

City Council Regular Meeting Transcript – 08/10/2017

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[10:09:59 AM]

>> Tovo: Good morning. Welcome to our city council meeting. I am mayor pro tem Kathie tovo. I will be filling in for mayor Adler. He is out of town on a conference on -- something like the conference on mayors so he will be off the dais all day as will councilmember Renteria. Welcome. I would like to invite father David Barr of saint Elias orthodox church to give the invocation. Please stand.

>> Thank you. Let us pray. We pray for the mayor and members of the city council of our city of Austin as they meet today. As well as for all those in civil authority throughout our country and state. Grant unto these thy servants the prosperity of Moses, the wisdom of Solomon and the glory of thy name. Guide them in the way of mercy, peace and love. We pray, O lord, for all the people living in this city that thou will keep this city and country from famine, wrath, earthquake, flood, drought, fire, invasion, civil war and sudden death. Our good god who loves mankind be gracious and conciliatory to us and turn away all wrath stirred up against us and all sickness and have mercy on us. Hear us, O gored, our savior, the hope of all the ends of the it and have mercy on us. Without a merciful god love us mankind. We ascribe glory to the father and son and to ages and ages, amen.

>> Tovo: Thank you very much.

[10:12:00 AM]

Thank you very much, father Barr. Since we had the opportunity to have you here with us, I want to mention some of you may know the Austin mediterranean festival is coming up. It takes place at saint Elias orthodox church. This will be their 85th anniversary festival and having been there lots of times it's a wonderful opportunity to eat great food and dance and hear music. 30th. Thank you. Again, I'm mayor

pro tem Kathie tovo and I would like to call this meeting to order. We're meeting in the city hall chambers and it is 10:12. I would like to begin our day by recognizing today is the last day we had have extent city manager Bert Lumbreras with us. He is leaving to take the city manager position at San Marcos and we wish him well. Bert has had a long and distinguished path at the city of Austin and we've all been really enriched by your work and presence and I would like to invite our city manager to say a few words.

>> Thank you, mayor pro tem. Bert, it's been just an honor to work with you both as cfo and as interim city manager, but especially as interim city manager, you provided such good and steadfast wisdom and advice to me and I do really appreciate the support that you've provided over the months. As mayor pro tem said, Bert has had a distinguished career in public service. He's had over 30 years of city management experience beginning with city manager job in the city of dilly. He was assistant city manager for the city to our north, Waco, and joined us in 2006, I believe.

[10:14:02 AM]

He has provided oversight and leadership for our community services group of departments which is our Austin animal services Austin, our parks and recreation department, our neighborhood housing and community development department. Hang on. I'm forgetting one, our Austin library and has a new director Roosevelt weeks. He will be joining us in September. Bert, I just want to really thank you again for all your leadership on behalf of our directors, the other assistant city managers, our executive team and the council, thank you so much for everything that you've done. Our loss is the gain of the city of San Marcos and if we can support you in any way from the north, let us know. But thanks again, Bert, and if you have any words you would like to say, please feel free.

[Applause]

>> Well, good morning, mayor pro tem, city councilmembers and interim city manager hart. Let me just say that I've been very blessed and honored to have served the city of Austin. I really have enjoyed my time. I've had a lot of folks in the organization and the community have expressed their support. It means a lot, but one thing that I always attribute it to is that I've had the pleasure to work with some of the very best here at the city. And I'm very proud of that. This city council should know that you've got some tremendously talented staff. You've got folks that work hard not only for you but for the community.

[10:16:06 AM]

They are very passionate about what they do and they always put their very best foot forward. And for me to have had a part in that just makes me even more proud. So thank you for the well wishes. I look forward to my next adventure and that is in the city of San Marcos. As I've told the elected officials over there, there are going to be a lot of significant challenges, but there's only way I like to roll and that is to take on challenges and I'm looking forward to it. Again thank you and I'm always going to look this direction always wishing for the very best, so thank you.

[Applause]

>> Tovo: Thank you. Thank you very much again for your years of service. So we have some changes and corrections. Item 5 to approve should read: Approve negotiation and execution of an amendment to and restatement of an interlocal agreement with Travis county. Items 19 and 20 should be noted as district 1 rather than district 3. Item 30, please -- please extract the word "Proposed" so it should read setting assessment rate and approving a 2018 assessment. Those are the changes and corrections for today.

>> Pool: Mayor pro tem?

>> Tovo: Apologies. Please add councilmember pool to item 33 which appears on the addendum for today's meeting. She should be listed as a co-sponsor on that item.

>> Pool: Thank you, mayor pro tem.

>> Tovo: We have some late backup as noted on the changes and correction sheet. We had no items pulled off the consent agenda, but now we have a small batch of them.

[10:18:07 AM]

The consent agenda is 1 through 32 plus 33. We have the following items -- excuse me. 1 through 16 and addendum item 33. We have pulled from the consent agenda item 5, pulled by councilmember Garza. Item 10 pulled by -- I pulled. I also pulled item 12 and 15. 15 was also pulled by councilmember alter. 33 I pulled because I believe there are some amendments coming forward from councilmember kitchen. Are there other items pulled from the consent agenda by any of you all?

>> Mr. Mayor -- Ms. Mayor. I don't know when we addressed this, I had submitted an additional name for the --

>> Tovo: Yes, thank you. Thank you, councilmember kitchen. Item 14 we have boards and commissions appointments as noted on your sheet. Please also add to that Jeff Smith from district 5 who will be appointed to the charter review commission by councilmember kitchen. Councilmember pool.

>> Pool: Has the aquatics master plan item been pulled off consent?

>> Tovo: Yes, it will be pulled. Both councilmember alter and I both indicated we would like to pull it.

>> Pool: Thank you.

>> Tovo: Any other pulled items?

>> Mayor pro tem, I believe 16 is pulled for speakers.

>> Tovo: Thank you. Item 16 will be pulled.

>> And also on item 6 the law department has a short presentation. If we can do it on the consent agenda that would be great.

>> Tovo: Great. We'll do that. Is John Roberts here? John Roberts? Okay, seeing that, item 7 will stay on consent as will item 8. And item 15.

[10:20:09 AM]

City attorney, did you say -- which item did you say had been pulled for speakers?

>> 16.

>> Tovo: I'm seeing just one speaker on mine. Okay. Now I don't. Perfect. Speakers on the consent agenda include Gus Peña. So Mr. Peña, would you like to come up and address the council?

>> Alter: As he's coming up, I wanted to clarify we did pull item 15 from consent. That's the city manager search.

>> Tovo: Yes, the items that I have to be pulled for the -- from consent are 5, 10, 12, 15, and 33. And item 16. Item 6 will be addressed after we have a motion on the consent agenda.

>> Alter: And 2, 3 and 4.

>> Tovo: Yes. Thank you.

>> And 2, 3 and 4 we will take up at the time certain. They are linked to items on the time certain.

>> Mayor pro tem, can you prompt me on the items I'm allowed to speak on?

>> Tovo: I believe you are signed up to speak on item 5.

>> Okay.

>> Tovo: Actually that now needs to be pulled. We had another citizen sign up.

>> Okay. You said --

>> Tovo: 7, 8 and I believe you are also signed up, Mr. Peña, on item 10 -- no, I'm sorry, that one is pulled. I think it's 7 and 8.

>> I'm just going to speak on number 8. Gus Peña, native east austinite. This is regarding Travis county and doing business as integral care. Dave Evans is the executive director. I've known him over 39 years, doing a great job over there. This is regarding the downtown Austin community court, judge Coffey, I know judge Coffey very well.

[10:22:11 AM]

Any kind of funding we can give to integral care and downtown Austin court is very essential. We have a problem with crack cocaine, now it's a synthetic drug that is supposed to be more potent than the other drugs that are being sold out there right near the salvation Army. But we have many more people that need substance abuse services and it's improvement and it's because of leadership of Dave and judge Coffey and prior councilmembers that recognize the catastrophic issues that occur because of substance abuse or inhalant abuse or whatever. And crack cocaine is no longer the top drug that is being used and abused, and the new one that came out in the newspaper about four months ago, I can't remember the name, is more deadly. But any time we can have more money for mental health and substance abuse program, this is good. And I want to just say again, reiterate, judge Coffey you and staff are doing good at the downtown community court. Have a good day.

>> Tovo: Thank you very much, Mr. Peña. Any other speakers signed up on the consent agenda? I don't believe we do. I would invite our legal staff to come up and make their presentation on item 6, please.

>> Mayor pro tem, councilmembers, Matthew Tynan, assistant city department. On behalf of the law item 6 we are recommending a settlement of \$250,000 to solve this matter in exchange for release of all liability and dismissal of lawsuit.

>> Tovo: Thank you. Any questions for staff? Thank you very much. So I'd like to entertain a motion now on the consent agenda. Councilmember Houston moves approval of the consent agenda as noted.

[10:24:18 AM]

With the -- is there a second on the consent agenda? And so the item number 6 would be approved on the consent agenda with the dollar amount specified, which was noted by the attorney. Okay. So again, the consent agenda does not include 2, 3, 4, which will be taken up at 4:00, items 5, 10, 12, 15, 33 and 16. I should also note that we have some time certain items today at 12:00 we'll break for citizens communications, at 2:00 for zoning matters, at 4:00 for public hearings, and at 5:30 for live music. Today

we have a very special presentation for our live music. As many of you know, last month musical prodigy Anthony Ortiz Jr. Passed away at the very young age of 24 and today we will hear from his family's mariachi band and honor his life. I hope all of you will be able to join us for that at 5:30. Any comments on the consent agenda? Hearing none, all in favor? And those are councilmembers alter, Houston, pool, kitchen, tovo, Flannigan and Garza. Councilmembers troxclair and Casar are off the dais and mayor Adler and councilmember Renteria will be off the dais all day. That brings us to item 5. Councilmember Garza, you pulled that item. We do have three citizens signed up to speak. Would you like to hear from the speakers first? Mr. Marquardt, you will be followed by Gus peña.

>> Good morning, councilmembers. Tony Marquardt, president of the austin-travis county ems association.

[10:26:19 AM]

And I'm a paramedic here in Austin for a long time. I signed up, now that the language has changed, I am no longer not supporting this agenda item. I believe that the staff has gotten involved and we've had some discussions about some of the concerns. And the amounts of those concerns are something that I think is going to be able to be worked through. But this is still an opportunity to recognize that often we end up in these conversations when these things end up on the agenda. The cathole subdivision was another Ila that ended up on the agenda and we had what discussion. But it gets placed on the agenda at a time council has to asked what is the consequence of not approving and often that's a negative dollar amount for the city of Austin. It's a good opportunity to recognize that and be concerned about the interlocal moving forward because this will not be the first time the city of Austin will have to look into this. For the first time in the long history of interlocal between Austin and Travis county providing ems services to citizens of Travis county we now have alternative ems services provided by esds. That means we no longer have a unified system without political or financial divisions. We have -- we no longer have that. And that has been the value of the services we can provide in a public health setting. And so moving forward, I do not believe we've had a comprehensive -- unless it was in executive session -- presentation what the interlocal means and we have yet to hear from Dr. Ascot. One of the requests was to hear from the doctor in that setting. We got a lot done but we never did that. To ask someone with a master's in public health and who has the authority over ems services in Travis county at the moment if there are concerns clinically with having alternative medical direction or the in ability to have oversight over three of our response areas is an excellent question and I think an opportunity either for public safety commission or council to entertain.

[10:28:24 AM]

I thank you for your time this morning.

>> Tovo: Thank you very much. Thank you, of course, for all of your service. Councilmember Garza.

>> Garza: Just to be clear, you no longer are -- you are okay now because of the change in the wording with this item being approved today?

>> In backup materials on previous interlocals which are difficult to find, by the way, it is the dollar amount that I was finding was right at the amount so it was only a couple hundred less than the amount which means it wouldn't provide adequate funding even if we did maintain the current services we have moving forward. And so that was one of the challenges and I believe that agenda as it's been modified, as I understand. So there's -- it's too bring back an interlocal agreement to council at this point.

>> Garza: But execute --

>> Mayor pro tem, is that accurate?

>> Garza: The word "Execute" is still in it. You didn't answer the question.

>> I am no longer opposed to it.

>> Garza: As was negotiate and execute today.

>> Yes. Follow up with, you know, presentations on public safety commission about what the interlocal means and hopefully a presentation to council about just an overview. This was developed several years ago on under different circumstances and all we get is agenda year after year, you just get a -- you know, a two-page document that only has the modifications. I think having the entire document because I believe the whole thing is set to change in a way that is hopefully reflective of the challenges that I've related here. I really appreciate you all looking into this, but at this point I just hope that we continue to not look away from it.

[10:30:25 AM]

>> Tovo: Thank you, Mr. Marquardt. Mr. Peña. Mr. Peña, you will be followed by John Roberts, if he is here. Mr. Roberts, are you here? Then you will be our last speaker. I should note Adam con is signed you 'against but does not wish to speak.

>> Again, good morning mayor pro tem and city council and legal staff. I'm not going to get into the IFS, and -Z and -- I support them because they are like the stepchild in the city of Austin. But I'm glad they are getting the recognition they deserve. The drug that I wanted to mention before downtown that is being abused is crystal meth and ems has dealt a lot with -- and I support them because just like the police officers, they are in danger. But I just want to say this, I want to thank ems for what they are doing and thank for the time you all spend, it's astronomical, nobody knows what elected official goes

through, the time from the family, I appreciate that. Sometimes I get tough on you all, but that's why I'm here. That's why I've been doing this over 40 years, way back before Roy butler was mayor. I want to say this, I'm supportive of what Tony said. He's a good friend of mine as is chief Rodriguez and they know it and I support the fire department. I just want to make this crystal clear. And I know it's not on the agenda, but please allow me. I've heard a lot from firefighters, I've heard a lot from ems stand alone. Stand alone department and I'll leave it at that. This is apart from this. But anyway, thank you very much for your time also and work hard on the budget because it's very crucial for the community. Thank you.

>> Tovo: Thank you, Mr. Peña. Is there a motion on this item?

>> Garza: I pulled it because I thought there were concerns but sounds like it's not so I move the item as is on the agenda.

[10:32:30 AM]

>> Tovo: Councilmember Flannigan seconds it.

>> Garza: But I would ask our -- that the public safety commission hear this as requested by Mr. Marquardt just to understand the details and the concerns with the different medical direction that's new for our -- for our region.

>> Assistant city manager ray areno. We would be glad to provide a presentation at the next meeting in September.

>> Tovo: Further discussion? All in favor? And those -- any opposed? Any abstentions? Councilmember troxclair, how have you voted? This is item 5, which is the amendment to the interlocal agreement with Travis county. I'm sorry, I didn't hear. So that is unanimous of those who are on the dais.

Councilmember Renteria, again, and mayor Adler are off the dais. So number 10 is the aquatics plan. I don't believe we have anybody signed up. No we do have somebody signed up. At the work session I signalled my intention to postpone this item, but we do have two citizens signed up to speak. Mr. Peña and Mr. King. Mr. Peña, would you like to come back and address the council on item 10, which is the aquatics plan.

>> [Inaudible]

>> Tovo: Thank you very much, Mr. Peña. For the record, he had signed up neutral.

>> Thank you mayor pro tem and councilmembers. I'll be very brief. I appreciate this opportunity to take a closer look at this proposal, and I hope that it's informed by equity and making sure that we're looking at all neighborhoods throughout our city and catching up where we're behind the conserve and being intentional about that in areas that have been left out and neglected.

[10:34:47 AM]

That's my main message is we're going to be intentional about equity, that means it needs to be reflected in the investments we make in those communities that have been neglected and disenfranchised for so long. Thank you.

>> Tovo: Thank you very much, Mr. King. So I suppose I should hand over the chair if I'm making a motion. Councilmember Flannigan would you take the chair so I can make a motion?

>> Flannigan: Certainly. Anyone want to make a motion?

>> Tovo: I would. I would like to move that we postpone this item and I don't have a date to come back next week on the council agenda we'll consider the resolution that I brought forward to ask that -- that a task force comprised of probably our parks board take a closer look at it. So that's my motion.

>> Flannigan: Councilmember alter.

>> Alter: Second the motion.

>> Flannigan: Any further discussion? All in favor? Any opposed? Any abstaining? Councilmember Houston, how do you vote?

>> [Inaudible]

>> Flannigan: Unanimous with mayor and Renteria off the dais.

>> Indefinite postponement?

>> Tovo: Yes, it is. That brings us to item 12, the robot item and I have a few quick questions for staff. And we have no speakers signed up. Thank you, Mr. Spiller. Thanks for bringing this back to us. I'm delighted to see this move forward. I do need to ask a couple questions about what the next steps are. I was curious about the second be it further resolved. You've laid out some very particular requirements that a company would need to meet to be able to apply to participate in the pilot, but then the last be it further resolved talks about before initiating a pilot the city manager should go before the transportation commission and then the decision is going to be left up to the traffic -- city traffic engineer.

[10:36:57 AM]

So I -- that certainly led -- led me as the lead sponsor on this item when it came forward, but also lots of community members say are you starting a pilot or not.

>> Councilmember, Robert spiller, transportation department. Yes, the plan is to do a call for -- or solicit interest from the industry. We think there's three to five industry leaders out there. We wanted to give a public entity, etc, a chance to just discuss their concerns if there are any as we move forward. What we've contemplated is that there are two ways we might receive proposals to conduct a pilot. One we know there's at least one industry leader that is ready to make an unsolicited proposal potentially and so the item before you allows us to accept and consider unsolicited proposals. And then also call. The purpose of making a call in terms of a call for information, if you will, is to make sure that the larger industry is aware that Austin is interested in these technologies. So yes, we plan to pilot this.

>> Tovo: Okay, so -- so with regard to the line a decision to move forward will be at the discretion of the city traffic engineer, can you help me understand why that line exists?

>> So that really is so that if a proposer proposes a pilot in a part of town where we don't have city of Austin public right-of-ways or that we believe that there is a significant risk for instance to the pedestrian environment, we know for instance on east sixth street there's high volumes of pedestrians so we might want to avoid that area. So it allows city traffic engineer to evaluate the proposal, work with the applicant to make sure that we jointly feel that it's a safe location, safe condition to do that.

[10:39:00 AM]

It also gives me as the director the opportunity to request specific data from the individual provider. We're not sure what types of data the individual providers collect yet so that's an ongoing discussion that would happen. But it's our full intent to go out and solicit proposals for pilots, conduct pilots. This resolution allows us to do multiple pilots. We don't have to just single out a single industry provider. We can test with multiple. There are no fees associated with this because as we thought about how transactions for, let's say, a pizza delivery occurs that is correct doesn't really occur on the right-of-way. This is really a delivery operation much like the U.S. Postal service delivers something to your door. So there's not a revenue being generated on the right-of-way. And so this really is a reach out to partner with companies.

>> Tovo: That's an interesting interpretation. I'll have to give that some more thought. It sounds as if the use of the word "Pilot" is more about the individual proposal that a company might bring forward, not about the city's intend to move forward exploring this technology. Is it fair to say the city intends to move forward if approved and exploring the use of this technology and allow people to come forward with proposals or submit them through a more formal process.

>> Yes, ma'am.

>> Tovo: So if a company, and we know there is at least one company that approached the city about an interest in working here with their robots, if they come forward, say next week with a proposal, are you fully prepared with -- now that these requirements have been laid out to evaluate that proposal and perhaps get those on the ground here soon?

>> Yes, but I also want to say we would still move forward with a call for interest as well. But we would not hold up that proposal until we did the call. We would go ahead and evaluate that as an unsolicited proposal.

>> Tovo: Great.

[10:41:00 AM]

How does that -- how would that proposal that comes forward interface with the urban transportation commission? Do you plan on doing the urban transportation commission before allowing any robots to start operating?

>> Mayor pro tem, I'd feel more comfortable given the language here, but also just to make sure that we are being transparent to folks that advise you that we have a chance if we receive an unsolicited to go before utc and discuss and present it. So that would be my plan regardless. The utc is only an advisory hearing board in this case and so they are not a deciding entity in this. It would still be up to the traffic engineer to take the input from the utc and then move forward.

>> Tovo: So now I'm understanding that in that sentence too pilot is the individual proposal. So your intent is take each individual proposal before making a decision about it to the urban transportation commission for feedback.

>> For a briefing, yes, ma'am.

>> Tovo: I see.

>> And if we did a call, we would obviously set a date at which we were going to evaluate proposals and we would take all of those forward at the same time. You know, I would think that the utc would want to make sure there was minimal overlap of these devices, that we're not impeding a known pedestrian issue, like I said, east sixth street over whatever.

>> Tovo: Thanks for that clarification. If we have a company ready to go I would hope we see that happen in the near term.

>> One of the other questions is why do we need to do something like this and really it's to signal to the industry that we're interested and ready to go do this.

>> Tovo: Great. Other questions? Councilmember Casar.

>> Casar: I'm interested -- this is obviously automation has always been an interesting thing not just recently but for a long time. I am interested in how flexible we would be if at some point we wanted to have some sort of a fee structure, knowing that with automation oftentimes comes job displacements and other disruptions that governments may want to intervene in.

[10:43:16 AM]

I'm not saying one way or the other whether or not this is a good idea whether we would charge fees, but this being a pilot I'm interested whether or not we have the ability within this two year period -- how much ability we have to change course within this two-year period if we're deciding there's going to be no fees and if we were to make a change it would have to be at the end of the two years or do you have the discretion under this resolution to cease operations or change terms during the two-year period?

>> Councilmember, we designed it as a pilot knowing in two years a state legislature might want to take this statewide or whatever. But it does not limit our ability to come back to council if we determine a fee is proposal or it does not prevent a councilmember from determining a fee is appropriate.

>> Casar: So at the end of the two-year period or do you mean during the two-year period?

>> At the end of the two-year period, under this my notion is that my authority ends and so we have to do something for sure in two years. But in the interim as well I think we have the ability to come back to council or council has the ability to initiate that.

>> Casar: Thanks. And I appreciate the mayor pro tem's and your work on this. I think it is appropriate for us to test the waters and send a signal that this is something that is likely coming and it's better for us to learn how it works and collect the data and figure it out as we go.

>> Yes, sir.

>> Casar: But clearly as the pace of automation continues to exponentially grow, I think we're all going to face challenges as cities especially in states it may not be stepping up to the facilitate -- plate on this, figure how we can take value added and target it to -- target any of those benefits to the people that short term could suffer from the fact that delivery jobs are -- are really significant industry especially for -- for a lot of communities of color and working class folks.

[10:45:21 AM]

So figuring out how we make sure the wealth and conveniences generated by these technologies on public -- utilizing public land and public right-of-way can be directed there, I think, is something that's going to fall on city leaders in the short-term future and figuring out we address that.

>> Yes, sir.

>> Casar: I think it's important for the public to know the council has it on our minds as well.

>> I understand that. Councilmember, I think it's appropriate that we are identifying this as a potentially disruptive technology that the market will likely drive to reality, and so by piloting it, it gives us an opportunity to understand the technology better, how it best works within the environment, how it affects employment, how it affects access to food, medications, so forth. And then identify how we might use this technology to meet our strategic goals as well as goals of imagine Austin and other strategies that council has put forward. And so that's really why we're anxious to test this so that it doesn't happen to us, it is planned as part of an overall program.

>> Casar: That makes sense. I don't know if a real Steven Hawking quote, but somebody mentioned he said something like we can't fear machines, but we can fear who is going to distribute the wealth that they create. So I think that's something we should keep in mind.

>> Tovo: Councilmember kitchen.

>> Kitchen: Yes, and I want to thank both of you for working on this, the mayor pro tem and our staff. I really want to highlight that I think it's important to do the call, like you said, to let the industry know across the country that we are interested in this because it's important as we move forward with these kinds of -- you know, these kinds of technologies that -- that we set up a situation under which we can pilot them and really test the public safety concerns.

[10:47:26 AM]

So rather than moving forward with just one company who appears in front of us or who wants to get on the street, we actually develop a partnership with the industry and get ahead of the game in terms of setting out what the kinds of concerns are working in partnership with these companies to put this in a place where it works for everybody. So thank you.

>> Tovo: Thank you, councilmember kitchen. I agree with that. Councilmember Houston.

>> Houston: Thank you, mayor pro tem. As we think about this pilot, traditionally when we have pilots, it's localized to downtown. I want to be sure that the pilot includes opportunities to have people in other parts of our community, elders who need prescription drugs delivered to them so that we have a feel for what the need is for this kind of modality. And so I just encourage us not to only limit this to downtown but to look at other areas where, for instance, there's a lack of healthy choices and could

that be a way to get food into somebody's home so that they don't have to go to someplace else to get it further away. So please be broader in your pilots than you traditionally have been.

>> Yes, ma'am. And in fact, at least one industry leader has demonstrated over a three-day brief period, actually in your district in the Mueller area, and one of the areas that I believe they've indicated they are interested in is being able to move groceries to people who may not be able to get out of their homes for mobility purposes. I've seen them working in hospitals to deliver medications and I think some of the hospitals around are also very interested in these devices, but yes, ma'am, we hear you loud and clear.

>> Houston: Just for clarification, Mueller is not in my area, that's in district 9. I have nothing in 1, hospitals or anything else.

>> I'm sorry I misspoke.

>> Houston: Look at something other than what you traditionally look at because there's a need other places and it would be wise to see how these devices can be used in other areas and geography.

[10:49:38 AM]

>> My apologies for the geographic area.

>> Tovo: Mueller is in district 9. I'm glad you raised that question because several people have asked me about that. This pilot does not specify geography intentionally, so those companies who come forward, and I hope we'll have multiple, can propose various areas of town and we can see this technology tested in various areas.

>> Yes, ma'am.

>> Tovo: Councilmember troxclair, you had a question.

>> [Inaudible]

>> Troxclair: So I applaud your interest in trying to be proactive and sending a signal to the technology community that we're welcoming of advances in technology. I just want to -- I'm slightly torn because I also know that -- I also really value the importance of free market and know that you said something earlier to the extent of the market will drive the potential of this technology and I just want to make sure that by kind of pre-empt I have coming in and setting regulations that we don't stifle anything, that we don't unintentionally stifle any kind of potential before we really understand what -- where the possibility -- what the possibilities are or where the market forces might drive the technology to go. So I know that that's certainly not your intention, but I just wanted to throw that out there that I'm going to be really cautious that we don't unintentionally overregulate or put restrictions in place that don't allow the people in this community to fully realize benefits of advances in technology.

[10:51:46 AM]

>> Yes, ma'am. In fact, at least one technology leader in this area was the impetus for this because devices are not typically identified in state or federal law so they want a state that licenses them to be a participant in the community. We think we've crafted this based on examples from Washington, D.C. And several states that have similar legislation so clear intent is encourage these folks to come to town.

>> Tovo: Thank you, councilmember troxclair. Anyone else? Okay. Jimmy, would you -- councilmember Flannigan would you take the seat?

>> Flannigan: Anyone like to make a motion?

>> Tovo: I would like to move approval.

>> Flannigan: Councilmember kitchen seconds. Further discussion? All in favor? It's unanimous with mayor and Renteria off.

>> Tovo: And councilmember Casar.

>> Flannigan: Thank you, I missed that.

>> Thank you.

>> Tovo: Thanks for all your work on that. Item 15. This is the city manager task force and we have we have a presentation and we have the chair of the task force here to speak and we have a couple speakers. So why don't we hear first from our chair and then we'll have our presentation and then we'll invite public commentary.

>> Wonderful. Thank you, mayor pro tem. My name is Laura Huffman, chair of the task force. I'd like to start by thanking you all for the appointments that you made to this task force. We did a lot of hard work in the last two months and I want to acknowledge the men and women that you appointed because it was such a nice group that we were able to work quickly and efficiently and I think in a few minutes you're going to see we collected an enormous amount of feedback from staff and the community.

[10:53:48 AM]

So first I would like to thank mayor pro tem for appointed Sandra Kirk, vice chair, who was delightful to work with. Councilmember Houston appointed Claudia conner. Councilwoman Garza appointed Susan

Hambright. Councilmember Renteria appointed pearl cavos. Calm Casar appointed Julio and councilmember kitchen appointed former councilmember man. Council woman troxclair Bobby Inman. A stellar group of people. I want to thank the human resources staff, the public information staff and the legal department and you, interim city manager hart, for staffing this so beautifully, in particular Sandra Alexander Harry our staff members from resources and did a beautiful job. I'll give you a sense of what we did and what we heard from the community and staff and what they are looking for in the next city manager. We began our first meeting on may 19th, and the work plan was essentially designed around four major components of reaching out into the community and into this organization. The first was citywide public hearings. Each task force member worked with councilmember that appointed them to either have a public hearing or some sort of public outreach in district. We had an online survey that was available to anybody that wanted to log into the city's website and respond to a survey. They were also able to call into 311. We had over 500 citizens respond to that online survey. And then we also reached into the organization and asked senior leaders within the organization, they completed a survey that Russell Reynolds conducted, assessed. Essentially the organization as it sits today and what it is staff is looking for in the future. We had nearly 300 senior staff respond to that survey.

[10:55:52 AM]

So there was an awful lot of fact we gained from the community and from the organization and the work products that we have for you today include the primary work product which you asked from us with a profile for the next city manager. That's a written document that's in your backup. And essentially what that forms is the basis of a search profile. And so the body of work that we've put before you today is essentially phase 1 of what we think of as a three-phase recruitment process. Phase 1 was to reach into the community, gather the feedback I've described to you and summarized that feedback in the form of a candidate profile. Phase 2 is -- is really going to be led by Russell Reynolds and that's taking the profile and developing a candidate pool. Then phase 3 is where the city council will take that candidate pool and reduce it to a set of semifinalists and then finalists and utility multiply a successful city manager for this community. What I would like to do is quickly give you a sense about what were the most common themes we saw from all of the feedback. And you've got this in the form of an executive summary, so just to quickly tell you what your work products are. The city manager profile, an executive summary that summarizes everything we heard from the 500 citizen surveys to the ten district meetings to the city staff feedback. You've got the raw feedback. If you want late night reading, we've tabled everything everybody said from all of those surveys. Then a summary of the culture survey that Russell Reynolds conducted. The next city manager must be someone who will serve as a strategic advisor to you the mayor and city council in order to implement policy, that will be an advocate for all members of the community, must have experience managing either a city or entity of similar size, scale and complexity as the city of Austin organization. There are three themes surrounding skills and abilities and characteristics that this community thought would be important.

[10:57:58 AM]

First is communication and leadership. The next city manager must demonstrate exceptional communication skills and have a genuine willingness to both listen and engage with the community. This individual must have experience in a city or entity in similar size or scale as this community. Residents want a leader who will have the skills and experience to lead Austin combining vision, strategy, operational excellence and open and commune indicating style. Embrace Austin, the second theme. This community is looking for a city manager who will embrace our community, both the spirit and essence of our community. The individual must support an environment of transparency, community, innovation and openmindedness. The community is being looking for someone a proponent of diversity and inclusiveness and that values all perspectives. And finally rapid growth. The number one issue facing this community is growth. Rapid growth is the number one issue we heard in reaching out into the communities. And this crosses but is not limited to a whole variety of subject matter including affordability, housing, equity, transportation, infrastructure and budget. And the next city manager will be charged with advising key stakeholders on even know vaccinate I have strategies to address these issues. So those were -- that's the work we did. At a very high level, that is what the community is looking for. At a more discreet level, you've got the profile in your backup. And I think the agenda item today is to accept that profile, and then send Russell Reynolds on its way in order to build that candidate pool for you. I want to thank Steve. He did a beautiful job of helping our task force understand how a professional search is conducted, and shaping stakeholder feedback in a way that would be useful to you as a city council, would be useful to him in forming the search profile.

[11:00:07 AM]

And I think that this body of work is going to be incredibly useful for your next city manager as a road map for what this community is thinking about and what is important to this community. So, with that, Steve, I'll turn it over to you to go over the timeline.

>> Tovo: Thank you so very much, and thank you, vice chair for being with us, and your really fine leadership in this process.

>> Thank you.

>> I would also -- I would like to add my thanks to the task force, they functioned very quickly. And in exactly the same spirit as we want the new city manager, a very collaborative nature. So, thank you for taking on the task force. You will have in front of you a search process timeline. And it is in front of you. And I'd like to bring you up to date as to where we are. There have been a few minor modifications to

the timeline since I first appeared in front of city council. If you turn to page 3 of the document, the top says search process, you'll see roughly three parts of the timeline. The first is in magenta. Here we go. Thank you. And as you can see, items one and two are now completed. The kickoff, which we have discussed, the identifying the target market, which we are now in that process, and with your approval of the profile later today will be in the market reviewing the profile relative to the candidate pool. The second phase, as identified by Laura Huffman a moment ago, will be when you will have the opportunity to actually meet and assess the candidates. That will take place beginning in early October. And on page 4 you will see right behind this, I'm going to flip back and forth, this is the more specific timeline that relates to the events on page 3.

[11:02:14 AM]

We are proposing, as we did the first time around, that we will bring to you a body of work of as many as 20 or so profiles that we will want you to consider, recognizing that you will want to meet with a smaller group of those individuals. Probably somewhere in the neighborhood of seven to ten profiles will be met by you and interviewed by you. There will be a short list created. And that will become a second round of candidates. And that second round as you see under number five will be met by you. And we have a proposal in front of city council to approve the task force that was composed of Laura Huffman and Sandra Kirk and the other members to participate in that second round of interviews. And phase three, which -- again, to refer you to the dates, bullet point number 6, final selection is when you will have narrowed it down to a single person with additional psychometric testing, culture analysis and other reviews to make sure you have the right person, with the expectation that within two to three weeks after that we will have a final candidate selected by yourselves. Again, going back to the actual timeline just to put some dates on this, what we are suggesting to you is that we will in front of you the week of October 2nd the initial pool of candidates. These are individuals who will have been identified by us, interviewed by us, assessed by us for your consideration. We would expect that you will meet with these individuals in the week of October 9th to 16th. The format will be one to 1.5-hour interviews of the candidates by this body in front of me. The second round would be during the week of October 30th to November 6th, with the expectation that the search will be completed by year end 2017.

[11:04:20 AM]

>> Tovo: Thank you, Mr. Newton. Councilmember pool.

>> Pool: I have a question about the candidate profile, but I can wait if we're going to discuss that. Should I just go ahead?

>> Tovo: Mr. Newton, have you finished your presentation.

>> My intention is not to go through the profile word by word, but, we're happy to answer any questions you might have.

>> Tovo: Great. Can I just see if anyone has questioned about the timeline that was just presented? Councilmember alter.

>> Alter: I would ask that staff identify times when we're doing interviews so we have time in our schedule to prioritize this, as it should be prioritized.

>> Yes. It is our intention as we do with all searches, we will use a tool such as survey monkey to make sure we have the ability of this council to be at all the meetings. We will send you plenty of notice. Thank you.

>> Tovo: Thank you. Other questions about the timeline? Okay. So let's move on to the profile. Councilmember pool.

>> Pool: So I just had one question. On page 2 of 5 on the revised profile, down at the bottom paragraph it says the city manager will be responsible for a \$3.7 billion budget, etc. I just wanted to note that that's in fiscal '18. So I wanted to just indicate that that's not capped. And so I think we should have some language in there that indicates that it's a growing budget, or a changing budget, let's anybody think that that locks us in at these numbers. So we can just simply notate it, possibly with, currently we are at something like that.

>> Good point.

>> Do we have speakers on this? Great. I'll wait until after speakers.

[11:06:20 AM]

>> Tovo: Any other questions at is this point, or shall we go to our speakers? Councilmember troxclair.

