

City Council Work Session Transcript – 08/02/2016

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded on: 8/2/2016 6:00:00 am

Original Air Date: 8/2/2016

Transcript Generated by SnapStream

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[09:13:30 am]

>> Mayor Adler: Are we about ready? To gear this up. Today is Tuesday, August 2, 2016. It is 9:13 a.m. we are in the board and commission room.

Austin city hall. Today is our work session. We have item 14 that has been pulled. Relating to grant from living cities. Councilmember pool would also like to pull item 56.

We need to have a discussion about item number 70.

Councilmember pool wants to talk about a time certain for that.

Before we get to the pulled items we're going to go ahead and call the briefing on the 2016 bond package and proposition.

Staff ready to take us through that?

>> Good morning, Mayor, Mayor pro tem.

Welcome back from your adventures, wherever you were in July and welcome you back to the council chambers or the board and commission room.

Per the council resolution he gave us in June we wanted to come back in reaction and give you an updated of where we're at in development of the bond program and also unveil and talk to you about potential proposition and ballot language today.

Today's presentation we're going to briefly recap what we've done thus far and talk to you again about the draft proposition and ballot language and review next steps that you have in front of you to call an election if you so choose to do so.

Just as a remind, y'all have lived this through us in February you gave a resolution that directed to develop potential bond [indiscernible] mike launched mobility talks based on that to get citizen input on what they would like to see in that potential bond program, as well as you all gave us input throughout that process as well.

In June then you gave us the resolution i referred to earlier that directed the city manager to develop alternatives and come back with potential bond proposition language for you to consider in the month of august.

And that's what we're here to do today, is to unveil what we recommend and then also some alternatives that you have to consider as you move forward in this process if you determine to call the election, which would need to happen in mid August.

We'll review those dates with you at the end of this presentation.

So just as a reminder, there's the components of a bond measure.

[9:15:50 am]

It's really contained in the election ordinance that council would pass.
And that is an ordinance so that would take three readings to get across the goal line.
There are different parts of the of that election ordinance and we're going to try to explain those again today.
You've seen this before but as a reminder and especially the public, the ordinance contains two different elements.
One is the proposition, and that's a comprehensive statement of the proposal that the submitted to the voters.
So anybody who is really interested in the detail behind the program, that's where that is contained, in the proposition element of the ordinance.
And within that ordinance, as well is the ballot language, what the voters will see when they enter the voter booth.
That's the short form or a summary of the proposition.
It obviously doesn't need to contain all the proposition language.
You'll see today by the way there should be a handout of this presentation and a draft ordinance for your review today.
Obviously there's a six page draft ordinance.
That's not what you would want to see in the voter booth when you walk in.
So that's what the ballot is a short form of that, a summary of that but still needs to be very clear and it's an instrument used to register the vote on the proposal.
So we're going to walk through some general guidelines for proposition of ballots today and explain how we landed on a recommendation that's in front of you with bond counsel's support and obviously today is the time that y'all can exchange ideas and discuss, if there's something different that you would want to see in the proposition and in the ordinance.
And in the ballot language.

[9:17:30 am]

So the proposition obviously calls the question, the city council call the issuance for mobility purposes, in this case this is the bond in front of you today.
Then it includes the uses of the bonds.
And this although general is also fairly detailed, we have a lot of different uses for those bonds and we try to list all of those.
So we have enough flexibility to do the planning, the design work, the construction and reconstruction of roadways, and so that included in the proposition is the use for the bonds, and that, again, is failure detailed and broad as well.
Then also and this is where y'all need to weigh in.
It can also include more detailed description of the funding categories.
We've taken your resolution, which was which y'all passed as a body in June and we've taken that and we tried to reflect that in the proposition language.
So, for example, you had allocated 101 million for regional mobility products and then listed those projects.
So the proposition can go to that level of detail.
You can have the funding level of a funding category as well as the project name and so that's something y'all need to decide as you move forward, is the level of detail that would be included in the proposition and also the ballot language.
So general guidelines for propositions, must specify the purpose and must be worded clearly so that it can be definite and the voters know what they're deciding when they enter the voter the voting booth.

And the character feature purposes of the election must be set out in details, that the voters, again, can be familiar with the measure when they cast their ballot.
Again, this is not in the voting booth.

[9:19:50 am]

This is the proposition that all the voters can look up and find out the detail of what the measure is about.

Now, the ballot, again, is a short form that the voters see in the booth and here's an example. It can be very broad and just stop right there if you want it to, the issuance of 720 million per your resolution for transportation and mobility improvement bonds.

That's the level of detail.

You could stop at that level and not give more information and leave the detail in the proposition or give more detail.

That's, again, a decision that y'all will have to make. Again, the ballot language guidelines needs to be descriptive enough to fairly portray the features that that the voters will be considering.

And, again, it doesn't need to include the full text of the proposition, that six page proposition does not need to be in the voter booth.

It needs to be sufficient to identify the matter and show the character and purpose of the proposition.

So, again, we're trying to tell the voters clearly in a short form summary what they're voting on.

Now i want to remind you on what we've done, then, in the proposition in front of you today is we've taken the council direction that you gave us and it laid out the 720 million general obligation bonds to fund the following mobility improvements, and you have broken that down into three different funding packages.

Regional mobility at 101 million to address congestion and enhance safety, and these are the projects you listed in your resolution.

Those six projects.

[9:21:30 am]

Corridor mobility at 482 million, to make the roadways safe and accessible, all forms of transportation. Again, you included these projects listed in your resolution.

And you did also add a south austin corridor, and that's a little more broad than the corridors listed above.

And then you've also included preliminary engineering reports for an additional critical arterials and corridors that we would do those reports on as we move forward.

The third category was local mobility projects at 137 million and there's the break out of how you funded those.

As you'll recall on the dais you made a change in the sidewalk master plan to split out 27 and a half million for safe routes to school, split up equally amongst the ten districts.

Then 30 million for urban trails, 20 million for the bike master plan, 50 million for 15 million for vision zero master plan and 17 million for substandard streets and capital renewal.

