

# Council Work Session Transcript – 12/01/2020

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[9:05:00 AM]

>> Mayor Adler: Today is Tuesday, December 1st, 2020. This meeting is being held virtually. We have a quorum present. Colleagues, I think we have one action item that we will take up first. There are no speakers for that. It's the action item that has us approving the ordinance about the locations, voting locations. We'll do that pretty quickly. At the end of that we'll go to Dr. Escott and director Hayden for the covid briefing so they can get over to the county. We'll then go to the staff update on the chapter 380 guidelines and the saves guidelines and get those presentations and hopefully we can get all that done before lunch. If we need to -- if we have some time left we can pick up item number 10, which is the economic development

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corporation bylaws issue, but then we'll take the lunch break about the noon hour. We have the executive session where we'll talk about the executive session posted items. Probably after the lunch break so I could see us doing that -- if we broke for lunch at 1:00 we would do lunch and then the executive session like at 1:00. And that would then bring us back after lunch for the briefing on health south. And any remaining pulled items. I think 16 and 23 have been pulled. I'm not sure that 23 was noted on what was the pulled list. Yes, Ann. >> Kitchen: Just an FYI, I will have to step out about 3:00 for another meeting, councilmember alter and I have another meeting. It sounds like we'll get done by then, but -- >> Mayor Adler: Sounds

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good to me. I'm anxious to work and try and see if we can do that. >> Kitchen: Thanks. >> Mayor Adler: Yes, Alison. >> Alter: I just wanted to make sure that we take up the UT item before 3:00. We have to work on aunt transit partnership interviews. >> Mayor Adler: Okay. Let's make sure we do that. Remind me when we come back from executive session to take that up first. All right. So is there a motion to approve an ordinance amending the ordinance ordering the December 15, 2020 runoff election to repeal and replace exhibits bcde and F with the election polling day places, presiding judges and alternative judges, dates, hours and location of the early voting places, a list of the central accounting station staff and a list of the early ballot board members declaring an emergency. Is there a motion? Mayor pro tem makes that motion.

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Seconded by councilmember Casar. Is there any discussion? Clerk, is it true that we have no one signed up to speak on this? >> That is correct, mayor, no speakers. >> Mayor Adler: Thank you. Kathie? >> Tovo: I just wanted to thank our city clerk for working to make those options available and appreciate my colleagues, including councilmember alter and others, who at the last session raised the issue of making sure that we had poll polling places that were accessible in all of the areas that we expect people to be voting in the runoff. So thank you to the clerk. I know it couldn't have been easy and is especially challenging right now in the time of the pandemic. >> Mayor Adler: I was especially concerned that the clerk said it's her least favorite duty to try to corral the cats to make sure elections happen. Which are happening really well by the way in our area.

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Thanks to the other clerk's office, Dana debeauvoir, for the way that our elections are being held. Alison? >> Alter: Can you hear me? I don't want do hurt you with this ear phone. I wanted to qualify it's he her least favorite thing to find the polling places during the runoff. She does a wonderful job setting up our elections and making sure everything is in place for those. Thank you. >> Mayor Adler: All right. Let's take a vote. Those in favor of this item please raise your hand. Those opposed? I see everyone's hands raised. Natasha how do you vote? Aye? It's unanimous on the dais. And that was all 11 of us. All right. So let's go then, manager, I'll turn it over to you for the covid briefing. I would like to again thank Dr. Escott and director

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Hayden. We watch on the news all over the country numbers continue to rise. There are parts of our state that are still dealing with real grave circumstances. Generally speaking our numbers are generally rising. We don't know a lot what happened with November where things have plateaued. Don't know if

that's because it's real or if it's because people just don't like to go to the hospitals over Thanksgiving, but you guys are very vigilant and diligent in helping this community and relative to other cities Austin continues to do well, which I think is a real tribute to the community itself. It's not really how much we can enforce. It's not really the orders that we issue. It's a community that is seeing the numbers and the data and then responding to it in a responsible way. And I think that as a

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community we're fortunate to have so many people pulling in the same direction to keep us safe. With that, manager, I'll turn it over to you. >> Cronk: Thank you, mayor and council. I hope that everyone had a restful holiday weekend. It's hard to believe that we're already in December, but as the mayor noted we are still in the middle of a pandemic and we have both a responsive community and incredible staff that are working with our partners to make sure that we are informed and that we're really leaning in to this in ways that allow us to stay safe so we can get through this as quickly as possible. We're going to start with director Hayden. She's going to turn it over to Dr. Escott. Director Hayden. You're still muted.

[9:12:11 AM]

>> All right, thank you. Good morning, everyone. Thank you again for the opportunity to be here today. I want to start my update by encouraging all individuals that may have traveled outside of Austin and Travis county to self-quarantine when they return at least seven to 14 days. And we are really encouraging this type of behavior because if you may have had any close contact with someone that may be infected with covid-19. We also encourage you to reach out, go online to our assessment and schedule an appointment to take a test at one of our sites, and we want you to do this, especially if you have a student that is -- will likely go back to an

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in-person school or you have a position where you will be in-person at your job. So this is something that we have encouraged our school districts and childcare, but we are also encouraging others to do this. We just want everyone to be proactive. The other thing, we are going to partner with aid this week, and Wednesday through Friday of this week. We're going to be at burger center and northeast high school to test the families. As you all may know, they are on virtual learning this week. And so our goal is to ultimately mitigate the spread of disease. The other thing that I want to talk about is that with

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all of the holiday gatherings and just all of the things that are going on, we are going to continue to provide a low risk -- a low risk and high risk type of information to you when you are making decisions. Our hope is that you will choose to take the lower risk. It is going to be important that you take the lower risk because that is going to help us as a community as we're moving forward during this time. The other thing that I want to share is we're going to continue to work with the schools and provide the testing with them, but we're also going to continue to provide the technical assistance. The other thing our epidemiologists and our surveillance team, we are starting to see as you can

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imagine because there are so many folks that are testing, we did see an increase and as you all know we're at stage four. And so since we are at stage four, we are encouraging focus to only take essential -- folks to only take essential trips only, to make the best decisions that you can make. The other update I want to talk about is we talked about our vaccine coalition distribution task force. We've had three meetings of that group. And just a reminder, it is a group of health care officials as well as government folks, advocate, non-profit folks. And we are putting together a plan for our community and so with that groupware going to be making a slight bit of

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a change. We've had about 138 folks that have -- that are active in that process so we're going to change our format into smaller groups. And so with the smaller groups we're going to work on priority community engagement, we're going to look at our communication strategy and then we'll work with our vaccine providers to just make sure with the throw put with all the -- the throughput with all the phases we have coming up. So all the phases we have with the distribution is based on the phases, based on the information that we've received from the Texas department of state health services and it's also based upon information for the centers for disease control.

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So we are waiting for later this month, December, and our hope is that the first group of folks will receive their vaccine later this month. The other thing about the vaccine, we have heard from department of state health services that they have an agreement with pfizer and so we are aware that pfizer is going to be one of the vaccines that will come to the state of Texas. And so as we get more information our plan is to be as transparent as we can be because we want to make sure that the public has as much information as they can -- as we can provide because we want to be able to ensure the

trust of the community. So as you may realize that our testing has been up significantly. Just for month of November we have tested over 57,000

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people as of November 24th. And so all of our sites continue to remain open. Our dove springs site, givens, montopolis, walnut creek, and pflugerville sites are open. And then we still have our St. John site. I'm going to shift to long-term care incident management team update. Over the last two weeks there has been about 71 new cases in the last two weeks. We are definitely concerned about that. Our team continues to meet with each of the individuals, have their weekly meeting, and discuss how our epidemiologists can work with them very closely on any of their -- any of their plans that they have.

