

City Council Work Session Transcript – 05/17/2016

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>> Mayor Adler: Are we ready? We have a quorum present. We'll go ahead and convene the work session today. It's Tuesday, May 17th, 2016. We're in the boards and commissions room. We have some items that have been pulled and we have a briefing from the task force on community engagement. We'll go ahead and start with the briefing. >> Good afternoon, Mayor and members of the council. My name is Mike Clarke Madison and I am the chair of your task force on community engagement. And we've been working since last summer on ways for which listening to the public, listening to the community in ways in which the city can improve its ability and capacity to engage people meaningfully in decision making. We have several other members of the task force here, Bob Taylor and also Diane Miller who led our facilitation team. And of course we had staff support from Doug and Larry Schooler as well. So we have 13 members of the task force, very diverse group of people.

[1:18:53 PM]

All of whom contributed their perspectives, interesting perspectives to the work of the task force. We operated by consensus so -- we didn't vote on things, we didn't fight over things. Everything had to be something that everybody in the room could agree to. And with this diverse group of people that made for some very interesting conversations, but it was actually rather remarkable how much consensus we were able to achieve as we went through the process. Our assignment there was the resolution that you passed at your first meeting in 2015, was to look at the existing engagement and the city used and look at ways that our communities may have been able to build some of those with some innovations. Look at what fiscal implications would be for expanding our community engagement capacity. And also some specific considerations about accommodations for people with disabilities, for -- sorry, non-English speakers, creating opportunities for more virtual and in-person participation. Creating more district and neighborhood centered engagement. And also added to the charge a little later on was looking at different ways in which we could improve the innovation process for getting public hearings established. So what we kind of started out with was asking ourselves what is the purpose of quality public engagement? Do we want to try to achieve? Kind of a mission statement, if you will. Quality public engagement offers opportunities for all voices to be heard and respected, which leads to better representation of the community, which in turn results in better decisions and policies. That was our touchstone. That we're not just doing this for its own sake.

[1:20:54 PM]

That you're going to get better decision making if you bring more people in in more ways throughout the process. So we broke that down into what you see here on the chart, some of the things that we thought were going to be essential in order to make that mission a reality. Empowering communities, overcoming people's fear of participating. Showing people that their input matters. Making it possible for people to have input with the limited time that they have. Create dialogue, have two-way methods where people are listening and being able to talk and listen. Equity and proportionality, I want to make sure this is sort of the everyone's voice needs to be heard not just the people who can talk the loudest or -- loudest or stay the longest, but you also need to make sure that the opportunity for everyone to participate is simply opening the door to people is not enough. You have to be able to reach out to people and help them participate. Clear and accessible information, quality of listening, cultural relevance, appropriate resources: And there in the middle is the question of trust. And we also rendered this as what we call the bridge. Engagement is the bridge between the people and the government and those same variables are there and you see right in the middle of the bridge is the mutual trust that we think you can establish by having the appropriate orientation and the appropriate techniques for making sure that people are able to participate effectively. So here's our timeline. We met every two weeks from 2015 to March of 2016. In the fall is when we did our input and data gathering. We fielded a survey that gathered about a thousand responses on speak-up answer. We had meetings with various constituencies.

[1:22:54 PM]

We had people come to the meetings and testify before the task force. Using that we developed our needs assessment and the key themes that we thought we wanted to pursue as we went into the report. And then in the spring we settled down and developed like what the final recommendations are, and that's what's in the report now. So the working groups we broke up into working groups that focused on several different constituents we wanted to hear from, neighbors and neighborhoods, business groups, civic volunteers, non-profits, underrepresented populations both in terms of ethnicity and, accessibility issues. The boards and commissions were a focus that we put special focus on. We wanted to understand how the city's boards and commissions process works as an engagement vehicle. And then city departments themselves. The folks doing engagement into departments, what works for them and what doesn't. So the we got community feedback, we had the focus groups with community leaders. We had the September conversation core topic was community engagement so we got feedback from that. We did the surveys. In addition to general public we also did a special survey for board and commission members and staff, for leaders of community and non-profit organizations and then we also fielded the survey in four languages, Spanish, Korean, Chinese and Vietnamese. We had in-depth interviews with the folks at the city, other folks in the community doing engagement as well as getting feedback of course from the members of the council as we consulted with our appointors during the process. So all this ended up being distilled into the work that we're about to present. So we talked about the needs assessment we came up with five key things that we thought would be the most

[1:24:57 PM]

definitive of where we arrived through our deliberations. One is clarity of information. Make sure that it's easily accessible, relevant, that people understand it. The second is to create more convenient appropriate accessible ways for people to give input. The third was to establish and what difference it makes for you to engage. The fourth was making sure that everybody who has --everybody who has an issue has the opportunity to engage. This is sort of the inclusion theme. And the fifth was just ensure

that the city has what it needs to be able to do this well. So the first theme again is charity of information and some of the comments that we got from the various input sources that we had are shown here, you information is not always accessible to those who have special needs. People don't have enough of an opportunity to find out what directly affects them or what's happening in their district, the stem's kind of help to provide what another member of the community said was a fire hose of information. That's relevant to your interests. Making the impact of the city's communication through strategic partners in the community. And general concerns about the timeliness, consistency, accuracy of information that people can get. So distilling these into our recommendations, the first one by a long shot was to redesign the city web portal and make it building in all of these capabilities that people are really looking for that they need.

[1:26:58 PM]

that the excitement it exists now is not working for people. We also had a recommendation that came largely through our work with open Austin to develop out a real-time open data portal so that people can have access to information and work with it and help the city do a better job of communicating with that. We had a recommendation to prepare or reinvent the community registry. That right now it's not -- again, not working for people, it's not up to date. It's not being used as effectively as it could be for things other than doing like public notifications. More effective accommodations for users with disabilities. We have several suggestions on that. Recommendation that being able to create content that really orients people to the basics of how the city works we're calling Austin 101, a lot of us, one of the task force members was a graduate of city works academy and she said that a lot of that material is very useful to be made more publicly available for people, but not in the format that requires the time commitment of city works. We've had several recommendations for plain language content policy, simplifying the language used and then a series of ways that people can better curate the information that they get, whether it's like the Austin notes and newsletter or issue-specific places on the website or able to use the city's other channels to really focus on getting the information they want so they can most effectively use it and most effectively contribute. The second theme kind of ties into the first one about easier ways to provide input. This is where people are reacting to the notion that I don't want to have to

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physically attend a meeting that can go on for hours in order to feel like I had the ability to participate. So lots of different suggestions and great ideas from the community about district-based outreach, virtual outreach. Ways that we can make engagement more fun. That there's a lot of fatigue out there for some of the people who have been trying to be active citizens. And they want us to think about ways in which we can think about ways to make it more participatory and less of a slog, if you will. So we have several recommendations that came with this. District office hours, district town halls, which I think a lot of you already do. Designated accessible meeting spaces in each district. This is an actually an issue that came up -- not every district has a really good place to have a public meeting. And looking for ways you can make sure that there's one space in each district where the AV is proper and the room is comfortable and you can get there on the bus and all these things that matter when you're staging an engagement effort. We had several recommendations that you will see in several places about engaging community partners who have expertise in reaching out to communities, particularly communities that maybe underrepresented otherwise. Looking for ways in which the -- the engagement bus is what we're really talking about is mobile ways for engagement. One idea was to actually have a bus that was equipped for people to give comments with kiosks and stuff like that. It doesn't have to be that

elaborate, but the idea of going around the city, going to where people are, to

[1:31:00 PM]

grocery stores and soccer games and things like that, to be able to gather people's input. Again, simpler method, plainer language, make sure that people understand what you're asking them so that they know how to give input. The very specific proposal that I guess is already underway from having the online agenda commenting system which I guess you're beta testing right now. And also a digital open city hall platform. There are lots of good examples of this across the country and we kind of need to move to a point where I believe that we're looking for theucor speak of. And coming up with ways for people to be able to participate online or virtually at meetings. Obviously there's legal issues at play there, but we know that the city has done their town halls and been able to take input from the people in the room and people watching on TV and people on the phone and on social media that looking for ways to make that work and not as a special event each time but ways in which that can be part of the Normal stream of input that y'all are receiving. >> Kitchen: Mr. Mayor, should we wait until end to ask questions? >> Mayor Adler: [Inaudible]. >> Kitchen: Okay. >> Third is show how the input is being used. Why does it matter that you want my input on an issue? What difference does it make for me to engage? So what we heard a lot was that there's not a lot of structure in place to make sure that the results of engagement inform decisions. And that this was true at various levels of the city system both from the neighborhoods, the boards and commissions themselves sometimes told us that we don't know what happens to the recommendations we make.

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And because people don't really know what their input is being used for, they don't really know what's the most useful way for them to provide it. One of the comments here is some people feel the only way to accomplish things is to go directly to the elected officials. I'm sure you've probably felt this yourselves. And we wanted to look at ways where people could feel like they could as a matter of routine give their input on a subject and be informed about what difference that made. So this is some of the recommendations we have about the timely feedback loop and ways that you can reinforce that, use technology more effectively to provide feedback, including the external electronic voting. Structure all boards and commissions to receive public input. That should be part of the bylaws of all of the boards and commissions. And then and then enforce those bylaws. The fourth theme, ensure everyone can be heard. Again, this is a message of inclusion. We need processes to be fair and representative and reflect input of the entire community impacted by a decision. Not just of a local few. When only hearing from people you've always heard from then the challenge is what needs are for everyone. So our recommendations here, and the first one of these is investing in trust with underrepresented communities. The word we actually use in the report is community organizing, but we understand that that's got some connotations to it. But we think there are people -- the only way you will be able to reach people in a lot of communities and get what you need out of an engagement effort is to be

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very proactive, to partner with folks in those communities and to spend some time and energy knocking on doors, going to church with them, things like that. That having that kind of capacity as part of the city's regular engagement process instead of something that we have to kind of makeup on a case-by-case basis is the sort of thing that we're trying to get to here. The second again is create opportunities for input beyond city council meetings. Something like spirit of east Austin would be an example of what

we're talking about here in 4-b. And that should not be something that's a one-off special event. It should be something we have systems in place to plan and do in all communities to make sure that people who aren't going to feel comfortable or who are not able to be at a meeting such as this one are going to have a place to be heard. And our third recommendation here, consistent structured transparent process from proposal to decision. The model of what we were thinking about here is Texas legislature online where you can see at any point in the process where that bill is. Now, the city system is different so you can't just model it, but we want to make sure that people in that when an issue is before the council or being considered before the council that they know where in the process they are. Then the fifth theme is about how we need to support and equip the city staff. Of what we heard is there's not a great deal of consistency between departments and how they handle engagement or whether they handle engagement. That there are resource issues that we should be able to, you know, invest in, that there's skill training and investing that we need to for personnel in various city departments and