So, again, as we move forward, that's the level of detail y'all need to decide how much is in the proposition and, obviously, how much would be in the ballot.

So we've looked at some alternatives for y'all to consider. On the proposition language, remember, this is the more detailed part of the ordinance, this isn't what the voters would see in the voting booth.

You can state, again, just to the at a high level you can say 720 million for those following categories.

I won't read all those but those are in the powerpoint for simply transportation and mobility purposes and it lays out the uses of those funds.

You could stay at that high level in the proposition and not go any further if you so choose.

The next level of detail would be to layer on the different buckets, the funding categories that you put in your resolution.

So you would list those purposes but then also include the funding categories.

[9:23:50 am]

101 million for regional mobility projects, 482 million for corridor improvement projects and 137 million for local mobility projects.

So you see that's the next level of specificity that you could take.

You could then stay at that level and not list projects or you could take the next step, which then is to start including the projects in the proposition, which starts breaking up those funding levels into more project level categories and lists the projects.

And, for example, if you chose to list the 101 million for regional mobility projects and listed those projects in the proposition, surprise wood springs, oak hill parkway, anderson mill and so on.

We would recommend, based on what y'all have given us through this process we've listed listened very closely to your considerations, it feels to us and this, again, is where you need to discuss today that you want a level of specificity that at least lists the major projects and the funding categories.

So you would list the \$101 million of regional mobility projects and list those projects in the proposition is what we're talking about at this point.

You'd list the 482 million for corridor improvement projects and the primary implementation corridors. you'd list the 137 million for local mobility projects and the funding categories for sidewalks, urban trails, bikes, vision zero, safe routes to school and the substandard streets, capital renewal. That's the proposition renewal. That's the proposition language he see in front of you we would recommend you consider as you move forward.

Again, you can add specificity or take it at a high level. Your choice. The high level would be in the voters as they go into the voting booth.

They would just say the issuance of 720 million for transportation and mobility improvement bonds.

That's the high level that you could stay in.

[9:25:30 am]

At some point that's what the propositions we've used in historically in transaction is really at that level.

We don't go into much more detail.

Now, again, sometimes these transportation props have been with parks and affordable housing and so we wouldn't want to go into great detail on some of those because there's a long ballot.

If you wanted to go into more detail you could then still list the 720 million but list the major projects, like the regional mobility project, loop 360, spicewood springs.

Again, back to how much information do you want to chair with the voters in the ballot board versus the proposition.

Again, you have many options to consider as you move forward. You can also go down into not only the funding categories, but even put the number in the ballot.

At this point we think you may be getting the voters a little confused. That's a lot of information to have on each category and each project.

So that's something as we considered, we thought that might be a little bit too much in the ballot and we would leave that level of specificity in the proposition.

So our recommended ballot does say the 720 million at a higher level but also starts naming at least some of the regional mobility projects, some of your corridor projects, some of the categories so the voters really get a good impression, good feel for what the major projects are and the obviously the amount of funds and the 720 million.

So this is sort of a middle road. It is not as specific as the proposition. But it does start listing some of the major roadways so your constituents would know what to expect in their areas of the community.

That's really what we have for you today as you consider these different proposition and ballot language alternative's. We wanted to remind you on next steps.

[9:27:50 am]

We have an opportunity this thursday for an executive session.

Also, i think it's posted today if you have any questions for legal counsel, any of the proposition and ballot language questions that you think are that ann thinks were more appropriately answered in executive session.

On august 9 there's an opportunity again at council work session to discuss this in greater detail and august 11 we have this posted for possible action.

Just reminder you have two additional council opportunities for discussion and approval or changes if you want and that's august 16 at the council work session and august 18 at the council meeting.

Your last scheduled meeting to set the election would be that day.

If you obviously if you need other meeting opportunities, you could set a special called meeting as well.

With that, is staff is here to answer any questions that you may have and we're here to respond.

>> mayor adler: any discussion. Ms. Kitchen.

>> kitchen: i'd like to talk first about the next steps of the process just so that we all understand and are on the same page with the time line that we prefer.

So this time line makes sense to me.

The only thing that i might add is that that on august 11 i assume we have the ability to take public input as part of this process.

So i would just want to clarify for the public that we're thinking in terms of our august 11 meeting for public testimony.

And then the only other thing i would add is for the august 18 council meeting where i would expect that we would take action, that we set it for a time certain that we actually keep.

So i know it's hard for us, but i would like to see if we can do that for the august 18 meeting and have it at a time that is no later than about 6:00 or 7:00 p.m.

So other than that, this this looks fine to me.

[9:29:30 am]

What i'd like to do is make sure that we're all on the same page in terms of next steps and put that out there for the public so everybody understands how we're going to proceed.

>> mayor adler: yes?

>> i just want to add because this is an ordinance, you have to have seven votes for this to pass all three readings so we might suggest you want to talk about it on august 11 and perhaps take action if you're

ready and if not we just need to make sure that we have three meetings available for you to be able to take action if that's the council's pleasure.

And you have to call the election by august 22.

>> kitchen: could i speak to that?

>> mayor adler: yes.

>> kitchen: i didn't think about that.

Scenario. Yes, we need to be prepared for that.

I'm hoping that we're not voting on this 7 4 or 6 5 because i think this is so critical that we need to get to a point where we have agreement.

And i'm also would be concerned about voting on the same day we get public input.

Those are the kinds of parameters i'm trying to think through so. . .

>> mayor adler: further us? Mayor pro tem.

>> tovo: sorry.

I missed the i appreciate you bringing up the time line, councilmember kitchen.

You missed the first part of what you just said.

[9:31:50 am]

But i think you were suggesting that we have a vote on the 18th?

>> kitchen: yes.

>> tovo: and i think that it would be good to have some conversation around that if people have strong opinions, just so the public understands, you know, whether we're likely to i would hate for somebody not to come to the 11th thinking they had another opportunity and have us make a decision on the 11th.

I agree with the time line you set out.

I would like to see that optional council discussion and action actually be kind of our plan to talk about about it and vote no earlier than the 18th.

>> kitchen: okay.