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One of the things that we are starting to see is we are starting to see an increase for ppe, over 274 orders have recently been put in place over the last couple of weeks. As I reported at my last update, I shared with you that we were going to partner with the facilities that would be willing to provide a take-home kit for their staff. We are in the process of completing that process. Our staff will be working on a drive-through pickup event on December 12th and we're going to provide 2,000 kits to the employees of those facilities, where the facilities have signed up to say they will share this with their employees. We continue to provide testing at these locations as we are -- as they request

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us to. Most of them have the infrastructure in place. And then lastly, as you all know, we are going to continue with our enforcement effort. The department has had several meetings with our colleagues at code clients, Austin code as well as the fire marshal's office. Our staff were very -- did some sweeps last week over the Thanksgiving holiday, and we will continue to do that. Our goal is to -- we have moved past warnings. We are moving at a pace of enforcement and issuing citations. So we will continue to provide updates about that as we move along. At this point I will transition over to Dr.

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Escott. Dr. Escott? >> Thank you, Stephanie. Good morning, mayor and council. I can ask av to pull up my slides, then we can get started. We had a moving average of 281. That's a decrease over the past six

days. As mayor Adler mentioned in his opening comments. We're not clear if this is going to be a sustained trend or not? We know that leading up to Thanksgiving we have a lot of people getting tested as

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Thanksgiving week started less people showed up for testing and wanted to get tested. We always see this in the hospitals as well in terms of people desiring to go to the hospital during holidays. Sometimes people will put off going and seeking care, testing, treatment until after the holidays. So this weekend will be very telling for us to determine if this trend will continue or not. But again, we are flattening things, we did flatten them last week and we hope that trend continues. Next slide, please. Similarly our new admissions have been decreasing. Yesterday we reported 35 new admissions to the hospital with a moving average of 32. That number has been moving between 32 and 37 over the past 14 days, so again we're hopeful that this trend

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continues, that this is a response to the warnings that things were getting worse locally around and the state and country. And again we can continue this trend by continuing those protective actions that are leading to these improved numbers. Next slide, please. This slide is showing us three things. The blue line is the total hospital beds being utilized for covid-19 patients in the five-county msa. The Orange is the icu beds. The ventilators being utilized. Hospitalizations yesterday were reported at 2 Wayne a moving average of 219. That has been flat over the past six days. Icu yesterday, 75. Icu beds being utilized with a moving average of 76. Also flat over the past week. And ventilator use yesterday, 46 with a moving average of 45, and again flat over the past week.

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Again, two weeks ago we started calling on our Austin and Travis county community to work harder to flatten the curve. Things are flattening, you but we'll have to be patient and continue the increased efforts to mitigate the spread of disease and hopefully this trend will continue over the next couple of weeks. Obviously we are very concerned about travel and social interactions over the Thanksgiving holiday and we're hopeful that people heeded the warnings not only from Austin public health but from the CDC as well and were protected. As director Hayden said, it's important if folks decided to go to large family gatherings or social gatherings or were involved in activities where disappearing and masking were not followed, to get tested later this week, stay home, make sure they were not exposed and able to transmit disease before they

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are going back to school or work. Next slide, please. So mayor, council, what I'm showing you here is the updated projections from the UT [indiscernible] Consortium. And again what this is showing is decreasing activity in terms of our admissions to the hospital. And as you can see over the next several weeks the projections are improving. This is with the assumption that the disease transmission stays the way it has been over the past week or so. So if we loosen things up, if we relax and are less vigilant in these protections this will move in a different direction. Again, I'm also concerned that these projections may be overly optimistic because of the fact that less people were tested, last week and less people were -- may have been inclined to go to the

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hospital to seek care during the holiday season. So we'll continue to watch these numbers into this week and next week and hopefully the trend will continue and we will see this as our actual trend here in Travis county. Next slide, please. Again we see similar trends, we see flattening and a decline in the on hospitalizations projected down. Again, this is the icu projections. That stays flat for a bit longer because individuals who are in the icu tend to be there for a longer period of time and you can see a more gradual decline in those icu numbers over the next several weeks going into Christmas. Again, I want to encourage folks to increase those

[9:27:33 AM]

protective actions that we called upon folks to do over the past couple of weeks. And if that happens, if that continues, then Christmas is going to look a whole lot better. And so our hope is those trends continue. Next slide, please. This is an update on the slide I showed you a couple of weeks ago on cases per capita. These are active cases per 100,000 population and the major major areas across Texas. This is based on dshs data which is published and updated weekly on their website. You can see that again Travis county in this dark blue at the very bottom of the graph and you can see that we've flattened out a bit over the past week. We've had an incline over the a two week period or so and then a flattening. We've been flat for about the last 10 days with today

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being a moving average of -- correction, an active cases per 100,000 of 186. Our next closest city or county is Bexar county in San Antonio, which is roughly double our active case rate. You can see that Houston had a change in the reporting which dropped them closer to San Antonio's trend. The dancing green and Orange lines that you see are tarrant and Dallas counties which have had a more substantial upward trend. They are flattening out a little bit also over the past week. Light blue line is Lubbock county with a slight incline with close to 2,000 cases per 100,000. And of course El Paso county at the top with 1,000 cases -- 100 cases per thousand.

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You can see there's a slope in the increase which is flattening out a bit, which is certainly good news for them. Still facing catastrophic surge in El Paso county. Again, this is not a theoretical threat. We can see it happening around the state of Texas and it's important that we continue those efforts here so that we can continue our trend at the bottom of the cases per capita and the major metro areas in Texas. Next slide, please. This is an update of the cases by age group. So these are individuals, hospitalized over the past week. You can see that the mustard yellow is our 70-79 age group which is the largest group hospitalized followed by the 60-69. Relatively flat over the past two weeks. The yellow line you see here

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is 20 to 29 age group. They have had a decrease over the past several weeks. Again, we -- I'll note that UT has gone virtual for the remainder of the semester, which should help to further decrease the trends and transmission and hospitalization in that 20-29 age group. The gray line is our 10-19 age group. A slight increase over the past couple of weeks, but nothing dramatic and certainly decreases in our younger age groups. We are seeing disease transmission in younger age groups. We are seeing some hospitalizations, but again we're fortunate that we have not seen substantial numbers of hospitalizations associated with young children. Next slide, please. This is the same data broken down and quantified by each of the age groups. You can see that two weeks ago we had 215 individuals

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hospitalized in the msa from covid-19. Last week 185. So a significant decrease in hospitalizations which is exactly the direction we want to see. We've seen decreases in our numbers of older individuals and that 70-79. Our 80-plus age group. And relatively steady in some of the other age groups. We'll watch the numbers and continue to report them weekly. Next slide, please. This is an update of our hospitalizations by race and ethnicity. The green line that you see here is our latinx population. They represent 38.7% of hospitalizations last week so our white non-hispanic in the blue has surpassed our latinx population in terms of hospitalizations over the past couple of weeks. Our African-American



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community 8.9%, so both communities now a more accurate representation of their composition of our community in terms of hospitalizations. We did see a change in our non-hispanic population, also decrease in that "Other" category, and our Orange category, which is our asian-american 5.7%. So further increases this week in terms of hospitalizations of our asian-american population. Again these are updated and also located in our dashboard for folks to reference. Next slide, please. Again similarly this is the same data broken down and quantified by each of the race and ethnicities. 65 in our latinx community.

