

City Council Work Session Transcript – 06/18/2019

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>> Garza: All right. Good morning. I'm mayor pro tem Delia Garza. I'm calling this work session to order. Mayor Adler is in South Carolina in meetings on personal business. Today is June 18th. We have a quorum. We're at city council work session in the boards and commissions room at 301 west second. It's now 9:10 and I call work session to order. We're going to -- oh, actually, city manager is going to introduce one of our new directors. >> Great. Mayor pro tem and councilmembers and the community, I wanted to introduce our new director for the aviation department, Jacqueline leaf. Jacqueline comes to us from Denver and had experience in L.A., heading up their operations for lax airport. She just started last week but we're thrilled to welcome you on board. I know you started last week but it's a great honor to have you as part of our team and we're looking forward to the work we're going to be doing together, so thank you, Jacqueline. [Applause] >> Garza: All right. So we're going to start with the briefing on the 2019 legislative update, while they make their way up here. After the update, we'll go to pulled items and talk about the organization of the Wednesday, Thursday, and possibly Friday meetings. >> Good morning, everyone. I'm the intergovernmental relations officer for the city of Austin. I have up here with me today -- we want to give you an overview of what happened during the state legislative session and give you an update of what's going on at the federal level as well. Today up here with me is may lien with our state lobby team and Ed will be here as well to answer questions to talk about the most significant legislation that so let me get this going for us. Looking at what happened

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this session in terms of -- we always do a tracking, a comparison of the number of bills filed over a ten-year span, and we are continuing to see a significant uptick in the number of bills filed. We saw slightly less bills that were city-related by 200, but when you look at the number of city-related bills passed, even with that smaller number, they passed more city-related bills. And that's an uptick of about 5%, we're estimating right now, from 20 to 25. So that's significant, that even with less filed, they're still passing more. That's the focus this session, was as strong on cities as ever. Also, just so you know, the amount of work that the departments had to do to provide analysis and so forth is, over half of those bills, more than half, almost 4,000 of them, of the 7,000, were just filed in the last ten days before bill filing deadline. That was March 8th. That meant between April 29th to March 8th, that's when 4,000

bills dropped on us that had to be reviewed. We were also heading into hearings at that time, preparing testimony, so it was a significant amount of work that we relied on all of our departments to assist with and I thank them all for that help. We also saw a significant uptick in the amount of bills we ourselves tracked. That number is more than doubled for us. Part of that reason, too, with the uptick in the last number of bills and the number of bills we tracked is because we had a new speaker. We had new committee directors. So that bills were filed late for that reason. And then we also saw bills move that we hadn't seen move before. There wasn't the same always predictability that we had from last session of we've seen that bill filed four times and never got a hearing. This time it got a hearing. So there was a lot more that we had to react to. Looking at the agenda, the big three, the big three of course being the governor, the lieutenant governor and the speaker, you'll notice a difference from last session

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where the big three included speaker Strauss. And the big difference is they were very much aligned. And throughout session, that was their message. From the start of session, with the opening of the press conference together on their big issues to the end of session where they also met together regularly to praise their accomplishments, particularly on what they considered to be the most significant items, property tax reform and school finance reform. But because of that, it marked completely different tone from leadership of the biggest issues, and, thus, you will see that in the outcome. Before I move on, of course, we have our delegation that we have, we want to thank for all of their hard work. Particularly we have senator Watson and senator zaffirini who did a significant amount of work I'll talk about in a minute. And of course our house delegation with the Dean of the house being representative Rodriguez and Dean of delegation, we had a number of new members in our house delegation, in fact, all of these members you see on the screen are new. We included some on there, even though they maybe represent just a handful of constituents, they, nonetheless, played a significant role in aiding legislation that was helpful to Austin or killing legislation that was hurtful to Austin so that was a marked difference from what we had last session. Going on to the most significant legislation, as you all know, was revenue caps. So revenue caps did pass this session, and so it will take effect for the next year's budget. Does not take effect for this year's budget, but the next fiscal year. So what has happened now, the 8% rollback rate has been moved to 3.5% cap. So instead of a petition, if the city of Austin wants to go above 3.5 for the next fiscal year, then you'll have to take it to the voters. So will the county. This only applies to the cities and counties, does not apply to the hospital districts or central health, does not apply to community

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college, but I imagine the next fiscal year you can see at the end of the long ballot, at the very bottom, will be an item for the city and the county approving the tax rate. It also only applies to cities with populations greater than 30,000. And that's significant because a large city in Texas is approximately about 200,000 and more. So a large number of cities in Texas were exempted from this bill. In fact, they

get a 500,000 de minimis amount they can go above, which is a significant half a million dollars for some of these cities is a significant amount of money. It's projected some of them could even go above 8% with that amount, but the rationale or the explanation for that was that it covered the cost of them having to hold an election, and that cost of that election outweighed the need to put a cap on them. I'm just explaining to you how they explained it to me. [Laughter] So...then on top of that, we also had the cable franchise fees bill. This is an extension of what happened last session with sb 1004, the cable companies came in this session and said me too, so instead of us being able to charge for property use of right-of-way, we can only charge them for one use of that right-of-way, so that will take a hit in your budget immediately this year for fiscal year 2020, about 4 million. And then 5.6 moving forward. Now, we do anticipate legislation -- I mean we do anticipate a lawsuit arising from this. The constitution says that governmental entities, the Texas constitution says governmental entities can't just give away property or a thing of value, and this contradicts that. So I'm sure there will be discussions coming forward about whether the sb 1004 suit will be amended or whether a new suit will be filed. Do you want to say anything more about that, Brandon? >> Yeah. I just would add the importance of that lawsuit

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probably can't be overstated. If we don't structure that lawsuit the right way and win that lawsuit on the property merits, then there's going to be more of this in the future. There are other users of the right-of-way that will come in and follow suit to be sure. We predicted that cable would do this after the small cell legislation passed, and we were correct, and we'll continue to predict that the other right-of-way users are going to follow suit on this, and you'll continue to see an impact to your revenues unless the judicial branch sends the correct message to the legislature that this is unconstitutional and they need to knock this off. So this lawsuit is, in our opinion, incredibly important, not just for what has happened, but for what's going to happen in the future. >> So, the cumulative effect of these two bills is shown in this graph, and this was created by Ed because I could never do this. And what the graph shows is that by fiscal year 2020-21, it's anticipated there would be a \$15 million deficit if the city was held at the 3.5. That grows to a \$51 million deficit by fiscal year 24. That reflects the caps of the cable fee bill and reflects adding 30 officers per year and one new fire station per year. I'll just pause here, if you guys have any questions for Ed, you know, related to this. And if not, I can keep going. >> Renteria: I have one. Ed, if we went to 8% this

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year, what would be the difference between what we're -- normally would go around 5.5 or 6%? >> Right. >> Renteria: We save 2% for next year? >> Right. Normally we've adopted the budget in the past, that 5, 5 and a half, 6% range. This forecast for fiscal year 20, we don't have the certified roll yet but we're projecting we'd balance the budget in fiscal year 2020 at about that 5% amount. The difference between 5% and 8% is roughly \$14 million. >> Renteria: Okay. Thank you. >> Pool: Could we also maybe

have some conversations about trying to budget on some other cycle other than annual? Maybe have like a two-year outlook or something like that, then do budget adjustments midyear or something, maybe you're already looking at other ways to figure out our program funding, operations. >> We always keep track of something like this and we'll always present a graph like this as part of our financial forecast, part of our budget, so we're really looking five years out into the future. Of course council's focus on adopting the budget is typically not just adopting the budget this year but we want to make sure the budget we're bringing to you is not only balanced this year but industrially sound into the future. Obviously, with a picture like this, it's going to be a challenge this year. There are things that I think we can do that city manager and budget office and department directors have had discussions about some strategies we might employ this year to improve this graph before you get a proposed budget in August. And that's, you know, what we would like to be working on. But I don't think we're going to be able to solve everything by August. You know, we're going to have to really look at a longer-term plan for how we can operate as a city under a 3 and a half percent tax

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cap, and taking into consideration, you know, going to the voters and seeking higher traction -- higher tax rates. All of that. I know we'll have to front-load our budget by about a month next year, so in order to make this new timeline work, council would have to adopt, not this year, but next fiscal year, we'd have to be adopting the budget by August to have the door open for you potentially to call an election if that's what you elected to do. So normally we did you want -- we adopt the budget early September, this year, next year we'd have to be looking at that second week, third week of August, adopting the budget so we had that door open for you to potentially do a tax rate election if you want to. >> Pool: So does that mean we will start having these conversations in -- with greater focus, maybe as we finish -- maybe the roots of it are in this budget here, maybe we engage that further, like December, then come back in January and work on it? >> Yeah. We're going to have to have those discussions. We haven't put a timeline on it yet, but just know that we're going to have to bring the budget process up forward, at least a month, then maybe even further to have those types of discussions. It's just going to be a different budget cycle in the future. >> Pool: Okay. Because normally we don't have official meetings in July so that we can dedicate our time and focus and staff in particular to crafting all of that to come back in late July or early August with those numbers, so it sounds like that will be pushed forward, so maybe the focus would be in June, potentially, for that -- that focus work? I know I'm pushing you on a -- >> Pool: -- Calendar, but I think that's something, city manager, we should probably look at and see how that affects -- see how that affects things for next year. >> If I can add to the conversation, with regards to the timeline, it's worth noting that we had, really, substantial conversations with the legislature about this timeline because it was

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a lot -- a big concern to a number of stakeholders and two really, at the end of the day, driven more by federal election law and the requirements of federal law with regards to overseas voters and absentee ballots and military ballots that really -- >> That drove the calendar, yeah. >> Yeah. I think we would have made progress but for federal law. So that's really what you're -- that's what you're you're -- what you're keying off of, if you go to an election, there's overseas ballots and military ballots. A couple of other things with regards to sb-2, one, the banking provision is in there, so you do have the ability to -- you know, if you adopt the effective rate, for example, that 3.5% that you didn't utilize will carry over, and you have up to three years to carry that over. So by year four, for example, you could have a -- ostensibly, a 10.5% increase, and that's just one example. >> Without going to the voters. >> Yeah, without going to the voters. So if you adopt it at a lower rate, say 2, whatever -- >> 2.5, you can bank that percentage towards a later year. >> And if you did that three years in a row, again, like I said, you could just go on with these examples, but in year four, you'd have 3.5, plus banked, so you'd have 6.5 in year 4. I also want to make sure we mention, this does not apply to the debt side of the equation at all. At one point it did. >> Yeah. >> At one point that was in the bill and we were successful in getting them to drop the certificates of obligation in the debt piece altogether, so debt continues to remain untouched by the formula. >> Garza: Do you have any more questions? >> Pool: Just the last one. But it didn't carve out law

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enforcement. >> That's right. I was going to mention, we did try numerous times, especially until the house, to talk about carve-outs. In fact, when the bill went to conference committee, there was a carve-out, the house did accept, about the local option homestead exemption. I know for Austin, that's particularly significant as we have been trying -- as you all have been trying to move up to that 20, you're at 10 now. But unfortunately, in conference committee, that was taken out, and the senate didn't accept that. They also weren't willing to talk about a public safety carve-out, economic development, and also what we call shared pirates, things that we do with the state, so even transportation, you know, we have to make a match on transportation projects. And we talked about that. And they said no to all those things, and that we could just take it to the voters. >> Garza: Councilmember Flannigan. >> Flannigan: And correct me if I'm wrong, not only did they not carve out public safety, they prevented us from changing the contracts we already have with our unions, even though rewrote into the contracts the ability to do that, the state has even further preempted that clause in our union contracts where we can't change already promised compensation. Correct? >> Right. They said you can't decrease what they were entitled to in that year, so for fiscal year '20. >> Flannigan: Also, the banking of percentage, the math that the state used for that was just simple arithmetic. Right? So if you didn't bank it and did the 3.5, you would end up better off than if you banked it because it would compound year over year. So I don't know why any municipality would do that because it would actually give you worse off in the third year because you're only -- just compounding interest. The biennial budgeting idea is something I've been talking about a long time, even in 2014 and 2016, so I'm hopeful -- there were reasons to do that in my mind, even without tax caps, but I'm hopeful that we can

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maybe start really exploring that as a way to work through this. So thank you, councilmember pool, for bringing that up. >> Garza: I think had those are all the questions. >> Tovo: No, I have questions. >> Garza: Sorry. Councilmember tovo. >> Tovo: Thanks. I wanted to talk for a minute before we move into the next section and away from tax cuts, I wanted to talk for a minute about the homestead exemption. Can you help me understand what -- where they left that? As I recall, at one point there was language in there about not being able to roll back a homestead exemption if it's already part of -- or I may be misunderstanding is there anything in the bill that passed that would prevent us from rolling back our homestead determination? Our homestead exemption? >> I believe it's just the next fiscal year. I looked this up and it's slipped my head, but I believe it was just the next fiscal year. Ed? >> There was nothing new added in the bill that would change that there was a previous -- >> Existing law. >> -- Existing law that said anybody who adopted their homestead exemption after 2014 or tax year 2014 or after, couldn't repeal it prior to 2019, the year that we're currently in. It's not clear how that pertains to increases. Council first set a homestead exemption during calendar year 2014, but then you increased it during tax year 2015 so there's some ambiguity there, whether or not we could change the -- lower the amount this year. I don't think there's any ambiguity for next year, though. >> Tovo: I see. So there's nothing in the new law -- >> That's right. >> Tovo: -- That prevents us from lowering that homestead exemption. >> They had looked at it, then it did not come out in the final bill, then nothing was passed in addition to that that changed the current law. >> This was all remnant of the legislature's 2013 failed effort to address property taxes, in the failed narrative the cities

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would eat up the tax relief they didn't provide in 2013 by lowering your homestead exemptions, so they handcuffed us for five years, it was a needless handcuff, cities weren't going to lower their homestead exemptions, but that ill-fated law will expire. >> Tovo: I mean, it's unfortunate because that -- you know, as we start looking at budget gaps, that's -- frankly, that's one year we're going to have to take a hard look at. >> And we made that argument to them repeatedly, that not only that, that's a place to provide real property tax relief, is through those kind of tools, not only at the city level, but the state. They didn't do it at the state level either. So, you know, yes, unfortunately, those arguments were heard by them. >> We had it in the house bill at one point, to your earlier question. We did have the very beneficial provision in the house bill at one point, but then the senate refused to concur with it in conference committee and it came out. As a result, you're now punished for giving homestead exemptions in the formula. >> Tovo: And what does that amount to? What do you anticipate -- what did that amount to in fiscal year 2019? >> The -- kind of the lost revenue of doing the homestead exemption? >> Tovo: Uh-huh. >> I think it's around \$15 million. I can get back to you with an exact amount, though. >> Tovo: That would be great to know. Thank you. >> Garza: I think that's all the questions on that section. >> Well, moving on, we had other issues besides revenue caps and cable fees that we dealt with at this session. You guys all know I present to you normally a pyramid, I've refined it since the session ended, now it became a square. There were issues that popped up that really did rise to the top that we didn't a

expect to have so much momentum behind them. All squares in the green indicate a positive outcome, the squares in the red indicate a negative outcome. Right there at the top,

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there was legislation in Austin water and Austin energy, you know, there's always attempts to try to privatize, deregulate, put under PUC control, Austin energy. There was a hearing but that legislation did not move, thank any. Same on Austin water, there was legislation and hearing related to Austin water and it did not move. Super preemption, we saw that last sayings, that says -- basically makes us like counties and says if there isn't a state law that authorizes a city to do something, then you can't legislate in that area. That bill got out of committee, did not make it -- out of the house committee, did not make it on the calendars, there was also an attempt to put it on another bill in the senate, which we effectively got to remove. We will continue to see that and I will -- I anticipate having this block up there for next session. Also, we had what I'm calling annexation part 2. As you all know, last session, there was significantly form to annexation, saying that voters now have to approve an area being annexed. We saw it as an attack on our ability to regulate an etj, that's significant as to protecting water quality and even things like for fire, doing inspections and making sure that things aren't -- that are developed right according to codes with fire and so forth. We also saw one of the bills that caused a lot of consternation, and it was interesting, always moved at the same time the revenue cap bill, and that was a bill that said not only cities couldn't lobby, but counties and school districts couldn't lobby either. And not only saying we couldn't lobby, meaning we couldn't hire lobbyists, it also had language in there that said you can only come and testify if you're invited.