>> tovo: that makes sense to me but i'd be interested in other people's thoughts and i think there's a strong will to move forward on the 11th.

I think we need to signal that to the public.

>> mayor adler: mr. Zimmerman.>> zimmerman: thank you, mr. Mayor. Welcome back.

As i said back in june when we were discussing this that my vote to move it forward was going to depend on the ballot language.

And the slide here, i guess number 17, which is the staff recommended proposition language, i would vote against

>> councilmember zimmerman, i think the best if you look at the

>> zimmerman: recommended proposition?

>> the document behind it is the actual language in the prop on page 2.

>> zimmerman: okay.

[9:33:30 am]

I thought we were talking about what's on the ballot itself.

>> it's in there.

That's the ballot language on page 2 of the ordinance.

Just so we're talking about the same i think it best from this point forward to look at this document because this is what this is what would be on the ballot and in the proposition.

So that's probably what you should edit from this point forward.

>> zimmerman: not what's in here but what's in here?

>> yeah, the powerpoint really is a summary of what the ordinance is.

>> zimmerman: got it.

>> there you go, page 2, part three, that would be the ballot language.

So that's the one if you want to edit that, it would be best to start with that as a baseline.

Sorry for interrupting. >> zimmerman: that's fine. Let me take a look at this. Yeah, thanks.

>> mayor adler: from yes. >> just one more thing.

The language that y'all select of course needs to go to the attorney general's office.

So since you have to call the election on the 22nd it would be helpful to have that language set before the last meeting that you have on the 18th.

Just another thing to consider.

>> mayor adler: ms. Pool.

[9:35:50 am]

>> pool: is it appropriate to go ahead and send all of the options that we have and get so that the ag's office has a chance to see it in advance and rules on it and then we can make our decision later?

That we not wait?

>> we're not waiting.

We are in dialogue, guessing what you're going to do, but we do need to land on something.

>> pool: but is it possible to send the entirety, the different options to the ag's office?

Is that not

>> i think leah fireside wants to add something.

>> our recommendation is not that you land on one thing that you want the ag to look at because it does take them a while and the more options, the more it will lengthen the amount of time they need to review.

>> pool: okay. Thank you.

That was the clarity i was looking for.

Appreciate it.

>> mayor adler: ms. Kitchen.

>> kitchen: just a question about that then.

So i'm just wanting to make sure i'm understanding.

Are you saying that means we have to vote before the 18th?

That we would have to vote on language before we can send it to the ag's office?

[9:37:30 am]

>> our recommendation is that you land on even if you vote on two readings and indicate that you're gonna come back on the third reading but if you try to change the language on the 18th, it will be very difficult to get the ag's office to review and to okay changed language at that late date.

>> kitchen: okay.

That's why i wanted to have this conversation, because we need to really i want us to understand today what our time line is and all the parameters for it.

That creates a difficulty for us to have both the time for public input and to think about it and have some deliberation.

So help me understand.

I understand what the recommendation is and i really, really do appreciate that.

But tell me what the declines are.

Because i don't know that we are talking about huge ranges in terms of what we might approve.

What exactly is the deadline?

>> so you can't start voting >> kitchen: okay.

>> until you're the first meeting that you're set up to take the vote on the 11th.

That's open for public comment, like any action item that you have on agenda.

So, yes, the public is welcome to come and you can take consideration at that time.

You can put it on for action any time also between that and technically the 22nd is the last day to call the election.

>> kitchen: okay.

>> but the more that you change and tinker with the language up to the end the more likely it is that the ag's office, looking at some novel thing, will say no.

So our recommendation and i think this is something bond counsel has spoken to before is that you try to land before that date on the language that you are all comfortable with so that the so that bond counsel can take it to the attorney general's office and make sure that there are not any issues.

>> kitchen: so the ag's office deadline is so we need approval from the ag's office before the 22nd and we have to vote by the 22nd? And so we have to have the approval of the ag's office by the time we vote on our final language?

>> that's our recommendation.

>> kitchen: but is that the requirement?

>> yes.

[9:39:50 am]

>> kitchen: okay.

All right.

That okay.

That makes sense.

I'd still like to go back to the question the suggestion that councilmember pool had.

I understand what your concerns are, that you don't want wildly different language sent to the attorney again's office at the last minute and certainly don't want them to have a long list of things, but if we're not talking about a whole lot in terms of differences, i think it might be possible to not have a final vote on the 11th.

That's what my concern is.

My concern is pushing this so that we have to have both public testimony on the 11th and a final vote on the 11th.

That's what my concern is. >> we don't think that you need a final vote on the 11th, but you need it's our recommendation that you that you try to land on some language or get as close as you can by then.

And if you need to have this as an action item for one of your other meetings between then and the 18th, then request that that be added and we'll be happy to put it on.

You have quite a number of meetings before then, and just like tomorrow, where you're adopting the maximum tax rate you can certainly add this as an action item, invite public testimony, make sure that it is in the council chambers so that everybody who wants to show up can be right there.

So we're happy to set it for any of those meetings that you have or if you want to have a separate meeting and you all can agree on a time for that, we can set it for a separate meeting.

>> mayor adler: from where i sit and i agree with everything councilmember kitchen said in fact everything everybody set in terms of having a process that works for us.
Part of it is i think we don't know what the variables are going to be or how far apart we are or how the numbers are.
I think it's good for us to call this on the 11th because that's the first day we can call it.

[9:41:50 am]

I think it's good to say to the public that's the day that the public needs to come and talk and then we'll open that up.

I'm comfortable if we're not ready to vote on that day, clearly not voting on that day.

But i think on that day we'll have a feel for where any disagreements are or differences are and it may very well be on the leverage we say we really need to put this on the next three meetings we have as an addendum on the week leading up to the 18th.

That's a possibility, as well as pointed out to us. So i'm comfortable with the schedule that we have because it gives us maximum flexibility to see how this develops and to see where the differences are, recognizing that we can even set more days than are what's shown on here between the 11th and the 18th if we think we need to be able to touch base with each other.

But as far as the announcement to the public goes, i think it's what we're saying to the public real clearly is the 11th is the day that the public should be there to give input for us.

