

City Council Work Session Transcript – 08/20/2019

Title: ATXN

Description: 82019 only

Channel: 6 - COAUS

Recorded On: 8/20/2019 5:15:00 PM

Original Air Date: 8/20/2019

Transcript Generated by SnapStream

=====

[9:10:43 AM]

>> Mayor Adler: All right. I think we have a quorum so we can gavel in today's work session, August 20, 2019. It is 9:10. We're in the boards and commissions room here at city hall. We're going to begin today with the briefings. Kathie won't be here until 10:30. She's pulled some items. She's asked us to do the briefings first so that she can be here for the items that she's pulled. So a quick, I guess, -- on the -- so I guess we'll talk about budget too. So let's begin with the veterans resource center.

[9:11:43 AM]

>> Good morning, council, Joya hays, director of human resources here to provide you an update on the analysis that we contracted to review the potential for a veterans resource center. We committed some things to you in October and we're following through with the commitment today. Going to give you a brief background of all of the activities that have taken place relative to this issue. We contracted of vendor to come in and provide us a needs assessment and they're going to provide you some high level results today. The vendor has some recommendation and potential next steps that we would have. As we go through this we want to remind you of the steps that have been taken thus far. We received from our veterans affairs commission a recommendation to create a veterans resource center. You received that in April of 2017.

[9:12:42 AM]

A council resolution was passed in June of 2017 asking the . Human resources department to evaluate the potential and cost effects that would come with the establishment of a veterans resource center. We provided that information to you in the form of a memorandum in December of 2017. As we provided that information there were some larger scope needs that we were not able to meet as a department. So we have decided to go out for a vendor to come in and provide that information. After

we provided you the memorandum the veterans resource commission also had a second opportunity to evaluate in last year's budget some fasters and they came back to you with a second recommendation relative to a veterans resource center. And hr tried very hard to determine or ascertain how many entities would be interested in participating and co-locating with such an activity and we reached out

[9:13:42 AM]

to 48 and 12 of them showed interest. We provided that information to you in the memorandum we provided you. We recognized in that information that one of the key pieces that was the most costly component of that is space. Hr had the opportunity to receive new space at 4202 as a result of our move of the organizational development team so there for the purposes of holding space we held 4800 square feet. Now, understand in that space isn't used we certainly can utilize that space for other organizational development needs but we felt like it would be appropriate at this point to hold that space for your deliberation. In October of 2018 we came back before you to kind of give you an update on all the work that we had done to evaluate this as a potential initiative for council. We issued a solicitation and contracted combined arms. They are a non-profit that does this work, but the focus of their presentation today is to walk you through the objectives of this

[9:14:04 AM]

actual contract including a survey and stakeholder meetings that they completed. We went back to our commission on August 8th to give them an update on that process and I will talk a little bit more about what your veterans commission would like to see happen with this information. I want to just let you know that the report will not be completed until the end of September. When we met with you in October we went out in November with the rfp. We completed the solicitation and awarded the contract in February of this year, and they just finished the sometime stakeholder meetings in July. So in an effort to get you this information as timely as we could, today is really just a high level update understanding that the full scope of the report will be available at the end of September to council and the commission. So as we look at that, the high point of the last meeting we had, and there are two new councilmembers at the table to I want to make sure we have a full understanding of what council requested from us and I'll turn it over to the

[9:15:05 AM]

combined arms. Initially you have the ability to complete a plan on how we could do a veterans resource vrc if that is a wish of council and other vrcs and how they're being run. You asked us to look at other non-profits and the ability to raise funds. Is duplication of services we've attempted to cover that in this presentation as well. And you will recall the opportunities of co-location. Specifically council brought up

aid, community centers, army future command, va clinic and Travis county. So we have additional information to share with you relative to the opportunity of potential co-locating. You also asked in the final deliberations you wanted some metrics on veterans services and city locations that they could potentially

[9:16:05 AM]

use and you wanted us to look at transit to make sure we understood the needs of veterans in our community relative to their transportation needs. So as a result of that we have seven project objectives that combined arms was asked to evaluate and they are there before you, which includes the needs assessment, the data collection in terms of the needs of our community veterans, operating models, potential duplication of services, transportation, opportunities to co-locate location and size and ultimately models of business plans that we will also utilize this information from you today to finalize that report which will be done in September.

[9:17:07 AM]

>> Thank you for having me. We think this is a very survey and needs assessment. As she mentioned. Micah burnet is mycolog from Texas vet. They're part of the health science center in Round Rock and they are experts in data collection analysis and so he will be answering and delivering a piece of that portion of the presentation. In the project phases we really broke it down into three major. Mainly for all the Marines in the room we can't count past four so we try to keep it simple. The main thing we wanted to do is understand the needs of the Austin veteran community and when I say veteran I mean military service members, National Guard, veterans, their family members, caregivers, and anyone kind of connected, military service connected in the greater Austin area. And we also wanted to then deliver a little bit of a piece of those results in each of the stakeholder meetings and then get more

[9:18:09 AM]

direct feedback from the community whether those are veterans serving organizations and veterans themselves that really wanted to provide that feedback and let us know the need for a veteran resource center in the greater Austin area. Avenueand then of course present as we're doing today and in future presentations as Joya mentioned that we'll be delivering the final report at the end of September. So the methodology behind how we've approached the survey was really in other Marx that we've completed - - markets this we've completed this in successfully before. And we've achieved a somewhat -- I would say we achieved some really great results, like it says here 53 days of when it was available, 34 possible questions and I want to also point out that some of these questions were geared towards veterans

serving organizations of which we had over 30 respondents, which is a mixture of government agencies, be that federal, state and local. And then also non-profit organizations.

[9:19:09 AM]

And then the veterans survey was the clients facing survey was something much different that we'll go into much more detail. 562 total respondents. Some didn't answer all the questions, but we'll address that. We were able to push that out to the community in multiple ways, including several earned media results that we were able to get through several local TV stations and the "Austin american-statesman," and of course pushing it out via our organization partners. In terms of the -- I'll go to the next slide here. This is the breakdown of the overall participation by county in the greater Austin region. We focused on the five counties in the greater region. You will see there's very high participation in Williamson county, which I think is important to consider. And especially as we delivered -- we engaged the community in the stakeholder meetings, there was a great need or a great, I guess, interest in having multiple

[9:20:11 AM]

veteran resource centers, one in the southside of Austin, one in the northside of the area. These are the top needs by category, so we put the top five here in a bar graph and then we listed the other categories of services that veterans responded that they needed most. Claims assistance, that really deals with veterans' benefits, whether they need disability compensation or non-service connected disability pension. That the veterans administration provides. Mental health care, whether it's community based or provided by the veterans administration and other government agencies. Then employment, social connectivity with other veterans, and financial assistance. And this is quite consistent with other markets and other needs assessments we've done throughout the state and what we've seen nationally. And just as a basis of comparison I would like to point out that when we did this, when we conducted the very similar needs assessment with our partners at text vet in the greater Houston area we actually received more respondents in Austin than we did in

[9:21:11 AM]

Houston. And we also conducted a statewide survey with the Texas state university several years ago and we also received more respondents here in the greater Austin area than we did statewide. So it's quite exciting to see all those results. So one of the central questions we wanted answers was would you utilize the services provided in a veterans resource center if it was created. We also wanted to touch on transportation questions would access said veterans resource center. And 94% responded that they would access the center via automobile. And another six percent responded that they would access the

center via public transportation, meaning that metro, bus, rail, bike, taxi other pedestrian access. And 75 responded they would like to see multiple veterans resource center partnered with the city and

[9:22:12 AM]

other organizations. So these are some of the veteran resource center models that we've kind of seen work across the state and across the country. City-run models. Of course, that is a model that we have seen run before, but currently there aren't any solely city-run models in the state at this point. There's a non-profit-run model. Of course, that's fairly self-explanatory and I think that's a couple of great examples of that in San Antonio, in Waco and in Houston, of course. And public-private partnership, that's really where we've seen the most success and that's representative of what we've created in the Houston area and what San Antonio has where it's a -- whether that's partially provided by the city or the city participates and the county participates, state agencies participate and it's a non-profit run and organized

[9:23:12 AM]

model. We looked at duplication of services and the potential there to address some of the concerns regarding the existing government agencies and community college organizations that are in the greater area. We looked at, of course, Travis county, the va, which is a federal agency, of course, texvet, who are our partners as a part of this project, Texas veterans commission, which is the state agency that serves veterans throughout the entire state and the Austin community college veteran service office, which is what vso stands for. You can see the variety of different services and benefits and locations that these entities provide. And as well as their response when we ask them if they were willing to collaborate. And we defined collaboration as willing to participate in a collaborative system and potentially co-locate once the veterans resource center is developed. Being hypothetical still at this point, because the veterans resource center doesn't technically exist, they were all very interested in potentially co-low incoming and participating in a collaborative way. There are other non-profit

[9:24:13 AM]

agencies that we've listed here that exist very successfully in the greater Austin area. Ale of whom we partner with. The only kind of quasi governmental program is the mull Terry veteran peer network, which is technically run by the Texas veterans commission, but it was originally started as a non-profit model. And all of these organizations expressed interest in participating. They came to -- either two out of three typically of the stakeholder meetings and also helped us disseminate the survey to a significant number of clients for response. And they also participated in the survey themselves in the veterans serving organization side. Some of the key observations that we put together after analyzing all the data,

what is listed here, we did want to pay attention or draw attention to the location piece that central Austin was one of the highest

[9:25:14 AM]

responding categories, but also 75% responded that they would like to see multiple access points or multiple veteran resource centers, which can be accomplished via public-private partnerships with organizations like I mentioned, like texvet or heroes night out or the va clinic here locally, which has expressed real interest in partnering. And the opportunity to support any model is really what we're kind of ensuring that we engage -- continue to engage our veteran serving organization stakeholders and the veteran community at large to keep them updated of when this vrc could be delivered essentially. This is just a couple of benchmarking within the state of Texas and one outside the state of Texas, of course. The main differences between these communities, we kind of picked a little bit of a different. Houston of course being a non-military town, but high veteran population, similar to Austin. Colorado Springs very co-located with fort czar

[9:26:15 AM]

son and the air force academy, so very military focused. Waco is not far from fort hood, but still a very high veteran density population. And San Antonio, of course, being very co-located with joint base San Antonio, so very high military population. So we wanted to give you a little bit of variance in that. And I would like to point out that the city of San Antonio in that column there did help raise funds with -- in partnership with Alamo colleges and a non-profit organization to raise that nearly five million dollars to renovate some city space and now -- and Alamo college helped run it and manage it day-to-day. In Houston we're truly a public-private partnership and that's where we've seen a lot of success in the last five years. So really our recommendations, you know, are a little bit more than four, which is going to be tough for Marines like me,

[9:27:15 AM]

but we'll get through it. I appreciate it. We wanted to show you a little bit more about how other cities in greater metro areas have accomplished this. Also talked about the benefits to co-working. So you can have one stop shopping for veterans and their families so they don't have to go to 50 or 60 different entry points for services. They can come to one or two. And technology and the benefits of uniting all of these services and resources into one single technology platform so that veterans don't fall through the cracks and you hold these agencies more accountable. And then also marketing, to reach veterans and their families before they leave active duty. So how can the city of Austin or the greater Austin area market themselves as a very military and veteran friendly place so attract more military as a means of

economic and social development. We would recommend that the non-profit or the public-private partnership, there are a lot of great opportunities there and we can certainly help with

[9:28:17 AM]

that. The these by county, we wanted to just point out the top needs in each of them. Travis county and Williamson county were the two highest respondents, of course, and you can see the breakdowns there. It's very along the same lines as the bar chart that we provided earlier.

>> And our final slide just really speaks to where we think we should go now. The veterans commission was very interested to have an opportunity to see and understand not only the high level powerpoint presentation, but they also want an opportunity to see the final report. They've been very committed to you through their two recommendations so we believe that at this point as the final report comes in and the recommendations from combined arms to allow an opportunity for the commission to deep dive into that information and potentially provide an updated recommendation to you as a council. The other piece that we saw that came out of this

[9:29:18 AM]

presentation was a real need to connect with the service providers, to determine that if there was a model that was appropriate, how would it work with their scope of work and how we could complement one another without the duplication of services. And I believe based on the scope of the commission they have a capacity to do that deep dive as well. So from an hr perspective we believe at this point, this presentation along with the final report should be provided to the commission to allow them the opportunity to further delve deep into the potential of how we would do it and in what space and provide that to council. And that concludes the presentation we have for you this morning.

>> Mayor Adler: Thank you for the presentation. Thanks to the veterans commission. I know they've worked a long time on moving this forward and it will be great to have this -- both the resolution, but also I'm encouraged and despitd about the real -- excited about the real deep

[9:30:19 AM]

dive to be able to think through the best delivery mechanism for that. Ann and then Leslie.

>> Kitchen: Thank you all very much for your work. I initiated this with my colleagues a few years back so I'm glad to see that it's proceeding. So I have a couple of questions. I'd like to hear from the commission if they're here to see if they have any take on this. And I understand that what we're seeing is that we

want to return this to the commission, which I think is a good next step. But I'd like to understand from them if they have any comments. Is the chair or anybody else from the commission here?

>> We have two members of the commission that are here.

>> Kitchen: If they want to comment. It's not necessary, but if you have any comment, I would like to hear it.

>> Yeah, the first question is -- [inaudible].

[9:31:21 AM]

>> Thomas Jeffs, for city councilmember page Paige Ellis. The first question was about methodology, making sure that you have a sample. So I took the survey, I knew a lot of people took the survey. But it wasn't made clear how you made the sample size and how you were applying weights to actually reflect the actual population of the city of Austin.

>> Kitchen: Also, the thing -- what I wanted to focus my question -- that's a good question and that's fine for them to answer. But I'm sorry, what I meant to ask from the commission standpoint is do you all think that the next step is for this to Tom back to the commission in terms of reviewing the report and the recommendations? And do you have any questions about the timeline or the next steps?

>> Yes, ma'am.

[9:32:23 AM]

This is the first time that we've gotten to see any of this report.

>> So you need to dig into it.

>> Yes. This is the first time. As far as timeline goes, not really sure kind of how to proceed given that your budget is coming up very, very quickly. I'm not sure that guidance would be helpful there.

>> Kitchen: Okay. So it sounds like the commission is prepared to and interested in receiving this report. I didn't mean to cut off your question, I wasn't sure what I wanted to know from you all.

>> And councilmember kitchen, if I could, we met with the commission on the 8th so I would be able to articulate where their space was. I think they ideally would have wanted to have seen this information, but because it was prepared for council briefing it had to come before you first. So as we met with the commission our commitment was we would communicate very clearly to you a desire for the information to go back to the commission per their request, an opportunity to allow them the opportunity to give you

[9:33:24 AM]

final feedback before any decisions have been made. The chairman is not able to be with us, but in a conversation with the chairman I think that they've got a plan in place to look at this information quickly to provide you at least some recommendations as you prepare for this budget, understanding that the final report with a full business plans won't be available until the end of September. So I do believe that the commission is looking for a meeting to be able to review this information as quickly after this presentation as they can plan it.

>> Kitchen: Okay. So really that was my timeline -- my question regarding timeline. So we'll get some thoughts from the commission before we pass the budget?

>> Pete is trying to schedule a meeting to release review and provide you some level of communication and recommendation as quickly as he can. The date has not been set to my knowledge. Not as of now?

>> The veterans commission's next meeting is scheduled for the first week of September.

>> And councilmember --

[9:34:26 AM]

commissioner, we can definitely answer the question about the sample size and the weights behind the methodology. I'll turn it over to Micah.

>> We created overlapping segments of the greater Austin veteran community. We did that based on the proportion of each county's compensation of the overall population as well as in terms of the 14 areas of need that we identified across the entire spectrum of need. We used what's known as a licart scale to weight the different responses.

>> And it's a 95% strength of significance, correct?

>> I would hold off on that because of some of the sampling that we used.

>> Mayor Adler: We have four briefings and I think this was anticipated to be the shortest of the four briefings before we get to items. Leslie?

>> Pool: On page 10, I was

[9:35:26 AM]

curious if combined arms had any ideas why someone would say no on whether they would use the services offered by a veterans resource center?

>> Yes, ma'am. Councilmember, 81% responded yes, and I think sometimes when veterans and the community responds no, that means they don't need some of the social services that would be provided or they're already pursuing -- they're already seeking services provided by va clinic or Texas veterans commission. And they just wouldn't need to access it. We can correlate some of that data if requested to location, so for example, I I would imagine that some of these respondents came from some of the more rural counties in the area and I can certainly correlate some of that data to show the reasoning why. That's what I would guess is they're already seeking and accessing services by other providers.

>> Okay, that's good. I was hoping that would be the case because I wouldn't want somebody that's in need

[9:36:26 AM]

and have a service that they might benefit from, but they decided not to. On the next page you talk about the non-profit model and the public-private partnership. And both of them you mentioned are in San Antonio. Not many of the non-profit and most often for the p3. Do you know -- this may be a follow-up -- this is probably going to take too long to answer. I just wanted to know how were the two different groups different? Maybe we could meet afterwards. My veterans commissioner is Pete Salazar and he's really deeply involved in working on this and so I'm -- so I've been following it as closely as Ann has. And I want to make sure that I can answer any questions that he might have and help guide this so another meeting would be helpful. Let's see... I think my last question -- that's just a note to note about the branding being military and vet friendly as part of the marketing. That's a really good idea.

[9:37:27 AM]

If you could just keep me apprised of how this is all going too, Joya, that would be great. Thank you so much.

>> And councilmember, I would say that Pete has been a really great participant in all three stakeholder meetings and helped us push the survey out to your district. Thank you for having such a great representative for your district. And San Antonio is a great example of p3, public-private partnerships, but what we have in Houston in combined arms is also a public-private partnership. So we have federal, state and local agencies that are co-located together in non-profit-run model. Thank you.

>> Mayor Adler: Jimmy.

>> Flannigan: I think the p3 is definitely the way to go. It sounds like there's a lot of value in doing that. I like the idea. Really what you guys put together is really attractive to me as a concept, having basically a co-working space for all of the serving organizations in addition to whatever the City is going to provide. In terms of location, part of the reason I pulled item 15 was to talk about Faulk

[9:38:29 AM]

as a place this really should be located given the proximity to the veterans court and other downtown issues. I think downtown court might go there too, but nonetheless, as we already approved building a north and south municipal court, which might be an interesting portal, if there's a downtown center vrc and then you have a smaller portal for veteran services at the two portal facilities that we will be building over the next seven or eight years, that seems like a really great way to lay this out. And I'd be really interested in knowing Travis county's level of support for this initiative and ensuring that they are participating financially in whatever we're doing for our veterans.

>> Paige?

>> Ellis: I want to vocalize I like the idea of the veterans commission being able to approve this. Thank you for your hard work on it. I know it's been a long time coming and something that the council and the community sees as a value to make sure our veterans are able to access the services that they need. And thanks to the commissioners for attending

[9:39:30 AM]

today. I want to throw that out there, I'm on board with that.

>> Renteria: Mayor? And I'm very concerned also with -- I agree with Jimmy. That we need to look at different locations. But you know, I would have preferred that it would have gone through our commissioners and they could have made a recommendation because we're so close to the budget process right now, and it's really alarming for me to figure out how can I fund a program that hasn't been vetted through the commission, veterans commission. So I'm going to keep a close eye on the budget process because I don't know what's going to be needed, how much funding is going to be required without having my commissioners make a recommendation.

>> Flannigan: I'll just note that at a minimum we have funding for -- in this budget to continue this dialogue because I think it is critical to keep the commission engaged and to

[9:40:31 AM]

ensure that we have the relationship with the consultant. So at a minimum I just wanted to reassure you that no matter what happens in the next month or so we will be able to continue to have this important conversation in our community.

>> Mayor Adler: Great. While you're here too, Allen Bergeron, that was a great meeting on veterans mental health issues and I really like and appreciate the leadership role that the city is taking on the

military suicide issue and elevating that and making it part of the conversation that we're having in the community. Thanks for that work. Are we ready to move on? Ann?

>> Kitchen: One quick question and then I'll take it offline. I'd like to understand specifically what the city's role could be in a p3. And I'd like that information to be presented to the commission when you work with the commission. I'd also like to have -- I

[9:41:33 AM]

share the concerns that councilmember Renteria raised. I would like to hear back from the commission before the budget. I appreciate that there's dollars to continue the conversation. We've been talking about this for a couple of years. So we really -- it's really time that we get a decision made and a path forward. So I would like to understand what that is before this budget of whether it involves this budget or what. I would like to understand what the city's role is and what we need to be prepared to talk about before we vote on the budget. So that would be very helpful.

>> Mayor Adler: Okay.

>> Pool: Mayor. And the last thing that I'll say with regard to the p3 because that is a direction that we have been looking at as a significant way to move forward and tap into other resources, if we are going to be partnering with other entities that are already underway or that are sharing this policy space, I want to make sure that city of

[9:42:34 AM]

Austin new dollars, whatever level they may be going in to that effort, does not replace somebody else's commitment and input. I want our dollars to expand, not to replace. So that anything that we bring into the conversation is additive. And that going forward people can see that we are -- that our involvement has a net positive effect, but doesn't replace some program funding from another entity. Does that make sense? Okay, thanks.

>> Mayor Adler: Okay. Let's move on to the next briefing. Thank you very much. The next briefing by the way is one on the land development code.

>> As staff makes their way up to the dais, I'll just remind councilmembers that this is an ongoing discussion about the efforts that we have been undertaking on revising the land development code. There have been a couple of meetings and briefings since we had our last work session

[9:43:35 AM]

so we wanted to give you an update on that. And then a preview on some of the upcoming discussions that we'll be having not only with you, but with the community. So with that I'll pass it over to assistant city manager Rodney Gonzalez.

>> Thank you, Spencer. Assistant city managers on any Gonzalez for economic opportunity and affordability. Mayor and council, you may recall that we came to work session on August 6 to give a brief update on the status of the land development code revision project. We're here again of course to talk about what we've done since that time and what's on the horizon. So with me today of course are anike anik Beaudet and others that have worked on the project as well.