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So...we -- right. Now, for the electives, they said, oh, you guys can go up there whenever you want, especially for people outside of Austin, they'd have plenty of time to go to the legislature during those five months, but only invited for everybody else. The Texas pta took a strong interest in this bill because, like I said, it included school districts. So basically they were saying don't come talk to us about school finance or how schools are funded or how schools -- what we do in schools. Then we tried to break it down and say, we're only saying you can't come talk to us about taxes, how you raise taxes, oh, and about we don't want you talking to us about ethics, either. And it made it all the way to house floor. I mean, this was a bill that seriously moved, it got out of the senate, it got all the way to house floor, and was only killed on a house floor vote after there were amendments that whittled it down. They included limiting it only to cities of 200,000, 250,000 or more, and after that, then it fell under its own weight. But the lieutenant governor has already committed to filing this bill again. And there's already members up there speaking about this bill and bringing it back again, including the chair of ways and means on a public radio interview he did in Lubbock. So I also note with the planned parenthood big, I planned parenthood bill, they included language that was similar to this and says governmental entities cannot advocate legislation related to abortion-related entities any longer. So they did get that into that bill. So

there is an honest attempt to do this. Red light cameras as you all know are no longer allowed in Texas. And the bathroom bill, there was no bathroom bill, but there was the Chick-fil-A

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bill, which was a misnomer in itself, too, because that bill had been filed last session. It was filed this session before the Chick-fil-A incident in San Antonio, which basically was the city of San Antonio decided not to renew Chick-fil-A at the San Antonio airport, partly because they don't serve on Sunday, but partly related to their issues regarding lgbq community. Saying we can't discriminate against someone's religious beliefs, as it relates to economic development incentives we offer, contracts, any entitlements. It does not affect, though, the rights under our non-discrimination ordinance as it pertains to individuals' rights at employee -- as an employee for an employer. >> Garza: Councilmember Flannigan? >> Flannigan: So just to be clear to the community, we can still measure a company's support of its lgbt employees and its lgbt customers with we work with them because it's not about religion, it's about civil rights. >> As long as they don't claim they have a religiously held belief. >> Flannigan: So it's up to the company to decide that their employee handbook is a is that kind of the read of >> That is definitely, I think, an argument that some will take. >> Flannigan: Okay. Thank you. >> Garza: Any other questions? Councilmember Pool? >> Pool: So at the airport, example, couldn't San Antonio say that the contracts that they -- a criteria to be considered for contract as a franchise at the airport is that you're open seven days a week and that you serve everybody who comes through the airport -- >> Right. >> Pool: -- To cues up to purchase your tasty, nutritious food products. >> I believe so. Again, I'd defer to legal, but I believe so. Yeah. >> Pool: Okay.

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>> Again, this is a list of some of the bills that passed with a negative impact. We've already talked about Chick-fil-A. Historical decision is a bill that now requires that either the planning and zoning committee, commission, or the historical landmark commission approve by majority the designation of a property, they'll be designated as a historic landmark against the property owner's consent. So that's already required for you all, a council, that's already the policy, but now it's required that one of those committees also approve it with a super majority. And this is the first time we have in law that a non-elected board will have a super majority requirement. There's also been changes to the board of adjustment and who can bring forward an appeal. Number 4, I think we're going to see pop up throughout the year with consequences that we just don't know about right now, and so that bill relates to what we can say is used as materials in building and development, and we can't go beyond the national codes. I think the unintended sequences of that are unknown right now. This was opposed by cities all across Texas and other communities interested in making sure certain materials were used, whether related to historical landmarks or energy efficiency. Land development applications now -- development applications now have to be reviewed and approved within 30 days. That's kind of an extension off of sb-1004. We saw that in the small cell bill, 30-day requirement. And what I'm again

calling annexation part 2, not related to Austin, but for everybody else, they are now included under the annexation provision. So that's statewide. And in addition, this time they decided not to exempt strategic partnership agreements from annexation. So those of you that were here last session will recall that they did exempt our strategic partnership agreements from annexation. This time they decided not

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to. And so -- and this was particularly led by shady hollow, but this does apply statewide so it doesn't just affect Austin, but it does affect a number of our spas in Austin. Okay. >> What does that mean? >> It means before shady hollow was up for annexation in 2021, and now we have to get them to vote to private and not only have them vote to approve it, but the laws say we have to include the entire area that's outside the mud, that includes the homeowner's association to get them to vote to approve it. >> Garza: Councilmember tovo? Did you have a question? >> Tovo: Yeah. I know that you and I have talked about this, and I just want to make sure that we're going to get a list of -- a list of the entities that signed up or filed testimony in favor of these bills that took directing at Austin -- >> Right, with the witnesses and so forth, we will be providing that. We're working on that. >> Tovo: Yeah, among other things -- number 2, number 3, number 6, I mean, these were really direct attacks at Austin, specifically, and I want to -- if there are member organizations that signed up in favor of those, I would like to know what they are. >> We will get that information for you. Absolutely. >> Tovo: Absolutely. >> We did have some bills pass with a positive impact, things such as the redesignation of some highways in Austin, particularly everybody will know the Overton memorial highway, also the sergeant Dunbar memorial highway. The sobering center was done in conjunction with Travis county in order to clarify language, the sobering center can retain people that are inebriated, but also significantly -- I'll talk about this on the next two slides, 6 and 7, related to the deal at the capitol complex, then we also had legislation filed by senator Watson and representative Howard that gives the city a

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tool for muni, if the city chooses to use it. What it does is it creates a district where the city can put on the ballot for the members of that district to vote to have a fee assessed on their energy bill to go towards preserving muni. Now, again, that will be decided if the city council puts that on the ballot and it would have to be approved by those that would be assessed the fee. We also did have some legislation that passed out of Harvey that I think that Austin would think is related to landlord flooding disclosure, so on the sale of homes now, the checklist we have to fill out, you check off all the things related to the history of your home, there's now a number of new items on there related to disclosing whether there's ever been any flooding, whether it's within a flood zone and so on and so forth, so that does provide awareness to the buyer of when they're buying a home in an area like that. >> Garza: I have a quick question. I thought that was already required, but this looks like it would -- is this required of renters? >> No, they added -- no, this is just for sale of home, but they added about six or seven more questions, particularly to these issues. So before, it was are you in a -- I believe a flood zone, but now

the questions go into more detail. I can follow up with a list of that to you. >> Garza: Then why is it called landlord? >> You know what, that's -- that's a mistake. >> Garza: Okay. Thanks. >> Ellis: I can a quick question too. As far as muni district, is everybody who would be included in that vote, to levy taxes on the energy bill, are they part of Austin energy? Are there any other energies that -- >> I believe they're all served by Austin energy. >> Ellis: Okay. Great. Thanks. >> Like I said before, we did, from the capitol complex agreement, represent Howard and senator Watson filed two pieces of

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legislation that have passed that provide -- that was part of their commitment to that agreement, and one of that relates to -- with the Texas commission, we have at least 5.8, maybe a little bit more, sitting on that ledger. Before this passed, we could only use that with the Texas facility commission. As you all know, that didn't give us a lot of room to use that money. Now we can use it with any state agency that is not a higher Ed institution. And I think that that amount will change a little bit. It's related to those right-of-way fees that were waived, rental fees for using the road up there on 15th or blocking it off while they're doing construction. So that is -- provides more use for that ledger. And then the second part relates to the Texas state library archives commission easement. The city asked for their assistance in getting an easement to build a pedestrian bridge out there, and that was signed by the governor and it was passed. So we now -- and that's effective immediately, so work on that can begin immediately to begin -- we have the easement now and begin construction. And that's everything on the state. Unless you have any other questions. >> Garza: Councilmember pool? >> Pool: I just want to say thank you, to you guys, for everything that you did to work through all this with us this year. It was a tough -- we always say that, this was the toughest session ever, and it really felt like that. And so many more longer-term, wider ranging issues here, with some seriously negative effects well into the future. >> Right. >> Pool: So I think our work began even before, in order to figure out how we're going to respond and what the session for 2021 looks >> Absolutely agree. >> Pool: So thank you, to

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everybody. >> Thank you. >> Garza: Councilmember tovo? >> Tovo: I wanted to address, if you can address the fix that went into for open quorums? >> I don't feel knowledgeable enough to speak to that. Ann looks like -- do you have anything? >> Tovo: Maybe that's a conversation we could have a briefing about in executive session or whatever the appropriate place is because I think that is -- I think that does fix the gap that was left by -- as I understand it, the gap that was left by the courts, and I think potentially provides some clarification that I think would be useful to this body. >> Thank you. We will have an executive session on legal issues related to the legislation when you come back in August, sort of all of them. If you have particular questions you want us to address, be sure and let me know. Some of you have already asked, can we talk about this legal impact of a particular thing, and that will be CD. >> Tovo: Super. My other request, I made this to the city manager but not yet to the city attorney, is that we have a briefing in executive session on -- on legal actions related to the tax cuts. >> And discuss

legal issues? >> Tovo: And options that the city can avail itself then lastly, I just wanted to say huge thanks, really. I think this was a harder session than I remember seeing in the past, and you did a tremendous, tremendous job, and I really appreciate the regularity with which you updated us and asked us for feedback or reached out to stakeholders, so thank you very much for -- >> Thank you. Let me say this to you all. There are times I did reach out to all of you to ask for a call or information, and you all always, you know, followed through immediately, and I appreciate that. I really enjoyed working with each of you. >> Tovo: Well, thank you. >> Garza: Councilmember Flannigan? >> Flannigan: Yeah. I want to add my thanks, too. There were bills that we filed for district 6, that

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the representative filed for drainage fees, to close a loop hello and our ability to charge traffic impact fees. We also had hearings, they didn't make it out of calendars, but we got hearings, it's a good sign things are moving forward. I want to thank you for coming to the cam board meeting, speaking to that group. When you do your analysis on who testified on what bills impacting the stickers please include the food permit bill. >> Yes. >> Flannigan: Because we were preempted in what we can charge on food permits. It's going to have a pretty -- it's going to have an impact to the public health budget, and I think it will be important for us to know who in the community was advocating for that. >> Yeah. And I actually think, councilmember Flannigan, that's an issue we'll see next session. We already saw mention of that in a recent statesman article about if cities try to get revenue caps with fees, you know, we'll come after them. And the worry behind that is that the legislature always thinks the proper amount for a fee is a hundred dollars. On one end, they say -- on one end -- >> Flannigan: Very scientific. >> Right. On one end they say you have to charge the true cost of the fee of what the service is, and on the other end, they always go, but, a hundred dollars. Right? That's about right. So -- >> Flannigan: Somehow I don't -- >> That's a long-term thing -- >> Flannigan: Somehow I don't think he they're going to allow us to increase the drainage fee, code fee on the utility bills to hundred dollars when they're only five or ten bucks now. So I don't think a hundred dollars is going to be where they end up. >> Yeah. >> Garza: I just want to add my thanks as well for your hard works as well as our delegation. I know we have, what, two years to get ready for the next session, but I think it's incumbent on those of us that have a voice throughout the year, as well as all our austinites, to really start to -- and Austin does a good job of this, it's, you know, other parts of our state, to really -- hopefully there's

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a point where our leadership is held accountable for, you know, frankly the hypocrisy of some of the arguments they make on why they're doing certain things and the reality that it is going to hurt people. So these revenue caps are going to affect our city in such a major way when we are continuously being asked to provide more, provide more for our homeless, growing homeless population and other things that we don't fund our public health the way we should to begin with, and this will obviously affect those very needed services for our most vulnerable in our community. >> Right. >> Garza: I hope

we rally and change the makeup of our legislature. >> If I can say, our house delegation was the only one out of the major cities that held to vote no on sb-2 and the cable fee bill. >> Yeah. That can't be emphasized enough, the other urban areas of the state, you know, generally speaking, have a little more republican/democrat mix, sometimes even majority mix, despite being an urban area, and the Austin delegation is lock-step with your issues, and the big-city delegations across the state is the most reliable one. I don't say that to gratuitously compliment them, I say it because it's a fact and they're accessible to us as anybody. Representative Betty Rodriguez did a tremendous amount of work on sb-2, and I'm really thankful for all his efforts on that. >> Garza: Councilmember Casar? >> Casar: Yeah. Thank you to the delegation and to all of y'all for all your really hard work.