Ms. Kitchen?

>> kitchen: then i'd like to suggest we set a time certain on the 11th.

I don't have a set time, but i think it should be early enough that allows for testimony and allows for deliberation so that we finish our deliberation by early evening.

So and i think the sooner we let the public know when it is the better.

2:00 is fine with me. 2:00, 3:00, 4:00.

I was going to suggest 4:00 because it's a little closer to the end of the workday for people.

>> pool: i was thinking earlier so people could come early and leave early and get out of downtown but i figured we would also still we could leave the hearing open if more people come they're not there then, we could leave it open until we're going to take a vote on it later in the evening.

I don't know.

Do you see what i mean?

>> kitchen: yeah.

>> mayor adler: it's also an issue if we wanted to set it for 2:00, no sooner than 2:00, people who couldn't do it during the day could show up at 2:00 and that doesn't mean we have to take action or close to deliberate.

People who need to come at 2:00 and we will also call for public discussion at five or whatever.

[9:43:30 am]

So that someone knows that if they're not there at 2:00 they're still going to have a chance to talk at 5:00 we could set it up twice so people have an opportunity.

>> kitchen: i don't have a set opinion about any of that.

It all makes sense to me.

I do want to say that i don't operate at my best after midnight, and i do not want to be in a situation where we are deliberating again at that time.

And so the main thing i want us to make is a commitment to ourselves on this major, major issue that we deliberate and if we're gonna vote or not that we finish that by relatively early in the evening, and i think we should set a deadline for ourselves.

I'll just propose 7:00, not hard and fast perfect my perspective, but i'll just propose that as an idea.

>> mayor adler: okay.further discussion? Yes ms. Garza.

>> garza: are we going to have another executive session or

>> mayor adler: thursday.

>> garza: okay, thanks.

>> we'll be prepared to have an executive session on thursday and if you have specific questions it would be helpful to channel those to us because we have talked about most of the issues but happy to prepare for it if you let us know in advance what they are and just send me an email.

>> garza: the reason i ask, i don't think this is something i can ask, i want to be safe but there was discussion about consequences if it fails.

Can we talk about that now or would that be better reserved for executive session.

>> we'd probably want to talk about it in executive session.

>> garza: okay. >> mayor adler: yes, mr. Zimmerman.

[9:45:50 am]

>> zimmerman: i think councilmember garza is referring to hb 1378 passed by the legislature in 2015, and i strongly object to reserving that conversation for executive session.

I think that needs to be a very public conversation.

The voters need to know why we're doing what we're doing.

The law does affect this is a relative new law.

The first time the public kind of heard about that was when last year the downtown courthouse bond was defeated and the county judge made some public comments, well, we're just going to issue certificates of obligation, we don't care what the voters say.

That's when they brought this up. This house bill that said, no, actually, that's illegal.

So the ballot language construction is affected by this bill 1378.

The public needs to know that and they need to know why we're doing it.

Let me very quickly go back to this here.

I appreciate you drawing this to my attention.

I see two secs titled proposition one on page 1.

[9:47:30 am]

There's some proposition language here on page 1, and there's some detail on regional mobility corridor improvements, local mobility.

But on page 2, part three proposition, it says that this will appear on the official ballot in substantially the following form.

The way i read that, this is what the ordinance proposes.

It's the very limited high level language that provides no specificity even within corridors versus regional mobility.

And that seems to completely conflict with page 17, where it is broken out by those categories.

So that's why i'm confused by this still.

>> there's two components to the ordinance. one is the proposition, and that's the level of detail you're looking at on that slide that we recommend.

That's part two.

And then part three is what the voters would see in the ballot

>> zimmerman: the ballot language.

We've been through a lot of these elections people don't read these pages.

They read the ballot language.

They want to make a decision.

You know, voters should be more informed.

I think we all agree.

[9:49:50 am]

A lot of voters go to the polls, they haven't done their homework.

To be fair, we represent the voters, and i think we need to put in the ballot language that specificity.

And i ask for that.

I think it's very, very important.

Also, in light of this new law, if the ballot goes down, it can't issue certificates of obligation for what was in the ballot that was defeated.

Voters need to know that.

That's very critical information for them to know.

That's why i've been asking for the specificity, and i'm not seeing it here in this ordinance.

I know this is a first draft, but, yeah, anyway, those are my comments.

Thanks.>> mayor adler: okay. Mr. Casar.

>> casar: i wanted to ask the mayor and council what we want to use the rest of this time to discuss if it's largely for the briefing or if we want to hear from people now, yep feeling on ballot language general feeling on ballot language?

I just wanted to see what it is that people's intent is for this item because i'm happy to go into some stuff but if that's not what we're set up to do then i can reserve my comments.

>> mayor adler: no.

I think if people are thinking things right now, now would be a good time for those things to daylight or to surface.

>> casar: then i'll go ahead.

>> mayor adler: okay.

>> casar: unless somebody else clicks on their mic.

[9:51:30 am]

So in looking at the staff's draft proposition language, i currently don't have particular concerns except insofar that i think that local mobility projects is a bit of a term of art for us, and my understanding is we do have the option to include things like the words "sidewalks" and "bicycles" and those things and i think people would understand that much better than local mobility projects.

I don't think it would lengthen the proposition significantly and would provide it the level of clarity that i would prefer and also would be sort of parallel here where we don't just say

>> mayor adler: you're talking about the ballot language.

>> casar: the ballot language, excuse me, since it does not just say corridor plans, which is also a term of art, it does list out some of the corridors, i think local mobility projects could use some explanation.

But if there is strong sentiment in the community and on council that people would prefer those terms of art and categories and then it's up to community members to educate each other about what those mean we could do them parallel that way but here it seems odd to me that the regional mobility and corridor plans are actually explained but then the term of art "local mobility" remains.

I'd rather it be parallel one way or the other if that makes sense to everyone.

>> mayor adler: yes?

Ms. Pool?

>> pool: that sounds good to me, and i'd also like to be sure we include ada compliant as that's required now, but i'd like so of course we would do that but i would like that mentioned.