>> Good morning, mayor and council. Anik Beaudet. And I'm going to briefly go over the schedule in the red box . In the lower middle. We're here today at work session, and moving forward we have special called work session on the 28th, next week, to deep dive on a few topics that will -- that

[9:44:37 AM]

we'll go into here in a second. It's important to note on the time frame altogether that was released in late July that we are busy at work implementing the may second council direction, but that also includes that I want to be clear in the may 2nd council direction we were to review the past council recommendation on previous work, which there were a lot of recommendations and we have been cataloging those similar to the process that you are familiar with with the Austin strategic mobility plan. You've had the luxury in the last year of multiple equity focused reports being released, uprooting, the density displacement task force recommendations we've been resolution those recommendations as well and including them in our analysis as we move forward with code development. So we are still on track moving forward with the release moving forth with the digital version of text and a map as well as an in-depth staff report that

[9:45:39 AM]

catalogs our approach to implementing your direction. During the month of October we'll have three types of participation with the public, open houses, office hours, and public testing. So that will all happen in October, leading to the date on the timeline of an October 26 planning commission public hearing, moving to a council public hearing and moving to a December 1st reading. So that's an over overlap of the schedule. So for today we were planning to recap for you the housing committee on December 13th about an in-depth approach to housing capacity and zoning and how we're handling capacity and zoning in the code. I'll go over what those topics were. Today we're going to spend five or six minutes on an overarching approach to housing capacity that we're taking in service to your

[9:46:39 AM]

direction. And then talk about next steps. So at the housing and planning committee on August 13th, we went in-depth on a reminder on the zoning categories that are included in the land development code revision effort at this time. We talked about how we're handling residential use in a new way along corridors. We talked about the preservation incentive and how we're implementing that. We talked a lot about accessory dwelling units and duplexes and some details related to those two types of multiunit housing scale product. We talked about single-family and multi-family uses. And then about our new approach to nonconforming in the transition Zones with this idea of a quote, compliant use that we're still working out the exact name, but the idea that single-family would be compliant in the transition Zones. So we do have those slides loaded up for those who aren't on the committee. If there's any questions related to any of these items later in the

[9:47:40 AM]

presentation we can pull them up and senior planner Lindy Garwood is here who created most of those and can walk through if anyone has any questions on those. So with that I'll hand the presentation over to colely Brent Lloyd to talk about our general approach to housing capacity and to council direction.

>> Thanks, mayor and council, Brent Lloyd, development services department, development officer. I'm going to walk through some of the key concepts that are driving the mapping and the other code changes that will be before you in October. And we've -- as with most of our slides we tried to restate your direction from may 2nd at the top. And rather than reread that direction I want to just sort of distill down what I think are some of the key themes that have informed -- that are informing the mapping and text changes as well. And I think council's direction points towards to the greatest extent possible

[9:48:41 AM]

having new entitlements focus on transition areas and be tied to an affordable housing density bonus. If that proves not to be economically viable within the transition areas, if a density bonus would prevent missing middle housing from occurring, then new buy rights title developments may be available in the transition areas. Outside of transition areas, the bar is to be far higher for obtaining new entitlements and the city will focus on requiring participation in a density bonus. And within areas that are susceptible to gentrification as indicated in the UT uprooted study, generally no mapping changes will be provided and participation -- obtaining new entitlements will require participation in a citywide density bonus program and the zoning will conform with comparable zoning to what exists today. So with that background in mind, let's talk about current code.

[9:49:41 AM]

Current code does not provide sufficient housing capacity. All of the information that we received in the course of our prior work has indicated that. And there aren't tools available under the current code to significantly increase capacity on a citywide basis as we believe and our consultants have indicated needs to occur to help to address affordability concerns. So the goal is with the new code, with the new zoning map, we have a chance to really provide some additional capacity and address the issues. Draft 3, the prior work, the approach to housing capacity, did not include transition areas. There were definitely enhancements provided on a citywide basis and changes that would have provided additional capacity, but there wasn't the focused effort that is reflected in the concept of transition areas that also plays into other city planning goals,

[9:50:43 AM]

notably transportation. Also our prior work lacked the benefit of the recent in-depth gentrification studies and data. I think that we'll inform the discussion going forward on the map as well as the text. So potential revisions include maintaining current base zoning capacity except in transition Zones where that is to focus on principally providing missing middle housing. And it's worth noting that although not indicated on the slide, I want to emphasize that this includes downtown. We'll be talking more about the downtown area going forward, but downtown is not intended under the code to have substantial increases in density. Again, the transition areas are intended to really focus on allowing new missing middle housing types. And then finally, and I think most importantly is apply Zones in areas susceptible to displacement very carefully, and that

[9:51:44 AM]

should be guided by the uprooted study that UT prepared. So the effect of the changes that are under consideration are to increase housing capacity to improve jobs, housing balance, and provide tools to allow for more affordable housing. More housing close to transit corridors. As I mentioned, that's critical to other city planning goals. We want to talk about housing capacity as a concept, which the city manager discussed in the March 15th memo that was led to your policy direction on May 2nd. And I think housing capacity is a critical concept that will be discussed in other work sessions and going forward after the code is released as well. Fundamentally to recap, the yield goal is 135,000 new units and 60,000 affordable units at 80% mfi. The current code capacity

[9:52:45 AM]

provides for 145,000 units. In our prior work the yield goal was 135,000 units with 60,000 units affordable at 80%. And that results in a capacity of approximately 287,000 units, twice the goal. In the potential revisions that are being focused on informed by council's policy direction quoted at the top of the slide is again to achieve the 135,000 new units with 60,000 affordable units. And to achieve that target, we're shooting for a capacity per council's direction of 405 new units and that's three times the goal. So the effect of this change is that by planning for three times the capacity we're more likely to reach the yield goal. Greater yield of market rate units will facilitate more affordable units. And just to sort of restate

[9:53:47 AM]

and paraphrase some concepts that are critical to the idea of housing capacity and that will be revisiting going forward is that in order to achieve a yield goal it's necessary to provide for more opportunities for development and provide for a buffer and provide for greater capacity as there are many situations where even though properties have entitlements, the stars will not all align in a manner that results in additional development that provides housing capacity. So it's necessary for those sorts of reasons to provide a buffer and to provide additional capacity. Additionally our consultants have advised us consistently in our prior work as well as in the context of this process that providing more market rate units is essential to providing more affordable units. And that plays in as well to the need -- to generally provide greater housing capacity, which is very much the focus of council's direction and will be reflected in the map that

[9:54:48 AM]

comes out in October.

>> For next steps we will be at mobility committee. We'll be at mobility committee tomorrow actually and talking mostly about the approach in the transportation factor about comprehensive review that includes transportation management, transportation analysis, and our new approaches per the council direction on those items. And then for work session on the 28th we have a robust four items. Our consultant Peter park will be here to assist us with these items. Specifically our approach to the transition Zones, parking, how we are looking at the council direction on parking. Some information on what we're developing related to non-zoning regulations such as parkland and watershed. And then also our approach to downtown, we've been

[9:55:49 AM]

doing as I said before in the last presentation inherent to developing a code is a lot of listening to the community, but also inherent testing of ideas. So we've done some testing. Not only of citywide, but also specific to the downtown that we'd like to share with you all on the 28th. With that we'd be happy to answer questions that you have. And again we have the slides loaded on the past categories of housing if anyone would to ask questions on those.

>> Mayor Adler: I want to thank you for this presentation and for the one in front of the council the more we can daylight and delegate over the next six weeks so people when the maps and code come out that people already know what to expect and people aren't surprised and it will be able to best facilitate the process. As you might imagine already getting lots of calls and

[9:57:51 AM]

emails and folks expressing concern. I'm just going to pick three real fast. If you're not ready to respond to them, just say so. We have some people that I think are concerned that if they have a single-family home in a transition area and it's destroyed or it burns down or something like that, but their property has been zoned for transition for a higher use, that they're not going to -- their home is gone and they're not going to be able to replace it. Have you all gotten far enough where you have a feel for where you're going to end up on that point?

>> Brent Lloyd. And that is definitely an issue that is under review, as we finalize the draft revision. I will indicate, though, that per council's direction, it's intended that single-family homes, although they will not be an allowed use in the traditional sense within transition areas, that existing homes be given far greater rights to be

[9:58:52 AM]

maintained, enlarged and continued than would normally comply to a nonconforming use. And related to that, when you have a nonconforming use, the rules in city code -- this is true today as well as in the draft that will come forward in October -- if a house is destroyed by an accident or vandalism or something beyond the owner's control, there is an automatic right to rebuild the structure. And so at a bear minimum, I think that council can expect to see in the code that comes forth in October similar rights afforded in those situations. The extent to which there may be limitations on building a single-family home if an owner knowingly intentionally completely levels the structure and, you know, makes the lot essentially a green field condition, that is an issue that is still under review. Council's direction very much points towards trying to encourage the construction of multi-unit development, missing middle housing in transition areas.

[9:59:53 AM]

Mayor, I think your question and the questions percolated through the community points to some of the sensitivities that have to be balanced and we are certainly considering all those issues.

>> Mayor Adler: Sounds good. And I think we did say in the direction that we were trying to not to incentivize people tearing down a single-family home to build a really large single-family home. So it's consistent with that. I'm also hearing people ask questions, what if they're in an area, in a transition zone that's trying to encourage not a big home being built, but a multi-family project? But there's a deed restriction that says you can't build multi-family? Are you then left with an inability to build anything on your property?

>> Mayor, that is an issue we are looking into, and I think you can rest assured that the code that comes to forward will October will have a clear answer to that. I think the core concepts are as I've discussed here

[10:00:54 AM]

today, as well as last week, but I think some of the details have yet to be worked out, and I think your question is a good one, and we will be prepared to answer it as the proposal takespeha

>> Mayor Adler: We have precedent under lashings even when we passed the sos ordinance, for example, there were provisions in it that provided that if those ordinances left the landowner in a position where a property owner couldn't build anything on their property that it was then the staff -- that was not a viable place to be, so staff had to figure out on a case-by-case basis what somebody could do so I would expect to see something like that. Does that sound like a reasonable expectation? Okay. There's also a lot of conversation in the community about a maps that been provided that has red lines and yellow lines on it, and as I look at that map -- oh, and it's -- in its legend it says that -- it would purport to suggest it, shows what a transition

[10:01:54 AM]

area would look like if it was 400-foot depth at a minimum up to 1500-foot depth at a minimum. Does -- at this point, and I know you're going to be transition Zones in a week and I don't want to get ahead of anything so if this is a bad question for me to ask now say that, but do you anticipate having transition Zones that go up to, like, 1500 feet?

>> Annick Beaudet. The approach of the mapping we will get into more detail next week as stated. As we're developing the code right now, per council direction, no. There are not transition Zones that go up to around 1400 feet. We're taking a very context sensitive approach and looking carefully at the criteria given to us by council and applying them diligently. What we're finding and what you all will find when we release the map that it is a moderate and context

[10:02:54 AM]

sensitive map that adheres mostly to planning principles and is equitable how we're approaching the transition Zones across the city. And we'll be prepared to talk more about what that approach is next week.

>> Mayor Adler: Okay. I think a lot of people are going to be looking at that map to compare it to what you're thinking to see if there's a relationship or if that map that people -- that's been circulated that we're getting a lot of questions about actually -- because a lot of people are concerned about the extent shown in that and people are trying to gauge whether that's a valid or legitimate concern or not. There was a direction that the council gave that said in no event, though, should any neighborhood be mostly transition zone and on that map if you detail down in some places most of the neighborhood would be subsumed by one color or the other. Are you taking into account and reflecting the council's

[10:03:54 AM]

intention that no neighborhood should mostly be transition Zones?

>> Yes. That is a guiding factor, and we're looking very carefully at the different depths of neighborhoods as they are adjacent to the corridors as one of the guiding factors and using that. Again, coming up with our own criteria to apply equitable with regards to that.

>> Mayor Adler: I look forward to the broader conversation on transition Zones coming up shortly. And I would also add that -- and, manager, we've mentioned this before on this dais, that we were getting together multiple times in September on budget issues and other kinds of things. I for one would support if pulling aside 15, 20 minutes for you to report back to the community things that are happening to elevate issues, so don't hesitate to ask for that opportunity because you'll get that chance.

>> Thank you. We're going to take the opportunity next week when we have a special called work session for this specific topic and were

[10:04:55 AM]

those opportunities -- where those opportunities arise where we can give a brief update like today we certainly want to take these opportunities. We appreciate you daylighting these concerns to us because of course as we've said from the beginning we want a code that is responsive to the council policy direction, a code that works for the community, and the way we will get there is by having these open dialogues to air these concerns so that way we take them into consideration as we draft code.

>> Mayor Adler: And that's good. Good to do that. When a map is out there like that and it's not a city map, the city didn't -- but in the absence of other maps, people get that map and don't know whether that's an official map or a realistic map or not. So I'm happy that the city is going to come in and address some of those issues too.

>> There are concerns that come to us as well, vis vee the community at large. What we do is look at those in the context of the council policy direction that was provided in may and to the degree they align that's our response and where they don't align we're

[10:05:58 AM]

very clear with them with regard to following council policy direction from may 2. That is our guiding principle, council policy direction from may 2. That's what you heard today, we are doing everything in response to council policy direction.

>> Mayor Adler: Great. Thank you. Alison.

>> Alter: Thank you. I wanted to first just comment that I haven't received a notice about the special meeting. I looked in my email, so I don't know if it was just me, but that would be helpful.

>> Okay.

>> Alter: To have. So I had two questions. One relates to -- takes the part of the potential revisions and asks you to think about it in the context of the specific case. We'll talk about this a lot, kind of at large. We have a case before us in Riverside where there's a lot of debate over exactly how much upzoning is going on relative to what's going on, what the impacts are with respect to displacement, and I know that I'm struggling with that myself, to try to piece

[10:06:59 AM]

that together. So given the potential revisions that you're thinking about, how should we be thinking about the proposal that's before us at Riverside? What would your approach tell us in this case we should be doing? So there's multiple pieces of this. There's a piece they would be getting additional entitlements from 40 to 60, where they didn't have to do any affordability bonus, and then there are situations where they have the additional -- I really would like a real answer. I don't want to put you on the spot. We're taking this up again later in our discussion when Riverside was pulled. If it's possible, if you prefer to give me it then and have few minutes to think about it I'm fine with that. Really it's an issue that is part of what we're looking forward to in the land development code but we have to make a decision at least on second reading this week so I think it would be

[10:07:01 AM]

useful.

>> Councilmember alter, that's a really good question, really good case to be inquiring about. There are I think are some sensitivities to discussing how the code which has not been released yet would affect individual properties, but I think that the Riverside case, you know, presents a number of unique factors that probably will reoccur as the city continues to develop and grow, and so we will find a way to address the core concerns in your question, but I think unless annick has anything further to add --

>> I wanted to add I don't think we're prepared to give you a full response. I appreciate your concern with how custody intersects in situations like that. I did want to bring up and we've talked about this before, how the code by itself is not the solution for nances like that. We've recently provided a response which spoke to our strategies for displacement, et cetera. And so we want to lead those

[10:08:02 AM]

conversations based on those responses towards displacement and gentrification and how we might through programmatic situations cyst when those -- assist when those situations occur.

>> Alter: I still think we have before us a situation that is exact case, that is what the community is concerned about in this case, and we ought to be able to have some lessons of at least principles we should be thinking about and how this relates. I understand you haven't fully written the code but it might be good to have a test case here to see how the code will play out. I know we all have places in our district that have market rate affordable units that we're concerned about, and this is a case that's before us, and it has peculiarities because it's a regulation plan but the opportunity with the land development code rewrite is to be able to look at things in a different way. And so I really do want to

[10:09:03 AM]

have some feedback on that, you know, as we proceed on that.

>> Casar: Mayor, councilmember alter --

>> Alter: As along as you come back to me.

>> Casar: I just don't want to lose the point if that's okay.

>> Alter: Yes.

>> Casar: I recognize the staff and understand why the staff doesn't want to devil into a particular zoning case but I will having tried to reread the council direction a couple times here lately as we get closer do want to point out as adopted on may 2, 2019, there's an explicit sentence that says, "Existing market rate affordable multi-family shall not be mapped to be upzoned." I think that pretty clearly lays out the

answer to the question of -- maybe not this particular zoning case because the council of course can make lot by lot and case by case determinations but to your question of how did the council direct on may 2 that existing market rate

[10:10:03 AM]

Facebook city-wide should be treated as a solicitation,

-- policy, we have a specific sentence not making it an argument about this particular zoning case, we can pull that case and talk about in specific zoning cases how we want to handle it but we did for -- as a city-wide policy because I think it's important to be safe on those issues, as a city-wide policy we have that very specific sentence.

>> Alter: I think there's also -- you know, there's two parts of it, what do we do with the market affordable but then there's the granting of an entitlement without having to provide any affordability, which was another piece of what the code said. And so that's what I'm struggling with trying to figure out with this case, but it's also one of the things that I find challenging about the approach to the land development code rewrite. I have another question, but it looks like Mr. Flannigan wanted to --

>> Flannigan: Very quickly, there are a lot of direction in the Idc. None of them -- we did not

[10:11:03 AM]

rank the requirements in the Idc, didn't say which ones overrode the other ones. There are also things about density on corridors and transit access and that particular case is at the intersection of two major transit corridors. And the Idc also does not say increased entitlements only come with affordability. It's one of the things we want to try to get to but as we said before increased housing at market rate is also something that is a benefit.

>> Mayor Adler: For me on that issue, you know, I agree with that instruction because I think it's something that we shouldn't be doing as a general rule, any time that we do that I think it requires a really specific conversation about it and I think that's what's happening this week on that project. Alison, sorry.

>> Alter: Thank you. So my second question has to do with page 6 and just when we're talking about affordable units in your chart, are we talking about income-restricted units

[10:12:04 AM]

through density bonus tools or do you mean that affordable in some other way? Like when you say affordable units, what are we talking about?

>> Councilmember alter, I think primarily we're referring to the density bonus. I think it's a goal to have affordable units through the density bonus account for a lot of that 60,000, but we will need to -- I will need to consult with staff and with potentially our consultants as well and I think actually Erica leak is prepared to address that question.

>> Good morning, Erica leak, neighborhood housing. The blueprint goal to have 60,000 units be affordable at 80 percent median family income or below collides both income restricted and market rate units.

[10:13:05 AM]

The challenge of course is that if they're not income restricted in Texas there's nothing that keeps the representatives or sales price from those units increasing. So it is -- it will always be a challenge in Texas to keep affordability over the long-term if it's not income restricted.

>> Alter: So I guess I'm still -- I'm struggling with this notion of greater yield of market rate units will facilitate more affordable units if we are talking about more than just income restricted units. Even if we're talking about income restricted units I'm struggling with that because that makes the land more expensive and other things. Can you provide me with the specific data and analysis that you're using to inform that statement? I'm not saying that we don't need to increase any more supply, but that

[10:14:05 AM]

relationship is stated as if it's factual and I just need to see the data that is really driving that statement.

>> There are a variety of studies that talk about the pros and cons of, you know, increased supply, talking about rent control. I mean, it's -- I think you could look for data and you would find data that would support a lot of different things. We can certainly share information that we have.

>> Alter: Okay. As I said before, I think we do need to have some supply that it matters which type of supply that we want, and when you increase supply too much in one type, which is the market rate, it has impacts for the affordable units that we ignore at our peril, and so I would like to see, you know, what you're basing your choices on because I'm not -- I'm not fully understanding your

[10:15:07 AM]

conclusion there. Thank you.

>> Mayor Adler: Leslie.

>> Pool: Yeah. The questions that Alison is raising I've been looking for that data and those examples as well. You'll remember during some of our conversations last year on the land development a couple of us asked our esteemed consultant colleagues to bring us some examples in the city of Austin where increased numbers had resulted in lower rents and, you know, suggested a per square foot rental or purchase as a good unit of machine and we still have not gotten that information. So I think that request is still on the table for staff to bring us, and I think it's really important for us to understand the analytics as we are making these determinations. So can I get a commitment from staff to -- or from the city manager, please, to provide us with that data? I think it's really important. We want to see examples of

[10:16:07 AM]

where the increased numbers of units has actually driven down the cost for folks. I would also like to know, in the time line we have opportunities for community input. It's sort of vague, and I think we talked about this when y'all came and met with me one on one. So here in public session I'd like to get an answer to what opportunities for the community will be provided for the community to provide input on the documents after they're released publicly on October 4, after the draft is issued.

>> Sure. Annick Beaudet. As I mentioned earlier, we'll have open houses, as well as office hours where individuals can come, interact and they will have had time hopefully to look at the map, look around, look at the code text, come up with questions that they

[10:17:08 AM]

may have. As we -- and also through questions through the public testing, when we do that. We've also been since may 2 meeting with small groups, per request, ranging from, say, the parks foundations to neighborhood associations and others in between. Really in the guidpost of the council direction and having clarity and answering questions around that. But once the code is released after October there will be specific questions about that so that will be the opportunity, and we anticipate issuing a supplemental to the staff report, similar to what you saw with the strategic mobility plan process, where if we hear an aha moment from the community of something striking and we agree with it we will certainly let planning commission know that is something we agree with and if it's their desire to make that recommendation to you all to edit into the plan then that will be the process.

>> Pool: So do you have the schedule for the planning

[10:18:08 AM]

commission? What date will the draft be presented?

>> We're looking at Saturday, October 26 for the public hearing for folks to be able to give testimony to the planning commission. And I believe they will take a subsequent date for their action. After that.

>> Pool: October 26?

>> The action won't be likely on October 26. It would be in early November.

>> Pool: Okay. So we have, what, three or four weeks between then and the meeting in December for the first reading on this?

>> That's correct.

>> Pool: Is that what the calendar looks like?

>> That's tentative calendar right now. It's early December for a first reading.

>> Pool: Okay. It feels really tight, and might work if we don't have any other all-consuming issues in front of us in some other areas where we can devote our and our staff time to really working

[10:19:09 AM]

through these specifics. I'm a little worried about that, city manager. And I don't want to diminish the importance of first reading. I don't want to say, well, it's just first reading because so often we really do set the template for what it is we're going to actually approve or narrow down the areas where we will make some amendments. So if you might just stay open to the situation, because I think it's really important for us to make sure we have sufficient time for the community to understand what we're doing again. And then have -- so that's one piece of the time line that I think is key. Then have you revised the codification and training time line calendar meeting? When we talked about this last year we were looking at about a six to nine month, potentially a year, to get the whole probably six to nine months to get the whole

[10:20:11 AM]

code rewritten and codified and then the training for staff in the interceptions and application of the new code. My understanding last year was the code would not be effective until that time had passed. I wanted to make sure that's still the case.

>> Councilmember pool, definitely the staff patrol will include a delayed effective date. As council is aware, normally if you don't say otherwise an ordinance goes into effect ten days after passage. We definitely will be proposing a delayed effective date. It likely will not be six to nine months but there certainly will be training necessary, there will be some retooling of applications and criteria manuals and we will be prepared to brief council on more of the details of those issues going forward.

>> Pool: Okay. And I just want to put that back out on the table for us to be sensitive to that as

[10:21:11 AM]

well. It's another situation where we can't turn that faucet on until everybody has been trained because we don't want to make any mistakes. We also need to be aware that when we find issues surfacing like conflicts, when we start to put it into -- when we implement, we may find those tricky points that haven't surfaced before, and so I think we should also be aware that we will probably be having to come back and have a slew of reviews for areas where we find either mistakes or internal conflicts that can't otherwise be addressed. So I think -- I know I'm looking further down the road than maybe everybody is here today, but I think this is something that the public also needs to understand. They're worried about the time line, and I want to give as much information, including our opportunities to identify inconsistencies

[10:22:13 AM]

and our determination to address them so that we can fix them. I think that's generally shared from the staff all the way up to the dais. Thanks.

>> Mayor Adler: Jimmy.