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I mean, obviously there were some really big losses and some that -- some places where we managed to make it, which was really important. I want to pick up on the mayor pro tem's point of keep -- you know, as the next two years go on, not only preparing ourselves for the next legislative session, but recognizing the box that we've been put in so that as our community has debates about how many fire stations, how quickly we can open, or how many shelters, how quickly we can properly staff, and what level the homestead exemption should be, or whether we can actually pay into any of our economic development deals anymore, as we have those conversations, that we have that list of bills present and that we have -- we don't need to see you as much as we saw you during session, but don't be a stranger because I think it will be really important as there's genuine debate in the community that we not tear each other up when it was really somebody else that put us in that situation. >> Right. >> Casar: Because we're going to have those really heart conversations and we're going to debate vigorously how to survive and keep Austin Austin, and keep standing up for our values, but we have to recognize that sometimes we have been put in those terrible situations, not just by revenue caps but also by the -- cable fees bill and smart cell big, at some point I think it'll just be really important to remind ourselves why we're in the situation. It doesn't mean that we get a pass on figuring it out, but I think it does -- will help all of us in the community know why it is we're in the place that we are, and that will hopefully give more credit to our delegation that fought for us the right way and hopefully will push other delegations to recognize the situations they've caused, not just in our city but in many others. So thank y'all for what you've done. >> Thank you. >> I want to add just a quick perspective of that and just kind of a closing thought, and it goes for both council and the city manager in terms of his conversations and networking with other city manager, and your networking with other

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council members across the state and through tml our firm, as you know, specializes in representing cities, we represent a number of cities across the state. We're going to be advising those other cities to follow your lead, and I mean that sincerely, because y'all have been as strategic and I think on point, and more on point than any council in Texas, of engaging the other stakeholders in these conversations and

asking these questions about who pushed this, who was on the other side of this, and realizing that you need to engage with them directly. I'll just pick on one example, but it is -- in our opinion, and I think in a lot of people's opinion, it is wrong that the cable industry, with all of their resources and community outreach ability that they had, never once picked up a phone and called a single mayor or city manager of Texas ahead of session and said, I need to come talk to you about something that's going to directly impact your budget and your ability to provide services for your constituents, and we're going to be pushing that this legislature. And there's other examples of that, the building industry, so on and so forth. So just know that we're giving that advice across the state and it's really going to be up to y'all, up to managers and city attorneys and councilmembers to talk about this, this interim, and I'll close by saying, in my opinion, as long as I've been doing this now, it's easy to lull yourself to sleep and really just stop thinking about the legislature. It's sometimes a fun thing to stop thinking about. [Laughter] And wake up and the next thing you know, it's just time to get ready for the next session and adopt your agenda, and you didn't really do your homework in between of engaging with the

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stakeholders. I'll conclude by saying I think that's the biggest missing piece we have in terms of strategy. I know this isn't a strategy session, we want to come back and talk more strategy, but that direct engagement with the other stakeholders -- what I call stakeholders, whether they're the, you know, regulated businesses, that you sometimes have adversarial relationships with, or they're your allies, we have got to engage with them more directly. And I compliment you all for leading the conversation with the state, and I want to encourage y'all to spread that message and spread that tactic amongst your fellow colleagues. >> Garza: Thank you. Councilmember alter? >> Alter: Thank you. I wanted to add my thanks to bree and your team. I've had a lot of constituents who have been active coming and speaking, and they have always commented to me on how supportive our office has been to help them understand how to be most effective, and in some ways it's more effective if the citizens are going and speaking. So I want to say thank you for that. I may have missed it, but I didn't hear recognition of some of the important work that Watson and Howard did with respect to sexual assault that -- perhaps not the highest thing on our legislative agenda, given the revenue caps, et cetera, it's going to have some real positive repercussions for our ability to address some priorities that we've identified, will supplement the comprehensive sexual assault evaluations, calling on other cities to have to be able to do similar kinds of things and further addressing the DNA testing backlog, as well as campus issues. I may not have all of them collected in my head, but I did want to recognize the leadership of senator Watson and our representative Howard on that, and I appreciate the work that was done on the easement for the grove, and we're looking forward to getting that built as soon as possible, and I think the ledger is an

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important step forward for us as we navigate a lot of potential state property sales and other things in the city. So thank you. >> Thank you. We'll move on to the federal. >> Thank you. >> Raffle can join me up we haven't done a federal update in a while, so I want to give you one on that and what's been happening or not been happening, I should say. So I'm gonna actually turn this over to Ralph with our federal -- team to lead us off. >> Thank you. Good morning. I'll try to go through this so we have a lot more time for questions than me just talking at you. Always start off with just a set of photographs of your federal delegation. That will -- seems like a long ways off, but come the 2022 election and in 2023 that will look different and we'll get into that in a little bit. The 116th congress, I think the last time I spoke to some of you after the election, one of the predictions was that divided government, house controlled by Democrats, senate and house controlled by Republicans. That has turned out to be the days. On the house side, they've actually had a very busy legislative calendar, churning through bills, committees holding hearings, they're marking up bills about, you know, six to a dozen bills come to the house floor every weaning. On the senate side aside from much five must pass bills, besides those kind of bills the senate is focused on nominations, just one an evening dote althis morning, the house calendar this morning, a bunch of bills are cued up for today and this week. On the senate it's a bunch of district court judges,

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about six offer seven. The senate is focused on nominations. That's what will continue to happen going forward. The house will work through legislation, the senate will focus on nominations. I think gridlock has claimed the infrastructure bill once and for all. I think we've had about our 80th infrastructure week in Washington, and I think later in this presentation we've actually put a line through infrastructure package. I just don't see that happening in this congress, especially as we get closer to the election. I will say one silver lining we always face challenges to local authority. If they're not passing legislation they're not preempting local government. And this is important to point out, there's a lot of news from Washington these days. If the -- the news cycle is almost I would call it exhausting. The news hasn't focused as much on the destination's deregulatory agenda. It is a broad and active deregulatory agenda cross-agencies. I'll pull up the latest example just because it's fresh in my mind. In 2017 the consumer financial protection bureau under the previous director issued pretty stringent regulations on payday lending. Under the current leadership, cfpb has issued a proposed rule to certainlily gut those regulations. That's kind of the case across various agencies. And then one thing when I talk about must pass legislation, if nothing else, congress does have to pass a budget for fy2020, one of the must pass. This is a deeper dive into key issues expanding on what I talked about. As I mentioned fy2020 appropriations, the highway transit bill expires at the end of fy2020 so the house transportation infrastructure committee already held hearings on reauthorizing those programs. As we get into later this year and into next year that

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will start to pick up and be a major focus of our work. I've put a line through infrastructure package. And I think that's where that's gonna be. I mention local control. I don't think we're going to see any legislative attempts to employee estimate local government in these areas, but I think you're all familiar, the FCC over the past years has been very active in preempting local governments. The state teamed talked about the cable and small cell bills. The FCC issued a financial rule that essentially preempts local authority as it relates to small cell and then they have a proposed rule that will limit your cable franchises. Immigration, there's a lot of talk but I don't see, again, any legislation there, apart from humanitarian/border security package they're negotiating right now. The 2020 -- we'll talk about 245 more. The U.S. Army futures command that's in Austin, and we'll just be track the authorizing bill and appropriations bills to make sure that that's not adversely impacted. And public health is another exception to the gridlock. I think both parties are concerned about the crisis. I think they're also united and not quite sure thousand address it, and I think they're taking a -- all of the above approach trying to figure that out. And housing community development, when we talk about fy2020 appropriations, those are the two main programs we talk about, cdbg and home. I will add to that the new markets tax credit expires at the end of 2019 so we'll be looking to have that be included in any tax extender's bill. The low-income housing tax credit, with the passage of the tax cut and jobs act and reduction of corporate income tax rate, the low-income tax rate doesn't have the same appeal so there are legislative efforts to increase the

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appeal of low-income housing tax credit. New program, and we've been actually working on this quite actively since the beginning of the year, also become a priority for the conference of mayors and national league of cities, reauthorizing and bringing back funding for the energy efficiency and conservation block grant, funded in the stimulus bill, the only time it's been funded but we've been working with the house energy and commerce committee and their counterparts in the senate actually a month ago, two months ago, earlier this year the house energy and commerce committee passed a bill to reauthorize that program and that was sponsored by a representative from north central Texas. Fy2020 appropriations I said that's pretty much the main must pass item for this session of congress this year. For fy2018 and fy 2019, we had a two-year budget agreement. Going back to 2011, president Obama and congressional leadership reached an agreement which led to eventually what was called the sequester. It imposed stringent discretionary spending caps for a decade and we've been living in that world and that austere world ever they're so stringent congress has never been able to pass a budget using the spending caps. They always found some way around it. In fy2018 and fy 2019 they had a two year deal where they increased the point for the first time in six or seven years we saw increases in fundings for a lot of programs the city is interested in, particularly cdbg and home. The excess is back heading back in 2020. If the caps remain in place defense spending will have to be cut 10 percent, nondefense spending 10 percent. The house -- they started moving appropriations bills with essentially a spending cap that they chose

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themselves. By the end of this week, the house appropriations committee has been churning through appropriations bills 37 by the end of this week the house should have passed nine of the 12 annual appropriations bills, which is just about right on schedule as we head into the July fourth recess. The senate proposes committee has not taken up a single fy20 appropriations bill. They're waiting for a budget agreement and saying if one isn't achieved by the July 4 recess they'll start moving bills after the July 4 recess, presumably using an assumed spending cap as well. The president is meeting with congressional leadership this weaning to try to negotiate a budget agreement so we'll see what the results of that are. As these negotiations continue, and I think they'll continue right up until the start of the fiscal year on October 1, there's all the usual things that complicate the budget, funding for planned parenthood, should there be oil drilling off the atlantic coast, so on and so those all will have to be negotiated in addition to spending caps. Adding to that right around October 1, the federal government reaches its statutory debt limit and congress will have to vote to increase the debt limit or the federal government faces a default on its obligations so that will be -- stay tuned for September. Just to -- September 30 seems like a long ways away but they take a recess for one week on July now, then -- July 4, whole month of august off. That gives us about seven weeks of congress being in session to work through all of that, so the negotiations are already kind of starting to take on a sense of urgency. Community development, I just wanted to -- I mentioned that as a result of the 2018-2019 budget agreement we saw increases for a lot of programs of interest to the city, particularly cdbg. We saw increase in 2018, held that in 2019.

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In a the home really sequestered by the concert it was about 42% in fy 2017, we saw a 43% in 2018 increase. Lost a little of that in 2019 but it's good to see those programs back on that among the nine appropriations bills that the house will likely pass by the end of this week is the transportation H.U.D. Appropriations bill. That house bill has a \$300 million increase for cdbg and \$250 million increase for home so off to a good start there. This is just an overview, one of the major things we've been working on this year is expansion of the that's going to be a major project. When the mayor was in town in January, he visited with the delegation, and then we had airport staff out in March as well visiting with the delegation as they prepared -- worked with the FAA and prepared to receive a letter of intent for that project from the FAA later >> Can explain a little bit about the -- >> Of course. Letter of intent is important in that -- in that if you have a letter of intent from the FAA it allows you to sign contracts before actually receiving the iap grant, which means you can lock in those prices at that time. Otherwise you can't really sign contracts until after you have the iap grant in hand. Surface transportation I mentioned that highway and transit programs expire at the end of fy2020 and that the house transportation committee has already started hold willing hearings and that work will ramp up as we approach the end of this year and go into next year. The major issues for the city will be maintaining increasing suballocation of highway funds to urbanized areas, maintaining the transportation alternatives program and working to maintain the robust federal transit program. And those -- the mayor is actually the sponsor of a resolution with the U.S. Conference of mayors that goes into much greater detail about the priorities

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for local governments as we go into reauthorization. He's a sponsor that have with the mayor of eueven, Oregon. Her congressman is Peter defacesio, the chairman of the transportation infrastructure committee, and we worked with them so they're aware of local government priorities and I expect that resolution will be approved. Mr. Difazio, I think he's sympathetic to local government bills. The current highway transit bill was a five year bill, status quo bill in terms of funding, previous funding plus inflation. They didn't want to raise the gas tax so they literally -- they used some pretty creative accounting to get five years. The latest projection -- congressional budget projections office shows the highway trust fund will remain solvent through the end of fy2020. Some thought it might not, but going beyond that, they will need to find new revenue or reduce spending on the highway transit program. And nobody wants to do that. Well, certainly Mr. Difazio does not want to do that. There is a large contingent in the house that were in favor of getting rid of the whole program. That's about 80 members of the house. Finally the 2020 census, we did a whole slide on this. All the news is about citizenship question and the pending court decision on whether or not the citizenship question will be allowed, especially important for Texas, Texas, California and New York are the states where the undercount could be exacerbated by the citizenship question but beyond the citizenship question, the 2020 census is not going well. They had underfunding in the middle of the decade. They didn't have a director for a number of years. Employee morale among career employees is low. They're looking at technology problems. So the city's complete count

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effort is going to have to be a robust one as we head into later this year and early next year. >> I will add to that the state didn't make a large investment as expected on this either. Did not. >> The stakes are -- Texas is -- all the projections show that Texas is expected to gain two to three new house seats, and whether it's two or three could be impacted by -- certainly by the citizenship question and then by complete count efforts in the major cities. >> So to Ralph's point it really will count on us locally making that happen. >> I know we're already partnering with Travis county on this effort, so but it will really come down to local efforts, especially with a lot of our community partners, especially for Austin, which has a lot of hard to count populations in addition to the immigrants, students, the homelessness population, so forth. So any questions? >> Garza: Councilmember Casar. >> Casar: Audiological mentioned counts in the major cities because it's y'all sense that the hard to count folks are in major seats and the new seats would likely be in those big cities? >> Exactly. There's actually a great website that shows hard to count census tracts and certainly rural areas there ever hard to count census tracts in rural areas but they're concentrated in cities. >> Casar: By gross number -- >> Exactly, in terms of number of people. >> Casar: One would hope the state would invest in the census because it's good for drawing money tots state, good for democracy, but some folks may not want as much money created in the census because it may create more representation for cities and people of color and undercounted

people. >> Absolutely. As we know this isn't going to be just about who will represent us at the federal level, I forgot to mention next session will be a redistricting session, which are always fun. So I say that facetiously,

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but very politically charged. >> Casar: So if there's sufficient counting in major cities that would require potentially more representation in those major cities at the legislature as well as in congress. >> Right, exactly. >> Garza: Any other questions? I think that's all. >> Thank you. >> Garza: Thank you again for all your hard work. >> Casar: On that note I'd ask the manager to think about if during our budget process we need to start what investments given the lack of state and federal investment we might need to be thinking about. >> Garza: All right. So we're gonna move to the pulled items, but I just want to -- I know there's a lot of questions about how Wednesday and Thursday are gonna go so I'm just read this so I don't get anything this is how the three meetings will be organized. Wednesday June 19 at 1:30 a special called meeting posted for 1:30 will start immediately after the Austin energy committee meeting concludes. Thursday, June 20 at 10:00 A.M. Will be our regular meeting and Friday the 21st if free and available if needed. On the 19th we will take up all consent I'm, items 1 of 1 through 105 and 172 through 189 except for the following and the nonconsent items posted for the June 19 -- I guess that's 190 and 191. This will include public testimony, we will consider items pulled from the consent agenda except items that were postponed or noticed for June 20. The items listed below were noticed or postponed to June 20 and will not be taken up on June 19, that is item 64, item 65, 66, 67, 68, 69, 87, 89, 98, 184 from the addendum and 185 from the addendum. I also understand that councilmember pool will be asking for items 177 through