>> Troxclair: On page 3 -- more clear -- strongly preferred. Is that typical of this level of job? I don't know, so I trust your expertise, but I know a lot of really smart people who don't necessarily have a master's. I just wanted to see what led to that conclusion.

>> Our -- the wording was carefully selected to say preferred. We would not rule out an individual who does not have a master's degree, just like all master's degrees -- nor are they all relevant to this position. We would look carefully. We would never screen out a candidate based on graduate degrees.

>> Troxclair: But that is a standard request?

>> It is, and the types of degrees we would expect, master's degrees would be anywhere from urban planning to mbas, in other words, academic skills that would be directly applicable to the position.

>> Troxclair: Thanks.

>> Tovo: I need to put in a little plug for liberal arts graduate degrees. They can be helpful in any manner of profession. Are there any other questions? Okay. Well, let's go to our speakers. I believe we have two, and our first -- thank you both very much. Likely will have other questions, so hope you'll be staying pretty close. Our first speaker on this item is Mr. Peña, Gus Peña. I do not see Mr. Peña, so, Mr. Roberts, I believe, has not joined us, and Mr. King is signed up for item 15, but not wishing to speak.

[11:08:21 AM]

So that concludes our speakers on this item. So I will entertain a motion on this. Councilmember alter, are you moving approval of this item? Councilmember alter moves approval. We'll have an opportunity for amendments. Councilmember pool seconds this item. Would either of you like to speak to your motion? MM.

>> Alter: Sure. I would like to thank the task force. I've heard nothing but wonderful things about the diligence and care with which you approached the task that we gave you, and so thank you very much for your time and the thought that went into that. This is one of the most important decisions that we as a city council will make this year, perhaps during our terms. Very excited to be moving forward and hopefully we will accomplish our goal of hiring the best possible candidate by the end of this year. I think this profile sets us up to do that. I do have one amendment when I'm recognized appropriately, I will make that.

>> Tovo: Councilmember pool.

>> Pool: After we make the motions, I've got some questions for staff. Will we be able to --

>> Tovo: Why don't you go ahead and do that now. We've got a motion on the table and you seconded it. If you have questions for staff, go ahead and ask them. We'll ask the appropriate staff to come up.

>> Pool: I'm looking at the cull -- culture analyst report in the backup. I think this was a comment from one of the people who -- I guess it was an anonymous response survey tool. At the top of page 22 it talks about many behaviors are dictated by the municipal civil service rules succession planning and targeting hiring is not able to happen under mcs rules. I wanted to find out from our staff if that's a true statement.

[11:10:21 AM]

And then ask why this quote would have been a pull-out to emphasize, because I'm hoping that's not the case. Certainly succession planning is really important, especially for us in government that have large cohorts of baby boomers who are retiring in the next 10 to 15 years, and we definitely need to be having succession planning. And that's a topic of conversation we have every year at budget for ftes and retirement.

>> Thank you, human resources director Julia Hayes. The municipal civil service rules do provide property rights to employees who are past their probationary period. And for positions that are nonexecutive, employees have rights to competitive -- a very clear competitive process. So I think what you're hearing from management is that if you prepare an employee to possibly move up, there is no guarantee that that employee can have that position. They must go through a very defined competitive process. So I think what you'll hear from some of our management team is that they are precluded from being able to appoint people to allow people to take on positions due to their work. They have to go through a competitive process. And in some instances, some managers, I think what you see reflected here feel like this process of property right, this process of appeal to positions that have been -- have gone through a competitive process and people are identified, those employees who work for the city have a right to appeal to those decisions. And so the board has to hear it. And I think what you see articulated here, that such rules sometimes create more challenges to succession planning in its original form, and create more opportunities for more of a planned process. We also hear this as we look at diversity. We can't identify candidates simply because we're looking to create more diversity. They must go through that process.

[11:12:22 AM]

So it's required us as a city to be more innovative about ways in which we create succession opportunities. We provide training to employees. And we create opportunities for more diversity, understanding that in the final analysis, they still have to go through a competitive process in order to be promoted within the organization.

>> Pool: But the municipal civil service rules does allow for people with extraordinary talent and a good work record to advance upwards in our organization.

>> Yes. Through a competitive process, absolutely.

>> Pool: Okay. All right. And so then I just was curious why this quote was pulled out. Maybe just to highlight the fact that it's not -- this may be an apprehension of the writer, but our city policy in crafting our municipal city service rules did not intend this to bar the way for people with talent to move upwards. In fact, we hope they do. And we support our employees in that expanding of their training

and strategically targeting the assignments that they opt for or apply for, or compete for in order to achieve career goals.

>> We are by no means experts in municipal laws relative advancement, but there was a theme throughout this document that you will have read which related to individual employees wanting to be able to progress more and be rewarding more, and to be able to reward those who come behind them for doing exemplary work. It was pulled out because there was a theme there. And I think what's very comforting in reading the comments from your staff is that they have the same personal ambitions as you'll find in the private sector. These are highly talented, very engaged individuals who simply want to feel that their progression is not tied simply to a set of rules but rather to their own personal performance.

>> Pool: I want to make sure when we're looking for the best candidate for city manager that we don't inadvertently, kind of, signal that we don't support our employees and their efforts to succeed professionally, including possibly their choice to join one of our unions or employee professional associations.

[11:14:44 AM]

We have some really good organizations that support our employees in the city of Austin, and hopefully we won't be doing something inadvertently that would lead -- us to bring on as final recruits a city manager who doesn't support professional development in employees, including reply newsming -- recognizing their right to belong to the Austin police association, the fire association, or the austin/travis county emergency management services association and asme. Many of us on the dais are, if not in one of those groups, have been in the past and support our employees in their efforts in those ways.

>> Councilmember, I will point out that this task force was very straight quick in their attempt to provide you detailed perspective from all diversified perspectives. You not only received this analysis, the focus from the management team, and I think from a management perspective, what was provided. But they received this through the organization to include those associations. And you'll see in your backup very balanced perspectives that are provided from those entities that provided direct testimony to this task force as well.

>> Pool: That's really comforting. It is important. Time the associations provide that unique and diverse voice that maybe isn't available just to an individual. Thank you for that, Ms. Hayes. I appreciate it. Thanks.

>> Casar: Mayor pro tem.

>> Tovo: Councilmember Casar.

>> Casar: To build on councilmember pool's point, it was clear to me looking through the backup, the diversity of perspectives included that candidates might see. It may be useful to note as background that some of these rules are enshrined either in state law or city ordinance. And so that candidates know that people may have varying opinions about some of these laws or rules, but that they are rules in place that a manager would have to figure out how to make the best of, ultimately, unless there were changes on the council level or in the charter or state law.

[11:16:53 AM]

So that may be helpful context. I see what you're saying, but it may be useful for anybody flipping through to understand that this is something that, you know, kind of are the rules of the road and that they would just have to figure out how to make the best of.

>> If I could just share with you that as we post the approved profile, the city of Austin will be creating a special website for people to see the profile that would direct them to Russell Reynolds. But in the profile, you'll see embedded links that will allow us to share procedures for mcs and other critical information including all of the testimony, not just the analysis. So our goal in the profile posting would be to also provide detailed information that any candidate would want to know, including budget information and other things as available resources as links to that. So we'll make sure as we post those links it is provided and organized in a way to create as much balancing information as possible for any potential candidate.

>> Casar: Thank you, Ms. Hayes.

>> Tovo: Thank you. Councilmember alter.

>> Alter: I would like to amend the candidate profile for the city manager as recommended by the citizen advisory task force by adding a new paragraph between the second and third paragraphs under responsibilities on page 2 that reads as follows. For those of you on the dais, it is the light yellow sheet. There was a small change requested by legal in the first sentence. So it would now read, "The city manager will need to create an organizational culture that supports the appropriately free flow of information and advice between city staff of all ranks and elected officials. She/he should appreciate the value of and utilize the political and practical expertise brought to the table by the mayor and council. In addition, individuals should provide avenues for the mayor and council to leverage the management and municipal expertise the city manager and city staff bring to policy questions.

[11:18:55 AM]

In order to be successful, the new city manager should invest in an open, trusting, and collaborative relationship between the city manager and city staff and the mayor and city council."

>> Tovo: So, councilmember alter has put this forward. Does this reflect the change that city legal requested?

>> Alter: Yes. Since I had passed out an earlier brighter yellow sheet, there were a couple words before advice that we shortened, which makes it more streamlined in the first sentence.

>> Tovo: Okay. Thank you.

>> Alter: And I also would like to add for the record that I believe there's an extra the on page 3 in governance structure of . . . Given the governance structure of the Austin, I think it should read the structure of Austin.

>> Tovo: Your amendment was to add this and remove the . Councilmember troxclair.

>> Troxclair: From a legal perspective, our city charter has a clear delineation between policy creation and management because of our form of government here. And I don't know if this is for councilmember alter, for the legal department, but it seems to me like the way that this is crafted that there is an indication that the city manager should be almost . . . I don't know. That council should maybe hold more direction over management than our current practice. And so is this an indication of something changing from our current structure, or can you just explain what your intent was?

[11:20:59 AM]

>> Tovo: That's a good question. We will probably have some discussion. Let's get a second for your amendment. Councilmember kitchen seconds it. Okay. So, thank you councilmember troxclair. Would the sponsor like to address that, and then maybe we can hear from our city attorney on your perspective on this amendment?

>> Sure. So, councilmember troxclair, you're right that the charter lays out our role as policy and the city manager and staff as management. I think that what this does is addresses a concern that many of us feel of a need to have more information so that we can make better policy decisions, and that that is something that is really important that moving forward the new city manager built into their approach to working with council and to the kind of relationship that they build with the councilmembers. I think that there are times when we would benefit from hearing more advice about policy from some of the experts on our staff than is typically the norm of what we hear. And I think that's a culture shift that city manager hart has already -- begun to create. But I think it's something that we want to underscore moving forward as a way for us as a city to produce better policy. The piece that we removed was any -- was right before advice. And to remove any ambiguity with regard to whether the city manager and the

staff would be providing political advice. But I think the second line there recognizes that sometimes to implement policy you need to take into consideration some of the context, and that councilmembers often have knowledge that if allowed to be shared, could be helpful to successfully implement the policy.

[11:23:05 AM]

And that having a culture in which we can exchange that information and that can be taken into consideration, keeping in mind everyone's respective roles, would lead to more innovation and more and better policy.

>> Troxclair: Thanks. I agree with the way that you described that. I guess, looking at it more closely now, I guess the sentence that gave me that indication was that he/she should appreciate the value and utilize the political and practical expertise brought to the table by mayor and council. I'm still not quite sure what the intention is of that sentence. But I guess if you're saying that the city manager should seek our input and use our feedback, then I think that that's probably fine. I guess the way that it's written, especially political expertise. I just don't know what that means. What does that mean, political expertise?

>> Alter: I'm building off of language that the mayor originally proposed. So that was part of his original language. And I -- in trying to streamline this, I wanted to respect his language. So I'm not sure. I didn't write that originally. I take this to mean, and I'm thinking of an example that we're dealing with in my district right now with respect to transportation issues, that we moved to a system of 10-1 and there are a lot of opportunities where our offices could help to communicate and interact with constituents more effectively because we already have the connections in the community, in the neighborhood. And that is experience and knowledge that we can share to help the city be more effective. We can have a convening role in stuff that was not always to have under the pre-10-1 system.

[11:25:08 AM]

So that's just one example there to give you on that.

>> Troxclair: Would you have -- and I understand that you're just trying to respect the mayor's original amendment. And he's not here. Would you have an issue with striking political and practical so it just said value and utilize the expertise brought to the table by mayor and council so that we're not -- so that we're taking out that word "Political"?

>> Alter: You know, I'm a little uncomfortable with the mayor not being here. I know that was very important to him. We did strike that out before advice so that there be no ambiguity, you know. It's not something that if everyone on the dais wants that struck that I'm going to fight for, but I do think having that context and that information is important for our staff when they're making decisions, just as we need to have better information when we make decisions. It doesn't . . . But I mean, if legal or someone from the mayor's office wants to give me a sense --

>> Tovo: Recognize chair Huffman had an opportunity to review with the mayor and perhaps can provide some information.

>> Can I speak on this, also?

>> I want to make sure it's clear, I just asked the city attorney, there is no conflict with the charter in terms of how this language is structured. I think the mayor's intent was to convey the spirit of authentic collaboration between your next city manager and this council so that as you're developing policies, you have access to information as you need it. You have access to appropriate analysis and alternative recommendations. And I think he saw that as something that needed improvement. I think you just spoke to that issue. So it's not to be specific about when and where and how information flows between the mayor and the council and the staff. It's just to convey the spirit that in order for Austin to address some of these tough issues that we are facing, there's just going to have to be super authentic collaboration between staff and the city council so that your policy development is as informed as possible.

[11:27:17 AM]

So that was the spirit of the language and the amendment.

>> Tovo: Thank you, chair Huffman. Councilmember kitchen and then I'll recognize councilmember Houston.

>> Kitchen: I personally think it's important to keep this language in, because I think it emphasizes the fact that the mayor and the council bring to the table a level of connection to the community that sometimes is not available to our staff. And so I think that that is intended to make it clear that all aspects of the expertise that the mayor and council bring to the table is something that can contribute to the partnership with our staff. So I would not want to -- I would not support removing it.

>> Tovo: Councilmember Houston.

>> Houston: Thank you, and thank you for sharing that insight. That made it a lot more clear, authentic coordinating. When you put political in the mix, that gives a different tone to it. When I filled out my survey, I want the city manager to be a neutral person. We've had city managers that were political. I

don't want people to be apolitical, but I want you to be a neutral person to be able to listen to all sides. But authentic collaboration makes sense to me. I would support that. If we need to postpone that until the mayor comes back so that he can explain his side, but I don't want this to become a political position, if you understand. It's already going to be political enough, but I think we need to have that authentic collaboration between city staff, the city manager's office, and each of the council districts.

>> Tovo: Councilmember pool.

>> Pool: Well, I think authentic collaboration pretty much sums it up. But I'm not shy of having the word political in there.

[11:29:18 AM]

I am a politically elected person, as are we all on this dais, except for a couple of folks. And so it's actually an acknowledgment of reality. And I don't think the way this is crafted, it doesn't mean that that person becomes political. If there's a way to put authentic collaboration in there, too, I think that would be fine. But I'm okay with the language that the mayor was interested in including.

>> Tovo: Councilmember Houston, and then I believe recognize you next, I was just giving you a heads-up.

>> Houston: I was just going to say, authentic collaboration between political jurisdictions, between whatever it is that he was trying to infer in that might be between AISD, Travis county, the legislature. But I don't want to name all of those. But political entities.

>> Tovo: I apologize, I was writing on my resolution.

>> Just a quick comment about this, again, the spirit with which the mayor wrote this, and I can't speak directly for him but we did talk about this language. What he's trying to convey here is the notion that you all bring some skills and abilities to the table and the city manager will bring some skills and ability to the table, and you're duly elected public officials. This phrase is intended to convey that he or she, meaning the city manager, that individual should appreciate in you the value that you bring to the table and utilize your political and practical expertise as people that interface with the community. So it is absolutely not intended to apply that the city manager should be a political person. It's intended to convey that the city manager should recognize that you bring something to the table. And what you bring is your community understanding, your values, and the fact that you're duly elected representatives.

[11:31:24 AM]

And then on the flip side of that, what the mayor's wanting to convey is that you as a council recognize that what the city manager brings to the table is management and municipal expertise. So it's a recognition of the value that you bring to the table mutually, if that helps.

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

>> Casar: I'd like to change the word political to the word community. And I will explain that motion if I get a second.

>> Tovo: Okay. We have an amendment. So you are amending the amendment. Okay. Is there a second to the amendment to the amendment? Councilmember Garza seconds it.

>> Casar: So I think that the intention here is, I'm not uncomfortable with the word political, but I know that some people may read words differently than I might and might read into this word a stronger meaning of the word political. And I think that my understanding of the intention from chair Huffman and the mayor is simply -- and from councilmember alter's comments, I have enjoyed when I've been able to work with the staff to leverage the expertise that I have, knowing which community members might be most interested in an issue, instead of an us versus them mentality where the staff and council aren't trying to work hand in hand. If the word community expertise means the same thing, I think, probably to the mayor and the manager and anybody else reading this, I don't think there's that much lost by losing the word political here. So if we can get over this hump and get everybody feeling comfortable, I'm happy to make the change even if I'm not uncomfortable with the word political.

>> Tovo: Councilmember troxclair, and then councilmember alter.

>> Tovo: I was going to make a similar amendment, I'm happy to support the amendment.

>> Tovo: Councilmember alter.

>> Alter: That conveys what we're trying to communicate in adding this language, so I would be comfortable with that. I do want to point out, the last sentence says invest in an open, trusting, and collaborative relationship between the city manager and city staff and the mayor and city council.

[11:33:32 AM]

And I think that was intended to capture the authentic collaboration idea. I was trying to make this less wordy. But if it's important to somebody and they want to add authentic before collaborative, I have no issue if we want to say an authentically collaborative relationship. But I do think it makes it wordy and is unnecessary. But I think this position is extremely important. And I would love for this amendment to

pass with everyone's support. And so if that makes somebody more comfortable, it is totally in the spirit with which this amendment is offered.

>> Tovo: Okay. So we are talking right now about the amendment that's been made to your amendment. Councilmember pool, did you want to speak to the word -- to that change?

>> Pool: Yeah. And I appreciate where councilmember Casar is coming from, especially because he is absolutely trying to move us past over the hump, as he said. But I'll just say, community and political are entirely different concepts. We can add community. I love it when we word Smith from the dais, can I just say. But they are very different concepts. I won't stand in the way of adding the word political comma community and practical experience brought to the table.

>> Tovo: Okay. So the amendment on the table is to substitute the word political with community. Is there any other discussion on that? Okay. Let's vote. All in favor for the amendment to the amendment, raise your handed. Hand. All opposed. Councilmember pool is opposed. The same people are off the dais who were off before. So that amendment passes. So now we're back to the main amendment. Councilmember troxclair, you had asked earlier -- you had referenced legal's interpretation of this.

[11:35:34 AM]

And so now I think that we've amended it, I would ask our city attorney to weigh in on whether or not city legal has any concerns about this amendment that councilmember alter has brought forward, inspired by mayor Adler's amendment. Do you have any concerns about how this interacts with the charter?

>> Thank you. I think the explanation given

--demonstrates this is for a collaboration effort, not to undermine the form of government, policy stays on the policy side and the management stays on the management side. I don't think this would undermine that and we would advise any new city manager or candidate about what our form of government is.

>> Tovo: Thank you very much for that. Okay. Any other discussion about councilmember alter's amendment? Councilmember Flannigan.

>> Flannigan: To change he/she to the word they, it's the preferred way to do pronouns.

>> Alter: My staff and I discussed that. We were trying to be consistent with the rest of the document, which used the she. I'm just saying it would need to be a change that is made throughout the document, not just here, because we did discuss that. And we were just trying to be consistent with the rest of the document and minimize how much we were changing it. So if you -- if it is something you'd like to do for the whole document, I'm uncomfortable doing it only for this paragraph and not the whole document.

>> Flannigan: Understood. I will do that after we do this.

>> Tovo: Let's vote on councilmember alter's amendment. Any discussion? All in favor? That is unanimous on the dais. Councilmember Flannigan.

>> Flannigan: So I'd like to change the s/he convention to the word "They" throughout the document.

[11:37:35 AM]

>> Second.

>> Tovo: Any discussion?

>> Flannigan: As long as it's advised with the appropriate grammatical changes required.

>> Tovo: Thank you. Okay. So the amendment is to change s/he throughout the document. All those in favor? All opposed? Councilmember troxclair is opposed. All abstaining? Councilmember pool abstains. Councilmember Renteria and mayor Adler off the dais. That passes. So now we're back to the main motion. Any further discussion on this item? Councilmember alter.

>> Alter: I just wanted to also thank the community that came out to share their views on the qualities that we should be seeking in the city manager. It's a testament to who Austin is, the number and the equal of -- quality of comments from the organizations that came and the individuals. When I look at Austin and if I was talking as a city manager, one of our biggest strengths is the level of engagement and the quality of engagement. And we saw that in this case with respect to the task force itself, but also from all of the people that came out, you know, who came to the town halls, who came to the individual meetings. And I thank you for being engaged. And we are a better city because you're engaged. And we will be more informed as we move forward in the process because you were involved. Thank you.

>> Tovo: Thank you, councilmember alter. I neglected to recognize earlier, we have another member of our city manager search advisory task force. Thank you so much for serving on it and being with us today. Are there any other advisory members I haven't recognized yet? Thank you, again, to your whole body for serving. Any other comments? Okay. All in favor? That is unanimous on the dais. So that item passes.

[11:39:36 AM]

Thank you. We have need of -- it's my understanding that councilmember troxclair has another nomination to add to our boards and commissions. So I would entertain a motion to reconsider that

item. And that item is item 14. Councilmember Casar moves approval, councilmember Flannigan seconds, so all in favor of reconsidering this item, signal by raising your hand. That's unanimous. Councilmember troxclair.

>> Troxclair: Thank you for allowing me to reconsider. Let me apologize for my tardiness. I was held up by a doctor's appointment that I thought would be well over by the start of our council. So I would like to appoint Mary Catherine stout to the parks board. She is also an existing commissioner on other boards, so I assume that we also need to waive the rule that allows her to serve on two boards. And the reason that I wanted to make sure and get it done today rather than waiting was because obviously with the pool plan coming, I know that that group is really diving into it. And I have a recent vacancy on that board and I want to make sure it's filled as quickly as possible.

>> Tovo: Thank you. So, councilmember, your motion would be to add Mary Katherine stout as a commissioner to the parks board, as well as to waive her ability to serve on two boards.

>> Troxclair: Yes.

>> Tovo: Do we need to second that? I guess we do. Councilmember Houston seconds that. All in favor? All opposed? Several of you didn't vote.

[Chuckling] Councilmember -- okay. Councilmember Houston, you made the motion. I mean, you seconded. That passes unanimously. Let's see those hands again. All in favor. That's unanimous on the dais. Thank you. With councilmember Garza off at the dais. Thank you. As well as councilmember Renteria and mayor Adler. That brings us to item 16. This is to set a public hearing for our budget -- to set a public hearing to receive public comment on the city of Austin budget for next year.

[11:41:49 AM]

We have two speakers on this item, Mr. Hersh and Mr. King. Mr. Hersh, welcome, you'll have three minutes.

>> Mayor pro tem and member of the council, my name is Stuart Harry Hersh, and I live in district 2, although when I sign up, it keeps hitting district 3 and I just can't manage it. Senior moment. It looks like there will be one budget public hearing at the end of the month and maybe no others. I'm hoping you will take testimony on the following topics at that hearing, or schedule a separate hearing on those topics which I know you're not posted for today related to housing affordability. Topic one, building permit performance measures relating to building permits issued linked to the 135,000 housing-unit ten-year goal, bullet number two, building permits linked to the 60,000 income restricted ten-year housing goal, bullet number 3, certificates of occupancy for units related to the goals in number one and two, number four, building repair permits linked to the 600-unit housing income restricted annual repair goal, number 5, tracking of smart housing income restricted accessibility and visibility units and transit-

oriented standards, ,number 6, the number of housing units or mobile homes that are going to be demolished, seven the number of persons displaced by permit applications and issuance and number 8, which integrates all this together, hopefully electronically instead of the manual way we have done this, which is technology improvements budgeted for all impacted city departments to track performance. Last spring you adopted the strategic housing plan. I'm hoping the technology is in place so we can actually see if we're succeeding or failing on that and not have to do the kind of labor-intensive process that I had to do this century in doing some of these tasks.

[11:43:59 AM]

It's mind-boggling to have to go read paper records when it should be available by 2017 in the electronic format. So I know you focus on money, but I hope you'll talk about these performance measures and give us an opportunity to present our suggestions. Thank you very much.

>> Tovo: Thank you so much Mr. Hersh. City manager.

>> I would like to point out that there are two public hearings on the property tax rate. They were set yesterday for August 17th and August 31st, both at 4:00 P.M. And there is a public hearing on the budget as well as a number of the enterprise rate fund increases on the August 17th council meeting set for 4:00.

>> Thank you for that information.

>> You're welcome.

>> Tovo: Thank you. Mr. King.

>> Thank you, mayor pro tem and councilmembers. You know, my main message today is that we need to go direct in helping those in our community that have been disenfranchised and that are struggling today. Help them directly. That's what this budget can do. The budget should fund the spirit of east Austin initiatives, the mayor's task force on institutional racism, a recommendation to the African-American resource advisory commission, the asian-american, hispanic and Latino quality of life resource resourcecommissions. It should rebalance public safety services to consume a smaller percentage of the total budget, raise the living standards for low-income and poor families, eliminate inequities that affect people of color and low-income families, reduce economic segregation, help working families, homeless people, low-income seniors and immigrants, empower the voice and influence of everyday citizens, reduce the inordinate influence that businesses have on the city budget and land development decisions, ensure that growth pays for itself instead of shifting the cost to renters and homeowners, eliminate corporate welfare, ensure that for-profit events pay the full cost for all city services, including public safety resources that they consume, facilitate the opportunity and ability for low and moderate-income families to own single-family homes, expand codenext to east Austin.

[11:46:31 AM]

They are woefully underrepresented in the feedback in codenext. Most of the feedback is coming from wealthy central Austin neighborhoods. We need to implement stay in place policies now to help prevent displacement. It's much more effective to prevent it than to deal with the aftermath and try to spend so much money in dealing with displacement later. Increase funding to help low-income families and seniors pay mortgages, property taxes, down payments, rent, deposits, transportation costs, and repairs. Require a contribution to the affordable housing fund as a condition of up-zoning on commercial and residential properties that are appraised at or above \$500,000. Provide more funding to help residents stay in place. That's the priority. Let's help people now. Every day matters. How many people today are going to be displaced, how many are going to have to make that decision today that they're going to be displaced? Thank you very much.

>> Tovo: Thank you, Mr. King. Is there a motion on this item to set the public hearing? Councilmember pool moves approval. Councilmember Flannigan seconds it. All in favor? That's unanimous on the dais. And that brings us to -- we have one more item on the consent agenda before we break for citizens communication. Before we break, if we have time, I do want to discuss public hearing rules for this afternoon. So that brings us to item 33, the resolution I brought forward regarding emergency shelter. We have four speakers. I'd like to hear from them before lunch. Let's go to the speakers first and then we can bring it back to the dais. Sherwin is our first speaker on this item. So if Sherwin would make way to the podium, our next speaker after that will be Gus Peña.

[11:48:32 AM]

Mr. Roberts I don't believe has joined us. And our last speaker is David king. Is Sherwin in the chambers? Okay, Mr. Peña. I don't see Mr. Peña. Mr. Roberts, so, Mr. King, you may be our only speaker on this item.

>> Thank you, mayor pro tem, and councilmembers, I'll be very brief. I'm just so proud that this initiative is before us. It's about time that we look at this in a holistic, bringing all resources to the table. I love this strategy. I hope we apply the same strategy to the other issues, to focus our efforts in solving these problems as quickly as we can. Thank you for bringing this forward and trying to help the homeless people, and trying to actually do something to help reduce the amount of homelessness in the first place. I think that's also a strategy we need to be looking at. Thank you.

>> Tovo: Thank you very much, Mr. King. Councilmember Flannigan, would you take the chair?

>> Would you like to make a motion?

>> Tovo: I move approval of item 33. There are some amendments, we'll have discussion, but, I move approval.

>> Flannigan: Do I have a second? Councilmember pool seconds.

>> Tovo: I think it was Houston.

>> Flannigan: Councilmember Houston seconds, all right. So we have discussion.

>> Kitchen: Would you like me to lay out my amendment now?

>> Flannigan: Please proceed.

>> Kitchen: Okay. So I have an amendment which I just passed out. And in talking -- in thinking through some of the purpose behind this and understanding the mayor pro tem's intent, I have some proposed change to this language, which I think will address -- will clarify what we're trying to do here. So, we're trying to type it up and we don't have it typed yet. So I'll read it to you, okay?

[11:50:34 AM]

So, if you look at the amendment that I just passed out, it's red-lined. I red-lined the resolution that the mayor pro tem is putting forward. So if you look at the language where it says -- I'll just read the whole thing. The city manager is directed to assess city-owned buildings and identify at least five possibilities for one or more temporary short-term emergency shelters. This ranking should include the building's compatibility as a shelter, such as existing amenities within the building, square footage, safety, proximity to transit and social services and other factors the city manager deems appropriate. So, the following is the sentence that I'm adding. Of those assessed in identified buildings, the city manager should establish as a priority identifying at least one location for a temporary shelter which will address issues related to overcrowding of downtown shelters, and two, at least one location for temporary shelter which addresses individuals experiencing homelessness and seeking services and/or living in other parts of the city, which could be used as a pilot for establishing shelters that will address the service connection and public health and safety issues experienced by neighborhoods outside the downtown area. So let me just explain what that means. Basically, it preserves that our priority is to identify at least one temporary shelter location that will address issues related to overcrowding of downtown shelters. So I want to make that clear that that is the priority. But it also states that as part of this process, as part of the staff's process of looking -- as part of the staff's process that the mayor pro tem has put forward and the staff has put forward in terms of looking for potential locations, the staff will also have in mind whether any of these locations would be appropriate for individuals to address

issues related to individuals that are not downtown and that are outside of downtown, and may be in various neighborhoods.

[11:52:57 AM]

I specifically did not mention the neighborhoods. We have at least one neighborhood in my school my -- district, but other parts of town may be experiencing these issues. So, we've run this language by our staff, and I think this language is acceptable to them. I know the mayor pro tem hasn't had a chance to talk to them. We may need to bring them to the dais. It is not my intention by this amendment to slow down at all the identification of a temporary shelter by the August 24th deadline that the mayor pro tem has established. So I think that we can do this. Basically, all we're doing here is we're saying, at the same -- we're saying here's the process for the staff. They're going to go through this list. They're going to identify at least five locations. They're going to be having top of mind what locations will help alleviate the downtown crowding with all the kinds of criteria that are in here. They will also have in mind as they're doing that, well, there a location that could be useful in helping to alleviate the concerns that we have in other neighborhoods. So it's not extra work for them, it's just putting something else in their head that they're thinking about while they do this. And it's also clear that if something occurs in their process that requires them to prioritize what they're looking at, their priority will fall on identifying a temporary shelter that alleviates the concerns of the downtown. So I think that answers -- okay. All right. So, that's my amendment.

>> Flannigan: Councilmember kitchen, what you read out deviates slightly from what you handed out, did I hear that right?

>> Kitchen: Yes, slightly different. Doesn't change the intent. Do you want me to read it again?

>> Flannigan: I think it's preferable to have written copies before we move forward.

>> Kitchen: We're trying to type it up right now. I apologize.

>> Houston: Could we postpone it until we get it?

>> Flannigan: We've got six minutes. If we want to talk about it and then come back after the break to finalize it, I'm fine with that.

[11:55:00 AM]

Is there a second for councilmember kitchen's motion before we discuss it?

>> Tovo: I'm happy to accept it as friendly.

>> Flannigan: Okay. Any objection to accepting it as friendly? All right. So, with any further discussion on this item -- again, we won't finalize it until we get the final language in written form after the break. Councilmember alter.

>> Alter: Would she be able to repeat the changed language that's not in here?

>> Kitchen: Okay. If you look at the sentence in red that I added on the last page, that's the only sentence that we're making any changes to. So, we're adding at the beginning, of those assessed and identified buildings, so that goes before the city manager, okay, should establish as a priority identifying at least one -- and then insert location for a temporary shelter, okay. Then you go down to the next line, and you make these two sentences into one. And then you say, and at least one location for. So that's the only change. Would it help if I put it up, or do you want to wait? Do you want to do it later? We'll do it later. That'll save any confusion for people. We'll have it typed by after the break.

>> Flannigan: Without any further discussion, we can table this motion for now and we'll resume after the break.

>> Kitchen: Okay.

>> Flannigan: I turn the chair back to the mayor pro tem.

>> Tovo: While you're still chair --

>> Flannigan: While I'm still chair.

[Chuckling]

>> Tovo: I accepted this as friendly because I think this does accomplish, you know, the aims that we want. And I appreciate you emphasizing to our staff that the priority, you know, continues to be how we can -- if we can and how we can potentially support this initiative that begins next week with potentially a city-owned facility to help alleviate the crowding downtown.

[11:57:04 AM]

What I want to emphasize -- and I think since the language will be added -- has been added into the resolution that talks about other parts of the city, the intent is really to ask our staff to look at facilities throughout our city.

>> Kitchen: Mmhmm.

>> Tovo: The geographic part of it is to help alleviate the downtown crowding, so I just want to be clear, because that was a point of confusion for some people who were asking me questions about whether we were asking our staff to look for another facility downtown. Not necessarily. We're asking them to think broadly about that. To read them, but I think with the changes you suggested you've made it very clear that --

>> Kitchen: Yeah.

>> Tovo: What the purpose is.

>> Kitchen: Yeah. And the clarification really is that that's the priority, as the mayor pro tem established. But we also need to alleviate the impact in our neighborhoods. So that's the secondary goal in mind is to look at shelters that might -- temporary shelters that could help alleviate the impact in some of our neighborhoods that are outside of downtown. So that's essentially what I'm adding, so.

>> Tovo: Okay. Yeah. And I think -- the other point I meant to clarify is that, you know, last year this council passed a resolution asking our staff to look at our publicly owned facilities, properties, vacant land, as well as existing buildings for a variety of purposes related to housing, including for emergency shelter. That resolution, I think the research is about to come back to us. That was really looking at long-term possibilities for emergency shelter. And again, I just want to emphasize because it is confusing and lots of us are working on issues related to housing and homelessness, and that has created some confusion in the public about what this is. This is really about extremely short-term emergency shelter that would likely be in an existing facility that is currently being used for other purposes that would be used for, again, a very short period of time for this purpose of offering shelter beds to individuals who are currently sleeping on the street.

[11:59:11 AM]

So this does not in any way change that longer-term work that this council initiated last year. And, you know, with regard to the initiative -- and there's been some great articles that have come out this week. I just want to really thank the social service providers, the downtown social service providers who have worked creatively and collaboratively every single week for the past couple months to really look at ways to really address the public health and safety issue that's going on downtown outside the arch and to see how to number one, really increase the safety and disrupt what is going on out there, which has become a place where individuals who are seeking service are being preyed on by drug dealers and others with criminal intent. And so a lot of the changes have been discussed in the media, so I won't address them here, but I'm really thankful to the ending homelessness coalition for initiating that work and bringing together those social service providers to think about how they can do the work they're doing differently over this short-term period. And I hope that the city can be as supportive as possible, including finding some facility that can be used for that purpose. So, thank you. But, councilmember

kitchen, I know from my experience every one of our neighborhoods have individuals who are experiencing homelessness and it is a citywide community problem and we need to continue supporting groups like Echo who have developed a communitywide approach to addressing the needs of those experiencing homelessness and funding those needs. I'm very supportive of that comprehensive approach. This is a more targeted initiative because of the really extreme situation we're facing in that area around the arch. Those are the only comments I'm going to make about it. Hopefully when we come back we can quickly approve.

>> Flannigan: Councilmember Houston.

>> Houston: Thank you. And I too appreciate the agenda item and amendments made to it so far.

[12:01:16 PM]

Again, as I read through it quickly, on Tuesday I suggested this is not just a city of Austin problem and that we must reach out to the state and the county to see if they would partner with us. I'm not sure that's highlighted here, but if that's the understanding, to look at other places where shelters where people could be housed, specifically at the Austin state school where there are some beds, I hope we don't forget that because this is not just a city of Austin problem, this is a broader community problem and sometimes I don't see that in the resolutions that we pass.