>> Flannigan: Couple things to note, there's deliberate among the councilmembers on some of these topics. I would say I have not seen evidence that adding capacity increased land cost directly and I've heard different times whether or not the appraisal different even looks at zoning when setting values. I haven't gotten an actual if we look property taxes of that in Austin, then and can't find any it proves

[10:23:13 AM]

that the current code doesn't allow it, proves we're failing on that metric. There are examples happening in Houston, it happened internationally. I think it was Melbourne Australia where they dramatically increased supply and all the rents started dropping. Even in Houston there was a story a couple months ago -- and I'm concerned about adding more data requests to staff work when we have given a very aggressive time line and I don't want to bog down staff work answering questions that at least the majority of the council has already felt ready to move past, but I do agree with councilmember pool about there may be future, you know, deep dives into areas of conflict or other revisions. I think that's specifically why we want to go faster. We want to think about this as a iterative process and a funnel down to final implementation where we started with the broad ldc direction we did, that will get down to a more specific document, first reading in

[10:24:15 AM]

December, hopefully adoption in January/February and the little minor details and pieces we may have to tweak moving forward. Although we have not Donna that with the various conflicts that exist in the current code and we seem to be building a city pretty rapidly in that case. Thanks, staff, you all are doing a bang-up job on this. I like seeing the continual updates and clarifying your interpretation of the policy in the direction we pass. We gave you a long document without any sense of priority, which even conflict within that and which one would govern so it's great to hear how you are working through systems to address that so good work.

>> Mayor Adler: Ann.

>> Kitchen: Thank you. I would echo that. I really appreciate the work you all are doing under tight time lines so thank you so much. I just have a -- I want to daylight one issue for you that I don't expect an answer today along the lines of what the mayor did.

[10:25:15 AM]

And that issue is just -- and it relates to number 6, the housing capacity and yield. At some point, I'll want to understand -- I'm already getting some questions from the public about how these -- how the goals that we set for capacity related to the corridors and related to districts, how those get translated into your efforts for mapping. So, again, I don't expect an answer today, but I think whatever your take is on that, that's something that folks are going to want to understand. So I wanted to highlight that. So then I do have two quick questions, and those relate to -- two quick questions. Page 5. I wanted to go back to councilmember Casar had highlighted the statement, "Existing market rate affordable multi-family

[10:26:16 AM]

shall not be mapped to be upzoned." I just want to verify what I think I heard y'all say earlier, that that particular criteria, as well as other criteria, applies in the transition Zones. So when you're looking at context sensitive for transition areas, can I assume that's one of the components that you're looking at?

>> Restate the question.

>> Kitchen: Okay, sorry. One of the policy guidance items that councilmember Casar highlighted was "Existing market rate affordable multi-family shall not be mapped to be upzoned." So I'm just assuming that that -- you mentioned earlier that in looking at transition Zones you're looking at context sensitive criteria. I'm just wanting to confirm my assumption that that particular statement out of the policy

guidance is one of the statements that y'all are using when you're considering how you map the transition Zones.

>> Good morning, mayor,

[10:27:18 AM]

councilmembers. Planning and zoning. I believe that is one of the criterias that we are including, but our mapping team will be able to talk more effectively to that next week when we present on the transition Zones. So I do believe that's correct, but I would like them to confirm whether that's the case in your meeting next week.

>> Kitchen: Okay. That's fine. Then the last question I have is, you have heard a couple -- referred a couple times to downtown. I want to make sure when we use those terms, so I understand the area. Are we talking about the CBD, central business district, are we talking about a particular area of downtown? Because you -- the reason I'm asking is because I think there were a couple of -- I know you're gonna talk more next time about the approach to downtown because we've got that on the agenda for next time. I just want to know what we mean or what you guys mean when you're talking about that area, in terms of the geography of it.

[10:28:20 AM]

>> Again, hindi, planning and zoning. I believe when Brent mentions downtown he was specifically talking about the area included in the dap, downtown Austin plan. We can talk more effectively to that in the next meeting as well, like you mentioned. But, again, what Brent was saying is that we're not planning on doing any base entitlement upzoning in downtown, and that would be in the dap area.

>> Kitchen: I have to go back and look at the dap area, but some areas, and I'm just not as familiar -- may go -- well, they go north of what we consider to be -- what I consider to be the downtown area. So I'm just wanting to understand the limits of that. But I can go back. If it's the downtown Austin plan I can go back and look at those criteria. So I would just want to understand what the geography of that is.

[10:29:21 AM]

>> Primarily the areas we're discussing for CC and DC zoning, which is the new CBD.

>> Kitchen: Do you know how far north it goes?

>> I wouldn't want to --

>> Kitchen: It's all right if you don't.

>> -- Speak incorrectly on that. We can provide a map next week.

>> Kitchen: Thank you.

>> Councilmember kitchen, I want to briefly address one of your questions, relates to what councilmember Casar said as well. I think every statement in council's direction, staff are trying to find a way to give effect to those statements, but there are some that are challenging. There are some that present technical challenges, planning challenges, and in terms of mapping, I know that our staff that are working very diligently on the map with our guidance are considering market rate, existing market rate housing in the mapping. But it's difficult. It's very difficult to tie map designations to existing conditions of the individual properties on a lot by lot

[10:30:22 AM]

basis. I think when we come back to you with information on how we're implementing that direction, you'll find that -- and it does factor in, but it's a difficult -- it's a difficult item to follow literally on a lot by lot basis. So I think just wait for us to provide you more information and we'll make sure that we're prepared to address that when we talk about mapping.

>> Kitchen: Okay. That's fine. You can explain the difficulties then. That would be fine. I just wanted to make sure that that was one of the policy factors that apply to the transition zone. So okay. Thank you.

>> Mayor Adler: Okay. Anything else on this? Yes, Leslie.

>> Pool: On the page 5 under draft three, that first bullet, approach to increase housing capacity did not include transition Zones, is that because we mostly were talking about volume and stepdowns, which is on the activity corridor on the

[10:31:22 AM]

main streets? Can you explain that first bullet under the draft three box, what you meant by that?

>> Councilmember pool, are you specifically requesting -- or asking about draft three increasing housing capacity? In the transition zone, how that applied to draft three?

>> Pool: So yeah. On page 5, the box that says draft three, it says "Approach to increase housing capacity did not include transition Zones." And I was -- if that's the case, because I remember talking a lot about transition Zones and we were talking about capacity a lot, we talked about how if we allowed vmu on all transit corridors we could get more than the capacity that we need right then and there on traffic corridors. I remember talking about transition Zones a lot. So I wanted to understand the meaning of this and was it because we were mostly talking about transition Zones as the opportunity to

[10:32:24 AM]

step down into neighborhoods from the high impact transportation corridors? I don't understand this statement here.

>> Councilmember pool, I think, you know, the term transition areas is probably used in different contexts in different planning efforts, but as we're talking about it here we very specifically mean a transition that's focused on providing missing middle housing that sort of steps down from corridors. While in our prior work there were definitely instances where they were -- there was increased capacity through zoning to be provided along the corridors, the concept of transition areas, as spelled out in council's policy direction and that will be reflected in the map that comes to forward. That was not part of it. I think earlier, maybe in draft one, there was, I think, a nod to the concept of transition areas, but I don't think it was as concretely defined as the direction that council provided on may 2.

[10:33:25 AM]

>> Pool: I'll have to go back and look at that. But I do remember it was compatibility that we were focused on and maybe we weren't calling them transition Zones. Is that what you're saying is this?

>> I think there were definitely changes to compatibility and that relates broadly to the concept of some kind of transition, but in the sense that we're talking about here, of really providing enhanced unit yields through missing middle housing types, different housing choices along corridors, stepping down as you get further down into the neighborhood, that was just not as focused a concept in our prior work as it is now.

>> Pool: I think that may be may be because we just didn't get to it. When we pulled the plug a year ago, wasn't it August, September, when we stopped the codenext process? It could be we hadn't gotten to that, but I remember this was very definitely on our plates and how we were going to manage the compatibility,

[10:34:25 AM]

the stepdowns, transitioning from our high impact traffic corridors and then the relative quiet and safety concern for neighbors what do live in the neighborhoods who have kids playing on -- in yards and streets. Thanks.

>> Mayor Adler: Okay. Greg.

>> Casar: I think rather than even having to pull that much information or data, I remember hearing the last process that some folks brought forward data within Austin showing the -- how much more affordable missing middle housing types that exist in Austin were than single family detached homes built in the same year in Austin are. So I think we actually just have even information here on the ground in our city today about how missing middle housing types provide that level of affordability and that may just be a useful resource. As far as finding that more affordable missing middle housing type I remember a lever was presented to us as a voting option that was

[10:35:26 AM]

buildings built before 1990 that were multi-family being upzoned versus not, I manage you guys are looking and have that tool. I know it's not easy, but I think we had that. Then on the housing capacity piece, I do think that the more open source it can be how it is that we got to our housing capacity numbers than the fewer questions it might be that we encounter from people about how it is that we got to that information just so that people can mess around with our assumptions themselves and we can try to get to the best answer. But this -- I think this chart and the way you guys have laid it out is really useful for the public, so thank you for all of this. Because I think that this gets it so there's very little surprise when this comes in on October 4 how it is that you all interpreted the may action to the October 4 release. So thank you.

[10:36:30 AM]

>> Garza: I hesitate initially to respond to some questions I disagree with but I think it's important to respond, and I hope we're not going to get into these broad back and forths as we continue to have this discussion. Thank you, staff, for all that you have done thus far, and I think we're on the right track and you've -- I think we're doing -- I think you have gotten the right interpretation of what we asked for in that really large policy document. You know, I don't -- when I hear things like we haven't seen how increased housing has lowered rents in Austin, you know, Austin -- I'm trying to think of a comparison and Austin has been one of the most environmentally friendly cities with increasing our renewables and our solar and protecting our salamanders and protecting our trees, yet we still have climate change. It's happening.

[10:37:31 AM]

And we don't say we're going to stop doing all these policy recommendations for environmental reasons, we're not going to stop because climate change is happening and, you know, what are we going to do? When I hear we're not seeing rental prices go down, to me that doesn't make any sense to me. That we stop -- that we say that market rate housing does not have an effect. We're not building it fast

is, why we're not seeing the effect of prices going down. You know, when we hear that 150 people are moving here a day, are we -- do we have 150 units a day coming online? I don't know. I don't think so. So, you know, I just -- I hate to get into this back and forth about the market and -- but it's so hard to hear market arguments when it comes to to you can't upzone things because the market is gonna do these things but then we -- we don't pay attention to the market for simple things

[10:38:31 AM]

like supply and demanding, like, it doesn't make any sense to me. And we can't stop people from moving here. We should be welcoming new people but also understanding that we are displacing people if we don't build market rate housing. I read an article I think just yesterday about some big Google exec who realized that the rents in San Francisco were too high so they came to Austin, bought some land, they're going to build a house here because it's so much more affordable and people are moving to Austin that can afford million dollar homes and those people, I want to make sure they're not displacing people in districts like mine because those families are leaving because they are getting priced out and we need that market stock. So thank you and I look forward to this continued conversation.

>> Mayor Adler: Alison.

>> Alter: So I wasn't going to comment again on the other stuff, but I think

[10:39:33 AM]

that there's a piece here that's just important to explain, is that no one is saying that we shouldn't create more market rate units. My concern is, the entitlements that we give for market rate and how we do that impacts our ability to deliver the supply of affordable units. And the choices that we make affect that. And so that's a nuance there. It is not saying we don't need more housing. It is saying that when we give entitlements then there's no incentive even no matter what our bonus is if we give a certain set of entitlements for free with no requirement for affordability and unfortunately we don't have tools other states do, then that means that we are less likely to get the affordable units if we're not careful and that is part of what I'm trying to communicate. And so that is drilling down a little bit more into supply to think about what kind of supply do we want and what is the interaction between the market rate and the affordable units?

[10:40:34 AM]

And I don't think that is settled. It's not settled in economics, and so I just -- that is the difference of opinion and the nuance that I am looking at. I am in no way saying we don't need more market rate units. I did have a question for staff, which is why I had my light on. So in the definition in response to

councilmember pool, with respect to defining the transition zone, you said it was about promoting missing middle there. Can you explain the definition of missing middle you're using within the transition zone? Because we had a very broad definition when we were approaching -- that ranged from two units to 36 units or something like that, and when you talk about the transition zone and the possibilities there, it would be helpful to understand the scope of the missing middle that you're talking about.

>> Thank you.

[10:41:36 AM]

Lindy, planning and zoning. We're primarily looking at two Zones for the transition area. Those Zones are still in flux and we're working on finalizing those. I believe that we will be closer to something that we can present at the transition area discussion next week, where we can actually discuss what that transition and missing middle looks like, but we're primarily looking at two Zones that are not as high or dense as anything that would be on the corridor.

>> Alter: So I'll hopefully answer my question next week?

>> Yes.

>> Alter: That's fine. Thank you.

>> Mayor Adler: All right. I think we're -- Leslie.

>> Pool: And then will we have an opportunity to see sort of a test case when you come and present to us with the final -- or the draft maps in October? Where you pull out two or three different specific situations and model it for us so we can see the impact of the draft text?

>> Yes, we can do that. That will be part of the public testing as well.

[10:42:37 AM]

>> Pool: Okay. And you'll bring it to us here in a work session so we can see it in this forum as well?

>> We certainly could.

>> Pool: I think that would be really helpful. Thanks.

>> Mayor Adler: All right. I think we're ready. Let's go on to the next briefing. Thank you very much. Come back. Often.

>> Mayor, that is the goal to really ensure we are having as many points of contact with the council and community as we move forward to really adhere to the policy direction and the time lines that were given to staff from the may 5 document. We're now going to pivot to a brief update on homelessness. This is, again, an effort to provide additional feedback and discussion. Last time we were here on

October 6, at our last work session, we provided some background on a memo that went out that day, describing some recent efforts, and another memo from staff went out last Friday and we just wanted to describe what was in that memo and then answer any questions that you might

[10:43:38 AM]

have. So with that I'll pass it back to Rodney Gonzalez.

>> Thank you, Spencer, Rodney Gonzalez, assistant city manager for economic opportunity and affordability. With me is Christy, who has been assisting with us the homeless strategy office. Mayor, council, I don't think I need to tell you this but homelessness is our most complicated and challenging issue confronting us today. We are not alone. Every major city in the U.S. is facing this challenge. We are learning from each other as we address this challenge and I think that's really important to note that this issue is being experienced in other major cities. There are things being tried out that either succeed or that fail and we learn from those successes and those failures. I do, however, think that we are at a moment in time in Austin's history where we can work together collaboratively to solve the issues that are confronting us in a way that are ethical, that will get people housed and off the streets, in a way that we collaborate with each other in a way we've never

[10:44:38 AM]

collaborated before. So with that, last Friday, I did provide a memo to council with regard to some of the directives that council provided us on June 20 in particular to camping. And we did research best practices with regard to camping. It is not a recommended strategy or approach for solutions to homelessness. In fact authorized camp sites tend to detract staff resources and time from those solutions that do solve homelessness. So we respectfully informed council that we would not pursue authorized encampments. However, as part of the June 20 resolution from council, you did ask us to identify some limitations criteria for camping, sitting, and lying, and we're still researching those limitations criteria. We do intend to provide that to council so that way, as you deliberate what you would like to do with the ordinances for camping, sitting, and lying, that you have that information from us as well. But that information will come to council in the form of a memo after we've

[10:45:40 AM]

engaged with stakeholders. The message board that you posted last night was very well received from us. You identified the various new housing-focused efforts that we've undertaken in the last 6-9 months and it's really where we want to put our efforts, housing focused shelters whether it's emergency shelters, permanent supportive housing, and a half gag centers. I think we've made great strides in that

regard. Council in June approved the south Austin housing center and of course within the fiscal year 19-20 proposed budgets there's dollars toward the Salvation Army center as well. Once again, that's where our primary focus is gonna lie, in identifying those housing-focused solutions, so that way individuals who are experiencing homelessness and are unsheltered can be directed to those housing options. Also in a memo we spoke to collaboration. Now more than ever we need to ban together as a community to address the challenges in front of us, not just from the nonprofit

[10:46:43 AM]

service providers, not just from businesses and philanthropies but from other agencies in a taxing position like the city of Austin. We need to work with our partners at the county. We need to work with our partners at central health. We need to work with everyone who has an opportunity to assist with the challenge in front of us. So with that, as Spencer had mentioned, I want to just provide a brief overview to you and to the viewing public as to the content of the memo that was released on Friday, why we provided the recommendation that we did, and that we're not done yet, that there are still many more things to do.

>> Mayor Adler: Thanks for that. Thanks for the two memos. The -- this is, obviously, a huge issue that collectively as a council we've identified as the highest priority, not something that lends itself, I think, best to any small group of councilmembers going off and working on their own. I think we're all really invested in this, which is why, as soon as Ann and

[10:47:47 AM]

Kathie and I and Greg was involved in it had something, we posted it on the message board, hoping to have kind of a collective effort that we're all doing together. But my sense in the community is that people are gonna want us to consider doing something in September that speaks to some of the issues that we might be able to address, and I for one am gonna be taking a look at these issues. I'm really excited that Laurie is coming on board. I'm not sure we've ever had a hire in the city that is going to need to enter already running at high speeds the way that she's going to have to coming in. And I hope you're sending her packets.

[Laughter] So when she arrives she knows what she's walking into. But I'm really proud that

[10:48:50 AM]

our city perhaps earlier in the cycle than most cities, is recognizing that we don't fix homelessness by just moving people around the city. In fact the cities that have tried to sustain an effort doing that are the ones that are in the deepest trouble right now. And I know that it's hard to sometimes deal with big

issues like this. Perhaps earlier than it rises to the level of a Seattle or a Los Angeles, which we want to try to avoid, but I'm proud to be part of a city that recognizes that just moving people around doesn't help. When we go to someone and say you can't be there, you have to move, and we can't answer their question, "Where do I move to?" I'm happy to comply. She's gathering her stuff up. As she's gathering her stuff up, she looks and says "Where do you want me to go?" If we can't answer that question she just ends up

[10:49:51 AM]

going someplace else she's not supposed to be. And we can move her again, I guess, and that's what we do, and we spend millions of taxpayer dollars doing that. We would be so much better off, actually, putting her in a home, in a better, safer place to be. It increases.

>> Ellis: Met rickly the chances we'll stabilize her life and reintegrate back into the flow of the community. I am real excited there are so many people in the community coming forward right now to say I want to be part of the solution. So many people that are bringing resources to the table. Because this is clearly bigger than we can do with the city. But we have such wonder fortunately partners in the - unlike many challenges we have in the city we know what works. By getting to zero,

[10:50:52 AM]

effective zero for veterans and taking half the homeless children off our streets last year. Caritas has a 98% success rate of keeping people. We know what works if we're willing as a community to step up and get this done. There's gonna be a town hall meeting that the daa is doing tomorrow at 10:00, and the posting that you referenced I think is being sent out to everyone who is attending that. It's on the message board. I see it now in social media and urge people to take a look at it. I think as a community we have to make an agreement with one another, kind of a social compact. We live in a city where we're concerned both about people and places. And the social compact is really simple. If we house the folks that are experiencing homelessness in our community, then we don't have camping in our community.

[10:51:52 AM]

And whether you're concerned about people or you're concerned about places, the answer is exactly the same. We have to find the appropriate homes and services for our neighbors that are experiencing homelessness. So I appreciate the work. I would like it to go further than those that we've seen. We're gonna really need concentrated help, I think, to do something constructive in September because I think the community is expecting us to advance this ball and to really establish a path moving forward. And then, finally, again, I thank Ann and Kathie and Greg for a lot of work. I thank the community partners

that have participated in this process, in informing it. There's so much work left to be done, and this is something that all of us are gonna have to be I think involved in and engaged in. Pio.

>> Renteria: Yes. And I agree with you, mayor.

[10:52:56 AM]

We're at a very critical stage. There is something that really just concerned me. I was watching the news the other day, and I was seeing on the beach where a wind came by and a bird was flying by. Earlier I had seen a canopy underneath one of those bridges there and I'm going, what happened because the weather kind of changed, we're gonna have tropical storms coming through here, and if these tents are not secured or these canopies are not -- secured they'll fly right into the expressway. I'm really concerned we might have liability there. So I would like to address that issue because, you know, that's really concerning to me about -- when I've noticed that these tents have no way to be secured underneath these expressways I see underneath these bridges and I'm just very concerned that we might have some liability if some of these canopies or tents fly into the expressway or

[10:53:59 AM]

on the roadway and create an accident. So I really want to be -- want y'all to address that issue because I don't want to be liable for any kind of accident where someone gets injured or even, you know, might be a death there or an accident. So I wish that the city would really take a good look at this because, you know, I do believe that we might have some liability there, especially with the weather coming and changing here pretty soon. We might have some tropical storms coming through higher, so I wanted to make sure that we address that issue.

>> Mayor Adler: It's a good issue. Ann.

>> Kitchen: Thank you. I just have a couple of comments and a question. I appreciate the -- I really do appreciate the staff's memo and the work that you all are doing. And I am looking forward to having our homeless strategy to help you all with the work that you're doing, and

[10:54:00 AM]

I appreciate and agree that camping is not a best practice so I have two questions about that. We have to do something in the meantime, and so I am hoping to continue to work with staff. There's some ideas that have been brought forth in the document that we posted for everyone to think about weigh in on, add, to et cetera. But we have to acknowledge there is a meantime, if it's just tomorrow or next week or the next two weeks. And so I'm looking forward to working with staff to help us figure out what we do

about that. While focusing on housing. So there's that. And so then the question that I had was the -- you had mentioned and I think the memo mentions also continue to work on the concept of where is it appropriate to establish limitations. And that y'all -- I want to

[10:55:01 AM]

understand better your time line on that. I want to echo what the mayor said in terms of I think the public expects us to take action in September, and I am hoping that the work that you all are doing is going to dovetail with the -- with that time line in terms of the conversations that we need to have. So I really would be interested in the staff's thinking. I want to understand the research that you're doing and what you're seeing with regard to that, and I also want to understand the conversations that you're having with the public so that you can bring that information back to us. So what is your time line for coming back to us with, I think -- I think I heard you say that you guys would be coming back to us with some suggestions on criteria, if I heard that correctly. So when is that gonna happen?

>> Absolutely. And so going back to the June 20 council action, council had asked us to come back in August.

[10:56:02 AM]

And it's our intention to meet that council time frame, so it may be closer to August, but we're working with folks to develop that limitations criteria. But just to be clear with everyone, that's gonna be in memo form. That's not gonna be an ordinance form from staff.

>> Kitchen: Sure. I understand that.

>> We're gonna give you that information. Some of that information also may not relate just to camping but also to parking. Because as we've seen in other communities, parking can be a concern as well. Just recently of course around that city of Los Angeles has put some restrictions with regard to parking and I think that has to also be discussed as well because camping in the form that most people think of is with a tent itself, but you can actually have individuals who are living in their vehicles as well. And those can be unsafe environments for them as well. So we want to make sure that we're as broad as possible in presenting that criteria to council. And that we've engaged with the community in those -- in those areas of where is it unsafe for individuals to be

[10:57:03 AM]

at?

>> Kitchen: Okay.

>> That way you can take that information into consideration as you decide what to do next.

>> Kitchen: Okay. Thank you. And did I hear end of August? Is that what I heard is the time line?