Thanks. >> in the ballot language?

>> pool: yeah.

I realize we're adding to the bulk, but i do think it's more descriptive and i think our residents are looking for that specifically.

Thanks.

>> mayor adler: mayor pro tem.

>> tovo: i think those are i think that's a good suggestion, councilmember casar, about adding that language.

And so is your suggestion that it read something like, safe routes to school, sidewalks, bicycle lanes, and other local mobility projects?

>> casar: something to that effect.

>> tovo: i think that's useful.

[9:53:50 am]

Councilmember pool, you would like to see ada compliant modifying sidewalks, in that kind of a

>> pool: yes.

>> tovo: you probably have to say what ada is.

Can't use an acronym probably.

>> mayor adler: okay.

Ms. Troxclair?

>> troxclair: just i'm sorry.

Did i cut you off, mayor pro tem?

>> tovo: no.

>> mayor adler: okay.

>> tovo: editing my text. >> i think that i would prefer the language on slide number 20 that has a little bit more detailed description about the funding levels and what it's going towards.

I think if you just leave if you read the ballot language without that specificity, it just seems like we're doing it's hard to get a grasp of really how much money is being spent for which projects, and i agree with councilmember zimmerman that generally people are reading the ballot language not necessarily the proposition.

So and then i guess my other comment would be either way, i appreciate the mention of oak hill parkway and i wish that we were putting a significant amount of money to that project, but the prong that is near oak hill parkway isn't necessarily an improvement to that specific corridor.

It's really a side street.

>> that's right.

>> troxclair: that a lot of neighborhoods are dependent on to get out of that area but it's not necessarily part of oak hill parkway so i think it's a little disingenuous to include that project as if we're making improvements to oak hill parkway.

>> right, we can be more descriptive of that project.

>> troxclair: thanks.

[9:55:30 am]

>> mayor adler: mr. Renteria.

>> renteria: you know, i agree with ellen on page 20.

It's more transparent and i think this is what the voters are really looking for, and i think they're willing to support a program like that if you give more detail exactly how they're going to benefit.

You know, the last bond election when we had the rail, i believe the reason it went down was because a lot of people were saying, hey, we're not getting anything out of this.

Why should we support this?

And because i never did also, in the on the campaign trail i heard from the voters, you know, that we're not going to support something like this unless we get some kind of benefit out of it.

And by putting it the language as the alternative language, it's more transparent and i think it offers more clarity to the voters so that they know exactly what they're voting for.

>> mayor adler: okay.

Any further discussion?

Ms. Kitchen. >> kitchen: i'm inclined to provide more specificity along the lines i'm inclined to provide more specificity along the lines of page 20, but i also think there's some additional level of specificity that we need to talk about.

And whether that's in the ballot language or the proposition or some other type of guidance to work with staff.

I think that one of the things that at least i'm understanding from you know, from the folks that i talked to is that the our actual process as we go forward for you know, for understanding how the funds are spent over time, i think is important for people to understand.

So i would also like to think in terms of some some level, whether that is a resolution or what, i haven't thought of what the format is, but some something that speaks to a couple of things, that speaks to our process for the decision making around what projects are funded, when, and how much.

And the council's options or opportunities to weigh in on that.

Second thing would be criteria for what did what is the criteria for that.

I know there is cite.

And that criteria relates to, you know, needs on an area and coordination with other types of activities that have to occur, whether that's coordination with related projects like affordable housing or if it's coordination with necessary infrastructure before you can actually fix the road, like, you know, water infrastructure, things line that like that.

And there may be other criteria.

[9:57:50 am]

I guess what i'm saying is i'm thinking about and i will suggest some language but i'd like to ask that you think about this too, is i think we need to provide some additional level of guidance for everyone, for you guys, for us, and for the public to understand on what's the schedule for the dollar amounts that are

that we're targeting for these particular roads and what is our criteria for doing so and how are we going to what's our process to from a council perspective, to work in partnership with our staff to oversee, partnership with the staff and the public.

So, you know, i mean, that's a little vague, but to be more concrete, the most concrete way to do that is a list that says we're gonna spend x dollars on this road.

I'm not suggesting that it has to be that level of specificity.

I'm just saying that we need some level of specificity both on process and criteria for how the dollars are spent because i think that that's helpful for everyone in terms of setting expectations and also some clarity for folks on what we're getting.

You know, i had a lot of conversation about being concerned about dollars going to south austin, and i think it will be more readily apparent to folks in south austin if i can point to at least some kind of criteria that and i'm sure i'm not the only one but some kind of criteria that really speaks to the how we're focused on need and how that focus on need actually hits all parts of the city.

So i'll try to give you something more specific than that, but i don't know if that makes sense or not.

So. . .>> zimmerman: one final point.

>> mayor adler: yes, mr. Zimmerman.

>> zimmerman: mr. Mayor, you put out a schedule that had some more detail on the council message board.

You're familiar with that document as well?

How is that going to be integrated into the proposition?

>> the proposition stands alone at this point

>> zimmerman: so it's not in there right now.

[9:59:30 am]

>> it's not in there right now.

>> zimmerman: it's not in there right now.

So i could see how that level of the specificity, that would make the ballot language very long, i'd still like to see it in there.

In the very least, it's got to be in the proposition language somewhere.

Let me ask a quick question.

It may be one thing that could be suitable for executive session and that would be legal action that the voters could bring if they thought that the city was not following through with the promise that was made.

There's some legal language about how ballot language is a contract with voters and but i don't quite understand the difference between what is specifically on the ballot and what is not on the ballot but behind it in the proposition language, right?

That's probably something we should discuss there. But is it your understanding that i think everybody here would agree that whatever appears in the ballot language, in other words, if we say, you know, 720 million for transportation mobility that we can't spend it on flood control, so if we turned around and spent it on flood control we would invite a lawsuit.

But within that very broad language of transportation and mobility if \$100 million were shifted from congestion relief over to urban trails or vision zero or whatever, there would be no legal action because you could still say it's still transportation mobility.

So that's the point i'm getting at.

I'd like to have that explained in some detail.

And i think the voters need to know about that too ultimately.