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to make sure that this goes beyond the Pio. They can't do everything themselves. But they can help other departments, other public facing staff members who may not be specifically designated as professionals to be able to effectively engage. So sorry, I'm behind here. So the recommendations are -- provide that ongoing training, have the executives promote and encourage best practices and engagement, lead by example. Prioritize that people should feel like they've had an opportunity to engage effectively. And then again, building database of local grassroots leaders, community leaders that you can work with as a sort of what the community registry could become. And do consistent evaluation, make sure that people are satisfied with their opportunity to engage and that your response, the people who responded were reasonably representative of the effective population. So we then distilled this into what we thought the most important pieces were. Our top 10 recommendations out of the ones that we just talked about, one was by far the website, fix the website. Two is the investing in capacity and underrepresented communities, the community organizing piece. Third was training for staff. Fourth was the online agenda commenting system. Fifth was creating the feedback loop so people know that they have actually been heard in what happened. The online engagement platform, the open data portal, plain language content creation policy, partnerships with community organizations, and the structured process for people being able to track the progress of issues and

[1:39:06 PM]

items. So I think that slide is in there twice. So I think that's it for the presentation. We also have the full report that goes into detail about these issues in context. We are actually still pulling together some of the information for the appendix to that report, including the full results of the survey. But I think that's been distributed to everyone. And I would just again want to thank you all for the opportunity to do this. This has been a great project. I've really enjoyed it. It's made me very proud to be an Austinite. And I am really proud of the group that we pulled together. They worked really hard and took this really seriously. Thank you. >> Mayor Adler: Thank you very much. This represents a huge amount of work and a lot of time spent. This was one of the first priorities that we set as a council coming out of that real early council meeting we had when we had people participating by phone and by social media back in January of 2015. This was a priority for us. It represents a lot of time, a lot of effort and I appreciate the breadth of recommendation as well as the prioritizing of the recommendation. Very good report. Any comments or questions? Councilmember Kitchen? >> Kitchen: Yes, I have a question related to item number 4 of the top 10. In the online agenda commenting system, can you just talk some more about what that

might look like from a user perspective? What would a person in the community be able to do with this kind of system? >> The expectation, I think, was that people would be able to interact with the council through this means in realtime.

[1:41:10 PM]

You could comment in advance as soon as the agenda was posted, but you would be getting feedback from people who weren't in the room right then. I don't know if that's the capacity that the systems that you're looking at -- I know that Doug is actually working on those. Would you be able to do that? >> Well, there are certain limitations to the realtime piece so what we've been focusing on is relieving some of the tension that we see for people -- and this relates to some of the comments and recommendations. Relieving the tension that some of the people feel that they have to come to a meeting in order to be able to make a comment on something that's important to them. So we've been working with a couple of developers to do some pilots where we can ingest the agenda data, put it into a system where folks can simply select the item, read the detail on the item and then indicate whether they support, they don't, they're neutral, and provide their comments. That would run from the posting to 24 hours before the meeting. That would give us the opportunity then to run the report and provide them to you all both citywide, but also on a district basis so that you understand what comments are coming from your respective districts. This morning I uploaded Thursday's agenda because we're intending to adjust that process right now and we're hoping this summer that we'll be able to do a test of that. >> Would that also include the capability for us to just view it online instead of having just a piece of paper? >> Yes. >> Kitchen: Okay. This may be down the road, but could it also be for items posted on a committee? >> Eventually.

[1:43:12 PM]

Some of these items will be more easily achievable when we have a standard management system across all the boards and commissions. So when you talk about tracking the entire process that data needs to be going through a single system really to make it efficient. And I know that that's something that we're looking at right now implementing by the end of the year hopefully. So the answer is yes eventually. Right now it's impractical for us to get there until we have a single system that's managing all of those agendas. >> You mean we have different technology, different software for different boards and commissions in the city? >> Well, truthfully we have little technology to manage the agendas for boards and commissions. Those are managed mostly manually at this point. >> But I mean they're posted. >> Correct. >> But don't we use -- I won't get into the detail. I thought we were using the same posting system for boards and commissions as we did for the -- that we do for the council agenda. >> The posting system is different than the agenda management system. So the agenda management system ingests all of the backup, all of the information that goes into the agenda. The posting system is actually managed through the city clerk's office. >> Kitchen: Okay. >> Pool: I had a question along those lines too, thanks. I first want to thank Mr. Clarke Madison and everybody who was on that task force and Mr. Mill for the facilitation of the work and Doug, you and your staff, I think the meetings were every two weeks there for awhile. >> Right. >> Pool: So it was a big lift and an important assignment. And if I can remember back to that fine day in February last year, that was the first thing we kicked off. So thank you. I think there will be a number of things that come from there. I wanted to follow on councilmember kitchen's from that same online agenda commenting system for the community. So realtime is the

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difference from now and it would be curated all in the same system. >> Realtime is part of it and curation is part of it. Right now the equivalent would be I sent you an email. >> Pool: That's what I was going to say. That's what happens now and we filter them into issue folders so everything gets in there and it's all kind of organized for me. So this would take that out of my hands and put it into a different system that would automatically sort by the topic the agenda item. Okay. >> And also providing that a view of that back to the public at some point. >> So the sender of the comment would know it had been received and possibly even viewed by council, maybe there would be even like a transparency on who has looked at that comment. >> Exactly. >> Pool: Interesting. Okay. So yeah, my question is how is this different from our current commenting system and that makes sense to me. Let me. >> Tovo: Did I understand there are some models for that kind of a system in use in other cities? >> Not specifically for agenda commenting. There is one. It's actually a module attached to one of the agenda management systems that we're looking at. So there may be some possibilities there. We just don't know yet. We know also that there's some interest in the open development community through open Austin to do their own thing in that regard. So we focus some of our energy while the task force had been doing their work, working with the agenda office to publish all the agendas as they're posted, publish them on the open data portal and that allows any developer to then take that data and develop any system that they think might work for the public.

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So we're attacking it from a couple of different angles. We don't want to be from from a particular vendor if we don't want it to be. At some point we will need a vendor of record or provider of record so that we don't have multiple systems that you need to track down to understand who is commenting on what. >> Tovo: Thanks for letting me jump in, councilmember pool. I was just interested if there are other cities using this kind of format it would be interesting to talk to them and see that in action. >> Pool: To follow up on that, I would say that we have a good group of real talented people in our community. And if we could engage them to building proprietary software for us that would be specific to what our needs are, that would be a good assignment for our free net folks and our open coding folks. I had a couple more comments. >> Mayor Adler: This is the time. >> Pool: I wanted to say that I appreciate the input on having multiple ways to communicate to the council and to the staff and everything. I think it's entirely appropriate that we open up all the doors and have all the free flowing avenues and that they be two way. I will say too that there really isn't anything that is better than face to face interpersonal communications and there's so much we gain from being in the room. I recognize that not everybody can be in every meeting at all times so that's why we need to have these other appropriate avenues to backfill for that, but I don't want the community to go away with any thought that we are going to replace in-person meetings. >> >> The feedback we got from the community did reflect

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high-tech and real touch. Not that if they weren't online they can't do it, but also the feedback that you can't just rely on tech tools to make this happen. We kept getting into the sort of in person on the ground knocking on door type of engagement and what role that has as part of a complete substance. >> Pool: Along the lines it's also having the luxury of time to be able to dig into an issue at the level you really need to in order to really communicate. So it's important to preserve the ability to have the amount of time. Page 17 I wanted to jump to theme two, to be designated accessible meeng spaces. Generally we have focused on libraries and recreation centers throughout the city, but I recognize that

they're not -- they don't all have A.D.A. Capabilities. Is that an item that maybe our folks in pard may be working on some assessments on where we should build in resources to improve accommodations there? >> When we distributed the draft report there was staff memo attached to that that related to some of the details in each item and we actually addressed that that it's something we can look at. And we agree because sometimes we struggle to find those same locations. What we've learned since then is that Google may actually already be doing that as part of their fiber rollout with some of our facilities. So we want to see how we can match that up to this effort and identify where the gaps are to be able to come back with a number whether it was through the budgeting department process or otherwise so that we know that every district has at least one place that has a uniform tools and abilities to be able to not just do the in-person engagement well, but also to be able to

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diversity that and do some of the lending engagements that we've been doing. From there we talk about transparent process from proposal to decision and capacity and trust in underrepresented communities and strengthening dialogue for input beyond city council meetings. And my colleagues and I work pretty hard to get out into the community to have that interface very direct and would this be an area that city staff would be encouraged to have a greater role? >> I think both city staff in theme five that more people who have roles with the city should be able to engage. But also working with community partners is looking at who in terms of the non-profit community or your neighborhood leaders or your business leaders, looking at ways where they can help you. >> Expand our reach. >> Exactly. >> Pool: Yeah. I would say just to conclude, I know others have some points they want to make with you. We heard the flood mitigation task force yesterday and they had a whole lot. They had a large number of recommendations, and it will take awhile for us to work through it and find the pieces that we want to work on. And I think that that group wanted to maybe do some prioritization. And you have done some of that here, is that right? >> Right. >> Pool: Of your top 10 they really are in a priority. >> They really are in the top 10, yeah. >> I think it is worth noting for the public that's watching that each one of the recommendations that Mike covered today has a series of specific recommendations underneath.

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So that will be posted, that will be available for folks to review down to that level of specificity. Out of consideration of everyone's time we didn't get all the way down to that level in the discussion today. But I think that's important too. >> Incorporate is ideas that we heard from the community or best practices that we saw in other places, we tried to make it implementable, you know, actionable items, things that you could actually do. We had some criteria that we wanted to guide ourselves and we talked about recommendations. And all the recommendations came up as -- were decided on by consensus. We all worked through this language and worked on specifically what we meant when we said in a particular item, so I tried to convey all of that in the report. There's context along with each recommendation to have the ability to understand that. >> Pool: And then I suppose that members of the task force would be willing and available to work with the dais to if we chose to take some of these issues forward? >> I would think so. >> Pool: Was there any conversation about that, continuing on as advisors or something along those lines? Informal or otherwise? >> Well, yeah. We didn't want to commit to that when we were done with the report. But -- >> Pool: You want a little bit of space. >> A little bit of breathing room. I think everyone really -- they cared about this. So I do think that -- I certainly would be able to you know, interpret what any of this might mean in real five. >> Pool: And keep your eye on it as well as we do move forward with it. I think you're right. I could tell that you all cared and I think that we