>> It's our desire to meet that goal for council, the end of August. So what we want to do is provide as much information as possible at that time. Again, it's criteria. I think it's gonna lead to the next piece, which is a conversation of that criteria. Which also of course will relate to conversation of enforcement, what does council have in mind with regard to enforcement. I think the mayor's post from last night touched on that area. It's one thing to have criteria and then of course when you make that into the form of an ordinance, what you are contemplating in terms of enforcement.

>> Kitchen: Thank you. I think the document that the three of us posted was our thinking, and I appreciate councilmember Casar's participation, is a beginning level thinking. So I'm hoping that it's

[10:58:05 AM]

something that we start the conversation around from our colleagues and also from the community. But I'm really looking forward to the memo at the end of August from the staff. So the last point I wanted to make or last piece of information I wanted to share that I think is out there, but I want to make sure that people understand, so far anyway, there are forums that are being planned and I know my colleagues are talking with people in their districts as I am in the mayor's talking to folks too. But I want people to know they can come and participate. The first one, as the mayor said, is tomorrow, which is the meeting scheduled by the daa at A.M. There's also one on the 28th

[10:59:06 AM]

hosted by the -- on the 29th hosted by the lbj school in the evening. And there's one in south Austin on September third that's being hosted by St. Edwards university. My understanding is these additional two will also follow the same format in terms of people having a website they can go to and register that they want to come. I don't know if those are out yet in terms of where people can register, but as soon as we find that we'll send it out and I know others there too. So thank you.

>> Thank you.

>> Mayor Adler: Greg?

>> Casar: I appreciate the memo update that came from the June set of actions. I appreciate the message board post and appreciate you, mayor, and councilmember's tovo and kitchen for letting me have really substantial input as you put that together. I think it reflects our shared focus on addressing the root issues of the challenge and of the problem.

[11:00:06 AM]

I really appreciated how it laid out all of the work that has been done and the work that is to be done. I appreciated that it also focused on, you know, if folks have issues with litter, then we should have trash cans. If folks have issues with sanitation then we should have bathrooms. If folks have issues with camping, then the real solution to that is housing and services. So I think we really share those goals. I also supported 184 in June because I was interested and remain interested in what carefully tailored restrictions might look like beyond the current restrictions that exist. And I just think that as we work on that we have to be really careful to make sure that we don't recriminallize the mere status of homelessness, and I don't think that's actually anybody's intent. Having known you and consulted with you and worked on the document, I don't think it's anybody's intent, but we should be

[11:01:07 AM]

really careful as we carefully tailor anything that we change. And I also generally agree with the philosophy in the document that the best way to deter camping is to make sure that people have a good place to go. I think my only difference, if there is a difference, is that I think we should provide housing and services not with an aim towards prohibiting camping, but actually provide that housing and services with an aim towards preventing it by making camping obsolete and entirely unnecessary because homelessness is already so hard and traumatic that if we provide good options, then camping would not exist. It would be prevented and then hopefully we could also continue to do the work you all laid out in preventing people from entering homelessness in the first place. So I think that generally I think on this council there is this shared path and shared desire towards addressing the root causes

[11:02:07 AM]

of homelessness and ending homelessness in Austin while making sure our rules are not discriminatory and are not counter productive. And I think that that's just the shared work that we have to keep on doing.

>> Mayor Adler: Leslie and then -- Kathie and then Leslie. Leslie and then Kathie.

[Laughter].

>> Pool: Thanks. I got a constituent inquiry about homeless camp cleanups cleanups. And I know that staff has been working hard to assemble all of the various members cross-departmental into a complete list. So could you talk a little bit about homelessness camp cleanups, what kind of schedule we have, where the camps are that are being cleaned and if you have that information assembled, where can the community find it if it's available on the web?

>> Great.

[11:03:07 AM]

I will have to defer to Christy on this piece.

>> Councilmember, thank you for the question. Christy with the homeless strategy office. Yes, staff is working very hard as you are aware. Public works has a contract now to assume the underpass cleanups that txdot maintains prior. But we are also working with staff at Austin resource recovery, public works, pard, as you may know, we have implemented a black bag pilot program that is working with encampments underneath four underpasses right now. It's nearing the end of the pilot phase so we are looking at the success, measuring that, exploring opportunities if we can expand. So we have a list of the prioritized sites. And right now we're just working with our partner departments to see how we can roll that forward. And in the upcoming memos we will be including that

[11:04:08 AM]

information for you.

>> There was a particular concern --

>> Pool: There was a particular concern of the underpass at 183 at Ohlen. If you could get me a report on how that cleanup may or may not have occurred and if it didn't when will it come back and are we maintaining a healthy environment. That's one thing I want to be sure our community knows is we have worked to decriminalize the certain behaviors, but we have not suspended our concern with the health and safety of everybody in our community. And so to that end the cleanups.

>> Absolutely, we'll get that back.

>> Tovo: Thanks very much for the memo and thanks to my colleagues who have already been acknowledged, mayor Adler, councilmember kitchen, councilmember Casar, for the conversations we've had in producing some of the ideas that went into

[11:05:09 AM]

the memo. I had a couple of questions. One, I just wanted to mention that I'm very glad that you arrived out and had conversations with the national alliance to end homelessness. They had offered some cautions to us and we talked about having sanctioned camping areas, but I still think we should explore that option a little bit further and see if there are ways to learn from some other cities. You know, I think as everyone here today has said, camping is a terrible option for individuals and we don't want to have

anybody camping on our streets, but to the extent that they are having that happening in areas that are well lit with access to restrooms and water would seem to me a better option than some of the options we're seeing. And so I hope that we can have that conversation about what additional conversation we can have and what examples anywhere that were worth thinking about. And I wanted to talk a

[11:06:10 AM]

little bit about some of what's already been covered, but I guess I'm -- last meeting we passed the -- we passed the red river ordinance to move forward with installing trash receptacles. I want to get a sense -- I can't complain explain to people why we've not been able to do that at our underpasses, along red river and in other areas where we need them. So I really very much appreciate the purple bag pilot, but we have so many more sites that actually need trash pickup. I know when councilmember Houston was on the council she went and talked to individuals who were under our overpasses on I-35. They asked for trash receptacles. It just seems like something we ought to be able to do. And I know we had to ask at some point our relationship with txdot was that we needed to ask for permission for some of those receptacles and I guess it wasn't granted. I think some of the challenges have been who

[11:07:11 AM]

would maintain them. It just needs to be the highest priority in my mind. Or a priority, obviously not the highest, but a priority to figure out how to allow people to keep their areas clean. So now that we've taken on the cleanups -- now that txdot has assigned us the responsibility of providing sanitation for under the overpasses, do we have permission to put trash receptacles there?

>> If you don't mind we'll follow up with that question with public works. It's the first I've heard of it. I know there's a lot of history with regard to this and so let us follow up with public works and ask that question about trash receptacles and see what options were explored and why they weren't implemented.

>> Tovo: We've asked the question probably every couple of months, but I appreciate I never directed it to y'all, so thank you very much for following up on that. And you know, again, I hope we can figure out among our departments, I think part of the challenge on red river

[11:08:14 AM]

responsibility for servicing those trash receptacles. I think as a city we should be able to figure that out and make it happen.

>> And with regard to your questions about examples of camp sites, I believe the hud report that was cited in the memo. This did may some research analysis on camp sites and I think you will find some examples there.

>> Tovo: Thank you. I will track that down. Could you get back to us that -- I know that some a lot of these conversations we're finding about the need for restrooms and quite awhile ago we sort of started on that path. I know a lot of you are really tired of me talking about it. As I understand they've been ordered. Do you have any update on when they may come?

>> Again, I would have to pose that question to public works and see when the implementation is scheduled for that?

>> Tovo: Great. I wanted to point out that these of really of need for anyone in our downtown. Having spent a long evening

[11:09:15 AM]

into the wee hours of the morning on sixth street with our officers a few weeks ago I was pretty surprised when I went into a couple of establishments that they actually had signs up that on Saturday from 9:00 on their public -- their restrooms were not available even to customers. So you can imagine -- so when I saw people using the alleys and the streets, you know why. When you are in some of our eating establishments on sixth street and you can't use the restroom that's provided there for customers, we have a challenge. So that's a bigger issue we need to deal with, but we also need to provide facilities for people to use them.

>> Richard Mendoza, public works director, is joining us today and he may be able to answer some of those earlier questions.

>> Morning, councilmembers. Yes. The latest update on the permanent public restrooms is we have three of them currently on order. We are moving forward with the Portland loo construction and design that is used in many communities, one just south of here in San Antonio. The first two locations we

[11:10:17 AM]

expect delivery in November. We are obtaining construction permits to extend the utilities, namely water and sewer service to the first of those three locations. And then the third unit is in the construction or fabrication queue for delivery for the first of the year.

>> Tovo: Great. So two will be landing in November, one in --

>> We expect early November. That's our estimated delivery date. But we will be actually preparing the utility services prior to that so that the utilities are available when they arrive.

>> Tovo: Super. Did you have an update with our negotiations with txdot or our relationship with txdot and whether that now allows trash receptacles?

>> So for us to put permanent structures into the right-of-way we have to enter into a maintenance agreement with them. I will follow up with my staff on the update of those conversations. I do know public works was in conversations with our sister department, Austin

[11:11:17 AM]

resource recovery, on how we can make sure we have the capacity to service those containers on a frequent basis. But I will follow up with the staff on that report.

>> And since we had to enter into txdot -- we entered into some agreement, I think that was the agreement that we had some challenging conversations about here because they were requiring us to take that on, I would assume that that -- we had -- I would assume if we're allowed to maintain them that we are now --

>> Yes, you would think so. The locations that we assumed the underpass cleanups from txdot were actually where our city streets intersect under their right-of-way. So their their, I guess, argument, was that we were always responsible for that but they have been

[11:12:18 AM]

conducting those cleanups for the past few years. A lot of these other locations are outside of where the city streets intersect with the overpasses throughout the city. Those remain the responsibility of the Texas D.O.T.

>> Tovo: Okay. And I think in at least a couple of cases there is a fund that we have that is for the express purpose of improvements to that parking garage. So if there needs to be some kind of reimbursement to arr or whatnot, I think there's even potentially funding available in that fund.

>> Yes. And we are partnering with our Austin transportation department on the potential use of those funds for those improvements.

>> Tovo: Okay, great. Thank you. I think that's all I want to say for now. I think we're going to be having lots of opportunities about -- in the next couple of days, including tomorrow. But I appreciate that we are having kind of a broader

[11:13:18 AM]

conversation about how to end homelessness in this community and that I think we have lots of people engaged in the conversation for resources and I think that's important. So thank you for your continued focus on that issue on how we make sure that we're reaching out across the community and making everybody aware of their responsibility to participate.

>> Mayor Adler: Alison, then Paige.

>> Alter: Thank you. I appreciate the information in the memo. Some of it would have been really helpful to have back in June and I'm sorry we didn't have it then. I was wondering in this you talked about sort of the advice not to do camping places. Can you talk about which cities you're looking to that have good practices broadly for homelessness, but also in this middle space that we are.

>> So the cities that were

[11:14:19 AM]

identified in hud, and I can't remember them off memory, but from hud's perspective they didn't effectively contribute to ending homelessness or to solving homelessness. So wasn't that they couldn't develop an effective camp site program? It was more that they detracted staff time and resources from those solutions that do effectively end homelessness, which are housing. As we talk about housing focus solutions, those are quite expensive. You've got the capital costs, the operating cost, you've got the staff time to devote to putting those up. And when you transfer dollars to other areas such as camping and when you transfer staff resources to those areas that means those are less dollars and less staff time to focus on housing solutions. Camp sites by themselves require a lot of maintenance to stand up. They're not the traditional camp sites that we're used to thinking of where people

[11:15:19 AM]

are in a camp site. There's order, et cetera. Typically there's a management on site. Typically there's some sort of rules in place. Typically the things that were mentioned here earlier, which were the bathrooms, the shower facilities, the building for people to take care of themselves while they're there, and there's a lot of time and cost associated with getting the camp sites in that orderly process. So it wasn't that we couldn't do the very best effectively standing up a camp site. It's more where do you want to put your time and resources towards. Do you want to put them towards housing focus solutions or do you want to focus on camp sites themselves?

>> Alter: Thank you. I appreciate that answer. That's very useful information. It wasn't exactly what I was trying to get at. I'm trying to understand who -- I may have a follow on for what you just said. I'm trying to understand which cities are helping

[11:16:21 AM]

people experiencing homelessness in a way that we might look to them as a model and which of these cities?

>> Thank you. And this may sound like a shocker to some people, but Austin is actually looked at as a model towards solutions for ending homelessness. And I don't just say that. Our non-profit service providers did can tell you that as well. They are at the stage of these conferences for the national alliance for ending homelessness. Susan Mcdowell recently was the featured presenters there last month. So the things that we are doing in Austin are actually viewed as a model, for example, community first. The area that is permanent supportive housing for our most chronically homelessness has been featured in people magazine, has been featured in CNN. There are things that we are doing in Austin that are recommended best practices. Council recently adopted the pay for success program, which is a model for

[11:17:21 AM]

permanent supportive active housing in a way that increases the costs that we incur with emerge gent care services. Now, we realize we don't have all the solutions. So what we find typically is there are some other cities out there that have a program that works really well. And identified said this before, we're not afraid to borrow or to steal those ideas from those other communities. We will take every single idea that is out there that is housing focused to see if it works. So in that regard working with the United States interagency council to end homelessness, the national alliance to end homelessness, the national housing program, those help us identify what those best practices are. I don't think that they themselves are going to say here's a city that has without a doubt solved it and maintained it, but what they will do is they will identify programs and projects that have worked in

[11:18:22 AM]

other cities that can perhaps be replicated in Austin as well.

>> Alter: Thank you. I think that's a really important perspective for us to keep in mind that we are a model in certain areas and we're doing a lot right. My hope is that however we figure out to muddle through the situation that we're in now, we also can provide a model to the rest of the country about how to help people experiencing homelessness anding preserve public order at the same time. I don't have the answer to that, but I think that's where we're all kind of going. Where we find ourselves, though, is that we're in this in between place and I think we're trying to find ways to move in the short-term. We have plans in place to provide a lot of the housing first solutions, but that takes a lot of time and it takes money. And we now have to deal with

[11:19:22 AM]

the situation on our hands and we can debate how we got to that situation, but the fact is we have a problem on our hands that we as a community have decided we need to address. So how is this office going to be helping us to navigate where we are now? I completely agree that we would rather not spend it on camping and put it into housing, but I think we're at a place where we may have to figure something in between out.

>> I think the message board post that was presented by councilmembers kitchen and Casar and the mayor is a good entry point for that for collaborating with staff and other councilmembers as well. For collaborating on that, for working together to address those issues that are daylighted today. Inherently I don't believe that we have an increase number of people experiencing homelessness

[11:20:22 AM]

between June and today. It is there, it is visible, being discussed. The media is writing about it, presenting pictures and videos about it. Inherently I don't think the number is exponentially increased since June. What it did do is it identified that it is an issue in the community, an issue that belongs to all of us to resolve, so in that regard it's not just city staff working with council, it's businesses, it's philanthropist, it's other agencies that you interact with as well that operate in this space. We do have a role in that as city staff. We work with you, we work with the community and we will always do that. I think that message board post that was posted last night gives us a good opportunity to outline how we can work together.

>> Alter: Thank you, Mr. Gonzalez. And thank you to my colleagues for posting that. I look forward to reading it in more detail. There is one element there that I think we do have to consider and I wanted to ask staff about that with respect to the restrictions

[11:21:23 AM]

is some of the issues of the right-of-way where they lack some clarity. So we've received questions from constituents about code requirements that they have to keep their properties clear of tall grass and debris and large objects up to the curb. And we are getting a lot of questions about what the protocol is if someone is camped in the right-of-way in their residential area. And I haven't been able to get a clear answer what to advise folks. Not that this is happening. I just want to be very clear, but it is one of those questions that is coming up that people need an answer to as they try to work through the challenges that we face.

>> Absolutely. And typically that question involves some sort of assumption that there could be an enforcement of rules, if you will. And so we will look into that area with our public safety partners and health

[11:22:25 AM]

officials to identify what if any rules would apply in those situations. I know we've engaged with people who said there's furniture also in these rights of way, is it allowable, et cetera? It's something we need to come forward to, what are rules in place and what are the enforcements for these rules. We do have to be very careful in light of council's policy direction in June or ordinance changes from June so as not to criminalize individuals, which makes their situation worse, but we do definitely need to provide you that information with regard to what rules are in place, if any, that would prevent those things from happening.

>> Alter: There are two parts of it is what are the rules that govern the right-of-way for potential camping, but then what other responsibilities in light of that for the property owners who are supposed to take care of their right-of-way. It's one of those unintended

[11:23:25 AM]

consequences of this that folks are trying to understand. And again, I want to be clear we don't have actual instances of this, but we have a lot of people asking about it. Thank you.

>> Mayor Adler: Okay. Paige.

>> Ellis: I want to thank you for beginning to roll out this information. I think a lot of us kind of want more answers sooner obviously, so that pressure is definitely falling on you. I'm glad to see that our goal continues to be minimizing homelessness, not just trying to not see it anymore. It's something our community is really compassionate about and I think we're all eager to find the exact answers we're going to land on and to be able to implement those programs. I have kind of a comment and request about general communication because I know we'll be looking at some of the rules that we're enforcing throughout the next few weeks and it might be helpful to keep us in the loop on what's being communicated to different departments.

[11:24:25 AM]

So if constituents are calling and asking are people being trained on what the new rules are, when is the training happening so we know what an appropriate effective date could be, and also kind of a request for our public information office or graphic developers to be able to kind of give us have some material

that we can easily share with constituents to explain what's changing and when it's changing. Because I think there's a lot of the game of telephone happening where one person says this is happening, another person says it's different. And I want to make sure that everyone is really understanding the work that we're doing and the things that y'all are suggesting that we're going to implement so when they do go into effect it could be more easily interpreted than trying to read the ordinance itself. I know councilmembers and our staff are well advised in it, but the general public needs something more general to understand what's understanding happening and why.

>> That's just a request.

[11:25:25 AM]

>> And immediately after the ordinances were voted on in June, we posted that. That was helpful. So we can build on that in a way that helps council convey to your constituents and to our residents what has changed and what is currently in place.

>> Ellis: I know there is a few things that maybe overlaps with like a state law or something to that effect where it's not mentioned in our code, -- in our code, but what is illegal in early June and is still illegal behavior and expectations from our community in general.

>> Absolutely.

>> Ellis: Thanks.

>> Mayor Adler: Yes, Ann. Did you have anything else?

>> Kitchen: Just a quick follow-up. On the communication, thank you, councilmember Ellis, for bringing that up. It made me think about and I think this may be on y'all's -- may be something that you're planning on doing, but I think it could be good to have one location that was easy to find for the public that has the

[11:26:26 AM]

various fact sheets in Q and a in one place. And tell me if I've missed that so that I can -- or if it's something in the works. So I'm thinking of a fact sheet on the ordinance like councilmember Ellis was asking about. There's various other fact sheets that are out there. What I haven't seen is a specific fact sheet on -- that includes all of the initiatives that the city has undertaken whether alone or in partnership. We have various documents that have pieces of that, but I haven't seen a comprehensive list and that would be helpful for people too. If I'm missing it let me know where to look. I also think that centralized web page or -- would be useful for people, if they had a place to go that we could look at all this information together. If they had a place to go where they could actually submit inquiries, get some

[11:27:28 AM]

feedback. It's not unlike what you do for the budget right now or what we're doing for the land development code. Now, I understand that there's some work that has to be done to actually get to that level of interaction, but at a minimum I'd love to see the kind of fact sheets that councilmember Ellis pointed to, and I'm hoping that we can get to a point where we have the kind of interactive page like we do for the land development code and we have for budget. It just helps people see what we're all doing and talking about.

>> I would concur with you that that was helpful. It was also helpful for staff to have all the information consolidated. I do believe that in the very near future that you would have an effort in that direction. I too am willing the day when Lori starts as well. Lori has been actively following all the news in

[11:28:30 AM]

Austin and has been engaged in various conversations and she is eager to get started and has a lot of thoughts and ideas and strategies with regard to getting Austin on the path to success which I believe we're currently on and I hear the concern for let's get that path moving faster. So Lori is aware of that as well. It is taking a collective effort of staff to address this. So when you hear us talk about the concerns for encampment you hear us talk about the concerns for distracting our resources and our time and that we want to stay focused on housing-focused resolution solutions and we want to work with you as a council to develop those solutions and to bring them forward as expeditiously as possible. And the way that we do that is we work altogether towards a common goal.

>> Flannigan: Councilmember, I'll note for council and for the public that right now that landing page is austintexas.gov/homelessness that is where the faqs are.

[11:29:31 AM]

We need to update it with more recent information, including the memo that came out. That is where we will build out in the future, but I wanted to mention that right now.

>> Kitchen: Thank you. That's very helpful. I will direct people in that direction. So I have one very last, quick comment. And that's just -- again, this is work that's on the horizon. Don't expect it immediately. But we've talked a lot about housing and focus on housing housing. But I think as the implementation plan is put together that was one of the items in 184. I forget what we called it, an action plan, specific implementation plan. One of the things that I think will be helpful for people is to actually understand the scope of the issue as it relates to the additional level of asking that we need. There are numbers out

there right now, very good information, and thank you all for putting that together in terms of what are our existing inventory of permanent supportive

[11:30:32 AM]

housing and that sort of thing is. And we have rough numbers in terms of what the need is. But I'm looking forward to the point at which we actually pull all that together and have some understanding of what exactly we need to work towards.

>> Thank you.

>> Mayor Adler: Okay, I think we're -- Natasha.

>> Harper-madison: So I was patient long enough to be able to add to my original commentary. And mostly I don't have a question to staff. Mostly I'd like to echo what my colleague Casar said about prevention, prevention of homelessness by way of underemployment, by way of displacement, by way of a lack of affordability in the city of Austin. Also health issues. A lot of folks who are just one health issue away from facing homelessness. So I think it's a bigger, broader conversation, including the prevention component.

[11:31:32 AM]

I'd also like to address and follow my colleague alter in what she brought up, which I think is a really good point about modeling. But for me I'm talking about modeling behavior, so I'm talking about leading by example. So I encourage my colleagues to all be patient with one another and maintain a certain degree of respect let's be candid and let's be thorough about the conversation, but let's be respectful with one another. Because I'm also going to ask -- I'm not asking. I'm going to implore the general community to be more careful about the information that you share and spread. The information that you share when it's based on opinion often times is misinformation and it doesn't help this process. I ask that you take the opportunity to offer your experiences, to offer your ideas, to be anecdotal because it's helpful.