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179 to be moved to Thursday. Those are the homeless -- the real estate transactions. >> Pool: That's correct. That's a request coming from councilmember kitchen who isn't able to be here today. >> Garza: Okay. Does anyone have anything -- any questions about that setup or want to discuss? Councilmember alter? >> Alter: I will probably have a request for the time when 87 is addressed on we're still trying to figure out what would be most appropriate and not knowing how many items are going to be moved over it may that be a 10:00 A.M. Start is preferable if we get to that point and we can tell people you have to be here at 10:00 and not be here all day but I'm still working that out with my constituents as to what would be best. And I will have information on that on Wednesday, trying to -- I'm not sure with balancing stuff if I say after 3:00 if that means we're going at 11:00 P.M. On Thursday or if it's better. So I'd like to get a better lay of the land tomorrow afternoon on that. >> Garza: Okay. Anybody else? I know for item 132, which is a zoning case in my district, they have asked for a time certain, which I will be asking for a time certain of 132 at 6:00 on Thursday. >> Casar: And I think that the homelessness items on the addendum that aren't related to real estate that are related to the ordinances and next steps probably makes sense after those zoning cases happen. So my sense would be dinner, take up the long

zoning case you brought up, or any of the long zoning cases that are in contention and then the ordinances after that. And we can figure out from the folks that have property on lake Austin sort of where

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in the day time before that it might make sense to take their testimony. Just even looking at the kiosk it seems like there's significant sign-ups on all of these items already. >> Garza: Councilmember tovo. >> Tovo: I need to understand what's happening. It sounds like the items that we think are gonna draw the most people are all now being postponed -- are all now being pushed to 6:00? I hope I'm wrong about that. >> Casar: No. I think just one -- I think we're saying just the homelessness -- those homelessness items that have people that need to come and talk, having that in the that mobile home case I don't think my understanding might only have two or three people to come and talk but they are working folks that live Nana mobile home. >> Tovo: I completely get that. 130 is gonna be at 6:00 but the items we're taking up Thursday that we authenticate would draw the most people with regard to taxation and the homeless ordinances and the shelter item also, councilmember pool, were those also suggested for 6:00. >> Pool: Therefore, wasn't any time associated with it? >> Casar: Right. I think that what councilmember alter said was she was sorting out what time made sense for that potential -- potentially the morning made sense and I was hearing the shelter item was likely not an evening item but happy to hear from the sponsors on -- or I guess as a sponsor -- >> Garza: I way I understood it it was 132 and the homelessness ordinances. >> Tovo: Okay. The shelter items could potentially come up earlier and the taxation you're gonna play it by ear based on tomorrow and how close you can give people a time to show up on Thursday. I just want to note that if we're moving all the consent items to tomorrow to try to get through those and then leaving Thursday to deal with the most controversial issues and those are all, you know, the most controversial issues are all gonna come up after dinner, we're -- we have not really saved a lot of time. Then I would note on Friday I know that there's a

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meeting scheduled in days we need it and I just want to say I'm not -- I have a previous conflict so I doubt I can be here for much of the meeting on Friday. I'll do my best, obviously, if we have important agenda items left, but, you know, I'll just note that. I mean, for me that was a real, like -- if everything goes south we're gonna be here Friday. So I hope that that's not the plan. I mean, but I think we're gonna -- we're going to need to ask our community to be a little flexible about coming in earlier and talking if they can about these issues. Otherwise, again, we haven't really saved any time if beer taking up our most -- and it's challenging taking up our most complex issues at the end of a meeting, again, I think there were only two that were asked for after 6:00 and I think you mentioned ten or three. So if you can encourage ten I think that's a good idea for Thursday, councilmember alter. Did you have something more? >> Alter: Yeah. I just wanted to say I think that I will check in with folks and figure it out. The attractiveness of ten is they have a specific time they would be able to come and not have to

wait all day at kind of random to get there but there may be some people who I find through this process that are not able to escape because of work commitments, but I think we may be able to take it up at 10:00 and if I feel like there's enough folks that we need to wait for the later of the testimony later then we could do that. But I want to check in with them and see what's possible. >> Garza: I think councilmember pool -- councilmember kitchen was more about giving them a specific day, but to be more -- >> Pool: To be more specific, what she is saying that she wanted to move 177, 78, 79 from the consent agenda to Thursday as they anticipates many speakers. They're coming from staff.

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That was the entirety of the request. Then I'd just like to say I'm with Kathie on the Friday situation. I was not supportive of having a Friday meeting anyway, and I thought that moving it to coincide with Austin energy was in order to make sure that didn't happen. If we're here really late Thursday, that was the reason we weren't going to come in on Friday. >> Garza: Councilmember tovo. >> Tovo: So it sounds like the two times you're thinking about are 10:00 or 3:00 and you'll be able to sort that out better in the next day and maybe councilmember kitchen can do the same thing but try to identify a time that wouldn't be 6:00, you know, would be earlier. And I understand it's really challenging to ask people to come in the middle of a workday and we try to avoid that but unfortunately we have just too many very big items of public there on the same meeting, and so that's just the situation we were left in. I think everybody Bob less frustrated if we could try to identify a time during the day for those. >> Garza: Councilmember alter. >> Alter: I want to clarify if I do say 10:00 that would mean we'd be taking it up first and wouldn't have to wait for all the items that got pushed that had numbers before that. Because I don't want to tell people to come at 10:00 and have it taken up at 2:00 if that's how we proceed. >> Garza: I think it could be the first thing on Thursday. >> Alter: Okay. I will check in and see if we can do that. Thanks. >> Garza: Any other questions about the setup for Wednesday and Thursday? So let's go ahead and go to the -- right now I have the pulled items as 13, 21, 22, 30, 36, 64, 97, 95, 153, 158, is there any additional anybody wants to pull that's not on this list? No? Councilmember alter? No? So let's go ahead and start with item 13 pulled by

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councilmember harper-madison. >> Harper-madison: So item number 13 is capital I'll read real quick because somebody expressed concern the other day. We address an item but they haven't had the opportunity for us to preface it so approve a resolution finding the use of construction manager at risk method as authorized by subchapter F, chapter 2269 of the Texas government code is the project delivery method that provides the best value to the city for construction of the colony park and gibbons pools. So as pointed out by our esteemed mayor pro tem and brought up by some of my colleagues we're gonna have a pretty hefty week as agenda items go but I just wanted to make certain not to let too much time pass and not acknowledge sort of what we're dealing with here as it pertains to the gibbons and colony park pools specifically east side aquatics in general but we're talking about, excuse

me, these two particular items. I just wanted to make certain they didn't get lost in the shuffle, so some parts of town have the opportunity to take their neighborhood pools for granted, but that is certainly not the case for folks in the eastern crescent, especially in colony park. They've been asking for a pool for decades, literal decades. Now that it's finally happening I want to say thank you to last year's voter-approved bond package and the folks who are behind that. That same package is also paying for a long overdue renovation of the gibbons park pool. These kinds of amenities, though, are big pieces of the equity puzzle that we're trying to solve in east Austin and I'm excited to see them fall into place. I also want to say thank you to staff. You guys are doing an excellent job about being mindful and acknowledging, you know, some of these issues that are coming about by way of us addressing

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these aquatics issues. I'm eager to explore any options we may have however to move these projects a little faster. Very eager to explore. I know my constituents are concerned and eager as well. Speaking of gibbons, I want to put in a plug for forklift dance works upcoming events at the gibbons swims production at the pool. It's gonna be cool. It's a great community event that they've done before at Bartholomew and at dove springs. You can catch it on the 20th, 21st, 27th and 28th and you can learn more about those at myparkmypoolmycity.org. That's about all I have there. I just wanted to make sure we keep that on our radar. Thank you. >> Garza: So the next pulled item is 21 by councilmember tovo, 21, 22. >> Tovo: Thank you. Really I just wanted to invite the staff to provide colleagues with an opportunity to ask questions or to share any [indiscernible] To do that so it can hopefully pass on these are items related to the landslide along shoal creek. It's a high priority I know for our staff to get this work moving and it already is moving. This is in some ways as I understand it to ratify some of the agreements you've begun and so, again, I just wanted to afford you the opportunity to answer any questions so that we can hopefully leave this on consent in our meeting tomorrow or would it be on Thursday? I guess tomorrow. Thank you, councilmember, Mike Keller with watershed protection, joined by Diana Wang and Mike, our assistant director. As you mentioned we're here to answer any questions, provide as much insight as

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possible to the item that is current on consent agenda to approve the negotiation of the primary design build contract and then there's one additional ratification as the design team has been working currently without that contract. So I just open it up to council for questions. >> Garza: It doesn't look like there's any -- do you have a question? >> Harper-madison: Question slash comment. Somebody said to me recently, I guess maybe reiterating the sense of urgency here, somebody said recently every time we have a significant rain event, like, over the weekend, for example, we had another and we're expecting another this week and then another over the weekend and then another next week, I guess I'm just really curious about what -- if we can, you know, quantify that in numbers. What does it cost the city every time it rains hard? In terms of dollars? >> Sure. Luckily we don't have additional movement every

time it rains since the first major slide on may 4 we had one major retriggering of that slide that was also in may. And that added \$1.6 million to the previous design estimate. So without having that many more data points, I could reasonably say if we had another slide of that magnitude that changed the literal lay of the landscape we could see another significant change in cost and that is one of the factors involved in the contingency that we put on the request. >> Was that a broader question or specific to this particular situation? >> Harper-madison: Both. >> Both. >> Harper-madison: Just trying to -- I guess from a broader perspective, thinking through the timing of this. So we've discussed it as an emergency, discussed it as sense of urgency. I personally have tired the site and I've seen photographs. We have a lake there. People are fishing, you, you

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know, in shoal creek, and so I know we all have similar concerns about the sense of urgency, but additionally I guess I find myself wondering, what are the real costs here, and how much -- you know, we've already gone from we had a number and then bed a number and, you know, just sort of thinking through the contingency component so it's both, you know, singly focused and broad. >> Let me address real quickly Mike, assistant director, watershed protection. The cost every time we have a significant rain event, it's variable depending on the rain event, where it falls, you know, the intensity of the event. We could on any given storm provide an approximation and, for example, if we have a major event, involves lots lots of road closures, we have crews mobilized particularly for road closures, we could quantify that to some degree. The staff that are assigned to the emergency operations center. And then if it's a really significant event, we mobilize a lot of engineers and other staff post-event to assess, and it's not uncommon for us to, you know, find damage or blockages or other conditions that require us to kind of move from our normal day-to-day work to a recovery and clean-up mode. But, again, it's very, very specific to the type of the event, even the location in the city where it might occur. >> Just to put some quantification on that, the flood risk is elevated right now for pretty much everything above about a 3-inch rain. We have an elevated flood risk and that takes the form of water spilling out of the park, out of shoal creek on onlamar boulevard. The hundred year storm we've modeled we've seen a 2-foot Mrs. In the depth in those businesses along Lamar so that's real. Again, the hundred year

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we're talking 12-inch range but that range of rain between 3 inches and 12 inches we have elevated flood risk along Lamar. >> Garza: Councilmember Ellis. >> Ellis: That actually leads right into my question I was going to ask about at last 14 and the 100 and 500 year floodplains. Our current banks for shoal creek, are they going work for us moving forward or should we be planning through our budgeting process that we mentally see that happening more commonly or with less of a rainfall? Could you talk a little bit about that, if we need to make any further construction to that creek bed in the future to help make sure that properties and streets aren't flooding? >> Referring specifically to the flooding element of this on shoal creek and separating out the landslide element? >> Ellis: Yes. >> Okay. Shoal creek all up

and down, we've got some priority areas that are subject to flooding now and would be subject to increased flooding. All of our capital improvement projects we pretty much have the hotspots noted right now, and we know that the problems will increase in terms of depth and frequency with at last 14, but I don't know that it changes our map of the high priorities in shoal creek. >> Ellis: Okay. >> So we will have to take that increased rainfall amount into consideration when we design them. >> Okay. Maybe that's more conversation as we start looking at floodplain variances I know are currently being reviewed to kind of get a clearer picture for all of us about how that's going to affect our community moving forward. >> On atlas14 as well, broadly we should have a memorandum to mayor and council very soon with an update on where we are with respect to next steps related to some changes that we're proposing in floodplain regulation. Drainage criteria manual updates, remapping of floodplains throughout the

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city. As we do those work we're gonna have to revisit prioritization as we go. We know that some areas will probably rise further on the priority list, those that are high on the priority list probably are worse than we once thought. And basically it's gonna take a number of years really to kind of fully adapt to this new reality that is atlas 14. >> Ellis: Especially with flood mitigation bond money, I'm curious to see that in greater detail as well so I look forward it talking with you more about that. >> Garza: Councilmember Renteria. >> Renteria: Thank you. Have you all looked into and would it be feasible for a tunnel there to be done there at shoal creek. >> There is underway right now a feasibility study of flood mitigation or flood risk reduction options for the lower portion of shoal it includes at a very, very high level consideration or actually reconsideration inasmuch as the U.S. Army corps of engineers looked at this many years ago, but of a diversion tunnel of a similar nature to that for waller creek. We don't have final results of that analysis, but I can tell you that, a, it would be very, very costly, and I don't believe that the financing mechanism of a tif would be viable in that situation, considering all the buildout that's already occurred on the very lower end of the creek. And I can say there's been pretty vocal opposition by some stakeholders of the idea of any project that would directly impact Pease park on that area and that would be at least in terms of a conceptual plan the diversion of flow from shoal creek through a tunnel would likely have to be somewhere up in that vicinity. It wouldn't necessarily have

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to be in the park itself, but somewhere that far upstream, considerably longer tunnel as well than what we saw with the waller creek tunnel. >> Renteria: So we're basically just gonna have to live with the memorial and Halloween floods that happened in Austin every year? >> The hundred year and then the new hundred year post atlas 14 is a very large event that's gonna be very difficult to control, and in fact we kind of try to move away from the word "Control" because that implies that we can control mother nature. We can -- we are looking at other options in that area that would reduce flood risk, not eliminate it. Actually the only thing that eliminates flood risk is when we buy a property and take the structures

out. And there may be some proposals that involve even some incentive vacation of private redevelopment in the bowl from ninth to 12th street where the water really collects even under low intensity rainfall events. The event we had where the house park was fully under water I think was on the order of a ten-year rainfall and flood event. So some degree we can lessen that and there may be ways to incentivize to significantly reduce risk. >> Renteria: Okay. Thank you. >> Garza: Councilmember >> Tovo: Just on a last note, I wondered if you could talk about -- I know that the department has put out signage and fencing to keep people out of the site of the landslide. Can you just offer to the public why it's so critical that they not try to get around those barriers to see it for themselves? >> Absolutely. Thanks for mentioning that. As we mentioned, we have had