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are all happy that you did and you invested the amount of effort and I look forward to working with you and others to make some of this a reality. Thanks. >> Thank you. >> Mayor Adler: Let's have more comments. We're going to lose the mayor pro tem here in about 45 minutes. There are a couple of items on the agenda that I want her to be here and available to talk to. I want to move quickly through this. Mr. Zimmerman. >> Zimmerman: I'll try to be quick. I appreciate that. I appreciate the work you've done here. But I'm skeptical that we're not getting feedback owing to lack of money we're spending on tools for feedback. And let me give you a couple of very pointed examples. Some months back the zero waste advisory commission, the zwac, heard an issue on a landfill extension for republic landfill, I think it was. The issue was studied quite a bit and there was a tremendous amount of input. There was no lack of public input. There was no lack of technical input. It was all on the table. The zero waste advisory commission unusually voted unanimously to oppose the issue going to council. We sat in this room right here and I asked Mr. Gedert why would you even bring something to the city council in the unusual case when the commission unanimously voted against it? And his answer was very illuminating. His answer was, well, we will have someone at the Thursday council meeting to answer all those objections. So I think you get my point. In the zero waste advisory commission says what are we doing here? We heard all the information, we had overwhelming reason and evidence to vote against this, and the staff insists on pushing it to the council. And when I object and say what about these unanimous decisions? Don't worry about that, I'll bring some people to answer those objections and we'll push it through anyway. So I don't think the problem is our tools or anything

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else. I think the problem is there's the power and control. My chief of staff just brought it to me. It was October 1st of 2015. It was in October council meeting. Actually, it was rejected by several commissions. It was reviewed by the electric utility commission. They voted I think 5-2 in favor but there was no quorum. But anyway, the staff just relentlessly and relentlessly pursued this because they had an agenda of pushing this through and it didn't matter what the people so said, what the commission said. >> Mayor Adler: Thank you. >> Zimmerman: I'm against spending more money on tools when we don't follow the advice we get anyway. >> Mayor Adler: Ms. Houston. >> Houston: Thank you so much, mayor. And thank you, Mike and everybody here that worked on this for such a long time. And I know it took a lot of time and a lot of thoughtful conversation. On page 28 I'd like to look at 5-5 which talks about providing ongoing training to city staff. Can you tell me very briefly what you were thinking about in that? >> I think what we were thinking is that there are -- sorry. There are a lot of really talented people in the city who are specializing in doing engagement work. But there are a lot more people in the city who are facing the public, who have to answer questions, who don't really have the type of training and tools about how to do active listening, how to use engagement tools, how to help communicate with people how they can make a difference. It's an art. The people who -- the more people who know how to do it, the more people who have the capacity to be able to effectively communicate with the public, the better off we're going to be. So that's what we were talking about. >> Houston: Thank you for that.

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As one of those communities, representing one of those communities that has been left out of conversations for generations, I appreciate the effort that you all have put into trying to help guide the city and elected officials in being more intentional about listening and being able to include more people

in the conversation. So thank you. >> Kitchen: Just a quick question, and I apologize if you mentioned this, but what it will take to get to these various recommendations, is that identified in the report? >> Yes. Yes. We made assessments about what we thought was the level of effort required in terms of time-frame and budget. And so some of them, we have much more specific recommendations that the staff has been able to provide. >> Kitchen: Thank you. >> Mayor Adler: I know you guys are not into weeds, it was interesting when we were with the secretary in northern Europe, a big part of the focus was on community engagement and how that was happening in different countries. And Copenhagen made the decision when they went out to talk to the community to try to get the different sections -- segments of the community. And they would hold their stakeholder meetings in locations out in those communities. They made the observation that they seemed to be hearing from the same 15 to 20 people that were the activists in that community. They went to those 15 to 20 people and armed them with literally clipboards and a series of questions and asked those people to go to where the larger community gathered. They like deputized those 15 to 20 people and they sent them into grocery stores, stations, and schools. And they asked that group of 15 to 20 people to come back with

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that work. And it proved to be a very successful tool for both engaging those that are very engaged, but also reaching to a much wider group. I thought that was a pretty nifty idea. >> That was some of the feedback we got too from people who said they tried to be very engaged on issues. Help us help you. So that -- you know, activate people's own networks on the issues they care about and you'll end up hearing more. >> Mayor Adler: Thank you very much. >> Just one more. One other issue is how we queue up things. There's a short time -- somebody may have mentioned this before, that there's no time to do that engagement. Did you all talk at all about how things -- policy changes contentious issues get queued up so there is the time to go out and do that kind of engagement with the public? >> We did. We talked about ways in which to build in earlier in the process of coming to a public decision how you're going to engage with the communities that are affected and not coming -- that was a fairly strong piece of feedback that we got from the beginning. By the time I know about this you have already made up your mind. So, yeah. >> Mayor Adler: Thank you so much. Thank you for your presentation. I'm sorry, Ms. Gallo. >> The just in case you haven't heard enough thank yous, I just want to thank you again. We are very appreciative of the work you have done. I hope you take time to refresh but are back and available to assist us as we move forward. >> Thank you for the opportunity. >> Mayor Adler: Thank you very much. All right, council, we're going to go into some of the matters here, mayor pro tem's items, which are, I think, items 41 and

[2:03:29 PM]

42. Ms. Troxclair, you pulled these? >> Which one did you want to start with? >> Mayor Adler: 41 and 42. First was support for transportation option and the second was the management of the housing trust fund. Let's talk about 41 first, which is the support for transportation options. >> So I guess I first want to talk about expediting the process of the taxi co-op, which I'm certainly supportive of and I see it is on our agenda this week. Did you anticipate that there was going to be -- well I guess this is a question for transportation staff. Did you anticipate there were going to be any other delays? I know there's a very strict kind of outline as far as time line goes with the franchise. 30 days between each reading, etc. But what does the timeline look like from here on out if the co-op item passes on Thursday? >> So, we proposed that the co-op franchise on the first reading. The charter requires us to have 30 days between the first and the last readings. So if everything goes straight, 30 days we could have that done. Your votes have to be at regular council meetings. You have a budget meeting. Whether

that qualifies as a regular meeting of council or not, we need to verify that. But we're working on that. Then the charter requires after they have passed all three readings that there be a 60-day waiting period before they can start operations. So, again, by charter it's a

[2:05:30 PM]

minimum of 90-day process. Now that said, we might find ourselves with a new approach towards taxi company registration in the middle of that process. And so certainly we would extend the opportunity for them to abandon the franchise process if we have a new process defined that's quicker. >> Thanks. I just wanted to understand that and clear that up. I'm guessing -- mayor pro tem, do you want to talk about that piece of resolution? >> Tovo: Sure. As I began drafting this I think information evolved throughout the week. So it was my understanding early last week that staff had scheduled the taxi cab franchise for utc, which I think has considered it. And then it was scheduled to go to the mobility commission and it seemed like it was a value to come to council sooner. Again, as the week unfolded, staff decided to put the franchise on for first reading. So at this point, yeah, we can't waive any of the charter requirements. So this is really just a statement of intent that we hope staff will schedule those required hearings as soon as they are able to by charter. >> Thanks. >> And it doesn't speak to any new processes or any new configurations. It's really just working within the existing paradigm. >> And I appreciate you kind of bringing that to the forefront. I'm certainly supportive of expediting that process as much as possible. I guess I'll move on to the second pieces of resolution. I want to understand first -- in one of the warehouse clauses there is a mention of the family

[2:07:30 PM]

business loan program. Is that something you are intending for the city staff to consider, I guess? It doesn't necessarily make mention to loan programs or city incentives in the result clauses. I'm trying to understand how those two pieces work together. >> Tovo: Yeah, thanks for the question. I would say family business loan program, the other kinds of loan and economic development resources that were mentioned in one of the warehouse clauses match up with the further resolved about revenue neutral city resources. This is really just an intent to back up and give a one-line overview and I'll try to get back to your direct question. This is an attempt to respond to the concerns we're hearing from constituents that they want to avail themselves of transportation network companies, and we know there are some companies out there that are trying to scale up to meet that demand. So throughout our city I think we have different programs that tailor their services to small businesses. That might be appropriate for some of the transportation network companies that are trying to do that kind of rapid expansion. The family business loan, some of the microloans, some of the technical assistance that we already have, those are existing resources within economic development. And so my intent is to ask our staff, transportation as well as economic development to just have that discussion and see whether some of those companies would be eligible for some of those resources. And so in that be it further resolved that talks about identifying revenue neutral city resources and process or policy efforts that would help companies expand rapidly to meet the demand, that kind of reflects back on tho resources. Think the staff in our discussions about the family

[2:09:30 PM]

business loan, just to name one example, it is not clear if they would be eligible to that loan or not. We have \$8 million from the federal government to support companies that are applying for family business loans, but those are specifically targeted to job creation, and it's not clear whether contract jobs would

meet that requirement or not. There will have to be a discussion about that, but that's really the direction of the resolution is to make sure that those conversations are happening across our staff and that any resources that we currently would make available to other small businesses are considered by our transportation staff in working with these transportation network companies. Is that -- does that help? >> Yeah. There was -- I mean, yes, it does. Thank you. And I assume that in order to qualify for a family business loan program that a company has to be family-owned. And that would be something they would take into consideration? >> I don't believe it does. We had this discussion when we were considering it. I think that we do need -- I'm going to suggest that we make some changes to the family business loan program in the months ahead. Because we have used them to support some small Austin businesses that I think we all think of as small businesses. We have also, I believe, given at least one -- awarded at least one family business loan to a local franchise of a major hotel corporation. So we do have the ability, as I understand it, under federal law to adopt some local criteria that -- well, that would just be different. That would allow us a more narrow focus for us here in Austin for how we target those funds. And that's, as I indicated, I'm very interested in bringing forward a resolution that that's a little ways off.

[2:11:32 PM]

So at the moment there are some specific criteria but I don't believe being a family owned business is one of them, actually. >> Okay. Well, that's good to know. I did -- somebody sent me a post from get me's Facebook page recently that kind of spoke to this issue. I found it interesting and I thought the rest of the council would find it interesting as well as far as the city's efforts to help them scale up. They said over the past few weeks we have been asked how will we fill the gap left behind other tncs leave? The pressure on how get me plans to fill the gap is not a pressing issue that we have to contend with. The current issues are not of our making. So we will continue to grow our business and in a few weeks we will be in 15 cities in the U.S. And Canada. Whatever happens in Austin or Houston may have an impact for tncs in those cities, but ride sharing is only a part of what get me does and we have to continue focusing on what we do. To be honest, not to mop up whatever mess was left behind due to whatever the issue or the topic of controversy is this week. So I was disappointed to see that when they have repeatedly come to council and said they were willing to try to fill that gap, it doesn't seem like that same willingness is there now and they seem to be focused on rolling out their business in other cities. So I hope that in the city manager's consideration of whether or not we should be using city programs and city funds to help businesses that are still here that we take these kinds of comments into account. And of course there are other companies as well besides get me who are in Austin. I don't know whether or not this is the appropriate time to have this discussion, mayor, but I do think that we need to have a