>> Flannigan: Did you have more to add? Further discussion? With that we'll table this item and turn the chair back to the mayor pro tem.

>> Tovo: Thank you very much, councilmember Flannigan. That brings us to citizens communications. We have, I believe, six speakers today. Our first speaker is Mr. Robbins who will be addressing us on Austin energy issues. Our next speaker after Mr. Robbins if you would like to get prepared is Dr. Koo-hyun Kim, who is speaking about Austin police department's terrorism to Dr. Koo-hyun Kim since 2006 up until 7-21-2017 and the mayor's responsibility. I don't see Mr. Kim yet so let me mention the third -- I apologize.

>> Good afternoon, council. I'm Paul Robbins, an environmental activist and consumer advocate. I am one of 13 members of the working group that recently reviewed Austin energy's generation plan and one of the 11 out of 13 members that support it. A few days ago I was phone banked by a work exhorting me to come to a public hearing at 4:00 P.M. Today to set a goal of 100% carbon free utility by 2030.

[12:03:16 PM]

You all know the stated purpose of this hearing is to comment on the review of Austin energy's generation plan and not specifically a 100% carbon-free utility. I remained polite but challenged her on several issues. She responded poorly. I told her that dispatchable renewable energy in Texas barely exists right now and that the grid can only handle 25 to 30% intermittent solar and wind energy without technical and/or economic problems. She replied that we need to do what they did in Georgetown, Texas and use 100% renewable energy. I challenged that Georgetown has not generated power since 1945, that Georgetown was completely dependent on the Texas ERCOT grid to provide its real power. I said that 85% of ERCOT's electricity comes from dispatchable generation and that Georgetown's renewable accomplishment could only be achieved on paper. She had no good response. I went on further to ask how she could support such large quantities of extravagantly expensive storage batteries that her allies were calling for. Have you ever priced a utility battery, I exclaimed? Her reply she was not aware of the issue. My inference is that she was not aware of the working group report, had not read it, was being misled by organizers who were planning to turn the public hearing you are about to conduct into a football. Too many people like her have lied to themselves that converting the electric grid is quick and simple. If council is really serious about climate change, then you need to set a specific set of strategies to deal with it.

[12:05:23 PM]

An empty climate change resolution may actually do more harm than good because it will convince well-meaning but uneducated constituents that the problem is solved when it is not. I appreciate your attention.

[Buzzer sounding] For many of you are aware that I have recently published the new environmental directory, and it has a long series of articles about how to actually convert the Texas grid to renewable energy. I have copies if somehow I have missed any of you.

>> Tovo: Thank you, Mr. Robbins. Dr. Kim, you are up next. You'll be followed by Patrick Ebomwonyi speaking about children and policemen tosser and the problem it can solve. Dr. Kim, you have three minutes.

[Singing] Is really city of Austin land of the home, land of the free? The land of the brave. No. Based on my experience, Austin police department continue police terrorism to me since 2006 up until today.

[12:07:24 PM]

Until [indiscernible], the angel of Austin city, showed up to me. She understood me. Within minutes everything I said. All of you, Texas government and Austin police department are animals. They don't understand English. They don't understand Austin policy many of you at all. August 10 I have four pages, the rest I put in your mailbox. All the time I did. Doctor Kim's American revolution sends to living angel Christie Samuel

[inaudible] In the city of Austin, American animals and terrorists in the city of Austin, Austin police department, Travis county and state of Texas animals do what they do like Austin city police department and Austin city mayor Leffingwell and Austin city mayor Steve Adler who did not know police manual Austin city police department Austin at all. Austin did nothing. Austin city do nothing, the city of Austin, Austin city police department terrorism to Dr. Kim. And chief Acevedo terrorism to American government professor Dr. Kim since 2006 up until today. The new Austin --

[indiscernible] Nothing to cancel police render criminal trespass in case number 171-38-0799. Four uniform police officers like animals. On may 18, 2017, and one private uniform lady threatened to arrest innocent Victor, champion playoff Dr. Kim if Kim would not leave the building of Texas association --

[12:09:33 PM]

[buzzer sounding]

-- Of realtors.

[Indiscernible] And all of Austin city employees, mayor Steve Adler, mayor Elaine hart, Morgan did not know English what it means by criminal trespass notice and did not know Austin city police manual.

>> Tovo: Thank you --

>> Said --

>> Tovo: Dr. Kim, I'll need to ask you to conclude your remarks.

>> Thank you.

>> Tovo: Thank you very much. Patrick ebomwonyi. We don't see him yet. Melvin spiller. Melvin spiller is signed up to speak about Austin energy is not following policy and procedure. Not seeing Mr. Spiller. We'll move on for Heather deeing, need for pet chip readers for APD, followed by Steve Swanson, imagine Austin planning priority is his assigned topic. If you would give it to our city clerk and she will distribute to the dais. You will have three minutes.

>> The purpose of today --

>> Tovo: I'm sorry, that mic isn't on. You are welcome to stand at either one --

>> I'm here on behalf of the memory of my dog scruffles. June 15 he was taken from my boyfriend's backyard. His house is in a location currently being gentrified and house flippers are running rampant in the neighborhood.

[12:11:33 PM]

And he was taken from the backyard without any -- any notification and he's about 18 years of age. So that afternoon and evening I frantically looked for him all night till 2:00 in the morning, checked every site, every shelter, posted on Facebook and neighborhood forums, anything that I could do. The next evening I checked at about midnight and found he had been placed on the found list in the animal shelter in Austin. And it said that he was a 7-year-old schnauzer. My dog was 18 years of age. At this point he basically looked like a Chinese crested. He had shaved him recently because he had gotten caught in bush burrs so he had a bad hair cut and was weak. And an old man. Basically if you have an anonymous tip given by anyone, a police officer has just cause to jump the fence and take your dog. It doesn't matter whether or not the dog has water. My dog did have water. But that gives them just cause to take it to a vet and make a determination on his life and also essentially if the dog is in not so great shape, which mine being 18 years of age was not, put you essentially in a guilty until proven innocent situation. So for days I wondered where my dog was. Found out where he was, emailed them immediately, said oh, my god, I'm so glad you found my dog, but he's not 7, he's nearly 18. The next day I sent my boyfriend Tim in to get my dog from the shelter and he was given three phone numbers of detectives and said that I would have to meet with them Monday in order to discuss getting my dog back.

[12:13:42 PM]

Monday morning I received a call from an officer divend, he is the head of the cruelty unit for the animal shelter and APD. The officer notified me through a voice mail that they wanted to put my dog to sleep and wanted to speak to me before they did this. I immediately drove to the shelter. Within minutes, five minutes, three officers, the entire cruelty unit showed up at my boyfriend's door asking about my whereabouts. And my boyfriend stated that I was --

[buzzer sounding]

-- On my way to the shelter to get my dog. And they said, you know, he looks pretty rough. He said yes, yes, he does, but he is also 18 years of age. And when that happened two of the officers backed down, looked at the grown and looked a bit uncomfortable. Of course, that is hearsay, but the reason this situation is special is that I think everyone realized that eventually this was not a witch hunt looking for

someone that was on drugs that had mistreated an animal. This was an 18-year-old dog that had helped me through two bouts of cancer, congestive heart failure and two foreclosures and is now the victim of a gentrification process with house flippers thinking that's not a very cute dog next door. The house next door to my boyfriend is over \$400,000.

>> Tovo: Your time has concluded. If you would bring this to a close, you are welcome to email us all.

>> I'm sorry. It's a long-winded story. I apologize. Thank you very much.

>> Tovo: We're sorry for your experience and feel free to communicate with any of us via email, but thank you for raising the question about pet chips. Let's see. Mr. Ebomwonyi is not present. Melvin spiller, are you in the chambers? Steve Swanson is our final speaker then today and I do not see Steve here in the chambers either.

[12:15:52 PM]

Okay, with that that concludes our citizens communications. Colleagues, I see councilmember pool is off the dais. I wanted to give everyone a heads up, the last I checked we had 49 speakers registered for the item part of the 4:00 public hearing. And just to remind everyone that our adopted -- now there are 52. We did adopt rule change that provides for three minutes only for those first 20 speakers. And would then shift everyone down to one minute. That is a rule that can be changed by a vote of the council so I just wanted to bring it up prior to lunch so people can be thinking about that practice and whether we want to continue it for that public hearing item later this evening. We do have one more item on the consent, it's the item councilmember kitchen that you had made the amendment. Is it still not ready? I would propose we just come back at 2:00. We've got several items, I think just one item at 2:00 is a discussion item so we can take up 33, conclude that item and move on to the postponements for zoning and the discussion item unless anyone feels differently. Okay. We'll be -- stand in recess until 2:00.

[1:17:30 PM]

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[1:48:21 PM]

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[2:02:40 PM]

>> Tovo: Hello, colleagues. If you're watching upstairs on TV, please feel free to come down and join us. It's 2:02 and we'd like to bring the meeting back to order.

[2:05:26 PM]

>> Tovo: Great. I'm mayor pro tem Kathy tovo, I'd like to bring this meeting back to order. I'm going to turn the chair over to councilmember Flannigan to take us through the final bits of item 33. I will just acknowledge that our speaker system is closed up, but bill Bryce from the downtown Austin alliance is here, thank you very much, and indicated that had he been able to sign in, he would've signed in in support. So, thank you, as one of the participants in that collaborative that's been meeting, thank you for all of the downtown Austin alliance's work on this issue.

>> Thank you, mayor pro tem. We'll bring the item back up. I don't recall what the item number is.

>> 33.

>> Flannigan: We'll bring this back up. Is there any further discussion on this item before we call the vote? Seeing none, can I see all in support raise your hands. And, thank you, mayor pro tem. Was your hand up on that to support?

>> Yes.

>> Flannigan: Okay. So, it's unanimous on the dais with many absents, mayor and Renteria are away, Casar, and troxclair and alter off the dais. Councilmember kitchen did pass out the final documents. Thank you, councilmember kitchen, for getting that done. I will hand this back to the mayor pro tem.

>> Tovo: Great. Thank you very much. That brings us to the 2:00 zoning items. I invite our staff up to walk us through those. It's my understanding there's be postponements. Welcome, Mr. Rusthoven.

>> Good afternoon. Item number 19, npa2017009.01, staff a requesting a postponement to August 31st.

[2:07:31 PM]

Related case, item 20, staff is requesting a postponement to August 31st. Item 21, case 2017-0061, I believe -- councilmember Houston would like to have this postponed, and, 22, the same, councilmember Houston would like to have this postponed until August 31st. Item 23 is a discussion case, I believe we have two speakers. And item -- 24, staff is requesting a postponement of this item to September 28th.

>> Tovo: Councilmember pool moves the consent agenda. Councilmember Houston seconds it. Any discussion about that? All right. All in favor, signal by raising your hand. And that is unanimous on the dais. Councilmember troxclair, are you supporting the consent items on the zoning agenda? Okay. Councilmembers Casar -- is off the dais, and, again, councilmember Renteria and mayor Adler as they have been all day, will continue to be off the dais.

>> Okay. Our one discussion case is item 23, case 2017-0072 for the property located at 12611 hi 12611 hymeadow drive. The applicant would like to construct a liquor store in an a building. The staff and zoning and planning commission recommend approval. They recommend a prohibition of pawnshop service, and alternative financial services, also known as check-cashing places. So, with that, I believe that the applicant is here. And I think we have two speakers. Is there any questions?

[2:09:32 PM]

>> Tovo: Questions for staff before we go to the applicant? Welcome.

>> Thank you, mayor pro tem, councilmembers, Ron representing Gary, the landowner of the property. I have a quick presentation to go through on this. The property is at 12611 hymeadow at the corner of research and hymeadow. This exhibit shows the property in context to 620 state highway 45, roadway to the north, and what's in red here is the imagine Austin regional center. This is a little bit closer, shows the property at 1.41 acres located along 183 at hymeadow boulevard. This is the zoning that's in the area. You have some remnant interim rr zoning that is to the east. And then you have some commercial zoning that's to the north, and also to the south and across the highway. This is an exhibit that shows the other cs1 properties in the area. I'm going to start at the top. You have a restaurant that's utilizing cs1 that doesn't need cs1. Total wine and more on the northwest corner. On the southeast corner you have a property zoned --

>> We're having a little difficulty hearing you. If you wouldn't mind moving the mic.

>> Sorry. The property that's on the southeast corner is the property that was zoned cs1. But it can not be used as a liquor store or for a cocktail lounge, because of some restrictions related to another tenant on that same property. And then on the other side of 183 is a small liquor store. And you see our location in green. Moving south there's a twin liquor store at Anderson mill, a cs1 in the middle of a parking lot on the west side of 183. There is Pino's, a painting place that has wine.

[2:11:38 PM]

And then there's a non-related use inside of a cs1 property. Then you've got a night club further down the road. And you have Johnny's liquor store, again, a small liquor store in the area. And then there's a lingerie place, whatever you want to cause it, I believe it would be classified as an adult-oriented business, which we are in agreement a hundred percent to prohibit that, even though there is a restrictive covenant that prohibits that use as well. So, we're on a highway. We have highway frontage. We have a large population base in the area. The intended tenant for the property has done enough research and demographics and realizes that this is a location that they feel is going to work well in the area. They were the original tenant that was going to the property to the north that cannot be used for a liquor store. They were looking for an alternate location and this is where they have chosen to be. With that, I'll answer any questions you may have.

>> Tovo: Thank you. Questions for him? I think I have one. I wanted you to clarify. It sounded as if you were in support of adult-oriented businesses being a restriction on the property, did I hear you correctly.

>> You definitely heard that correctly. Not only is my client this agreement, but it's something that I'm strong about as well. But there's a restrictive covenant on the property that says we cannot have that. A prior one.

>> Tovo: I think I understood that piece. I just wanted to understand, I think what I'm hearing you say is that you don't have an objection to that being in the conditional overlay?

>> I would not. The client does not contest that at all.

>> Tovo: Thank you. How about the other restrictions that were placed on the -- within the conditional overlay as well? I think it was bail bond services as well as check-cashing, whatever --

>> The alternative financial services?

[2:13:39 PM]

>> Tovo: Thank you.

>> That's not the one that -- there was four, actually, that came out. Alternative financial services, adult-oriented, bail bond --

>> Tovo: Pawnshop.

>> It's allowed on the property today. And while my client would agree to that, again, I'm going to go on record saying that neco does not allow for transition to codenext. If you look at how this property could transition to codenext, pawnshos would not be a permitted use.

>> Tovo: But your client is not opposed to having that be a restriction.

>> That's correct. We have agreed to that.

>> Tovo: How about the other?

>> Yes.

>> Tovo: Your client is in agreement with the restrictions.

>> We have agreed to that.

>> Tovo: Thank you.

>> Since commission.

>> Tovo: Thanks for that clarification. Councilmember kitchen.

>> Kitchen: No.

>> Tovo: Sorry, councilmember Flannigan.

>> Flannigan: Mr. Thrower, remind me again, what are the prohibited uses in the restrictive covenant that already exist on this property?

>> I didn't bring that up front with me. But there's the adult-oriented businesses, you cannot have a tavern or bar on the property. And there's four or five others that I can't remember off the top of my head. Be more of a staff question, so I'm sorry. That alternate financial services are already not permitted, is that right, under cs1?

>> I'll check while you're taking testimony. I believe they are. I think they're allowed in cs. I think they would be allowed in cs1, but I'll check.

>> Flannigan: And pawnshop and bail bond are already allowed on the site today.

>> Yes.

>> Flannigan: Under grco that it currently has.

>> Correct.

>> Flannigan: Okay.

>> Alternative financial services is not permitted in cs1, which I find unusual.

[2:15:45 PM]

We can go ahead and strike that line.

>> So there's at least one that --

>> It will be bail bond and pawnshop.

>> Flannigan: Okay. So of the four cos that were added to the case, one is already prohibited under the property's restrictive covenant. Two of them are already allowed today under the site's current zoning and the fourth is not allowed under the base zone that is proposed.

>> Under the requested zone, yes.

>> Flannigan: So acknowledging that adult-oriented businesses and alternative financial services cannot happen here -- sorry. Cannot happen here if we zone it cs1, because that's what restricts the alternative financial services, the additional cos are restricting uses currently able to happen.

>> The bail bond and pawnshop are allowed today, .

>> Flannigan: Okay. And is there a policy that council had passed that would provide within for this, that you're aware of?

>> The prohibition?

>> Flannigan: No. I'm talking about the two that can happen today but that would be restricted under cs1.

>> They were not part of the staff recommendation. They're typically uses that people sometimes find undesirable.

>> Flannigan: Sure. Okay.

>> Tovo: Mr. Rusthoven, I want to clarify something I think I just heard you say. He's indicated that adult-oriented businesses are restricted.

>> It would allow both liquor sales, liquor store, and cocktail lounge. Cocktail lounge is a conditional use.

>> Tovo: But that is also under the restrictive covenant, cocktail lounge would be prohibited.

>> Yes.

>> Tovo: Something about that restrictive covenant is going to have to change or go away. If we rezone as we do today, we would be making one of these prohibited by the restrictive covenant.

[2:17:49 PM]

>> Yes. But it would allow liquor scales.

>> Tovo: I think I heard you say it's a private restrictive covenant. So if someone opened an adult-oriented businesses, their zoning would allow them to do that, were it not prohibited in the conditional overlay.

>> Yes.

>> Tovo: And somebody would have to -- who would have -- somebody would have to --

>> Whoever --

>> Tovo: Try to enforce that restrictive covenant, because it's not something the city can get involved in, correct?

>> Yes. It would be somebody who's a party to that restrictive covenant.

>> Tovo: And that would be who?

>> I haven't seen the restrictive covenant. It would be whoever signed it when it was originally done.

>> Tovo: Okay. So the neighbors in the area surrounding it would not necessarily be parties -- have standing unless they were parties to the original restrictive covenant.

>> Correct.

>> Tovo: Okay. Thanks. Councilmember pool.

>> Pool: I have a question for legal staff or our development services staff. Private restrictive covenants that the city doesn't get involved in means that the people in the community are the ones who come up with the time and the money, and the legal argument in order to challenge it, is that right?

>> It wouldn't necessarily be members of the community, people who are signatories to the restrictive covenant. So, restrictive covenant is a contract between, you know, multiple parties. And so in this case, it would be whoever entered into that covenant, or people who bought property that is covered by that covenant.

>> Pool: And those debates, or those lawsuits tend to be fairly arcane, contract law can be, I don't know, maybe the law department can characterize it. Where I'm going with this is, the city provides a level of guarantee and security to the people in the community who are nearby where a co that would restrict an adult-oriented business, or liquor sales, or pawnshop, or bail bondsman.

[2:19:58 PM]

By the city having a conditional overlay on a property, we are acknowledging the community's concern about those types of entities and services, and we are offering an extra layer of protection against those kinds of businesses being nearby them. Is that correct?

>> I think that's correct. Alicia with the law department. I'm not sure I could answer your first question about the contract lawsuits.

>> Pool: The complexity and difficulty in winning them.

>> Sure. They are complex and difficult and all of that. But to your point about conditional overlays, yes, that can provide an extra layer of protection if that is the will of the council to provide some extra protection for the surrounding neighbors.

>> Pool: And it's the legal instrument that the city has at its disposal to signal to the community that we understand they have concerns about certain kinds of uses, and that we agree that those should not be permitted, or that you would have to fight pretty hard in order for those to be permitted.

>> Correct.

>> Pool: If we remove them as conditional overlay, the city is removing itself from the defense of the community against these particular unwanted types of services.

>> I believe you could characterize it that way.

>> Pool: Which is essentially, mayor pro tem, why I support in this case, especially and I we haven't heard yet from the community members who may be here to speak on this --

>> Tovo: Yes. We do have two community members, both of whom are signed up against, so we --

>> Pool: I look forward to hearing from them and just let them know in advance that I understand where you're coming from. And that I agree that this is the kind of protection that this is well within the realm of the city's ability to provide the additional layer of protection and security to ensure a quality of life and make sure the neighborhood is the one that you want to live in, and that it is safe.

[2:22:00 PM]

Thank you.

>> Tovo: Other questions for staff before we move back to our speakers? Okay. Kathy Mendel and Ms. Mendel, you will be followed by Linda Finley, both of whom have signed up against.

>> Mayor pro tem, councilmembers, I really appreciate you hearing us today. I sent a letter to each of you and some of your advisory staff explaining what our concerns are for this property. We have been in touch with the agent. And we do very much appreciate their offer of trying to control some of the uses on the property with conditional overlays. A lot of this case boils down to the fact of having a liquor store in this particular building next to some extended stay residential hotels that have been somewhat problematic for the police in our area. I think if you -- from the letter we sent, we did a little crime report of what -- summary of some of the causes of the police being called to our area. Primarily, the criminal trespass. I think this is a problem with the other hotel on the property. We have a traditional hotel, a comfort suites on the property. And they have problems with the hotels coming over there to eat their breakfast and use their swimming pools. And so the extended stay hotels are sort of inflicting themselves upon other parts of this development. Our concern, primarily, is because of the family disturbances and that the presence of easily accessible alcohol on that property would tend to aggravate and possibly increase these calls for family violence, family disturbances. So for that reason, we are opposing alcohol sales on this property. Some of the other cs1 uses are the adult-oriented businesses, the bars, taverns, that sort of thing are not appropriate there, either.

[2:24:10 PM]

We're concerned about those, but I think the conditional overlay could prevent some of those businesses going in. And I appreciate your concern for that. But I think we do need to be mindful of the impact it could have on the extended stay hotels and their coming into the neighborhood, and primarily the other businesses in -- on this complex. I may be able to address one of the questions you had about the restrictive covenant on the property. In our research, I found the document for the lot four of this property. And it looks to me like this is not an agreement with a neighborhood association or another entity. It looks like it was set forth on the property by the developer, which is kind of unusual for them to set forth restrictions on their own property, but they did. So the other properties in that heritage center also do not allow for adult-oriented businesses, bars, taverns, cocktail lounges, that sort of thing. So the intent was for this to not have that level of entertainment on the property. But this particular one does --

[beeping]

>> Tovo: You can certainly finish your sentence, and then there may be questions.

>> I'm sorry?

>> Tovo: I said you're welcome to finish your sentence, and then there may be questions.

>> I think I'm done.

>> Tovo: Okay. Thank you.

>> Questions?

>> Tovo: I actually have a question, but I'd look to my colleagues if any of them have questions first. The letter to which you refer, is it the neighborhood association of southwestern Williamson county?

>> Yes, ma'am.

>> Tovo: So you're representing the neighborhood association.

>> I'm the zoning chair for the neighborhood association.

>> Tovo: I appreciate that. It was a letter of opposition. Are you opposed to the rezoning?

>> Yes, ma'am.

>> Tovo: You're opposed to the rezoning, and if I understood, if it goes through, you would support the addition of those prohibited uses and the conditional overlay, but you are asking us today to deny the rezoning.

[2:26:15 PM]

>> Yes. Primarily give a lot of consideration to the impact it could have on these hotels and the families in the area. That is our main concern, I think. We could probably deal with some of the other uses on the property through both the restrictive covenant that were set forth on here and the conditional overlays for some of the other uses, but I think that needs to be reviewed in the context of how an actual liquor store on the property could reach out to the other businesses.

>> Tovo: Thank you for that clarification. Okay. Thank you. Next and last -- no, not last, because we'll have a rebuttal from the applicant, Linda Finley. Welcome, you have three minutes.

>> Thank you. I wanted to bring up some extra points that were not necessarily made in the letters that you received. We have had a lot of contact with local law enforcement officers that come to our neighborhood association meetings and give us crime reports on what's going on in our neighborhood. For a number of years now, they have all been in agreement that this particular property is the hotspot in our neighborhood for crime calls of various kinds. In the letter, we referred to the fact that there were a total of 93 calls in a one-year period of time to that location of which 66.7% were actually on the particular properties that we're talking about, the Crossland efficiency studios and the proposed liquor store property. All in all, the crime calls that have come to that area within a 500-foot radius of the

Crossland suites, which encompasses the liquor store property, proposed liquor store property, in that area that would be 7.75 calls per month for various reasons.

[2:28:34 PM]

It's broken down in your letter. 12 for assaults and 14 for family and dating disturbances. The other thing I wanted to bring up is that there are a lot of children in that area. I know -- I don't know how many, but I know there are some children living at Crossland efficiency suites. But there are a lot of children that live in the apartment complex immediately behind this area. The other thing is that there are so many family disturbances. There's also a lot of exposure to drugs and alcohol in this area from the police reports. The shopping center across Hymeadow has a movie theater and fast food places that appeal to children and teenagers. And then also, Hymeadow is the major entrance into the heart of our residential community. The only other way to get -- there is no other way to get into our community off of 183 other than this particular street. So, we are very concerned. We're not against liquor stores per se. We have approved zoning for liquor stores in other places around our neighborhood. But this is not a good place for a liquor store, because of all of the other things that are going on there. Thank you.

[Beeping]

>> Tovo: Thank you. Councilmember Flannigan, I believe, may have a question for you.

>> Flannigan: No, I just wanted to thank both of you for coming down to city hall. I know it is a long way to travel for district 6 residents, and I appreciated meeting with you in my field office earlier this week and having a very positive conversation about this case. I know we don't agree on what we want to see on this property, but I have enjoyed working with you on this case.

[2:30:38 PM]

And I really appreciate your thoughtful approach to trying to take care of the surrounding area. As you all know and my colleagues may not know, I lived in this neighborhood for a long time. It is an interesting overlapping set of jurisdictions. Most of it is etj. There are only small parts of it that are actually city of Austin. In fact, the nearby apartment complexes to this property are etj. We've had problems getting crime data from Williamson county, which serves the areas that are walking distance from where this site is. It is a complicated area, like many areas this district 6 tend to be complicated with when it comes to jurisdictional issues. It's important to note a couple of things. Hymeadow is a very popular route to get into that neighborhood, but it is by no means the only route. There are many other roads that go into this neighborhood off of Pond Springs Road, off of access roads from multiple

directions. You can get there off of andersonville road and pond pond springs road. The concerns about the extended stay hotel are hard to hear, but it is not something that was created by a liquor store. There is no liquor store there now. We did some research on this topic, and while there does seem to be some academic backup for the concentration of liquor stores being an attractive nuisance to a community, when we looked at what other cities do to mitigate that, they set distance between retail liquor stores. The one I saw proposed in Baltimore was 300 feet. You wasn't want a string of them. But, deb's liquor to the north is 1800 feet away, twin liquors to the south is 3,000 feet away.

[2:32:39 PM]

It's pretty far away. And in this part of town, you're not really walking to liquor stores, either. There's just not a lot of good walking to do in district 6, unfortunately. So there is some advantage to having this liquor store there, I think. The cos are a separate question for me. If we're going to say to private landowners that their restrictive covenants are irrelevant, I think that sends a very challenging message that the only way for your restrictive covenant to be enforced is for the city to come in later with a co. That's problematic for me. In this case specifically, we're talking about four uses, one of which is restricted under the restrictive covenant, one that staff said that we would pull anyway because it's not permitted under cs1, and the other two are permitted in this building, it's been many types of businesses. I think it started as a drug store. Many years ago. It's been several different things throughout the years. We even did some research on what crime stats looked like around other specs that went in in other parts of the area, including in northwest Austin. And just to show how little impact it had, crime went down after the specs went in. And I think it's more a symbol of what other economic factors were at play around those areas to say any liquor store magically reduced crime, but more so that it's statistically insignificant. I support the staff recommendation to cs1. I don't support the cos, partially because they are either made irrelevant by an rc and the base district, or they were currently permitted and we'd be taking that use away from the current property owner. But also, because it adds unnecessary complication.

[2:34:40 PM]

This is a perfect example, as all of the case from the my district that I've pulled have been perfect examples of unnecessary conditional overlays that did not serve a community purpose, or were already restricted or allowed under other areas. And ultimately the folks from naswic and I have a disagreement about liquor stores, but the cos are irrelevant because they're already permitted or restricted under the restrictive covenant. Since this is in my district, I'm going to make the motion if that is okay with the

chair, to move forward and approve this zoning case with the staff recommendation of the cs1 base zoning.

>> Tovo: Councilmember Flannigan moves approval of the rezoning. Is there a second? Councilmember Garza seconds this. And is that -- I'm not sure. Are we ready for all three readings?

>> I have a question.

>> Tovo: Okay. I'll recognize all of you. But I've asked the staff a question.

>> We're ready for all three readings.

>> Tovo: Thank you. So, let's see. I think councilmember pool and then councilmember kitchen.

>> Pool: I just want to divide the question. I want to take up the amendment, which is to remove the cos, separately from the base motion, which is to approve the zoning.

>> Tovo: So, councilmember, I'd be happy to do that except that the motion made wasn't to forward the commission's recommendation. The motion made was just for the rezoning. So his motion does not include that. There's nothing to separate. I think it would be more appropriate for you to make an amendment to add those back in, if that's your will, and then we can vote on that. But that seems to me procedurally a better way, since the motion was the staff recommendation rather than commission recommendation. Is that correct, councilmember Flannigan? Okay. Thank you.

>> Pool: I want to have the opportunity to vote them separately specifically.

[2:36:42 PM]

>> Tovo: Have an opportunity to do that if you make a motion to add in those prohibitions into a conditional overlay, then we can vote on that and then we'll vote on the main motion of whether or not to change the zoning.

>> Pool: That sounds great and that's what I'll do. I'll move to amend to add back in the conditional overlays that were added in by the zoning and planning commission and that are requested by the neighbors.

>> Tovo: So that would be a conditional overlay prohibiting bail bond services, pawnshop, and adult-oriented businesses.

>> Pool: Right.

>> Tovo: Is there a second to that amendment? Councilmember alter seconds that amendment, and then --

>> Pool: Thank you.

>> Tovo: Councilmember kitchen.

>> Kitchen: I just have a question. It's a little bit confusing on the -- not the base motion. I've got that clear. But I want to make sure that I'm understanding what the lay of the land is right now with regard to the co. So let me ask our staff. So, first off, your recommendation as opposed to the commission's recommendation, your recommendation did not include a co, is that correct?

>> That's correct.

>> Kitchen: Okay. And then councilmember Flannigan, you were talking about these four. And if you would lay out again which --

>> Flannigan: Happy to.

>> Kitchen: So the adult-oriented business is or is in the in the restrictive covenant?

>> Flannigan: I'll lay them out if decreasing complexity. The alternative financial services is not permitted under cs1. That fourth one, it's irrelevant.

>> Kitchen: Got it.

>> Flannigan: Regardless. Two, the pawnshop and the bail bonds are permitted today with its current zoning. So adding the cos would remove an existing allowed use. The fourth one, the adult-oriented business is restricted under the covenant.

>> Kitchen: My question for councilmember pool is, which ones are you adding back into a co?

[2:38:44 PM]

Because the adult oriented and alternative financial services are already prohibited. Are you adding back the pawnshop and the bail bond?

>> Pool: No, I said four. If the alternative lending service is already --

>> Kitchen: It's already prohibited.

>> Pool: Then there's no need to prohibit it twice, but I am absolutely looking to include the adult-oriented businesses a a co and the two liquor-related items.

>> Bail bonds and pawnshop were the three.

>> Kitchen: My question for councilmember pool is, on the adult-oriented business since it's not allowed currently, it's in a restrictive covenant that would continue, help me understand why you're wanting to include it in the co.

>> Pool: That's what I spoke about previously. Having them listed in the conditional overlay includes the city in any action that might happen on the allowing of those businesses so that the neighbors aren't left to their own devices to have to mount the opposition, which is time consuming. It requires bringing in an attorney, so it's also costly. And I want the city to stand up and say yes we agree with the neighbors and the zoning and platting commission that those specific uses are not permitted here.

>> Kitchen: Okay. And then . . . Well. Let me just ask the staff one last question just to be clear. I think the answer is we don't know the answer yet. But with regard to codenext, with the cos, we're carrying those forward. If we adopt a co now, it'll be carried forward?

>> In this particular instance, yes.

>> Thank you.

>> If I could clarify on the restrictive covenant, the citizen who spoke wondered allowed why a developer would impose a condition upon themselves such as the private restrictive covenant.

[2:40:48 PM]

A lot of times they do that just like when you're buying a home in a sub division with deed restrictions, other people who are buying or renting space within the property can be assured that there would be no adult- oriented businesses. Often it's to alleviate the concerns of other tenants.

>> Kitchen: Councilmember pool's point is well taken, be a restrictive covenant also does things that the city cannot do. So it's important to have restrictive covenants. You know, I would never replace a restrictive covenant with a city co because you wouldn't get the same kind of legal protections. But I can see her point. It does make sense, you know. But, again, restrictive covenants are important and they're strong in terms of the rights of people and property. And so I don't want to leave the impression that we would always want to have a co instead of a restrictive covenant, so.

>> Tovo: I would say, in cases such as this one, it makes sense to have both. But in this case, the only people who have standing in the restrictive covenant is the developer. So if there's the restrictive covenant, did doesn't sound like would allow standing for a member of the community to enforce. I think it makes sense to do it in both. And I certainly am planning on supporting the amendment. Councilmember Flannigan and this be councilmember pool.

>> Flannigan: Just to clarify, because I've heard it described in a couple different ways, mayor pro tem, you said the developer is the party to the rc? Jerry, can you help me understand who the parties are?

>> I don't have a copy in front of me. But I imagine it is the original developer probably did a restrictive covenant so that as -- when tenants move into the area covered by the covenant, the other retail spaces, they are assured that there will not be in this case an adult-oriented business.

[2:42:53 PM]

I imagine the landlord or developer would not lease to that use. But this would make sure.

>> Flannigan: When we use the word developer it invokes the notion that someone came in, built, and left, which would make it feel like the parties to this rc no longer exist. That wouldn't make sense to me.

>> The people who buy property are covered.

>> Flannigan: The land owner.

>> It was done in 1996. It might have been done by the original developer. If someone bought that center later, the covenant stays in place. The parties to the agreement are the heritage America partnership LDT. So there is one single signature on the restrictive covenant.

>> Flannigan: That's weird.

>> The original developer of the property.

>> Tovo: In other words, it's the owner and the owner would have to bring action against the owner for this to enforce --

>> The owner would have to bring action against his tenant. I imagine he would simply not rent it in the first place. But --

>> Flannigan: Because it's a restrictive covenant with a single party, which is the landowner, does that also give the landowner the ability to remove it at any time?

>> Yes. It's a private covenant. It would just require this person --

>> Flannigan: I think the applicant's got something to say about this. I see him twitching behind the scenes.

>> Tovo: Mr. Thrower.

>> Councilmembers, the restrictive covenant covers four specific lots. And my client is the owner of lot four, which is the corner property. There's two other smaller lots that are about the same size. And then the larger lot that covers the three hotels in the area and another commercial building. Now, the restrictions are binding on all of that property today. And the only way that you can modify it is with

70% land -- owners of 70% of the land area have to come forward with modifications or terminations. So my client can't terminate it.

[2:44:53 PM]

My client and the other two pad sites cannot combine to terminate it. It's going to be primarily the three hotels and the other commercial development back behind that would have the ability, under the land area provision, to terminate or modify it. So it is binding there today. It's common for a developer to impose restrictions on a property, sell it, and move on. Those restrictions stay there.

>> Tovo: Thank you, Mr. Thrower. Councilmember pool.

>> Pool: I had a quick question for Mr. Thrower. I think you said earlier that the owner of the property is not opposed to the city having the conditional overlay.