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15 in our asian-american, total numbers decreasing in terms of hospitalizations and we'll continue to report on this weekly as well. Next slide, please. Mayor and council, this is an update of our positivity by week. So three weeks ago we were at 6.8%. Two weeks ago we dropped to 5.9%. Last week -- again, we still have lots of tests coming in from last week, but so far back to 6.8% for last week. So again, this number may change significantly. When we look at this number yesterday it was down at 5.4%, but each day thousands more test results come in so this number may change. But again, we have more work to do. Remember that we want us to be below three percent across the board. And we are more than double that still. So we have more work to do,

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through that increased vigilance, through people choosing to stay home when they're sick or have symptoms of any kind, and certainly through folks who are positive, isolating and preventing household spread is going to be very important for us to further decrease this positivity. Next slide, please. This is the same data feed broken down by race and ethnicity. You can see that we have our latinx population in the dark gray at 10.3% so far for last week, week 48. Our American Indian population and native alaskan, 13.3%, the blue line on the left. African-American, which is our -- the gray bar, 7.6%. Asian-american, which is the

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gold, is 5.7%. And our white non-hispanic on the right side at six percent. So again, all of the race and ethnicities above that five percent mark and well above the three percent goal that we've set. So again,

more work to do in terms of decreasing transmission in our community. Next slide, please. This is the same breakdown by age group. You can see that we're seeing increases in our positivity, in our 40 to 49, 50 to 59, 60 to 69 age group as well as our 70 and 80 plus age groups. These are the groups that we don't want to see increases, particularly because increases in the older age groups are going to result in an increasing of hospitalizations. This is part of the reason why we have concern about

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what's going to happen this week. Any time we see those increases in the older age groups we can expect a week later, two weeks 30 to see increases in hospitalizations. So again, we don't want to be too optimistic given what we're seeing here. Next slide, please. As director Hayden mentioned, this is an update of our dashboard. As a reminder this is on our website, [austintexas.gov/covid-19](https://austintexas.gov/covid-19). 71 over the past two weeks, 176 over the past 28 days. And again we continue to work with our nursing homes looking at opportunities to improve their efforts at infection control, including ppe, consultation and testing. Next slide, please. This is an update of our schools report. I apologize for the slide being cut off on the right,

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but obviously a decrease last week with most schools being out for the week. A total of about 70 cases between students, faculty, staff, and other visitors to campus. So again, we have aid remote this week, we have some schools that have elected to also go virtual this week to help decrease the risk of further spread at schools. We will continue to report on this weekly. Again as a reminder, each of the school districts have a more detailed report by school located on their individual websites. There are links to those through our [austintexas.gov/covid-19](https://austintexas.gov/covid-19) for folks who want more information on that. Next slide, please. And again, mayor and council, in addition to covid-19 season, we're in the middle of influenza season. Last week 456 flu tests were

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performed. Zero were positive, which gives us a zero percent positivity for last week, which is great news. Overall 27 cases reported, .98% positivity. So folks are doing good. Again as a reminder for anybody out there who has not received a flu shot this year it's not too late to do that. Please do that now. But again we're seeing ongoing trends of very, very low influenza transmission which is good because we don't have enough hospital capacity to manage surges of both. Next slide, please. This is a graph showing how this year is compared to the previous three seasons. Again, we are extremely low in terms of influenza like illnesses in our surveillance data that comes in to us. So again, very pleased with this, and we really do need to continue this trend, and

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hopefully folks will get throughout and get their flu shot. The masking, the distancing is going to help with influenza as well. Next slide, please. Finally mayor and council, we continue to be in stage four. Again that moving average of new cases which are key indicator for transition is at 32. The threshold between stage three and stage four is 30. If we can continue those efforts, continue those -- that vigilance in our masking, our distancing and our hand hygiene, if we continue to stay home when we're ill, get tested when we're concerned, we can push this back into the yellow zone, which will certainly allow us to relax a little bit and to certainly have a better lead-up to Christmas and new year's. With that I'll turn it back to you, Spencer. >> Thank you, Dr. Escott. And now we'll turn it back to mayor and council for questions for Dr. Escott,

[9:40:57 AM]

director Hayden and any of the staff that are also on the line on this pandemic. >> Mayor Adler: Dr. Escott, on that slide that you just up, the color coded risk chart slide, you used to have a coulomb the left-hand side that showed the triggers. That was a helpful line and column I think to have for the community. We were in yellow and when we went to 30 that moved us into the Orange zone, is that right, the stage four zone? >> That's correct, mayor. >> Mayor Adler: And then the number to move us into stage five and obviously you make a judgment at that point based on the speed and other factors, but 50 is the trigger that takes us into stage five generally. >> That's correct. And next week I can -- we have two versions, one with and one without those triggers. I'll certainly make sure to share the one next week with the triggers.

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>> Okay. That would be helpful. And then the numbers that were up right now for the seven-day running average is 32. We had gotten up to like 37 or 38 or something like that and come back down with the good news last week because we were wearing masks and responding to Orange or people just weren't going to the hospital over Thanksgiving so they can spend more time with the families. That's the number that we're trying to stay below as a community at 50 because that gives us the best chance to keep businesses open and keep schools open. I get asked the question now if we're contemplating or looking at a kind of curfew that El Paso has put in and even San Antonio has put in where -- I don't know if it's 9:00 or 10:00 at night. And it is mainly intended to

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get people home from social events earlier so it allows people to travel for essential kind of things. But it has people going home earlier. We haven't done that yet, a curfew like that. Is that something that could be in our future? How would you address the concept of curfew? >> Yes, mayor, right now I don't think it's necessary because we're in a different situation and you can see and I think the public can see clearly that there are different situations going on in the jurisdictions across Texas. So there's a lot of heterogeneity in what's happening right now. I think right now people are listening. We've been very fortunate through this pandemic that our community has responded every time through that call to action. I think if we get to stage five that we do need to consider other steps, including a curfew to help curb this spread further. >> Mayor Adler: Okay.

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My last question and I'll turn it over to my colleagues if they have questions. On the chart just prior to this one that had the flu, influenza chart, there's a baseline of like one percent that we've hit and we've stayed there unlike other years. And the flu -- this whole thing, the virus, is not all about who gets it and whether they get sick and whether they die and go in the hospital. I hear so many people talk about I'm not going to wear a mask because I'm willing to take the risk with my own health. And that's just not it. It is not accurate or fair or truthful to assess whether or not you should be putting on a mask based on whether or not you're willing to assume that risk for yourself. We have a real problem in

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this city that if so many people get sick that go to the hospital and impact our icus, not just for covid, but for somebody in a car accident or who have a heart attack, we need to keep people out of the hospital so that the space for those kinds of patients. And to a large degree that's what wearing masks are about, keeping space in the icus for all the things that are going to happen. One of the things that we identified early in the community was we filled up our hospitals last year on influenza patients. So if we were going to have a fighting chance of keeping the space in icus, we needed to have not a lot of people with flu going in a it looks like much of the community is doing a really, really good job of that. Do you know how other cities are also doing with respect to influenza? Are they seeing the same kind of pattern that we're seeing? Do you know? >> Mayor, we're certainly -- I had the statewide data and

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we're certainly seeing favorable trends across the state in terms of influenza this year as compared to other years, but I'll say and emphasize the importance of mask wearing. It is helping us. I think we can

see that in the covid-19 data, we can see that in the influenza data. And you're right to point out it's not about how much risk you would want to personally take, it's about having respect for life. And how fragile it can be with other people. And I think this is a time when we have the opportunity through a simple action to protect others in this community. And it is not asking a lot to put on a mask, to keep our distance from other people. And we can all be heroes, we can all be life savers by doing that simple act. And I would certainly encourage folks to do that.

[9:47:01 AM]

>> Mayor Adler: Great, thank you. Colleagues, anybody have a question? Natasha? >> Harper-madison: Thank you. I have a couple of questions for director Hayden. During the conversation around ppe I've actually had a lot of constituents have questions about ppe for multi-family residences, usually the income restricted multi-family. So with the ppe availability, I have some questions around that and then like as far as the requests that you all are receiving, where is the need? Who is it and where are they, the people that are asking? I think you're muted, director Hayden. >> Sorry about that, thank you. We are receiving requests from several entities.