[2:13:32 PM]

public discussion at some point about whether or not we plan to enforce the fingerprinting requirement. Because, of course, there have been multiple reports this week. I have gotten multiple e-mails from drivers who have raised concerns about the fact that get me and wings are either not fingerprinting their drivers at all, not setting an expectation that their drivers should be fingerprinted, or not running any kind of background check. There was an e-mail from someone that said -- >> Mr. Mayor, this is not germane to our discussion. >> I think it is if you will let me finish. >> We're not talking about fingerprinting now. >> I think it's relevant to the discussion because we're talking about whether or not - - >> Mayor Adler: I'll let you finish but I want to give other people a chance. >> I would say there's a whole lot of things to be discussed. This particular item is not about fingerprinting. If someone wants to

bring this item we can discuss it. I leave you how to run the meeting but I don't think this is an appropriate subject. >> Thank you for letting me finish. I think it's relevant because we're talking about using city resources to benefit private companies. And, of course, the whole public discussion we have had so far has centered around fingerprinting. I know you made comments recently that we're not going to enforce our fingerprinting requirements because they're more than of guideline and there hasn't been an effort to put the penalties in place. I want to understand and I think the public should understand what the city is doing. Basically we have companies now that we are potentially going to receive city funding that are doing nothing different than Uber and Lyft were doing before. So if it is not the city's

[2:15:35 PM]

intention to enforce the mandates that we just had an election over then I hope that we can let the public know and I guess bring Uber and Lyft back to Austin if they're not going to be expected to comply with the December ordinance, just as these companies apparently aren't required to comply with the December ordinance. >> Mayor, I have a quick question. >> Mayor Adler: I think that the mayor pro's resolution here is very forward looking and it recognizes that we have a gap right now in our city and we're trying to do everything we can to be able to fill that gap, and I think it's a gap that we are going to fill as a city. I would disagree with a couple of things, characterizations that you have made, including your characterization of what I said. The ordinance that we passed set real clear objectives for this city and I expect our city to meet those objectives. But at the time that we set those objectives we set out what our process was and what our path was and what we are enforcing right now is exactly that ordinance as it was written to the fullest extent that it was written. We don't have to bring Uber and Lyft back because Uber and Lyft left knowing what our ordinance said. So they have known what our ordinance said since December. We went through the ordinance. I went through the ordinance personally with Uber and Lyft in December and we are fully implementing the ordinance that we had set back in December. So to me it is feigning surprise

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when either Uber and Lyft look up now and expect us to be doing something that is not part of and was never a part of our ordinance. But I do appreciate the effort of the mayor pro tem and others on the council for us to move forward to fill that gap, because it's a gap that exists. This is an awkward moment as we move to filling that gap. And as a community we're going to weather that as we do. And we should proceed forward in that matter. Mayor pro tem. >> I want to thank the staff because they just jumped in and started doing this work already, really absent any council resolution. This is, in some ways, just affirming the work that transportation staff is already doing with the additional request that you kind of look across the city in existing programs. >> Mayor, I was part of that raucous debate about this whole episode, and I served on a mobility committee. I was the one vote that was opposed to the majority. But I want to echo council member troxclair's remarks. We're being told over and over again by the get me leader that he had no objection to the fingerprints. Yeah, we'll fingerprint our drivers no problem. Here they are operating without fingerprints saying they would do it, they don't seem to have a plan to do it. There's no enforcement by the city and yet the city wants to come along after we have driven out a successful business model and now we're going to use taxpayer funds to subsidize other companies to do what Uber and Lyft were doing at no cost to taxpayers. It's deeply troubling and I see this moving in the wrong

[2:19:39 PM]

direction. >> Mayor Adler: I think it's good that you raised up the issue again because they are unfair as well. It is no surprise to anyone that when you have two large companies that are filling a segment of mobility in the city that when they leave a new company is not going to be able to step in day one and replace them. I don't think anybody had that expectation. And I know that a lot of community want that gap to be filled and I think it's unfair for anyone to expect that any one company is going to be able to turn on a service that will abruptly left the community. I believe that that get me as well as other tncs are trying to ramp up. I see the mayor pro tem's resolution here as the city trying to make sure that that service is provided in our community, and I appreciate the efforts they're doing. Mr. Zimmerman, you were on the no vote on that. And you represent your constituents. How did your constituents vote in that election? >> Zimmerman: We had a narrow vote against prop 1 in district 6. I believe that district 8 was the only one that voted in of pro1. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I would like to also thank the staff and thank you all and just remind everybody, you may all know this, but the staff launched a driver fair this morning, which has been proceeding very successfully. The drivers can come and sign up for the tncs that are operating now. I know that was a lot of effort to put together so I want to thank our staff for doing that. I also wanted to report back very briefly that the driver hot

[2:21:40 PM]

line that we launched last Thursday was also very successful in providing an opportunity. And we had a - - United Way did that and they had a big influx of drivers that called them and United Way helped connect them also to the employment opportunities as well as other needs that they had in the community. I really want to thank everybody that's just stepped up to the plate to help our drivers and our riders moving forward. >> Thank you, council member. Yes, today is the first day of a driver sign up fair. We have three tncs participating in get me, wings, and fare, which is a new one that just turned in their application and started that process. That there are hundreds of drivers signing up today already. There is a fingerprinting office literally across the street that we're directing people to for walk ups. And we're also assisting them to sign up for appointments if they can't do it today. >> Mayor, I have a question. >> It's today, tomorrow, and Thursday is the three-day fair. ACC, highland campus lent us their space because students aren't there, which is perfect because we need a large parking lot as well as air-conditioning. >> On the driver hot line, that still continues for drivers that may need assistance, not with connecting, if they can't make the driver fair if they can't connect with the tncs if they need other assistance. There is a driver hot line. I thought I had the number in front of me, which I don't. I'll look that up in a moment. If there's a chance, I'll announce it. >> Mayor Adler: Ms. Gallo and

[2:23:42 PM]

Garza. TV media did a really good job putting out the information about the hot line and also the fairs. I think that's a real sign of community-wide support for making sure that we do what we can to help the drivers that are in the situation they are in. >> And I have the hot line number. 512-687-7441. We'll send it out again. The press did cover it pretty well last week. 512-687-7441. >> Mayor Adler: Thank you. Ms. Garza. >> Garza: I appreciate mayor pro tem bringing this forward. My only concern is something that council member troclair brought up about city funds, because that was a topic of discussion during the election whether there would be city funds used for any part of this. And when I see the family business loan I don't see -- it's a low interest loan, but the term revenue neutral is used, which is normally used more when we're talking about taxiing. I want to make sure that we're moving forward with the policy that is not using taxpayer funds. >> So by that I really meant, and there may be better language for this, kind of existing resources and programs that we already have dedicated for small business expansion.

Staff can certainly return other suggestions and then we can decide how to move on. Really my intent here is to try to just get a broad discussion going among our staff about what existing programs these companies might be eligible for that would not require an expenditure that is not currently contemplated in the budget. Like we have business -- I think one of the programs I called out

[2:25:43 PM]

was technical assistance to support business development. Again, that's something various companies can qualify for. We have already budgeted for a certain amount of that in our budget, so that would be an additional cost. Again, if you have better language, I'm happy to include it. >> Mayor Adler: I think we're looking for those options. We had originally thought that some of the services provided safety would be paid out of the fees paid by tncs. We don't have tncs paying at that scale. I would like the staff to at least take a look at, whether or not recognizing that we want these things to be paid out of the tnc fees, whether the exigent circumstances that put us in the position where we might loan ourselves the money for tncs to pay us back. I think that's what one of the original intents was. Ms. Troxclair. >> Troxclair: We're talking about a city fair held today with city staff who are being paid by taxpayer dollars to stand out there and tell people to get in line and ride for private companies. At 211, yeah the United Way helps support it but 211 is funded by United Way, city, and federal -- state and federal dollars. I mean we have already expended resources toward trying to fill the gap that we wouldn't have to do if we weren't in this situation. But I just hope, mayor, that we will get back. I understand that this is a delicate situation. I understand that this is an awkward time and I hope that I can support you in the efforts that you are making to try to bridge the gap and hopefully

[2:27:45 PM]

bring full ride sharing services including Uber and Lyft back to Austin as soon as possible, but I think a really important public piece of that conversation has to be whether or not we plan on enforcing the fingerprinting requirements. Do we intend on putting penalties in there for that ordinance? If not we can send out a formal invitation to invite Uber and Lyft back to Austin as soon as possible. If you do think there's going to be penalties, Mr. Spiller made a comment to the paper that we were going to enforce them come the 50% benchmark, come August 1st. Is that the deadline? Because we can invite them back until then. I know that we're all in the same boat and that we have a community that's hurting right now and we need to find a way to address the issue. Whether it is having existing businesses be able to scale to that demand, which we have all said we don't think is possible, or whether it's bringing back Uber and Lyft as soon as possible. We can't keep talking out of both sides of our mouth. It's unfair to the public to have an election based on whether or not fingerprints make you safer and whether or not you should be in a car with a driver who has been fingerprinted. And then the next week turn around and offer potentially city incentives to private companies who do not have fingerprinted drivers and have the city say that we don't intend on enforcing that regulation, because there are no penalties. It's just not honest. It's just not truthful, it's just not fair. I know what the answer is to me. I know that that might not be the answer to the rest of the council, but we at least have to have a public discussion about it because none knows. No one in the community knows right now where this stands or whether or not -- I think the general assumption is after prop

[2:29:46 PM]

1 failed that any ride sharing company that was still operating in the city, if you got in the car with one of those companies you had a fingerprinted driver. Of course that's not the case. Although we have made

this statement that it's so critical to public safety, instead of the city doing -- sending out notifications that you may be getting in a car with an unfingerprinted driver, we're doing the exact opposite and supporting companies that may not be running any background check at all. >> Mr. Mayor -- >> Troxclair: I'm not saying we have to have the discussion now but we have to have it sometime soon because there's a lot of confusion. >> Mayor Adler: Ms. Kitchen. >> I'm going to be short and that is there's a whole lot of misstatements continuing to be made including a lot of statements you just made, council member troxclair that are misstatements and you know are misstatements. I'm going to stop right there. I think we are way beyond the posted item. If this is an item someone wants to bring up then bring it up under a properly posted item or bring it yourself. >> Mayor. I resent that too. I have just been accused of untruthful, misguided. I'm not the one who has been mistruthful and misguided. It was Uber and Lyft and the citizens of Austin spoke and they defeated Uber and Lyft. So I resent the fact that you're trying to label me that way. >> Mayor Adler: Mr. Zimmerman. >> So my district did vote against prop 1 and all the constituents that I visited personally on the matter, which was a dozen or two, every one of them expressed confusion, mass confusion on what the ballot language would mean. An after I talked with them for five or ten minutes they said

[2:31:48 PM]

I'm still confused but if you're for prop 1 I'll vote for prop 1. I said I want you to understand the issues. I don't understand the ballot language. If you want me to vote for it, I'll vote for it. It's not good. We screwed up that ballot language. I was here, I heard the conversation. I don't think the ballot language was posted honestly. >> Mayor Adler: There's no confusion. There is nothing about our existing ordinance that would stop Uber and Lyft from operating in the city now and I continue to extend an invitation to Uber and Lyft to be a part of the conversation to answer all the questions that you have raised that ultimately need to be answered by the community. Anything else on this? Then we'll move on to the next item, which I think, Ms. Troxclair, you also had pulled. It's the housing trust fund, item no. 42. >> Troxclair: Mayor pro tem, this is your resolution. Do you want to just lay it out? >> Thank you, I appreciate that. Last fall, I believe it was, we were having a conversation on the dais about the housing trust fund and it may have been in the context of some of the changes that we made to the housing trust fund. In the course of that conversation, a former council member contacted me and said one of the things she had noticed several times is that the original resolutions from 2000 actually described the properties that should contribute to the housing trust fund as all properties that weren't currently on the tax roll, not just city-owned properties not on the tax roll. I cited those resolutions here. The language, indeed, from that original resolution does describe all property not currently on the tax roll. So we're getting to a phase of