>> That's correct.

>> Pool: Okay. Thanks.

>> Pool: Councilmember Houston.

>> Houston: Mr. Thrower, could you put the map up? You keep talking about the four properties and I don't have any sense of where that is.

>> Understood. Our property is lot four. Lot three is the one that's directly to the south. Lot two is the one that's to the south of that. And then lot -- an I-shaped property that includes the property directly behind, the property south of there which is brown-roofed in this exhibit, the property south of there that is white in this exhibit, and the property fronting on 183 that is also brown-roofed. So there's a very large property, lot one through there, that basically has control over the restrictions. Excuse me, on modifications. All the property owners have control over enforceability.

>> Houston: And explain again about the 70% that would be required.

>> It is common -- and I think it may even be a requirement, but all restrictive covenants must have modification language.

[2:46:58 PM]

This one was done in 1996. If I can find it again. It does talk about it takes landowners that have 70% or more of the land area to be able to modify or terminate the restrictive covenant. It's not 70% of the lot owners, it's land area.

>> Land area. Okay. Thank you.

>> Tovo: Councilmember kitchen. Actually, Mr. Thrower, I had a few questions for you as well. I know we were talking about the amendment. Actually, never mind. I'll ask those questions when we get back to the main motion once we land there. They're really related to that piece. Are there any other questions or comments about the -- excuse me, about the amendment to put those three restrictions into the conditional overlay? Councilmember Flannigan, were you waiting to be recognized? Okay. Anyone else? Councilmember alter.

>> Alter: I just was wondering if I could get a copy of this restrictive covenant.

>> Alter: Thank you.

>> Tovo: Okay. Other questions about the amendment? And again, this would prohibit these as bail bond, pawnshop, and adult-oriented uses on the site. All in favor of the amendment? Those are councilmember Garza, tovo, kitchen, pool, tovo, and alter. That is six and so that amendment passes. Now we're back to the --

>> I didn't get to raise my hand.

[2:49:00 PM]

>> Tovo: I'm sorry. All those in opposition. Councilmembers troxclair and

--Flannigan. That motion passes with councilmembers Casar, Renteria, and mayor Adler off the dais. So now we're back to the main motion. I have some questions for both our staff and Mr. Thrower about the crime data. I'm not sure whether you're prepared to answer that, but we do have a letter from the neighborhood association that I want to be sure I understand. Actually, if I could invite one of our neighborhood association representatives back, I want to be sure I understood the data in here. The letter talks about 12 assaults, 15 burglary theft, 12 drug and alcohol related reports, 14 family disturbances, 15 criminal trespass notices, and the claim was made in the letter that of those 93 total incidents reported, over about the past year, 66 -- almost 67% were within the 500-foot radius of 12600 block of hymeadow, and that this property falls within that. So is that the -- am I understanding this correctly?

>> When we did the crime report, there were only two addresses in that block on hymeadow, one is 12611, the subject property, and 12621 is the hotel. And so we centered on the hotel, because it's kind of in the middle of the block and drew the circle around that. It picked up a few crimes that were kind of

on the fringes farther around the circle. But when you look at the actual addresses in the crime report of where the different crimes or incidents occur, then we picked the ones that were 126 blank blank hymeadow, which implies that it would be either the hotel or the subject property.

[2:51:16 PM]

>> Tovo: And so your assertion is either these crimes were happening at the property itself, or next-door.

>> We found the 66.7% of the crimes reported happened in the 12600 block of hymeadow drive.

>> Tovo: That somewhat helps clarify it, thank you.

>> Okay.

>> Tovo: Okay. Thank you. I wanted to ask our staff if they had any means of verifying this data, or if there's been any kind of conversation with the police department to do so?

>> We have not done that. If you'd like we can do it if the pass doesn't case on all three readings, we could possibly do that.

>> Tovo: If it passes on first reading today but not three. Thank you. The letter in our backup from the comfort suites hotel says the owners are in objection, the owners of the comfort suites hotel, are they the other hotel that's been referenced in some of the testimony here today?

>> I'd have to look more closely. I'm not sure the names of the hotels.

>> Tovo: Okay. Do you have any way of measuring, like, whether this crime data is -- how it compares to other similarly situated properties? It strikes me as kind of a lot of crime within the immediate vicinity of a property that we're being asked to rezone for liquor sales. I would be very interested if it doesn't pass on three readings and it does pass on one, I would be really interested, councilmember Flannigan, in you sharing some of the research that you cited. I didn't capture all of what you were saying about the research you did on liquor sales and the relationship to crime. Maybe you could post that on the message board. To me this is a lot of crime taking place and this immediate vicinity and we're being asked to rezone it to liquor sales, which does give me pause. Do you have any way of weighing in?

[2:53:16 PM]

>> I would have to speak to somebody.

>> Tovo: Thanks. Councilmember Flannigan.

>> Flannigan: I definitely want to work with you and flesh out the data that we saw in some of the reporting that we saw. But more importantly, it's precisely the thing that I keep talking about, about my issues with cos and this donning process, which is -- zoning process. We make decisions property by property instead of knowing the underlying reasons for why we're zoning. We don't have the data, reasons, or causes of what happens when you put in a liquor store, yet we continue to make decisions. The same is true on decisions we're made over the last year since I've been here. My hope is that I keep bringing these town daylight issues that then move us to a policy and data-driven conversation like you and I will now have on liquor stores, which is going to be so valuable so that we can say for the city, here are the times when liquor stores are problematic and here's the data that shows why, here's when they're not and why, and we'll build a zoning and code to do those things. That's where I want to get. I know sometimes this process seems silly or unimportant and I'm losing a lot of votes, but this is about getting us to a point where we're understanding that we are not making data-driven decisions with our zoning. And that's really where I want us to get. So I appreciate -- and I really look forward to our offices working together on digging into the crime around liquor store. S.

>> Tovo: Thank you, councilmember. Other questions for our staff, other comments before we vote on the main motion? And the main motion, of course, now includes that conditional overlay.

>> Tovo: Any other questions, comments? Okay. Are we ready to vote? All those in favor of the rezoning as it's been modified, please raise your hand. Councilmembers troxclair, Garza, Casar, Flannigan, and kitchen.

[2:55:20 PM]

All those opposed? Councilmembers alter, Houston, pool, and tovo. And so that is a 5-4 vote. City attorney, help us understand what happens to that case.

>> Thank you.

>> Tovo: Mr. Rusthoven.

>> It did not receive a majority of the city council, therefore, the case is denied. And a similar case cannot be brought forward for 18 months.

>> Tovo: Thank you, Mr. Rusthoven.

>> Tovo: So does the dais understand? That failed to receive six votes, so it cannot move forward to another reading and it cannot come back to the council within a period of 18 months. Councilmember pool.

>> Pool: And I think that that was, in fact, what the neighborhood was looking for. I think they were not only opposed to removing the conditional overlays to allowing adult-oriented business, but they were opposed to having the liquor store on this site. They were also opposed to the cs1 zoning. Our neighbors are still here, the representative from the neighborhood can probably answer that more succinctly, but I think that this is the outcome that the neighborhood was looking for.

>> Tovo: I will now recognize councilmember Flannigan.

>> Flannigan: Yeah. The cos were a side conversation. The ultimate question was whether or not we were going to put in a liquor store, so, substantively, yes, I agree.

>> Tovo: Councilmember troxclair.

>> Troxclair: Every councilmember is entitled to their vote, but considering that we do have two members, the mayor and a member off the dais and I don't know how they would have voted, I hate to put, I guess, both the applicant and the neighborhood in the position that they don't have the opportunity to have the full dais' input on a tight vote.

[2:57:29 PM]

But I supported it, so obviously it's up to the councilmembers who voted against it if they want to give that courtesy to the mayor and councilmember Renteria when they return or not. And I understand either way.

>> Tovo: Okay. Are there any further motions on this item?councilmember Garza.

>> Garza: I'm just curious what that process would be. Would one move to reconsider, and move to postpone?

>> Tovo: Two people having voted against would have to bring forward a motion and a second to reconsider and that would have to be voted on with a majority of the council and then it would bring it back up for consideration. I assume there would be a motion to postpone.

>> Garza: Okay.

>> Tovo: Councilmember troxclair.

>> Troxclair: Just for clarification, the motion to reconsider normally comes from the prevailing side. And that is normally a majority of the votes. But I guess in this case, the prevailing side was a minority of votes.

>> Tovo: That's a good question for the city attorney.

>> Troxclair: Does that still hold true?

>> Tovo: Who would be the prevailing side in this instance?

>> Was it 5-5?

>> Tovo: Do we need to recess? Shall we recess for a few minutes.

>> Sure, we can recess.

>> Tovo: Why don't we recess -- we'll recess until 3:10 and allow our city attorney to research this issue, and then we'll come back together and talk about it.

>> Can we motion?

>> No, no, no. She's asking --

[3:10:47 PM]

>> Tovo: I'm going to call us back to order. It is 3:10 P.M. And we are out of recess. City attorney, I'll recognize you for words of wisdom.

>> The prevailing party for the purpose of making the motion to reconsider would be the side of four votes that were against the motion to zone. To grant the rezoning.

>> Tovo: Thank you for taking the time to look into that. So that would need to be -- were there to be a motion to reconsider, it would need to come forward from the four councilmembers who voted against. So I'll open the floor for to see if there is a motion along those lines. Councilmember Flannigan.

>> Flannigan: My understanding is the 18-month prohibition is in place regardless because the vote was taken, the 18-month prohibition kicks in. Is that right? So reconsidering --

>> If you were to reconsider and at that point you postponed or -- or a different vote was taken then it would not have been denied, you could come back. The 18-month penalty for lack of a better word is imposed if it's denied. So if you had the votes to reconsider and if you then had the votes to postpone or take a different action so that it was not denied, then there would not be a 18-month penalty. However, after the motion to reconsider was taken and if it were postponed or came back, there would be -- there would not be an opportunity for the applicant to withdraw. It would have to result in a positive zoning decision to avoid the 18 months.

>> Flannigan: Either yes or postpone.

>> Correct.

>> Flannigan: I don't know there's a reason to move to postpone even given we only need five votes because you need majority of those present to reconsider, we don't have the six votes to move forward with the postponement or with approval.

[3:12:49 PM]

Even if the applicant came in like we see applicants do, it wouldn't matter because the vote was already taken and the 18-month penalty was in place. Is that right?

>> That's correct.

>> Flannigan: Okay.

>> Tovo: Councilmember Garza.

>> Garza: I just want to say you only need one person of the four to make the vote to reconsider and that same one person to postpone. So you need one person.

>> Flannigan: If the person was -- if one of the four who denied the case were willing to move to postpone, move to reconsider and vote to postpone.

>> Garza: Yes.

>> Flannigan: So one of the four would have to do both of those things for this case to remain without penalty.

>> Garza: Yes.

>> Tovo: Councilmember kitchen.

>> Kitchen: I just have a question, just want to make sure I'm clear. So -- so please explain what the vote was for the public. So it was 5-4, right?

>> Yes.

>> Kitchen: And it failed --

>> Tovo: The vote was five in favor, four against, and because it failed to get a majority of six, it failed.

>> Kitchen: And the six was necessary to move it forward because -- I mean, the six applies regardless of how many people are on the dais.

>> Correct.

>> Kitchen: Okay. And the six applies for first reading, second reading.

>> Correct.

>> Kitchen: So we only had nine people here and even though the five were in the majority, that doesn't prevail because we don't have enough people here.

>> Correct.

>> Tovo: Any other questions, comments, motions? Okay. So that I believe concludes -- I've lost our staff, but I believe that concludes our 2:00 matters and we are going to have to stand in recess until 4:00.

[3:14:53 PM]

And again just to kind of highlight what's before us at 4:00, we have quite a few public hearings. We do have one, but most of them will have just a handful of speakers. We do have one public hearing that has a good number of speakers and we likely will have a discussion at that point about whether or not -- whether we should follow our Normal practices of limiting the time allocated to each speaker or whether we will have a different alternative proposed. So thank you very much. We'll see you all at 4:00.

[Recess until 4:00 P.M.]

[3:52:56 PM]

Test

[4:01:30 PM]

>> Tovo: Welcome back. I would like to bring this city council back to order. It's 4:01 P.M. Back in the city council chambers. A variety of hearings today. We have one with a lot of speakers we'll get to that one last. So our first item to take up is item 25, which is to conduct a public hearing and consider an ordinance regarding the whisper valley public district 2018 asaysment role and authorizing the assess Ms. Good morning.

>> Good afternoon. Diana Thomas, city comptroller. State law requires that the council conduct a public hearing to consider the proposed assessments. Approval of the asaysment rate and proposed role of June 15, 2017 triggered notices to be set to the property owners giving them the opportunity to review

the property valuations prior to the hearing. They have a challenge placed on their properties at the public hearing. Approval is the final council action required in the annual process of approving pit assessments. If there's anything else I can answer, I'd be happy to.

>> Tovo: Are there any questions? One individual signed up to -- not to speak against and that is Adam Kahn. Do I have a motion --

>> I have a question. We have a number of these, right? We're taking each separately, is that how it's working procedurally?

>> Tovo: We should. Some have speakers, some don't. I'll entertain a motion to close the public hearing and councilmember Houston?

>> Houston: So moved.

>> Tovo: Councilmember Houston moves to close the public hearing and approve the ordinance. All in favor. That's unanimous on the dais.

[4:03:32 PM]

Item 26 is to conduct a public hearing and consider an ordinance regarding the E stanciahill country public improvement district.

>> We have the pup lick hearing so that the property owners have an opportunity to address any concerns they have with the assessments that are being levied. If you have any questions, I'm happy to answer them.

>> Tovo: We have Adam Chan signed up against but not wishing to speak. Is there a motion to close the public hearing? Councilmember kitchen moves to close the public hearing and approve. All in favor? Unanimous on the dais. Public 27, conduct a public hearing and consider an ordinance regarding the Indian hills public improvement district 2018 assessment roll and thorszing that levying of the 2018 assessments? We have -- let's see. Adam khan signed up against, not wishing to speak. No further speakers. Is there a motion? Councilmember hasting moves to close the public hearing and approve. Council pool seconds it, all in favor. Unanimous on the dais. 28, conduct a public hearing, consider a resolution -- that is the one we'll get to in a bit. Sorry about that. Item 29 is linked to item 30. We have one individual signed up and that's Adam khan signed up against, not wishing to speak. This is to consider a public hearing, consider an ordinance, assessment rate and certify 2018 assessment roll for the south congress preservation and improvement district. Related to item 3.

>> I'm Christine Mcguire of the economic development department. Item 29 is a public hearing regarding the certified 2018 south congress public improvement district assessment roll and consideration of an ordinance levying the assessments.

[4:05:42 PM]

This public hearing is required by law. On June 15, council approved the 2018 assessment rate and the proposed 2018 assessment roll. This hearing allows the property owners to challenge the assessment of individual property. Following the public hearing, council considers the approval of the ordinance adopting the 2018 certified assessment rolls and levying the assessments. Once council has proved the rolls, we make a change to the ordinance that reflect that the roll is no longer simply proposed. If there are any questions, I'd be happy to answer them. If not, we're ready to open the public hearing.

>> Tovo: Thank you very much. We have no speakers signed up to speak. We will need to take items 3 and 29 separately. So is there a motion on item 3? Is there a motion on item 3? That's my district? I'm happy for someone else to make a motion if they'd like to. Councilmember Houston moves approval. Councilmember alter seconds it. Thank you for the courtesy. I appreciate it. All in favor of item 3? That is unanimous on the dais. Item 29? The related item. And this would be a motion to close the public hearing as well as to approve the ordinance? Is there a motion on item 29. Councilmember pool moves to close the public hearing. Councilman alter seconds it. All in favor? That's unanimous on the dais. Great. That brings us to item 30 related to item 4. We have one individual, Adam khan signed up against, not wishing to speak.

>> I tell 30 is a public hearing on the certified 2018 Austin downtown public improvement assessment roll and consideration of the ordinance on the levy of the assessments.

[4:07:46 PM]

On June 18, council approved the rate and the roll. This hearing allows property owners to challenge the proposed assessment of individual properties following the public hearing, council will consider an approval of the ordinance adopting the assessment goal. Once council has approved the rolls, with eel make a conforming change to the ordinance to reflect that the roll is no longer simply proposed. If there are any questions, I would be happy to answer them. If not, we're ready to open the public hearing.

>> The related -- just mentioning that the related item is related to the service and assessment plan that goes hand in glove with -- with how those moneys are spent from the levy that item -- item 30 is related to.

>> Tovo: Yes, thank you. Thank you for that clarification. And, again, the service plan is under item 4. The public hearing is item 30.

>> I have a question.

>> Councilmember Garza?

>> Garza: I believe this is the one where the funding -- it says it funds policing overtime? Or community policing? Is that -- I never had seen this before. I thought --

>> Community policing?

>> Garza: I have to look in the backup again.

>> Tovo: Time 4 is approve a resolution adopting the downtown public improvement district, service and assessment plan and budget for 2018. And then the public hearing piece of that is to approve -- to approve the assessment roll.

>> I thought in the plan. I would have to take a look at it. Says something about funding, policing and funding additional -- let's see, homelessness support?

[4:09:47 PM]

Funded through the pid. What is that? Homelessness support.

>> In the downtown area, see here. I want to get -- that's right. Of the -- the backup as we speak here. In the service and assessment plan. Where it talks about mobility and parking.

>> I do have some representatives in the downtown Austin alliance right behind you. They do a lot of work in the area related to homelessness.

>> Especially related to homelessness. I'll have him speak to what that is in the service and assessment plan, specifically.

>> Tovo: Among other things, we allocated the downtown Austin alliance funding specifically for the public restroom initiative among lots of other things. That's one of the items that they'll be working on.

>> Thank you. The downtown alliance. We manage the downtown public improvement district. The first question you asked was about the police initiative. Since June of last year, we funded sort of with a pilot program and it's moved into a more permanent solution for us that we are funding overtime police that are supplementing the downtown district command.

>> Garza: Through this pid?

>> Exactly. Through the pid revenues that is funding the program of using overtime police to supplement the downtown command.

>> When we see the police number in our budget, is there -- does that include that funding?

>> If your budget that you consider?

>> Mm-hmm.

>> I don't know the answer to this question.

>> Okay. I -- I'd never seen that before. I'm not going to say I never had seen that -- I didn't know our pids were additional funding for police overtime.

[4:11:49 PM]

>> It's new. We didn't start it until -- until about a year ago.

>> Okay. What about the -- the -- did you address the homelessness support? Is that funding in the host team?

>> There's a contribution to the host team. We're making a pledge annually to community first village helping people experiencing homelessness. Not sure what else is in the plan. Did you have a --

>> It's \$642,000. I was wondering --

>> I'll have to look at the plan and get back to you.

>> Tovo: I wonder if it's possibly the representatives -- the name escaped me -- some of the work that the representatives are doing who are part of your downtown ambassadors program?

>> I don't think so. I know the downtown ambassadors have been involved with the host initiative.

>> I'm the CEO. It's a multitude of programs that we do relate to homelessness. Some of it is related to the hosts, contributions to hosts. Our ambassador program does supply services that are directly related to the homelessness issue, the contribution to community first village, which will be new for us this year. So there are a series of things if you looked at our itemized budget that are dedicated to homelessness services. A lot of it relates to cleaning and providing services downtown.

>> Did this one also -- I can't find it in my backup right now. There was a mention of the public bathroom. Is that the funding that the mayor pro tem was looking for.

>> That was the funding that mayor pro tem worked to have included in our budget. The last fiscal year.

[4:13:50 PM]

And, again, for this fiscal year.

>> Okay.

>> I guess there's a question for law. Is there a limit on the revenue that the pids could fund? It doesn't have to be inside the pid. The boundaries?

>> This is league with fire. I think as I understand it, as long as it's benefitting the pid, then we can -- the money -- the funds can be used for the benefit of the pid.

>> Okay. Thank you.

>> Other questions for staff or legal staff or the downtown Austin alliance. And exhibit a attached to four, there are more details about the service plan and expenditures including security and Henry Museum and some of the other facilities we discussed in last year's budget. In some case, we allocated the funding in the budget and the means for achieving the services happened through the downtown Austin alliance, including the restrooms that we mentioned. So is there a motion on item 4? That's to improve the service plan. Council member Alter moves approval. Is there a second? Council member Houston seconds that. Any further discussion. All those in favor, signal by raising your hand. That's unanimous. Council member Casar. Item 30, the motion would be to do the public hearing and approve the Ordway manslaughter. Council member Pool moves approval. Second by council member Casar.

[4:15:50 PM]

All in favor? Approved unanimously. Thank you. Item 31. Related to item 2. Another pid. Two is the service plan. The public hearing is item 31 which is to improve the pid roll status.

>> 31 a public hearing on the certified east sixth straight public improvement assessment role in consideration with the ordinance levying the assessments. On June 15, council approved the assessment rate and the proposed 2018 assessment role. The hearing allows property owners to challenge the assessment of individual property. Following the public hearing, city council will consider approval of the ordinance adopting the 2018 certified assessment roll and levying the assessments. Once council has approved the rolls, we'll make a change to reflect that the roll is no longer proposed. Any questions, happy to answer them. If not, with ear ready to open the public hearing.

>> Tovo: Okay, we have one individual, Adam Khan signed up, not wishing to speak. No further citizens so if there's an item on 40? Council member Pool moves approval seconded by council member Alter. I was doing item 44 first, the related service plan?

>> You called items 2 357bd 1.

>> Tovo: Apologies. Item 2. Councilmember, I want to verify your motion is for item 2. Yes, all in favor of item 2, that's approved unanimously.

[4:17:51 PM]

And item 31, is there a motion to close the public hearing and approve. Councilmember Houston moves to close the public hearing and approve that item. Councilmember alter, all in favor. Approved unanimously. Thank you.

>> Thank you.

>> Tovo: Item 32. 32 is to conduct a public hearing and consider a resolution for an application to be submitted to the Texas department of housing and community affairs by Idg mancaca commons lp for an affiliated entity for the new construction of the affordable multifamily development to be located at 120040manchaca road. We have a few citizens signed up to speak. Staff, if you would like to say a few words if you'd like to.

>> Rebecca, assistant director of the city of Austin neighborhood housing. We don't have comments. This is a development brought to you by Idg development and the developer is here should you have any questions following public comment.

>> Tovo: Thank you very much.

>> Would you like a motion -- that's in my district. I would be happy to make the motion.

>> Tovo: Sure why don't we hear from the public. Gus Pena, is he still here? I don't see him? And John Roberts? He signed up as neutral. And wishing to speak. But he has not been here all day. And is not here now.

>> Kitchen: I would like to move approval.

>> Tovo: Councilmember kitchen votes approval. Second. If you'd like to make your motion. Then I'll recognize councilmember alter.

>> Kitchen: I think this is an important project and I think we all recognize the importance of as we move forward with affordable housing projects, I'd like to say this is one we need to move forward with.

[4:19:56 PM]

>> Tovo: Councilmember alter?

>> Alter: I had question for the staff. Council characteristics of the two bedrooms. Says they are one bath and 51 square feet and the approximate rent is 1,051 which is more than the rent on the three bedrooms. Wondering if that's a typo and you have the accurate --

>> It probably is, ma'am. I'm listening to David behind me. I will actually call up Mr. Harts for clarification on that.

>> It is the proper up in number on the summary. They should be running on average what the rent limits would be around \$900 for the two bedroom.

>> Thank you for the clarification.

>> Thank you.

>> Questions for the staff. Councilmember Houston.

>> Thank you so much for coming down. This is part of the community that I'm not familiar with. Can you tell me where the closest transit stops are and the closest groceries and other kind of amenities that we're looking for? Within an eighth of a mile, elementary running to manchacaca. It's additional once south Austin continues to grow along manchaca road. We're looking to bring additional retail in front of our products. It would be a mixed use component that with we'd look to bring in, local coffee shops, food truck trailers to bring the south Austin vibe to the project and keep it close to the residents.

[4:22:05 PM]

>> Councilmember, one of the things that I will point to, because we're cognizant of the policy direction to expand the amenities developer profile to include the fair housing component, but we have looked at the grocery store as one of the amenities at the 2 1/2 miles on slaughter lain.

>> Houston: Did you talk to me about the transit stop. The closest transit.

>> Transit, 2.2 miles, fm1526 around the Akins area.

>> Kitchen: Mayor pro tem, can I speak to that?

>> Tovo: Councilmember kitchen.

>> Kitchen: I want to let you know that we had discussions about cap metro about this area that we extended the bus -- the rapid bus service all the way down to manchaca and slaughter and we pointed out the need go further south on manchaca. It's on the radar screen. That particular area is an area that we're looking at as part of cap metro. So I expect that those -- that kind of bus service to improve in the future.

>> Thank you councilmember. Councilmember Houston.

>> Houston: Thank you councilmember kitchen. I would love for you to be in my district and you could be on the capital metro board and advocate for us in suggestion a fashion. Thank you.

>> Tovo: Other questions about this case? Okay, we have a motion and a second. We have -- let's see -- I think I called the speakers. They were not here. Yes. Okay. All in favor? Any opposed? Councilmember Houston is opposed. Excuse me -- I'm sorry, councilmember troks Clare is also opposed.

[4:24:06 PM]

In favor, alter, pool, kitchen, tovo, Flanagan, Casar, and Garza. So the motion passes. That brings us to our last business item of the day. As mentioned before we do have the music memorial presentation. So our last -- our last item of the day is to conduct a public hearing related to the electric utility commission resource planning working group resolution. We have -- we have now 62 citizens waiting to speak. We do have a presentation that we're going to hear from the staff. As I talked about Tuesday at the council work session, we're going to hear from the staff, we're going invite public testimony, and then we'll break for about an hour and come back at 6:30 and hear the remainder of the public testimony. It might be helpful for those who have come down or have come down already for us to give a signal whether we intend to abide by our existing rules or whether we intend to waive them in terms of speaker signup. As a reminder, speaker time, rather. The adopted procedures are to grant the first 20 seekers on the agenda three minutes each and every subsequent speaker one minute unless we waive those rules. And then there is also donation of time alterations as well. Ones -- once we hit 20 speakers. Those are recommended procedures. I'll have a few minutes whether we want to stick with them or waive it for today. Councilmember pool?

>> Pool: Thank you, mayor pro tem. I would like to speak in support of allowing a full three minutes for all of the speakers which would be waiving the first 20 speakers the three minutes and subsequent speakers at one minute. Here's why.

[4:26:10 PM]

This is an item of immense community interest. And we have 68 citizens signed up, not all of whom are going to speak. They have been preparing for significant amount of time to respond to the euc report. We'll get a presentation from our staff and also from the chair of the working group. So they'll present to us and give some -- their input. And then I feel like it's really important for us to acknowledge our community and give them the opportunity to address us for the full three minutes on an item that's of

such large and far-reaching community concern. So I would ask to waive the -- the standard procedures and allow everybody to have three minutes to speak.

>> Tovo: Would that also impact the donation of time piece? Which is in section E.

>> Pool: Normally I would say yes. But I would be willing to entertain some additional conversation about that.

>> Tovo: Why don't we take it separately.

>> Pool: Separately.

>> Tovo: Are you making a motion that we waive the procedure which are expressed in D of something - D of section 119 speaker time.

>> Pool: And only the piece that's three minutes and take up the donation of time separately.

>> Tovo: All contained in D. Is there a second to that? I will second that. And I will just speak to my second. I agree. I think this is an issue around which there is much -- much good thought and energy and concern and I almost always vote to afford the full three minutes on issues generally.

[4:28:13 PM]

But with regard to this one, I think it's critically important for people to have full time if they come down to address this issue. I'm going support the amendment. Other discussion? Councilmember Houston?

>> Houston: There's been practice for the groups of people that are for or against it come up and speak. So people get their comments heard and we're aware of what their issues are, but everybody -- all 62 now -- 62 or 68? What did you say?

>> Tovo: 68 individuals signed up.

>> Houston: That all 68 will not speak for three minutes but they would make decisions about how many people would speak on each side. We've done some modification of that rather than having everybody speak. I'm putting that out as a possibility.

>> Tovo: Let me say because this is a public hearing, everybody is entitled legally to speak. What we can do is flow our procedures to reduce their time from the typical practice of three minutes to one minute. But anyone -- anyone who signs up on a public hearing, they can certainly go volunteer -- I want to make sure that the members of the public understand that. If they want to volunteer to be on a list or something or not speak.

>> Houston: I understand that, mayor pro tem, but we've made at rayings over the past 2 1/2 years that I've been here.

-- Alterations over the past 2 1/2 years that I've been here.

>> Tovo: For the public's benefit, we ask people do that and they're welcome to do that. Legally they're entitled on a public hearing to speak. Are there other thoughts on the amendment, three minutes versus one minute? Okay, let's go ahead, councilmember troxclair

>> Troxclair: I guess I'll say the argument I heard in favor of the three minutes is this is an issue of immense community interest and I would argue that we deal with a lot of issues that are of immense community interest and we have made a decision as a council to put, you know, reasonable rules in place to ensure that things of immense community interest -- people are able to come and speak to council and take a decent amount of time to make sure they get their point across.

[4:30:52 PM]

We have to be mindful of the fact that time is a limited resource. And although there's not much -- this is a relatively short agenda today if we set the precedent that going forward anything that's of immense community interest should be opened up to unlimited three-minute debates, we could -- I -- I'm concerned because it -- it alienates other people in the community who can't sit through the long hearings and one of the reasons we put it in place and I supported it is because a lot of times people can't come and sit here the you Aring the day or in the evening for hours and hours. So while it's important that we make sure people are heard, if we cross a certain line, it actually has the effect of alienating other people in our community who don't have the time or ability to be here. So I think it's an important balance and a delicate line and it's -- you know, I think that what I put in place is a reasonable expectation so that we could have fully debated measures. So I'm uncomfortable setting a precedent that anything is important we're going to waive the time.

>> Tovo: Councilmember Garza and Flanagan?

>> Garza: I think we had the original debate to implement the rule. I was against it because I was of the mindset if people come down here regardless of how many we get the three minutes. I lost that side. And the prevailing side was to implement this rule. And this discussion is only going to come up if there's more than 20 people here. And that means every single one of them could be justified as immense importance. And so if -- if we are going to arbitrarily ask for the extension arbitrarily, then why did we vote to implement the rule to begin with? And so that is my only concern.

[4:32:54 PM]

If anybody -- I'm -- I was never for this rule to begin with, but we should follow the rule that was put in to place is my concern and I know that some people voted for it saying, well, we can always suspend it and that made some people feel differently. But it is the rule we have in place and now we choose between which 20-plus group is important and which 20-plus group isn't important and I don't want us to get in this debate every time. So I think we have that rule in place and I'm going to support the rule that we have.

>> Tovo: Councilmember Flanagan.

>> Flannigan: Councilmember Garza, you took all of the words out of my mouth. I did support the proposal. That's where we differ. But I generally agree that asking the community to sit through the long protracted hearings is a challenge that not everybody is needing or hah has the ability to do that. We did vote as a council to initiate this. As a practical matter. Any time this rule is to be implemented, it's an issue of immense community importance because that's what drives people to council. So I don't think the first time since adopting this rule we've been presented with this situation that we should overrule it.

>> Tovo: Thank you, any other thoughts? Aisle just say since it's been -- my words have been included a few times, I'll say I'm supportive of it not just because it's immense community interest but because it's immense importance because it relates to our environment and frankly the future of the planet. It's not just the people have come down to talk about it but the interest at the center of it are critical for survivalist humans in this natural environment. Okay, so other thoughts? We ready to vote. All in favor of waiving the rule? Signal by raising your hand. That is councilmembers alter, pool, kitchen, and tovo?

[4:34:55 PM]

All opposed. Troksclare, Garza, Casar, Flanagan, Houston. So that motion fails so we will follow -- unless there are any other motions, councilmember Houston, I'm not sure if you were proposing that as an alternative?

>> Houston: No, I'm comfortable with the rule that we have.

>> Tovo: Okay, so the councilmember pool?

>> Pool: You do the first 20. Do a quick scan because I think we should probably wait proportionally Fors and against to be fair to make sure that not all the first 20 are all on one side or the other.

>> Tovo: There are a couple of complications to the rule we adopted. The speaker donation time is not clear. I'm going have to interpret it. We have different donations times. But the speaker system doesn't capture their number in signing uchlt so we can assume somebody who signed up today is only entitled

to one minute donation time and others who signed up are too. So that's one sort of body of interpretation that we should just go back to. The other issue about which our procedures are silent are the ones that councilmember pool talked about. We had, just so you know, I'd ask for a vote on this to provide some guidance on how to proceed. 40 individuals who have signed up against, 23 citizens -- individuals who have signed up in favor. And we have nine who have signed up neutral. So, if we were to do within an -- and in those first -- 20 --

>> I was looking at --

>> Tovo: We have to --

>> It's about even.

>> Tovo: Sort of.

>> Even plus neutrals. I think five neutral its. It may be close to -- or maybe one off, equal number of for and against.

[4:36:55 PM]

And we never addressed how to -- how to address neutrals. We always talked about for and against in the past.

>> Tovo: I'm told by our city clerk it does balance out. If we take the first 20, we'll have an exact equivilant lenlt. A close balance between for, against, and neutral. Is everyone comfortable with that?

>> Pool: I don't think that -- I think there are more neutrals in there. Sorry.

>> Tovo: Well, give me a minute and I'm counting.

>> Going down to 20. There's five neutral.

>> Tovo: The business of government doesn't always run smoothly as you might want.

>> I might make a proposal about neutrals that we allow them to speak separate and apart. Nine people have signed up as neutral. Assuming they really are neutral. And then otherwise, it's a 2-to-1 against and for so it should be 6 and 4 or 12 and 8.

>> Tovo: Councilmember Flanagan reminded me the may has in situations like this have taken a for and against and gone back and forth. It doesn't handle what we do with the neutrals.

>> It also doesn't address the -- it doesn't also give three minutes proportionally to those who have signed up on one side or the other.

>> Tovo: No, it does not.

>> It's a two-to-one against to four. So --

>> Tovo: So let's get to the point where we're -- if we need guidance on it that we're expressing this in a -- in the form of action. We're taking the first 20.

[4:38:55 PM]

We've already settled that. Councilmember Casar moves that we take the first 20 speakers and let it fall out as it may for or against. Is there a second? Councilmember Garza? Second. Is there a discussion? Councilmember pool.

>> Pool: I will say again that the people who have come that -- they -- the bulk of them are on one side and not the other and we're also not really taking into account neutrals. I just want to note that. And maybe this is kind of an object lesson for us when -- if we go back later and rework how we approach this because we're also eating into our evening time by having this debate if we simply agreed that we would listen to everybody for the three minutes that historically we've given before this council came in and put in new procedures that we wouldn't --

[applause]

>> Pool: We wouldn't be having this debate.

>> Tovo: Okay. Councilmember Casar.

>> Casar: It is worth taking a moment to state that I'm open to the council fixing these rules and changing them to consider this situation. I was a sponsor of trying to change the rules to have more time. But my staff felt underwhelmed by the support and help that we got to the two rules everybody agreed to and we passed these if I remember because we needed new ones. So I would very much welcome folks coming together and improving them. And I would probably be the first to vote for them. I just remember we were busy doing other things and we passed whatever it was that we could instead of trying to fix them here, I'm just -- we're going to have to follow what's in the books.

[4:40:56 PM]

>> Tovo: A motion just to take the first 20, including that some of those will have donated speaking time. All in favor? Raise your hand? Councilmembers troxclair, Garza, Casar, tovo, kitchen, Houston, and alter opposed. Councilmember pool. That passes. Everybody will be afforded the opportunity to speak.