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We are working very closely with community groups and they are providing the equipment out in like the rural areas, like the Travis county areas, but they are also providing it in other zip codes that have a higher positivity rate. We are receiving requests from childcare facilities, long-term care facilities. We've also received some requests from housing authority as well as, and I'm going by memory. And we've also received some requests from non-profits that the city has contracts with and membership of one voice. So we've been able to provide that as we can whenever community groups are having an event in a

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community. We do limit it to 1,000 total of what we can provide only because we are providing it across our community. >> Harper-madison: Thank you. That's helpful. I think I'll connect with you offline to sort of figure out how we can really fortify that partnership with haca and the Travis county housing authority. Like I said, I'm getting a lot of questions about that. The aph event on 12-12, the 2,000 kits you are going to give in the drive-through, is there a specific place that people should go to find out about the details or do you have a flyer that we can share with our constituents in our newsletter maybe? >> I think what will be better is -- because those are for folks that are working in long-term care facilities only. And so what we have done is that we've shared that with

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all of the long-term care facility partners that our team meet with weekly. We have a mailbox address that's set up long-term care@austintexas.gov. So they can send an email to that. Or they can call our medical line -- 311 may be easier for folks to call and say please connect me to the Austin public health medical line. And we'll get them connected. >> Harper-madison: Thank you. I appreciate that. I think the last question I have around ppe is just recognizing how we had to scramble the last time, the first time, rather. I just wonder if we are better positioned this time around than we were before in terms of availability and access to? I guess I'm just curious about how we're positioned,

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and if we're not at that place do we have plans to really support that effort more substantively? >> Well what we are working on now is we're working on a plan that will take us from January through September of next year where we will -- we've asked our partners, you know, how many events do you think you are going to have so we can plan for that. We at all of our sites and at the city and county sites we actually provide like neighborhood centers, we provide ppe to our clients and in the community and for Travis county they provide ppe. So all of us are planning for next year about how much ppe we will need and we're going to order that. And Travis county has been very gracious to allow us to store it there. So we will continue to work with them to store our ppe

[9:52:08 AM]

collaboratively with the county out at the expo. >> Harper-madison: Thank you. I appreciate that. >> Mayor Adler: Alison? >> Alter: Good morning. My question may be for Ms. Franco. I don't know if she's on the line, but I understand that the last we had heard there was about five billion dollars at the state level left in cares q&a money. In understanding we believe there's 1.5 and 1.7 billion that's left unspent. Do we have any sense of what the plan is from the governor's office for those funds that need to be spent by December 31st? And at a time when we have desperate needs, whether it's for ppe to get food on the table for people to pay rent, to keep businesses, our vital industries alive.

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I'm really frustrated that the governor is just sitting on that money. Do you have any sense of the next steps on that and the plans? And I don't know who of staff can answer that if there is an answer. >>

Cronk: Councilmember, director Franco is not on the line so she can't answer that directly. I'll see if any other departments know that work with the state. At a minimum we'll get you a response in a memo form regarding any updates we have from the state on the use of those funds. >> Alter: >> Alter: Thank you. Because I think the public needs to understand that governor Abbott has these resources. We have a deadline of December 31st and we need to spend that money before we have to give it back to Washington. We need to spend it wisely and on what our community needs. >> Mayor Adler: Okay. Thank you. Colleagues, anybody else have anything for director

[9:54:09 AM]

Hayden, Dr. Escott? Greg? >> Casar: It's important -- it's alarming to see the numbers in places like El Paso and Lubbock, of course, and the damage done there. It is useful to see how our community has responded to keep our number, although too high, relatively low. So I've not seen that graph before so thank you for sharing it, Dr. Escott. With the flattening that we saw in the last few days that we're not sure whether it happens because it's a real flattening or people stayed home during the holiday or didn't go to the holiday during the holiday, is there a similar trend of that happening in other Texas cities or not? Or you don't know whether there was a flattening because people didn't go to the hospital? >> Councilmember, most of the jurisdictions saw some flattening over the past

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week. I think there's been some comments from CDC and Dr. Fauci on the challenge with data over the holiday week. So again, I think that we have to be very cautious for the next week or two until we can determine if there's going to be any further impact from that holiday. >> Casar: I think that's helpful information for people to know and that we saw that happen in lots of places across the state and so that should make us extra cautious as to not think that -- because it may be obscuring what's really going on and that's very helpful to know. There's also apart from the curfew question that the mayor raised, I've also gotten questions about how -- whether there is a chunk of the problem coming from -- although bars have been closed, that there are

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some number of bars that may be selling a small amount of food, but that reportedly really continued to function as bars with people dancing or being close together or not wearing masks in a bar environment. I don't know if there has been any further action taken to address that issue or if that may be something that we have to do if things get worse. But can y'all speak to on top of the curfew a question whether we're seeing any significant cases gathering from what essentially is a bar? >> Go ahead. >> Go ahead,

Dr. Escott. >> We certainly are seeing cases associated with restaurants, which is what these bars are now classified as. But as director Hayden said,

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we ever seen significant issues -- we have seen significant issues with compliance at some of those sites. We had a spot-check on Saturday, compliance was 60%. There were a number of citations issued. And I want to be very clear to restaurants and former bars that are now restaurants, if they do not clean things up, if they do not show a pattern of compliance, we will take further action, including closure. We simply cannot tolerate bad behavior at a time when we are really struggling to keep businesses open. We want businesses to be open. We want restaurants to be open. But they have to be responsible in order to stay open. Not only for them to stay open, but for all other restaurants to stay open.

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So it is up to us as a community and up to them as a business community to really enforce themselves and ensure that those bad actors are being called out and held accountable. >> Casar: Thank you for that, Dr. Escott. I think we all agree that we want to get to a place where businesses can stay open and open further and the best way to address that is people following the rules. I also know that it is hard to stay open with capacity limitations and the other issues, but in part that's why I'm glad this week we'll be voting on further aid to our small businesses, industries that are hurting. That's why I join with councilmember alter and the mayor and everyone else around, hoping that the governor spends those buildings of dollars to aid people and small businesses that are struggling and to further our public health goals. But at the same time everyone does need to follow the rules and it should apply to individuals just like it applies to those businesses that we're

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finding [indiscernible]. So thank you. >> Mayor Adler: Thank you. Paige? >> Ellis: Thank you, mayor. Could one of you speak to any updates on the vaccine trials or any expected timeline of those to roll out and what people in Austin could expect when something is approved? How would people be able to access it? And what kind of triage is there of making sure our health care providers have access to it and that our regular residents >> Yes, what we know right now is that pfizer, modern and astrazeneca are the three vaccines that are moving forward based upon their effective weight. Pfizer and modern are actually will have a E.A.U. There's going to be a public meeting that will, you know,

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review the process for that, with the F.D.A. Once that is, um, the goal is for that to be approved, and the only reason based upon information that we have received from C.D.C. That says that, um, that a vaccine may not be approved if the risk outweigh the benefits. And so they are going to be going through all of that information and that is according to the last information that we have received, that is slated around some time around December 10th is what we have been told. And so what we've done with the vaccine distribution coalition task force is that we've shared with them all of the information that we have thus far. And there's still some information that we have not received, and our hope is to receive that after they pass the

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F.D.A. Approval. One of the things that our plan is that providers must enroll at the state level to be a provider. And so the city of Austin right now, we have -- for each site we have four providers kind of within our, you know, city of Austin, for example. Because you have to register per location. So we have, like, for example, two clinics and a mobile team. So each of them have registered with the state. Beyond that other providers within our community have also registered to provide the vaccines. Later on next year we're going to be also working with pharmacists. And so it's like your Walgreens and Walmart, albertsons, etc., you know, that is going to be

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widely available. And what we are calling phase two. So what we're anticipating the first phase of it, which will happen some time this month -- we don't have a date or time -- but that vaccine will be shipped from pfizer, for example, you know, and it will come straight to the provider. We're understanding that it is first responders, health care and, you know, people that work in the health care field. But we also E.M.S. Is on that list as well. And so our hope is that there may be some for long-term care as well during phase one. And then phase two opens up a little broader. And so every month our hope is that we can open up and there would be more providers in our community that can provide it to everyone. So that provides kind of a