[2:33:50 PM]

Austin's development where we have -- there's a likelihood that some of the state lands might shift into private hands in the years ahead. Aisd has indicated they may consider selling some of their parcels, the county as well. It seemed really important that at this point before some of those transactions take place that we state, at least as a policy goal, that we will have the revenue from those, the property tax revenue from those sites shift to the affordable housing trust fund. I will say I fielded some questions from people over the last couple of days, and in talking with our financial staff is really worth clarifying a couple of points, and I'm going to clarify this in the resolution as well. We can pass this resolution and say all properties -- I hope we will, by the way, pass this resolution. And say all properties not currently on the tax roll as of this date that funding will go to the affordable housing trust fund. But that's just really a statement of intent. We only effect that change on an annual basis during the budget process. If

there's a year where we decide we don't want that property tax revenue going to the affordable housing trust fund, maybe there's a higher priority we need to address, we make that decision on an annual basis in our city budgeting process. And I believe the same is true of the percentages that we identified. The council resolution last fall divvied them up 40% to the housing trust fund, 40% to home preservation districts, 20 to housing in high-opportunity areas. That, too, is something that we have the ability to shift on an annual basis. I will be making two changes. One is to add at least whereas clarifying this is a statement of intent and policy position

[2:35:51 PM]

but it is only a change that happens with the adoption of each annual budget. And I'm also very likely going to change the date from January 1, 2015 to January 1, 2016. I was trying to craft the resolution in such a way that it would not capture property tax revenue that might already be included within our city staff's budget revenue projections for the budget that we have begun to discuss for fiscal year 2017. So likely I'm going to talk a little more with our staff but likely the best way to achieve that is to go back to January 1, 2016. And just as a general philosophy, in the years since 200 when the resolution passed to now, I think our affordable housing crisis has only gotten worse. We have tremendous needs in regard to housing. The money in the affordable housing trust fund is flexible. It can be used, in my understanding, for support for rehabilitation, for housing preservation projects, for potentially property tax relief as well as new construction. And I think we have a need in so many areas with regard to housing that identifying a funding stream is really critical. And these are not funds that are currently being used for other purposes. So, again, I think it's a very appropriate funding stream to identify. >> Troxclair: So I guess I need to -- I'm not understanding, or I want clarity on 100% of the property tax revenue that's not on the tax roll as of January 1. So you're not saying improvements to existing property if there's land that's unimproved that has nothing on it right now that ends up with the development on it. >> Mayor Pro Tem: No. This is strictly trying to capture basically public-owned land, cities, school districts, county, or land that's currently

[2:37:51 PM]

being held by nonprofits, that will shift to a tax status. If we need to clarify that language we will. A couple of people have asked me that. I think there may have been some concern about whether I was trying to capture the situation you described. No, it's just intended to go after primarily what is public land at this point that becomes private development. >> Troxclair: Okay. And you see this as an extension of existing city policy? >> Mayor Pro Tem: I do. I do. And you know I'm trying to kind of reconstruct what the discussion was in 2000, though, you know, I'm not sure whether or not it's relevant. But that original resolution does clearly identify the property as very broadly not as city-owned property. So in some ways I regard this as keeping with that original intent. But in any case, I think it's still a good idea. >> Troxclair: I know there's no fiscal note and I know it's hard to come up with a fiscal note because we don't know what property might be out there that might come, but we do have -- I mean I guess we do have a list of all of the publicly owned land that doesn't have a building that's currently functioning for another governmental entity. I would be curious in knowing the fiscal -- in having some kind of range of fiscal impact, if it's possible. >> Mayor Pro Tem: I think the staff intent to try to provide one and they'll probably make this point. But because we don't know what resulting development could happen on those sites it's just going to be an estimate. >> You know, just to give you a sense for the scale and the desire for the development zone, we don't have the exact list,

[2:39:52 PM]

but it's hundreds of thousands of parcels in the development zone. That's one of the things we have been asked through the q&a and we'll have to inquire with Williamson central appraisal districts to get the properties and which of those is publicly owned. We could put a value but we have no way of knowing which of those properties would eventually be sold and to the extent they were sold what would be developed on them. Giving you an accurate depiction is just not something we're going to be able to do. I think we'll be able to give you a good picture of what it will look like in fiscal year '17 for sure. Beyond that, no. >> Troxclair: You're still working on the information but you'll have something more for us by Thursday? >> I don't think we'll have it by Thursday. It's a daily query from the appraisal district involving well over 100,000 parcels. >> Troxclair: And the decision that you mentioned about being able to move money around in our budget cycle, if this passes would it have to be, I guess, the money would be assumed, would automatically go into the housing trust fund. It would have to be an affirmative vote by council rather than an affirmative action every year to put it in the trust fund. >> Mayor Pro Tem: That's my understanding of how it appears in our budget. >> The housing trust fund transfers included in each annual budget and gets approved by the council in each annual budget. This establishes a preferred calculation method. And so the transfer amount that we would put into the budget would be based upon this calculation method, but council would have to approve the transfer via the annual budget. >> Troxclair: This is my last question. How do you respond? I certainly understand the majority of the council thinks, believes that affordable housing

[2:41:54 PM]

via a trust fund may be the best way to address affordability, and I'll talk to bull creek specifically, the unimproved land isn't extremely valuable, just the land itself. Of course with the development that it's planned to have on it will -- is projected to bring a huge increase in property tax revenue to the city. And that revenue is then used for those people are going to need police -- I mean if there's condos and retail. I'm not saying whatever is going to happen with that land. But if there's a development there, whatever happens there those people are going to need city services, right? Police response and water services, all these other things that we use property taxes to provide. So how do -- so how do you argue for the loss of that revenue to other parts of the budget? >> Mayor Pro Tem: I think you raise a good point. That is one of the reasons that percentage was set at 40% and not at 100%. But, again, I think as a council we have to identify -- we have to identify a way to meet some of the pressing needs. And I regard that affordable housing and the housing needs as one of our most critical crises of our time. Again, I think that we need to -- I believe that we should probably evaluate on an annual basis intentionally the transfer to the affordable housing trust fund and the allocation. Because it could be that the way the allocations make great sense right now, but in a couple of years there may be a different allocation we want to talk about within the affordable housing trust fund and that we might want to talk about a shift in the percentages as they are currently configured. Yeah, you raise a good point and I think we have tremendous needs in this community and a struggle

[2:43:55 PM]

meeting them all. >> Troxclair: I guess if we had the financial information it would help me better quantify what that potential loss would be. If the loss of that property tax revenue means that the city will raise the property tax rate to make up for the gaps in the other services to provide services as properties are being developed, it's hard for me to know what that increase to the rest of the community is going to look like. So it's difficult for me to make that decision, I guess, without that financial information. But I understand that there may not be a way to provide it. Thank you for

answering my questions. I appreciate it. >> Mayor Pro Tem: Even if we got a list of those tracts I don't think that's going to provide us with a clear sense of what that financial impact would be. I don't think we'll really have that in a speculative way at this point. Some are likely to be a small patch of land that's a right of way here and there. All of those tracts are not going to be potential revenue generators for an entity. We can see those addresses and that list but I believe probably the best measure of what the financial impact would be would be the annual review that we would do in the budget. When we see how many properties have transferred and what that resulting increase in value is. >> Mayor Adler: Ms. Pool. >> Pool: I'm looking at our council question and answer and I think council member Gallo submitted this one. She was asking transfer to the housing trust fund. It was under a million in 2016. It was \$896,000, 84 thousand dollars in '15. '09 it was \$200,000. So the ending balance currently is about \$2.8 million. So it's not a tremendous amount of money in there. I recognize once we sweep the additional 60% in there to get the percentage back up on the land that was in the original -- because I think what we're doing here is we're simply picking up the properties that were

[2:45:56 PM]

overlooked in council member Casar's resolution from a few months ago. The original 2000 effort had it all of these properties at 40% transfer to the htf and he picked up just the city-owned ones. My understanding is mayor pro tem is just picking up the lands that were not included at that time. At the 40% it was not huge amounts of money and it probably is insufficient. It looks like it's insufficient for us to make any appreciable inroads into getting affordable housing on the ground. And so I understand and respect the approach that the mayor pro tem is taking here to try to identify additional properties. I think this is a very transparent way to identify the dollars. Because we will specifically be making decisions about how much of that money will transfer to the housing trust fund during our budget process. >> Mayor Adler: My comments are fast. I join with my colleagues on the council in prioritizing housing as affordable in the city. Obviously it's been a real high priority for me and doing it to scale is a real high priority in adding permanent affordability is important and the trust fund is a way to be able to do that. My reservation at this point only concerns timing and procedure with this. And I don't know what the ultimate time sensitivity is. I do know that Mr. Casar, I think, had previously set this as something to be heard in his committee and I think that's coming up next week. And I think that that was part of a larger package of things that would have certain benefits for certain people in areas depending on the package. I need to find out more if

[2:47:56 PM]

that's true and if it was I think there might be some value in having this concept considered in the context of other packages. And he's not with us this week. Since it's going to be in his committee meeting as previously set, this is a big thing. I think we can have conversations about it and I think that committee is willing to do that, I think that would be a great conversation to have. You know, we have invested a lot into the trust fund. I think that's a good thing to have a feel for what the budget impacts are would be a good thing. And the procedure. We're going to be setting, hopefully the council decides the procedure to go through the budget process and we have that in June so everybody knows what the procedure is and everybody can get ready for the coming months. So I applaud and appreciate the leadership on this issue and setting this as a priority. I need to learn more about the other kind of ways it was happening to see if this is something that is right for the conversation at this point or whether we should let that conversation happen and get that context a little bit better. Mayor pro tem. >> Mayor Pro Tem: I want like to respond to the timing question, if I could. You know, I have certainly heard that point raised and I want to make the point that when I mentioned this from the council dais several

months ago I indicated I would be moving forward with a resolution addressing this because the original intent of that first council resolution did describe all publicly-owned land, not just city-owned. While I appreciate that council member Casar has wrapped it into a larger discussion he wants to have, it also includes, as I understand it from the council board post, it also includes discussing development code

[2:49:57 PM]

revisions and land use. And I just would have to say that this is about -- this is about, one, going back to that original resolution and also about talking about how we determine revenue for the affordable housing trust fund. To me, if we wrap that into discussions about potential land use changes it will not be a quick or easy discussion and I'm not sure I see the relevance for marrying those together. The timing is -- there is a need for a rather rapid decision on this because we do have several entities, several public entities that have expressed an interest in selling some of their parcels and I would hate to miss the opportunity to have those become part of the affordable housing trust fund. And I think it's very difficult if we make that decision later when we've already counted on that property tax revenue within our budget projection. I think it's much easier to make that commitment at the outset. >> Mayor Adler: Anyone else on this? >> I really appreciate the method and it's so interesting how we have a lot of same concerns and thoughts, even though we land on opposite sides. When I get my paycheck I have a portion that automatically goes into my savings, so I don't even see it. If there's some kind of expense that comes in later me nor my husband go out and get another job to get more revenue, necessarily, we just go grab from that savings. So I feel like I could see the concern about raising the tax rate because now we have to take care of all these other things that we're not being able to fund because we're taking that extra funding. I see it more as we're putting that into a savings account and we don't even want to see it because then we might spend it.