Just when you hit the first 20, the time will go down to one minute. Thank you for taking the time to work through the sticky issues. I welcome the staff to come hear the presentation. We'll hear the presentation and hear as many members of the public as possible before our breaking time at 5:30, then we'll come back at 6:30 to conclude the public testimony.

>> Tovo: Councilmember troxclair.

>> Troxclair: I apologize. I have to leave. I was unable to find child care. You have my commitment that I will listen on my way home and watch the rest of the hearing once I get there.

>> Good afternoon. I'm the vice president of technology strategy operations and today I have a short presentation. That I'll go over some of the costs that will be incurred as part of the working group recommendationings. Some of the risks. I've gone over them quickly. We've gone over them several times up to this point. I'll attempt to answer some questions who came to Austin energy by council. Some of the big ticket questions I'll try to answer them here. They were good questions that I think by discussing them here, we can get to some of the answers that we have. As far as costs, the -- we're going discuss three things.

[4:42:59 PM]

Net present value. Going to try to explain very quickly why we do net present value. Investment, what it means to invest in a resource. And also rates. And these three things, you know, may not -- they're related but they're not -- they do not appear to coincide. If you look at them from a time base perspective. I will go quickly over slides you've seen and leave them for your reference. We have this presentation. We have a diverse group. Most diverse group come up with these recommendations and we met over seven months with 14 meetings that were open to the public where they achieved consensus on this new plan and Austin energy staff supported this work. We came up with several scenarios. And then we did what's call the net present value analysis. As to the costs of all of the different scenarios. We did over 20 scenarios. This is the scenario of achieving the plan in place, the 2014 plan. Let's talk a little bit about net present value and what that does. What net present value attempts to do is to take plans that have costs in various years and discounts them back to one number so you can compare the value of the plans equally, from an economic basis. This is a really long-term number. It's over 20 years. It's affected by the risk tolerance of the valuation that's doing the investment. In our case, we have a low discount rate, just around 5%. So what it is is a measure of how 20 plans are relating to each other. Hard to figure out what the true cost of that plan is looking at the net present value number. You have to look year-by-year to figure out what the impact is on the utility.

[4:45:04 PM]

Now, as far as the 2014 plan, I'll remind you what was in it very quickly. An investment from top to bottom of 10 megawatts of batteries. Decommissioning costs associated with the retirement of the Deckard power plant. In the original plan, we had analysis to replace it as well. The net cost of the 55% renewables and that's the bulk of the cost when it comes to this plan. The reduction and loads on benefit. That's the benefit we have from having a power point here in the city of Austin and the commission upgrade which we'll talk a little more about because we never dove into what the upgrades mean that we have to do if we have to retire the power plant. Here's some other scenarios that we have that could be of interest. Like I said, there were about 20 of them. And we showed all of the results and shared them with ecg working group. That's -- that's how they came to the conclusion of these recommendations. But for your reference, I sort of put the big ones that were of interest up here for a slide. All the way on the left is a scenario that has the 2014 plan, plus adding 65% renewables on the net present value basis that adds an additional cost of \$17 million over 20 years. If you move turnover the 75% renewables, that adds an incremental \$37 million on top of the \$17 million again over 20 years discounted at that. One way to compare different scenarios and their costs. So many of the questions that we received after we made the presentation a month ago had to do with the risks involved in the plan. We tried to categorize some of the risks that we had by being a market participant here in what we call the ERCOT market, the electric market that we have that we are a market participant of, and we try to characterize them.

[4:47:06 PM]

One is we have risks with investments -- investing in technology. We have risks of where the power projects that we invest in in their location. And then we have regulatory risks because regulations change over time. And also we have risks that involve the balance sheet, these are accounting risks. As you all know, the technologies we're investing in mainly solar, wind, and also investing in storage and batteries. These are technologies that are changing rapidly. We're chasing prices down. The way we invest in them, the way we have chosen to invest in them, because it's been a really successful strategy is we signed long-term contracts. We signed contracts that are 15, 20 years long. So when you sign a contract today, you're locked into that price for 20 years. We've seen, for example, solar technology reduce in price almost 15% a year. So even if you had waited one year, you would see that price go down by 15%. That's the risk in the advancement of technology. Doesn't mean you don't invest in technology, it doesn't mean that you have to be cognizant if you take a big chunk at one time, you're locked into that price for 15 to 20 years. As an example, a contract negotiated in 2015 for 150 megawatts for 20-year period in west Texas may cost over -- in 2015 would have cost \$138 million more over the lifetime than if we had signed the contract today. So these are significant dollars that are at risk just from the technology going down in price and improving. We see wind still improving even though that's a mature technology. And now the most nascent technology, battery technology, we're investing

in battery technology using a doe grant, that's uneconomic right now. But we'll see that technology, for sure, come down in price over time.

[4:49:08 PM]

The next risk is where the projects are. We had the luxury in Texas of having a really good resource in west Texas which is very much amenable, both for the development of wind and solar. That's one of the reasons wind and solar in Texas is so cheap because we have west Texas. West Texas is far away. In order for the power to come to the load centers, Austin, Dallas, Houston, San Antonio, you need transmission. Texas -- ERCOT did a good job of investing in transmission, \$7 billion. We saw the costs assigned to Austin energy. So we paid 4% of the level of the \$7 billion that ERCOT has invested in. It's allowed for us to invest in that technology in west Texas at reasonable prices and be able to see the technology here in Austin most hours of the day. I say most hours of the day because what happens over time, these projects bid in at a zero price. There's not enough transmission to get it to the load centers and we sell the contract price into a very, very low price. That map you see is a heat map of pricing. This is an hour we've seen in Texas with the similar story. Blue is low prices. You get to Houston, a big load center in Austin, which is yellow on this map, you can see that the prices kind of rise over there. That's one of the risks that we have is the location. This risk increases over time. The more projects you build, the more congestion you're going to have over time. The next risk is regulatory risks. That can impact existing resources. For example, right now, ERCOT market rules are debated at the pact.

[4:51:12 PM]

These market rules were brought forth by owners of generations, just like us, but these are merchant generators, a company called NRG, a large generation owner here in Texas and they're saying they can't recover the cost in the market and looking for changes in the market rules. These are being actively debated. If those happen, they could have a detrimental effect on the economics of our renewable portfolio that exists right now. Another risk we've seen, for example, is a local solar companies in the U.S. Filed a complaint with international trade commission saying that Chinese panels that are imported in to the United States are essentially being dumped at a very low price below costs. If that happens, the international trade commission could impose tariffs to bring up the price of solar panels. The production tax credit for wind, if you have a taxable entity, that's planned to be wound down right now. Very soon in the next couple of years. And other environmental regulations like the cleanout plan that would increase the value of our contracts right now are stuck in court and will have to be debated from a legal perspective before we see if these regulations happen to come to pass. The last risk I want to talk about is balance sheet risk. I want to spend a little time here. It is important. So far, the way we've invested in

renewable energy is power purchase agreements. These are long term contracts. So a developer builds and owns a renewable contract. We sign a long term project with them to buy the energy. We don't own the project. We buy the energy. We're committed to do that over a 15 or 20-year period.

[4:53:13 PM]

So far, the way rating agencies have looked at these projects are just as contracts. But recently, some of the rating agencies are looking at these as debt because they're an obligation that you have over 20 years. So what they're telling us is when they do their call cue lags for debt coverage ratio, from now on, they're going to look at that contract and essentially take the net present value of the contract and put that as debt on our balance sheet. If you put that contract as debt, we don't have a commiserate asset on our balance sheet so what it does is it degrades the debt coverage ratios. The debt coverage ratio right now is above two. That's a healthy ratio. Our goal for debt coverage ratio is 1.5. At 1.5, debt rating, a rating right now. So what will happen over time as we sign the ptas is that debt coverage ratio will degrade over time until we hit the 1.5 mark. At that point, we need some sort of rate support to increase cash to a debt service ratio of 1.5. Additionally, because of the theory of another tax credit, which is the investment tax credit, when that expires, it will become advantageous for us to build and own these projects, not just contract for them. That will raise our debt costs because we'll have to issue that in order to build those projects. So this is a risk that we're going to see in the back five years of the plan. As we have margin now for the first five years of the plan. We won't see the rate impacts right now. We will see the rate impacts come to fruition in the back five of the plan as we take on more and more renewables in order to achieve the 55, 65, and 75%.

[4:55:16 PM]

Renewable target. I wanted to talk about what it means right now, the goal, 65 that's recommended with the ucg working group and the 75 that's been talking about through questions and other means. You know, it sounds like an incremental 10%. 55. We've been doing a good job onboard and increasing the renewable percentage. Up to 37% right now. From over the past 10 years. So it seems like, okay, what does it take to get another 10% and another 10%. I just want to put it in terms of kind of real projects and real dollars. In order -- we're at 37% right now. In order to get to 55%, we need another 18%. 65%. We need 28%. To 75, it's 38%. So, in terms of megawatts, what that means to achieve our present goal, we need another 1,000 megawatts of renewable energy. That's a really big number. In order to achieve 65%, that's 1500 megawatts. In order to achieve 75%, now these are round numbers, back of the napkin, 2,000 megawatts of renewable energy to get to 75%. That essentially doubles our existing portfolio. We have 2,000 megawatts right now between wind and solar contracted for. In order

to get to 75, we have to double that portfolio. In terms of dollars, to get to 55%, if you were to think of this as an investment which we do because of the rating agency rules or we're on the phone and buy these, if you're to invest and get to 55%, that's \$500 million. Over 10 years, that's doable. To get to 65%. That's \$900 million over ten years. I think that's going to hurt. Over -- to get to 2,000 megawatts or 75%. That's a \$1.2 billion investment. And that's really not something we have cash for.

[4:57:19 PM]

As a utility. The size of our utility will not support the \$1.2 billion investment over ten years. Maybe over longer it will. But over ten years, that will be a tough ask. So I just wanted to put the numbers in perspective and how that impacts our balance sheet. Let me just move on to the recommendations. You've seen these. So -- and all of these are subject to affordability and the working group, really, at every moment tried to emphasize the fact that this is all subject to affordability. We're going to -- they recommend that we will commit 65% renewables and study 75% at an 80% goal by 2020. We will retire the decker power plant. And here's where the transmission upgrades come to fruition. I met with the folks. What that means is about \$150 million in investment likely, maybe more. And likely about four really large projects around Austin in order to replace, you know, the support that decker gives the transmission system around Austin. So it's a really, really big project. We get paid. It's actually a good investment, because we get paid back with a return on equity if it's approved by ERCOT, but it is a big project nonetheless. The working group reaffirmed the plan, the retirement plan. Then we move on to local solar. We maintain the existing goals, but we committed to an incremental budget which over ten years is about \$24 million. And there were additional local solar policy, really to enhance programs for affordable housing and also to study the possibility of a hosting program similar to the one that they have down in CPS energy in San Antonio. Energy efficiency, we committed to a thousand -- existing goals, also committed to a thousand megawatts by 2027 subject to an MMV study, a measurement verification study.

[4:59:29 PM]

We've never gone back on an official basis and seen did we actually achieve all these megawatts, so we're hiring consultants to look at that. That may change the goals going forward, what we're achieving over time. We wanted to let people know. Another thing we committed to is really come up with these budget-based goals as opposed to megawatt goals. Budget-based goals do many things. They provide certainty for Austin energy, because we know what we're going to spend. If it's megawatts we have to achieve, it's sort of an open-ended budget. We have to spend in order to get that megawatt. If it's budget-based, we'll at least spend the money that's a goal in the budget. The other thing is it provides

certainty for the community, whether it's the installers, or the residents or customers. They know Austin energy will be spending a certain amount of money every year on energy efficiency and we're going to be doing the same thing with local solar. But basically, seven -- .5% of revenues, savings, commit to directing at least 15% of that dsm to potential problems for low-income and hard-to-reach markets. We have some process recommendations. One of the recommendations is to -- sync up planning with studies that occur every five years. This industry standard. Doing this big process every two years is unusual. But around the industry, these are really big assets. What you need to do is plan, and then you need to implement over time. So that's what we're looking to do. That said, the next cost of service study has to be completed by 2021. It doesn't mean we will do a rate case, but we will do a cost of service study. In order to sync up with that, we'll do another resource planning exercise by the end of 2019.

[5:01:33 PM]

By the end of 2027, we'll be doing two, because we'll do one in 2019 and another in 2025, if I did the math correctly. So there's two chances for us to do resource planning before the 2027 goal or term of this plan. However, we will run a cost analysis every two years so the existing scenarios will rerun with the new inputs, because gas prices change, regulations change, and we'll provide a report to our commissions and also to council. Lastly it was really important for the working group to say, from now on when it comes to these big renewable resources, they wanted Austin energy to find the least-cost path to get there, whether it's solar, wind, building, owns, whatever it took. And that's to optimize the portfolio and get there as quick as possible. Just some cost numbers here, and we got a lot of questions about rates. It's really hard to do a rate analysis with all these scenarios over ten years. But we did do some simulations, and we're just giving you some ditches around where we think rates are going to be. So, like I said, there's net present value. That's your second column. That's a good way to compare different scenarios. Then there's rate impacts. Those have to do with timing and the type of actions you take. Do you contract, do you build, do you get solar, do you get wind. Within one scenario there are probably an infinite amount of actions that you take that would affect your rates. What we need to do is over time always optimize those actions to reduce our rates over time. However, over the next five years we're going to see a 4% rise likely just because of market actions. We set our psa backwards. We looked backwards. The last time we set our psa, the market was cheaper than it was going forward. So we're going to see that 4% just due to the market over the next five years.

[5:03:37 PM]

And after that, we're going to see some of these actions that we're taking because of the plans coming to fruition. These could be up to an 11% rise for the council goals, 13.5% rise for the recommendations that we have in front of us, and if we go up to 75% renewable, it could be up to 15.5%. Again, I'm not saying it'll get there, but those are sort of the ditches that we're playing around with. So, as we lay around more and more goals -- we see the rate pressure rises, especially in the back half of the plan. I'm not going to go in detail on this chart, but, it was an attempt to show you what's going on from different types of actions. You know, the market, our 2014 plan, the recommendations, and going up to 75% renewable. So I'll leave this for your reference. You know, one of the questions that we got which I know is very important to this community is why aren't we increasing our local solar goals. One of the things we wanted to do is move away from megawatt goals to budget goals. We did that with this plan. So even though there's a pbi ramp-down over the next ten years, we committed to levelize the budget, which could include incentives or money for, say, the hosting program, or additional staff that we may need to manage the budget. We committed to this additional 5 million, which equates over ten years to about 24 million. Of solar by 2020, which is a very aggressive goal. Since 2004 we've put in 47 megawatts and we see a lot of head winds coming our way, especially with the tax incentive, the investment tax credit. We have solar at 6200 customer locations and we've delivered about 67 million in cumulative incentives to these customers since 2004.

[5:05:44 PM]

One of the reasons that our local solar number is fairly healthy, which is around 77, is because we consider the webberville site a local solar resource. And we are also right now developing 2.5 megawatts of what we call community solar. Another question we got is peer cities. I know it's really important for Austin to be in a leadership position. We did quite a bit of research around what are other people doing. I just ban -- want to emphasize the way Austin achieves renewable coverage for its load is -- can be very, very different than other cities. So we don't really use any financial means, for example, renewable energy credits. We go out and procure renewable projects one at a time. And we call that additionality in the renewable space. Not all the cities that we compare against do that. The other thing is, we own generation. A lot of cities are an investor-only utility type of business model. So they don't have control over their own utility. And they have to look to the state for goals for the energy that they source. So if you look around municipalities which are probably the best peer for us, and by population we listed them here, Austin, San Antonio, Denton, and Georgetown, Austin currently has a 55% considering 65%. San Antonio has 1500 megawatts by capacity which equates to about 20% by 2020. Denton has a 70% goal. And their population is about 131,000 people. Georgetown is half that from a population perspective. They have a 100% goal that they will achieve according to them by 2017. And then you have some other metrics here as to the state of New York, other cities in Texas, Chicago, and California.

[5:07:53 PM]

Other cities that have achieved 100% renewable -- what you'll see is these are very small cities and size does matter when you're procuring these really large renewable projects. You see a lot of these have hydro as well as an available resource. .Aspen, co. Vermont, Georgetown, Texas, we know about that, and greensburg, Kansas, population 785, a 12.5-megawatt wind farm was all they needed to go 100% renewable. Other cities in California have said they're going to go 100% renewable. Most of that will be by procuring renewable energy credits. If we were to do that, it would in total, we could be 100% renewable for \$37 million over 20 years. We would be done pretty quickly. But we don't actually use the rec process. So, in summary, I'll say that Austin energy supports the recommendations of the ecg working group which will continue Austin energy's leadership as a utility supplying clean energy. The actions of the 2014 plan have not yet been achieved, and require Austin energy to manage large projects with substantial risks associated. The risks discussed in this presentation increase with increased goals. The 2014 plan and the working group recommendations will need rate support during the second half of the ten-year plan. And with the working group recommendations, ae will remain the leading industry supplying renewable energy, distributed resources, and S.M.A.R.T. Grid technology. And that's my presentation. I'll open it up for questions.

>> Tovo: Thank you very much. We also will hear a presentation from Karen, who chaired the working group. And so colleagues, I'm sure we'll have lots of questions either this week or next week.

[5:09:54 PM]

But if there are any right now? Now would be a good time. None for you right now. I'm sure I'll have some for you at some point in this conversation. Okay. I'd like to invite Ms.-- welcome.

>> Good afternoon, mayor pro tem, and councilmembers. Item happy to be here. I'm Karen Hadden. I chair the electric utility commission resource planning working group. Together, we address the Austin energy resource generation and climate protection plan and updated it from a 2025 end point to 2027. It as you heard earlier, we had 16 members and they represented interests such as business and small business, low-income consumers, environmental interests, and city commissions, including the electric utility commission and the resource management commission, or rmc. We had 13 meetings that began in November and ended at the end of may of 2017. There are many good things in the plan that is proposed. And we did put forward our recommendations to you. We also included individual statements there because our group had a diversity of interests and opinions, and they all deserve to be heard. So there was an effort to try to let all voices be heard and be expressed. Throughout the process, affordability goals were considered key. And with this plan, Austin energy will continue to meet the affordability goals. And this is an affordable plan. We did move forward on renewable solar and wind energy, which is affordable energy today.

[5:11:56 PM]

However, I want to say that I believe that we can go further and do more and still meet affordability goals. And I believe that we should in light of the environmental crisis we have in terms of climate change, which is increasingly serious and will be discussed later today by any number of speakers. I believe that we can meet the goal that was established by city council in August 2014 in council resolution 157. And just to refresh everybody on that, it was be it resolved that the city council directs the city manager to develop and implement and to report to the city council annually on the progress of policies, procedures, timelines, and targets necessary to make Austin the leading city in the nation in the effort to reduce and reverse the impacts of global warming, and reduce harmful emissions including but not limited to the following initiatives. Achieving Austin's emissions reduction goals and making Austin energy the leading utility in the nation for greenhouse gas reductions through measures including a. Reducing carbon dioxide emissions from all city-controlled generation resources to zero by 2030 following a glide path against the year 2010 as a baseline. So this was clearly set and passed by city council. I think it needs to be re-affirmed by this council so that it is taken seriously and not ignored. We also had, as letter B. Meeting 50% of all energy needs through the use of renewable resources by 2020. And 65% of energy needs through the renewable resources by 2025.

[5:13:59 PM]

Our plan actually represents a slipping in the timeline of reaching 65% by two years, according to what was set by city council in 2014. So I encourage you to, if anything, strengthen this plan. So, the city council policy has never been negated. And it should stand and again be reinforced. Some members will come forward, most likely, and advocate the use of renewable energy credits. I want to say that that is one way of meeting goals, but I don't consider it to be a good way. One author writes that the problem with recs is that for the most part, they don't drive change and don't represent carbon reductions in the atmosphere. You don't get anywhere. The question of whether a new wind farm is built is usually a function of natural gas prices and federal tax incentives rather than being a function of rec sales. This is not adding to the financing of a project. So what we really need is real achievement toward meeting climate goals and not greenwashing. In light of electronic vehicles, this was an area that the group discussed briefly but not extensively. However, I believe it's an important area to pursue vigorously. This is a time of great change, not only in Austin but throughout the country, and great opportunity to achieve cleaner air, to reduce asthma, to provide clean, affordable public transportation, especially our buses, and have a broad community benefit. The joint sustainability committee of our boards and commissions in Austin passed a recommendation in January this year urging the resource planning working group to adopt a goal of a hundred thousand electronic vehicles in Travis county by 2025, a goal

of 50% of all trips achieved through electronic vehicles by 2030, and that the city manager be directed to issue an rfp to achieve those goals by the second quarter of 2017.

[5:16:16 PM]

So while that's not the euc, it is the joint sustainability committee. So the plan that's before you is one that I hope you will support and strengthen. And it can be strengthened in terms of energy efficiency, excuse me, demand response, renewable goals, local solar goals, and innovative ideas for electronic vehicles that will increase revenues to our utility and lead to cleaner air. So I hope that you will move forward in that fashion, and I thank you.

>> Tovo: Thank you. And thank you for your work on the euc.

>> It was a great joy.

>> Tovo: Councilmember pool.

>> Pool: Thanks, Ms. Hadden, for all of your work. You made a point, and I just wanted to -- make sure I was hearing it right. In this new report, we're moving the goal post for achieving 65% solar from 2025, which was the previous council's direction, to 2027.

>> That is accurate according to council resolution 157 compared to our current plan.

>> Pool: Okay. And that is what the recommendation coming out of the euc was?

>> For 65% and to study going further. I do believe that we can go further. We looked a lot at a chart that had a whole bunch of little bubbles all over it called the m&ms. When you looked at that chart, the 65% and 75% were very much in the same range and any number of members of the working group said we might be able to go further. So, you know, we did not yet have the detailed information we would have liked about rate impacts at that time, but certainly it looked in terms of dollars spent over a lot of years that it was affordable and not a whole lot more.

>> Pool: I wanted to focus in on the additional two years. What was the thinking by the working group to add the two years from 2025 to 2027?

[5:18:17 PM]

Because the 65% didn't change, but you added two years to achieve that.

>> That was just the overall update timeframe of 2027. So that was what was used on all those measures. So this just makes the goal for 2027 --

>> Pool: Just shifts out two years.

>> Exactly. Looking out two more years, which raises one other point I would like to mention. There have been recommendations to only do the process every five years in coordination with cost of service. I do believe it's useful to do this every two years or 2.5 because the technologies are rapidly changing. Circumstances and politics are rapidly changing. And we might stand the best chance of doing both the best affordability and the cleanest technologies if we do this frequently. And I would encourage city councilmembers to appoint a working group next time just to ensure the diversity of interests and so forth. Thank you.

>> Tovo: Further questions. Chair. I mean, for our chair of our group, councilmember pool.

>> Pool: Could I have staff respond to the additional two years, moving the 2025 to the 2027 but not increasing the percentage? I could almost understand moving to 2027 if you went up to 75% solar, for example. So what were the metrics behind that?

>> It's -- councilmember pool, when we do resource planning, we've been traditionally looking at a ten-year tenor for the plan, 2027 was the year. The last time we did the plan the marker was 2025 and that's where we got our goals. And this time we moved it two years. It didn't have anything to do with the resolution 157. It had to do with the resource planning process, which always takes you out ten years.

[5:20:20 PM]

>> Pool: So when was the last?

>> 2014.

>> Pool: So in '14, maybe it was to 2023? And then it went to 2025?

>> No. In '14 when we added ten years from a fiscal perspective it went up to 2025. This really started in 2016. It's 2014, 2016. But when you start year one, it essentially adds 11 years.

>> Pool: That's also the fiscal year we're in. What about doing these reviews more frequently, every two years instead of every five years, is that something that Austin energy could support?

>> So the recommendation says that if there's a compelling reason, like the chair discussed about technology changing rapidly, we would then consider doing one on a more frequent basis. It does say that in the recommendation. But what we don't want to do is be committed no matter what to every two years. It's taken a lot of staff time. The same folks that analyze our rfp bids from, you know, when we issue an rfp for solar or wind are the same people doing the planning. So when we are perpetually in

planning mode, it's hard to implement this plan. This plan has really a lot of big, big ticket items to imp. Retiring decker, the transmission upgrades, retiring fpp, those are all really big, big projects that are going to require a lot of staff time. So we just need a little breathing room and not be planning constantly.

>> Pool: Seeing as how the percentage of solar is a big issue of great concern that we achieve as much as we can as quickly as we can, and also taking into account what you're saying about the amount of staff time that needs to be invested in order to accomplish the review of the plan, is there possibly a subset of it where we could look at the technology and regulatory changes specifically on solar or the renewable portfolio, and maybe look back more frequently?

[5:22:32 PM]

>> That is the intent of the recommendation, is that every two years we look at the inputs, which are regulatory changes, you know, gas prices, the price of solar, which we always know a lot about, because we show rfps and we get bids. And that is the intent of this recommendation.

>> Pool: Great. Thank you.

>> Okay.

>> Pool: Thank you, mayor pro tem.

>> Tovo: Thank you. Any other questions before we go to our public testimony? Sorry about that. Any other questions before we go to our public testimony? Okay. It is 5:23. We will be breaking at 5:20, but I think we have time to hear from a few member of the public. As noted earlier, we're also scheduled to have additional public testimony at 6:30. So it's possible that some of those within the first 20 won't speak now. You're welcome to speak at 6:30 if you'd prefer. We've sort of made notes of everyone who is within that first 20. So, without further ado, Francis Macintyre, you are first on our list. Francis will be followed by Kiyaba White. If you'd rather speak after, that's fine. I'll just keep going down the list and we'll get back to you later. Then it would be Roberta would be next. After Roberta is Cyrus. Ms. Macintyre, welcome.

>> Thank you. I'm Francis with the Austin league of women voters and I appreciate the time you've taken to have a couple of testimonies this afternoon. The league of women voters has been in the forefront of the environmental protection movement for decades, consistently supporting legislation to preserve our natural resources and protect public health.

[5:24:35 PM]

We support legislation that speaks to protect our country from the health effects of climate change, while we also are providing pathways to economic prosperity. We believe that a path toward a clean energy future will strengthen our economy by opening up millions of jobs to Americans while also rescuing America from its dependence on fossil fuels, reducing threats to our health, protecting the natural resources that we depend on for survival, and creating domestic jobs. The Austin league believes that Austin energy, with guidance from the city council, has been in a leadership role on the environment and clean energy while maintaining the affordable goal that rates will not increase more than 2% a year. The league is pleased with the recommendations of the Austin energy resource generation and climate protection plan. The recommendations to achieve affordability while continuing Austin energy's leadership position in renewable energy and carbon reduction are evident. We're faced these days with uncertain conditions affecting all kinds of environmental issues. Our withdrawal from the Paris agreement and the state legislature's determination to limit what municipalities can control are troubling. The urgency to reduce greenhouse gas emissions is real. The Austin energy resource planning working group's recommendations, which maintain the existing affordability goal, raising the goals from 55% to 65% renewable energy by 2027, increasing the speed in which two decker natural gas units are closed, and beginning to retire the fayette power plant are a solid pattern of improvement for Austin energy. We hope the council will approve these recommendations. We call for an emphasis on the part of the working group's recommendation for 65% renewable energy by 2027 that says, and I quote, "And study the possibility of 75 and 80% goal by 2027 if technically and economically feasible."

[5:26:56 PM]

If it is possible to achieve zero carbon before 2050, it would be to everybody's advantage. We hope the council will put the goal of zero carbon use to the front of their guidance for Austin energy. Thank you.

[Beeping]

>> Tovo: Thank you very much, Ms. Macintyre. Ms. White will speak later. Roberta, is Roberta here?

>> Later.

>> Tovo: Fine, thank you. I called Cyrus reed. Mr. Reed, you have a battery of time donated. I'm not sure that we have time to get to you right now. Would you like to speak at 6:30? I believe five minutes, it looks like. Five or six minutes. And then we will hear from former mayor pro tem Betty, and then we'll conclude our public testimony for now and then we'll come back at 6:30.

>> For the record, my name is Cyrus reed. I work for the lone star chapter of the club, I'm on the resource management commission and on the working group. Wanted to give a real brief history of how we got here.

>> Pool: Hang on one second. It looks like the timing isn't correct on here.

>> Tovo: I neglected to make sure that the person who donated time is here. Is drew o'brien? Thank you, Mr. O'brien. So you will have five minutes.

>> Pool: I think Roy also donated to Cyrus.

>> Tovo: I'm not seeing that.

>> I'll do it in five minutes, I don't need the extra time.

>> Tovo: Thank you. The clock should be set for five minutes, please.

>> So, I want to make three basic points, how we got here, what's in the plan, and what the goals of the Sierra club are and what I want you guys to do, hopefully. So, how we got here. Councilmember pool, it all started in 2007 under will when we said let's get to 30% renewable energy by 2020.

[5:28:56 PM]

Guess what, we've met that. We said let's reduce carbon dioxide emissions. We then formed the first task force and we thought we were being pretty ambitious saying 35% by 2020, and 800 megawatts of energy efficiency by 2020. We have reached the 35% goal today. We have not reached the energy efficiency goal, but we're getting closer. Then in 2014 as has been referenced there was 157. But I want to emphasize that 157, which had a number of recommendations from a task force, was followed in December of 2014 by the actual plan itself. And the goal in that plan, councilmember pool, was 55% by 2025. So I want to emphasize that was the current goal that we had in a research plan and that was after looking at some of those costs. I just want to make that clear. So, how did we get here on the working group? We took the task seriously of coming up with a plan through 2027. We did not look beyond 2027. And how aggressive we could be while keeping in mind rates and affordability. And so I thought it was a very good compromise on renewable energy, because we looked at the numbers and said, we're pretty sure we can get to 65% within those affordability metrics. 75% looked potentially outside that. But let's study it within two years. Let's look at it again. And so that was a recommendation. We made similar recommendations on energy efficiency. We did raise the goal by a hundred megawatts, but we put a budget number in to protect, honestly, rates and the budget because we all pay for those. We did the same thing on solar. We said we're going to keep the same solar goal but we want to commit a certain amount of money to it.

[5:30:59 PM]

And after we get commercial value of solar in next year, we'd like to look at local solar again. We really tried to balance rates and being aggressive on those carbon goals, on those renewable goals. At Sierra club, we really have four main goals for the utility. One, let's keep this public utility with all these great public meetings public and protect it. That's, I think, the most important thing we can do as a community. Two, let's keep our rates fair and affordable. Three, as we do that, let's build out as much renewable efficiency storage as we can do, but also four, make sure all of those programs are accessible and affordable to all the folks. That's why within the solar goals we said, we want you to have an enhanced program for multifamily solar and we want you to look at a no upfront cost for solar because we don't want only people on the west side to have solar, we want everyone to have access to it. On energy efficiency we told Austin energy we want you to commit to at least 15% of your budget on hard to reach programs, because again, we want the big boys to have access to energy efficiency but we also want us smaller dogs to have it, too. And so we really did try to balance those needs. I don't know how much time I have. One minute and 20 seconds. I want to emphasize these recommendations were endorsed by a majority of the work group. They were endorsed by the resource management commission on a 7-1 vote. They were endorsed by the euc on a 6-1 vote, the African-American resource commission also looked at them and endorsed them. Now, both the African-American commission, resource commission, and the rmc asked you to do one additional thing. They said, we want you within the next two years to look at that net zero goal.

[5:33:01 PM]

We did not look at 2030. And we don't know what the rate implications are. But I think it is incumbent upon the council to not only adopt the work group recommendation but set up a schedule for looking at that higher renewable goal, looking at a potential net zero goal in 2030, and also reassessing some of the things like energy efficiency, solar, and storage. You'll note on storage, we did not ask for higher numbers other than thermal storage because we don't know what batteries are going to cost, but we told Austin energy after you put the first three megawatts of batteries in, relook at that number. So, I'll end there.

[Beeping]

>> I do have copies of all the different studies that we called for, and I would urge you along with adopting the work group recommendation to put a timeline on these studies, including the 2030 goal, because I think we can make more progress. We just weren't ready to go there quite yet.

>> Tovo: Thank you very much, Mr. Reed. Any questions for Mr. Reed? Seeing none, we will go on to our final speaker for this portion of our meeting, Betty dunkerly. Welcome.

>> My name is Betty dunkerly, and I represented the Seaton family of hospitals on our working group, as well as supporting our low-income customers. I want to thank the mayor pro tem for letting me follow Cyrus. I could even say ditto.

[Chuckling] And follow up on some of the things he said. I was particularly concerned with this group on looking at the affordability issues as we went forward. We all re-confirmed our commitment in the 2014 plan and we really pushed a lot of different environmental issues as far as we could push them and be within what I thought was an acceptable risk of staying within your affordability guidelines.

[5:35:07 PM]

In fact, I think we maybe went a little too far in some ways because when you think of it, we did not include any of the cost impacts on closing fayette. And that is a tremendous risk to us in the future. We just don't know what it's going to cost us. So within that framework, I think we've pushed as far as we can push in getting our environmental goals extended, and certainly hopefully met within the timeframes and within the affordability goals that you all have set. We do strongly recommend that you direct the Austin utility group to look at these metrics again, these scenarios again in about 24 months or so so that we can get an idea if those metrics has changed, has the price of natural gas gone up, has technology changed. Those are factors that can really increase our ability to reach even larger environmental goals in the future. So with that, I would recommend that you approve the plan. I would recommend that you ask the utility to redo those scenarios in 24 months or so. And I want to thank you for letting me participate in this group. It was a really great experience. And I encourage you to support it. And thank you very much.

>> Tovo: Thank you. So, colleagues, we will now go into recess to have our dinner break, as well as the musical presentation I described earlier, and then we will reconvene at 6:30 to hear the remainder of the public testimony. So we stand in recess until 6:30.

[5:45:12 PM]

>> Tovo: Good evening. I'm joining by councilmember Casar and councilmember Garza. Our music this evening is a very special tribute to the life and to the tremendous talent of Anthony Ortiz, Jr. He came from a musical family and began playing the accordion at the age of ten. He was a graduate of Austin high school and an attendee, a student at the Austin community college. And he was also a two-time finalist in the statewide accordion competition at big squeeze. He also -- and this is such a wonderful connection to the city of Austin. He taught accordion to the children in the children's camps at the mexican-american cultural center. So he was very much part of our city family. He was recognized by the

mexican-american cultural center in 2012 with an award of excellence. And so the city of Austin really joins with his friends and his family in mourning the loss of this young man. We are honored tonight to hear from one of the bands that he played with, which his father and his grandfather also played in. And this is mariachi. We will hear from them and hear a few words from his grandfather. So, welcome to city hall, and we look forward to hearing you. Thank you.

[Applause]

>> And good evening. It's a pleasure to be here. And the song that we chose to perform is one of the songs that my grandson would always say, "Play [speaking Spanish]." And I'd go, wait a minute.

[5:47:13 PM]

Let's choose who we're going to play it for, you know?

[Chuckling] But this is his favorite song. And I really appreciate -- you know, I want to thank the city of Austin for doing this for us, all right. And I just met some people from folk life that are here, and they made a great impact on our family. But, anyway. We're going to do the song.