>> mayor adler: okay.
We'll pick that up then on thursday in executive session.
Yes, ms. Garza?

[10:01:50 am]

>> garza: since we're all giving our, i guess, general thoughts, i mean, i i've had concerns about this process since it started, and for me feeling like it was a bit rushed.
I feel like even now we're almost slicing it and dicing it until we have basically 20 days to figure out what where consensus will be on the final language and i absolutely i'm not going to rehash, you know, the june meeting, but on a broad level, i'll just say that i feel like the public input should have been more on what is going to go into a bond period, it was narrowed and it was going to be mobility, and that's it. Whether there are other needs, flood mitigation, parks and rec, so many other needs, and we didn't get that input from the public so that's why, you know, i and for many other reasons i couldn't support it initially.
Obviously, i want the best ballot language possible so, you know, i'm not sure where i am exactly on the ballot language.
For me, it's about being extremely transparent with the voters, and that's what my goal is throughout this process, is when i talk about this bond, i will give my concerns and want them to know exactly what they're voting on, exactly what they're getting, because it's so hard for folks to really understand the process that are in the process, one of the 11 of us or city staff directly involved in it.
So i would prefer, in addition to i like the detail in slide 20, is if we could specifically say what it's gonna cost the average resident.
And i believe right now that's \$5 a month. And so that's something i think is important for voters to know, what is this going to cost.
So. . . >> i think councilmember garza also raises another issue we haven't talked about but was in the resolution we passed back in june.
Effectively what we did in june was take the \$500 million of bond capacity that exists today that we can do when i say bond capacity it's that subset of bond capacity, which is that bonding we can do without having any tax impact at all, and what we did in june was we said we're taking half of that or \$250 million and giving that to a bond advisory commission that would be meeting over the next months, potentially to come back to us with going to the voters in 2017 or 2018 for direction on how to whether or not and how to spend that \$250 million plus potentially whatever else the bond commission comes back and recommends.
But coming back to council and saying we have that \$250 million to have a bond commission, one of the things that would be in the resolution was asking for you to come back to us this week with the best way for us to set that up so that that group could get started right away on the other real priority items in this city, luke flood control or like flood control, affordable housing, parks, whatever else that bond commission wants to take a look at.
Where are we with respect to that coming back to the council this week so we can start initiating that, start making our appointments and start that process moving?
>> mike trimble, capital planning officer. In the next couple of days, we'll be getting a full time line for bond election. In the resolution directed us to do a 2017 and 2018 scenario. we'll provide that.

[10:03:30 am]

We are anticipating there will be a robust community engagement process along with that working with a task force, getting at the community, receiving feedback on priorities, somewhat similar, probably a little more time, but somewhat similar to the mobility talks but including other asset categories, so talking about parks, facilities, other types of investments.

>> mayor adler: okay.

Thank you.

Any further discussion?

Ms. Troxclair and ms. Kitchen?

>> troxclair: i have a question about the order.

Is there a reason that the projects are ordered in the certain way?

I guess from a common sense perspective i would have thought the corridor plans would be mentioned or the projects where the most money is being allocated would be mentioned first and then go down from there but maybe there's a reason?

>> we followed your resolution that y'all adopted.

>> troxclair: okay.

>> but there is >> troxclair: we could reorder.

>> garza: the resolution mandated an order?

>> it just listed the projects so we took that list.

>> mayor adler: to the degree that it was in that order in the resolution that we submitted it, it would have been arbitrary, scribes in detailing that.

Ms. Kitchen, she's deferring to you, mr. Casar.

>> casar: actually, if mr. Trimble could come back.

I did want to ask a couple of questions around something that's in the language, which is the safe routes to schools piece, which is a term of art, and i wanted to make sure that we and the public were all aware that safe routes to schools does not necessarily just mean sidewalks to schools.

Is that correct?

Could you sort of let us know since that was a very late night decision to add that in, what that entails?

>> yeah.

[10:05:50 am]

Probably quickly hand it off to public works to talk to that as well.

It is my understanding, yes, safe routes to schools doesn't include just sidewalks, it could include intersection improvements, other improvements that go to creating a safe route as opposed to just a sidewalk improvement.

It's not just a direct pullout of the sidewalk master plan or sidewalk program.

Robert?

>> that is correct.

We've done a little bit of analysis on the gaps in the schools.

I think we have identified about 90 schools within the gap and there's certainly a lot of inventory of missing sidewalk within a quarter mile of all the schools that were identified.

You had asked the question earlier about prioritizations. We're not at that stage yet, but the way we do it, you're absolutely right, we're going to look at what the kids need to get to the schools safely, whether it's crossing beacons or sidewalks, combination of bike lanes.

That's part of what our understanding is. >> casar: great. When you mentioned you hadn't done the prioritization yet, you mean that there is not yet a system where we know which schools need the money the most?

>> that's correct. We do have a current program, and we've done i believe three schools and that was more demand driven.

Actually the schools approached us and we worked with the schools and we went ahead and installed the sidewalks in those areas.

This changes the paradigm shift now that there's funding available.

90 schools is a lot of schools to coordinate.

We're probably going to have to add some staff to do that but we have not talked about how we're going to prioritize them.

One of our initial thoughts was more certain districts have higher volumes of missing sidewalks.

Perhaps that's an approach.

[10:07:30 am]

Until we start getting more guidance.

We can certainly come up with some recommendations once we get further into it.

>> casar: thank you.

And i think the reason this was important information that i learned that i had suspicions about before the vote but then confirmed with staff afterwards is that there was some conversation that under safe routes to schools some people knew they were getting less and some knew they were getting more in their districts.

My understanding is that's not true because there isn't prioritization yet for how the safe routes to schools money would be distributed so it seems pretty preemptive to me to on top of the reasons you already heard me discuss at whatever hour in the morning back in june, this is an additional reason, i believe, that distributing this money in the bond proposition language by district is preemptive of a concern that we don't even have the information on yet because it is not yet decided that there's certain areas how need is even going to be determined.

Again, my preference continues to be that we do it based on need and the fact of the matter is this council would be the one that gets to set up the parameters for what need is because those aren't even set yet.