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And then this way if we need it we have that option during the budget time to say, hey, we need to pull it out of that savings account. I don't know if that helps here, thinking of it. >> Mayor Adler: Ms. Gallo. >> Gallo: I guess what I'm trying to understand, as we go through talking about procurement items and it's a contract for a multiyear relationship with a vendor, we talk about the fact that we don't obligate future councils to those spendings, that it's subject to the budget and the money being available. I guess my concern is -- you know I'm an advocate for affordable housing and as our supply doesn't meet our demand and rents and properties prices go higher, things get less and less affordable. I'm just concerned about us reaching out and encompassing more tax value in our community that is not going to go into our general fund where we as a council and future councils had the ability to determine what the needs are at that point in time for park maintenance or transportation needs or health and human services. And those are all important needs in our community too. And I'm trying to understand the concept of taking what will be a large portion of our tax value away from the general fund and putting it into something that is allocated to a specific type of need in our community. And to me it just feels like my uncomfotableness is not the needs in affordable housing, we have needs in all areas that we're trying to fund in our budget. It seems to me we're talking the flexibility away from future councils. I understand there would be a process to move it back, but it's much harder to move it back than it is to move something into an area of need. And we may have other needs that are just as important if not

[2:53:59 PM]

more important. I appreciate the comments you made earlier in why you think this is important, but

that's what I'm struggling with. It seems like we're tying the hands of future councils by saying we're going to take this big portion of our general fund and put it in a pot, in a place somewhere. >> Mayor Adler: Anything else on this item? Thank you very much. Thank you. >> Thanks for taking those up. I appreciate it. >> Mayor Adler: Absolutely. Let's hit other items that we have. I'm sorry? Yes, 37. Let's hit that. This is a transportation issue. You had a quick question. >> I'm trying to understand the component of this resolution talking about fleet size on part two. And it talks about the franchise holder must maintain an active fleet of at least 25, which I understand. But I'm having trouble understanding why we are going to put in there a limitation on the top, which is not more than 150 taxi cabs. It just seems like we have become very aware of the that we have more riders probably than we have service for and we've lost a big service provider in this community and it seems like we were moving the discussion in a direction of removing upper limits for companies so that they could compete as a company without any upper limits. So I'm just trying to understand. I would prefer that being removed and that can be an amendment that we'll offer, but I wanted to understand if there's a reason for that. >> Transportation department. Remember this ordinance is under our current franchise ordinance, so the other three taxi companies are also limited by the number of taxis. Each year we predict, based on an algorithm how many taxis should come into a managed marketplace and distribute them amongst the available franchises. I believe that council asked us to look at a new taxi franchise

[2:56:04 PM]

and the 150 would be within that model. At the same time, as you know, I have already indicated by memorandum to mayor and council that we are considering revising the management structure to go to a more open market which would remove the lids on the number of taxis each franchise could have, if that's the way council should want to go. That may actually overtake this timeline, which would resolve this issue. I would say if you remove the top number here we would need to go to the other franchises and probably do the same thing. That, like this, takes 90 days to achieve. >> So I don't know that I would disagree with going ahead and doing that. I just wanted to make sure that if we were interested in removing this it wasn't in violation of anything that we have the ability to do that. We would just need to mirror that with the other taxi franchises. >> And understanding each of the other taxi franchises it would require an ordinance to update that. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I wanted to speak to that also. Mr. Spiller, let me just point out that we adopted a change last year that allows taxi cab franchises to ask for more and allows, I thought, without amending the agreement. Now I may be wrong about the actual procedure, but we did have a specific discussion last year about the importance of raising those caps. And so I have been operating on the understanding of the language that we adopted last year that the other companies could come back and ask for more. Now I don't know if any of them have done that. But that they could come back and ask for more. And I would like to understand if the co-op has asked for more as part of the this, and if they have I like council member Gallo

[2:58:04 PM]

would support just going ahead and having a greater amount right now rather than having to deal with that later. >> At the risk of having misspoken, if you would allow me to answer the questions and answers, I will get back to you. >> I know we P that provision in. I know we passed that provision last year. >> I do remember that. >> But I don't know that it's been operationalized. The way we set it up and the changes we made is I think it was designed to be such that a cab company could come back and request, and they may not have. So you may not have been in a position to operationalize it. >> Like I said, with the discussion of modifying the regulations, the changed environment going to a more competitive model, that is clearly one of the areas that we're following your direction on, councils on, in

terms of opening up the top Numbers and letting that be a business decision rather business decision. >> Kitchen: Yearthward to this co-op I would support. I don't know if it was taxis. It may have been others too. But I would support the company's approach if they would want more. >> Okay. We'll do it. >> Thank you very much. Item number 26, did you have a question about that purchasing contract, Ms. Troxclair? >> Troxclair: Yes. >> Mayor Adler: Okay. Is anyone here to speak on 26? >> Troxclair: And it wasn't really on the purchasing contract. It was just Moren the privacy -- I guess related privacy iss issues. >> I don't know that you're going to be able to answer my questions, which really kind of more spoke to the

[3:00:04 PM]

privacy of the data that is being collected. >> We should have some individuals here shortly that can answer those questions. >> Troxclair: Okay. >> Afternoon. >> Mayor Adler: Ms. Troxclair, did you want to ask your question? >> Troxclair: I don't know. I must have picked a sensitive topic if they brought in the big guns. [Laughter]. >> Who me!!?? Thank you. I've been called a lot of things. Not a big gun before. Thank you. Good afternoon. >> Mayor Adler: Why don't you go ahead and ask the question so people know what the subject is? >> Troxclair: I wanted to understand -- so this is the continuation of an existing program. Was it a pilot before this? >> Yes, a proof of concept, yes, ma'am. >> Troxclair: So we were making a commitment now that we're -- now that the pilot has been successful and that we're going to fully fund the implementation going forward. >> Correct. >> Troxclair: So can you tell us how you think the pilot program has gone? What is the benefit that the -- that this technology has provided? I know that I've seen -- there was a statesman article in February that talked about some people who were worried about privacy issues and things like that. And I just wanted, I guess, to give you the opportunity to respond to those and to kind of ease some of fears about it. >> Wel I appreciate the privacy concerns. That's something that we share. Th lic plate reader program for us is really a crime-fighting tool that we'll be using and we have used through the proof of concept that we've been using to look for wanted vehicles, wanted persons, really serious felons that are committing crimes in and around the state and around

[3:02:05 PM]

the country. So some of the things that it had -- that's helped sus in terms of recovering stolen vehicles, wanted vehicles, felony suspects, the information will be stored, the license plate information. You have to have a criminal predicate to actually use it. You cannot use it to telesale it to industry, to a private investigator or anyolse.it will be stored for 365 days unless there was an investigative purpose or criminal purpose,hermation would be purged. We've been able to capture robbery suspects, all kinds of felons in terms of just this pilots I would jt say that unlike some other jurisdictis the trying to collect fines with lpr readers, we don't want this to ever be seen as a tool to be a refuse generator. -- Revenue generator. It's strictly for crimefighting and the only ones who have to worry about this data are criminals who have to worry about not being captured. >> Troxclair: Okay. So that was one of the questions that I had was basically this technology being used as a revenue generator for a private company. For the police as well, but also for a private company who is kind of making money off of tracking the move of every person and then telling the police where they are so they can go hunt them down and they get a 25% cut or something like that? >> No. They will not be getting that information. Do you want to add anything, It? >> Lieutenant stanchouski. This is not what like you've read about in the paper. There are no credit card machines in the police vehicl the only thing this will be hit on is the ntic, tcic, the major crimes. It will not be part of my municipal court and we'll not be adding fee on. And vigilant, who is the

[3:04:07 PM]

coany here, will noting getting any information on any municipal court warrant type of information. >> But it is the same company because they have the jail in Kyle? >> Correct. But we're not part of that program. They have different programs that they have. They are the same company, but what Kyle pd was doing is they were doing a completely different program. We're not receiving any free information from vigilant or any free equipment. >> And vigilant cannot use our data to go use it for Kyle for non-law enforcement purposes. The only purpose is for serious crimes in the city of Austin or for other investigation of crimes anywhere else in the country. >> Troxclair: Are those outlined in the somewhere? >> It's a totally different concept what the Kyle police department have and what we have. >> >> Troxclair: But those things are outlined in your contract? There's not a connection to the municipal court, it won't be used for revenue generation. >> Correct. That would be on us to send them that information and we will not be. And that's definitely part of the our contract with vigilant. >> Troxclair: Is there a specific cutoff -- you said it would be used -- not for fine generation, but to catch criminals. Is there a certain level of offense that this technology is only used for and is that outlined somewhere? >> It's-- in reference to the offense, it is -- the data is kept for 365 days. When an officer is driving the vehicles with the license plate readers, only vehicles that would get hit are the vehicles actually listed in our nci and tci database, and that's with dps. >> And again it is for criminal offenses inputted by the state agencies in the state and that's basically going to be -- a majority of things will be very serious crimes. We're a pretty lean

[3:06:07 PM]

department. As you know we always talk about resources. And technology is a great force multiplier. It's important for us that if we're going to use technology, understanding the values of our community, that we use it for what it should be used for, and that's public safety and looking for criminals. So it gives us a real great investigative tool not just to recover stolen vehicles, wanted vehicles, amber letters, things of that nature, but also to give investigative leads when a crime does occur that we can go back during that 365 day and be able to figure out who committed a crime. For example, there's a drive-by shooting occurs in a neighborhood. And we get a vehicle description and we had an lpr in that area, we can actually go query the system to see if we have any data on a vehicle that might have been in that area that would give us a lead on a drive-by shooting or in a robbery. And in fact, we have recovered and caught robbery suspects and other serious criminals as a result of our pilot program. It's a great force multiplier and I think that when we leverage technology it helps us do more with less. >> Mayor Adler: Okay. >> Troxclair: And my last question is about the funding. I guess it's mostly funded by the federal department of treasury asset forfeiture budget. So I know this is probably nothing you can do anything about, but I know asset forfeiture proceedings somebody doesn't have to necessarily be convicted of a crime to have their belongings forfeited. So it's a separate issue that concerns me for several reasons, but I wish that wasn't the source of revenue. >> I can tell you that I believe the asset forfeiture when we seize assets, it needs to be from criminals and not from law-abiding Americans. And in our city, in our police department, every single expenditure of asset forfeiture has to be approved by the police chief and by city legal. I started that process