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summary to you. Dr. Escott, I don't know if you want to add anything to that. >> What I would say is that the strategy is really focused on targeting, you know, the secure and critical infrastructure, where we don't have lots of redundancy. And as we've been talking about for months now, we don't have redundancies in terms of health care personnel and first responder personnel, so I think that the goal is

to shore that up. And then to also to target those who are at the highest risk, so our individuals over the age of 65, and those with high-risk conditions. You know, basically the younger and the healthier that you are, the longer time line is going to be for vaccination being offered. And that makes sense, you know, that is the reality of the situation. Again, it's -- it's a great feat to be at December with this virus identified less than a year ago and to be even talking

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about a distribution plan for vaccine. So we've got to be patient in terms of the allocation of those vaccines across this community. It's going to take six or nine months for us to hit, you know, to have broad penetration of the vaccine in our community. In the conversations that I have seen these folks having, that the estimate for getting it out to people in the community that want it ranges from going into the summer to the fall. And I think that's real uncertain. >> Ellis: I certainly appreciate that, I know that we're hoping to get something approved soon so it can roll out to as many people as possible. >> Mayor Adler: Okay, questions before we let everyone go? We'll let you go. Director Hayden and Dr. Escott,

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thank you. >> Thank you. >> Mayor Adler: Anything else on this? >> No, I just really appreciate the work of our entire staff, the partners that we cooperate and collaborate with, and most importantly, the support and guidance from this council. It is critical that we're all on the same page as we continue to battle this pandemic, so, thank you. >> Mayor Adler: Great. Spencer, let's go on now to the chapter 380 update. And then the saves guideline, I think that it's the same group of people. >> Let's kick this off. Mayor and council, since the start of the pandemic, we have really focused millions of dollars of resources and staff time towards preventing the spread of covid-19 and caring for those affected by the virus. You know, in concert we have focused our economic recovery, which is also at times economic stability for many of our residents and businesses who have been financially impacted as a result of this pandemic.

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Early on we created a chief economic recovery officer position, which is led by our director Veronica persinio, and she's worked not only with our city departments but also renowned economists and our community businesses and organizations, and directly with each of you. Within the last couple of months we have worked with council to identify an additional \$15 million that could be targeted towards vital economic sectors which include live music venues and legacy businesses. On October 15th, council adopted initial program guidelines for the saving us and vital economic sectors program or saves,

as we all call it, the desire by council on October 15th was for staff to return with an enhanced guidelines that speak to the long-term sustainability of businesses that are seeking assistance. Today chief economic recovery officer persinio will review the

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enhanced guidelines to be considered by council on December 3rd. She will also review the proposed changes to the chapter 380 program which could further assist the businesses who are financially impacted by the pandemic. And for the benefit of the general public, she will briefly review the concerted economic recovery efforts that had been initiated and implemented by the city of Austin to date. So with that I'll turn it over to our chief economic recovery officer Veronica persinio. Veronica? >> Good morning, mayor and council. I'm happy to be here with you today to present to as Spencer mentioned the saves enhanced guidelines as well as the proposed changes to the chapter 380 agreement. And if I could ask A.V. To queue up our presentation, I would appreciate it. While they are doing that, I would be remiss to not acknowledge staff. Your economic development department has worked tirelessly on this program as well as the

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additional programs that we have -- that we have put in place in the last few months. We've also relied on quite a bit of infrastructure support from the organization as a whole, so huge thank you to the staff and city of Austin staff. Next slide, please. So today we're going to go through what we've already done in terms of covid-19 economic relief programs, the timeline of the saves guideline development. The child care provider relief grant update, which is a part of the saves program. And then an overview of the items that we have for council consideration on December 3rd. This includes the chapter 380 program modifications, the enhanced guidelines for the live music preservation fund, and the enhanced guidelines for the legacy relief grant. Next slide, please. So just as a review, and we just acknowledged it in the previous presentation, this is something that's been underway in a mere

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matter of months. We started down this path in March. And since then we have implemented nine programs in nine months. Since that initial emergency declaration in March of 2020. We intend to launch three more programs this month and just as a point of reference, during the normal operating conditions, we usually take about six to 12 months to launch a new program. So this is a huge amount of work that the staff has done in a record amount of time. The impact that we've had -- we've awarded a total funds of just over \$27 million. This means about \$22.4 million to businesses and organizations and about \$4.8 million to individuals. The impacts of the live music industry are -- are important as well. The

number of live music venues that have received covid-19 grant recipients are 34. This results in a total of about

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\$861,000. And the work that we've done in the past few months has served as a model for other cities. We have been asked by other cities, particularly about how we've provided relief to our live music community and our arts in general. Next slide. You have seen this chart before, but this shows the calendar of events starting in April with the economic bridge program. Continuing on in June with two programs, one for creative space and one for music disaster relief. And then in July we launched three programs. The small business relief program, the non-profit grant program, child care provider relief program. And then in August we had the second round of the music disaster relief fund, the creative worker relief fund. And in September we had the relaunch of the non-profit relief grant program. Next slide. November we have initiated the

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wellness support line and you will be receiving a memo shortly, hopefully today with more information on that. And then in December we're planning on the health care access program for local musicians. The second round of the child care provider relief program. And the live music relief grant and the music relief grant. Next slide. It's specific to say that this is a recap of the timeline of how we got to be here today. The yellow markings on these calendars of the past two months are when staff made presentations to council and the blue markings are the council action. So Spencer mentioned that on October 1st, council allocated the \$15 million for the saves programs. On the 15th, council approved the initial program guidelines and directed the staff to develop enhanced guidelines for technical assistance and return to council and here we are today with the enhanced guidelines and on the 3rd you all have the opportunity to take action on those

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recommendations. Next slide. And this is just a little bit more context to that -- that timeline. We can go to the next slide. A little bit more detail there. And then the following slide after that. I think that we can go on to the next slide and go through the recommendations. So -- I'm sorry, one back -- Austin child care. The saves program included three buckets of money -- one of the buckets was for child care providers. We are in the process of putting forward that program. The guidelines for this program are the same as the child care provider grant program that we administered over the summer. So we are able to roll this out quicker. So we've had potential third-party administrators and we have selected United Way for greater Austin as our

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third-party administrator for this program. And this is a partnership that we had with the first round of this program as well. We are working on finalizing the scope of work, the program infrastructure, such as the application system and the stakeholder engagement plan and we anticipate having applications for funding within the next 14 to 21 days. Next slide. In regards to the live music venue preservation fund and the legacy business relief grant -- so the initial program guidelines were adopted on October 1st, about six weeks ago. Staff's recommendation for this one-of-a-kind program balances the need for immediate assistance with the council's direction to ensure long-term sustainability of the vital economic sectors. Our goal is to accept applications for immediate short-term grants this calendar year contingent upon selecting a third-party administrator, identifying the technical assistance providers and developing the program

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infrastructure. And I will say that we are working on all of these points right now and we hope to meet this deadline and having the process underway by the end of the year. The council adopts the proposed enhanced guidelines on the third and we will continue to work with a targeted full launch of all component it is by February 21st, this meaning the enhanced component of it and the determination to get work done sooner. Next slide. So the key program components -- we're looking at immediate aid to individuals that are qualified of grants up to \$20,000. And the -- the included part of asking these individuals to complete a legal and financial evaluation. And also to attest to the immediate risk of closure. So we're defining this as closure within the next 30 to 60 days. The initial legal and financial

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evaluation will be an opportunity to look at kind of a triannual approach of what will be needed in terms of technical assistance, if any is needed after that point. The technical assistance component, this can include program orientation, it can include a cohort style of course, or it can include one-on-one technical assistance. So this again will be part of that initial evaluation of what that plan for technical assistance work looks like for the individual application. For the live music venue fund, the applicants must also complete an equity strategic plan during the technical assistance phase. And we are working to provide assistance with how to develop an equity strategic plan. We realize that this might be new for some -- for some venues, so we are working to make sure that we're providing the assistance this that regard as well. For the enhanced funding, this is grants of up to \$40,000 per month for up to six months, not

