at and when to determine how their comments are being reflected.

[12:50:20 PM]

Does that make sense? I mean, I think that we've all been kind of talking about that. I just think that -- and I don't want to provide a deadline but I do want to ask for that before our briefing in June, you know, in the next few weeks. I think that that would be helpful for us to understand exactly what that's gonna be.

>> Mayor Adler: I think that would make sense and there's a certain amount of frustration on the cag as well as in terms of how that process works and I think if we could come back with a proposal that gets us through the end of the year, I think that would be great. Mr. Casar.

>> Casar: Just as a closing comment from me, I think we've acknowledged a few times to the staff this is of course a difficult process and stressful but I think it's also a really important opportunity for us to have really honest conversations because I think that's something that I hear unanimously around the

table, is that the status quo isn't acceptable, right, that people have fewer and fewer choices of where to live. As councilmember Houston mentioned there's many communities being pushed out by the status quo and then also people that have very many choices about how to get around. And I think that we'll certainly wind up disagreeing about what the calibration is on each of those trade-offs. You know, I recognize that some people may go a little bit more one way on one of these things than me, and I may be on the winning end and losing end of some votes over the course of the next few years as this process rolls out, but I just hope that we don't miss this opportunity to look at sort of the whole body of the code in a really honest way because I think we've got this chance that we've paid for, to have, you know, trained economists and people that have worked on land use all over the country alongside our everyday constituents helping us figure out how to make those trade-offs. And so I just want to -- since this is the first time we've had a chance to talk about it here as a group in a while, I want to commit to y'all as my colleagues that I hope that we can find a way to structure this conversation as honestly as possible and to acknowledge don's point, we can't deliver the impossible.

[12:52:29 PM]

We can't have all the green space we want and all the housing we want at the levels of affordability we want and the kind of economy we want and for all of us to be able to get around everywhere without other people in cars getting in our way. We can't do all of those things so let's just give it a shot to do our best and as a group sort of figure out what the best calibration of all those different elements is. And I look forward to the cag's help and the community's help in that, but I appreciate y'all trying to sort of frame it up for us because it's not going to be easy. So thank you.

>> Mayor Adler: Not easy at all. Thank you very much. Housekeeping matter here, council, we wanted to get together to both complete the manager's review as well as to do the kind of the retreat, which we kind of coupled with that so that we would have some time to talk to the manager alone to continue the last conversation we had. To be followed by the councilmembers talking about what our priorities are for the city, which would then inform I guess the completion of that evaluation. My office has been trying to schedule a time when we could all be together and has been unable to do that. Because everybody is busy in the month of may. Which means that we're going to have to do some -- either we're going to have to meet not together as a whole group, which would be bad, or we're going to have to make accommodations in the kind of scheduling that we would want otherwise. I would note that next Tuesday on the tenth we have our work session here in the morning. That's the day when we all know that we're here at -- work session is set. We could do a half day on the afternoon of the seventh and cut off the work session. A lot of people have scheduled the weeks. I'm available on the weekend of the 14th and 15th, weekend of the 21st and 22nd, the following weekend is memorial day weekend but I would make myself available that weekend as well.

[12:54:34 PM]

If the days of the week were too busy. But I don't know what folks pleasures are or weekend availability. Yes?

>> [Off mic]

>> Mayor Adler: Cap metro operations meeting? Okay. I mean, I think that everybody has something scheduled on every day so the question isn't can we find a time when no one has anything scheduled. What we're going to be finding a time for is when the world doesn't fall apart if you don't make what it was that was otherwise on your schedule. I mean, that is what we're shooting for. You know, and, you know -- you know, looking at next week -- and I have everything scheduled all days too but I would make myself available on the ninth. We have work session on the tenth. We can go into the tenth in the

afternoon and maybe people could miss a cap metro meeting or other meetings that were scheduled on that day. We could go through days -- I'm fine doing it on a Saturday. I'm fine doing it on a Sunday, none of which would be my preference but we have to -- we have to do something to get this scheduled.