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one significant reslide, and if anybody were to have been climbing around on that or down in shoal creek in that event, they could have been pinned under debris so it is a real threat, and, therefore, we ask people to stay away from that area and respect the signs. We've also got park rangers in the area notifying people, so we've got a human presence down there as well. >> Tovo: Thanks very much. Thanks for being here today. I know that you may not be able to be here Thursday so I appreciate the opportunity to ask any questions today and to -- again, to afford my colleagues to do so as well. >> Thanks for allowing us to do that today. >> Garza: Councilmember alter. >> Alter: Thank you. And thank you, councilmember tovo, for raising the safety issues and for you for reiterating to stay away from those areas. I have two questions. One, I have some questions about the time line and how quickly this work will be finished. Can you speak to that first, please? Right now the time line that we have -- and to just remind ourselves that we have been in active design on this project even while we do not have a contract so that speaks to the partnership between everybody to get going. That began in earnest in April after we were able to all come to consensus on a design alternative to move forward that was presented in March. With that said, we still envision that it will take the design process itself until the end of August into September before the contractor is ready to begin breaking ground. That design piece is one of three key tracts critical path. We've got design, which is on the shoulders of the design build contractor. We have the contract itself with the design builder, working with capital contracting, the law department, and public works. And then we have the real estate element. This is a public-private partnership and for the city to sponsor this project

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we'll have to have the necessary real estate agreements in place to go on private property. They're all moving in generally parallel paths, but that's anticipated time line to begin getting on-site, is September. >> Alter: Great. Thank you. It's my understanding and just for clarity with the public that what we would be moving forward with addresses the emergency, it does not address the reopening of the trail at this point but it is a necessary step before we can invest in that transportation corridor there? >> That's correct. And the proposed design alternative would create the geometry to put a trail back there if that

were the desired outcome. One of the reasons I just wanted to make clear that we were not pursuing the trail right now is that under emergency procurement, we really are limited to those true emergency elements. And as we have the discussion of wouldn't it make sense to add some of these other ostensibly smaller budget items in there and get it done, we had to remind ourselves that those are not necessarily the emergency items and we needed to keep front and centered on those to move this big portion forward at the same time kind of focusing our bandwidth on these key issues of stabilizing it. >> Alter: I hope that once it is stabilized we can quickly move to restore the access on the trail at that point if it's stable enough for that to move forward. >> I know that our parks and recreation working with the key stakeholders of the conservancies are already having that discussion. >> Alter: Great. Thank you. >> Garza: I think that's all the questions. Thank you. >> Thank you. >> Garza: Did you have a question? Okay. Next item is 30 by councilmember Flannigan, >> Flannigan: Thank you. So this is an interlocal with Austin community college for a fashion incubator and I pulled this because I can't honestly remember in the presentation if it was noted that the tax

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caps do not apply to ACC so I think we need to be really careful about when we are expending funds that ACC should really be expending because they are not limited in the same way we are on future revenue. Especially with an interlocal that covers three so it's not really a question for staff. It's more of a comment for my colleagues. I'm going to be voting no on this. I feel confident that we have to start making these moves now and, you know, maybe talking to our colleagues on the board at ACC about their new responsibility in this community, given the legislature's caps. >> Garza: Councilmember pool. >> Pool: Yeah, thanks for bringing up that. I was having similar thoughts when we were hearing about getting that presentation, I was thinking in my mind the different contracts that we have where revenues from the city we raise go to some of the entities that won't have that tax cap and maybe we should -- well, not maybe. I believe we should begin to have those conversations to kind of shift that focus. I think what I might suggest is we perhaps approve -- and I don't know, we can talk about it on Thursday, but maybe we approve the first year and then have the conversation be contingent on ACC picking up the cost for years two and three or something like that so there's sort of a runway that moves toward them shifting. [Laughter] >> Flannigan: It was a runway joke. It's a fashion incubator. [Laughter] >> Pool: Totally unintentional. Anyway, I think that that's a conversation that we could direct our staff to have so that these programs can continue but that the source of the funds shift more directly to those taxing entities that have the greater bandwidth to be able to sustain the funding going forward. >> Garza: Can you explain what the program is for us?

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>> Selling know of yeah holt-rabb with economic development department. In 2014 council instructed to study the fashion development in Austin. As a result of that study we discovered there were 1300 jobs, \$86 million revenue related around the fashion industry. And so per the study, it suggested a

public-private partnership. We then came to council in '16 with an agreement between the city of Austin, ACC, and the private partner is actually Gerber technology. Gerber technology contributed \$13 million worth of equipment. The city of Austin contributed about 190,000 towards the build-out but ACC is carrying the bulk of the project. And it is a fashion incubator design lab. It has been set up to actually mirror small manufacturers in Austin, and so the goal is to not only increase the fashion industry, but also middle skill jobs that don't require a college degree. For example, managers of text, it technology is state-of-the-art, used by Nike, so the goal is to move forward the fashion industry as well as creating jobs along the continuum. So this funding supports the software of the \$13 million equipment. >> Garza: Was this -- did this program already exist? We just partnered with them? >> No. This was an ask of -- as a result of the resolution and the forethought of how we could actually grow. It's growing in Austin. We have several small manufacturers here. ACC is actually fielding calls all the time for padder makers, apparel text, because the local manufacturers just can't absorb the work that's here. >> Garza: Okay. >> So it was a new partnership that we formed, and we see great success in

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the future. >> Garza: Yeah. And I guess as part of the discussion, you make a great point. The concern is - my concern would be -- and I don't know where I am on this yet -- is cutting programs that really -- it sounds like a workforce program and then you know I've also heard concerns about, you know, us -- and we're not posted for this, but how we help other entities like parent support specialists and et cetera and concerns about, you know, cutting our help with that. So is this something that could be postponed until the August meeting? Are we on some kind of deadline to renew the contract? >> ACC needs to engage the maintenance agreement for three more years. So August we could -- I will check with ACC to see if that's doable. >> Garza: Yeah. Can you see if they can -- and then maybe -- maybe it's a good opportunity during the budget presentation to kind of have all the -- all these similar kinds of contracts that we have with other entities that are not facing the same revenue caps that we are so we could have a separate policy conversation and then, you know, figure out if we can continue to fund these programs. Councilmember alter. >> Alter: Thank you. I was wondering if you could speak a little bit about the origin of the funds being used? As I recall economic development gets funds that can't be transferred to other things via some of the transfers from Austin energy, for instance, so I don't know if this is money that then can be used on other things or not. I'd like some clarification on that. >> So the funding is part of our operating revenue, which is four sources, which part general fund and part from the utilities. So it's part of our cost -- our allocation. >> Alter: So the part that's

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the cost allocation, though, is not stuff that can be moved around, it's supposed to be dedicated for these kind of workforce programs? >> It's for example, capital idea or skill point, all of our workforce contracts come out of our operating fund. >> Alter: Okay. So I don't know if we can get a little bit more clarity on that because for me that would be relevant because it may not be funds that are as movable

and we have a successful program, the costs of moving it to a different program if it has to be spent on that kind of stuff may outweigh any consideration. Then the other thing I just wanted to say for my colleagues is that my involvement with the puna sister city, which is also on the agenda and I'm assuming since no one pulled it that that will go forward on consent. I had an opportunity to learn a lot about some of the fashion work that we're doing here in Austin and interests around the world to connecting up with Austin in various ways and the opportunities that are there for, you know, actually developing a fashion hub and how it fits into some broader strategies that are within economic development, and this seems like a relatively minor investment that has an enormous payoff with respect to some good-paying jobs in a creative industry that fits with our plans and is following a long planning process to get to this point with some collaborations. >> Garza: Councilmember Renteria. >> Renteria: Thank you for asking those questions. That's exactly what I was gonna ask. You know, this came about also when we went to -- it was one of the trips with the chamber of commerce and we visited one of the sites down there. It was just such a great program of helping all these young people getting to the fashion industry. So that was one of the

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reasons why we embarked on one and asks our city staff to look into this. And it's been a long effort and a lot of hard work that's been put on -- into this project, and I hope that we can keep it going. I mean, it's -- I know it's \$55,000 per year, but I think it's really well worth spending. I mean, we're spending on capital idea over \$3 million, so, I mean, that's a very small sum compared to other programs that we're also funding. >> Garza: Councilmember tovo. >> Tovo: Is it possible to -- one, I want to thank councilmember Flannigan for really highlighting some of the contracts that I think we need to take a hard look at. And I understand -- I understand the origins of it, and I do think it is a valuable workforce program. I do think we have to -- having said that I think we need to weigh it against our new financial realities. What are the opportunities to do this for, as councilmember pool suggested, a year and then have those contracts come back for renewal? I know you said something about a three-year renewal for the software, but I think as you bring those questions to ACC that that's another one I would offer to I'm not sure that I could support this beyond a year at this point, and I don't know how my colleagues feel about that, but that would be an option I would need to understand. >> I will have a conversation with ACC today. >> Tovo: Thank you so much. >> Garza: Councilmember >> Flannigan: My concern with that, councilmember, is that since this isn't a program that exists now, I don't know that there's a reason to initiate it and then put us in that position a year from now where ACC is kind of playing chicken with us about who is going to continue its funding. Other jurisdictions are playing chicken with us on other things that you and I have talked about. If this was an existing program I might be more into, you know, the -- what it would mean for us to mess with something in process,

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but this is a new program. >> Garza: Is this a new program? >> The fashion design lab is up and running. They just had a graduation in may, and so it is in the process. They have a lab set up just like a small manufacturing -- >> Flannigan: But we haven't funded it before. They did that on their own. >> No, no, no. We had a three-year agreement that we executed in 2016. >> Flannigan: This is the second? >> Flannigan: Of a three-year agreement? Okay, that's the part I didn't know. >> Tovo: Thanks for doing those questions. I thought it was an up and running lab but now I'm confused about what the expenditure is for? It's to continue for the registration for the software that already exists? >> Yes. >> Tovo: So what happens if -- so they would need to find some other funding to pay for the software because the use of the equipment depends on the software? >> Exactly. >> Tovo: Okay. >> Therefore -- I don't want to get too technical, it's, like, four tech packs and the design of pattern making is very high tech, yeses, very high tech. >> Garza: Councilmember harper-madison. >> Harper-madison: I wanted to highlight I appreciate the concerns brought up by my colleagues by way of us being very realistic about funding limitations. I also want to say, though, that this isn't the kind of expense that would be just an expense. It's an investment. It's an investment in people who would continue to, you know, contribute to our economy. So it's not just an expense. I'd like for us to think about it in that way. And, you know, if you could sort of talk about what the fashion industry contributes to our municipal economy and so ultimately what would we get back by being able to from a workforce development perspective create, you know, professionals in the industry? And then you said we had a graduation recently which, you know, congratulations graduates. Can you tell us how much

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people graduated and sort of what their upward mobility trajectory looks like? Thank you. >> So I will back up one step. ACC has a certification program in fashion. So McCallum high school, John E. Connolly, Reagan have fashion programs that work in conjunction with feeding into ACC. Per the study, there are about 1300 jobs, creating about 86 billion in economic value in Austin. And so we see this growing. As I stated before, the small manufacturers that I have worked with such as stitch Texas has doubled employment in the last three years. They get calls from outdoor voices and several other manufacturers. So we see this definitely as a pathway for great jobs that don't require a college and that is the ultimate goal. That is why the design lab is set up just like a small manufacturing, so that you're doing your design but then you need to convert that to a pattern and that is all done now digitally through Gerber. And there are others, non-tier -- second tier type of manufacturing. So they have this full on production where they can run small runs, such as 100 pieces, so that designers can get a feel. And so the goal is, again, to grow this industry. We already have Austin fashion week that has grown over the last several years. So we see this as an emerging market. >> Harper-madison: If I may, it's not really a question so much as a comment. I think when people hear fashion they also hear frivolous. We're not talking about textile industry, manufacturing. You know, I think if we sort of shift the narrative by way of the words we choose to use. People hear fashion and they think runway and, you know, it's not -- we're really not addressing how relevant it is. >> There's a big continuum

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from designer to actual there are lots of jobs along that continuum. >> Garza: What are the demographics of -- do you know the demographics of the people that participate in -- >> I can get that for you. >> Garza: Councilmember Flannigan? >> Flannigan: I assure you, councilmember harper-madison, that I am not hearing the word frivolous. You know, this isn't about the -- people could misunderstand what you were saying, is all I'm this isn't about the quality of the program. That's not why I bring this up. And we've done this -- I've done this at least a number of times with different items that have come up in our agenda over the last two and a half years. I'm glad you mentioned the parent support analyst, I've brought that up for different reasons, because my school districts are very, very different on my end of town, but the school districts are facing caps even worse than so I think there's a lot more argument to be made for that partnership to continue and to collaborate with our school districts. But ACC does not have the tax cap that we have, and they have a much bigger tax base. You know, the same thing applies to central health, and we'll have those conversations on different items in the future. It's -- at some point, we have to -- I feel like it's important to talk about the larger financial impact that we're going to be facing, and if we make every conversation about the merits of a program, we'll never find something that helps us close that \$50 million gap four years from now. You know, the community may not feel it, but in the work offensive done, I feel pretty much every program the city funds is amazing and helps good people and does good work, and our city staff does some amazing magic in this community. But we're running out of money. And I don't know how we're going to solve this problem if we just keep talking about how good the programs are.

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>> I agree that I think it's an important conversation that we have to have. I just -- I would like to see all of these things in a bigger picture in that if investing 165,000 over three years helps, is a great workforce program that helps our minority community that mainly that's what is at community colleges, usually, you know, I want to see the chapter 3 of the agreements. You know, I'd like to comparatively see if we are giving huge tax incentives to corporations, I'd like to see -- weigh all of these things together. And so it's hard for me to, Thursday, decide not to continue this program. I like the idea of one year and then going forward, but it makes sense that they need the three-year license, and so that's why, I guess, my preference would be to postpone it till August when we have a better picture of -- and that's what I meant if there was some way to show if we stopped all chapter 380s, this is how much money we would save. I'd love to see that number because at the end of the day, if we weigh that with 165,000, I'd be -- I'd have a better picture of knowing where I'm okay cutting because you're right, I -- every program in the city is great and helps somebody, and it's going to be a very difficult budget. Councilmember Madison. >> Harper-madison: Just a comment. For clarity, like I said, I didn't mean you specifically, I think the public at large, in general. But I also want to make sure to say that it's not lost on me what it is that we're going to be facing by way of limitations with funding, but it's also not lost on me how many people in my district, in the community that I represent, are really going to need for us to focus our efforts on saving, not by cutting programs, but by not wasting money. We waste a lot as a municipality, and that's my broader concern.