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to exceed \$140,000. And these applicants will complete the technical assistance program if they are receiving the enhanced funding. We try to make this as nimble as possible, realizing that each -- each venue and each legacy business is in a unique position. So we want to make sure that the funding that we're providing is able to work with them and meet them where they're at in their time of need. Applicants will be evaluated using a scoring matrix for this component. Next slide. So some additional details -- applicants who receive the CARES Act funding are eligible for these programs, but applicants who receive other state funding will not be eligible for the Austin legacy business relief grant. Applicants -- applicants with multiple operations may only apply for the Austin legacy relief grant once. The applicant's possible enhanced support grant amount is based on eligible expenses for the calendar years of 2019 and

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2020. This includes rent and mortgage, utilities, payroll, technology, software, sanitation, cleaning services, P.P.E., business and commercial business property insurance, and permit fees and professional services and property taxes. Next slide. So this is detailing the steps of the application process for these programs. The first part is the application eligibility and short-term grant awards. The first step is to ask the applicants to complete the forms and to have the third-party administrator to review the material and determine if the applicants are eligible for the program. The second step, all applicants receive \$20,000 if they meet the program criteria to participate in the evaluation. And step three, all applicants will participate in orientation or a technical assistance evaluation. The technical assistance will be

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virtually in a cohort-style format and we will also have one-on-one technical assistance available. We're ensuring as we are developing this program that no personal information will be shared with the city because we want to do what we can to ensure that individuals -- or businesses and individual documents are not a part of the city -- the city's possession. Step four, applicants who complete the technical assistance requirements can go on to apply for the enhanced funding. We also have the note again about the equity strategic plan during this process. We will assist with that plan as I have previously stated. Next slide. So step five, this is part two, and this is the enhanced guidelines part of it. In step five, the applicants will have the ability to apply for an enhanced grant of up to \$40,000 per month, for up to six months, not to exceed \$140,000.

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Step six, the grant awards are determined on the scoring matrix, the council look at specific factors such as years in business, terms of the lease and so forth. Step seven is a third-party administrator will award the enhanced funding based on the scoring matrix which will be provided by E.D.E. And the third-party administrator distributes the payments to the awarded applicants. Step eight, the city will offer ongoing technical assistance to the program applicants. Next slide. So I'm going to switch gears a bit to the chapter 380 program modifications. So you have on your agenda a resolution that would first approve the development of a chapter 380 program for two years to provide economic recovery assistance for the covid-19 pandemic. And, second, exempt these chapter 380 programs from the requirements of the resolution noted here on the slide. There are several key program

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programmatic programs that would be modified to allow for recovery programs and these include the fiscal impact, and property tax appeals, living wage and employer benefits and the mbe/wbe ordinance and the prevailing wage. Next slide. So to go into a little bit more detail of that, here is what is listed in your existing policy. And how we would recommend moving forward. The first one is the fiscal impact. The existing policy says that the city must get a benefit that is roughly equivalent to what it is funding. So we want to have a little bit more flexibility here because we realize that in this time businesses are impacted by covid-19 and that is the desire to address with this programmatic change. The next item is the property tax appeals. And your current policy states if the business successfully protests its property tax

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evaluation, the reimbursement from the city may be reduced proportionally. We realize, again, that this is in the time of the pandemic, we're recommending a deviation from this policy because so many businesses are struggling to pay their property taxes. And the living wage component. As y'all are aware the policy currently includes the -- the living wage policy for the businesses that receive funds. And we're also recommending some deviation from this point as well. We're doing this, again, for the flexibility of the impact of covid. Next slide. Employer benefits. So the policy also includes the requirement of health insurance benefits for all full-time employees. We here are recommending again the deviation for the reasons given on the previous slide to allow for the flexibility with the impact of covid. Similarly, the mbe/dbe awards

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includes the incentive agreements that would adhere to the ordinance to the extent feasible and we are asking for deviation here as well for that flexibility. And we also have in the existing policy the inclusion of prevailing wage and likewise, we're asking for deviation on this part as well. Next slide. So that concludes the specific areas where the proposed policy would have deviation for the businesses that are applying for the chapter 380 because of the impact of covid. While these -- all of these areas are very important to the city and guiding principles for the city and for us, we realize that we're in an unusual times and we want to provide the -- try to provide the ability to provide relief as easily as possible. So we've prepared guidelines for two chapter 3 recovery programs. A recovery lease incentive program, which offers commercial

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property tax reimbursements to the property owners in exchange for renegotiating the leases with small businesses and targeted economic sectors to address areas in long-term affordability in order to recover from the covid pandemic. And then our restaurant relief program which offers forgivable loans to austin-based restaurants excluding franchises. With loans with deferred payments for eligible businesses and for companies meeting higher standards of community and employee benefits. I would note that there's currently in the economic development department's budget, there's not an allocation for this program. So we would be looking to identify funding if council would like to implement this program. However, we do recommend that the changes to the policy are made to allow us that flexibility to adhere or to implement this program if there's additional federal funds that are identified or any additional funds moving forward. Next slide.

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So in conclusion, since the council direction on October 15th, the staff has worked quickly, carefully and conscientiously to prepare guidelines for council consideration. And our recommendations balanced a stakeholder's need for immediate financial aid with the couple's direction to ensure long-term sustainability. And I will point out on this that we have received stakeholder input throughout. We have been having meetings regularly with stakeholder entities in the live music community and in our legacy business community. And that predates covid. We have a music and entertainment division that is very engaged in our live music community. And we have certainly geared that up in covid times by having focus group meetings, one-on-one meetings, and group meetings. And just really hearing the feedback from our stakeholders, trying to adhere to that, and build that into the recommendations that are here before you.

[10:25:59 AM]



Staff is currently and will continue to offer services. We easily pivoted into a pandemic type of assistance, a variety of webinars and training and one-on-one coaching to support our business community and our live music venues affected by the pandemic. Now we will continue sharing information about grants, legal aid, financial coaching and more through our economic recovery web page which is [atxrecovers.com](http://atxrecovers.com). Stakeholders that have questioning about our economic recovery programs are encouraged to email [atxrecovers@austintexas.gov](mailto:atxrecovers@austintexas.gov) and we are checking that email daily and we will respond as quickly as possible. We realize that the need is great in our community and we want to be a resource for our small business community and our live music community. Next slide. Next slide, please.

[10:26:59 AM]

With that I'm happy to answer questions. >> Great. I have a couple. I'm sorry -- with respect to the -- one, I just want to thank you and the staff for creating a program out of whole cloth in an incredibly short period of time. This saves program is very different from other programs that we have, that we have implemented that are just pure grant programs where a pool of money is divided and you cut it up into, unfortunately, into too small pieces and sometimes it's just a lottery to see who gets funding. This program as adopted by council is different than that. And it was intended to provide more -- to take limited resources and instead of getting it just by grant lottery as

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broadly as possible, it was to actually to try to create a whole cloth process to really maximize the benefit of the dollars that are given. Recognizing that is going to lead ultimately to some difficult choices on who gets funding. But -- but trying to use this as an exercise to also to make available to some of our legacy businesses expertise with respect to law and accounting that they may not have access to so they can have more equal footing as they're negotiating with perhaps landlords that they have greater experience and resources to spend for that kind of competence. And how to create that kind of program and make that kind of program work, it's been something that you guys are creating new. It takes time to do -- to figure