[3:08:08 PM]

shortly after getting here when we found that we were using asset forfeiture previously for maybe things that were not quite in line with the federal guidelines, and almost 100 percent of our cases where

we seize the assets of arrasenes, it is tied to a criminal case and criminal offenses. So there have been some misuses, I belie, of asset forfeiture around the county and I'm glad to say we're not one thotion and closely with procedures tomakeehere's a nex between the money and criminal activity. >> Troxclair: So are you saying that any property that is seized in Austin is only from someone who has actually been convicted? >> Either convicted or -- I would say yes, a majority of cases will be a conviction and/or charged. >> Troxclair: I guess that's a discrepancy I'm hoping to get to, whether it's somebody that's charged or convicted. >> I can tell you it's a criminal nexus and all of it we work for the prosecutors and you won't find too many headlines about the Austin police department just taking money from people that aren't involved in a criminal activity. >> Troxclair: If that's something you can easily provide me by Thursday, the -- >> We'll try. >> Or if you think there's any other information that would be helpful to that line of questioning I would appreciate because I am concerned about citizens who have their property seized, but then ultimately aren't convicted of a crime and don't have a whole lot of recourse. >> And I share that concern. I think most of our investigators do as well. >> Mayor Adler: Okay. Thank you very much. With respect to item number 33, Mr. Zimmerman had pulled that. I think he was wanting to find out if the available funding for the money was already appropriated and whether there was any additional money the city would be paying for system transfer other than the money that was already appropriated. Is there a quick question to

[3:10:10 PM]

those two questions? >> Yes, Kelly Diaz, vice-president of appropriation with Austin energy. The money has already been budgeted for the transition and there are some transition costs, minor transition costs to Oracle, but doing this allows us to eliminate potential upgrade and additional costs that we would have to incur if we remained with IBM and it would also eliminate the potential for substantial termination and trans cost away from IBM. >> Mayor Adler: Great. I think that answers those questions that he raised. Thank you very much. The next item that we have is item number 45. Ms. Kitchen, you pulled that and Mr. Zimmerman pulled this. Mr. Zimmerman was looking for specificity with respect to how the five million dollars was used. And he had raised the question of whether or not this matter should be postponed until there was greater specificity with the five million dollars. >> Kitchen: Okay. I can speak to that and a few other things and if anybody else has a question. Basically this is the first step in a process. In other words, this is not expanding any dollars. This is like many other resolutions that we've done, it just directs the city manager to identify potential funding sources. My understanding is before we would actually move forward with any funding that it it would have to come back to us. And it also puts an upward amount on it and that's the five million dollars. So the process would be when we pass this then the staff would identify the potential sources of funding and then would come back to us with more detail. And that would answer councilmember Zimmerman's question about the specificity before any dollars were actually spent, but I'd like to for a second just lay out what this is about. This is one of the recommendations in the food

[3:12:11 PM]

mitigation task force and we did have the opportunity yesterday to talk about it a little bit in our public utilities committee meeting. This is one of the key recommendations in the flood mitigation task force report. It's also sort of the next step in something that we've been talking about or I have brought up since last fall because this is the upper onion creek area and it is the homes that were also damaged at the same time as lower onion creek and the funding that we put in place for other areas. It wasn't appropriate at that time to think about potential funding for buyouts for upper onion creek because we hadn't gone through the engineering study process, which is a first step because buyouts are a last

resort. So that's been completed. Now the very first step in the engineering study and so I think it's appropriate at this point, it's both appropriate and I think it's a fairness issue because these are a limited number of homes in the upper onion creek area that were damaged significantly and in the same -- actually more than are at more risk than other homes that we're buying out right now. So I think it's appropriate now to move forward with the process of identifying the potential for funds and I also want to point out that I think that the process that we've been talking about in the flood mitigation task force and also through the process that the staff goes through is one of the reasons that this is such a small amount, and potentially when it comes back to us be even smaller, is the the fact that there are some potential engineering solutions for this area which will also help the whole onion creek watershed including up and and lower onion creek. And so it doesn't seem

[3:14:12 PM]

appropriate or necessary to buy out the whole area to this is just for a limited area. I pulled it today just in case anybody had any questions. We talked about it some at public utilities yesterday, but for those that weren't in that, in case anybody had any questions that we could answer at this point. And also we'd like to understand if anybody has any concerns about it because I'm hopeful that we can send it through and when it comes bank from staff we can have a longer discussion about the exact specifics of which homes should be bought out and that sort of thing. >> Mayor Adler: Any questions, comments? >> Garza: Yeah, I joined as a co-sponsor on this because I certainly understand the situation folks are in when they get flooded not once, but twice and have their homes destroyed for some. I have -- I do have a couple of concerns and I guess this is a question for staff. I know that it's my understanding that there's enough money funded now for the rest of the onion creek buyouts, but this might not be enough for Williamson creek. Can you speak to that? Is that in fact true. >> Joe pantalion with watershed protection. Yes, this is true. We believe that given the participation rates in onion creek that we think those should be adequately funded. In middle Williamson where council has approved buyout of about 66 properties that does appear that there's going to be a shortfall in that area. >> Garza: Okay. And I don't know if y'all know the specific homes that are being, I guess, targeted in this resolution, but I know watershed does a priority list of we've tried all these different things and there's nothing else we think we can do. So that buyouts are the last option because they are so

[3:16:17 PM]

expensive. Have these homes targeted for this been -- I guess labeled as these homes need to be bought out. >> And that was a subject of discussion at the task force as well. The task force included in its recommendation a ordinance report a buyout of a targeted number of homes as more of a reactive action as opposed to going through what we would do very strategically is look at all the potential options to mitigate the flooding in a certain neighborhood. And we are going through that process with the engineering study that councilmember kitchen referenced. We are hoping to have that study finished sometime this fall, stay September 2016, and that will hopefully give us guidance as to what is the most cost effective solution for the upper onion creek area. We provided council with some preliminary results. I believe it was a March second memo. That detailed that if you looked at either buyouts for the entire area or a flood wall that those two separate type of strategies would provide for flood protection for the entire neighborhood. Those costs range from, you know, 80 to \$100 million so it is a significant expenditure. But those efforts to take time as well and the task force heard from several residents in the neighborhood that either wanted to be bought out immediately or did not want be bought out and wanted to wait for that final solution. So I think the task force heard from different perspectives, but certainly there are folks who were substantially damaged in 2013 that do want to be

bought out sooner and I think that's why the task force incorporated that recommendation in their report. >> Garza: But was it the task force recommendation that this resolution is targeting or was it watershed's recommendation that a buyout would be best?

[3:18:19 PM]

>> I would maybe defer to the councilmember. We are awaiting the results of the engineering study to know kind of what the solution is for the full neighborhood as opposed to just a targeted, you know, five or 10 homes. >> Garza: Okay. So I guess you spoke to the fact that it might not even be a buyout. It might be some other mitigation effort. >> Kitchen: I think the issue is that for most of these homes there's a lot more than -- there's a lot of homes in these areas that were impacted just like in these other neighborhoods, but it's looking like the engineering solution -- the engineering solutions will probably work for most of these homes but there are some homes -- there are folks still living that are not back in their homes and have had significant damage. So it makes sense for a very number of homes to look at this potential option of a buyout. It's going to take a lot longer to consider the engineering solutions for the whole neighborhood. I think the good news is the preliminary engineering report indicated that there's a range of different types of engineering solutions that may work. There's more detail that has to come all the way from a flood wall to looking at detention ponds and other kinds of things. So that would certainly avoid having to look at the massive kinds of buyouts we've had to do in other areas. But it's appropriate for some of these smaller number of homes to start this process. As you know it's a long process for buyouts. So that's why I brought this forward. >> So the buyout of these homes at this point isn't being recommended by other staff or by the committee. This is you trying to be responsive to some of the people that are in the most critical condition, that are living in driveways. >> Kitchen: That's part of it. That's why I'm bringing it. But also I'm not bringing it without the staff's agreement that it's appropriate to bring it forward and also the task force. So I brought this up when we

[3:20:19 PM]

first started talking about in the fall, when we approved the funding for the other areas, we had folks that were also in the same kind of difficulties, but they understood that we needed to take some more time and look at engineering. I just think they've been waiting long enough. >> Mayor Adler: So staff and the committee are recommending the buyouts? >> Kitchen: Yes, this is in the task force report as a recommendation. >> Mayor Adler: There's some money that we're trying to seek from the federal government to address the shortfall in the buyouts that didn't make it into the president's budget because the corps said that they were going to be able to handle it otherwise. Is that involved in this at all? >> The corps money will be funneled back to the onion creek area and depending on amount of the reimbursements, we might have some surplus monies that could be funneled either towards the Williamson creek area, which I think we've identified that there might be a shortfall if we have 100% participation. If participation is less than 100% and say it's at 90%, that shortfall may be much smaller or no shortfall at all. So I think it's a matter of wait and see on kind of what we get from the federal government. And should we be successful in getting some of the reimbursement might have me options, ut right now we're just in a waiting mode. >> Mayor Adler: My rs council, being in Washington and talking to our delegation and senator Cornyn, congressman Doggett whose district is pnd the government affairs office and the white house is that everybody is anticipating that the corps is going to be able to to find that money. And it's with that expectation that everyone is watching that process, but into the ether I will say that we're appreciative of

[3:22:20 PM]

the delegation watching it because we need that money to make up that gap. And if it's not there, then we need all those folks to get engaged to make that happen. Ms. Troxclair? >> Troxclair: I wanted to follow up on a question you asked. I know it was a controversy recommendation, but of course the task force had like 200 recommendations and I don't know -- it's going to take awhile for us to kind of prioritize what is possible and not possible. But I think you were asking if it was the-- if this resolution was the staff recommendation. >> Well, this really started at the task force level. When you look at kind of a -- if you look at past council actions where there were recovery buyouts, per Se, where we were trying to get people out of the homes that had recently flooded, this would be in line with kind of the 60 million that was awarded by council for lower onion and the 18 for middle Williamson. Certainly for the lower onion we are studying to see what the best approach is. It may very well be that buyouts are the recommended solution, but I can also tell you that we don't know at this point and that's why we're waiting for the engineering study that will be finished in September of 2016. To give us more the regional solution. But again that's more of a regional solution as opposed to a very limited five to 10 properties that have been substantially damaged. Some of those owners did show up at the task force meeting to request some of those buyouts. >> Mayor Adler: Are these owners in the area that is subject to the engineering study that comes out in approximate the fall? >> Yes. >> Mayor Adler: There was a study that was done when we talked about flood buyouts and I think councilmember Gallo is one that's been asking for kind of what is the overall policy with respect to where we do buyouts and don't do buyouts. And there was a prioritized list that staff was looking at priorities in order to be able to assess that.