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So, yeah, I 100% understand, you know, especially because you have the institutional experience with hearing out folks expressing their -- you know, the merits of the various programs, but I really want to make certain that throughout the difficulty of these budget conversations, that we definitely focus more effort on not being wasteful than cutting programmatic efforts that ultimately really are going to help people see themselves to being able to contribute to the tax base. And so I'm -- I see a hand. I'm not -- not acknowledging your hand, and I know you've got something to say, but I just want to make certain that I go on record in saying that I don't want cutting programs to be our go-to. I want us to do more work around taking a very careful analysis of where we're leaching, bleeding money on other things that don't ultimately affect human beings. >> Garza: Councilmember tovo, then councilmember Flannigan. >> Tovo: I appreciate that at the end of the day we may have kind of different opinions about where we think we should invest money, but I guess having been through the budget process multiple times, I wish there were areas where we, you know, thought we were, quote-unquote, wasting I know that is a public perception that's out there. In my experience, having gone through the budget process multiple times now, these are always super hard decisions, and we're always weighing and evaluating the strengths of different strong and worthy projects, and trying to make determinations about where to invest. And so I think that our staff and our manager do a very good job of looking at their budget and trying to identify areas that can be made more efficient and more fiscally sound, and I always welcome the public.

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You know, now and then we get emails from the public who also say the city needs to stop wasting money, and I always ask them, exactly what are the programs that you feel like are characteristic of that? Because I'm not aware of them. And if I were, I'd be the first one here saying, let's cut it because we have so many needs and so many important needs that do impact people. So I just wanted to make sure that that different perspective got out there as well. >> Garza: I just want to make sure we stay on item 30. But go ahead, councilmember Flannigan. >> Flannigan: I will try to stay about item 30. Thank you, mayor thank you, councilmember tovo. Over the last two and a half years you and I have gone back and forth over a number of good and valuable programs. It was never a waste. It was just a debate on where we invest the dollars. And I am excited to think about councilmember harper-madison and I working together to find where those deficits are going to be solved, because I am ready to do it, girl. And I think you and I can make it happen. I'm looking forward to it. >> Garza: Councilmember Renteria. >> Renteria: I'm ready to start looking into those tax breaks that we give to big corporations like the domain and, you know, we used it as an incentive for them to develop that area, but it's well developed, and I think it's time to start pulling some of that money back into the city so that we can fund these kind of programs. >> Garza: Sure. City manager? >> I've really appreciated this conversation, and I know that some of the one-op discussions around specific procurement decisions that are in front of council can be

a proxy for a larger conversation about how to look at the overall impact of the revenue cap bill. I'm excited about going through that process with the council, and that will start in earnest in the next couple weeks, so right after this cycle, the next time that council gets together will be to hear the manager's proposed

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budget. And then throughout all of August and September, we will be having a robust conversation, holistically, about some of these big-picture items that I'm looking forward to talking to you about, because these will be impacting how we think about not only this next year, but more important, the next three to five years. And so this is an important conversation. I don't want to minimize any of the individual decisions that are in front of you this cycle, but it is critical that we place the appropriate level of emphasis in the coming weeks on that 2020 budget, and I know that our staff is doing the best they can to prepare something that we can put in front of you for your consideration, but that's where the real robust conversation will happen, so I'm looking forward to that. >> Garza: Councilmember tovo. >> Tovo: And just as a last observation, I think several of us now have said that we're real interested in looking at the domain subsidies and potentially some of those other incentives, and as we're weighing how to make economic development investments, which the fashion incubator is there are -- and I would just -- I think, councilmember pool, your staff actually got some information about some of the other issues related to the domain subsidies, which we can talk about now or at another point, but I would just note that, you know, I think there are -- I think multiple of us have mentioned that now and potentially we now actually have a majority on the council who would support removing those so that we can invest them in other places. >> [Off mic] >> Garza: All right. I think that's all on 30. Thank you. Item 36 was pulled by councilmember alter. >> Alter: So item 36 is addressing a request by lost creek limited district to acquire

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property for open space trail and for more purposes. I want to, you know, thank you for bringing this forward. I think this is a good item, and I look forward to supporting it. I do have some questions, though, that relate to issues that we recently encountered with respect to the river place trails, so that situation was a bit different in terms of the history of the mud and the city entering into a strategic partnership agreement, then the participate becoming a limited purpose. But the same sort of issue came up in February of 2019 when it became public that river place trails would be subject to a \$10 fee for individuals to use the trails if they do not live in river place. So I'd like to understand how the agreement before us, although I think it's just authorizing it, but what sort of complementary agreements there might be that would address the possibility and whether we have controls in place to disallow a similar thing happening in this situation, should they succeed in purchasing the land and putting trails and other things there. >> Sure. I'm Virginia Collier from the planning department. Let me take just one giant step back and note that lost creek is a limited district. It was created when the lost

creek mud was annexed and dissolved, so the city has a long-term relationship with this limited district through a strategic partnership agreement, and that's the reason why we're here asking for the city council's approval to bless the district to go forward and explore options for acquiring this land and maintaining it through limited district funds. Different from river place, this one -- this district has interspersed throughout the neighborhood green we belts that the city owns and greenbelts the limited district owns, and they maintain, they maintain them in conjunction with the parks department and fire department

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for fire maintenance reasons, so I think it would be entirely appropriate if it's something the council wants to ask the limited district to include as a term in the strategic partnership agreement that this area, if it develops into trails and so forth, be open and available to the public, similar to the other areas that are throughout the district. >> Alter: So what plan would we make that and how would we have >> Okay, this is like the first step because in the agreement the limited district is not required to acquire land or spend money without the city's written consent, so this resolution gives them the written consent to go forth. We would need to come back to council and ask the board also to amend the partnership agreement to address any other provisions in there that might protect the city's interest, like if the limited district were to dissolve, the city would be able to sell this property, it wouldn't be required to be maintained as a park forever and ever. If it became city property the water utility has expressed an interest in using this site for enhanced water storage or something there, so we would explore those details and bring back to council an amendment to the strategic partnership agreement, and it could include conditions on access to the property if it develops as >> Alter: So if I'm understanding you correctly, then, should they succeed in the process of purchasing it, then they would come back with the strategic -- the amendment. >> They've asked us to come back before they ask the voters to spend money on it because they want to make sure they explain to their voters all the terms and conditions that come with this. >> Alter: Okay. So can I provide direction if I don't have any objections that we provide -- provides those in there to make the trails accessible -- >> That would be great. >> Alter: -- To the public, and whatever needs to be in there, appropriate language, so that we don't have a repeat of the river place situation? >> That would be very useful. Thank you. >> Alter: Okay. Can I -- can I do that now so I don't have to do it on wins and Thursday? Thank you eels I'll just make a quick note since the mayor pro

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tem is entering the room again, since this is in my district, had thank you for your communication on the lost creek district. I think they've been very supportive and creative because this is a property that's tried to be developed over and over again so he -- so that's kind of why they know about the fire code and water preservation issues. They've stepped up and said we're willing to look at this conversation of, you know, essentially going to the voters of the limited district and saying we want to buy this, and

coming up with the money to do it. So I know we may need a little more conversation as well about law enforcement because since Lost Creek is on the very edge, you know, it's in the city, but there's etj, obviously, right around it. They've had issues with communication on where county constables, and where other rules -- in some portions thereto been some difficulty with, I'll just say, bad behavior and who's ultimately responsible for communicating that's inappropriate, for people who are utilizing it as a public space, but for people living there having to deal with the consequences of people potentially breaking the law. So that may be something that could be helpful, moving forward, if it's Austin police, everybody knows what they're allowed to enforce and how we're protecting that park space. But I'm excited for them. So thank you, councilmember Alter. >> Garza: Councilmember Alter? >> Alter: Thank you, councilmember Ellis. I just want to add that, you know, for the city manager, I think that friction and that -- some challenges that we're seeing where there's constables and there's A.P.D. May be something that's repeated in some places where there's some confusion, and I know that I'm hearing that from my residents who are in Lake Austin who are now in -- who now know they're in the city of Austin but they're being served by constables instead of A.P.D., and there's some confusion over that, and when they're being

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called. And so we may need to pursue that as a broader question that needs to be addressed across the city. >> Garza: All right. Thank you. Item 64, pulled by councilmember Flannigan. >> Flannigan: I think, councilmember Tovo, you wanted to add a few things. I wanted to talk about this on Wednesday but my perspective has not changed. I don't think this is something we need to be doing. >> Garza: Councilmember Tovo? I have some questions, I think in the interest of time it makes better sense to try to talk about it today. I know there were suggestions about maybe talking about it tomorrow. -- I cervix I don't know if others have, a slide, a slide deck with additional information about it, and I have some questions based on that. So the slide -- the slides -- I see this is tied to the Austin energy -- we're really trying to -- that wasn't on the original agenda that I approved at chair and we were trying to keep that meeting quite short. Again, I think it's better -- do you want to go through the slides here? >> I'm happy to do whatever the council's wishes are. This is intended to be presented did the I'm the with solutions and corporate -- the deputy general is presenting tomorrow on customer outreach activities and this is appended as part of his presentation. But I know you had questions at the last council meeting, councilmember Tovo, and this is intended to be responsive to that because some of the questions you asked really require a visual presentation. >> Tovo: Okay. So I have questions about -- based on the presentation, because I went ahead and read it, but why don't you go ahead -- if it's okay with you, mayor pro tem -- >> Garza: Sure. >> Tovo: -- If they run through their presentation, then I can ask my questions. >> I'll be very quick. This is intended to be really a

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mobile community center, that's the way I would term this. This is about the utility going to where our customers are and providing face-to-face in-person assistance on a realtime basis. You all know about the programs we have, the goals we have in terms of reaching our energy efficiency and solar goals. This is about removing friction points with our customers and deepening our enrollment in those so it's very much a new platform that we plan to use, and use it in partnership with other city departments. It provides equitable and inclusive access to our programs. And, again, we see this as providing, and studies have shown that it does provide a lift not only in terms of the customer experience, but in customer satisfaction. You asked at the last council meeting, councilmember tovo, what this would look like. It's a 27-foot long trailer. The total five-year cost includes the wrapping and the branding of the trailer, a tow vehicle, event support, a driver for all of the events, maintenance, insurance, and storage. We did look at would the owned and leased models. This is the most cost effective model. It's intended to be most Laredo. Customers can walk inside the trailer. It will be Ada compliant. You see a version at the bottom of this slide here that shows what we envision the pop-out features to look like. Many of our customers don't have internet access, and some of them have, as you know, mobility constraints. So the intent is to be able to use this trailer not only at events but going to senior centers, to be able to go to different areas, for example, mobile home communities where we've recently expanded our program to provide outreach to those communities. It would also have the ability, you inquired, I believe, about the ability to accept online bill payments, we'll have the ability to do that. And I think what we've learned from our industry colleagues is that this can also provide support during disaster recovery, and the types of resilience

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events that we've seen. So, mayor pro tem, several years ago, we spent a number of days in the onion creek area following the floods. This is the ability to provide customers with mobile charging, even with something as simple as doing distribution line work, if people are without power for very long, they want to be able to charge their cell phones or devices. You can do that with this type of vehicle. You can also distribute supplies such as bottled water. Let me talk a little bit about what the examples are. Here's one shown by the vendor. This was the Detroit institute of this is Dia away program. It's a mobile interactive classroom. It provides educational support for students. They go inside the trailer. They have the ability to interact with the exhibits, as provided both in Spanish and in English as our vehicle is anticipated to do. CPS energy has had such a vehicle. They actually have a bus that they've used for several years. It was extremely critical during recovery efforts after hurricane Harvey, in connecting their customers with services, and as I said, providing mobile charging direct energy has a very costly model that they use. Ours is intended to be really a midrange vehicle, nothing like this vehicle, but this has been very effective in terms of attracting people at the events that they use this trailer at. Austin energy is very familiar with vehicle wrapping, so you can see here on the left, the vehicle that we use that provides information on our solar program, the one on the right provides information on our customer assistance program. So they act almost as rolling billboards and providing additional information about our programs. It's especially helpful when, as I say, you've gotten to a very deep level of penetration with our programs and getting to that next level of penetration. You had asked, councilmember tovo, about the events. Here are the events that we envision initially. A formalized calendar will be developed

once we know where the trailer will be. These are examples, I won't read through them all. I will give a plug to our summer savings campaign, which is

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ongoing right now, and our first event is going to be held next Monday, 4:30 to 7:30 at the spicewood springs library. It was very, very popular last year and we appreciate councilmember Flannigan's involvement in that. We expect to have some media at that event as well. Here are some of the events we know we would be connecting with. But I also note that this is also something we would like to make available for your open houses. I know that our folks last week attended councilmember Ellis's open house. Again, there are a number of opportunities for us to reach out, both in terms of council efforts, other departmental efforts, haca, as well as Travis county outreach events, so this gives you a bit of an example of what we're looking at doing. Again, I envision it, we envision it as a mobile community center, it's proven effective in integrating our customers with our programs and vice versa and being responsive in terms of helping our customers adopt our programs and reach the important energy and bill-savings goals that we aspire to. So that gives you a bit of an overview. Again, you had asked for some things that really more visually best addressed and I'm happy to answer any questions. >> Tovo: Yeah. Thank you. And I appreciate the additional information. I think that's helpful, and you have -- you have indeed answered some of my questions. I think, fundamentally, I still am trying to figure out why a van is a better delivery method than doing what I assume you currently are doing, which is being present at those community events with a because a lot of what you've described could be done from a booth in terms of enrollment and community adjustment I guess that's my first question. >> I'm happy to decrease this. >> Tovo: Why is that -- especially since a lot of the outreach, it sounds like, will happen at community events where

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you're already present, why switching to this platform is going to be more effective, especially if it's outside the building and people are going around a room and going from booth to booth, it would seem that you'll lose -- you may not necessarily get more interest in somebody going in there. >> Fair question. First of all, this provides a consistent look and provides us with more space than we might otherwise have available, so it's a branded look, consistent with our brand. Secondly, I would note it's not a van, it's a trailer, and so it's something that customers can actually walk inside of, and it's conditioned space. I can tell you we've had injuries when we've set up for outdoor events, including an injury to my so he this past year at Earth day, the event wasn't cancelled until right after the event started. We September tables, which my staff transports, carries tables out to the event, as well as awnings and tent structures. And high winds occurred, and one of my staff was injured in trying to shut down the tent once the high winds occurred. So sprains and strains do occur when you are lifting and carrying all of that material, and event support paraphernalia to and from the booth. It wouldn't supplant some of the things we're doing at booths, but it would complement that. >> Garza:

Councilmember Flannigan, again. >> Flannigan: So I appreciate that. I just don't agree and I don't think that is good place to be spending a pretty significant amount of utility dollars, given that we already do pop-up events all over the city. I am not -- I don't feel compelled by the explanation that people will be able to charge their phones. They can charge their phones at libraries that we have built all across the city. I don't feel convinced by the delivery of water bottles.