Mayor pro tem.

>> Tovo: I just have a couple comments. I think that my concern about doing this -- and I know you indicated we were going to do it but we're now missing councilmember Gallo and councilmember Zimmerman and so my concern about scheduling something now is that we have two absent colleagues. I would say -- and are we trying to schedule sort ever a half day -- of a half day at the moment or half day thing? Because one way to resolve councilmember Garza's commitment on Tuesday --

>> Garza: It's on Wednesday.

>> Tovo: I apologize.

>> She said Tuesday but it's on Tuesday, not Wednesday.

>> Tovo: I thought we had a conflict that agreed and I was going to suggest that we make the morning instead of doing our regular work session, have that morning where we currently have a work session scheduled be our high priority, finish the evaluation so that if people had already scheduled things in the afternoon, they could just miss the work session part.

[12:56:52 PM]

>> Mayor Adler: One option available --

>> Tovo: That might be one option for Tuesday, we do from 9:00 to 12:00, we have it be the piece of the city manager's evaluation that we would like to complete or whatever other piece.

>> Mayor Adler: I think in terms of your first question, what we had talked about was having at least a half a day to complete the conversation that we were having before. We had talked about having a full day to talk about the future city priorities. One option, too, would be to not have -- we have a council meeting on the 12th and a council meeting on the 19th. We could take one of those council meetings and say we're going to devote that day to this and just heavy up the council meetings both before and after that day would also be an option available.

>> Tovo: Mayor, can I ask a follow-up question? Are we trying to schedule those two events together? I know that was ideal but at this point would it work to schedule them apart so that, for example, next week we if I were up the city manager's evaluation and the following week we have our day-long retreat on a council day that's not scheduled?

>> Mayor Adler: It was suggested that the -- you know, the manager suggested to us and has repeated to me that to his -- his recommendation continues to be that we do something either here or off-site that continues from one day into the next day so that we're together in the evening. So as to have the additional opportunity to see each other in that kind of informal setting because he thinks that that would be a good thing for the council to do. So we could either do it in parts or we could do it together. There are trade-offs. Ms. Houston, and then -- ora?

>> Houston: Thank you, mayor. I can do it on any day but the tenth. I will be in Washington, D.C. Burying lieutenant core Nol Daniel on Arlington cemetery. I leave on Monday and don't get back until the night of the tenth.

[12:58:56 PM]

>> Mayor Adler: Okay. Ms. Troxclair and then Ms. Kitchen.

>> Troxclair: Previously when your office was trying to schedule I think I was unavailable on Friday and Saturday the 13th and 14th but I can be available those days if that makes any difference.

>> Mayor Adler: Let's do this. And because we have three people here, let's pull this back up on Thursday as a housekeeping matter to try and resolve but between now -- I'm sorry.

>> Kitchen: I'm sorry. Finish your thought and then I'll speak.

>> Mayor Adler: I was going to say between now and Thursday since we have three people that are not here, I -- when my office reached out to people before and asked about calendar, everybody had something going and now I think the requirement now is to find out what are those things that you are, you know, somebody would die or you'd miss a wedding of your daughter or -- I mean, we're trying -- we're trying to elevate it at some point here to get this done. But the sooner we can get done, the better. Ms. Kitchen.

>> Kitchen: I

>> Kitchen: I recommend that we get it done right now. I acknowledge that some of our colleagues are not here and we will have to go back and check on them, but the longer we wait, stuff just keeps filling up. So to that end, I had originally said that I couldn't be available on the 13th, so I'll just have -- I can make that work. I can make the 14th work.

>> Mayor Adler: What about the 13th and 14th? Can people make the 14 R. 13th and 14th work?

>> Tovo: I had indicate I had have a memorial service for my sister-in-law on the 14th that's been scheduled for months. If we're meeting for just a few hours in the morning I can probably make that work, but we likely are not going to be meeting for just a few hours. But I will say if that's the only date that works, I certainly support you all meeting without me. But that's not a day I can attend.