And so we can ensure that it's fairly allocated but we haven't even gone through that process yet enough to know there are somehow winners and losers in this process.

I would rather just get to a point together as a council that we want kids to have the most that have the most need to be addressed and have the safe routes to schools money first.

That doesn't mean it's coming to my district or your district 1st because that's not even set up yet.

That's something we get to do.

>> mayor adler: okay.

Further discussion?

[10:09:50 am]

Ms. Troxclair i'm sorry, ms. Kitchen.

>> kitchen: my question goes back to the discussion we had about the language to set up the next bond process.

My preference would be that we vote on that at the same time we vote on this bond.

So my preference would be that we have a proposed if it's possible, i don't know what your time line is, but is that we have something for our consideration on the 11th.

And the reason i think that that's important is because i think it's very important to see the to see the progress on the next set of bonds, and i know it takes us a while, you know, to get you know, i'm assuming we'll be doing some kind of bond oversight committee and we have to make appointments and things line that it that can take a while to get up and running, particularly if we're talking about 2017, there's no time to waste on that.

So that would be my preference, that we have a proposed language so that we can place that on our agenda for consideration on the 11th.

>> mayor adler: that makes sense to me as well. Ms. Troxclair.

>> troxclair: one last process question.

So from here, are we what is so do you know yet what the what our agenda item would be on the 11th?

If it would still be the same recommended the same staff recommendation as you came to the meeting with or are you taking our feedback and coming up with new language is this i'm trying to figure out what happens between now and then and what document we should be working off of.

>> we were hoping, again, this meeting would give us feedback so if you didn't want the recommended language that we would morph into something that y'all have discussed today.

We want to get closer to the whole idea from now, every time we meet, is to narrow in on what y'all want so on the as Leah mentioned on the 18th we're not doing something completely different that we haven't already talked to the ag about.

We will take your information today and it sounds to me like there's a consensus on the level of specificity on slide 20, and that would be the ballot language unless you all agree with that disagree with that.

>> troxclair: i'll just second councilmember garza's suggestion that we add in the costs as well, the tax implication for the average for an average person on any bond that we do.

>> i think we have to consult with bond counsel because there's certain requirements for what language relating to taxes and things need to be that needs to be in the ordinance.

So i don't know at this point whether that fits in with that.

[10:11:30 am]

It might be something that's more appropriate in a resolution, but i'll confer with bond counsel.

>> troxclair: okay. Thanks. >> mayor adler: and i see the recommendation and i hear the comments of my colleagues.

It's hard to get something and then react to it right away in terms of direction so i'm going to want to think about this and vet the stuff and certainly can get thoughts back to you and to my colleagues as well.

Mayor pro tem. >> tovo: my comments are similar. I think i just heard you say that it sounds like there's consensus around the language on page 20 and i want to say for me i'm not there yet in my preference for that.

I think it's a little challenging to read. I think i have some concerns that i want to address in executive session about what naps we get some kind of federal grant to make improvements to one of these corridors and we're suddenly locked into providing bond money for those instead of leveraging our opportunities for other resources.

So at this point i'm gonna really need to think about the language that we saw on page 2 compared to this because my initial leans at this point are it should that more general language with some of the amendments that were suggested by councilmember casar.

There seems to be a lot of support for the language on 20 that i'm gonna need to think a little bit about it before i really get there and just, you know, as i'm looking over it my first thoughts are vision zero master plan means a lot to those of us who are here and have been tacoma talking about it two talking about it for two years, i think the general public likely has no idea what that means and may not want to see us spend \$15 million on it.

There's work i would want to do on that language on page 20 that's the overwhelming preference of the majority of the council.

I guess like the mayor, i'm those are my initial thoughts but i'm going to have a more studied opinion about it after i have a chance to really read it and think about it.

>> mayor adler: ms. Pool and then ms. Garza.

[10:13:50 am]

>> pool: i'm inclined to agree mayor pro tem.

I definitely need time to measure it and having been through bond elections from the staffing side before, as a citizen involved in it, i do know there are education and campaign efforts that accompany any bond if we were not going to engage in a public information awareness campaign and probably in the community we will have a private campaign on this with the information getting out there.

Then i might want to be more explicit in the bond language, although i think that also increases the challenge for the reader looking at it, and i think maybe that actually increases the chances of voting against it because they're put off by the level of detail.

I think it's incumbent on the city as a good actor, and i expect this will happen, the city will do everything it can within the law to get the information out about what the bonds contain and what the concrete effect will be on each district.

I expect there will be a private funding for a citizens campaign outside.

I think in fact that's already underway. And those folks will separately be doing an education and awareness campaign.

So i'm leaning more toward the standard, which is a more general explication of what's in the bonds.

I like the idea of supplementing it with a resolution, which we have also kicked around a little bit, and i mean the ballot language, the general language for the ballot language.

And also expect that all of us here will be doing what we can within the law to also raise public awareness for what is in the bond and what the positives and negatives might be for any given resident of this city.

So i haven't made my mind up either, but i am leaning frankly toward the more general language.

Thanks.

[10:15:30 am]

>> mayor adler: ms. Garza.

>> garza: i just wanted to clarify my friends.

And, again, we're all seeing this for the first time so i'm not saying i'm gonna vote for this on 20.

I'm saying i prefer something more transparent and clear.

And that is an example of that.

And i hear the concerns about, you know, what if funding comes later.

That's absolutely a concern. Then are we only we can only spend that money on whatever was in the bond language.

But i my concern with the education campaign that could be whoever is gonna fund it, we just went through an election where the education was extremely skewed.

So i think it's important not, you know, middle class, working class families can't make it to the civic meetings and the, you know, different group meetings and there are going to be the majority of people are going to be reading this ballot language for the first time when they walk in that booth, and i want that to be as transparent as possible.

>> mayor adler: okay. Anything else before we go to the regular agenda? Thank you very much. >>

kitchen: could i add one thing? >> mayor adler: yes.

[10:17:50 am]

>> kitchen: i want to clarify my comments on slide 22 because i'm not sure if i said this.