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We manage to marshal a pretty significant water delivery network last year during the water boil situation and it didn't require a permanent trailer. I just -- I just can't -- I just can't. I can't get there on this. People know where the libraries are and they know where the community centers are, but this just creates a whole additional infrastructure that I just don't think is valuable. >> Garza: Can you help me under -- if this were not to be purchased, where does the cost savings occur? Is this something that would somehow affect rates? What is -- what is the -- what are we saving if we did not approve this? >> It's one of the O & M expenses that's built into our cost structure, essentially, and the other thing that we are trying to do in answer to your question is to deepen the participation in our energy savings programs, especially in the hard-to-reach communities, and that includes multifamily, it includes mobile homes, and some people who don't have access, and I respect councilmember Flannigan, your view on this and I'm not going to try to change it. Some people don't have access to mobility like others. So it's intended, from the perspective of those people, to ensure bill savings that they might not otherwise pursue. If you did not approve this, and this that is your -- that's, frankly, your call, ultimately, it would not be built into cost recovery in the future. And the same goes for the \$44 million that we spend annually on our energy efficiency and solar programs in trying to reach those customers.

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>> Garza: Does somebody else have any questions? Councilmember tovo. >> Tovo: Yeah, I have like three or four more. I guess the two vehicles that are currently within the Austin energy fleet that you showed us -- >> Sure. A solar vehicle and -- >> Tovo: Sorry. So page 6. Are those -- do we have drivers, or are those driven by staff? >> They're driven by employees. >> Tovo: And do they have the ability within - - what do they have inside? Could you do kind of mobile charging stations within these vehicles? >> No. No, they don't have that ability. >> Tovo: Do we have any other vehicles that are -- well, let me back up. I see that the operations include, as you said, the trailer and a tow vehicle. What would the tow vehicle be >> It would be a pickup truck. >> Tovo: But for what? How would that be used? >> To tow the trailer. The trailer is 27 feet long. >> Tovo: Oh, I see. >> Yeah. So it includes the driver, as well as the insurance and cost of storing the vehicle. All of those are included in the cost. >> Tovo: So how often is the driver available? I guess -- like what is -- is there a maximum amount of time, or could this -- is this person going to be available every single day? >> It's based on what we ask of the company. So we included an allowance for roughly 15 events per year, if memory serves, so more than one a month, where the vehicle would be used, and the driver would be available there, would do the setup and the teardown,

all of that. The cost can fluctuate, obviously, if you go beyond that. >> Tovo: So I guess that's where I -- I mean, thank you for that level of detail because if it -- this this is a van that is out in the community every single day, going to neighborhoods and, you know, assisting with payments and encouraging people to use energy efficiency, then that's just a very different -- I mean, I see on page 2 it talks -- or on one

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of the pages, it talks about targeted deployment to meet customers at neighborhoods and hard-to-reach areas like neighborhoods -- but the fact is a contact with 15 events a year is pretty much just going to cover community events. So then I think really the question before us is whether that -- whether that delivery method is so much better than the delivery method we're currently engaged in, which is so of a booth-based one to justify the cost. So, you know, we are always, and my office especially has encouraged you to do more community outreach, and I'm so glad, you know, that you're investing time and energy in thinking about how to do that. I'm just -- I'm not really there on this expense advancing our -- you know, again, I think we need more -- I think we need more, kind of, if not door-to-door, more sort of community-based out there in the neighborhoods' work, but this isn't really -- this isn't really aimed at that need, as I see it. >> The only thing that I would offer is, in working in collaboration with your office, one of the areas that we see as being extraordinarily beneficial is to partner with the neighborhood housing and community development group. And, again, ensure that there's no wrong door, that we are able to go out and talk to customers that are going through that program and that could benefit from our program, and the same goes from Austin water and other departments. So that's something that requires more of a targeted approach. The intent is to try to get to as many customers, as efficiently as possible. And so if you are weatherizing homes in a community, and you have the ability to have staff on board to talk about that in a vehicle that has conditioned space for the better part of a day or however long it takes to go through that weatherization process, you can expand the reach

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of your programs, and as well, promote other city of Austin programs. But again, I respect council's view on this, and ultimately it's your prerogative. >> Tovo: Okay. Thank you. >> Garza: Thank you. >> Tovo: I think that -- I guess if there is CPS data on how it's used, but I think knowing that we're looking at about 15 events a year is sort of helpful to me to provide some context around thth the first two years the cost is \$589,000, and that is for the acquisition of the trailer and the truck and the design of the trailer. After that, you're looking at about 1\$00,000 a year. So that's for those annual events, and you can move those events up and you can move those events down beyond when when a we assumed in terms of 15. But more than half the costs associated with the trailer are associated with the acquisition of the trailer, the truck, and the wrapping. >> Tovo: I think -- I guess I've said my -- I know when we had -- I know the pard department purchased roving bands to use for roving leaders, and that was a real example of where the vehicle is critical to the program because that's a vehicle that goes out to different neighborhoods and

has within it, is equipped with video equipment and other things that kids need to do the kind of programming that is part of roving leaders so that, to me, was a real close match. It wasn't -- I've forgotten -- it was expensive, I remember we had to make room for it in the budget to be able to do the roving leaders program, but I don't think it approached these costs and it was, again, critical to

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the delivery of those programs. So -- okay. Thank you, again, for the additional info. >> Garza: Thank you. >> Mayor pro tem? >> Garza: It was on this issue? Ellis yeah. Thank you for breaking down what all is going to go into it. I know we had a lot of questions for the seemingly high price tag for it. I thank you for coming to table at my S

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O we are going to let T significant evolution in the industry and local solid waste infrastructure. We've also had some changes at the state legislature with respect to the bike ban, et cetera, that affected some of the ways we were trying to achieve our zero-waste goals. Many of the items in the current plan have been implemented, but the department is behind in meeting its benchmark goals, and I believe updating this plan provides us an opportunity to evaluate new technologies, methods, policies, and tools to further our zero waste efforts, to ensure the city is on track to reach zero waste by 2040 and also for us to ensure that we are addressing our affordability goals, and that we are operating our Austin resource recovery group in economically and fiscally sound way. I believe we need a consultant team to provide this additional expertise at this time. But I do have some direction that I would like to offer with respect to the master plan, and since this is a contract for an rfp, it is direction that I would offer. I have reviewed this with staff, and it is within the scope of work that's already there with respect to -- rfp. I will go through the direction, but we want to get direct diversion by 12040 and maintaining zero waste. The scope of work in rfp already includes benchmarking for comparable cities but did not include original economic and fiscal insights so that's one of the things I have added. For the benefit of the community that may be watching, I'm going to go ahead and read the direction, and I'm happy to take

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any questions or comments on that, and obviously, councilmember tovo also pulled it, policies and procedures for slightly different so as the city updates the recovery master plan, city manager is directed to incorporate the following elements: The plan should adhere to the same definition of diversion as arr currently uses, defined as zero waste going to landfills and incinerators by 2040. The plan should also affirm the policy that waste energy is not supported by the master plan but is considered an alternative disposal technology that must include the life cycle effects on the environment. The latter is in the code,

chapter 15. While the master plan may include a revision of arr's benchmark timelines, the city mass maintain commitment to the goal by 2040. When conducting benchmarking better than for comparable cities, the consultant should include fiscal and economic insights to identify which programs and methods offer the most fiscally sound choices, identify the fund reserve policies of comparable cities to provide insights and best practices for appropriate uses of arr's reserves. For each diversion program or method under serious consideration for arr implementation, the consultant must provide economic, fiscal, and environmental consideration of the benefits and consequences for arr's available choices. The plan should identify ways to work with other city departments to achieve zero waste goals. For example, the feasibility of recycled reads as an arr zero waste program. The plan should evaluate the feasibility of arr adding additional drop-off or transfer it should also consider whether current and future arr facilities of all uses should be city-owned and ensure that the arr complements and works with upcoming update to the Austin community climate plan. I will just add these were things that I felt needed tore some clarification, reviewing the rfp. There is a lot that's already in the rfp that, if you were looking at this, you might be wondering, well, why didn't I put that down

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there. Some of that's already in there, very clearly in the rfp. These were things that I wanted to clarify, and as I've mentioned, staff has indicated it falls within the scope of the rfp, so will not add to the cost of the contract to provide this direction, is my understanding. >> Garza: Does somebody else have any -- did you want to comment on -- >> No, Tammy remains, in Austin resource recovery. This is my division manager for Austin resource recovery. Please pardon my voice. I'm sorry I sound like a 12-year-old boy. We also -- yes, we did meet with councilmember alter and we have assured her that the majority of her items fall under section 3.1.2 of the scope of work that we provided, so we feel very clear that we can provide what she's asking for here. >> Garza: Thank you for that. Councilmember tovo? >> Tovo: Thanks. We had a little opportunity during the council meeting to talk about -- to talk about what the intent here really is, and I guess my main question is, you know, we have a master plan, and I don't believe our goals have really varied much from those -- those goals we've established. And so I'm still struggling struggle -- ING to understand the extent to which we'll be updating, this, this is going to be an update -- >> If you recall, the first plan was written and passed in 2011 so things have changed quite a bit, since then the technology has changed. We've completed also about 90% of the things that we had in the original master plan. So we're also looking at taking a very close look at the fund St. Mary's -- summaries and rates we have. We want to do that in light of your affordability plans as well. We want to take a close look at all those things. Also, we're looking at the scope and we're utilizing a consultant because we have some expertise that we need beyond what staff is looking at, like we need some

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economists -- economic expertise, as well as some environmental expertise that doesn't exist currently in staff. So we want to make sure that we have that -- those portions covered. So we are asking for

additional expertise, we don't currently have on staff. >> Tovo: Okay. Thanks. I guess that answered my question about why -- whether this work -- >> Not -- well, it will inform. What we'll do is we'll give the information in all the staff work that we've done so far, but there are potential gaps that we just haven't been able to provide on staff, so we'll inform this worker, what the consultant is going to do and add to the work he's going to perform. Actually the price tag you see won't be the price tag it costs, make sure it doesn't do say what you see on paper. >> Tovo: How was the first plan -- I wasn't here during the period of time where that contract was initiated, I don't believe, so was that also done with a consultant? >> That was done with a consultant, but primarily, most of the work was done in-house so that took quite a bit of effort from, you know, the staff that we had, and most of the numbers and stuff that you see in terms of the rate structure that was provided was taken from the -- from the consultant, and it was changed and massaged somewhat by the director. So it was -- it was kind of half and half, but majority of it did fall certainly on the in-house staff to do. >> Tovo: And what was -- what were our consulting -- how much did we spend on consulting for that plan? >> Geez -- >> Tovo: And you're welcome to get back to me with that. >> Yeah, I can get back to you on that. >> Tovo: I just want kind of a basis for comparison. >> Okay. >> Tovo: So as I understand it, the reason we're -- so about 90% of the goals expressed in that plan you believe we've achieved. >> Yes. >> Tovo: And so this plan is kind of setting a new set of goals, but also looking at some of the changes with regard to comparables and -- >> Exactly. And also, it's a little bit of -- we want to make sure that we maintain the cutting edge. Right now we've done some things and had some technologies that have truly changed out there, and we want to meet our waste goals, we really have to go back there and see what's available for his to try and implement and the

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programs we really need to be looking at adding. So this will help us inform the network and help us go back out there and try again to remain on the cutting edge. >> Tovo: That would be great. Can we treat that as a question to the Q and a, what the consulting cost of the last -- or do you need me to submit that formally? Okay. Great. Thank you so much. >> Garza: Councilmember alter. >> Alter: I just wanted to add, you know, as we've seen over the last couple of years, contracts in this area have been among the most contentious that we've had, and I think there's real value in having an outside consultant do the review so that we will with hear more honest feedback from the community who has some of the knowledge and expertise in this field as we're -- and have the benefit of some outside expertise to assess some of the -- that commentary as we move forward. I think there's some real opportunities with respect to the economics and fiscal approach, and this field, just the industry, has changed both in terms of kind of traditional waste management types of things, but then opportunities for innovative approaches, like I just got contacted by somebody who has -- you know, they will take plastic and create livelihoods for low income folks to be able to take that plastic and create it using a 3D printer into real stuff that you can use. That, you know, sounds a little bit sci-fi, but is actually working on the ground and there's some opportunities to deal with the waste in ways that we have not been able to conceive of in 2011, and someone with a broader view could help us evaluate those kinds of opportunities and when to take the risks to help us achieve our goals. >> Garza: All right. Thank you. The next item is 95, pulled by

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councilmember Flannigan. >> Flannigan: Yes. I just want to hear from the co-sponsors of creating this committee, kind of what the intention is, the frequency of the meetings. I'm concerned because the Austin energy meetings sometimes struggle to meet quorum so I just want to get a sense of what we're contemplating with it. >> Sure. I'm the sponsor of this so that's a good -- first, I want to thank my co-sponsors on this, mayor Adler, councilmembers Ellis, ,kinks and coffee for joining me on this and bringing this forward. We don't have a current council structure to review and look over Austin water and its processes, its strategy, et cetera. We've had some major items impacting our constituents in the water utility, from issues related to the boil water notice to the future of our water supply and conservation efforts, and we also face some opportunities with respect to shifting our business model where we want to incentivize water conservation, but we make our revenue off of selling water, which creates some interesting challenges to the utility moving forward. I wanted to recognize how important some of these issues are. And I wanted to ensure that we had a regular standing group that was focused in on Austin water. When we consider the magnitude of our budget of the water utility, I think it's important to create this space. There's a -- one option was to kind of piggyback with Austin energy, I was kind of noting your comment on Austin energy. What I was thinking was that I would meet quarterly or five times a year and be really focused in on Austin water, it would not, in my opinion, be necessary to be a committee of the whole, unless there were more than six -- you know, six or more councilmembers that wanted to participate on a regular basis. But there are opportunities to review the strategy, make sure