[11:32:33 AM]

But the ideas should be aimed at solutions. Even if it's critical, you can be critical of the council, but it should be solution based, it should be something that's actually substantive. I'd like to ask that people resist the urge to spread palestinian-based information. I've seen some things on social media that didn't just disappoint me because of what it said, it disappointed me because I think we can all do a better job of addressing the fact that we have a singular goal. Our singular goal is success and we don't

do that by tearing down what other folks are trying to do to build solutions. I'd also like to say we are up here, I want you to recognize that all the people up here, this is who you see right now, but council only constitutes a part of the people creating the solutions. Our staff, a massive staff of people are also a part of creating these solutions. It's a collective effort and we're focused on creating

[11:33:36 AM]

tools and solutions for this very, very complex and nuanced issue. So just wanted to make sure to do what I normally do and remind us to be civil where possible. It's the only thing that gets us to the end goal. You brought up something about furniture. That's another thing I wanted to talk about. Generally speaking people experiencing homelessness are also not people who have pickup trucks that can bring coaches and barcaloungers to underpasses. These are general citizens that are bringing furniture to these people. So I won't speculate about what your intention is. It's either that you're at the same at the same timing to be mindful, benevolent citizen or you're just trying to get rid of that couch. So what we need to not do, need to encourage people to do, is not access certify bait an issue that we are trying to get solutions for. Don't take giant bags of donations to underpasses. Don't take furniture to underpasses.

[11:34:36 AM]

Take your donations to organizations that are actually the ones that will deliver the things that people need and I think that faq page, that might be a good place to put resources to take donations because I think we can also help to alleviate some of the problem with the things that are being accumulated at underpasses. Thank you.

>> Mayor Adler: Thank you. As we send people to that page it might be good to add the functionality to that page so if people in the community want to make suggestions, they have a place to do that. Right now it's just a static page in that regard.

>> Mayor, we actually do have an email address where we are soliciting and welcoming input from the community. It's homeless.input@austintexas.gov. And it is a staff mailbox so we do welcome any and all feedback from our community members.

>> Mayor Adler: That's good you added the page because -- I've been asked this question multiple times in the last 45 minutes.

[11:35:37 AM]

Would you say that email address again more slowly.

>> Absolutely. It's homeless.input@austintexas.gov.

>> Mayor Adler: Thank you. Good to hear. All right. Thank you very much. Thanks, guys. 20 until noon. We have one more briefing. I think it's intended to be pretty high level briefing. We'll see.

[Laughter]

>> Flannigan: And I'll just notes on our budget director comes up today, we also have other budget work sessions planned, including on August 29th. And so I think the intent is to maybe tee up a conversation here, but we can certainly continue that conversation on the 29th because I don't want to shortchange this discussion, but I also recognize we have a lot more on the agenda. So with that, our deputy

[11:37:40 AM]

cfo, Ed van eenoo.

>> Good morning. My name is Ed van eenoo, deputy chief financial officer. As the manager said there's obviously numerous other things on your agenda today so we want to keep our first budget work session very narrowly focused. We did receive certification from Travis central appraisal district so great news on that. We're able to now finalize the remainder of our budget calendar, including tax rate adoptions. I just want to show you what that calendar looks like and make sure that your people are getting everything put on to your calendars appropriately. There are three financial policies that are proposed in the budget document that you were presented on August 5th. I just want to talk through what those proposed policy changes are and how the audit and finance committee, what their recommendations on the policies were. And then finally, we've been already starting to have conversations with you and we want to continue that conversation in regards to those two future budget work sessions, which will be budget only on August 29th and September 4th. What are the types of topics that you're beginning to

[11:38:40 AM]

think that need to be discussed further as we move forward with budget adoptions. Those work sessions are for you so we're seeking your feedback in regards to the types of topics and interest areas you have that you want us to perhaps present more information on. Or it could just be an open-ended conversation with the council. It's your opportunity as a council, as a body to discuss the budget in a public setting. Sue first off here is your budget and tax rate adoption timeline. Everything, kind of near the top of this, this is all as we've discussed before. We're having the short budget work session today. We'll have our first public hearing on the budget on August 22nd. That's your Thursday council meeting, the second budget public hearing will be on August 28th. We have noticed those to have start times the 1:00 P.M. And 6:00 P.M., which was part of the discussion we had. There seemed to be a general desire to have one of the work sessions -- one of the public public hearings to occur earlier in date where people who can't come in the evening would be able to attend, and then also one in

[11:39:41 AM]

the evening. So that's what we're suggesting for the start times for those two public hearings. The 28th will also include a variety of hearings that are required related to utility rates so Austin energy and Austin water will be having their hearings on the 28th as well. Two additional budget work sessions on August 29th and September 4th I've already talked about. We would start both of those at 9:00 A.M. And this all gets us to an adoption of the proposed budget on September 10th. That's scheduled to begin at 10:00 A.M. As I mentioned, we do now have certification from Travis central appraisal district and so you will see, I should have mentioned this, on August 28th when we got that certification we added an addendum item to set the public hearings on the tax rate and we also put the item on there to set the maximum tax rate. It's not adopting the tax rate, but it's required under state law that you go through an action of

[11:40:41 AM]

proposing a maximum tax rate so that item is on for the 28th. You can see the tax rates are scheduled for September 13th, a special called meeting, September 19th would be a regular called meeting, and that would allow us to adopt the tax rate on September September 25th. With we would envision that as a special called meeting immediately following your already scheduled Austin utility energy oversight. A lot of the tax rate being separate from the adoption is different due to the delay in the certification. When I didn't remember adopting the budget on the 10th we will be able to tell you what the tax rate will need to be to support your budget and then you will have to go through the steps of formally adopting that tax rate. We did have 3 proposed changes to our financial policies that are encapsulate understand our budget document. The first two are pretty straightforward. I'd really characterize them as cleanup items. One is a with Austin

11:41:41 AM]

resource recovery and how they budget for their post-closure care of the city's hills. Our policy tells us to set this up as a separate standalone fund. That's not the way that we're currently accounting for this work. This is just not something that is really requiring a reserve fund. The annual expenditures needed for the post closure care of the landfills is on owe that's included in the department's operating budget so we're trying to clear that up. We need to continue to fund for them, but we continue to fund for them in Austin resource recovery's budget as opposed to transferring money over to the standalone reserve fund. That's the first one. The second one has to do with the employees' benefits fund where we do maintain a stop last reserve amount. Essentially what the stop loss does is it allows us if we have

usually high number of large dollar claims where our expenditures peak we want to make sure that we have a reserve for that potentiality. Our current policies we'll

[11:42:42 AM]

maintain a reserve consistent with what the actuary recommends. That recommendation is always right in the neighborhood of 10%. So we just think it's a better policy to formalize we'll maintain a 10% reserve in our employees' benefits fund to meet that stop-loss need. And finally in response to a council resolution we are proposing revisions to our city's tax increment financing policy. There was a lengthy report that was originally submitted to council in March of 2019. We recirculated it just last Friday so that you would have it fresh in your inbox. But within that report we respond to the resolution request and we also outline our proposed changes to the tif policy to comply with what that resolution was looking for, which was ways to use tifs to further incentivize affordable housing. There's a number of policy changes, and in your packet you actually see the current policy and the new policy. It was too messy to do it as

[11:43:42 AM]

a ~~strikeout~~ underlined version. But really the major changes to the policy, some is really just rearranging the order of the policies, but really the major changes are crackized on this slide where -- evacuated on this -- characterized on this slide on what could be included in a reinvestment zone. We're currently at six percent. If owl intents and purposes if the city were R. Were interested in doing another tif for any purpose we would need to keep that threshold. We're not recommending going to the top amount, but to increase it to spoken% to open the door for future tifs. We would also formalize a current and past practice that all tax increment reinvest. Zones gunshot wound undergo a rig bus if you for analysis. The funding is coming with additional benefit to the city as opposed to just divert funds from the general fund for its specific purpose. And the third major change gets to that portion of the

[11:44:42 AM]

resolution that asks for us to look for ways to use tifs to further incentivize affordable housing. We would propose that any future project plans, tirz project plans that include housing as a component of that project plan, that we set a threshold that 20 thirst of those units be affordable to households earning below 60% for rental units and 80% mfi for ownership units, which is consistent with the goals of the strategic housing blueprint. Finally, if you look at your current tif policy you will see that it's kind of been intertwined with a pid policy, which we really don't think makes sense. So what we want to have is a standalone tif policy, which is what you see in your new tif policy in there, and a standalone pid policy. We have worked with our financial advisors, treasury staff, cfo on these policy changes, and the

pid policy language is very antiquated. We're not ready to bring that back to council currently, but we are proposing to separate the tif policy from the pid

[11:45:44 AM]

policy in this tif policy you're reviewing today. And by the end of the calendar year staff will come back with revisions to the pid policy just to get it -- to get the language modernized and that will be coming back to you, we anticipate, November or December of this year. So those are our proposed changes. Before I turn it over to you for any questions you might have, I would note that we took the same policy changes to our audit finance committee. They approved five-zero to recommend approval of the changes to the full council for the landfill policy and the employee benefits fund policy. In regards to the tif policy changes they voted five-zero to advance that policy to the full council for further discussion and consideration. So that's what we're doing here today. And then I would just remind you before we start going into the tif questions, we really would love somewhere today to also get your feedback about those future work sessions and what kind of topics you might want to see staff preparing for.

[11:46:44 AM]

>> Mayor Adler: Colleagues, it's 10 until 12:00. We have this briefing to finish, we have nine items that have been pulled, we have the three personnel matters on executive session plus four executive session items. I don't know how quickly we could get through the pulled items. I don't know how long those items are, but usually those personnel things go on for a little bit. If there was a way for us to move quickly through this stuff we have left, we should probably try to do that. But it's 10 till and we'll work at your pleasure. I have handed out to you all something that I intend to post on the message board subject to changes here that's consistent with the conversation.

>> Alter: We didn't get it this way.

>> Mayor Adler: It was a single page. It was the first thing that got handed out this morning. I have other copies of it if we need some. It's just consistent with what we said before. We have two hearings. One is primarily for the

[11:47:50 AM]

afternoon and one was primarily for the evening. So on Thursday I would intend after lunch to call for people to speak about budget and then continue taking people that would speak about the budget. When we stop and take a break for dinner we would note who was there and present and not able to be called. After dinner we would take those people, but not additional people that have shown up, just those people that were there in the afternoon. Then we would do the balance of their agenda and then

we could pick back up people who were still there in the evening for budget. We have a separate evening budget opportunity that is scheduled on August 28th, but this would be I think what we talked about doing when we talked about this two weeks ago, so this is what I would post absent the will of the council being different. Leslie.

>> Pool: That's really helpful. I also wanted to make sure that I'm reading our change

[11:48:51 AM]

to dates correctly. And maybe in the posting we could also add in originally we had scheduled September 11, 12 and 13 for our budget adoption, and it looks like that is now because of the tax certification delays, that's now going to be September 13, 19 and 25. Is that right? Am I reading this right?

>> So the proposed budget we technically reserve at the present time 10th, 11th and 12th for that. We would have also reserved those same three dates for adoption of the tax rate, but you're right in what we're showing here we would have the one day for adoption, but we do have to have those two public hearings on the 13th and 19th.

>> Pool: So are we canceling for these purposes September 11 and 12 and instead doing 10, 13, 19 and 25?

>> We would propose continuing to have the 11th and the 12th on your calendar just in the event that budget adoption does not occur on the 10th for

[11:49:54 AM]

some reason or if we need to bring it back on the 11th for a second reading or the 12th for a third reading. We like to reserve those on your calendar, but of course we're anticipating that the budget will adopt on the first day.

>> Pool: Okay. So we still have September 10, 11 and 12. And then the new ones are the tax rate hearings, 13 and 19, and potentially -- and then adoption on the 25th. Okay. Mayor, do you think when you post this you could confirm that we're still holding the original plan dates for budget adoption?

>> Mayor Adler: We'll do that.

>> Pool: Thanks.

>> Mayor Adler: Alison.

>> Alter: I had just a question on end times for work sessions for the budget. It says 9:00 A.M. Sometimes we've gone until 5:00 in the past and times 12. It would be helpful if we're ending at 12 if we need to schedule other meetings or if we need to go to 5:00, what the plan is.

>> And we had the same question.

[11:50:54 AM]

So I think that's great dialogue for today. Without knowing the type and quantity of briefings or additional information you're going to want at those work sessions, we were just proposing a start time and, un, it could be until noon, it could be to 5:00. But we don't have an agenda for those items yet. We're waiting to hear from the council. And then I think we would have a better sense of how long we think it will take once we have a sense from you all what topics you want to discuss at those work sessions.

>> Alter: So I would propose that we try to leave it open until 5:00 and if we finish early, we finish early. If we know we're going to end at noon, then I would like to know that. The other thing that I just wanted to flag is for September 25th I will be out of town at a conference, which I already have scheduled and paid for. It's a city related thing.

>> We anticipate there might

[11:51:54 AM]

be some calendar conflicts, but with the delay we weren't able to tell you some further notice. This should be a largely ceremonial hearing and adoption.

>> Alter: I just wanted to flag it while I remembered. Thank you.

>> Mayor Adler: So on the calendar just trying to pick up, Alison, we start in the morning. If we say we're going to be all day we may have people that are planning on showing up at 3:00.

>> I'm not talking about the hearings, I'm talking about the work session.

>> Mayor Adler: Okay. Sorry.

>> Alter: I mean, if I'm -- this is the most important thing we do is decide the budget. I'm totally happy to be here for the duration. But if somebody else has another plan that we're leaving at noon, I'd like to know about it in advance.

>> I think our suggestion would be to keep the calendars open until 5:00 and then as you said, assuming that we might be able to get through those topics we'll be able to end early.

>> Mayor Adler: Keep the

[11:52:55 AM]

calendar open and we'll decide when we're there how late we'll go. Kathie.

>> Tovo: I know that we're -- that you're still awaiting kind of topics for those days and I had suggested something to you and I wanted to air it here that we have a conversation during our budget session about convention center funding, hotel occupancy tax and kind of related issues. I also just wanted to put in a plug. I think the budget question and answer is going a little differently this year and staff are providing quick responses over the phone rather than through -- or via email rather than through the formal Q and a process. My staff has submitted all of ours through the formal Q and a process and I think it's extraordinarily helpful to do so. So if you're making budget requests, even though you have an option of doing it offline now, I would just really ask that -- and

[11:53:56 AM]

encourage everybody to do that. As I've shared with the manager and Mr. Van eenoo, I think having that kind of transparency is number one consistent with our process of asking our staff and our manager to share the same information with all council offices rather than just with certain council offices. I think it's more efficient because likely we're going to come up with some of the same questions and I can't tell you how often my staff has -- and I have gone back to that Q and a and looked at questions that other people have asked and have gotten ideas for, you know, ways we might trim the budget or things that -- important needs. I was sharing with the manager there were a couple of years where -- I usually go through all the Q and a before we vote on the budget just to make sure that there's not something that we need to attend to. And multiple times through the years I found somebody asked a question about youth librarians or technology over in some of our libraries and underresourced areas and found that you

[11:54:56 AM]

those were places that were going to lose programs and things like that. And we were able to deal with them and those weren't questions I initiated. Those were questions other people did. So again I think that is a fabulous tool we have and we just encourage -- though we have a different option this year, that we kind of follow the practice of submitting these questions. I think it's really valuable. I think the public learns from it as well and I think generally we have much better conversations when we're, you know, sharing and learning from one another and learning from each other's questions and the information that we're all receiving.

>> Mayor Adler: Jimmy.

>> Flannigan: I will say to that end staff has certainly told my office when a question we asked was substantive and needed to be a Q and a so that it could be shared. Most of the questions that I'm asking really don't rise to that level. It's can you explain this line item, can you explain this thing, can you

explain that thing? I understand your point about, well, maybe all that stuff should be on the Q and a, but with the limited time

[11:55:56 AM]

that we have, I'm willing to kind of barrel through this as quickly as possible and then elevate the stuff that's substantive to the Q and a process.

>> Mayor Adler: What did you think --

>> Tovo: Let me clarify. I wasn't saying if you need an explanation of what something needs in the budget that that goes in the Q and a. That's not at all what I'm talking about nor is that the way we've used the Q and a in the past for the most part. Sometimes we do ask questions like, you know, what -- explain how this can be used and -- I'm talking about items of substance as well.

>> As we pivot from this discussion we'll do another round with all the offices just to get any other topics that might be appropriate for the next work session on budget specifically. And I'll also note that we'll have both of our public hearings on the budget before then. And so assuming that there are themes that we pick up from the discussion that we hear from the public that will inform how we think about the work session topic he agenda as well. So stay tuned and I just want to thank you for your continued engagement as we

[11:56:59 AM]

move forward towards adoption on the fiscal year '20 budget.

>> Mayor Adler: Okay. All right. That gets us -- thank you, guys. Let's talk about pulled items. It is noon. Maybe we go through this and see which ones we think we can handle quickly, let those staff members go? Jimmy, you pulled item number 15?

>> Flannigan: Yeah. So as we look at the bond project, there are parts of language that are specific about the Faulk and its relationship to the history center. Some parts of the contract with the voters are not that specific, it just says Faulk renovation. We've been talking with staff about the usage of that facility and I wanted to get a sense from you all if there was a willingness to explore that. I maintain as I have said in the past, I don't believe that that's a necessary place for archive AI

[11:57:00 AM]

services. I think that is much better served since it's on our most trafficked and most important transit corridor that it should be something that is more about direct services like the downtown community

court, which we are currently seeking another lease arrangement for the downtown court, which seems like it would make sense there in the justice complex, just blocks away from the other court facilities. Veteran services as I mentioned earlier seems like a logical place for that. I know there are -- as I brought this up last year there are some who feel very passionate about the history center's usage of that building, but I think this is another opportunity to get a gut check with this council on what we think. I don't know if anybody wants to chime in.

>> Mayor Adler: Cathy.

>> Tovo:sure. I perish you raising the question here. I do think that's a commitment that has been made. I also, having worked and spent lots of time in various archives, including that one, I think it is -- I think it is well used. I think having it located

[11:58:02 AM]

centrally is important, and, you know, we couldn't locate -- it doesn't work well for an archive to locate the reading room away from where the storage materials are because people are requesting them and need them. And they're brought to them in the -- in what we have for a long time. Talked about being sort of a more public-facing Austin history center. So the old building is going to be a more public-facing Austin history center once the archives moves next door they'll have more opportunity for programming and some of the other activities that they do wonderfully well now but just don't have the space to fulfill that vision. When we were talking about the bonds, you know, I shared my experience. I know many of us have taken tours, probably all of us at this point and seen the archival records that are sitting -- at the time I visited there were some in the kitchen. Multiple people talked to me about the fact that individual leaders in our community are hanging on to

[11:59:04 AM]

their papers right now in preparation for being able to bring them to the archives. There's not space right now to take in some of those collections so they absolutely need the space. I know that's not your question, but I do think that as part of the conversations about the bond and the long-term planning of the history center that has definitely been -- certainly been my understanding, and I believe the understanding of many community members. So I would invite them to weigh in and confirm that but that's definitely my understanding of it.

>> Mayor Adler: For thoughts on it, I can think of 20 really good community uses to be made of any building that we have in the city. This particular one I think is so identified with Austin history center and given the history associated with that building I'm really comfortable with that being the use, for me, and having

[12:00:06 PM]

the archives next to it I think is consistent with the conversations that we were having. You raised really good points with respect to it being in court, I guess I hadn't thought of it that way in that conversation so it would require a real change in mindset for me. I think right now I'm comfortable with keeping it the way that it is. Greg.

>> Casar: And my question is -- and I don't think it has to be answered here because I know we're short on time but I would be interested in having it answered on Thursday so we know how to acclimate forward, whether we figured out whether all of that space is needed or whether there is some portion, be it the bottom portion, front facing part, whatever it is, that could be used for the dac, that could be used for one of the other 20 things that you can think of, because I also enjoy the history center, I think it's an important thing, and recognize that you might want the archives near the reading room. At the same time, you know, are we -- the money set

[12:01:08 PM]

aside for renovating this really important building and have we looked at both things existing there, what those options might be, or are there some portion of archives that are okay being further away versus not. I don't know whether that has actually been looked at and I'd feel more comfortable with this decision with that kind of information as we go through the bond process.

>> Pool: I think some of the information that might be useful for everybody to understand is the environmental requirements in order to preserve documents that are, you know, sometimes a couple hundred years old. So that would be useful for us to have staff to come back and just explain about that requirement with regard to temperature and humidity and the proper storage so that, you know, those documents are available for generations beyond us. Then I would just say that I think once we get the history center established with the archive in the

[12:02:09 PM]

space that it needs, that building is going to be received much the same way as our central library was received. There was a lot of pushback and questioning in the community about whether the investment that we made for that new main library was appropriate, and most of us along this dais really held firm along with previous councils who had laid the foundation with the original bonds and everything to bring us the main library, and now we know that it is -- it's a structure that's celebrated around the world and has garnered some pretty important accolades and it's super, super heavily used. And I imagine that having the access to the archives be more available to people will bring much the same response in the community, including people who really -- especially newcomers, they want to find out about our town and then to go back and look at the original dockets for the

[12:03:11 PM]

first -- for the first courts or drawings for the prison that was across the street from the state capitol and the original meeting notes from the first commissioners court, which I've actually seen dated 1839. It's -- it's a big old book, heavy book. And those are precious documents, and if something ever happened to them we can never get them back. So I am really -- this history center and archive has been in play and in planning for a considerable period of time and I'm really happy to see that we're moving forward on a project delivery and that we will get the history center, Faulk history center, pulled together with the archival repository as well.

>> Mayor Adler: Okay.

>> Flannigan: I find us in this conversation repeatedly where I'm trying to look at something as a set of trade-offs. We have a certain amount of assets and a certain amount of needs.

[12:04:11 PM]

We've even gone through strategic planning. We've set priorities. Often that -- I don't feel like we're actually having a conversation. I feel like one side of the conversation is but it's a really good program and it's a really good thing. I'm not saying that it isn't. This is about priority and trade-off and sequence. And I just don't think that the Faulk has to be where we preserve things if -- I understand the reading room question, but I don't know why this couldn't be a renovated building at the airport for crying out loud where there's cold storage and all those things, as opposed to it being that type of storage on the busiest transit corridor in the city. It's not about whether or not the history center is good or bad. It is about whether or not that's the appropriate use for Faulk given all of its constraints.

>> Mayor Adler: I think Greg answered some of those questions and if we could have some response back on Thursday I think that would be helpful.

>> Casar: To really clarify my question I would really like the amount of money we're considering spending on another lease for the

[12:05:12 PM]

dac, knowing how expensive leases are right now, that we're trying to get out of them. If we got create and put all the bond money together with money we're thinking about spending on leases at the dac or whatever other thing we are thinking about leasing space for if that could actually make this all work or if I'm just imagining that the Faulk is bigger than I remember it to be.

>> Mayor Adler: Okay.

>> Tovo: Do we have any staff who can answer that yes.?

>> This isn't the first time -- this is not the first time this question has been asked about whether there would be space for other uses at the main library. I believe the answer was no, that the history center has plans for all of the space. I mean, I can tell you this question comes up all the time from -- I went to a ribbon cutting and somebody asked me what our plans were because there were developers interested. There's all kinds of uses to which we could put the main library, but, I mean, you know, this is -- let me just leave it there. If we have a city staff member here who could answer

[12:06:12 PM]

that question, maybe we could resolve it here. And I'll -- then I just had one more thing I wanted to say about how that history center is used and could be used.

>> Mayor Adler: Thanks.