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that out. And it's moving really quickly. And I appreciate that. I hear from the community, some people are saying, hey, we recognize that, we like that process. We want to actually get the substantive help to allow us not only to deal with covid, but in a way that also addresses the challenges that we had going into covid so we could use this as an opportunity to sustain the industries. But I have a more immediate issue -- I need to survive long enough in order to be able to participate in that. So I appreciate that you

have kind of the emergency dollars and I really appreciate your hope that you're going to be able to work it out with an entity to get that money out to the end of the year. That would be a great holiday thing to happen as staff are trying to work on this as they move into the holidays. But I really appreciate that,

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hearing that, as the community was thinking that there was no chance of that before February. And it was scaring people. I also think that in talking to some of those folks that -- while they think that they're facing a cliff in the matter of weeks, some of them are not because there are, in fact, the little things they can be doing to give them greater time to put together a more extensive package, and that's part of what this program offers is the ability to be able to assess those needs and to see if there are tools that are available. So I appreciate you getting that as part of the initial dollars that are going out. So, again, generally thank you to staff. I do have a couple questions about this and I want to be able to go into all of the chapter 380 programs associated with saves -- there's the chapter 380 changes that are being made that

[10:31:01 AM]

need to be made in order to be able to do things like give property tax relief. I understand that. And generally speaking, we talked about maybe making that available generally to restaurants and to lots of people. There's no funding for that at this point. So we would need to see if -- hopefully if the federal government comes in, which would be an incredible use of the federal dollars and they keep promising us that there will be relief for restaurants. I'm sharing the frustration that so many have, because it just doesn't seem to happen. In talking to the folks in President-Elect's transition staff they have repeatedly said that is a really high priority of theirs and they're going to try to put pressure on that even before they and into office. That said, I'm happy to do the 380 agreements now with the amendment, because I think that there's funding to do the chapter 380 agreement in the context of the legacy

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establishments. And there's \$10 billion there. So one of the tools that is presently -- or as soon as you make this change, one of the tools that you can offer to the applicants that are eligible is the use of that 380 tool and the funding for that is already provided in the saves dollars. I mean, isn't that something that you can consider as a tool to be used in that context? >> So the saves funding certainly could be applied to this pool. That is the ability -- of course, that would just reduce the remaining funding, but that is certainly an option. >> Mayor Adler: Right, and it's not just necessarily a reduction it may be that

the legacy group that comes in, that's the relief that they need once they talk to the lawyers and the accountants. Maybe that's what they need. You have the tool, it just becomes one of the dozens of

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different tools that are available in saves to be funded by the saves dollars. I just wanted to make sure that we weren't overlooking the use of that tool in that context, because that funding is already -- already provided. With respect to the guidelines, I saw that the dollars say that it's up to \$40,000 a month up to six months and totaling 140. And I see in the guidelines that you have provided to us that there's an allowance for that number to go up beyond that if as a result of the evaluation and the counselling or the availability of counsellors, legal counsel and financial counsel at that level for people - applicants to be able to say to the city or to the -- to the agent this is what would really give us sustainability for five, 10, 15 years.

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It's more than that amount, but we think that this would kind of be a return for the dollars. The guidelines that you are presenting allow for someone to exceed that if they can make the case for that, am I correct? >> You're absolutely correct, mayor. We wanted to provide this with as much flexibility as possible, knowing that when you start -- when we have that technical assistance component and they're working one-on-one with our legacy businesses and our live music venues, then really looking at what the needs are of that individual business. So we've proposed that with the intention of flexibility. >> Mayor Adler: Okay. And then the -- the funding that people have -- someone can still be eligible for this if they may have received another amount from other cares funding but you can only participate in the saves program once, is that the -- do I understand that rule correctly? >> That is correct. With the understanding that the flex sibility in place to really help that business.

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>> Mayor Adler: One of the things that I am interested in -- I don't know whether to ask questions now or to ask questions about it later because it relates to item 23 -- when you talk about the steps of enhanced guidelines programming funding, my hope is that the E.B.C. Gets brought into this potentially as well. That is one of the tools that might be able to be used in addition to the 380, use as a tool to use the \$10 million for these two programs. Is the E.V.C. That in that concept of standing it up in an interim way before you have the board of 20 or 25, standing up the E.V.C. More quickly we had talked about with the interim staff or interim leadership so that it could move more quickly. I'm going to hold the question, it's about how we're doing in standing up the E.V.C. Here and as fast as we're standing up

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these other programs until we get the information for 23. Those are all of the questions that I have. I think that -- you guys have been in the last two months in front of council now three times as we have taken action -- actually taking action. You have also given reports to the council both written and otherwise at least a half dozen times also over the last month and a half. But yet I read in the newspaper or in some of the media some of the venues that still don't understand that this is not just a quick grant program, that this is something that's actually intended to provide real material and significant relief. Also part of what was the issues going into it. But I don't know how to deal with that other than to make the suggestion that maybe there's

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like a town hall meeting that you do where you just schedule it a day. And that way that all of the -- you can have a big zoom call and let all of the venues kind of come in. Because I think that some of them just need to hear the questions that others ask. I know that you have reached out a lot. But the memos to us are not being heard by the community. And I think that into that vacuum people are supposing the worst. But yet in this, you're getting the money out quickly. There are no hurdles for people to go through that are pointless hurdles for people to go through, but we actually have a chance to do something here real and substantial to really preserve the -- these legacy businesses and live music industry in our city for an indefinite period of time. That would be a huge way to -- to weather and to come out of this pandemic. So I thank you for the work that you're doing on this program. >> Mayor, I think that I agree with you on the communications and we are thinking about how we

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can really have a deeper reach. We have started by making sure that we have every live music venue in our database so that we're communicating directly with them as a department. We're open to additional ideas on how those communications happen. But we do really want to have that >>> When we get to that, I'll have some questions there. But let

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correct. >> So the loan forgiveness. I don't know if I got the name right but the idea there is loans, right, or grants, and then the second one is recovery lease and that has to do with the property tax. Did I

characterize those two right? I'm trying to understand the difference between them. >> You did. And the property tax relief would be what the -- having that relationship between the property owner and the tenant to make sure that the tenant -- >> Kitchen: Okay. And the one that there's concern about -- dollars for is the loan forgiveness one, not the recovery lease one? >> Apologies, I'm switching back and forth. So, actually, when we're talking about a property tax -- we have a budget for that as well. So we're looking to -- we want to make sure that we have that

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in our budget as well. >> Kitchen: Okay. So right now there's not specific funding other than any interaction they may have with the saves fund as the mayor mentioned. There's no specific funding for these two new programs, is that right? >> Correct. >> Kitchen: And are these reimbursement programs - both reimbursement programs where people are reimbursed later? That's how we traditionally did 380 so that's what I'm trying to figure out. >> The plan -- yes, that is correct, the plan would be reimbursement. >> Kitchen: How would the loan one work? Is that one designed to give someone a loan? It's forgiven? >> That was the idea. And I've got the crew on the call and so I'm going to ask Sylvia and David to come in on that. >> Kitchen: That one seems more upfront and the other one reimbursement. I'm trying to understand the

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timing for when the entity would see the financial benefit under those two. >> Good morning, David grey with the economic development program. Under the restaurant relief program, which is a loan forgiveness program specifically for restaurants, that one would be the city of Austin offering loans. It would be an upfront loan and then there would be terms tied to the loan that would make it it repayable over time. >> Kitchen: That makes sense. And the other one would be reimbursement after the fact, is that right? >> Correct. The one follows our more traditional model. So the business would pay their property taxes and then after they have demonstrated achieving certain performance metrics, they would then qualify for the reimbursement. So that one is more of a reimbursement. >> Kitchen: Okay. Okay. I'll try to limit my questions because I know that others have questions too.