But i have to agree that the transparency is absolutely critical.

So i understand that the question you can let us know from a legal standpoint, but i think it's important to the extent possible to have language in here that's completely transparent for people on the impact.

So. . .

>> mayor adler: thank you.

Mr. Casar.

>> casar: then i'd like to state my present position is i like what was put in the staff's backup, the that the mayor pro tem and i were working on, and it's on given the amendments listed well, that i described and mayor pro tem wrote down.

>> mayor adler: mayor pro tem. >> tovo: i know nobody means to suggest this, but i think let me just say we all have a desire to be transparent.

I think we're just talking about levels of specificity.

I certainly have no intention of putting language before the voters that is not clear.

I think, you know, again, we're just talking about how much specificity to put in there and for me it's a question of making sure that we're preserving that we are being clear about our intentions but also making room for being flexible in case we have other funding opportunities that come along.

>> mayor adler: okay. Thank you very much for the presentation. On the agenda, the first item that was pulled was item number 14.

Councilmember garza, you pulled that item. >> yeah. I just wanted to see if there was any kind of idea of what this grant money is going to be used for.

I know we're still waiting to hear back, you know, what we haven't hired an equity officer. We haven't really haven't had a i guess, a more public discussion on what's going on with the office so i was just wondering what that money was being used for.

>> good morning, mayor, councilmembers.

[10:19:30 am]

Burt lumbreras, assistant city manager.

The grant is really broad enough that it essentially it is a new initiative that allows cities to kind of go through a two year learning experience and just as importantly puts us in a cohort of cities that are pretty much at the stage that we're at, where they're developing equity offices for the first time.

And so we're one of five cities that are in that cohort group, but in talking to staff, particularly ray beret and mark washington, who actually are at a living cities training yesterday and today, as a part of this initiative, the funding is pretty broad.

It essentially gives us the ability to go out and develop a racial equity action plan.

So it falls very nicely in line with what we're doing with the creation of the office, hiring our first chief equity officer that, essentially we can use it for a number of things as long as we reach that goal of developing that action plan.

So it's pretty flexible, and of course it's something that we just recently got approved so we really haven't earmarked it for anything specifically but one of the commitments that we have made is that, you know, as we've done throughout the creation of the office and hiring the officer, we want to use it as much as we can to engage the community and have the community be a part of this process.

So the response to you on that is that it's pretty broad but it's also to develop an action plan with measurable outcomes as a result of that process over the two years.

>> i might add that getting the grant implemented with a new equity officer have access to technical assistance through leaders in this field, such as living cities, for example.

Is that correct?

[10:21:50 am]

>> yes, that's correct.

City manager is exactly correct.

There are gonna be the funding will support the work.

It does specifically allow for technical assistance and coaching between the cities to work systemically towards this racial equity lens and then the technical assistance in creating and developing the message that we can connect with the community and have the community continue to be engaged throughout the process.

So the technical assistance is a huge component of that.

>> garza: okay.and i know the a lot of people are really excited about this office, and so can you give a time line on when we're going to hire someone?

>> sure. I do have a bit of a status on that. We as you know there's been a lot of work in the creation of the office and also in the recruitment because we have those two processes running pretty parallel.

In terms of the officer or the deadline on that was june 3, and we have hired the hawkins company that has been the executive recruitment firm leading the process.

They've gone through the screening process. They've done in person interviews. Or in person interviews and the finals took place july 19 and they're going through the screenings and all of the backgrounds that will eventually get to the point of identifying the top candidates.

There is a date that we're looking at that's gonna involve the community. It's everything from interviewing the candidates, where we will have both, you know, staff and community folks from the various commissions and all of the folks that have been involved in the process throughout this whole even from the very initial stages.

And then there's even gonna be like a town hall or a community meeting open for the public, that they get an opportunity to listen to from each of the respective candidates and then also submit their comments in terms of the strengths and weaknesses and the considerations that will ultimately be a part of what the city manager will take into consideration before final decision is made.

So that's gonna be in late august. I think the date is about august 25. >> do you have anything to add or does that cover it? >> very thorough review of it but i'm available to answer any questions about the process.

>> garza: i think all my questions were answered and i want to thank city staff for i know this has been a lengthy process and you all are trying to be really thorough and i think it's great we've already gone out and tried to find some grant money.
So thanks. >> mayor adler: thank you very much.

[10:23:30 am]

The next item pulled, number 56, ms. Pool, you pulled that one.

>> pool: thanks, mayor.

I have some just a description of the graffiti abatement effort that i would like to initiate.

You know we now have a contract for graffiti on city owned buildings and previously we have had it on private property and this resolution would direct the city manager to review these current abatement strategies, look at nationwide best practices for graffiti abatement and recommend any changes to the city's strategies and i think the timing is good now that we have a contract with someone who is doing it for our city buildings and i know that there are concerns around the city for various levels of graffiti that are sometimes you can't sometimes you don't even know where they are but the neighbors know where the graffiti is located.

And so i'd like to try to redirect those energies into something a bit more productive and i think that this request for best practices review would bring us some ideas on how to do that.

>> mayor adler: this is not prescriptive. This is asking the manager to come back with recommendations.

>> pool: absolutely right. real open to whatever he finds. >> mayor adler: okay. Thank you. >> pool:

thank you so much, and i appreciate my cosponsors. >> mayor adler: anything else on this?

Thank you, councilmember. You had also pulled item number 70, which was the property that's looking for a zoning change but had been up for

>> pool: right, simply to request time certain if we hear it on thursday, i would like to have a time certain of 4:00 in the afternoon is.

>> mayor adler: okay. Do we think that's still proceeding? >> pool: that's what we're waiting to find out.

>> mayor adler: okay.

I don't have a problem with saying this won't be heard prior to 4:00 p.m. anybody else have anything they want to pull in our work session?

Then everybody has the day back. We adjourn this meeting and we will convene tomorrow more the budget work session. remember we're going to take some action items tomorrow as shown on the agenda, the formulaic ones that we need to do.

With that, this meeting stands adjourned.

[10:25:50 am]