>> Roosevelt weeks, Austin public library. Just so we all understand the \$16.5 million going to the Faulk and history center only covers the basic upgrades to that facility. That's the hvac roofing and carpeting and some issues we have with the history center as far as the foundation is kindergarten. It's reported it would take at least \$50 million to bring that building up to where it's useful for other uses. Right now we just want to make it an archival space. That's 402nd and third floor of the building. And the other space is for the -- the fourth floor being for staff that we currently have in the building, as well as moving some of the staff for the history center over to that building. So that leaves the first floor and long-term we're looking to have that as a

[12:07:13 PM]

space to show off the whooshing that we have in the history center, to make sure that the archives that we do have that is open to everything and that is not hidden, we are right now having to go from district to district to show off what's in the history center. It's been a profound work that the community has really embraced, knowing we have an Austin history center, right now all that information is stuck in storage in our archives where it's not being shown. So hopefully we were hoping we could use that first floor to show off what we have in our archives.

>> Mayor Adler: Thank you. Anything else on this? Greg?

>> Casar: I'm still -- again, I think that really begs the question of the first floor, and I don't know how much space that is, given that we'll have the history center next door and the first floor it sounds like still not exactly what they want it to be and if we're spending lease money it sounds like something we should look at.

>> Mayor Adler: Leslie and then -- Kathie, you weren't

[12:08:13 PM]

done. I'm sorry.

>> Tovo: Yeah. But let me just say I'd also just point out that we have health south standing vacant over in -- I mean, if we have a need for immediate lease space I would suggest that's -- we have initiated a long-term plan for hedge hedge -- health south and I'm fully supportive. It doesn't mean in the interim it couldn't be used for another purpose if that's the intent. But, you know, again, I mean, it -- we've come to this question after, I believe, there have been commitments to using that space in a certain way, and I support those commitments, and I also support its continued use. I want to just point out, you know, councilmember pool talked about some of kind of the historic documents that are wonderful at the Austin history center. I've gone there to do historical research but also to get tapes of city meetings, as my staff have. You know, that's our repository for information that has aid me in my deliberative process here as a city leader. I can tell you through the

[12:09:15 PM]

years we haven't always had a wonderful tradition of saving documents that relate to zoning and planning, and so unfortunately because of a lack of space or a lack of understanding about how they could be valuable, some of those records that would be very, very useful for us and for others have not been saved through the years. And I'm not going to talk about the one example I'm thinking of here because I don't want to cause issues, but there -- I'm aware of one case where they lost -- they got either a variance or a conditional -- I think it was a conditional use permit to have a particular use functioning in this space, in a neighborhood 30 or so years ago, and couldn't produce the conditional use permit when some newer neighbors had an issue and it caused problems that have now sort of been resolved. But, you know, I just think having -- it is not just -- it is not just a place that

[12:10:16 PM]

serves to go and look at historical documents. It's very much our repository of city records as well that are valuable for homeowners who are doing research on their properties or trying to get tax exemptions or trying to build up the history of a place to understand kind of what their decisions are. Potentially right now. As well as there are school records there and all kinds of other things that from time to time I and other community members have used for policy reasons.

>> Renteria: Mayor?

>> Mayor Adler: Pio.

>> Renteria: I, too, have used that center there and one of the things that we have been frustrated on over the past is that there was not a lack of -- there's not enough space to take our history, these Austin history. In fact I have a photograph right here that I one day want to put this in the archive here, where I have city councilmember Delia

[12:11:18 PM]

Garza here receiving an award.

>> Garza: Oh.

>> Renteria: That was years ago.

>> Mayor Adler: Pass it around. Anything else on this? Jimmy and then Leslie.

>> Flannigan: So, you know, again, we're not having the same conversation. And I find that to be frustrating. I don't think the history center is a place for long-term record storage about conditional use permits. I don't think that's what the history center is about. I find that we do this frequently. This is not about the value of the history center. This is about the best utilization of the Faulk. There's -- I am not convinced that that building has to be this resource, that this resource can go in other places where it's more appropriate and where the trade-offs are less as opposed to it being, again, on the busiest transit corridor of the city and it should be the types of uses that a greater number of people who are

[12:12:18 PM]

disadvantaged, who are helping us address equity, helping us address homelessness like the dac and veterans service situation would do.

>> Mayor Adler: Leslie.

>> Pool: And I would respond to say they've the opposite opinion. I think it is entirely appropriate and have worked for some years, including when I worked at Travis Travis county and was on the history committee over there to forward this conversation with former marries and the historical societies that are, you know, really doing important work in Travis county and in Austin. I did want to ask -- so we just don't agree. But my opinion is valid, too. So, city manager, I think we do have some staff working -- I think, is it government affairs, whoever is on the first floor? Maybe the sustainability or the innovation office? Which offices are in there? We're using it currently as kind of a release valve for overflow because this building is full up.

[12:13:20 PM]

Is that right?

>> I'm aware that we have the innovation office in the Faulk but I don't know if we have other folks that are --

>> We have the innovation office in there and part of ctm was in that building as well and currently the innovation office is conducting a pilot dealing with the homeless in that space as well.

>> Pool: So we're using it for staff currently, and it really gets into the larger question of our master plan for where are we going to put all our staff, including our downtown Austin community court and looking at changing some of the layout here with regard to the city clerk's office and, I mean, it's this big, large -- this here, you have to move these. It's a rubric's cube. So, yeah, I think there are a lot -- there's a lot pending in the city moving this as the archives and the history center began years and years ago, and we're this far along.

[12:14:20 PM]

And I'm glad we are. I think it's really important that we continue on this pathway.

>> Mayor Adler: Okay. Thanks. Should we see how many of these we can knock off? Next one is item 24. Councilmembers tovo and Flannigan. Thank you, Mr. Weiks. Kathie, you want to raise an issue?

>> Tovo: I'll just set it out and then hear what questions or thoughts people have, and then I may have information to call up. This was an element that came forward as part of the palm district master plan that councilmember Renteria and I brought forward with mayor pro tem Garza and mayor Adler and councilmember harper-madison, and it is returning to us. We postponed it from June. And I provided some history in the resolution. It was a long resolution so you might have missed that section, but this is -- and my staff have gone back and researched some more of the conversation that happened

[12:15:22 PM]

on the dais when the fund was established. But as the resolution made clear, this was a fund that was set up. There were some amendments and some conditions that didn't necessarily make it into the ordinance, so though it was intended to be an ongoing source of funding both for infrastructure and for history and some affordable housing efforts in the area of Rainey street, defined as including school and pack park, that's not what happened over the course of time. It was funded that one time and then not again. And so, you know, through the years multiple people, community members have asked us to, you know, fix this and honor that commitment that was made and the decision and the vote of council that happened. And so, you know, that is what we initiated back in June, and I've got some --

[12:16:23 PM]

I've got, again, some historical information that may or may not be relevant, but it was absolutely, you know, explicit in that conversation that lots of development was coming to Rainey. It would -- that this was an area having -- with its history as a single family neighborhood was not -- didn't necessarily have the infrastructure to support all of that increased development in that area and that this would be a mechanism for helping fund some of those infrastructure improvements which are is desperately needed in addition to honor the mixed American history of that area and the fact that that was a neighborhood.

>> Mayor Adler: Thank you.

>> Tovo: That's my --

>> Mayor Adler: Mr. Flannigan, Jimmy.

>> Flannigan: My understanding is that staff is not supportive of this. Would staff like to weigh in a little bit?

>> That's correct. As our chief financial officer comes up, we did receive this direction to come back with an ordinance or with the change as

[12:17:23 PM]

outlined in that resolution. But alongsides that we've provided a memo that describes some of the constraints and limitations we would see in this when you get into ear marking certain funds for certain districts.

>> Good morning, Elaine hart, chief financial officer. And at this time we are not recommending it. One is the fees that -- and the revenues that are covered here, some have since that time been converted to cost of service based. And so certain of these fees are intended to recover the costs for staff doing the permitting work, and so in particular those -- if those were diverted to another purpose we would not have that revenue source supporting the cost of that staff. Others, such as the use of

[12:18:23 PM]

right-of-way, are more like a rental of the city's land and right-of-way. And so those, however, could be used for a municipal purpose, much like any general fund revenue could be used. However, most of these have been deposited in the fund that is supporting the Austin transportation fund, so any clawback of prior year revenues would cause a deficit in their current proposed fy2020 ending balance because they have -- that has flown through their funds and they have used those over time so they

have planned for that use. So if the council did choose to earmark these monies that were not subject to cost of service, I would only recommend if -- that they would do that on a

[12:19:25 PM]

future basis and if they affected 2020, if they began in 2020, the Austin transportation department would have to go back and look at their proposed budget for 2020, and I don't know the implications of what that would cause for them at this point.

>> Mayor Adler: Okay.

>> Flannigan: So my -- two things. One, I think that's an important point, the future versus retro respective but generally I have a problem with segregating funds unnistly. I think it's kind of a thing

-- legislature does and they find themselves two or three sessions later when they can't balance the larger budget. This is a small amount relative to the larger fund. Nonetheless I'm not going to support this. I don't think this makes the improvements at Rainey any more likely or easier and I don't think this is the type of process we should be using. We should just do the things that need to get done.

[12:20:28 PM]

>> Mayor Adler: Greg.

>> Casar: Mayor, I've expressed my general concerns with having certain funds, especially when there is -- when it's in areas where we may not otherwise spend the money if we ranked everything, and I think it makes it so that places where there's a lot of development will get more of our city dollars in these cases as opposed to other places where the infrastructure may be needed but you're not getting as much development. And so but, you know, I -- looking at the staff memo it seems like some of the planned city investments that this could fund would be things like parking meters and Rainey, sidewalks on Rainey, sidewalks and bike infrastructure on Rainey, the park at 64 Rainey and the mac and if a bunch of this money is planning to flow in the general fund and this is indeed the park that needs the money the motor indeed the sidewalks that need the money the most then they would get funded. If it turns out that that

[12:21:28 PM]

park is not the one that needs city dollars the most or walks do not need city money the most this would essentially be pulling that money from the place that's need it the most because we made this fund and I think that could create inequitable outcomes so I'm either not comfortable with doing it sore if there is

a majority of council that still wants to do it I think that we should add amendment language that creates an equity test for it and says that this money should be spent on issues -- in a way that is equitable, that promotes equity or otherwise be spent outside of the area because I don't want to create -- and I know this fund wouldn't be that big and it's not that big of a deal, but long story, if we start making more and more of these then it can actually start creating outcomes that I don't think are the will of the body.

>> Renteria: Mayor.

>> Mayor Adler: Pio.

>> Renteria: I'm real familiar with this program here when it first started, and I'm not gonna be able to support it because a lot of that money has been used

[12:22:31 PM]

already. We did a master plan twice for the mac, the cultural center, and just a recent one with I think it was \$350,000 that we got from using the land there next to this hotel that was built, and that was -- went into the master plan for the mac. And the original funds that we received also went to relocate some of the historic houses that is off tilery, the Guadalupe neighborhood corporation has built -- we sold them to people at a very affordable price, about 100 to 125,000, and these are three or four bedroom homes also. So, you know, I just feel like if we went backwards to try to recover some of the funds that we have iced we had probably have to get funding from all these

[12:23:31 PM]

different departments and I feel uncomfortable doing that.

>> Mayor Adler: For me I'm motivated by -- I think we need to send the money to where the greatest need exists. I understand the discussion several years ago about what it was that happened in that debate. My understanding is that had it been implemented as was discussed, albeit not in the ordinance, there's been more money devoted in that area that would have been generated. But for me I think bottom line, looking forward, it could easily be that the most important projects are those projects, and if they are I think they should be funded with that money. But if there's a more important project somewhere else in the city then I think the money should go there. And I think we should be more driven by the community

[12:24:31 PM]

need and the prioritization process that our city staff does where we're trying to decide devoting dollars. Alison.

>> Alter: so I share some of the concerns expressed and I'm wondering with all the development why that is not providing enough funding for some of these basic mobility issues. Given the extent of that. And I just want to point out to my colleagues that we are going to be adopting the next steps for our street impact fee approach hopefully on Thursday and were that in place while all of this development was going on we would be able to have funding to do that and for any future developments at Rainey that would be subject to that there will be an opportunity to recoup some of the funding for the broader transportation issues in the area, whether they're in Rainey or niche,

-- or nearby and if those are the

[12:25:31 PM]

most important ones in that area for the street impact fee we'll be able to fund those. So I'm not at this point comfortable supporting it either. Thank you.

>> Mayor Adler: Okay. Kathie, you want to close?

>> Tovo: I feel the need to clarify that we are not setting up -- thanks. That we are not setting up a fund. The fund was set up. I mean, it was set up by a council. It was in 2013, the commitment was to use the funding for affordable housing, infrastructure, and one other use that I'm gonna have to find. I'll have to get back to that because I'm not finding it right now. But it was also designated to help support the fact

[12:26:31 PM]

that this is the Rainey street historic district and that there should be an acknowledgment of that and a celebration of the history. So it was -- you know, this is not us setting up a brand-new fund and diverting funds or -- I mean, we are -- we have an opportunity to implement the commitment that a council in 2013 made that was never carried forward. And so I want to be very clear about what we're doing. We have been asked to please honor the commitment the council made when they passed this and set up this fund in 2013 and that's the question before us. It's not about diverting funds. It's about fulfilling the commitment that a previous council made, both to -- not just to the current residents but also to those who helped build the Rainey street historic district. So I think that I would ask staff to, one -- I'm not

[12:27:33 PM]

understanding why -- and I appreciate the additional information about the money that's been received from 2013 to 2019. I don't know if this includes the fairmont project. This is not listed project by project and I think that's really what we had envisioned so that we could track those. I know at the time there was a conversation on the dais about whether the fairmont would be included or not included. It was included. In fact there was a motion to exclude it that failed. And so, you know, I would like to be sure that we are properly accounting for all the fees and so by project would be helpful.

>> We are properly accounting for it. For the total fees. They are not segregated by project because that's not the way that the department accounts for them. You can see in the detail line description of over 800 lines that the fairmont is included. But what happens as they're building a building is, one of the contractors on the building will come get a right-of-way permit and then they'll do their work and then another one will come

[12:28:33 PM]

and so you'll have multiple entries for the fairmont. I did glance at that list, and I sorted it by the largest amount to the smallest. And those that identified as the fairmont did not come near to the \$3 million estimate that had been talked about at that council meeting. And I don't know why, other than that was just an estimate talked about on the dais. I don't know --

>> Tovo: I appreciate you tracking that one to make sure that it was included because that has been a source of confusion through the years that people have said, you know, the fairmont alone was generating \$3 million, what happened to it, why isn't that in the fund.

>> It was included but it was not near that amount.

>> Tovo: Okay. And the other part of the answer of that is that it didn't get deposited in the fund because the only year this fund was funded was just that very first allocation, and I believe in the conversations -- I think it was Mr. Canally had said that 600,000 was a conservative estimate. They anticipated the

[12:29:34 PM]

right-of-way fees and the license agreement fees and the other fees that were designated for that fund to be higher than 600,000 but they were, I guess at that point sure that it would generate at least 600,000 and that became also the ceiling. So I just -- again, I think it is -- I mean, as we move forward with the projects that were contemplated in the palm district master plan I think it's important that we continue to think about the commitments and the promises that have been made through the years. And if this isn't going to be a source of funding, if there's not a majority will to right what I see as a wrong in this circumstance, I hope that we will look then very carefully at the hotel occupancy tax and the other things and look toward how we can make palm school, if that is -- if we're able to come to an

agreement with the county on its use and palm park really be place that's celebrate all of Austin's history.

[12:30:36 PM]

>> Mayor Adler: For me I would look at the whole convention center expansion. We've talked about using those funds. I would support that. Delia.

>> Garza: I was confused about the comments that you made, councilmember Renteria. Were you saying that you're not supporting it because -- it sounded like you said that some of this money was able to fund some of the faces of the -- phases of the mac and you're not supporting it because you couldn't do that?

>> Renteria: Well, the thing is just the recent money that we used, we used the \$300,000 for the master plan, for the new master plan that just got approved by us. And that's what the money they used for the staging area, that fee that we collected there actually went for the master -- to apay for the master plan to help us to get the money from the bond, and then we

[12:31:37 PM]

just received.

>> Garza: Okay.

>> Renteria: I mean, that's my concern, is that if we had to draw money where is it gonna come? Because it's been used. There's no money there.

>> Garza: Okay. Does the proposed ordinance -- would it not allow us to use -- if this fund were set up, would that -- would the money in that fund -- it sounds like because it says it's for improvements. With municipal purpose that are within the boundaries. So could we not fund machthings with this fund? Could we fund machthings with this fund?

>> My belief, to the extent that the fee is not a cost of service based fee, it would be available to use for any municipal service.

>> Garza: So are -- which of these are -- I'm sorry. What did you say again? Service based fees?

[12:32:37 PM]

>> Cost of service based.

>> Garza: So which of the fees are cost of service based of the ones listed in part two?

>> About half of them are. The temporary use of right-of-way permits are not, and they vary from -- it's generally the right-of-way rentals that appear not to be cost of service based. The inspection fees and the permits appear to be -- and the license agreements appear to be cost of service based.

>> Garza: Wouldn't the license agreement payments from development projects within Rainey -- I thought that is what funded that phase, it was an agreement with that developer right there at the corner and as part of the concern about that pocket park was they would use that park for staging and then they would

[12:33:38 PM]

help improve it afterwards as well as pay for the master plan. Is that the license agreement payment?

>> That was also -- that was outside of this transaction.

>> Garza: Okay.

>> Is my understanding. But I do recall those facts.

>> Garza: So would this -- I'm sorry. Did you want to say something?

>> Tovo: I think you've clarified it. I'm glad you raised that question because it wasn't a fee that councilmember tovo came to the city that was supposed to be allocated. That was kind of a 1-off agreement he made for the use of the property it's a little bit tangential to the piece so thank you foraying that.

>> Garza: That was my next question. Whether this was implemented or not would not prevent a similar agreement like that from happening again?

>> You can adopt an ordinance just like the one that was passed in 2013, and you can put the parameters that you would like in it as

[12:34:40 PM]

long as Layla says it's legal.

[Laughter]

>> Garza: I want to understand even if we -- let's say we adopted this proposed ordinance change, a developer could still make a deal to fund something for the mac or whatever else.

>> They can always donate funding for the benefit of the mac, yes.

>> Garza: Okay. Just wanted to understand that whole -- okay, thanks.

>> Mayor Adler: Okay. Leslie, you want to close us out?

>> Pool: I'm glad folks brought in the donation they made to that pocket park and I was going to ask staff because I wanted to make sure we brought that into this conversation because I remember that debate a couple years ago, I think it was about four years ago, when that zoning case came to us and we were really concerned about making sure that money was made available, that the Mexican-American cultural center could get access to. To that end it's a little bit separate from this but I

[12:35:41 PM]

would like staff to give us an update to let us know how things are going with the big tall tower that they were building and when is the expected vacation of their use of that pocket park and then what the plan is for the reclaiming of that space. It was going to be a really nice entryway to the MAC and there was some concern about the alley and use of the alley that runs along the eastern back of the MAC and I was to know what has transpired with that and the original intent, with this council, when we were talking about were I think it was '15 or 2016, if we've been able to achieve the direction. Thanks.

>> Mayor Adler: Okay. Jimmy.

>> Flannigan: To clarify, I'm reading the ordinance from 2013, the ordinance that's proposed, does the proposed ordinance replace the one from 2013 --

[12:36:44 PM]

>> Tovo: Number 1, it was at least one amendment -- I think that, as I recall, infrastructure, for example, is left out of the ordinance.

>> Flannigan: Yeah.

>> Tovo: The original motion, and there was an amendment, to put preservation, infrastructure, and the third use which I remembered a minute ago and have now forgotten into the ordinance. The ordinance never exactly reflected what the vote of council and the amendment was, so that's number 1 problem. The number 2 problem is that it was intended to be -- we've never followed the ordinance, except for that very first year. So the funds should have been flowing into it all of this time and they haven't been. And I just want to make one additional statement that the sacrament thing just to be very clear was parkland. Basically that 350 was rental for a parkland rather than a right-of-way for using our streets, which is what we're talking about generating the funding for

[12:37:45 PM]

for the Rainey street historic district.

>> Flannigan: Some of the confusion has been the proposed ordinance says council creates the fund and it's slightly different wording than from the original ordinance so I can't tell if it was a new fund, which is what I originally thought or renaming an old fund. Is this mostly removing the cap and expanding the possible uses to be more general? It's not really clear what the intent was.

>> The fund currently exists, the 600,000 was deposited into it. The money was used to relocate three or four homes in that area outside of the area so they could be rehabilitated for affordable housing.

>> Flannigan: Is that an interpretation question from staff, maybe the intention was it to be annually at that cap and that's where the confusion lied.

>> Tovo: I don't believe there was ever anticipated to be a cap and we've gone

[12:38:45 PM]

back to the transcript and just -- when I was talking before about Greg canally from the podium saying that was -- 600,000 was a conservative estimate, they anticipated -- the anticipation was that there would be these different fees would yield even more than 600 but they were sure it would result in at least 600. I think there was a bit of a -- there was an immediate need for the funding to move the housing from Rainey to what became I assume the Jeremiah project and so there was an immediate need for that funding and so it was a little bit, I believe, in advance of some of that funding coming in so they were estimating there will be at least 600,000. As all of my review suggests that there was never intended to be a cap. If anything, that was, you know, what everybody felt at the time they could commit to for that year, but that there would be -- all of those license fees, right-of-way fees, et cetera, would all flow to that Rainey street historic fund from that point

[12:39:48 PM]

forward.

>> Flannigan: That's troubling.

>> Tovo: It didn't happen that way.

>> Flannigan: There might be some debate around original intent. I don't like this as a tool philosophically. Rehab those houses rather than create a fund, da, da, da, so I don't know how exactly we'll proceed on Thursday. I'm going to think about it.

>> Mayor Adler: Leslie.

>> Pool: Just to kind of close this up, there were alleyway vacations and right-of-way vacations related to the sack high-rise and if that was supposed to also flow into this fund we need to know what happened to that money.

>> Mayor Adler: Greg.

>> Casar: I want to reemphasize the point that I'm of course very supportive of sending money to the mac. I worked to up the bonds from 15 million to 27 million for the mac, almost doubling the amount we were sending to it. My concern is creating funds that could take infrastructure dollars and put them in a place out of

[12:40:52 PM]

ranking order because we create a fund in the city, and I think that's the issue.

>> Mayor Adler: All right. Let's go on. 29. Thank you, Elaine. Natasha, you pulled 29. It's the urban renewal agency item.

>> Harper-madison: I did. And we probably need folks from nhcd to help me out with this one. I have some questions. I find that it's helpful to read the item for folks watching. There are people who watch this. Neighborhood housing, item 29, authorize negotiation and execution of an agreement with the urban renewal agency relating to the roles, responsibilities and processes for the redevelopment of east 11th and 12th streets for an initial term of 12 months with five 12 month optional extensions. And so, yeah, I do have a list of questions that I'm certain y'all will be able to help me out with given

[12:41:53 PM]

your extended experience in this department. I'd like to know first, in its current capacity, what role does the urban renewal board serve in executing the urban renewal plan?