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water forward is moving forward, follow-up kinds of things with respect to the boil water notice, some of the affordability issues that have come up, so issues of septic and other kinds of things, and it really requires folks to be focused in on some of the issues in extended way. And I thought it would be useful to provide Austin water a forum so that we can have some of these ongoing conversations with them as they're making some important decisions with water forward, et cetera. >> Garza: Councilmember Flannigan? >> Flannigan: Thank you. And I don't think I was in would -- I don't think any of us would disagree that it's important in the water forward plan and boiled water, in having the notion to have a space to more focus public conversations on that, I think probably has some merit. I don't want the public to misrepresent the fact that we all spend time thinking about Austin water and, you know, just that -- like there are so many other departments that we oversee that it doesn't require a council committee in order to do that oversight. I'm more comfortable if it's quarterly. I think the monthly meetings tend to be very difficult to schedule, and I would be more comfortable with a quarterly committee of the whole, kind of patterning a little more after Austin energy given that it's a utility, which is very different than the rest of our committee structure. I would want to participate on this. You know, my office worked very hard on the billing issues, and part of the challenge of that was that the

billing was run by Austin energy, and so you almost had to have both utilities in the room at the same time for some of those conversations. So I just don't know where everyone else is at on this issue. Those are just my thoughts. >> Garza: You may be aware, I don't remember when we restructured the committees, but there was a committee that I was the chair of, and we found -- and

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it wasn't just water, it was all over, all the other utilities that weren't Austin energy. And we did away with that committee because there was -- it was hard to fill the agenda with things. And so I'm kind of on the -- I like the quarterly. I'm not a fan of the committee of the whole because I feel like we took it away, and now we're going to bring it back and say everybody needs to serve on it. And so I personally do not support adding another council committee to the many that we already have because the purpose was to -- was the hope to streamline our council meetings, and didn't it -- it didn't have that effect. So I'm not necessarily opposed to the need to dig deeper into these issues, but I deferral would not definitely would not be supportive of the committee as a whole and would support quarterly as opposed to monthly and do not want to serve on this committee. [Laughter] >> Garza: Councilmember pool. >> Pool: Thanks. I think that the conversation is really helpful to try to scope this out, especially in light of the late lamented council committee on utilities, I think is what it was called; right? If this does pass, I would be happy to be one of the four people, I think, to have it be less than a committee of the whole, I'd be happy to serve, and I think the quarterly is certainly a good approach, especially as we start up, and -- because we can always add meetings if we -- if it's necessary. But I thank councilmember alter for bringing this forward, along with the other work is that she's been doing, like on Austin resource recovery, and we do have to keep a pretty practiced eye on these contracts and the work

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that's happening because they're so intricately tied into the well-being of all our residents, so thanks. And I'd be happy to serve. >> Garza: Thank you. Councilmember alter? >> Alter: So I didn't intend for this to be a committee of the I was thinking of it as we need to have a few of us who are committed to having a focus on it so that there can be some extended conversations that we don't have just a few people coming in and out of. So I just wanted to clarify that, and thank you, councilmember pool, for volunteering. I, too, would be willing to serve on the committee. I think it would be helpful to get a sense, and councilmember Flannigan, I don't know if you're interested if it's not a committee of the whole, but I think it would be useful to get a sense of, you know, others who are interested in serving on that. I didn't try to attempt to populate the committee for this agenda, given how big this agenda was, but I think that would be really helpful so in August we can put forward those of us who want to be on it and come up with a proposal for chair and vice chair for it as well. >> Garza: All right. I think that's all on that item. So item 153, pulled by councilmember pool. >> Pool: Great. I pulled this just to check in with everybody in case there are any questions. This is the rezoning of the Lucy reed school to accommodate a transfer of the rosedale school over to -- from rosedale neighborhood to allandale neighborhood, and I

didn't know if there were any questions, because if there are, I'd be happy to answer them. We have had extensive conversations with people who live on Rich Creek, which is where Lucy Reed is. There were initial concerns about potentially the city aiding in

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opening up commercial zoning on school properties, and so we went to great effort to nail down the specific, kind of, unique characteristics of bringing a clinic in to address the needs of these really medically fragile children who are the students at the Rosedale School. And we had a number of meetings and I see Mr. Rusthoven is here in case there are specific questions, but I was able to get a letter of intent on Lucy Reed rezoning from AISD. They met last night. You may have known that they were meeting last night, and they had a big heavy agenda, and I think they went until almost midnight. One of the items that came up toward the end of the meeting was aid trustees discussing a draft restrictive covenant regarding restrictions on the Lucy Reed site, and this is an effort to provide belt and suspenders to the zoning that's going to happen on this site to allow the clinic but also to make it very clear down the years from now that should anything happen on this site and the clinic go away, that the property would revert back to being school zoning so that there wouldn't be any -- or a similar base district should aid ever decide to sell the site. So this letter came in just today, it's from Matias, Segura, the aid operations officer, this will be in the backup, it may be uploaded, additionally trustees discussed a stakeholder committee from AISD to rezone the site back to current zoning or similar based district if Austin ISD ever wished to sell the site. Both items are scheduled to go before the board of

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trustees for approval at the August 26 board meeting. The reason it's August 26 is last night was their last scheduled meeting and then they'll come back after a break in July at the end of August. So this is CC'd to Nicole Connolly, who is the aid chief business and operations officer and Jacob Reach, chief of staff to the superintendent. This effort reached all the way up to the trustees and through the superintendent. To provide some assurances to the neighbors for the changes that are gonna happen at Lucy Reed. >> Okay. >> Pool: I am hoping this will go on all three readings on consent on Thursday -- or maybe tomorrow. >> Garza: Is it a zoning case? I think it has to go Thursday, right? >> Mayor pro tem, it's a case on Thursday. >> Garza: Okay. Councilmember Flannigan? >> Flannigan: So why is it that P zoning wouldn't work? It seems instinctively like it's a public project, public government entity that you would use public zoning to accommodate what the district is trying to >> Pool: I see you're looking at Jerry. >> It has to do with the partnership that aid is making for the medical office side of it. So we believe that the use is medical office for a portion of the site, as well as primary education, and so that triggers a need for the zoning. >> Flannigan: But that's -- I mean, we control the zoning, right? >> Flannigan: I mean, I find this -- I think it's fine to move forward, but, again, I think we are cobbling together a set of circumstances that are unnecessary. >> Councilmember -- >> Flannigan: [Indiscernible] Should allow us to allow our public partners to do the work they want to do without having to create

these weird complicated, the zoning reverts back and all this other stuff. It should just be public zoning and we could have amended public zoning to allow that as a conditional use, right? >> Yes. >> Flannigan: As a council. >> Yes, we possibly would have been a code amendment.

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This frankly made the aid and their advisors more comfortable as to the use being permitted, not being challenged, so they chose to go this route. >> Flannigan: That's not satisfying to me. That's -- I mean, we don't do zoning because aid asked for it a certain way. We do zoning as a matter of public policy it's not really anybody's fault but for this to show up on the worst agenda probably of the year in a way that is now forcing our hand to do it quickly, I'm just uncomfortable with the whole thing. At the same time nobody doesn't -- nobody wants to stop the thing from happening, so, again, I feel like our hand is being forced. I don't think this is great. And I want to make sure this isn't repeated with whatever new code we get to after this year. >> Garza: Councilmember tovo. >> Tovo: So I think, too, for me it's also -- I agree. And I don't want to actually wait for the new code to look at P zoning, so maybe that's something that you and I can look at bringing, because this is now, like, the second or third conversation that we've had or that I've had, not necessarily in this forum, about P zoning and the need for it to be somewhat flexible. But I forgot to ask this question of the applicant yesterday when I was meeting with them. Why have they not used the interlocal? That is a mechanism that we created with the school districts to be able to allow them to be more flexible within their zoning categories, but to do so within a process that I think also would have -- would not have resulted in go zoning. >> Councilmember, under state law you cannot do zoning through a contract, which is what the interlocal is. So the interlocal [indiscernible] >> Tovo: So that wouldn't have helped in this case. So it would have had to be the P zoning. >> Yes. >> Tovo: As I understand it it was the P zoning because it would have required a conditional use permit? What was their concern? >> I have to go back and look. We met with them many years ago, the person advising the council on the bond program, and we discussed the use here, the medical office, and they felt that the

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easiest way frankly was to ask for the zoning change in the way they were most comfortable so that's why they're here. >> Tovo: I agree I'm not going to slow down this project either. I think it's a good project, important one, it has to be done but I concur that we really can't -- we need to have a set of planning principles that we bring to every case and that needs to be consistent regardless of who the applicant is. And I appreciate that it's easier for them this way, but next time they need to go through a regular process, and if we need to look at P to help make that -- to help facilitate that, then I'm really willing to do that, and I'm very willing to do it ahead of the code process, codenext next. >> Pool: Well, thanks, everybody. >> Garza: Okay. Thank you. Then the next item is 158, pulled by Mr. Flannigan. >> Flannigan: Thank you, mayor pro tem. So this is a zoning case a couple of cos on it and I handed out the analysis of the compatibility that will apply to this site, and as you can see -- we've seen a few of these

happen where the compatibility rules themselves limit the height sometimes in this case even more than the requested conditional overlay, the co they requested limits to 55 but when you apply compatibility you can only get to 45 and change. So I don't why we would add that co. There's also a co that limits floor to area ratio to two to one, which given the compatibility height restrictions I don't know that you could get there anyway. I don't know how I feel about the hotel-motel co, frankly and the co on the 62 dwelling units, again, once you apply all the -- I mean, we're just compiling rule on top of rule on top of rule. So I don't know how necessary these cos really are. That's the only reason why I bring it up. >> Garza: Is that a

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question? >> Flannigan: Nope. >> Garza: Okay. >> Flannigan: I'm conversing with my colleagues if everyone chooses to converse back. >> Garza: Would anyone like to converse back? [Laughter] Sorry, Jimmy. >> Flannigan: I try, I try. >> Garza: All right. Those are all the pulled items. >> Casar: Mayor pro tem? >> Garza: Councilmember >> Casar: I also, without pulling them, just wanted to make a quick comment on the mobile home zoning cases that we have coming up on the agenda. I think between everything that we did last meeting and that we have up this meeting, we'll have preserved about 16 mobile home communities that had previously been zoned to become things like office parks or towers or single family subdivisions and have helped, you know, hundreds of homes stay in place. I understand that there might be some folks coming and asking for postponement on those cases. I just want to raise for people that while generally a postponement on the fuser time something comes to us is fine because it gives you two weeks, in this case the fact that it will bump us across the summer and the fact that that then could open the door for people to try to convert mobile home parks to something else and to file for stuff over that time period, my reference is to try to get this done at the -- at this meeting. We initiated this policy change saying we actually want to preserve mobile homes as mobile homes back in August of last year. So I do think people have had plenty of time to think about it and were noticed and so my preference on those cases is for us to get them done this weaning if we -- week if we can. >> Garza: Councilmember pool. >> Pool: I wanted to thank everybody, my cosponsors on item 18 three, the permian pipeline, the parmerian highway pipeline. It will be on consent and

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there are a lot of folks who would come and speak in support of this but we've asked them to do it in other fashion so that we don't -- because we've got so much on our agendas. But thank you to councilmembers kitchen, Madison, alter, and Renteria. Thank you. >> Garza: All right. Just to reiterate the wednesday-thursday meetings, on Wednesday will be all consent items, 1-105. And 172 -- wait. 172 through 189. And then the ones that will not -- the consent items that we will wait until Thursday are 64-69, 87, 89, 98, 177 through 179, 184 and 185. There are two nonconsent items that we could bring up on Wednesday, which is I believe they were 190 and everything else will be taken up on Thursday, hopefully we'll get through it all on Thursday. If you sign up for an item that is taken up on Wednesday --

and clerk, correct me if I'm wrong me if I'm wrong about this. If you sign up for an item on Wednesday and we run out of time, you will automatically be put on the Thursday sign-up? Okay. I thought I saw an email from the clerk that said they will just move people who signed up Wednesday to Thursday and that they don't have to sign up again. But if you have signed up Wednesday, just make sure when you show up on Thursday that you're on there. If not, go ahead and sign up again. As far as Wednesday goes, I know I have a hard stop at 6:00 so I just want -- I don't know does anybody else have a hard stop on I may be the only one. Do you have -- councilmember

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>> Alter: I would like to have a hard stop at 6:00 too. >> Garza: 6:00, we could lose -- we'll lose councilmembers starting at does anybody have any questions? Councilmember alter. >> Alter: So I'm 90% sure that we're gonna want to do 10:00 A.M. Being the first group for 87-89. I will confirm that tomorrow during the meeting. So whoever is passing things on to the mayor, if you could do that, I would appreciate that. >> Garza: Sure. The time certain I have right now are 10:00 A.M. On Thursday for 87 and 89. Are those -- >> Alter: I'm treating it a little different than a time certain. I'm saying that would be the first item -- I don't want to tell people and then have 15 items before that if we're gonna tell them 10:00 A.M. I want them to be able to come at 10:00 A.M. And we'll be taking that up as the first item. It's not exactly a time certain so -- >> Garza: Okay. The first item on Thursday. >> Alter: Yes, thank you. >> Garza: Then the other time certain is 6:00 P.M. For 132 and then following that 185. And councilmember kitchen can let us know if -- maybe post something on the message board if she talks to her constituents and has a better idea of what she's -- so we have a better idea of what she's offered them, but I think it would be good if it's before the dinner break if potential. Does anybody else have any other -- manager? >> I'll note obviously this is a very robust agenda and staff is more than willing to continue to answer questions no matter what they are before the meetings tomorrow and on Thursday. So we can address any of the issues and set up at the meetings before the meeting just so you have that information ahead of time. So please reach out to staff to address those questions you may have.

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>> Garza: Councilmember >> Pool: I did wonder when the posting for our Wednesday council meeting starts at the same time as the Austin energy meeting, but are we gonna do, like, an hour of Austin energy to take those reports and then, like, at 2:30 move into the council agenda? Is that sort of the plan? >> Garza: I believe the meeting is supposed to start right after the Austin energy, assuming it's at 1:30. Right? >> Pool: Austin energy starts at 1:30. >> Garza: Okay. So the council meeting will start right after the Austin energy meeting. >> We didn't want to have Austin energy -- >> Pool: Then have a Gap. >> And then have a gap if it ended earlier? >> Garza: Councilmember tovo. >> Tovo: It's my intent, given the schedule that we have this week and the real interest I think some of us share in not being here on Friday, having a council meeting -- it's my intent to keep Austin energy as short as possible and so an hour would be, you know -- is a lot longer -- I'm thinking, you know, we may not be able to have a

discussion -- discussions about issues the way we usually do, but, I mean, I think 15 or 20 minutes should be our goal. >> Garza: All right. Having no other business we are adjourned at 12:08. Thank you. [Adjourned]