>> Mayor Adler: What if we did the full day on the 13th and just the morning on the 14 notice that's a Friday going over to Saturday morning.

>> [Inaudible].

[1:00:59 PM]

>> Mayor Adler: Greg and Delia are gone.

>> May I suggest you use a survey on the message board and do this like a dual survey and fill out when you can be available?

>> Pool: Mayor, I'm trying to make myself as available as possible. I do have and have announced it repeatedly in my district a town hall 11:30 to one on the 21st, but otherwise I will make myself as available as possible, even if we land on the 21st, I could leave and come back. And I think doing a survey would be --

>> Mayor Adler: What about all day on Friday the 20th and carrying over to the 21st?

>> Tovo: Mayor, let me ask you -- I just have to go back to the dates. You had said there were two Thursdays that you had identified on which we currently don't have a council meeting.

>> Mayor Adler: No, we have a council meeting, it's just whether we double up on a council meeting.

>> Tovo: I think we should double up on a council meeting. I think we should take a Thursday and do an all-day retreat and if we need another half day we do it the following Friday. I think it would be a little tough to pull that together for next week, so I would say my suggestion, if it's feasible, would be the 19th.

>> Mayor Adler: Carrying over to the 20th.

>> Tovo: And half of the 20.

>> Mayor Adler: Does that work for people here? That would be all day on the 19th, Thursday the 19th, carrying over to Friday the 20th.

>> The morning of the 20th.

>> Mayor Adler: Morning of the 20th. That gives us a day and a half. All right. So let's -- yes?

>> Troxclair: So that sounds like that might be a good option. Can we ask about all day on Friday the 20th and half day on Saturday the 21st as well?

>> Mayor Adler: Yes. Let's look at the 19th, 20th and 21st. Let's get everybody to respond to their availability on those days, 19, 20, 21. We'll post something on the message boards so people can respond to it. All right. Next question I have --

>> Casar: The last thing I would mention is there a reason we're not looking at the last week of may when we don't have a council meeting.

[1:03:08 PM]

>> Mayor Adler: That's an Austin energy meeting which would be the 26th, 27th and 28th. That's the memorial day weekend. We could do that too. We'll come out on the message board and ask everybody their availabilities on those two weekends.

>> Pool: And remember, we'd be starting at 1:00 --

>> Mayor Adler: We lose councilmember troxclair on that second one. When are you gone? All those days?

>> Troxclair: Yes, I'll be gone all those days the week of the 26th, 27th and 28th.

>> Mayor Adler: Let's pray that the 19th, 20 and 21 works. At some point we'll just have to do this.

>> Tovo: Mayor, I think I may have made this suggestion before, but I think we also need to be conusors that when we make a decision to have weekend hours we're also making a decision on behalf of a lot of staff who will be here to support us, and so if we have an option for doing it on a Thursday where we all already have blocked off that day, that will be my strong preference of a Thursday and a Friday rather than a Friday and a Saturday.

>> Mayor Adler: Okay. We'll take that into account. Let's see how people respond. The next thing that we have is we could just break and stop at this point. We had an executive session that was scheduled for the tax wap swap issue. That won't come before the council for next week. So we can either break for lunch now and spend half an hour and get that report or we could just stop for the day. Anybody have any preferences?

>> Pool: What I would say is I think one reason why the briefing was today on the tax swap and we wouldn't discuss it until next week is that was part of what we were hoping to do for ourselves was to provide some good number of days in between the discussion and then a vote.

>> Mayor Adler: We have the time. Let's go ahead and do that. So city council will go into closed session to take up one item pursuant to section 551.071 of the government code. We'll discuss issues related to item e-2, which is the legal parameters for transfer of services and taxing authority. E-1 has been withdrawn. If no objection we'll go into executive session on this item and then we will be back.

(Closed Session)

[2:17:00 PM]

>>Mayor Pro Tem Tovo: We are now out of closed session. In closed session we took up legal matters related to item E2 and we now stand adjourned at 2:17 p.m.