[5:51:50 PM]

[applause]

>> Tovo: Thank you. Thank you so much for that. And now on behalf of mayor Adler and the entire city council, I'd like to present you with the following proclamation. Be it known that whereas Anthony, also known as Mr. Squeezebox was a masterful player often described as a prodigy who began learning to play at the age of ten, he performed frequently with his family band and with the country band crooks. And whereas he inspired a new generation of accordion players as he also taught at summer camps at the cultural center, a ten-month battle with cancer, today, we hear his family's band to honor his memory. Now, therefore, I, Kathy tovo, on behalf of Steve Adler, proclaim August 10th, 2017, as Anthony Ortiz, Jr. Day in Austin, Texas. Thank you.

[Cheering and applause]

>> I just want to once again thank you guys. And also, if any of you are here out of supporting the cause, I want to thank you very much for that. And the families that went to the funeral, and they experienced having their children taught by Anthony, you know, instruments, right?

[5:54:03 PM]

And I want to appreciate them. And I want to, you know -- I feel so honored, you know, to have those people come to me and say, "My child was learning how to play the guitar from Anthony," you know and it was -- they were just saying it's so sad that this is happening to, you know, that this happened to us. But anyway, thank you very much. I appreciate you guys.

[Applause]

>> [Speaking Spanish] We wanted to say thank you to you all as well, [speaking Spanish].

[Applause]

>> Ready? Here we go. One, two, three.

>> One more. Ready? One, two, three.

[5:56:22 PM]

>> They want to take another one.

[6:31:40 PM]

>> Good evening. Welcome back. We are going to start in just a minute or two as soon as my colleagues join me. Thank you-all for being here.

[6:33:46 PM]

>> Okay. Thank you again. I'm going to call this meeting of the city council back to order. It is 6:33 P.M. Again, thanks so very much for coming down today to talk about item 28. For those of you who weren't here before the break, we are talking public testimony -- we're at the point where we're taking public testimony. We'll go through the first 20 speakers, each of whom will have three minutes. From that point, it will go to a one-minute time period. I'm going to ask just to kind of keep the discussion moving forward that we use both podiums. I'll give you a heads up about who the speaker is, but who is on

deck. If you would, use both podiums and come forward when your turn is almost up. I think that will again keep us moving forward. Our first speaker is kaiba white, and she has donated time -- I don't know that she's back yet. After kaiba will be Roberta and then Paul robins and then Bob batlan. None of whom are back in the chambers yet.

[Tovo speaking]. Bob batlan, if you would come up and speak. We're still waiting for a couple other speakers ahead of you. Mr. Batlan, you have three minutes.

>> Mayor pro tem, council members, my name is Bob batlan. The Austin energy resource, generation and climate protection plan was made up of a diverse group of customers.

[6:35:47 PM]

The plan before you renews the commitment on moving away from coal and oil and raises the renewable goal from 55% in 2025 to 65% in 2027. We sought to create the best plan considering affordability, environmental leadership, technical risk, and then Normal uncertainties of predicting what might happen over a ten-year planning horizon. Creating a plan resulted in spirited debate, but the tone was always respectful. I was among those that insisted that we keep in violet the terms of last year's rate agreement, limit rate increases to 2% a year, and keep rates in the lower half of like utilities in the state. No member thought the recommendations were perfect. Every recommendation received majority approval from the working group. We took the reality that we were asking for a formal commitment seriously. While we all wanted to commit to higher renewable goals, the risks associated with higher than the 65% was viewed as unwise, potentially putting our cherished city utility in jeopardy. A huge unknown involves costs associated with fayet. We recommend that Austin energy monitor cost and risks over the next few years with the stated intent to raise the goals, if possible. It should be emphasized that our planning horizon was only through 2027. What could be accomplished by 2030 was not modelled and without data no recommendation was viewed as prudent. Austin energy was very helpful. They understand the impact of various scenarios on risks and affordabilities, wanted to create an aggressive plan relative to renewables, and needed the authority to react to changes that will inevitably occur.

[6:37:56 PM]

The recommendations reflect that. If the group was not so diverse, the recommendations might well have been different. A group dominated by low-income advocates could have focused more heavily on affordability. A more business centric group may have attempted to both lower costs and technical risk. If there were more representatives of the environmental community, they have made it clear that they

would have accelerated the movement to renewables. I am convinced that skewing the results would call into question Austin energy's and the city's fitness to govern. I hope you approve the recommendations.

>> Pool: Thank you. White, is she in the chambers yet? Okay. Mr. Robins. Bob Hendrix. Welcome, Mr. Hendrix. Cary ferchill, you'll be up next.

>> Thank you for letting us speak. I oppose the working group's recommendation because it doesn't go far enough. I want to have more about climate justice, renewables, early retirement of fossil fuel plants. But in the few minutes I have I want to tell you how less renewables and more fossil fuels would raise electric rates. First, electricity from renewables is much cheaper than from the cheapest fossil fuel natural gas. Gas costs 94% more than wind even using the Austin energy's figure. The only way more renewables raises rates is from storage costs from batteries. The Austin energy plan projects the cost for batteries at a low of \$725 and a high of \$2,000 per kilowatt hour.

[6:40:03 PM]

They don't know what it will cost. That's a huge range. Even their low number of 725 is still too high. Their price jumped 40% between 2030 and 2016, 14% more this past year to about \$600 per kilowatt hour with below \$500 projected by 2021. Both battery prices and renewable energy costs have been consistently lowered. Natural gas prices in addition to being volatile will go up due to the action of U.S. Citizens to stop global warming. And we will act on global warming. The tide is changing. The Yale climate opinion poll shows a significant shift with 58% of all Americans now worried about global warming. 75% of Americans believe we should regulate CO2 as a pollutant. When the American people force the government to do something about global warming, gas will go up in price a lot. A combined cycle gas plant has a lifetime of 50 years. Instead of renewables we build natural gas plants, Austin energy will come back to this council and say with all the sunken costs we need to operate these new gas plants well beyond 2030 or rates will go up even more. We need to push Austin energy. We need to tell them to work for 75% renewables by 2027 and carbon free by 2030 and hold them to it. If we do, they will innovate. They will lead. And our water and air will be cleaner, our electric bills lower, and our planet healthier. Thank you very much.

>> Pool: Thank you, Mr. Hendrix.

[6:42:04 PM]

Mr. Robins, you're welcome to speak next or you can speak after Cary. We're not skipping you. Whenever you're ready.

>> Can you cue the powerpoint, please? Forgive me, council. Thank you for taking me as the next speaker. I'm Paul Robins, and I support the working group recommendations. I have been an environmentalist since I was 16. I've been an environmental activist for 40 years. I helped start Austin energy's conservation programs in the 1980s with 20 other people. I was one of the original advocates for cogeneration and district chilling. I'm a numbers guy, and with my testimony, I want to clarify some differences between the working group's recommendations and the advocates who are seeking more than these recommendations. First, I need to remind you that 11 out of 13 members of the working group supported the program, supported the report. 6 out of 8 electric utility commission members supported the report. These commission members are your appointees. Now, one of the proposals -- and I'm sorry to be so blunt, but I find it ludicrous -- is to have 100 megawatts of storage batteries. Now understand with storage batteries there's only about 600 megawatt-hours. Not megawatts. Megawatt-hours in storage in the entire United States in 2016. A megawatt-hour is not a megawatt. You have to divide the megawatt-hours by 24 to be able to dispatch it any time of day.

[6:44:07 PM]

These are incredibly expensive. My best estimate, my best lowest estimate, is 21 cents per kilowatt hour. And you need to understand at the end of this you would only be able to store .3 of Austin energy's annual consumption assuming you were in it every day of the year. The numbers 100 megawatts do seem arbitrary, seem pulled out of the air. There are people who claim, well, that's not 21 cents. It's only 4.5 cents. Look at the recent bid that was given to Tucson electric power. I backed those numbers out, and what I found was that unsubsidized batteries were about 21 cents per kilowatt hour because that proposal only stored 1 out of 7 kilowatt hours produced by the solar farm. It also took advantage of solar tax credits. 21 cents a kilowatt hour. The 65% to 75% goal. The theory here is since the difference is not that great, we should go -- let me finish my thought, please.

>> Pool: You're welcome to finish your sentence.

>> The theory is that we shouldn't go any higher -- we should go higher because the delta is not that great, but closing costs are not in this analysis. We really don't know how this is going to effect our rates. Also, please understand that in the real world you can't do 55%, 65%, or 75% renewable energy without some form of renewable dispatchable power. Thank you for your time.

>> Pool: Thank you, Mr. Robins. Next we'll hear from Cary Ferchill.

[6:46:09 PM]

Then we'll circle around to Roberta.

>> Hello. I'm mayor Adler's appointee to the electric utility commission and I was a member of the resource working group that produced the report that's in front of you. And I've been involved in every resource planning exercise or at least I've been involved in the resource planning exercise for Austin energy since it began back in the middle 2006, 07, 08 period, so I've seen this picture a few times. One of the things that I wanted to point out is there's some confusion on where the company and the city has been on goals in the past. In the very first plan that we did, we have a 35% goal. It was done in like 2008. We had a 35% goal that we expected to reach by 2020. When the plan -- by the time the plan was redone, this other resolution had been passed that said, oh, we're going to reach 65% by 2025, but that wasn't associated with the plan. It was just an aspirational document. That is our goal. We had no plan to actually get there, and the next plan that was done was in late 14 and the goal was reset to 55% by 2025. That is the plan that we are trying to amend with this exercise, going from 55 to where do we go. We want to go to 65 is the recommendation in the plan. So, I don't want there to be confusion. The plans have been consistent. The resolutions that got passed in the interim between plans weren't always consistent, but that points up a very important point that you need to think about. Just having an aspirational document, we want to get to 65 or 75 or 95, if it doesn't have a plan associated with it, it is really not a very helpful resolution.

[6:48:23 PM]

And what we have here is we've had 13 people from the community along with Austin energy packed into a room twice a month for nine months, and we came up with a real plan saying how far can we move this environmental goal within -- comfortably within the affordability goals that the council has set. And we have given you a plan that really competent and hard working people have come up with. The plan that's being offered as an alternative to this is one that those same people will tell you it is very risky or unlikely that you'll be able to reach that plan within your affordability goals. It's not a good idea to get the utility working on a plan that most people say you're not -- and most experts who look at this say you're not going to be able to get there. It is going to force the city council into a gut-wrenching exercise of reversing course at some point in the future, and it leaves a lot of dead bodies by the roadside when you try to reverse. So, I'm recommending that you adopt the plan. It has a built-in provision that says if you can move forward faster, we'll move forward faster. Thank you.

>> Pool: Thank you. Roberta. Is Roberta back?

>> Yes.

>> Mayor Pro Tem Tovo: I'm sorry. To who? We have new rules on whether you're donated time and how it counts and where it counts. We're good. Thank you. Okay.

[6:50:24 PM]

Kaiba white. Ms. White, you have a total of five minutes.

>> Actually, if it's possible, I'd like to give that two minutes that was donated to me to somebody else later on. Is that permitted?

>> Mayor Pro Tem Tovo: So you actually would have gotten -- I'm sorry. You had a total of four minutes because the person who donated was beyond the 20, so you had a total of four minutes. If you would like to give that one minute to somebody, we can try to figure that out.

>> Excellent. Thank you.

>> Mayor Pro Tem Tovo: Sorry, the new rules are a little complicated.

>> Thank you for the opportunity to speak and thank you-all for being here for this public hearing. As you can tell this is an issue of great importance -- of concern and importance to our community and our broader global community as well. I just want to say that I think a lot of people here are feeling the sense of urgency because there have been a lot of scientific reports coming out lately that have shown that frankly humanity has not done what is needed. We have done what feels comfortable and no more, and sometimes we haven't even done what might have felt comfortable if we had given it a try. But when we have scientists saying if we don't peak our emissions globally by 2020 we're going to have catastrophic climate change, then we need to sit up and take notice of that. It is not affordable when people can't go outside because of heat waves and especially those people who maybe don't have air-conditioning because they can't even afford that. This is an affordability issue at a whole other level. I hope as you're counting the dollars and cents on the electric bills that you're also counting those dollars and cents in health impacts, in infrastructure impacts.

[6:52:25 PM]

This is now. It would have been nice if we acted 10 years ago, 20 years ago, but we did not, so I urge you to please look at this not just as what is comfortable to do, but what is the most that we can do the fastest that we can do it. That is what leadership is, and Austin has been such a leader, and Austin energy has been part of that and I commend them. It is now our job as a community to push our utility to go the next step to get to a carbon free energy supply, completely carbon free, and to do it as quickly as possible because there is no time to waste. I also want to add that we do need to focus more on making sure that our programs are serving everyone in our community. You know I'm a strong solar advocate. I have solar on my own home. I love it. I want everyone to have the opportunity to benefit

from those programs the way me and other people like me in this community have, so I urge you to keep that as part of a priority in our resource plan. I realize that it may not be the preferred energy source for large megawatts, but we can do a little piece of the pie and help people actually reduce their energy bills and do it in a way that expands affordability to those who need it the most. I hope you'll take that into consideration as you deliberate. Thank you.

>> Mayor Pro Tem Tovo: Thank you very much.

[Applause]

>> Mayor Pro Tem Tovo: Okay. Our next set of speakers, again these are still within the three minutes, are Janay -- so if you would start coming forward -- Jennifer, and then Steven. Welcome.

>> Thank you. Good afternoon. My name is Jamie. I served on the working group representing residential repairs. You may recall about a year ago I was here as part of the independent consumer advocate on the Austin energy rate case talking about our battles with Austin energy and the settlement, and I served on the working group as a volunteer.

[6:54:36 PM]

I'm here in support of the working group recommendations. As a community, Austin is committed to the environment obviously. Yet we know austinites struggle with living here. The working group recommendations balance objectives and affordability. Being more aggressive will have a greater impact, and increasing goals to a level that hasn't been studied is risky. Barring any changes in policy, the cost of renewable energy is decreasing, and that's good news for rates. With regard to Decker, we don't know what those costs are because they're subject to negotiations with the LCRA. Shutting these fossil fuel plants are a part of these recommendations, but Austin must pay for the debt on those plants and other costs of shutting them. The recommendations also affordability by giving Austin energy flexibility and meeting the renewable goal. Austin energy could invest in battery storage, but it is not mandated to meet a megawatt storage goal because that would be expensive. Georgetown doesn't own any generation, so it doesn't have a Fayette and a Decker that it has to worry about shutting down. They have to use 100% contracts. To wrap up, it is a bit frustrating to have supporting this report being anti-environment because it does move the needle forward. The results are months of study and debate.

[6:56:37 PM]

They support increasing renewable energy in Austin and keeping energy bills affordable for consumers. Thank you.

>> Mayor Pro Tem Tovo: Thank you very much. Ms. Lassiter, you have three minutes.

>> Thank you very much. My name is Jennifer Lassiter. I live in district 7 here in Austin. I'm here in favor of going beyond the current working group recommendations and getting Austin energy to definitely achieve -- excuse me, carbon free by 2030. I have three reasons for that. The first is that it is in the city's best interest to unload the financial and public health risks associated with fossil fuel electric generation. And I say that as a chemical engineer with 15 years of experience. I have at many instances of my career assessed the cost and benefits of reducing pollution. The second reason is that we already have the technology to achieve 100% renewable energy in the next 12 to 13 years, and I do personally have direct experience with that in that I'm the owner of an all electric home here in Austin. For the last seven years, we have basically created all the energy we need to cover our cooling, heating, and local transportation needs from the sun's energy. So, we have the technology. The implementation is what we need to commit to. Then the third point that I'd like to bring up is that we already have, as far as following through on our commitments, we have a city council commitment from August 28, 2014 to have Austin energy be to zero emissions by 2030.

[6:58:42 PM]

I ask us to set goals that will allow us to reach that goal by 2030.

[Applause]

>> Mayor Pro Tem Tovo: Thank you very much. Gabriel Lassiter.

>> Hello. My name is Gabriel Lassiter, and I live in district 7. Reason a, I want my future because I'm a child. And my children's future lies beyond. No cold winters and boiling Summers. We are affected by droughts. I support the carbon free initiative. Thanks for letting [applause]

>> Mayor pro tem tovo: Thank you, Mr. Lassiter. Thank you so very much for coming down and being involved in your community. We appreciate you being here. Steven Mann, followed by Derrick role and Danielle yannist.

>> I'm Steve Mann. I'm from district 5. I'm going to speak a little bit about water issues. Scientific research tells us that global warming -- that with global warming, both droughts and floods will become more common. In fact, they have already been becoming more common, as I'm sure you know. Scientists tell us that a drought will become more severe as signatures increase, causing intense evaporation, and a greater loss of soil moisture, which is critical. Austin's decker creek gas plants and the fayette coal plant and the south Texas nuclear plant all use large quantities of water.

[7:00:49 PM]

And the gas that we use comes from fracking, which uses extreme amounts of water. It also creates a lot of toxic water. When in solar use, no water at all, none. They keep us up on our water usage. During the last drought in central Texas, electricity increased by an average of 6%. Water demand increased by 9%. In our reservoirs, they were reduced by 50%. It's very frightening. By using Texas wind energy for electricity generation, Texas saved enough water to meet the needs of over 130,000 Texans during the last drought, but we can do better. In fact, we really have to do better. Austin energy must be 75% carbon free by 2027 and 100% by 2030. This is so important. Here are the reasons why. Scientists -- this is one reason, anyway, among many. Scientists have studied past climates. They study tree rings and in the five centuries leading up to the 20th century, all had at least one drought lasting ten or more years. Demographers tell us that Austin's population could double in the next 20 to 40 years. So if you couple the potential for increasingly longer and more severe droughts with Austin's rapidly expanding population, you have set the stage for a potential disaster scenario. Along with significant water savings, wind and solar have become as cheap as coal and gas and wind and solar prices are still going down.

[7:02:57 PM]

Oil and gas and coal are vulnerable to large price swings. Wind and solar are not. We really have no time to lose. It's critical to achieve the goals set by the Austin city council in 2014 of reaching 100% carbon free by 2030 and to be on track by that, 75% by 2027. So in conclusion, with wind and solar, we save water. We save money. And we help save humanity, which sounds like a pretty winning deal to me. Thank you very much.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: Mr. Crow, you have a total of five minutes because you have a donation from Ms. Sukahara. Please set the clock for five minutes. Danielle yannist, make your way to the front. If you're among that group, start making your way to the front. That will be great. There are quite a few seats. Those standing in the back, you're welcome to do so, but there are plenty of seats toward the front of room, and we would love for you to take one if you would like to. Welcome, Mr. Crow.

>> Counsel, thank you for taking up this important issue. It's critical to everyone who's here and to the young people who are here. Before I speak in opposition the plan on the table, I want to acknowledge that, yes, it is very difficult to come to these kind of conclusions as a group. I at least want the honor the folks who got in a group together and did that hard work, but before I give you my scary power point here, I want to contextualize this year and what brings me here today. I have a 2.5-year-old son. His name is Henry. Henry has never lived in a world that wasn't the hottest year on record. Since he was

born in 2014, every year has broken the last year's record, as far as temperatures go. I went to pick Henry up from day care two days ago, and Henry is of the age where he likes finding Dori and Nemo.

[7:05:09 PM]

When I walk intoed the room, he was the last kid there. He was there with the teacher, naping sea animals out of a cup. And he had a book in his hand that was a really simple kid's peck ure book that said coral reefs on it. Before I knew what I was doing, I found myself fumbling for that book. When I got ahold of myself and stopped myself from what I was doing, I realized the reason I wanted that book out of his hand was because I didn't want him to fall in love with something that was going away. Right now those things are going away. I'm going to start a presentation right now to give you the context because the urgency is here. While I respect the work that has been done on this issue by the folks that have come before me to speak in metaphors about bodies laying by the side of the road and things like plans being too costly, those things are going to stop being metaphors by the end of this century. I hope to educate people here today. Last year was hot. You're looking at the map of the temperature anomaies across the globe. That was the hottest year on record. 2017 has been incredibly hot. In fact, the first six months of this year were each ranked among the top three months at the time as far as the hottest months on record. Our planet is far too hot. The global sea ice because of that is going away. This is a pretty complicated chart. What you need to look at are the red lines at the bottom. Those map the extent of the global sea ice over time throughout the course of the year. We went through a step change over the last couple of years. The last two lines show the ice is falling off a cliff. When that happens, excess amounts of carbon trapped underneath that ice will release and accelerate climate change. I mean, it's really going away. You see the dip in the far right. That's an 8 sigma deviation from Normal.

[7:07:09 PM]

That's a degree of certainty we're looking at an anomaly that's part of -- physics. Just to note what it will mean for Austin, I want to read from an excerpt from a recent study. If global sea rises by 8 meters, that's a middle of the road on two degrees centigrade. The biggest impact would be in Texas. This is due to flooding from the coast. With low lying areas in the lone star state, in particular the Austin and round rack area of Texas could see a net gain of as many as 825,000 people. Those are people fleeing from flooded areas. That's assuming those people can afford to move. According to the study, only the wealthy households with incomes greater than \$100,000 will be able to remain in the coastal areas because they can afford to take adaptive areas. The poor people there won't be able to migrate. I question based on the experience of hurricane Katrina what that means if you can't afford to migrate,

what that means when the floods come. These are not the worst of the possible futures we're facing here. Several meters of sea rise over a time scale of 50 to 150 years are possible just with 2 degree centigrade warming according to Dr. James Hansen. We're headed for a four to six degree world. We've in this city taking strong stances regarding the Paris agreement. We've said that we're going to take rapid reductions in accordance with the basic science on equity. That's incumbent on us. We spoke in favor of the Paris agreement. That responsibility is on us. Our city cannot adapt to afford a six degree celsius scenario.

[7:09:12 PM]

I just want to close by noting that that's where we're heading right now. Physics does not negotiate. This plan that is before us is the result of a lot of hard work, but mother nature is not going to bend when we don't hit the targets. Thanks for your attention today.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: Mr. Yan nez. I'm not seeing him. Let's go with Mr. Franklin. You will be followed by Carol to be followed by van Bookout and Janice Bookout.

>> Would you like my remaining minute?

>> I don't think I need it. This is going to be quick. I've done this so many times this week that I'm just really tired actually. I was told as a young man that I had delusions of grandeur. I asked at that time what is the problem with grandeur? Right now I'm not supporting this -- I'm not asking you to support this because of the way it's worded and the thought process that comes behind the plan. When we set limits or goals rather than basements on what we're trying to achieve, that's what we go to. I teach kids. I have always ask them, is that all you got? And the answer always comes back, there's always more. So when you said we're going to do 25%, 50%, 75%, 100%, that isn't enough. We've already reached critical mass. Whether we like it or not, it's urgent. I live in an area right now, we're talking the about bodies on the side of the road. People have already died from global warming. I help dig people out of the area right after the big giant water bomb. That came from global warming.

[7:11:13 PM]

So people are losing their lives already. I live in an area behind sand hill that's less than 4 miles away as the crow flies. I have kids out there experiencing asthma. I have people in the community who don't

have health care who are experiencing terrible effects behind this power plant in our neighborhood. So if we don't close it and then reverse the effects of that, we're going to have a problem. I'm so glad that young man came up and spoke earlier. It's going to be his world. I spoke last week about investing in the children, the kids. Tice going to be their world next. We need to invest in them so they can get us out of this because we don't have new ideas. Those kids can think us out of this. Necessity is the mother of invention. And we are needing to change the equation right now. 25 is a nice goal. 50% is a nice goal, but that's the basement. It shouldn't be the ceiling. So if we're going to do this, it's going to be uncomfortable because it's already uncomfortable for people in this community. It's uncomfortable for a lot of people. It may get a lot more uncomfortable if we don't do something right now. Maybe we take that shot, take that hit right now and make a difference. We have to get back in the back room and make a difference right now so these kids don't suffer an also let them be part of the solution. Thank you.

>> Mayor pro tem tovo: Thank you, Mr. Franklin.

[Applause]

>> Mayor pro tem tovo: Carol pajitski. Followed by Evan Bookout.

>> Good evening, mayor prometh tovo. We work for affordable electricity and a healthy environment. You've seen me here before because I've served on the resource management commission. I have served on the electric utility commission.

[7:13:14 PM]

I was a member of the 2014 generation planning task force, and I also chaired a commission formed task force, a low income advisory task force to talk about how our utilities should be working toward providing more energy efficiency to people with low and marginal incomes. My comments today follow on all this talk about a carbon proof free future. I think my comments are important in that context because by the estimates of the task force, I mean more than 60% of the people who live in this city are either low income or they're just getting by. It would be very difficult for them to contribute to this carbon reduction effort unless we have appropriate programs to get them the energy efficiency and appliances they need in order to get this whole movement to succeed. My comments center on one sentence task force report, which appears on page 7. It also appeared at the bottom of page 9 of the presentation that was given by Austin energy. And it says that Austin energy direct at least 15% of total demand side management budget to existing and potential programs for low income and hard-to-reach markets in the multi-family and single family areas along with small businesses. Very long run-on sentence. I really believe that if you decide to approve this plan, I would really like you to provide some directives to look at this particular sentence more carefully. Because this recommendation needs to be

further defined. In my opinion, with all the work I've done on this issue, it's just technically doesn't make any sense to me.

[7:15:16 PM]

Like, what is 15% of the total dsm budget? Is this an adequate goal? Is the dsm budget the same or different from the energy efficiency services budget and how much is each of the total budget. If we had 15% for all three of these groups, does that mean that one group can get nothing and the goal still gets met? I think it's very poorly written and that it needs to be thought out much more carefully. Now, this is an important issue because we're talking about rates and affordability. Every customer, including the customers who are on the customer assistance program, pay for the energy efficiency services see that's in the benefits charge, and we need to have the subsidies going from the richer customers to the poorer customers and not from the poorer customers to the richer customers, which seems to be happening now. That concludes my comments.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: So Evan Bookout and Janice Bookout and because we're going slightly out of order, if you would please set the clock for 1 minute each and not three.

>> Hi. My name is Evan Bookout. I'm 13 years old. You may remember me. It's hot, not in here. You have very nice air conditioning. It's hot outside. It's getting to the point where in a few decades, it's not suitable for us. And I, as a kid, will not tolerate my future to be in a place that is unsuitable for life.

[Applause]

>> Yea! If we keep this up, it's going to get like he said.

[7:17:18 PM]

4 to 6 degrees hotter on average; and we can do something about it. Austin can do something about it. If Austin can do something about it -- did you know, in fact, that Austin is actually the 11th most populous city in the United States. So if Austin can do something about it, then the rest of the United States can do something about it. So -- hello, Mr. Timer.

>> Mayor pro tem tovo: If you could, please conclude. Thanks.

>> So my message to Texas is, wake the flip up. Thank you.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: Ms. Bookout.

[Applause]

>> Mayor proteam, thank you. I appreciate all the hard work that you do. I'm here as a mother. I'm also here as the founder of Austin climate alliance which represent as lot of climate organizations and other organizations here in town. And I do support carbon free by 2030. I support all of the aggressive actions that we're suggesting being taken. I support making renewable energy more affordable. That's very, very important that we include that in our efforts. Why? Because we said so. The city of Austin has signed on for the c-40 initiative, which includes going to a total carbon free total by 2035. So I've read the climate plan. And the transportation section of that plan, we are not on track. We have so much work to do in that area. So if we can't be as aggressive as possible in this area, how are we going to accomplish that? So I really appreciate it. I will support you. Thank you so much.

[Applause]

>> Mayor pro tem tovo: Ms. Bookout? Ms. Bookout? Ms. Bookout? You have had some donated time. If you want to use that, you're welcome.

[7:19:22 PM]

>> Thank you. I will donate my time.

>> Mayor pro tem tovo: City clerk, if you would move Kayla Newman to another section. Thanks. We're doing our best to keep up with the new procedures and figure out how to make it work with our system. It's not exactly aligning. Michelle -- you're next on deck, and is Linda Watts here? Linda Watts? Thank you. So Michelle, you will have a total of -- you will have a total of 5 minutes donated to you.

>> Can I donate 2 minutes?

>> Mayor pro tem tovo: I'm sorry. Tell me your name, ma'am?

>> Mayor pro tem tovo: Michelle

-- you're electing not to speak?

>> No. I want to donate two minutes of my five minutes.

>> Mayor pro tem tovo: I understand. You don't want to accept the donated time. You want to donate it to somebody else. Okay. Please come forward and we'll sort that out. Next up will be John Iamoan, followed by Nancy Gomez. And you will have a total, then, of 3 minutes.

>> Good evening, mayor protem and the city council members. My name is Michelle -- I'm a member of the ladies of charity of Austin, which is a part of the -- family. We're all non-profits that provide direct services to families in need of basic necessities such as food, clothing, rent, utilities, and more. Who are our clients? Seniors, single mothers, people who live hand to mouth. Many families, lower to middle income, are hard to reach people, homeless, and more. Our clients come from all walks of life.

[7:21:25 PM]

Besides being poor, some have physical and mental disabilities. Some are refugees, battered women, and more. By far, our biggest assistance expense is utilities. Where do our clients live? They live in apartments, homes, on the streets, shelters, and more. Some homes and apartments are old and inefficient. They need repairs and upgrading of appliances. That can save them money and help the city reach its climate protection goals. Some of the people don't turn on the air conditioner or heat because they can't afford it. It is a choice between food or air conditioning or heat. Rent or air conditioning or heat. Over the years, we've spent well over 100,000 in utilities assistance. If more low income or hard to reach people had access to efficient programs, such as weatherization, they would save money. The money they save could be used to buy other necessities, such as food, clothing, rent, and more. The savings would also allow utility companies to serve more people because use would be lowered. The savings would also allow non-profits to assist more people. Utility rates keep climbing, and we need a solution. In setting its goals for energy efficiency, Austin energy should be doing more to serve its customers that will never be able to afford the luxury of indoor comfort and affordable utility bills on their own. I support the comments of Carol Bajitski of Texas Rose. Thank you very much.

[7:23:26 PM]

[Applause]

>> Mayor pro tem tovo: Thank you. John Iamoan. Johnny Iamoan. Okay. Nancy Gomez to be followed by Ruby Roa. Ms. Gomez will have three years. After Ruby Roa becomes Paul Littleless.

>> Good evening, mayor protem to have to and city council. My name is Nancy Gomez. I'm the property manager for the city of Austin. Today I come before you as a private citizen. As assistant manager of the farms, I can tell you how much people dislike paperwork. Even if it's for a new

apartment, they would rather be anyone than my office. As a woman of color who likes to see people happy, I can attest to you how excited they are when their apartment is upgraded. Seeing the a-ha moment when they figure out how to use a digital thermostat or that kids are at eye-level with the ease to use high efficiency washer and dryer. All of these moments make me feel good about what I do and worth every begroan when I have to call them in to sign documents. It symbolizes a chance to start over. A higher you tilly bill because

-- utility bill contributes to people falling through the cracks. When a mom manages to pay \$20 less on this light bill, it means she can afford a pizza and DVD. It's the benefits her neighbors have on any given day. That's money she would be spending on late fees or diaper. I realize I am one person. Today I call on you, mayor tovo and city council, to -- proposed initiative for low income family.

[7:25:35 PM]

Prove that the city still cares for the people who mop the floors and make the tacos and all the children. Let's contribute to what -- initiatives that work in their favor. That's the end of my comments.

>> Mayor pro tem tovo: Every speaker from now on will get one minute unless they've donated time in which case they will get three minutes. I think it will be most efficient to keep the dialogue going. I will give you the next five people. If you will come up to the podium, we can hear all of you at a time when we're most attentive and energetic. Thank you for your accommodation on that. Judith, Jim Rigby and Susan Alonza.

>> Thank you. Welcome back from your vacations. We look forward to continuing to work with you. And thank you for all the work that you do for us. My name is ruby Roa. I'm a member of Austin women and housing and an advocate for poor people. There are many, many vulnerable families in Austin that do not make a living wage, who barely get by. When you make a policy decision on this Austin energy item being discussed tonight, please keep them in mind. When I read the recommendations, I see that it is already if less than 15% of Austin energy efficiency dollars be spent on low income customers. Because the recommendation says 15% for low income, hard to reach and small business customers, maybe it's okay if Austin energy spends no money on low income energy efficiency at all.

[7:27:35 PM]

Counsel, I would like you to take steps to make sure that Austin energy invests in the energy efficient in the homes of the poor and struggling families. Thank you very much.

[Applause]

>> Mayor pro tem tovo: Thank you, Ms. Roa.

>> Mayor pro tem tovo: Okay. So just to review, if Ms. Judith Iiro, Jim Rigby, Barry James, and Susan Almonza and Caio Paolo, come up and face yourself between the two podiums.

>> Thank you, Mayor Pro Tem Tovo and Council. My name is Paula Little. I'm with Nurses United. We firmly feel as if climate change needs to be integrated into the city's plans for moving toward being carbon free in 2030. Nurses have seen a huge shift in the type of patients that they're taking care of around the country, not just in this area. There are so many -- there are numerous cases now of asthma when adults that are 60 are now developing asthma, it says there's a problem. It says there's a problem with all of the respiratory issues. And the climate change events will affect a lot of groups in this city. Some more than others. Flooding is absolutely devastating for households that lack financial resources. Low income families have reduced access to air conditioners. Older adults are more vulnerable to heat. Thank you. And we just feel as though Austin needs to place the people that would be more impacted by these events at the front and center of these discussions. Thank you for allowing me to be here.

[Applause]

>> Mayor pro tem tovo: Thank you very much.

>> Mayor pro tem tovo: Judith Iiro.

[7:29:37 PM]

I should just mention, Carol Geiger and Linda Watts, I believe we still have donated time, if you would just signal me when you want to donate the time, I will recognize you. Thank you.

>> Thank you. I'm Judith Iiro, an Episcopal priest and interested in how we can make this kind of major transformation. So I support 100% carbon free by 2030. What I was thinking of and listening to other people was that we need to have a sense of purpose like Hidden Figures. I found that film so moving, the way people came together to work for a goal. It should be a goal that includes those who are the most vulnerable in our community. It really -- I feel so angry when the environment is pitted against the people who are the most vulnerable. We need to bring us together and to get ourselves open to the imagination that it takes to make a major shift forward. Thank you.

[Applause]

>> Mayor pro tem tovo: Thank you. Jim Rigby. Thank you. At the other podium will be Barry James. Welcome, Mr. Rigby.

>> Thank you, I'm Jim Rigby. It's smart to get the preachers out of the way at one time. Good thinking. This is a very spiritual issue. I don't know supernatural beings. Austin has not always seen itself as the

exception but as the example of human rights. There's no more basic human right than protecting the planet.

[7:31:37 PM]

So I know from a distance leader of the state are going to say they're just keeping Austin weird but protecting the planet is keeping humanity sane, and for that, we thank you.

>> Mayor pro tem tovo: Barry James? Is Barry James still here? Mr. James? Susanna Almanza. Ciao paolo. Welcome. Chloe fowler, is she still here? She had donated time. However, not seeing her, you will have one minute.

>> Okay. I have I'm going to be very brief. I wanted to clarify I'm against the recommendations. I feel we need to be moving forward toward a plan that will make us carbon free by 2030. I spend most of my time working with the Austin justice coalition. I work around social and racial equity and police accountability issue, but I think it's impossible to talk about or fight for racial equity and social justice without talking about carbon emissions because this will affect all of our communities. This new Normal, these constant days that bypass -- these weather anomalies, they will affect people of color disproportionately. We need to move towards carbon free by 2030. Thank you.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: Adam hutler? Rebecca birch. I saw her earlier. I do not see Rebecca now.

>> She left.

>> Mayor pro tem tovo: She did? Thank you. Trish con truerras.

[7:33:38 PM]

If you would like to donate time, catch my attention. Susan Litman, you have one minute. Excuse me, is Joanna Kraus Darden here?

>> She was outside. Probably didn't realize.