>> Sandra harkens for the city of Austin neighborhood housing department and currently the liaison for the urban renewal board. Currently the urban renewal board is involved in providing information on how to dispose of the properties that they currently own. The scoring criteria and matrix for the disposal of the two tracts that they still own on east 11th street, one is just east of the street Jones building where our department is housed and one is just west of that building.

[12:42:53 PM]

In addition to that they review proposals that come in that are in need of amending the urban renewal plan. So to that if a development needs to have maybe higher height or a setback than what is currently

allowed in the urban renewal plan that would require a modification to the urban renewal plan, they would review that request and then submit a recommendation to the city council for approval. In addition they also make general improvements to the urban renewal plan currently the process is to align the urban renewal plan more accurately with the east 11th street in ccd and the east 12th street in ccd so they are currently working with an outside consultant and reviewing all of those terms and conditions and will be bringing forward a recommendation to council in the -- in the next few months.

[12:43:54 PM]

>> Harper-madison: So when you say "Modify" you mean they're making recommendations for modification that they'll bring before council?

>> Yes, ma'am.

>> Troxclair: Gotcha. From what I read about the urban renewal plan, when you say make it align, it seems to me as though the urban renewal plan supersedes both zoning and neighborhood plans currently.

>> That is correct.

>> Harper-madison: Okay. So secondly, does the urban renewal board have the authority to Stewart and for there projects that are on pricedly owned land within the urban renewal plan area?

>> That is not our understanding, no, ma'am. If they do not own the property, they don't have any ability to foster or steward how that development proceeds unless that developer needs a modification to the urban renewal plan.

>> Harper-madison: Just for clarity, when you say "They" you mean city-owned asset that the urban renewal board would be the steward for?

[12:44:55 PM]

>> Correct.

>> Harper-madison: Thank you. Is there any work that the urban renewal board does that cannot be done or isn't already being done by city staff?

>> No, there --

[laughter]

[Overlapping speakers] No, ma'am, there is no work that the urban renewal board is currently doing that cannot be done by city staff.

>> Harper-madison: Okay. I guess maybe a continuation of that question would be, do you have any approximation for how much city staff is being dedicated to assisting the urban renewal board? In which case I'm really trying to determine how much city staff is already doing --

>> As in hours or actual bodies?

>> Harper-madison: I don't know. Both.

>> I don't have the hours off the top of my head.

>> Harper-madison: Maybe percentage-wise? Would that be helpful?

>> I could say under the current process and

[12:45:55 PM]

procedures that we're going through, with the extension of the urban renewal plan and all the work that we're moving forward with with the modifications to the nccds and the urban renewal plan, there is a great deal more staff involvement so it varies. So I could say anywhere from, you know, 20 to 30% of my time during the week is committed to the urban renewal board.

>> Harper-madison: And in conjunction with our, as in the city's relationship with the urban renewal board, it's our charge to provide city staff. Do you know what else we're charged with providing for them?

>> Yes, ma'am.

>> Harper-madison: As money teary value.

>> You have city staff, we also provide legal counsel for the urban renewal board as part of the process for the modifications for the nccd in urban reinsult plant

[12:46:57 PM]

we have hired outside consultants, and insurance for the property they currently own outside legal fees, I guess, and property maintenance.

>> Harper-madison: Thank you. And along those lines I'd like to ask this final

question: What has been the fiscal impact of the urban renewal board over time since its inception? And what is the cost of renewing the urban renewal board?

>> That's one wi might have to do a little research on to get back to you.

>> Harper-madison: Okay.

>> We can look at the budgets that have been in place since the urban renewal board was began, I guess, so to speak. So we can work on that and get back to you.

>> Pool: That would be helpful. Thank you.

>> Yeah.

>> Mayor Adler: Okay.

>> Tovo: Mayor.

>> Mayor Adler: Yes.

>> Tovo: I'm sorry. I missed -- I didn't follow one of the questions quite as closely as I wish I had. I think there was a question from my colleague about the

[12:47:59 PM]

urban renewal board's role in shepherding development in that zone, and I -- and your response was? Would you mind repeating your response for me?

>> Harper-madison: You want me to LE read the question.

>> Tovo: That would be great.

>> Harper-madison: I think you're talking about specifically about the question that asks in its current capacity what role does the urban renewal board serve in executing the urban renewal plan? Was that the one?

>> Tovo: Yes, thank you. I think so. There was a -- then you drilled down into private property versus property of city-owned.

>> Harper-madison: Right.

>> So I think what the urban renewal board works directly on is shepherding the disposition of the property they own, so we have the two parcels, block 16 and 18 on east 11th street that are still owned and they're working actively to create the scoring criteria, what

[12:48:59 PM]

the public benefits are we're looking for with those rfps and get those ready to get out the door. There's been some question about how they can influence other work that's happening within the urban renewal plan area, and I think the answer is while -- unless they're coming for some kind of variance and some kind of modification, they don't have a specifically legally required role. They might have an

advisory role, they might be able to make recommendations that they can't hold folks to changes or to different elements unless they're directly working on the disposition of the property.

>> Tovo: I'm going to go back through some of the correspondence and some of materials I received through the years about urban renewal board because when we had a conversation about the extension of the urban renewal plan we you got information I think from some members of the urban renewal board discussing how they really saw their role

as important stewards of that area. I know just in quickly reviewing it, for example, when we had the iq hurdle how and it was getting into a significantly deteriorated state, I believe it was possibly members of the renewal board as well as others who reached out to the appropriate city staff to make sure that that house had the restoration work that it needed, which the developer has now I think completed or in the process of completing. So I do -- the answer -- again, I didn't catch it quite as closely. I understand what you're -- I understand the answer about we have certainly more control over the city of Austin property, but it also seems to me that the urban renewal board is kind of the stewards of the urban renewal plan and so in that way absolutely has a role to play in the development of all of the properties that fall within that.

>> So I think they have a

[12:49:59 PM]

role to play, but I think the question was foster and steward projects in the same way they can when it's a property that is owned by the city.

>> Tovo: Okay.

>> It's a different role. So they can certainly advocate for and conduct outreach on, but there's not the same kind of regulatory role that they might have otherwise.

>> Tovo: Okay. Thank you.

>> Mayor Adler: Okay. Jimmy.

>> Flannigan: Thank you. I remember having that conversation last year about the plan, and its extension and I met with -- I think I met with members of the board or it might have been neighborhood leaders adjacent to the board. You know, folks who participate in these boards are always very confident that they're important and that they're gonna do something, but, unfortunately, as I recall last year, a lot of the -- or the remaining item that they were concerned about was really not something that the board had the authority to work on. It really was kind of getting to the end, and that

[12:50:59 PM]

last step was something we just needed staff to handle. But so we extended it. My recollection to hear more back from them on what that was going to look like and what their future plans were gonna be. I remember board members coming to the council meeting saying they were gonna let us know the next work they were going to do. I can't recall that that information has been provided. But a lot of the questions that councilmember harper-madison asked were also on my mind, so I'm not sure what we'll do on Thursday, but I still have my concerns that I shared last year about what the urban renewal board and the urban renewal plan can do moving forward, given that I think its work is substantially complete.

>> Mayor Adler: Delia.

>> Garza: I'm I guess hearing that the -- the group is considered stewards. I was just curious, who -- who makes up this group and

[12:51:59 PM]

how -- is it an appointment process? Is it, like, an election? What are the -- just curious what the demographics of the groups are?

>> The board members are nominated by the mayor and approved by this board. They are not -- they have to be real property owners of the city of Austin, but they don't have to have any other qualifications.

>> Garza: Do they have to live in the area?

>> They have to live in the city of Austin. But they don't have to live in the area, no, ma'am.

>> Garza: Okay. Do you happen to know the demographics?

>> Not off the top of my head.

>> We can get that information out to you.

>> Flannigan: Did you say they had to be property owners?

>> Yes, sir, they have to be real property owners in the city of Austin.

>> Flannigan: So residents of that area who are renters are not allowed to serve? Is that -- is it a requirement from a higher level or is that our requirement?

>> No, sir. This board is governed under the Texas local government chapter 394 of the Texas local government code and that's a requirement of the

[12:52:59 PM]

state. For an urban renewal board.

>> Flannigan: That gives me very specific perspective then. Thank you.

>> Mayor Adler: I don't remember the particular people but I remember sitting and generally being guided by councilmember Houston on the nominations to this board.

>> Garza: One more follow-up. So what happens? I guess there was some enabling legislation or Irons that created this. What happens before that question? Is this basically Reich a -- when a zoning change happens, like a neighborhood group or contact team or if a property in this boundary requests a zoning change, the renewal board will make -- if it's private, will make a recommendation, like a letter? What is their influence on a private development?

>> So, for example, we'll just use our block 16 today.

[12:53:59 PM]

Right now we have a 40-foot height limit on one side of the street. Let's say we wanted to go to 50-foot. That is both in the urban renewal plan and in the nccd. The base zoning for that property doesn't really come into play because the urban renewal plan is the controlling document. So when you say it's a zoning case, it's not your true type of zoning case. The only amendments that would need to be made to bring to that 50-foot height would be a recommendation from the urban renewal board to raise the height from the 40 to 50 feet height under the urban renewal plan and then also making a recommendation for the nccd for planning commission to consider to do that same increase in height.

>> Garza: But they give the initial okay?

>> They give a recommendation. They don't have the authority to make the change, only city council has that authority.

>> Garza: Okay.

>> But they do make a recommendation to both planning commission and

[12:54:59 PM]

council.

>> Garza: Elettes say they were okay with -- you said if the base zoning was 40 and they wanted to go to 50. If they didn't recommend that, I'm just curious how that plays out. Does it play out in different ways on planning commission? Sometimes they superiority them?

>> We have a -- absolutely that could happen. We haven't had a case go before planning commission or council that didn't get approval.

>> Garza: Mm-hmm.

>> But it most definitely can happen.

>> Garza: Okay.

>> So then that developer would only -- would be limited to the height that city council finally approved.

>> Garza: So what happens if this item wasn't approved? I'm just curious.

>> Then that development would be limited to the 40-foot height.

>> Garza: No, no. This -- the item, the item on -- which is to renew their existing --

>> Oh. So the agreement between the city of Austin and the urban renewal agency? If that were to not be renewed, then effective

[12:55:59 PM]

October 1, any property that's currently owned by the urban renewal agency would immediately return to the city of Austin and then all the activities regarding the alignment of the ncc Ds and the modifications that's being proposed for the urban renewal plan would be taken in-house and handled in-house, still continuing with our community engagement activities. Just not through an urban renewal agency but through city

>> Garza: You don't have to do it now, but through the Q and a, a history of why it was created?

>> Sure. I don't know that it's in backup right now, but we'll make sure that there's a little bit of a chronology and history associated with the urban renewal plan.

>> Garza: And I also feel like it would be important to know if it was created that it was made up of people that lived there versus now? I don't know if they do or not. I'm just wondering if there's a way to know how

[12:56:59 PM]

it's evolved over the time since it was created.

>> Tovo: I have the membership up. I don't know where all the individuals live, but perhaps the staff could get back to us whether they are residents in the area, man well Escobar, Jacqueline Watson, Roxanne Evans.

>> Was that from the city's website?

>> It is from the city website, yes.

>> Mayor Adler: Natasha.

>> Harper-madison: A couple of things. I think we might be confusing terms here and I want to make certain that everybody is following along. I'm hearing the continuation of the urban renewal plan and urban renewal board. And just want to make certain that we're did he line 80ing that they are separate things. The plan is the plan, the board is the board. Also, something I noticed, I

[12:58:59 PM]

was actually looking at the city's website and board appointments, correct me if I'm wrong, but it looks like four of the seven appointments have expired?

>> We need to check with the city clerk's office on that. >>

>> Harper-madison: Right. It looks like four of the seven appointments expired at the end of July, in which case even if we were to vote to extend the urban renewal board we would first have to appoint or reappoint for current board members, correct?

>> Correct.

>> Harper-madison: Thank you.

>> Mayor Adler: Anything else? Delia your light is still on. Did you want to speak again?

>> Mayor, I feel like I want to do a little more thorough analysis about what would happen if we did not approve this particular item. I'm going to ask for law to help us in that so we can include it in the Q and a response.

>> Renteria: Mayor? You know, that group has a long history in east Austin

[12:59:58 PM]

and I think that we should postpone this item for next meeting so that you can really get the information about it. It does go back into the 70s when east 11th street or 12th street is blighted, don't have anything going on there. It's just businesses are closing. There was nothing there. They had a lot of power back then when they were deciding on how to dictate how the federal funding used to get spent. But then they-- they found out that the -- they found out at the state level that they weren't supposed to be part of the CDC so they went out on their own and that's

[1:00:58 PM]

what happened, they left the CDC so they lost the influence over how that federal money should be spent, which I thought was a good thing, but that's-- gave the responsibility back to the city. And that

was a real good thing. But we really need to postpone this so y'all could know the history of what was happening in the past and how it's going to affect the future if we do not support this. I would like to know what would also?

>> The current agreement is in place until the end of September so it would facilitate if we need it had do a postponement until the September meeting date.

>> Tovo: Mayor, if I might suggest, I don't know who the appropriate -- whether it's the staff or the mayor's office since you make the appointments, but if I served on the urbanry Newell board or another board that was up for a vote

[1:01:59 PM]

and there was at least several councilmembers who might not want to continue that board, I would appreciate knowing about it. So I would suggest that someone among us let the board members know that we're having a conversation in which councilmembers are looking for information about what the board is it does and whatnot.

>> We'll be happy to notify the board of the discussions.

>> Tovo: Thank you.

>> Mayor Adler: Natasha, do you know if this is something you want to have postponed or do you want to think about that?

>> Harper-madison: I don't necessarily have any objection to postponement. I want to make sure everybody is confident that we'll make the right decision. I want to signal my intention and that is that we're utilizing 20 to 30% of your weekly hours, if we're already tapping into our resources from a city staff perspective and you don't have the exact number, but

[1:02:58 PM]

if we're paying for legal representation, we're paying for insurance, we're paying for maintenance, building maintenance, if these are things that especially given our upcoming conversations around the budget, if we're going to need to take into consideration all the ways in which we can maximize our use of city staff and resources, this is something that I would definitely like to see the city staff do what I can ascertain they're already doing. That's my position on the matter, but if my colleagues felt like they needed more time I'd be willing to hear conversations about what it is that the team of people before us weren't able to answer between now and Thursday. So I think it's premature to ask for a postponement today. I think by Thursday that this very capable team of folks will be able to answer some of the questions that have been raised.

>> Mayor Adler: Sounds good. Let move on to the next item again. Thank you. It is after 1:00. Do you guys want to break and go each lunch?

[1:03:56 PM]

All right. Let's go ahead and do that. Does anybody -- has anybody pulled something that is literally one question that's not a discussion? I want to give you a chance to do that so staff can leave. But if it's not another two minutes we're going to stop and we will put it off until this afternoon. Ann, do you want to go? Clock starts.

>> Kitchen: Potentially item 83 is a two-minute item because the intent is to withdraw it. And I will be plaquing a motion to withdraw -- making a motion to withdraw it to bring back about part of the land development process.

>> Mayor Adler: I think the staff is going to do that. I think Alison wanted to list it here so she could ask a question in executive session. Is that right? The staff is going to --

>> If that resolves your issue, that would be great.

>> Alter: I think it does, but I think we probably need some further background conveyed to us on that. I'm fine with that as being where it goes.

>> Mayor Adler: So I think we should let the public know that this item number

[1:04:57 PM]

83 is not going to come up for discussion. It's being withdrawn at this point.

>> Alter: I mostly needed to clarify that because there were folks that were interested from aisd and it being the first week of school it's really hard for people to get there. So I needed to know.

>> Mayor Adler: Because we can't vote right now because we're at a work session.

>> So now I understand that we will have an executive session on your question and on Thursday I think the -- you're going to do a motion to indefinitely postpone.

>> Kitchen: Right, that's right.

>> Mayor Adler: It's not going to be considered on Thursday. People don't need to show up to debate it because on Thursday we're not taking action to -- we're taking action to put it off. Kathie?

>> Tovo: Mayor, can I quickly talk about the one item that I pulled or the other item that I pulled? Are we coming back after the executive session or going to try to knock it out?

>> Mayor Adler: We'll come back because I was going to try to knock it out, but everything was taking 20 -- 20 plus minutes.

>> Tovo: I'll mention it in case we can go through the other things. I pulled item 67, this is the item coming forward from our work group. We will have a new draft

[1:05:58 PM]

that will be posted in the backup tomorrow that responds to some of the questions that we've received from staff. We're trying to accommodate as many of those questions/concerns as possible, but I want to invite our colleagues to ask any questions that they may have or air any issues in advance so that we can try to manage them in the resolution. But it is our intent to continue to bring it forward for Thursday for action.

>> Mayor Adler: So my -- and help me, Kathie. It looked like the team had gotten together to discuss the issue, the subgroup, and had come up with questions. And now those questions are being asked of staff. That's what I read the resolution to do, asking staff to answer questions. Is there more direction or something that's happening in the rewrite of the resolution?

>> Tovo: Yes.

>> Mayor Adler: Do you want to let us know what else is happening?

>> Tovo: Sure. If we're coming back after lunch we can just take it up after if that's a better

[1:06:58 PM]

time. But yes, we are absolutely --

>> Mayor Adler: We'll come back after lunch and discuss it. We'll come back -- let's break for lunch. Give people --

>> Can I clarify?

>> Flannigan: I want to let staff know what questions I'm going to ask so they can be prepared. On item 78, the annexation with pflugerville ISD it's not year why we would annex properties that would not generate property taxes but doing it specifically so we will provide services. I don't understand that. So it would be good to know. Councilmember alter, you pulled 102, but we are intending to postpone that. So I don't know --

>> Alter: I wanted to pull it to clarify if we were going to postpone it.

>> Flannigan: Postponing the river place case. And then on 106 there's some really confusing conditional overlays on this, specifically in context of some of the conversations I'm hearing from medical office and how difficult it is to build some medical offices. So I wanted to have a quick conversation on those.

>> Mayor Adler: Sounds good.

>> Is that 106?

>> Mayor Adler: Alison?

>> Alter: Quickly for the

[1:07:59 PM]

sign ordinance, that executive session will be today? Okay. And then for Riverside, I don't know if staff is going to be able to at some point provide answers to my questions from this morning, but then I'd like to come back if they will. If not I would like to get those answers some other way. But then my other question was just for my colleagues whether there were significant changes from last reading that they were aware of that were coming that we might need to be considering.

>> Mayor Adler: I heard three things. I heard that the applicant was ready to enter into an enforceable agreement with habitat, I think. So as to have the bonus apply for all height above 40. So as to pick up that gap that had been discussed. There was a commitment to take 10 units of the affordable housing and put it toward the continuum of

[1:08:59 PM]

care for focus experiencing homelessness. And then there was an additional commitment that at least -- I don't remember, it was either 250 or -- 250 of the units --

>> Renteria: Will not be redeveloped within five years. The affordable units, the affordable market rate units.

>> Mayor Adler: So at least 50 of those units would remain standing and available for at least five years.

>> [Inaudible].

>> Mayor Adler: 250.

>> Alter: And when we're talking about units in this case, it's the apartment, not the individual bedrooms, correct?

>> Renteria: Tract 3 is the one that's -- right now has a 40-foot limit and tract 2 has a 50 feet height limit. And they also agreeing to put that in -- use the base height for affordable units.

>> Alter: So I just had a different question because one of the things that has been confusing is that there's numbers of units in this case that refer to an apartment and there's number of units that refer to

[1:09:59 PM]

bedrooms since they're all representated as he bedrooms. So some of those numbers make this a confusing case to reconcile. When you talk about 250 units are you talking about 250 bedrooms or 250 apartments that each of which would have various numbers of bedrooms?

>> Renteria: Well, the 250 units are the ones that they're going to keep that are market rate, more affordable rate. There is no low income housing right now on that.

>> Mayor Adler: I don't know the answer to the question that you're asking, but let's put this out into the ether in case someone is watching it and I'll also ask that question and see if I can get that answer too. We're talking about 250 bedrooms or 250 apartments that have multiple bedrooms in it, which is it that we're talking about.

>> Alter: And if we don't make it back with our timing I would still very much going to need an answer to my questions this morning about the land development code and that approach and how we would be looking at this case. So if that can either be

[1:10:58 PM]

provided in writing or presented to us on Thursday, that's going to be important to me as I make my decision.

>> Mayor Adler: I understand. Okay. Yes,.

>> Tovo: Can I clarify the 10 units for the continuum of care were those permanent supportive housing units?

>> No. I can speak to that.

>> Mayor Adler: Go ahead.

>> Kitchen: That was currently not into the future. They have a vacancy rate now and so they're immediately making those 10 units available for the coc. They're just regular units.

>> For rapid rehousing.

>> Mayor Adler: They're not providing services in addition to the unit?

>> Tovo: They are not.

>> Mayor Adler: That's my understanding. It's the unit.

>> Tovo: I think to the extent -- it sounds like they're having-- like the developers are having conversations with some and not others. I would also put out into the ether it would be great if they would just make sure that they send us these recent developments to every office.

[1:11:58 PM]

>> Mayor Adler: Apparently the gentleman who was the agent on this suffered an accident this weekend and is okay, but will be out of commission for awhile so there was another agent that is stepping in. So I received a phone call just to let me know that a different agent would be stepping in. And told me those three things and asked me if I would air them at today's meeting.

>> Tovo: Thank you.

>> Mayor Adler:

>> Flannigan: I think the one --

>> Casar: I think the one remaining issue other than whether or not redevelopment and giving additional entitlements as to support this project, which is the own question and issue, but the only particular issue that we raised that isn't addressed there in my mind is whether or not there is any guarantee of affordable

[1:12:58 PM]

housing if the applicant chooses to build more hotel or office than is it currently in the presentation if this had been submitted as a pud, which so many of our other large projects of this scale are submitted as p.u.d.'s. We often times could guarantee a certain amount of residential or affordable housing, but as we have seen with the east Riverside corridor, sometimes we see a large number of cheaper apartments get taken down and they just get replaced by office buildings. I'm not saying that this developer wants to do one thing or another, but we see so often that it's important for us to make our decisions based on if the property gets sold to somebody else or somebody has another plan with it, I would hate to do this and while I don't -- I still don't feel comfortable with the case, it is definitely better if we get a number of affordable units here, I think it would be even worse if we just got potentially hotel and office and I know based on the traffic study and such that it might incentivize more

[1:13:59 PM]

residential units, but that is an issue that we raised during the last meeting on this.

>> Mayor Adler: Okay. Leslie?

>> Pool: That was part of my conversation with the applicant's representative was the community benefits bringing back to what the parties could bring to the table even more than the 10 and the 250 and -- and it's really very like the conversations we've had on a number of these other really big developments like palm plaza and the grove. My chief concern has been how many affordable units are going to be brought and built on the ground and that we can rely on because so often these developers will tell us one thing and then we end up with something completely different. I remember the Austin oaks pud that was a huge fight and it took a long time and there was a lot of ink split and a lot of blood, sweat and tears and that pud was sold or that property was

[1:14:59 PM]

sold and all of the work that was done I suppose it's on a shelf somewhere, but anything that we may have thought that we had gained with trade-offs and saving the trees and that sort of thing is now on a shelf somewhere. And none of that is going to be operationalized. But I continue to have massive regrets and some of the votes that we've taken in the last five years about how we have left community benefits on the table and we haven't persisted and that has been a constant refrain at least from my perspective we need to show community benefits specifically affordable housing when we are granting entitlements.