[3:24:22 PM]

Is this of the priority and of the -- if this is the recommendation from staff that we would go ahead and buy out these homes now? >> Let me make it clear that pine hurts wild dunes area, the upper onion creek or the onion creek subdivision, it goes by a lot of names, that area is well within the top five flood problem areas in the city. I mean, they experience very severe flooding. In terms of the solution and what our recommended solution would be for that flooding to mitigate, we are in the midst of a study. We have hired Albert half and associates as part of I think the public hearing shortly after the October 2015 flood. Council gave staff direction to expedite some early out recommendations for solution for upper onion creek. That report was given to council and it did identify buyouts and alternatively a flood wall as potential standalone options for this area. There are options that some of the neighborhood stakeholders want to pursue, including large detention ponds in the upper portion of the watershed, but at this point in time for that area, we do not have a final recommendation. Although again, buyouts are potentially on the table. >> Kitchen: If you want to look at an engineering study to look at other ways to mitigate so you don't have to buyout whole neighborhoods. And when this happened last fall you all may not remember, but we had this discussion and I brought up this neighborhood at that time because they were damaged also to the same level. At that time in the fall we didn't even have the engineering study.

[3:26:22 PM]

So we said okay we said to the neighbors that they had to wait. And these guys have done a great job of expediting so we got some preliminary results back. And of course it takes long four a complete engineering study, but these folks have waited a long time and I don't think it's fair that the small limited number of folks should continue to wait while we're finishing the engineering study. >> Mayor Adler: How many people are we talking about? >> Kitchen: I think five to 10. >> Let me talk about the bigger

picture. In the Halloween rainstorm of 2013, citywide there were 825 homes flooded. About half of those, I would say about 412, were substantially damaged. The great majority were in the dove springs lower onion creek area, but there were 10 in the upper onion creek area that also experienced that substantial damage. >> Kitchen: I think those were folks that experienced both floods. I think we're on a path for the onion creek neighborhood and all of the onion creek watershed because whatever you do for the upper onion creek area will help everyone. I think we're on a path to some very interesting and potentially very helpful engineering solutions. We've still got people that were harmed and they're not even back in their homes. >> Mayor Adler: Since this is a resolution just asking the manager to find funding sources I'm going to support you in this. As we're doing that hopefully we'll layer in the broader representation with regard to the priorities and the like, but I think the request to move it along with those options are reasonable. I'll support new this resolution. Councilmember Gallo? >> Gallo: I appreciate you bringing up the previous conversation. It's important for our council to have a policy that has metrics to help us make these decisions so every person who is at risk for flooding or whose

[3:28:23 PM]

property has been flooded suffered devastating results to their family and to their health and to their lives a lot of times, but we do not have the funding ability to help everyone. And I think that metrics and a policy will help us make sure that the programs and fundings that we do implement is equitable and fair. We have people who understood the risk of buying in a floodplain because their lenders required them to have flood insurance. So as we talk about wanting to make sure that our community, that we take care of our community, but we also have an expectation of accountability for those people that choose for whatever reason to buy in a riskier area that we have a policy that helps us address that. Because I think that's how we can make the best decisions on how to -- how to fund the mitigation that the entire community basically pays for. So mayor, whatever we need to do to help move that policy along faster so it can come back to the council with some pretty substantial metrics that help us make this decision in each case in a more equitable way from the standpoint of based on a citywide policy. >> This may be the kind of thing that gets to the top of that list, but it would be helpful when this does come back with those options to be able to put it into context and perspective. >> Mayor, you're correct, this is a two-step process where I think the first step here is to identify the funding. The second step would be for our department to come forward with the properties under that policy.

[3:30:24 PM]

And certainly we would want to provide to council all the information you need to help guide that patchy fog, including due dates which homes have been bought and sold since the floods and what have you. We certainly want to bring that information to you. >> Mayor Adler: It would be helpful. In addition to the data and the information, I would appreciate a recommendation. >> Troxclair: It sounds like we could have this conversation during the second stage stage, but it sounded like it was five to 10 homes? Is this resolution specifically speaking to you're going to look at funding for five to 10 homes? >> Right now this speaks to the identification of funding sources for five million dollars. I think we will work with the financial staff to identify what would likely be the 10 homes possibly that would be the subject of such a buyout to be sure that as we do the math it's around five million and not seven or eight or nine or 10 million. But as that information comes forward and should council want to pursue the buyout of specific properties, that's when I believe our department along with real estate would come forward with the specific properties and the rationale? >> Yeah. Because five million dollars for 10 homes is already \$500,000 for per property. I know I had brought up this 10 the last time we did a buyout, but we spent -- I think the last one we did we spent about \$400,000 per property when the average sales price

of homes in that immediate area within the past 30 days was closer to about 350,000. So I want to make sure that -- again, councilmember kitchen, just so you know I'm not -- this is the second step but I really want to make sure that if we are going to have -- spend the money we've only have a limited dollars to spend we have a lot of people who need help and we need to make sure that the money is being spent as efficiently as possible. So I'll look to have those continued conversations. And for anybody who is

[3:32:25 PM]

curious, I did follow up with our real estate department and went over the comps with her and I think there was -- provided her with some information that she seemed concerned about as well. So I hope that helped to maybe bring this issue to the attention and make sure that the money is spread out thanks. >> Mr. Mayor, I would just echo what councilmember Gallo said. I think that -- I think we can certainly accommodate those kinds of policy concerns because I would agree with those. Also I think that one of the other recommendations out of the flood mitigation task force was to come forward with a policy, an overarching policy. But I think this particular instance when we get to the second stage I think that we'll see that it will be in line with the concerns that you're raising. >> Mayor Adler: Great. Let's move on to the next item. Thank you very much. >> Houston: Mayor, may I ask a question? I don't know whether this is part of the posting for the agenda. Are you going to be making recommendations as to priorities? >> The task force will be briefed on it on Thursday, right is it? >> There will be a briefing at 10:30 from the flood mitigation task force. >> Houston: But I understand that there are like 200 recommendations. Are you going to put them in some kind of hierarchy? >> The flood mitttation task force had its last meeting last night and they voted on an executive summary that highlighted their highest priorities. They were able to do that and I think they would have brought that on Monday if they would have already voted. So I think now that they've voted on it they're prepared to bring that to you. >> Great. Thank you very much. >> Mayor Adler: Last two items relate to vision zero. Ms. Kitchen, you pulled these. >> Kitchen: I pulled these again in case anybody needed

[3:34:27 PM]

information and I think it will be one item. This is the vision zero action plan and we had some discussion about it in our mobility committee and the resolution is laid out to proceed with the recommendations that the staff can proceed with within additional resources. >> I wanted to let everybody know that the staff is working on that and we should have that definitely by tomorrow and by Thursday. So you can see which recommendations we're talking about moving forward with this recommendation. >> Mayor Adler: I think that would be helpful. Thank you. Any questions about this? Ms. Houston? >> Houston: I just need to say that I know vision zero task force is an aspirational goal, but do we really think that we can have no traffic fatalities in a city this size? I mean is that reasonable? Maybe that's a moot question. >> Garza: I'll speak to that as being on the mobility committee. I think it's an excellent point and something that I brought up at mobility. I see how human behavior has a lot to do -- as a firefighter I saw fatalities of people crossing I-35 and Ben white within 50 feet of a -- I see it right here out of this garage. They run across the street right here to go to this thing when there's a crosswalk there and a crosswalk there. So I share some of your concerns that I absolutely agree that we should be moving in this direction, but I am concerned that we are setting a really hard goal. I'm glad we're setting it, but we also need to be aware that it is a multifaceted

[3:36:27 PM]

thing that I definitely believe will be hard to reach, but I think it's something we should try. >> I think it's

an expectation that for me is unreasonable because it is human dynamics and human behaviors. I think we can set a goal to decrease by a significant number, but no fatalities to me is having an expectation of being god. >> Kitchen: I think what everyone is saying I agree with. The vision zero action plan, just a little context, this was passed by the previous council to move forward with this. So it's now coming forward. It's also part of a national effort and so I know our staff is familiar with what's gone on around the country, but this is -- this is the -- these action plans are being adopted by cities all over the country. And again the focus is on safety. So with an understanding that there's more than we can do and we just do the best we can. >> Mayor Adler: The thought of actually getting to zero fatalities would be incredibly nice, probably not achievable. Certainly with the technologies that are operating now. I think part of it comes because it's hard to set -- when you set the actual plan that you're implementing you set a plan that would allow for there to be no fatalities. That's what you're setting your plan for. But I think you're right. And I don't know how you recognize that when you're setting goals for a plan, the fact that as long as we have people involved it's not going to be achievable. So I'm not sure how you would do that. >> Houston: We could set the plan to reduce fatalities by a number or a percentage. Which is more achievable than saying there would be no fatalities on the the city of Austin. I don't know how we're going to do that. And that says that we expect

[3:38:27 PM]

as a council that we can reach that goal, and that's not ever going to be achieve annual in my opinion as a human. >> Mayor Adler: It's certainly not achievable with the technologies we have. >> Kitchen: I think that the plan does that. It assess goals. I think the term vision zero is something that ask a natural term that's used all over the country. I don't know that the actual recommendations set a goal of zero. >> Houston: It's in some of the documentation. Even if it's an actual term we don't have to adopt it because it sets us up for saying we didn't reach that. Next year we didn't reach that. Next year we still didn't reach that. So when are you going to reach the zero fatalities. I don't want to cause a whole lot of concern, it's just that I know human behavior and I know we don't have control over it no matter how well intentioned we are. And I think we need to honor that and recognize that. We need to reduce fatalities in Austin by a number of strategies and those are outlined very clearly. But when we say no fatalities, I think that sets us up. But thank you very much. >> Mayor Adler: Thank you. Ms. Gallo? >> Gallo: I think the other thing this does is it really helps us provide metrics for funding decisions. So when we see the metrics of the funding and the priorities, that are it helps us to address as many of the fatalities as we can in a limited resource budget. >> Mayor Adler: And I think we have-- I think the mobility committee has laid us out on path to have the conversation here the first week of June. I know we put it up in the four most dangerous intersections in the city and there will be money to put against the next cohort

[3:40:29 PM]

of dangerous intersections and to invest money in safety and pedestrian safety in this community. Obviously we had -- the number was way too high in terms of fatalities a year ago. To that point I think it's going to be coming up in the next few weeks for us to talk about and for the community to talk about now. I think that's everything on our agenda so we will stand adjourned. I thank all the councilmembers that showed up this morning, were able to come this morning for the secretary's meeting. He remarked to me that he was appreciative of the number of councilmembers that had come. So thank you very much. And staff did a great job, by the way, manager, of setting up that meeting this morning with the secretary and I know they are in mid preparation of the challenge application and they're working really hard and appreciate that.