>> Mayor pro tem tovo: She donated time to you, but I don't see her, so let me see. Someone else donated time, Amy badoe. Is Amy here? Ms. Litman, you have one minute.

>> Mayor pro tem tovo: Oh, thank you. You have two minutes.

>> Okay. Thank you all for being here tonight. Susan Litman. I work with atx environmental justice and wild flower church. I just want to point out that, you know, we had a huge rally outside, and most of the people here are in favor of the stronger goals than the working group recommended. So that half and a half debate is not quite as balanced as what we are here representing. I want to speak to that issue of the intermittent sig of

(indiscernible) Resources. Keg went just go and do what Georgetown did. Kudos to them, but our job is harder and more difficult. We have a great energy utility that cares about this thing, but we need to set really high goals on the grounds of all the things that people have been saying about climate here. And we can do it in a way that I think will be egg quitable for all income levels. It's really important to me that we do that. We could do intersectionality with our utility. We should look into having the batteries of the electric vehicle revolution that's coming be part of our solar storage.

>> Audience: Yeah.

>> I know it's difficult. I heard it's never been done before, but it's been done in California. They have started a program there.

[7:35:39 PM]

There's the potential with some say 16 to 20. Some say eight to ten years that self-driving electric shared cars will take over transportation. If we're not careful, that will interfere with our public transportation system. We should take that by the horn and try to promote it and have an interface with our transit system. Also have an optimal interface with our electrical grid by promoting this and have the car manufacturers develop the car batteries that will work. Much more.

>> Mayor pro tem tovo: Thank you, Ms. Litman.

[Applause]

>> I will be very brief. I just want to respond and let Ms. Litman and others know that our staff is working right now on an electric vehicle, auto mated vehicle and expect to hear from our staff in September on that plan. Capital metro is also working on the same plan with the city. So I look forward to telling you all and hearing from our staff and having a conversation as a community about what that plan says. So thank you, Ms. Litman, for bringing up those ideas.

[Applause]

>> Mayor pro tem tovo: Okay. Next is Shane Johnson, Amanda messino and Michael Kuhn. Shane Johnson, please come up. Shane is not here. Amanda messino. Phoebe shurmur, you can come to the podium and Michael Kuhn will follow.

>> Hi. My name is Amanda. I work with the group green is the new black.

[7:37:40 PM]

I'm here to urge a carbon free plan by 2030 and I urge you to understand that equity may mean some of us pay more in the short-term to benefit the long term. Justice concerns are pitted against each other when economics comes into play. Cost, I mean the cost on your energy bill, not the real long-term cost, get used to split us up. Let's be clear. The poor are disproportionately affected by poor energy. Climate change affects all of us. The poor are affected the most. Pollution affects everyone, but local pollution levels have the highest impact on your health. By local, I don't mean your city or neighborhood. I mean your block. Our clean energy plan must address these inequities. Thank you very much.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: Okay. Phoebe shurmur.

>> I'm an intern with the Texas public interest research group. A consumer and advocacy group. I'm here to speak in support of the work group recommendations and ask you to commit to a longer term goal to get our city to 100% clean energy. The work group recommendations represent progress toward the clean future that shouldn't be discounted. Getting out of the dirty fayette coal plant and gas plant by 2022, all with keeping our bills within affordability goals and from stakeholders. Encourage the city council to adopt the work group recommendations but get 100% renewable electricity by 2035 which follows the recommendations of the U.S. Conference of mayors. I don't just mean carbon free. I mean not renewing our contract with the south Texas nuclear plant.

[7:39:44 PM]

The danger is too close to home. We should particularly emphasize local solar energy. Thank you.

[Applause]

>> Mayor pro tem tovo: Welcome, Mr. Kuhn. After Mr. Kuhn is jeer rig loft, Jennifer mcfaillen.

>> Mayor pro tem, fellow council members. I've come to talk about the renewable portfolio we had a long, long time ago. I served on rmc in the late '90s and early 2000s. We had a 5% rps. Which at the time, we decided that was very insufficient. So we went forward with the resolution to say we needed 20% by 2020. Now we see that that was not a radical idea. It was actually quite conservative. I mean, we've got huge goals in place now. So what I've come to do is to encourage you to consider the reach-out goals that you see in the plan before you. So that's why I signed up against the plan as it is. I would like for you to consider going after the reach-out goals. I do believe that your committee did the best analysis that was possible, given what we know today, but the future can be very unknowable. So what do you do? You look towards leadership. Austin will maintain its leadership position by being even more aggressive with their goals. Thank you.

>> Mayor pro tem tovo: Thank you. Jerry loft. There you are. Is John brickly here?

>> I was going to get 2 minutes from chi --

>> Mayor pro tem tovo: Yes, I think that will work, but you have other time donated.

>> That 3 minutes --

>> Mayor pro tem tovo: I don't know is not here, but you may have Carol Geiger's time.

>> Three is fine.

[7:41:44 PM]

>> Mayor pro tem tovo: Carol Geiger will now donate it to Jerry lock, and you now have 3 minutes. Welcome, Mr. Locke.

>> Incremental change is no longer what we're about in this planet. This slow, slow, slow, and we have lots of time, as Derrick crow and Kai said, we don't have time. Kai said there's three years. The person who signed the letter about the three years was the head of U.N. Negotiations from 2010 until 2015. Someone that was really intimate with the process. So we need to do 100% as fast as we can do it, and we need to front load a lot of the cuts. Because we don't even have until 2030, from what I've been reading. I wanted to just speak for a second. I was peace corp in Kenya. I worked with the indie people. They go to the olympics for Kenya. They're about 200 miles below ground zero in this globe, in terms of drought. Really killing drought. Maybe 300, but very close. And Africa is going to feel it worse. We're going to feel it, as Derek described. We're going to feel it, but in Africa, a very conservative estimate that they would lose 180 million people by the end of the century. That's a very conservative estimate that is supported by major scientists around the world. Here in the U.S., we have the highest per capita emissions, and we also have the highest total emissions. We're a big part of the problem. You know, we

didn't know what we were doing. A lot of people didn't know what they were doing, but we know what we're doing now.

[7:43:45 PM]

We need to do our part. We need to do it as fast as we can. It means that at least 2030, but I hope in the next couple of years that we could even do it faster than that. We just don't have time on this planet for little, bitty changes. Thank you.

[Applause]

>> Mayor pro tem tovo: Thank you, Mr. Locke. Welcome, Mr. Mcphail.

>> My name is Jennifer Mcphail. I'm with the -- Texas. We're supportive of the 2030 plan. We think that it needs to be as aggressive as possible. The conversation seems to be the price that people will pay in the immediate future, but I can tell you that people with disabilities all over the country because of weather anomalies are paying the price right now and have been in the recent past. I say that not because I'm an expert in environmentalism, but I am an expert in what happened when we served people from Louisiana who came here in need of shelter during emergencies because I volunteered with the cert program. I saw people uprooted from their lives and institutionalized against their will. Because in an emergency, the government wasn't prepared to serve people with disabilities who needed a little bit of help. I saw it firsthand. I know that if a fire happens here that's big enough that we'll have to evacuate people, that people with disabilities are going to pay the price. If a fuji flood happens, people with disabilities are going to pay the price. Whatever you can do to speed up the plan would be greatly appreciated and also whatever subsidies are available to low income people, make sure it actually goes to low-income people and it's not being misused by someone else.

[7:45:50 PM]

Thank you.

[Applause]

>> Mayor pro tem tovo: Okay. Shane Johnson. Mr. Johnson, I called your name earlier. I believe you're back in the chambers now. Thank you. After Mr. Johnson, we will hear from Robert Matlock and Lilly Anna Mendoza. Thank you for your time. My name is Shane Johnson. I'm a resident of district 7. I'm also an organizer with atx environmental justice and Austin justice coalition. So first off, I would like to kind of go back to a few points that I spoke about at the Austin energy oversight committee meeting and

reiterate those and expand on them and their importance here today. So, first of all, I am against adopting the working group as it is. I agree that they are a good foundational goal and that they represent some progress in the right direction, and there was some consensus on them, however, they are nowhere good enough. They do not match the urgency of climate change or local air pollution or affordability issues and the working group that came up with these recommendations did not represent many parts of Austin.

>> Mayor pro tem tovo: I believe you have another minute of donated time. Pat buhlla? Law.

>> And so taking that into account, we really need to expand on those goals, and one such way is going carbon free by 2030. We need to have interim Goals to keep us on track such as having 75% of our renewables -- excuse me. 75% of our generation be from renewables. We need to retire our coal plants and not build others.

[7:47:59 PM]

We need to increase local solar energy efficiency storage and demand response goals and take into account ancillary benefits of those such as providing more immediate bill relief and saving money in the pockets of people immediately. We need to expand that to low-income parts of the city so low-income people and people of color can realize those benefits themselves.

>> Mayor pro tem tovo: Thank you very much, Mr. Johnson.

[Applause]

>> Mayor pro tem tovo: Mr. Matlock. Mr. Matlock, thank you. Thank you for your patience.

>> Good evening, mayor pro tem and counsel. You've all seen the m&m slide which I have up here. Can I have the next page? This is hard to read, but this is from questions that were submitted by council to Austin energy which have been returned to us. The very top of that, what you can see is this same information shown with arrow bars. The red dots in the middle are the estimated costs. The arrow bars around those costs are the bars. You can see that the impropriety in the costs dwarfs other options. So there's no difference between the different power generation options, whether or not we go 75% renewable or 65% renewable. So there's no reason to choose one over the other for better affordability. I also wanted to comment that Paul Robins earlier said that a recent power purchase agreement in Tucson, the real cost of that was \$0.21 a kilowatt hour. I've actually corresponded with the author that broke that story. He assures me he got his information directly from the utility and that that's not true. Thank you.

>> Mayor pro tem tovo: I'm not sure everyone on the dais heard your name.

[7:50:15 PM]

>> Mayor pro tem tovo: Liliano, you will have one minute.

>> I wanted to address the affordability issue. I have canvassed district 4, which is predominantly immigrant. So affordability is a big issue in that area. By definition, affordability means that a good or service is within the financial means of the people. So I would really urge you to please keep those people in mind. Our houses definitely could use some help in that area. In a city that gets 230 days of sunshine, it would be criminal not to use that to the advantage of everyone. The cost of living, as you all know and many in the gallery probably have heard, is pretty astronomical. So when we're talking about affordability, we really need to make sure that the people at the bottom are getting covered as well. This is an issue that concerns all of us, not just the people that can't afford it. I'm talking as a mother, and I'm talking as a homeowner. I definitely would appreciate that those issues are addressed seriously affordability. Thank you.

>> Mayor pro tem tovo: Thank you. Thank you for being with us. Next batch of speakers. Phoebe heroro and Christian Johansson. Next up, Andrew hurad. And at the other podium, phoebe Romero.

>> Good evening, council. I'm here on behalf of -- association. We're an environmental organization created in 1979 with the goal of protecting the water quality of the aquifer. We're guided by the need to prevent harmful climate change immediately. We're mindful of the rating of American infrastructure at a D minus with energy production relying on infrastructure that is currently at capacity or nearing the end of its life expectancy.

[7:52:19 PM]

We understand this cannot happen in a single step, but we're confident that Austin's reputation for technology Cal education and environmental concern is indicative of the talent the city possesses to meet high standards. So we urge the city of Austin to make commitment to the 100% by 2030. We support responsible manners that supports economic burdens on Austin -- eventually most progress happened in the first five. Thank you.

>> Mayor pro tem tovo: Is it phoebe?

>> I'm for a carbon free Austin by 2030. I've been living in district 5. I've seen the city transform immensely. These changes are brought great opportunities but brought large challenges. As an energy consultant, I see the impact the sustainable energy has on the customers in the rapidly expanding cities of south Texas. I have the privilege of helping school districts, universities, and municipalities in Texas to allow financial savings to increase resources for improved infrastructure. I want Austin's growing

population of teachers, professors and residents to reap the benefits. I'm a Mexican immigrant and my family worked hard to provide me with the opportunities they have. Growing up in the household meant every dollar counted. Energy is a part of daily life and its cost should not be a burden on families struggling financially. I'm concerned with the adverse effects for the communities of color. So please keep affordability equity in mind because social justice is environmental justice. Thank you.

[Applause]

>> Mayor pro tem tovo: Thank you. Is Janice Watkins here?

[7:54:25 PM]

How about Maeve Perkins? Those two individuals have donated time to you. But they are not here, so you have one minute.

>> Okay. Thank you. My name is Gwendolyn. I'm a registered nurse in the Austin Travis county Williamson county area. I'm active -- I'm in active practice, and I want to just address momentarily your agenda. I do support 100% carbon free agenda by 2030. You know, a lot of us will stand up here and give you a lot of statistical data research information. All of that can be burdensome and difficult to comprehend for a lot of people. It can be long and convoluted, but as a registered nurse, I can tell you how this is going to impact with our health care systems, with our clinics, with our emergency rooms. You're going to see just a plethora of patients and prospective patients with respiratory disorders acute and chronic, skin disorders acute and chronic, infectious processes, mental health conditions, problems with water quality. I say look at this very, very seriously. Thank you for your time.

>> Mayor pro tem tovo: Thank you.

[Applause]

>> Mayor pro tem tovo: Kristin Johansson followed by Michelle tula and Brandon Perez back at this one. You have one minute.

>> My name is Kristin Johansson. I have been a teacher for years and an activists for about the same.

[7:56:26 PM]

I'm here because I work with thousands of kids. I care by a carbon free Austin by 2030. 75% by 2027 because I care about the future, especially for the thousands of students I have to face. They deserve a planet that has clean air, that has a positive future that's not going to be ravaged by extreme droughts,

floods, and diseases. They deserve not to live next to fossil fuel polluting energy plants. We have the chance right now in Austin to become leaders in the world. We have a chance to give our students, our families, our kids that future. Thank you.

[Applause]

>> Mayor pro tem tovo: Michelle natula. Next is Brandon Perez. Is Brandon still here? Thank you. Dale Bula? Thanks. It's not that easy to see from here. Mr. Perez, you will have two minutes.

>> Hello, council, and everybody tuning in. Let's be the creators of a better world and not destroyers of our own world. Let's all live happily knowing there's a future and we made it possible by having Austin be a part of the solution. I believe that if the issue here is to save life and the planet, then all of us here and not here also must try and make green habits and everyday things as much as possible being here fighting would prove hypocritical, but the matter here is how we generate electricity and how we do so currently is definitely a humane issue. From me to the council, I hear all of the things you're going through on behalf of the city and for what is right and that this is yet another issue to see through. I think our city of Austin is important but without a livable planet, all other issues would cease to exist because there would be no life.

[7:58:31 PM]

Let's use renewable energy. Let's give incentives to businesses to recycle and compost. Let's put recycling bins in parks. Let's change the way we live forever.

>> Mayor pro tem tovo: Thank you, sir.

[Applause]

>> Mayor pro tem tovo: Just one second. David Dixon. David Dixon is next. David? Nancy Edwards? Are you here, Nancy? How about Lisa Anderson? Okay. Mr. Dixon, you will have one minute.

>> Thank you, mayor protem and council members. My name is David Dixson, I serve on the board for district 7. I want to talk another about angle of this discussion. I want to talk for 45 seconds about clean energy jobs. According to the job census, there were 1,100 so lair jobs in Travis county. These are clean energy jobs. Jobs we need to support and expand. We employ military vets, former oil field workers, software developers, accountants, roofers, construction worker, you name it. We're one of the fastest growing non-exportable industries in the United States. I'm looking for leadership on climate change, local solar job. These goals can be met by raising the bar on the local solar goals we establish that we started in 2014. To show you how anemic the goal is now, consider the fact that independent appear police already eclipsed that goal last year with 24 meg gats of solar. We can do more. Please push for more solar in our city. Thank you.

[Applause].

>> Tovo: Thank you. Austin Hyde. You're next. David king you're next at the other podium.

[8:00:32 PM]

And then Adrian Shelly. So Austin Hyde. You have one minute. David king, if you would make your way to the front, you have one minute. And again, Adrian Shelly, you will be next.

>> Hello, thank you. Hello, council. My name is Austin Hyde. I am proud to have grown up in the city of Austin. And when the 2014 plan was passed I was living away and read about it and heard about it from afar. Heard my hometown held up as an example of a city with a great -- one of the more Progressive energy plans in the world and in the country certainly. I am proud to come from a city that set a pledge to be carbon free by 2030 and I hope that stint will keep that promise. More than that I hope that the city of Austin will look out for all of its citizens in the process to becoming completely carbon-free and with make renewable energy programs available to people in all areas of the city, not first and not only to the wealthiest and the whitest, but will ensure that clean energy is distributed equitably.

[Buzzer sounds] That's it, thanks.

[Applause].

>> Tovo: Welcome, Mr. King. After you will be Adrian Shelly.

>> Thank you, mayor pro tem and councilmembers. I'm here to urge you to support the following stretch goals for the generation and climate protection plan. Number one, retire the decker natural gas power plant by 2020.

[Applause]. Number two, increase renewables percentage to 75% by 2027. And number three, increase carbon-free energy production to 100% by 2030. These goals will help protecting environment and climate while supporting the affordability goals in the plan. Our climate crisis demands immediate action and aggressive goals. Nothing stops a council from adjusting these goals pace R. Based on changing conditions.

[8:02:34 PM]

At a recent neighborhood meeting, mature Adler said if we had done more about affordable housing a decade ago our current affordable housing crisis wouldn't be so bad. He's right. If we don't push hard

now, don't set aggressive goals, we will wonder why we didn't do more about the climate when we had the opportunity. Thank you.

[Applause].

>> Tovo: Thank you, Mr. King. Adrian Shelly. On deck is Tom Smitty Smith.

>> Thank you, Adrian Shelly, public citizen speaking against the proposal. And it's not lightly that I do so and not light any that any of us come up here to speak against this but we feel we have to go further and feel that we can go further. We've heard from a lot of diverse viewpoints here and heard about environmental justice here tonight. I think it's excellent, very important. I'm not sure that the working group had the same opportunity to hear those diverse viewpoints. I think that there was underrepresentation of our minority citizens and underrepresentation of our low income citizens. I know a lot of the members of the working group. Some of them are my colleagues, but unfortunately I think that some of these viewpoints were not heard. This really is the issue of our day and it's something that is going to impact some of our most vulnerable citizens disproportionately and we need to take that into consideration. We have renewable energy goals, energy efficiency goals, those targets look very different for our low income residents. It's difficult to talk about weatherization in a home that has toxic mold issues.

[Buzzer sounds] So let's remember that this is something we need to do for all of our people, especially our most vulnerable. Thank you.

>> Tovo: Thank you. Is clay -- is clay mckelty president? Clay? How about chip Harris? Excuse me, Chris Harris? Chris Harris, are you present? Okay.

[8:04:36 PM]

Smitty, you have just one minute. You had some time donated but those individuals have left.

>> My name is Tom Smith or Smitty, former director of public citizen, now here in my role as a private citizen. And I wanted to give you a sense of what this plan really means to the rest of the world and why what you do with this deliberation is so important. It is because of decisions made by this council about 10 years ago that we now have 1100 people working in the renewable energy industry. It is because of decisions made the last time we did this where we said we want to do a stretch goal of 650-megawatts of solar that we broke the solar floor. We dropped it from 5.3 cents a kilowatt hour to about 3.8 cents a kilowatt hour. When the industry, the generation industry around Texas saw that, it was a Katie bar the door moment for good solar sites out in west Texas. And now because of what you did, there are between 14 and 27,000-megawatts of solar --

[buzzer sounds]

-- Under construction.

>> [Inaudible].

>> Tovo: And you have one minute donated.

>> That's because of a decision you have made. It's now the largest single generation source planned for Texas in the future because of what you folks have done. Now, we're at a point where you're now ready to take the next step. We want to be zero carbon-free. And we want to be the first really big utility of our -- public utility to do that. And by doing that and by setting strong goals for storage and electrification of our transportation system you can really help set the standards that change forever the carbon patterns of the world. And as we begin to develop transportation, that's the next big third of how it is we're going to reduce carbon emissions to where this planet is liveable.

[8:06:36 PM]

We have just returned from Canada. There are 180 wildfires in British Columbia right now. You can't see mount ranier in Washington because of the smoke coming from those wildfires the people in Canada blame the united States for their inaction. And you as a council have let other -- led other cities by taking action and --

[buzzer sounds] It's our challenge for you to take the next steps. Thank you for your courage and dedication and thanks for what you're going to do next week. Thank you.

[Cheers and applause]

>> Tovo: Thank you, Smitty. And again, Ann Chris had donated one minute and she also distributed something for us on the dais. Todd Davey. Come occupy. Connor hilliard, are you present?

>> Yep.

>> You will have two minutes. You will be followed by trey Salinas. And after that will be Darryl Chris and then caraganassier. Welcome Mr. Deaf. You have two minutes.

>> Good evening. My name is Todd Davey. As a participant, a working group member and I am the care of care. I would like to comment as a participant of a working group member that I thought the process was very fair and balanced. There was a good level of participation by all parties. It was an open meetings, much like this where the public was invited to come in and speak. And we heard a lot of different perspectives from across the community related to affordability, related to the environment, related to a lot of the different concerns that you're hearing about today. And the group met for nine months and discussed several different scenarios and after debate weighed the positives and negatives

and came up with what I feel is a very balanced recommendation. So I am here asking that you support the recommendations of the working group.

[8:08:37 PM]

There's a few things in terms of the environmental points that I think maybe are being overlooked because of the focus on the carbon-free, which is not something that is ruled out. It's just suggested that there's a lot of uncertainty in the decommissioning of the fossil fuel plants. There's a lot of unknowns around costs. That's going to impact affordability. And without that being known, it's premature to make commitments that we don't know what the impact is going to be in the community. Renewable energy and technology continues to improve. It gets more efficient and more affordable year over year. There's no question that renewable energy will be the future. It's merely the implementation. It's also important to know that renewable energy credits or recs are what a lot of cities that promote that they are green and carbon-free are using to make those claims. Austin has chosen not to utilize that and this committee did not spend a lot of time debating that particular topic, but I think it's important to understand that as you're weighing Austin it's not an apples to apples comparison. It's a comparison to what other cities are comparing themselves against.

[Buzzer sounds] With that, thank you for your time and I ask you to adopt the recommendations of the working group. Thank you.

>> Tovo: Thank you. Mr. Salinas.

>> Mayor pro tem, councilmembers. Thank you so much for having us tonight. I want to applaud everybody who is out here tonight. I'm here on behalf of the coalition for clean, affordable and reliable energy, which is many of Austin's employers. They are medium, small, large and non-profits and school district employers. We support renewable energy, have supported many of the renewable energy contracts that you have voted on. We also support the affordability goal, of which is a policy, which states that you will do your best to keep our rates in the lower 50% of benchmark cities and all rate increases less than two percent per year. We support reducing carbon. We're on record for reducing our support for reducing carbon.

[8:10:41 PM]

Smitty asked me tonight for I was ready to get up here and say on behalf of care that we're ready to support carbon neutral by 2030 and I told him what I will at the you, if you can keep our affordability

goal and keep our rates in the lower 50% of benchmark cities and keep any increases below two percent per year why would we not support going carbon-free by 2030?

[Buzzer sounds] Lastly, we applaud the working group for the many months of hard work they put on these recommendations and we're here tonight to support those recommendations. Thank you.

[Applause].

>> Tovo: Darryl Smith. Darryl Smith in and then Mr. S. Thattier, you will be next.

-- Mr. Nazier, you will be next -- we have complication.

>> My name is Darryl Smith, I'm in district 9. I would like to say that electricity is currency. Batteries are banks, fossil fuels must remain in the ground. Energy and water conservation is like money in the bank. Solar and wind energy, harvest treks and conserve water. Gas and coal, our last numb, Austin energy must be 100% renewable energy with all deliberate speed. People are already dying from floods, excessive heat and respiratory problems. My little sister after losing her art gallery in New Orleans to hurricane Katrina, my nephew Ezra will never know her mother, who would have been 42 next week. Police vote against the working group recommendations -- please vote against the working group approximate recommendations and make Austin's utility carbon-free by 2030. Thank you.

[Applause].

>> Tovo: Thank you, sir. Mr. Nazier, welcome.

>> Hello. My name is Craig Nazier. I'm on the conservation committee and I've done a lot of researching over global warming the past years and I think I agree with Captain James T. Kirk when he said Scotty, we need warp speed in 30 seconds or we're all dead.

[8:12:57 PM]

[Laughter]. That's a good line because it's true in this case. I really do think so. From what I've seen and - with all due respect to the working group, I think they did a great job. Their parameters were pretty specific and I'm up here, my parameters don't have to be that specific, but I think they're correct anyway from what I've seen. And I would end you with something that I was -- some advice I took in my life and it turned out very good. It's an old Native American saying that sometimes on your journey in life you will come to a cliff. Jump. It's not as far as you think.

[Applause].

>> Tovo: Thank you. So our next speaker is Karen Haddon, but we heard from you during the presentation, however you have donated time from James Casey. So Mr. Casey if you would like to use your time you can come up and address us. If you would like to donate your time too. James Casey, are

you here? Okay. Mark Mckim. Then our next set of speakers will be mark Mckim, you're up next. Then followed by Lou McCreary and after Lou McCreary, Victoria Hendrix. So Mr. McCreary, if you would like to come up to this podium, you're welcome and we will now hear from mark Mckim. Thank you, you have one minute.

>> Thank you, council. My name is mark Mckim and I'm a substitute teacher at Austin ISD. I'm lucky to live in such a sustainable and diverse apartment living community where I pay between 20 to \$50 a month for my utility bill. I believe Austin energy should be carbon-free by 2030 to help prevent the worst effect of climate change, create more green energy jobs and create access for low income communities. I believe in climate justice and recognize fact that air pollution and climate change affects asthma, rising floods, sea levels, droughts, negatively low income communities of color in Austin and throughout the world. We know about the devastating droughts and how they hurt low to moderate income families of color.

[8:15:02 PM]

As we transition to renewable energy economy, we must continue to address the ongoing racial and economic disparities we continue to face in our city, state and country. I urge you to have Austin energy be creative and expand the programs and there's a variety of ways to do that. Thank you for leaning forward. Keep going. Thank you.

>> Tovo: Thank you, Mr. Mckim. You conveyed a lot of information in one minute. And I know a lot of people have come thinking you would have a full three minutes. If there is more to share with the council that you don't have to say in your conversation with council tonight.

>> I'm here on behalf of myself and Progressive Democrats of America central Texas. I want to say to you two things. I want to say number one, thank you, thank you, thank you, for the time and efforts that you give our wonderful city. Without your time and your commitment we would not be the great city that we are. And number two, we would --

[applause]. We are. And number two, please do the best you can to get us to 2030. Thank you very much.

[Applause].

>> Tovo: Victoria Hendrix. She is next.

>> I'm here.

>> Tovo: Thank you. Next after miss Hendrix will be drew Abron. After drew will be Laris is a Meniskue.

>> Hi, everybody. I've been out there cleaning up the pizza trash. I'm here now. I live this city. I came here to go to school 40 years ago and I never left. And I just want this city to continue to be the city I love and to be a leader in maintaining good life for all of the people, poor people, rich people, especially poor people. I want everybody to have a chance. I don't think this current plan that the working group came up with is strong enough.

[8:17:04 PM]

I think we need to go faster and harder, be 75% carbon-free by whatever the year is.

[Laughter] Tell me, everybody. No, 2027. And then 100% carbon-free by 2030. Please.

[Applause]. And with as much environmental justice as you can throw in the mix. Thank you.

>> Tovo: Thank you. Drew Abrion? Laris is a meniscue. Ryan Robart. Clayton Matthews, you donated time to Ryan. If you would like your time back, signal me. Gilbert Starky.

>> Ryan is here.

>> Great. After Ryan will be Gilbert Starky and then Teddy Garber. Clayton Matthews, are you here? Clayton had donated a minute, but I don't see him so you have just one minute today.

>> Thanks for having me and thanks to Ann Kitchen, my councilmember. I wanted to tell you that I am generally extremely proud of you guys. You seem to govern very instructively and -- constructively. And while we have the state government talking about taking money from kids,, that's very refreshing. A little bit about me. I want to establish that I knocked on 10,000 -- 10,000 doors last year and I intend to do more this year. I want you to hear me when I say we need to do this as fast as possible. We don't have time to mess around. I believe in consensus, I believe in building it. I believe in finding out what the people need and governing through that. But this is a time when you guys need to be way out in front. You need to push this issue as hard as you can because 100% carbon-free by 2030 is just not enough.

[8:19:10 PM]

It's a good step, so let's definitely do it.

[Buzzer sounds] But there's so much more after that that needs to be done as well. Thank you.

>> Tovo: Thank you. Gilbert Starky, is he here? Teddy Garber? How about Monroe tally? Monroe had donated time to you. Monroe? Mr. Garber, you have one minute.

>> Thanks for allowing people to speak. I just wanted to point out I know you know already, but just talking about how it's been the hottest year on record every year so I really want to see the city lead the country in moving forward. And I think that green jobs are the future so we should really invest in making this economy green because that's the future. So thank you.

[Applause]. If if

>> Mary Wiley? Mary Riley, you are next. Pam Lynn, you will follow Ms. Wiley. Debra white will be after our next speaker.

>> [Inaudible].

>> Tovo: Yes, you are. I believe the person before you is not here. So mysoline you will have one minute -- so Ms. Lynn you will have one minute.

>> Thank you very much for having me. My name is Pam Lynn. I was born here, I've lived here most of my life. I've seen one go through a lot of changes. The city council has addressed a lot of changes very well and I can't think of a more important issue right now than global warming what happened we do about it. Scientists have known since 1896 that co 2 emissions would harm the planet. The world has woken up to the realties of global warming. Many of you have talked about them. I share your urgency. Frankly the idea of the four to six degrees centigrade increase scares the hell out of me. So Austin has a chance to show that going fossil free is possible.

[8:21:12 PM]

It would be great for you to do that. 65% isn't enough. It isn't aggressive enough. We must commit to 100% carbon-free as soon as possible. Because our children and our grandchildren need that. We have to make a difference. They will thank us in the future for giving them a possibility after decent life by making these changes. Thank you.

>> Tovo: Thank you, Ms. Lynn. Debra white. Welcome. A Fred Peterson here? Thank you. Ms. White, you will have two minutes.

>> Two?

>> Yes. You had one minute of donated time.

>> Okay, thank you. Hello, my name is Debra white. I want Austin energy to be completely renewable as soon as possible so that my grandchildren will have a beautiful place to live. To help do this I thought I would get some solar Pons for my home, however, two different solar companies told me that due to the orientation of my house on the lot and a large protected tree in my backyard, my home is not a good candidate for solar panels.

So this is the thing: I need Austin energy to go renewable for me. I, like so many others --

[applause]. , Can't do it on my own, so please make Austin energy-- make Austin carbon-free by 2030.

>> Tovo: Thank you. Phillip martin? Phillip martin, you're next. The next several speakers are Phillip martin, Michelle Jackson and then Matt Weldon. Are you Mr. Martin?

>> Yes.

>> Tovo: Great. Carol Joseph, are you here?

>> Yes.

>> Tovo: Mr. Martin, you will have two minutes.

>> Thank you, councilmembers. My name is Phillip martin. I live in free.

[8:23:13 PM]

A resident of Austin my entire life. I had a pleasure as serving as emcee for the Austin people's climate March recently. I'm here today to talk about our goals and a promise to lead. First and more most we would strongly urge the council to adopt goals that are 100% carbon-free by 2030. Full retirement of the decker plant by 2020. 75% renewable energy by 2027 and aggressive solar goals across the board. Obviously there are details and I'm sure you have those materials. Beyond that and what I spoke about at the March and what I've spoken about a lot is this idea of the promise to lead and a covenant of loving your neighbor because I think love is the greatest public good. I think love is what is going to bring us all together in this matter. Loving your neighbor is not a policy goal and is not a commission approved plan. But love is what calls us in the audience and you on the dais to serve here today. We are not here because of scientific facts. I would imagine that at one point in your life you all decided that you wanted to seven on a city council. At least I hope you're here on purpose and not by accident. But when you made that decision, you probably didn't have a detailed plan for how to make every single step of it work. You probably hadn't figured out every answer to everything, but you knew in your heart that had you a call to serve. That there was a great thing that you could do and there's a way you could help your community. This is one of those opportunities because that commitment to sacrifice, that commitment to one another, that commitment to love our neighbor, that is how you fulfill -- you set a goal and that is how you reach a policy decision and a true strong plan. I think that finding that -- find that in your hearts that brought you to the dais today. That made you think, yes, this is what I can be a part of and know that we are here asking you and supporting you and giving you the strength and set the goals as soon as you can and we will be here with you to get your backs to make sure the policy details work. Thank you very much.

[Buzzer sounds]

>> Tovo: Thank you.

[8:25:14 PM]

[Applause]. Michelle Jackson? Michelle is next. Matt Weldon. Michelle? Michelle, you're first. Matt Weldon, you're next. Thanks so very much. Welcome, Ms. Jackson.

>> Hi, I'm Michelle Jackson from district 10. It seems obvious that putting harmful substances into your environment is toxic for our well-being. I have suffered from asthma since I came to the U.S. It has been particularly bad in the last two years. Medication yow insurance is enormously experience sieve. Asthma sufferers pay money just to breathe. I'm lucky to have health insurance, but some don't. And all are about to lose access to health care. So let's stop putting toxins in our environment and hence our bodies. Moving forward to become carbon zero like other forward thinking cities, like for instance, buton, which is actually carbon negative, a small country, will save us money, resources, help heal the damage done to our planet. And for people like me, the chance to breathe free of charge. Thank you.

[Applause].

>> Garza: Before you start. Is Gordon Gunn here?

>> I wanted to --

[inaudible].

>> Garza: Carol cruum is donating one minute. And is Josh Meade -- okay. You have two minutes.

>> Okay, thank you. Thank you for donating that time. My name is Matthew Weldon. I'm in district 6.

[8:27:14 PM]

I work at the university of Texas for an engineering center in nanotechnology. My background is in chemical engineering, but I have to pay more attention to energy and to the environment. I want to start by saying I think you are the most lucky council in the world. Everybody came here in wild agreement. We want you to set stronger goals. We love what you've done in the past. We want more. And we know you can do more because I've been here at least four times asking you to set the goals higher and each and every time you've achieved those goals at lower cost and sooner than advertised. Be technological optimists. It's the time to do that. I want to thank Robert matlock because he brought this graph to you're attention. I want to bring it to your attention again. This came from the key accounts meeting, July 21st, 2017. That's slide number 22. Austin energy is presenting you data that

when you look at it says it's not risky to set these higher, more ambitious goals. So embrace that. Embrace the opportunity you have to set higher goals. I'm going to suggest too because what people are looking for is that aspirational goal, that statement of higher achievement.

One suggestion: The city of Austin and Austin energy commit to no new fossil fuel generation, period. If that's too strong a statement, how about this? The city of Austin, Austin energy commit to no new fossil fuel regulation in the an sense of a federal or statewide gas emission fee. Throw some shade at the state. And the next generation plant, the next time we're here to talk about, the next generation plan discussion must include plans to close fayette and the decker power plants. We can do that. Give us a date certain for when we're going to hold that discussion. Thank you all.

[Applause].

>> Tovo: Thank you very much. Next is ling Ju.

[8:29:16 PM]

Thank you. And Ben buroll here. He had donated time to you, but I don't see that he's here. You have one minute. Welcome.