>> Mayor Adler: Jimmy?

>> Flannigan: And I would concur with that, but kind of from a different perspective that when we load up a zoning case with so many requirements that it then becomes financially unviable. You don't get any of the community benefits either. It's a very difficult thing for us to do because it relies on a lot of market forces and finance questions and who is telling the truth and who is not telling the truth. It's a delicate balance we

[11:15:59 PM]

always have to strike.

>> Renteria: Are we coming back?

>> Mayor Adler: We're coming back. I can now answer the question, Alison, that you asked. They're talking about units, not beds. And a person who just responded to that probably should not be watching TV and responding.

[Laughter]. But we all hope that you're feeling better.

[Laughter]

>> Pool: Was it a hiking accident?

>> Mayor Adler: Bicycle. Biking. But our thoughts are with you. All right. So --

>> Can I say before we break that the only two items we're coming back to discuss are item 78 and item 106.

>> Mayor Adler: We're going to discuss 67 because people were asking questions about that. Item 78 is the question about annexation that Jimmy raised. Item 100 would be if planning and folks can talk to how the land development

[11:16:58 PM]

code rewrite might be looking at that question. That's the outstanding question that Alison has asked for a direction on. And if we're not going to get it here, she's asked that somehow or another that be conveyed to the council. And then item number 106 has some questions about the co's. We do not come back on item number 83 or 102. Those things will be postponed and not considered at our Thursday meeting. Although we are going to discuss the signs here in executive session. Okay? When we get in there we should probably talk about whether we want to handle all the things that we have on executive session. It may be that we want to push the personnel matter. I don't know if there are options.

>> They're short.

>> Mayor Adler: So that will just be receiving information at this point. So that will go quickly. So we might be able to do this and get back out. All right. We're going to go into closed session --

>> Kitchen: I'm sorry, a quick question. I haven't assessed from the agenda how long it is this

[11:17:59 PM]

time. Do we all feel comfortable that we can finish this level O items in a reasonable amount of time on Thursday or do we need to make -- need to consider moving some?

>> Mayor Adler: I can't tell how many things we have that will be big controversial or bringing in a lot of people we'll lose the afternoon block potentially for budget and the evening. It's my intent --

>> Kitchen: I don't expect an answer right now. Eye just want to make sure we're asking that question and maybe the city manager can help us with that.

>> Mayor Adler: Sounds good.

>> Flannigan: Mayor, to that end I wonder if we might want to close when people are signing up for that budget hearing given that we're going to do multiple days, the days where it's just budget hearing is where we should encourage people to come and speak as opposed to us again making decisions late into the evening, which is a necessity of this job, not

[11:18:58 PM]

something that we should pretend isn't, but is not preferred. So should we be closing the sign-up for that item right at 10:00 and then those folks can speak should we -- I don't want it to spin out and then we are then late talking about things we didn't get to.

>> Mayor Adler: My sense is -- and y'all correct. I'm trying to think of how many people actually showed up last year and the like. This was the thing we actually had time that was available to us. The way that I was proposing to say it, if we're there late, we're not going to be discussing anything or deciding anything. If we're there late it would be because we are hearing and receiving testimony. So we'll -- we would go up to 5:30 if there's that many people talking. We would come back to the council stuff to the degree -- to Ann's point we'll make sure we have a manageable part of council stuff. And then we would hear speakers. The only speakers we would hear after dinner would be people that were actually there in the afternoon, were present. And then we didn't get a

[11:19:59 PM]

chance to see them, if that arises. So I don't know. If people are going to show up in afternoon I'd just as soon have them. I think we adopt the same kind of rule we adopted before where you speak on the budget one time. And if that's the afternoon time is best for them, I'd just as soon give it to them. I'd rather handle the time pressure the way Ann's talking about it and making sure that we are setting ourselves up for success to see if we can do that. Good point, though. Anybody else wants to do it differently, speak up.

>> Tovo: Mayor, I just want to clarify. I understood what you just explained, I understood a little bit differently from the post that you had intended. So the way I understood the post is that if you're here in the afternoon you can speak, if you've signed up before dinner, you can speak right after dinner and then if you get there after dinner and you're not signed up or whatever, you wait until after the agenda items and then you speak. So you still have --

>> Mayor Adler: That's correct.

>> Tovo: I want to clarify you still have an opportunity to speak after we finish the other agenda items if you can only get there after dinner.

[11:20:58 PM]

>> Mayor Adler: Correct.

>> Tovo: I support that and I think it's important to give people an opportunity to sign up later if they're intending to come later because people want to sign up. Typically just sign up when they get here and they're here for the meeting. So people who are coming after work --

>> Mayor Adler: But the only people that we will take up after dinner will be people who -- [overlapping speakers].

>> Tovo: And just to clarify, you cannot sign up in advance of the meetings, beginning on -- well, today.

>> Mayor Adler: You can sign up today, but the people that [overlapping speakers].

>> Tovo: If you want to speak before dinner or right after dinner --

>> Mayor Adler: The people we take right after dinner are people who will be present. I'm going to ask in the room who is present and wishes to speak. So somebody who is signing up to speak intending to speak after dinner will come after our city council items are considered. Because this is not our evening city council time. We're going to accommodate people, but I will ask as we're leaving how many people in the room are here waiting to speak.

[11:21:59 PM]

Yes?

>> Garza: I don't have any suggestions, but I just -- I know that we signed up for this job and we should expect late nights. I absolutely get that. For me -- I would often push through and say let's keep going until 3:00. But when it's going until 4:00 and 5:00 and the alarm still goes off at 6:30 to take the little ones to school, not only are we making really tough decisions the night before, but we're expecting ourselves and our staff to work the next day on very little sleep. So I don't know what the process is, but I really hope we do not go to 4:00 again. So whatever can be done -- because I went home last time. I knew I was going to have to be up in three hours. So I hope we can figure out a plan.

>> Mayor Adler: Okay. Let's take a look at the agenda and see if we can manage it that way.

>> Casar: Mayor, I thought I understood until you gave

[11:22:58 PM]

this last explanation. When we get back from the dinner break are folks going to talk on the budget then or talk at the very end of the meeting?

>> Mayor Adler: People who were there waiting in the day, but we didn't get to them --

>> Casar: If you were there sitting there at 5:00 but -- let's say somebody shows up at 5:00 P.M., they sign up at 5:30, they raise their hand to speak, are they talking at 7:30 or talking at --

>> Mayor Adler: This is what we'll do. At 5:00 I will ask who is present in the room that wishes to speak on the budget? I will do it at 5:00, which is with 30 minutes left to go. Everybody who is there will speak before we pick up any council items. They will either speak between five and 5:30 or speak when we come back.

>> Casar: Got it.

>> Mayor Adler: Other people can come in the evening and sign up. We're going to do the council stuff first and we're going to do those folks at the very end.

>> Casar: If somebody shows up at 6:30 they might be speaking at the very end of the agenda.

[11:23:59 PM]

>> Mayor Adler: Correct.

>> Casar: Okay. I wanted to understand that.

>> Mayor Adler: All right. Council is now going to go into closed session to take up seven items pursuant to 551.071 of the government code. We'll talk about personnel items related to E 4, 5, 6. We will take up legal matters related to items E 3, E 2. Item 116, item 83. E 1 has been withdrawn without objection here at 1:28 with a we're now going to go back into executive session.

[11:25:00 PM]

[3:06:38 PM]

>> Garza:... We are out of closed session in closed session we discussed personal matters he wanted to items e-4, e-5, e-6 and legal matters related to 82 and 83. We may go back into closed session but I kind of wanted to start -- also, any staff that is here on items 67, 78

[3:07:36 PM]

and 106 please make your way back into the work session room. I think, councilmember Flannigan, do you want to talk about 78? Do you have questions for staff?

>> Flannigan: Yes. I can quickly lay out my 106 issue.

>> Garza: Okay. Let's go to 106.

>> Flannigan: 1016 a zoning case, currently interim zoning. We're adding a co to the cs zoning, and the list that is in the staff backup, as I pull it up, is a long list of prohibited uses. One -- I've done this multiple times to have this conversation, but one of the items on the list prohibits medical office not exceeding 5,000 square feet and exceeding 5,000 square feet. I had other folks from naral and other groups that came into my office and told me that one of the challenges for providing women's health care is the restrictions we

[3:08:38 PM]

place on where you can do a small medical offices. So this is a site that's like one block off of a highway. So it didn't make sense to me why we would include this list of conditional overlays. Jerry, when I have done this as I have done multiple times, often the answer is that this was a negotiated list between the applicant and the folks from the surrounding neighborhood S that the case here as well.

>> Jerry rusthoven, planning and zoning. I'll have to check with Mr. Howard. I know when he submitted the case the list of prohibited uses were listed with his application.

>> Flannigan: I see are, so this was part of the applicant's list. As we often find and hopefully we can find a better way to address this in the new code, I don't think that if applicants self-restricting their site in order to get preferential or more speedy zoning is what we should be doing when setting land policy at

[3:09:38 PM]

large.

>> Alter: Can I make one comment? It would be interesting -- I don't know if we can do it legally, but if there's a way to create like a sort of public health office category or a non-profit health office category allowable use so that you might be able to differentiate in some way. So I have some of those in my district and my house and they're very welcome.

>> Flannigan: Yeah. It would be interesting to explore that. I would myself want to explore expansive allowance. It would be an interesting narrow definition and see if we can find it. >>

>> Garza: Did you just want to make that point or were you interested in adding health, office -- medical office and I'm assuming the applicant wouldn't be opposed to that or is it just the broader point about the co's?

[3:10:39 PM]

>> Flannigan: It's a broader point. There are a lot of ca's here that I don't think are necessary, but it is what it is as I've been told.

>> Garza: Okay. So that's 106. Next was -- is councilmember tovo back? 67. Councilmember tovo, you pulled that?

>> Tovo: [Inaudible].

>> Garza: Councilmember alter?

>> Alter: Did staff want to share any thoughts about that item? That we ought to consider? I don't know if the right people are here for 67 or not. And I just mean that as an

[3:11:41 PM]

invitation if there's information that would be relevant for our decision making that you may have shared with the group that drafted this. And I appreciate them doing that, but maybe the rest of us need to know.

>> Sure. Councilmember, James Scarborough, purchasing office. We had the opportunity to meet again with the members of the labor contracts working group yesterday and we thought it was a very constructive exchange and the councilmembers were very receptive to our feedback as it pertained to some of the elements that were in the current draft of the resolution. So we received the request for any areas of clarification and some areas that we needed to know more about so that we could better interpret. And basically the feedback that we received yesterday we were able to send some drafts, edits to councilmembers' office for consideration.

[3:12:41 PM]

So if queer able to get further -- we're able to get further clarifications on items we brought up yesterday, we're able to bring back some recommended actions and some data that would move towards meeting council's objective in this regard.

>> Garza: Anybody else have any questions? We'll move on to the next item. Okay. That was 67. And then the last item is 78, which was pulled by councilmember Flannigan.

>> Flannigan: Councilmember harper-madison, you wanted to bring up one more item?

>> Harper-madison: We did and we brought it up with the mayor's staff that there was one inadvertently left off, 22.

>> Flannigan: So we can talk about 22 while you look at -- talk about 78 while you you look at 22. 22 is the colony park thing.

[3:13:41 PM]

Jerry. Talk to me about this annexation for pflugerville ISD.

>> So what we have is the school district owns two pieces of property. One's in the city limits, the other one is not. The one was developed under two separate site plans. They were recently hooked up to a sewer system, which means they were consolidated under a single site plan. They have a vacant 14-acre tract next door. They would like to be in the city limits so they could develop under the same set of regulations used to develop the adjacent tract.

>> Flannigan: Don't we have a specific agreement with pflugerville?

>> We do, but it applies in the city limits. So for a site plan we don't have a lot of review authority, so the major, major reports to the interlocal don't apply. As a matter of fact, I don't think any would apply. Therefore because we don't have site plan regulations in the county, so by annexing the city the interlocal would apply and the site plan would be subject to those regs.

[3:14:43 PM]

They prefer the interlocal regs to the county regs is basically what it comes down to.

>> Flannigan: I think a lot of people would be surprised to hear that someone would rather develop under city regulations of any kind, much less etj regulations which barely exist. I haven't had a chance to really dig into the backup too much, but is there a cost of service for annexing this property? Are we going to have to maintain extra roads?

>> I think because our city limits is right next door the utility services are already there.

>> Flannigan: Not utilities because utilities are not part of property tax, right? This is road maintenance and providing fire service and hospital -- police service and all the other services that are either fee or general fund where the school district is probably not paying a transportation user fee, for example. I don't think they probably have to do traffic impact fees or other types of fees that would help to expand or maintain those roads.

[3:15:43 PM]

>> I don't think there's any plan for any roadways inside the tract. It's just a tract adjacent to their bus barn basically, their maintenance facility. So I'm sure that we did a financial analysis, but I don't have the numbers off the top of my head. But I don't think there would be a great cost to the city in annexing this single property because it's not a development, per se, just a school district property.

>> Flannigan: So I'm not prepared to move forward on this. I have a lot of issues with annexations, especially on the edge. I think something councilmember alter said earlier about when we're providing additional benefit are we getting benefit in return if this is helping pflugerville aid I'm wondering if there are other issues that we have with pflugerville ISD that we should be talking to them about. We can't forcibly annex them and we don't have to annex them if they ask for it. Seems like a more higher level conversation. We should be engaged in.

>> I think from their angle, and from our angle from a planning perspective, it makes sense for the property to be developed under one

[3:16:44 PM]

set of rules rather than two.

>> Flannigan: That's separate from conversations I've had asking for planning and development services to have public projects specific staff. You know, they are the same taxpayers in large part, although because it's on the edge of the city limits I would venture it's not all the same taxpayers, but given the large amount of bond projects and public projects that are underway that are going to have to go through review, there really should be very expedited, quick service happening to our partner public agencies. But I don't think it's -- I'm not confident that this is the right move for the city right now.

>> Garza: Okay. Any other questions? All right. Thank you.

>> Harper-madison: I don't think it's for Jerry. Is there anybody here who represents the school district?

>> We do have a letter from their -- I think the assistant superintendent requesting annexation that's in the backup.

>> Harper-madison: Thank you.

>> Ellis: Mayor pro tem?

>> Garza: Sorry, I saw

[3:17:45 PM]

Alison's light on. Councilmember alter.

>> Alter: I appreciate you bringing up the issues. I want to point out that we do have dedicated staff and

[indiscernible] For aid for their bond project. That was the expectation we had in building on prior things. So we do have that in place and the opportunity was always there for other school districts who are operating within Austin to ask for similar treatment. It's not codified in the same way at this point in time, but we do not have a similar plan yet for, say, the county or other things like that.

>> Garza: Councilmember Ellis and then councilmember tovo.

>> Ellis: Do you happen to know specifically what development requirements they're referring that are city of Austin?

>> It would be the city of Austin has an interlocal agreement with the school district just like we do with aid and other nearby school districts. And so I think their preference is to develop under those set of regulations as opposed to the county's.

>> Ellis: There's not like

[3:18:45 PM]

one specific one there?

>> No, it would be the interlocal.

>> Ellis: Thanks.

>> Garza: Councilmember tovo.

>> Tovo: I wanted to say one of the things that I think we still need to do with our outlying school districts that fall within the city of Austin is have them participate in the economic -- the educational impact statement that was a resolution passed long, long ago. And I think you had limited success getting cooperation on those. So at the moment we only have one -- we only have that process working with the Austin independent school district, unless I'm --

>> I believe that's correct, yes.

>> Flannigan: I think Round Rock does. Some of those. It may not be exactly the same form, but they do respond with that information for Round Rock schools. I know Leander we asked for it and Leander schools have not, at least from the two district that I work closely with.

>> Tovo: Are they formally participating in the impact statement?

>> I think that's triggered

[3:19:45 PM]

by a site plan area or a subdivision so I will check to them and see.

>> Tovo: It's great. I hope they are. It's my understanding the last time I checked that none of the other districts had. So if they're doing it kind of informally or whatnot, it would be great to get them to use the same form and same process.

>> My recollection is that aid had a more intense response, that we were doing more information, but that there was -- Round Rock was participating. Maybe in a different way, but willingness to do so.

>> Tovo: Yeah. I think that's great. I think that would be really important information for all of those districts to participate in, and from time to time we've had a request to lower the trigger from trustees to lower the trigger a bit so that they can get even more information through that process, but at a minimum it would be great to get the other districts to use the same forum, the same triggers, thresholds and provide the same information. I think that would be useful.

>> Okay. While we're on annexation real quick, I don't know if we discussed this earlier, but very briefly, it sounds like the river place item will be postponed so staff

[3:20:46 PM]

will be asking for a postponement of the related annexation case as well.

>> Garza: Thank you. So then 22, councilmember harper-madison.

>> Harper-madison: And I'm pretty sure I saw some colony park folks. So exclusive negotiating agreement. Here what we're being asked to do is authorize negotiation and execution of an exclusive negotiating agreement with catellus development corporation related to community engagement, planning, engineering and economic and real estate due diligence for the development of the colony park sustainable community, including a contingent reimbursement payment to catellus in an amount not to exceed \$300,000. What I'd like to do is add the direction that the mda come back to council with a revision on the master plan because if it's -- to my understanding after the presentation we received --

[3:21:47 PM]

maybe you could just build upon that for my colleagues who may not have received the same presentation, we're talking about financial gap, and the one I'm looking at says \$72 million. And if we have a 72-million-dollar financial gap with the current master planning process, I don't know that it's appropriate for us to continue with that same master planning process. I think there's more work to do to make these numbers pencil out.

>> Perfect. Absolutely.

>> Hi. Mark barra, the project manager for colony for colony park park. Thank you, mayor and council for your questions -- mayor pro tem and council for your questions. We have done an initial study with our own consultant about the financial gap. So this was a financial gap that was identified at the end of

the planning process for the existing pud. And the existing pud does have that financial gap because the proceeds from the land sales do not meet

[3:22:48 PM]

what the infrastructure costs will be. And so we've looked at items with our own team to look for ways for us to increase the land value and to reduce the infrastructure costs so that that is something that is acceptable and would be something that public finance would be able to assist and that capital improvement projects both on-site and off site would be able to assist to make this project feasible. So in terms of what we're expecting to do with the developer is for them to enter into the community and be able to discuss with the community what their vision and needs are and then align that with the real estate and market concerns and the realities for the site. The site is quite challenging. It has very poor soil, it has creeks and wetlands that make this a difficult site to develop and reduced the efficiency of the

[3:23:48 PM]

development. So we've been able to identify strategies to improve the efficiency of the development, to increase the amount of developable land and all of those strategies if enabled will require a pud update and amendment, and we would bring those essentially three items back to council before ever executing a master development agreement. We would bring these up in process. So in process we would bring back to council the -- all of the update and amendments that would be required to the existing pud for this project to move forward. We would also bring to council the amount and the preferred method of public finance. And then we would also bring to council the capital improvement projects, the amounts and the departments that we would have to collaborate with to ensure that this project was a success. And then following those

[3:24:49 PM]

items, we would bring back the terms and the conditions of the master development agreement to council before executed.

>> Harper-madison: So just to make sure I understand correctly, the same master plan would not come before council again subsequent to the request for a pud amendment.

>> The master plan in some ways is a guiding philosophy. It underscores like eight pillars that are really important to the community. What our intent is is that to come back with a detail of how we're amending the regulatory plan underneath, but still adhering to the community goals that have been

expressed in this guiding document of the master plan. So the master plan in our reading of the master plan, the master plan that was adopted is just a guiding document. It wasn't a regulatory document.

[3:25:50 PM]

So that -- we don't see that needing to be amended. That can still be the general overall guiding philosophy, what the community calls the eight pillars. But what we would need to recommend or what we would bring back to council is changing the regulatory underpinnings to permit higher density, to deliver obviously community developments to reduce the cost, and have a positive ROI to the -- ROI to the city in the near term and long-term. So the existing regulations, they're not workable at this time. And we've been -- I think it's really important to daylight the current situation. Martin has expressed it very well and I think it's important that we recognize that the way this plan is currently entitled requires

[3:26:51 PM]

more costs and less developable land and so it's a little upside down. That doesn't mean that the overall community benefits that the community wants can't be delivered, we're just going to need to change the regulatory framework, tune it up to the market, and we are fortunate to have a private sector partner, which is Catellus, to help us do that. So I just want to be really clear and I really appreciate you daylighting and asking us these questions because we do need to be very transparent of where we are in this development in light of ongoing financial conversations, which the council will be dealing with for years to come.

>> Harper-Madison: I appreciate the clarification. Just to be clear, I absolutely believe it's imperative that we include the parts that the community contributed. It's been such a long process. I mean, and it wasn't, you know -- it wasn't without very careful thought and deliberation that they contributed what they have thus far, but not making certain that these numbers pencil out, you know, would

[3:27:53 PM]

be negligent.

>> Absolutely.

>> Harper-Madison: Thank you for the clarity. I appreciate it.

>> That exactly staff's intent.

>> Garza: Councilmember Flannigan.

>> Flannigan: Thank you, councilmember harper-madison for bringing this up. I had those same concerns. My hope is that however this process moves forward my original thought was that it would need to be a new master plan approved or reviewed. But if what you're saying is effectively that's a pud amendment, then I want to make sure that that process doesn't determine the outcome in a way that the council has no room to make amendments. That's a constant frustration I've had with the master planning process is that we give you one sentence of direction, all this community work happens, you come back with a plan and then the math doesn't work and then we're also constrained because oh, we already spent \$100,000 on a master plan. So I don't want us to make that mistake again. And the math working is really important. And I want to make sure that the math is including the

[3:28:54 PM]

long-term financial obligations that the city will be on the hook for maintaining the streets, maintaining swimming pools. That we're thinking about how much of the community is going to be subsidizing those. Think about long-term financial sustainability of all of aristates. We didn't even fully fund all the deferred maintenance for the swimming pools in the last bond, but we.

>> Mayor Adler: New one. And I don't want to see colony park fall to the bottom of the list in pool maintenance like other pools in east Austin have fallen to the bottom of the list. So that's all the stuff I'm going to be looking for.

>> Garza: All right. Are there any other questions for item 22? All right, thank you, staff. Those are all the pulled items, so the city council will now go into closed session to take up one item pursuant to section 551.071 of the government code. The city council will discuss legal matters related to item 116. Council meeting procedures including state law changes. Is there any objection to going into executive session on the item announced? Hearing none, the council will now go into executive

[3:29:54 PM]

session.

[4:47:15 PM]

Mayor Pro Tem Garza: We are out of closed session. In closed session we discussed legal matters related to item: 116

Having no other business before us we are adjourned at.. what time is it. 4:48 p.m.

[4:48:05 PM]