>> Hi. My name is ling Ju. I'm in district 8, from Sierra club. I'll read quickly, Austin can learn from other cities to require solar panel on new homes. Austin being part of the hill country attracts young families and developers. Common practice so far is clear-cut and build apartments and homes. Large parking lot is a common feature for all those apartment sites. There's a famous song, pair dies by the parking lot. It uses roof solar as one of the selling points. There are large commercial customers that have decided to install their own solar systems. One recently announced they're installing 20-megawatts in their Chicago headquarter. I've been there. I know that the facility is huge. Bigger than our Barton creek.

[Buzzer sounds] Okay. Another one, Austin airport parking lot can learn from an Indian airport that is already powered by solar carports.

>> Tovo: Thank you. And feel free to send more of those examples if you would like to my email. Sarah Ziman. Marilyn white? Is she here? How about Roger baker? Okay. Yes, thank you. So you have four minutes. No, I'm sorry, you have three minutes.

>> That's still plenty. Hi. I'm a sustainability studies student at UT, graduating this fall. And I'm here with many fellow austinites to request that the council support a stronger bill pushing for an Austin that is powered with 100% carbon-free energy by 2030.

[8:31:17 PM]

I'm here on behalf of many mf-friends and family who are young, but ready to take on the challenge of making this goal happen. I hear many arguments for partial goals of 60 or 75%, but aspirational goals should not be rejected for lack of current knowledge about how to address affordability. With all due respect I am the one who is going to have to deal with the consequences of slow action now. I will and my little will and my friends and Gabriel will, and this plan is ambitious because there's no point in doing anything otherwise in my opinion. My fellow sustainability classmates are ready to step up to the plate, but I beg you to consider giving us momentum on our side. I wanted to say that I applaud the decision in which Austin energy signed a contract to receive an additional 200-megawatts from gulf coast wind power. I understand that the need to be responsible for Austin energy customers and those who could be impacted hardest economically by a more ambitious goal, but I also urge you to consider combining that sense of responsibility with that for the well-being of this whole city. And I also want you to consider not making this an argument between taking care of lower income families and the environment because they're both equally important. And overall they're one and the same problem. If we take care of both, the society will be better off as a whole. I'm not here to question anybody's commitment to the environment either and in fact, I'm grateful that we're here to begin with. I just wanted to make you aware that your younger constituents are here and we're listening and we're ready to work whatever plan you approve of. Thank you.

[Applause].

>> Tovo: Our next group of speakers will be Greg Godwin, followed by Joseph laws, followed by John Verona, followed by someone who I think has already spoken. We'll start there.

[8:33:22 PM]

Welcome you have one minute.

>> Thank you very much for your time. A little history lesson. I was born and raised here. We've been talking a lot about where we've come from and what Austin energy and what they've done. 85 we started what became Austin energy green build program. That has set precedence and standards all across the United States to follow our lead. Here in Austin. We have an opportunity here to extend our goals and go further and beyond and repeat what we did with that Austin energy green build program. I hope that we do that with this and that we go for zero carbon emissions by 2030. Thank you.

[Applause].

>> Tovo: Okay. Joseph laws. Joseph, are you here? Okay. John Verona. Becky Halpin. James Adams, you had donated time to Becky. So sir, if you would like to speak -- there you are, Becky. And you are James Adams. Okay.

>> Actually, I only need one minute. So perhaps you would like to donate to someone else although I'm very grateful.

>> Tovo: We'll sign you in at one minute and he will have an opportunity to donate time elsewhere.

>> Go for the speed version here. Hello. We set a goal in 2011 to get to zero carbon electric generation by 2030, but now we're saying well, it looks a little hard. Maybe we should back up. We don't exactly see how we're going to do it. Our country was built by people who set out into a future that they could not clearly see. They set out to achieve their goals and build a better future for themselves and their families even when they were not sure exactly how they were going to do it. Energy technologies are changing and falling in price faster than experts ever dreamed they would.

[8:35:23 PM]

Solar and wind costs have fallen below fossil fuel costs years or even decades ahead of experts' predictions. Technologies are accelerating so fast the ways we workshop and conduct business are changing almost overnight. There is no reason to believe we will not have the tools to achieve our energy goals. We just need to have the will to use them. Thank you very much.

[Applause].

>> Tovo: Thank you. Mr. Halpin, you're next but I see you're talking with the clerk so I will come back to you unless you would like to speak now or do you want to come back? Very good. Curtis Luciano. You are next. John Rooney? Grace Hanson? Stephan ray? Are any of you in the chambers? Okay. Hannah Wright, you donated money -- [laughter]. Excuse me. Apologies. You donated time to Stephan ray, and we'd love to either hear from you or you may donate time to someone else. And Mary truba.

>> [Inaudible].

>> Tovo: Mary, why don't we hear from you. And if at some point I've passed your name and you've come into the chambers, either let the clerk know or let me know and we'll hear from you. Mary, you have one minute.

>> Thank you. I'm Mary truba. I'm a private citizen who lives in district 3. I'd ask you to reject the working group proposal and adopt a more aggressive goal, the stream goal of carbon-free by 2030. And really there are three reasons why I would urge you to do so. One is I think it's a moral issue about the kind of people we want to be. People who take care of the Earth and take care of future generations. Second, carbon emissions are a community health problem as far as I'm concerned.

[8:37:29 PM]

We've heard people talk about respiratory diseases, but they're also skyrocketing rates of cancers, so it's important to take care of the health of local Austinites. And third, the time for action is now. This is not a situation for incremental change. As one of the previous speakers said, in the words of James T Kirk, carbon free at warp speed. This is a time to really be aggressive to take care of Austinites. Thank you.

[Applause].

>> Tovo: Thank you. Mr. Halpin, you have a total of three minutes.

>> [Inaudible].

>> Tovo: [Inaudible]. The requirement is they can still be here for the speaker you donated time. That's why I'm checking. Mr. Halpin, three minutes.

>> Thank you, Mayor Pro Tem. I am -- good evening, I am Richard Halpin. Ladies and gentlemen, you know we live in a time of global environmental catastrophe. More people are on the move fleeing droughts, floods, fires, famine than ever before in our recorded history. Island nations are disappearing, some American cities are flooding or catching fire. As a generation climate protection working group member, I think you deserve bolder achievable recommendations. You are leaders who can and must make things better. I've lived in Austin over 50 years. I used to be able to see the city from St. Edwards campus. Now too often it is covered with toxic vehicle fuels. Don't you think given the health and sickness, affordability challenges we face, your bold actions are desperately needed. Recommendations for me here now will meet your six priorities. I recommend 100% affordable, healthy renewables in place before 2030.

[8:39:35 PM]

I recommend that Austin Energy's conservation successes be profoundly increased. I recommend that the strongest emphasis on storage, electric vehicles and other innovations choose to become a global electric vehicle leader. To save people's health, money and avert liabilities, I recommend a comprehensive, independent, fiscal liability and sustainability audit of all of our generation assets before your next two year review. Economic opportunity and affordability renewables are the cheapest energy generation. Lower rates, green jobs, less toxic fossil fuels are benefits. Mobility, you want a clean Austin environment so that walking, hiking, sports, bike, our children, seniors, all can breathe to live? Fossil fuel poisoning is destroying our Austin. Safety, you know fossil fuel, air and water poisoning is not safe? You can transform our Austin. Health. Renewables will bring you what you want for health to 35. Cultural and learning opportunities. You want to preserve aspects that make Austin, Austin. Clean energy, air, water and healthy soil is the top of the list. If we don't have those, we can't preserve anything. Trustworthy

government. You make healthy, affordable, thriving decisions. People will trust and honor you. Thank you for your attention, your integrity, your hard work, your love of our people, our city and our planet.

>> Tovo: Thank you, Mr. Halpin. We have 74 speakers left. Thank you so very much, all of you, for your engagement, for your willingness to stay into the evening. I will call the next batch and you will make your way forward that will help us continue the discussion in an efficient way.

[8:41:35 PM]

James Adams, you're next. Barbara Fanti will follow will Adams. After Barbara will be Megan heiska and then Barbara cooper. James Adams? Barbara? Okay. Megan heiska? Lynettea cooper. She will be followed by Mike Aaron. Mike Aaron, are you here? Okay. You will follow Ms. Cooper. And then after Mr. Aaron is georgeio stratus. Welcome. You have one minute.

>> Yes, ma'am. My name is lynettea cooper. I'm here on behalf of Texas legal service center. We're a non-profit who represent low income folks. We recommend you approve the generation plan that's before you today. The plan is a start in achieving renewable energy goals without losing sight of affordability. The plan's goals, addressing affordability are conservative, given the demographic makeup of our community. We urge you going forward to take more aggressive steps to address affordability and ensure that our low and moderate income communities are treated equitably and have fair access to energy efficiency programs, commensurate with their demographics. I have a couple of other recommendations. I'm sure I'll run out of time, but I did provide my testimony in writing with some attachments. So it will be pretty self explanatory. I would like y'all to have Austin energy consider putting the value of air contaminant reduction and water savings in the cost benefit analysis of energy efficiency --

[buzzer sounds] As well as starting to track the savings, energy savings we get from the home repair program. It benefits our community and we should measure those benefits.

[8:43:36 PM]

Thank you so much.

>> Tovo: Thank you. We're going to hear from Mike Aaron and then actually Mr. Aaron we are going to hear from Aliana Larson. I believe you have donated time. Frank Morella, are you here? I see someone waving in the back.

>> I only need one minute. Is thank you very much, low.

>> You will have one minute.

>> Thank you. I appreciate your time and energy and inexhaustible patience apparently. Our nation has abdicated its leadership. We all know this. There are a bunch of other cities around the country that need a beacon and a we will weather. I am asking -- a bellwether. I am asking you to be that beacon and bellwether. Now is not the time to abdicate leadership. I don't know what you're hearing that is causing you hesitation to approve carbon-free by 2030. I was at the city of Austin's website earlier today. I was looking at their leadership page. They are engineers and they're risk managers. They keep our lights on and I am deeply grateful, but they are not the people who should be making this decision. As long as we can make our affordability goals this is your job to be visionary and be foresightful. In 2014 that was used. I ask that you bring it back and help us go carbon-free by 2030. Thank you.

[Applause].

>> Tovo: Thank you. I had several individuals who wanted to donate time to Alana Larson. I think Linda Watts. Were you one donating your time? And was there someone else donating time to Alana Larson? Okay. Ms. Larson, you have two minutes.

>> Two? Thank you. I want to thank everybody here for your service and your work for saving the planet, frankly. My name is Alana Larson.

[8:45:37 PM]

I was a special needs coordinator and educator for the it deaf and gifted and multiply handicapped and performing arts. So when I was in elementary school our teacher said, in 50 years we're going to -- we're all going to die because we're going to be out of stuff and we said let's work on it right now. And she said no, we haven't run out yet. So I don't want to have that mentality anymore. I taught the gifted. One of the projects we had was we wrote a little play and it was called the last attempt, kids save the world. So don't worry. Some of my gifted kids are out there saving the world right now. And that's good. So I'm going to sing to you right now. Because it's Austin, right?

[Laughter]. I can't quite breathe. I got a little handicapped here. Okay. Song for the Earth:

♪♪ I will sing for the Earth. I will lift my voice in harmony. I call forth her life, her strength and vitality. I will sing for the Earth. Let not the Earth perish. Oh friend, you are so dear.

♪♪ I am strengthened by your presence. The wind in my hair. You whisper and laugh with me, your plea makes me cry. I promise I will work for you. I won't let you die.

[Buzzer sounds] You're a sister, a loved one, so cherished, so true.

[8:47:39 PM]

I will call out to others to join me and sing for you. Sing for the Earth, our sweet voices soothe her. And beck on all others to remember her ♪.

♪♪ Don't lose her... Thank you.

>> Tovo: Thank you.

[Applause]. Georgeio stratus, David hogan.

>> Thank you for the time. There are a couple of things that I want to -- some quick points I want to make. Two days ago was the 25th anniversary of the save our souls ordinance being passed. The city council had great leadership in protecting Austin and the environment. I'm sure many of you were here for that. This is a similar opportunity for all to make a difference in the long-term future of Austin. We're 20% of the way there as of may with renewable energy. I think 75% by 2027 which puts us on track for 100% renewable energy for 2030 is a good goal. As shown in the working group's report that is actually a lower risk option although slightly higher cost.

[8:49:43 PM]

But I think the energy -- Austin energy is doing quite well financially looking at the same report. Finally, I want to say that our individual contributions are not very meaningful in the fight against climate change.

[Buzzer sounds] If I stopped recycling it wouldn't make a big deal, but if the whole city collectively switches over to renewable resources that can be a really significant difference practically and symbolically. Thank you.

>> Tovo: Thank you. David hogan? Thank you here for being here with us. Nicole stern and then Faye shot. Elaine Betterton. Following her will be Mary, Susan.

>> My name is Elaine Betterton and I'm a member of the Earth care team at St. Andrews presbyterian church and my family moved to Austin in 1973. I want to urge you to adopt a 100% renewable energy by 2030 or sooner, hopefully sooner. The consequences and stakes have never been higher for our city. Our state, nation and world. If you have any doubt you can go down and watch the inconvenient squeal down the road at the violet crown. It's our moral obligation to take care of life on Earth and this beautiful planet that we inhabit. It's impossible to ignore the consequences that our energy choices have on our air, water and climate and all the ramifications of that on all of life on Earth. The Earth is a treasure and it's sacred. Let us cease to treat the Earth as disposable and as our personal garbage dump.

[8:51:46 PM]

Buzz. It happens to make financial sense since the cost of alternatives are on par with alternatives. We are a country of innovators, solutions to obstacles will be found. Go ask Elon Musk. Georgetown has done it. Austin, I implore you to lead the way. Thank you.

[Applause].

>> Good evening. I am here to represent East Tarrant County central Texas. I'm the housing director for East Tarrant County central Texas and I'm also here representing Austin women in housing. I am a long-time advocate for low income families and people with disabilities. As a person who is privileged to work with people with disabilities and low income families everyday, I am here to plead that you support dedicating funding for energy efficiency programs for low income families. I appreciate your continued support and what you do for low income families in Austin as well as the environment. Thank you.

[Lapse in audio]. Lap --

[applause].

>> Tovo: Thank you. Mary Gaff.

>> Hi, I'm Faye shot --

>> Tovo: Thank you. You have one minute. Thank you.

>> Thank you to all of you on the city council for your good work, however, I would like to advocate for more aggressive goals. Carbon free by 2030. I would like to remind you that Olympic athletes never strive for an 8.2. They go for a 10.

[8:53:47 PM]

And I am hoping that the city of Austin will be Olympic in its vision. Thank you very much.

[Applause].

>> Tovo: Thank you. Mary Gaff. Mary Gaff? Welcome. You will be followed by Susan Cotom and then Nikki Reese and then Ashley Tilly. So welcome Ms. Gaff. You have one minute.

>> Hi. I'm Mary Gaff from St. Andrews Presbyterian Church. And we have a very active Earth care program. I support making Austin carbon-free by 2030 as our city council envisioned in 2014. Our planet is heating up much faster than predicted, thus we need to meet the challenge by accelerating our efforts

to reduce our carbon footprint. And make Austin carbon-free by 2030. To quote the challenge made to the famous -- made famous during the Apollo 13 crisis "Failure is not an option."

[Applause].

>> Tovo: Thank you, Ms. Graph. Is Susan cotum still here? Okay. Nikki Reese? Ashley tilly. Rachel or Paul. I'm not sure which, melkowski. Robert Buller. Okay. Anlo ask you Pell Verona da here? Supelveda. Robert, you have two minutes.

>> My name is Robert Buller, I live in district 9. Part of my job is to think in terms of systems rather than individual actions.

[8:55:50 PM]

Too often leaders don't react to a problem until it's a crisis. I think we're better than that here. Texas is already a leader in the wind and solar energy transition and Austin is a leader within Texas. If we fail to move quickly, Texas will suffer some of the greatest consequences of inaction according to the industry journal science, deadly heat, droughts, floods and energy usage towards energy bills are expected to increase. If you want to talk about money, these effects are estimated to cause a 10 to 20% decrease in gdp per degree of temperature increase. Rich or poor, like this is going to happen. I appreciate the work done on this proposal. It sounds very thoroughly considered over nine months, and safe. But it's not enough in a city that already deals with droughts and floods and excessive heat. There's a lot of individuals here who want more renewable energy. We could all go out and get residential panels and batteries and so on, although as it was pointed out, not all of us can even do that. That won't do the job. Government alone has the power to implement renewables at a large scale. And large scale is what matters. This sounds impossible or at least risky. But so was eliminating lead, chloronor row carbons, the chemicals that cause acid rain and more. We have affected climate and we have to do it at scale. Governments have to do it at scale. You on the bench have that power, we don't. City council, I urge you to take the economic risks, to assert yourselves as the caretakers of the city and to make Austin a global role model on the side of history by having Austin to 100% renewables by 2030. Thank you so much.

[Applause].

>> Tovo: Thank you. KEMO stork? Susan Meredith?

[8:57:51 PM]

And then to be followed by Christina green Martinez.

>> Hi. I'm KEMO story. We've talked a lot about, you know, the what-if scenarios that are going to happen. We know they're going to happen. I'm here to provide a solution. I bring a unique perspective. I'm in the solar finance industry and I financed over 237-megawatts of solar over the globe. And I currently work in places where it makes sense to finance them, Hawaii, California, the east coast. A gentleman was up here mentioning ethex and credits and those things work on the east coast because of the price of power. But you have the ability to do what you can't here, which is third-party financing. You have a pace program that works now, but it's on the back of the builder or the owner to get that kind of financing. I'm here to tell you if you actually allowed third-party financing of projects both utility scale, distributed generation and residential, you would have your green storm. You could accomplish that goal --

[buzzer sounds]

-- Of 2030 being completely green. I'm saying don't do it on the back of just yourselves. Allow third-party financing to happen and it will happen. I guarantee it.

[Applause].

>> Tovo: Thank you very much. Susan Meredith?

>> I think I have three minutes? Robert Meredith and Donna Litman. >>

>> Tovo: I believe you do have some donated time. Donna Litman.

>> And Robert Meredith, I don't think he got donated right.

>> Tovo: Robert, if you would please give your name to the city clerk, then we can record your time as donated and then you will have three minutes.

>> Okay, thank you.

[8:59:53 PM]

>> I'd like to talk about not why we should go to carbon neutral by 2030, but why not. Why not? Goals are not necessarily like this is what's going to happen. Why wouldn't we go for it? So, you know, if you think like on a football team, the thing is to run into the end zone. You may not get there on the that run, but the goal is to get into the end zone and that's inspiring. I'm going to actually read you something. I wrote this book. It is a comprehensive overview. I understand the complexity of variable supply in addition to variable demand, and energy storage is the holy grail of energy. There's a lot of complexities. My husband and I started a company called go green squad, so we've been in the homes on the east side and understand how hard that is. I'm not talking from high level. I'm talking about really understanding this. This is, I think, something that's really important. Energy management opportunity,

because we have an opportunity. When are they going to make a movie that has a positive future, my husband asked, after watching a futuristic film. How depressing. Yet when I thought about it I realized the prevailing mood in the real world is often depressing. We're doomed. But just in case change your lightbulbs. Yeah, right. What we need is inspiring goals. And I think Austin is the place to do that. I want us to write the movie that is that positive future.

[Applause] Yeah. It's not like just Austin energy that has to do it. A middle schoolboy read this and I asked what he got out of it. He said I got it is not just the government's problem. It's everybody's problem. If we all do what we needed to do, we wouldn't have the problems we have.

[9:01:55 PM]

That's inspiring. I think austinites would get behind that, but there's a way to do that. I'm an engineer. This is where we are, and we need to get here. 2030 is a long way off. There's actually a graph in that c40 report about the way we should be able to get down as a city of our size and -- what do you call it -- development. We have ways to do that. As some of these people said, you know, we don't know how to get there, but we don't not know how to -- you know what I mean? It's like why not. Why not do this? Why not being the healthiest most sustainable city in the country? Wouldn't that be fun to go for that? Wouldn't it be great to celebrate every month, every quarter, or whatever about look how far we got this month. That's the kind of focus we need, so let's go for it.

>> Mayor Pro Tem Tovo: Thank you, Ms. Meredith. Kristina green Martinez. You'll be followed by Linda Miller and then Colleen Mulvey. Welcome, Ms. Green Martinez.

>> Thank you. Thank you for providing the opportunity for people to share their ideas. I've lived in Austin since 1971. Obviously, I've seen a lot of changes in the growth and the development, but most recently what I've been aware is the people getting sick. I've got family and myself and lots of friends that are having these issues, so I follow things like the quality air reports and how the quality is standing. Most of the time it's good in Austin.

[9:03:56 PM]

It's good, good air. I wonder why people are getting sick if our air quality system says it's getting good, but we're living in new times with new technology. We have incredible radar systems. We've got nano technology. And when the government -- when the city of Austin tests for these particles that are in the air, it's for particles that are like 2.5 millimeters and above. And now we've got nano particles that are in the atmosphere, and these are coming from a variety of sources. I would like Austin to test the water,

the soil, and the air for these nano particles. They do it in Houston. They do it in other parts of the country, and I'd like to find out what these particles are.

>> Mayor Pro Tem Tovo: Thank you. Okay. Linda Miller. Colleen Mulvey. Colleen? Is Jane Denson here? She donated time. How about Missy senior?

>> Here.

>> Mayor Pro Tem Tovo: Okay, so you have -- and Jane Denson is not here, so you have two minutes.

>> Thank you. My name is Colleen and I live and work in the city of Austin district 3. I love the city of Austin, and it has always struck me as a city of leaders. We're leaders in the state in many ways and that makes sense as the capital city. And I came here today to ask you for some of that leadership. 65% is not enough. In August 2014, the Austin city council promised to reduce carbon CO2 emissions to zero by 2030. This is a well-researched, well-conceived goal. It was to protect our children from getting asthma from coal plants to keep our air and water clean for all austinites big and small and to take advantage of the renewable energy industry.

[9:06:17 PM]

Now we have the opportunity to stick to this promise, to invest our efforts in renewable energy, to adopt plans and budgets that will keep us on track for carbon free by 2030, to lead or to back away, to water down our resolve, to go back on the promise made in 2014 to the citizens of Austin and to their children. I've heard a lot today about being realistic, and I completely agree. It is unrealistic to expect that we can set safe, comfortable goals and still avoid climate catastrophe. We are past that point. Please lead us in the direction of a sustainable future. Don't keep Austin ransomed to a dying industry which is determined to drag our city down with it. We need to go further, faster than ever before. Please take us there. Thank you.

>> Mayor Pro Tem Tovo: Thank you. Eva sparza is our next speaker. Chris Mayer and Kayla Newman, you donated time to Ms. Esparza. If you want to speak, we can sort that out. Donna Hoffman. Donna will be followed by Jennifer Campbell and then Alison rubinick.

>> Hello council. It's past my bedtime. I'm getting a little tired, but you must be. You're listening to quite a lot of us and I appreciate that. I live in district 1. I'm the sustainability coordinator for a nonprofit organization called Blackshear bridge, and we're dedicated to creating and maintaining diverse and sustainable communities in central east Austin, so we work in the schools, Blackshear elementary school, and brook elementary school.

[9:08:27 PM]

I'm a really hopeful person. I was going to get up tonight and quote another song. You may call me a dreamer, but it's so obvious that I'm not the only one. I feel really good about these goals. I feel really good that we might be able to tell my friend Harvey, who is a former pecan farmer out in fayette county across the street from the coal plant, his family sold that land for the coal plant. He married into the pecan farm across the street. Do I have just one minute?

>> Mayor Pro Tem Tovo: You do unless someone donates time to you. Sir, what is your name? I'm sorry. Thanks, James.

>> Thank you.

>> Mayor Pro Tem Tovo: You have another minute.

>> One of the pieces I wanted to say was that I love the rooftop in particular, not the big plants. I think we need to work on our transportation problem. That's huge in global warming. I know you're struggling to deal with that. But first and foremost, we have to figure out the economic situation. I think that code next, thank you for having that meeting on that in our district on it. I think it is an opportunity to be firm with the folks who are making a lot of money in this town and that those developments to get the affordability piece in that's where it needs to go, that we need the affordable housing to be put in place in east Austin around the schools and not close down the schools. That may not seem germane to the issue of clean energy. We can do both 100% renewable by 2030 or I think sooner and also keep it affordable, so please be strong with the developers and get something in there for the low-income people who need housing.

[9:10:30 PM]

Thank you.

[Applause]

>> Mayor Pro Tem Tovo: Jennifer Campbell. Jennifer Campbell? Alison Rubinick? How about Carol Bladen? Sara Sanchez? Rachel Pearsol? Charles Shedd.

>> That's me.

>> Mayor Pro Tem Tovo: Welcome. Then Michael Conte, you're next. You have one minute.

>> I'd like to bring up the point there are some people who say the science isn't settled. But even if it wasn't settled, we should consider the consequences of being wrong. Let's say we go ahead and develop solar-powered cars and get all our electricity from wind turbines and solar panels and it turns out the global warming theory is false. We still have the benefits of clean air. Assuming that all the cities are

underwater and farmlands turn into desert, the consequence of being wrong, if we assume global warming theory is false, is far worse than assuming that's true. That's the point I'd like to bring up. Thanks a lot.

>> Mayor Pro Tem Tovo: Thank you. Michael conte? Delica Moore had donated time. I do not see her present. Okay, you have one minute.

>> I think we can all agree we're in a climate emergency. I live in district 1, and there's an emergency happening there. It's an emergency of displacement. I know that climate jobs have been mentioned some. I just wanted to point out that for every dollar spent on fossil fuels the same investment into energy efficiency, solar, wind, or smart grid jobs generates two two three times as many jobs.

[9:12:33 PM]

And the solar census that was mentioned earlier found in 2016 2/3 of solar jobs did not require a bachelor's degree. These are good paying jobs that can keep people in communities. Affordability is great. But if you kind find a solid job to keep people in town, people are going to leave. It's hard to see that. I think that's part of this puzzle. I'm really glad to hear so many people realizing affordability and climate protection aren't at odds with each other. Thank you all so much for your patience tonight.

>> Mayor Pro Tem Tovo: Thank you. Lillian Rodriguez. Okay. Hanna young? Tyler Merriman. I see probably Hanna young coming forward to be followed by Tyler Merriman and then Kyle Gardner.

>> Hi. I've been an early childhood educator for the past ten years and every year it gets more and more difficult to look at these kids that are younger and younger and realize that they will have an increasingly more hellish life on Earth. It's really hard to face that reality, and I know that right now we're thinking, oh, we're going at this steady pace. We'll get there. We'll get there. We all know it's not time for that anymore. It needs to happen right now. Secondly, having all of those kids and knowing that only a small percentage of them will at this point have access to renewable resources is unacceptable. It needs to be the main focus to make that an accessibility for everyone. That's all.

>> Mayor Pro Tem Tovo: And would you just confirm you are Hanna young?

[9:14:34 PM]

>> Yes.

>> Mayor Pro Tem Tovo: Okay, thank you. Tyler Merriman? Connor Gardner. Kay Iverson. Jeremy black? Pam starsha? Joe starsha? Michael grish? Ben weatherman?

>> That's me.

>> Mayor Pro Tem Tovo: Very good. While Mr. Weatherman is coming up, next up will be Fred Peterson and then Chris Campbell. Welcome. You have one minute.

>> Thank you, everybody for being here. It's great having the opportunity to talk in front of representatives who are not talking about bathrooms or what a woman can do with her body, so I really appreciate that here. I'm a software developer here in Austin, Texas. How many of y'all remember how long ago the iPhone came out? Ten years ago. Ten years ago. If you think about it, we're talking about 13 years from now what are we going to be doing? Do you remember what it was like to send a cat gif before an iPhone came out? It was terrible. We can easily have a carbon-free Austin, if we set that goal, but we're never going to have that if we don't set that goal. We need to be bold here. Councilwoman pool, you're my councilman. I appreciate you. It was get that stuff out of our water. We need to get the poison out of our air. We need to get the affordability so that everybody can have that opportunity. I ask you to reject this proposal and go for carbon free by 2030.

[9:16:39 PM]

Thank you.

>> Mayor Pro Tem Tovo: Fred Peterson?

>> I donated my time already.

>> Mayor Pro Tem Tovo: Okay. Thank you. We don't have that recorded as such, so if you would like to speak, you're welcome to. Chris Campbell? Martin Luecke. Rachel long and then Heidi Sloane. Welcome, martin.

>> Thank you. It is good to be here. Good to see you-all still here and awake. I'm the past president of the Windsor park neighborhood association. I currently sit on the commission of the Robert Miller redevelopment project, and I have three words for you that you don't hear at all. It's abrupt climate change. We've all heard about climate change, global climate change. The real thing that's happening right now is abrupt climate change. It's happened five times in the history of the planet, and each one of those times it's occurred has been followed by mass extinction. The last time that happened on this planet was 65 million years ago when the meteor came and hit the gulf of Mexico and killed all the dinosaurs. And I just wanted to reiterate that getting to carbon free by 2030 is a great goal. I support that. I wish we could do it a lot faster. Thank you for your time.

>> Mayor Pro Tem Tovo: Trish Contreras? Rachel long? Heidi Sloane? Okay. Collin gray? Cameron Cotham? Martha Mercado?

[9:18:42 PM]

Benjamin Lee? Amy Coronado? Nathan zivon? Ian Lawler? Michael Lumley? Michael. Michael, you will be followed by Gilbert Starkey. Welcome. You have one minute.

>> Thank you. Thank you, council, for taking the time to listen to all of the voices in the city. I have a ten-year solar background as a solar developer. I can tell you that ten years ago the pricing we used to look at and the things we had to propose were phenomenally different than the pricing you're seeing today. The friends that I have in the industry, we were looking at currently pricing in the 2 to 3 cent range for solar, which is considered the more expensive option between solar and wind these days. I think there is undoubtedly the ability to go 100% renewable or carbon free. The real opportunity is going to be the innovation and the job creation that will drive because the technologies that will need to be implemented will enable a workforce from every spectrum, from the highly skilled to a very big, large labor force, so I strongly support going 100% renewable and carbon free by 2030. Thank you so much.

>> Mayor Pro Tem Tovo: Thank you. Rachel Pearson? I'm sorry. Pearsol. Sorry that we missed you earlier.

>> Okay. So thank you very much for your time today. I wanted to start off with a joke to kick things up a little bit. Why did the sun go to school?

[9:20:43 PM]

Anybody? To get brighter. And hotter. So, my name is Rachel. I thank you for your time today. While I appreciate the initiative, I stand here against item 28 simply because it is just not good enough. We have the stats. We have the technology. We have the people, so why is there such a slack in speed? Austin is the capital of one of the most oil recognized states in the country and the world. Your vote will ring across this planet. I am a woman of a certain age, and I want children. Trust me. My mom wants me to have children. Trust me. I want my children to prosper in good health on this planet because it is their human right and it's all of our human right. As you deliberate, please keep in mind your vote can be the role model of change for this planet. Carbon free is the way to be. Thank you very much.

>> Mayor Pro Tem Tovo: Thank you. Rashab desai? Gilbert Starkey.

>> Howdy, y'all. I'm the conservation chair for the Austin regional group of the Sierra club. I'm very proud to live in a city where we have so many active and concerned citizens, and I applaud all of the speakers that have gone before me. I appreciate their message. We would all like -- and I applaud the city of Austin for the goals they have set and achieved and passed, surpassed. We'd all like to have this done and live carbon free by 2030, before then if possible, but we live in Texas. And so we have this

house of political prostitutes at the north end of congress that will be watching everything we do, and they are a bunch of whores that are paid by their corporate benefactors, so they will come down on Austin as they always threaten to do.

[9:22:56 PM]

And so we have to proceed cautiously. I support what Mr. Cyrus reed, our political director for the lone star chapter of the Sierra club said earlier, we support the recommendation of the work group. And we hope that leads to greater affordability for all of us, especially our poorest of the city. Thank you for your time.

>> Mayor Pro Tem Tovo: Thank you. Jonathan ebby. Apologies for what I think I have done to your last name.

>> People get it wrong all the time.

>> Mayor Pro Tem Tovo: You have one minute.

>> I am a student at ACC, and I have lived in Austin for -- since 2011. I love the city. I'd like to thank the council for their service. When I moved to Austin in 2011, one of the first things I remember is the record heat wave in which we had 70 days over 100-degree weather. That kicked off a drought that led to the draining of lake Travis as well as wildfires in bastrop. Those series of events were eventually ended by a series of floods that led to the destruction of many homes as well. Reports from scientists like Katherine haho say these extreme weather events will continue to happen. I encourage the council to adopt an aggressive plan for clean energy by 2030 like other cities such as San Francisco, Seattle, New Orleans, San Jose.

[9:24:58 PM]

All of these are other big cities comparable to the size of Austin that are adopting these aggressive goals. Thank you.

>> Mayor Pro Tem Tovo: Craig Adair? Eric doliver. Those are our final speakers. Now, let me just ask -- again, you donated time and somebody didn't need it or that person had left. If any of you would like to speak and you're registered to do so and you haven't already donated your time, please come up to the podium, introduce yourself, and we'll go from there.

>> Hello. Thank you. My name is Cathleen Thornberry. One of the things that has crossed my mind listening to everyone speak tonight is a different perspective. What would it be like if we threw

everything we had as a city at this issue? That would be phenomenal. So far we've been talking about what's achievable, what's practical, sticking to what we've thought of so far, but we really -- as a city, we're capable of so much more, and I very much appreciate the comments by the gentleman who spoke a short time ago who said we have a house full of whores down the street. Let's send a clear message to those people that they cannot ruin what we set out to do and we're going to act in defiance of them because we know where they're coming from and it's not something that we particularly want to be associated with. That's it. Thank you very much.

>> Mayor Pro Tem Tovo: Ms. Thornberry. Ms. Thornberry?

>> Yes.

[9:26:59 PM]

>> Mayor Pro Tem Tovo: I'm not seeing you on the speaker list.

>> I'm signed up on the computer.

>> Mayor Pro Tem Tovo: You may be here and I may just not be immediately seeing your name. Anybody else who signed up to speak who I have not called? Okay. Well, thank you again, all of you, for your testimony this evening. Council, that brings us back to the dais.

>> Thank you. I'd like to make a motion to close the public hearing.

>> Mayor Pro Tem Tovo: Council member Flannigan seconds that. Okay. And it's my understanding that we are -- we more or less agreed in the work session to make decisions about this next week when we have a full dais. Any comments?

>> I just want to acknowledge the work of the committee that worked on this plan and thank them for their service over the last several months to come up with the very least a starting point for us, and for taking the time to think about the issues and to lay them out and to present an option, which lest we not forget is still a big advancement over where we were. Whatever we decide, as long as we don't fully reject what they did and say let's stick with our goals, we're moving in the right direction. I think we can all be proud of that as Austin. And I want to thank them, and I want to thank all the people who came tonight to share their wishes for this decision. We appreciate that.

[Alter speaking]. You're coming out and being involved is really what makes Austin great.

>> Mayor Pro Tem Tovo: Thank you for that, councilwoman alter. Anyone else? Okay. Thank you. We will discuss this -- unless you all would like to have more discussion this evening or more questions of staff.

[9:29:04 PM]

>> Pool: Do we need to vote to close the public hearing?

>> Mayor Pro Tem Tovo: Yes, we do. All in favor of closing the public hearing please signal by raising your hand. Did you have your hand up, council member? Okay. That is unanimous on the dais with council member troxclair and alter. Unless anyone else would like to discuss and dig into this issue today, we'll take it up again next week and having no other items on the agenda, we stand adjourned at 9:29 P.M. Thanks again to all of you for being present.