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So, mayor, I can see some interaction perhaps between the saves pot of money and the loan forgiveness. I see that interaction with, you know, with the property tax relief. Although I am happy to give the staff flexibility, which I think that is important. They should use whatever flexibility they have, but I don't want to overpromise to the community because we're talking about \$5 million -- well, \$10 million, I'm sorry, there's two buckets that we have identified so far. So I don't really see these -- I

appreciate the -- I appreciate the flexibility that's in the saves guidelines to allow for larger grant awards, but any -- but we need to remember that any larger grant awards for longer-term sustainability would take dollars away from the immediate assistance for other businesses and so I don't want to overpromise people. I don't think that this is -- I

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don't think that this is a substitute for our continued work on looking at longer term sustainability for our iconic businesses. So I just want to make that clear. I think that it is helpful to have the flexibility, but I see these primarily as -- as useful to help people to get over the issues that we're having with saves right now. So I don't see them as being a solution for what some of our -- a few of our older iconic businesses have dealt with in terms of rising property taxes and the ability to keep their -- keep their land and keep their places. I do not see this as addressing that. So I just want to make that clear. The other question that I have then is -- it goes back to -- and then I'll cede to someone else. I do have concerns that I'll have to think about in terms of the 380 agreements and waiving

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the living wage requirements and the health insurance requirements and the prevailing wage requirements. I have concerns about that. I'll have to think about that more. Particularly for the -- for the property tax relief. But my question, I'm going to go back to the saves. So if I'm reading those correctly, an entity has to participate in technical assistance before they are eligible for immediate relief or before they can apply for the loan for relief. I'll have some concerns about that because I had been seeing the technical assistance as an additional tool that could be available to people if they needed it. I'm not sure that all of these businesses will need it. The criteria requires that only the businesses that have been -- for saves anyway, the only businesses that have been around for 20 plus years are eligible.

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And so these are businesses that are experiencing covid right now. It's not that -- they have -- we've got businesses that have survived for many, many years. And my guess is that a good number of them are technically astute, you know, in terms of their business. So I like the idea and I think that it is important to make technical assistance available to them. I am concerned about making it something that is a threshold that they have to complete before they're eligible for dollars. And the reason that I'm concerned about that is because that's going to take a little while to put in place and it might be one of the reasons that we're not talking about until the end of February. So I am going to think about this more, but I would suggest thinking about a way to make the technical assistance available, but not a

threshold in all instances. >> So, council member, the enhanced guidelines that the council approved added that

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technical assistance part of it. We want to have that as nimble as possible and hopefully when you read the language that we crafted it in a way that gives that flexibility. We recognize that not everybody business will need technical assistance and each business -- if a business does need technical assistance, it would be at varying -- amounts of technical assistance, if you will. So that's why we have built in there that initial consultation or evaluation. That's not what the immediate emergency component of it. The emergency component is an agreement that they will agree to sit down and have that evaluation if they're going to continue on for the enhanced implement. And we are looking to that third party to give guidance if the technical assistance is needed, and if so, to what extent and how much. So we want that to be as flexible as possible. >> Kitchen: So let me understand that. So I read -- I guess that I read it wrong -- that the emergency support grants, they had to agree to participate in

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technical assistance programs. But you are talking about after they received the assistance, is that right? >> Correct. >> Kitchen: Okay, all right. Then the mandatory technical assistance program says they have to participate before they can apply for the enhanced support grants. To go through the technical assistance, but what you mean by technical assistance is just consultation? Is that right? >> An evaluation. So we're calling it an evaluation and they're agreeing to sit down for that initial evaluation. Because we made it -- we needed a way to apply that technical assistance if needed. But we do know that not over business will need that technical assistance. >> Kitchen: Okay, thank you for that clarification. It still causes me a little pause though that I'll have to think about. I thought -- my thought on what we voted on previously in October was -- was a very important tool to include, and a very helpful tool, in terms of

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the technical assistance. But I didn't see that as a requirement. So I would just -- I would like to understand -- if we're talking about a consultation, you know, and an evaluation or a consultation that is an hour or two of sitting down with one-on-one to understand what might be useful, I can certainly see that as a threshold. If we're talking about an evaluation process that is more in-depth that takes weeks, then that I think is -- I would see that as problematic in terms of required threshold. So that is kind of what I'm trying to distinguish between. So which way are y'all seeing this technical assistance for the -- for the enhanced support grants? >> I think -- and if they would like to jump in from the E.D.E. Side I'd

appreciate it. I think that it's hard to say without knowing -- without really sitting down. So this is really a unique

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program. The mayor spoke to it on the front end. We looked across the country for our programs like this and we did not identify one. So we're really constructing something that is very unique. >> Kitchen: Yeah, and I appreciate that. >> So having that past experience, I know that we'll know better when that process kicks in when the evaluation happens. As to what that -- what that type of assistance entails and how long it would take. I might -- my instinct is that it would vary business-by-business basis as we go through the steps. I see David unmuted. So I don't know, David, if you want to add to that. >> Of course. And not all businesses will need the enhanced funding. Council's comments were that certain businesses might be able to participate in technical assistance and through the T.A. They could have their issues resolved, whether that's assistance restructuring for

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debt, or negotiating a more favorable lease or some other outcome that does not require a longer term financial assistance. So the way that we have constructed the program is if you apply for the program and you meet the eligibility criteria and you agree to participate in the T.A. Evaluation, then you receive \$20,000 immediately. And that's your money for whatever your immediate needs are and then when you do your evaluation, your evaluator might say that we can resolve your bigger issues through technical assistance alone. That would be great for a lot of people. But there will be a sub-set of businesses and venues who will need the longer-term financial assistance. So that's why the enhanced funding comes after the T.A. It's really meant to be a way for us to sort out which businesses can have their issues addressed through technical assistance and which businesses need both technical assistance

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as well as some recurring funding to help to bridge them for the next four to six months. >> Kitchen: Okay, all right, I appreciate that. I'll look at that a bit more and turn it over to others. If there's other questions, mayor, after everyone else gets a chance to ask. >> Mayor Adler: That sounds good and, Anne, real quick you had a question that I had asked earlier about the availability of the chapter 380 agreement followed from a kind of town hall that Kathie Tovo and I participated in, at one of the venues down in the red river area that owned their own property said that I appreciate all of the different tools that you have available. The one need that we have is help with our property taxes. We don't have income that's coming in. And is that going to be a tool under the 380 agreement, that



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when we go in for the savings environment, if that's the tool that we need, is that something that can be considered. And it was to address that. We don't want people to not have that tool available to them in the chapter 380 agreement. If that's the best thing that we can do for them. But I join with you entirely that we have real -- we have much more -- we have much greater and bigger issues with respect to the - - to these industries in our city and long term we need to find, you know, better and more helpful answers. But that's where that came from. I was almost just reasking that question >> So we have two things that I want to raise. One probably pretty quick and the other one might require a bit more work. The quick one is on the health care living wage and the prevailing wage requirements that is before coming on council and implementing that and

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reimplementing it while on council. When it was designed it was designed when we are talking about primarily multibillion dollar companies coming for multimillion dollar grants or relief. This is a different and separate program and so in consulting with both the small businesses that would be receiving this aid, and then with many of the workers' rights groups and organizations, it seems like moving those from requirements to -- to prioritization would be a good solution. I have spoken with director Briseno about this, those going above and beyond to pay more than the industry typically would and to provide care in the industry that traditionally wouldn't, that we should try to prioritize and recognize that work. But as we set it as a baseline requirement, where we applying rules that were really designed for big companies Mering here to restaurants that -- to companies

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might having here to restaurants that would be moving here and it wouldn't work. It wouldn't raise wages for workers if they were about to close. Denying them a grant is not going to give those restaurant workers a raise. So my understanding and my hope is that we'll get a lot more emails to this effect that many small businesses and those workers' rights organizations have come to some level of agreement on that issue so that we can move through it. So I wanted to signal that for everyone to look at that potential work. Then the second thing that I wanted to raise is while we currently are saying that the 380 program isn't funded, I would like the manager and maybe the C.F.O. To look at ways for us to actually say that it is funded and start providing some of that relief above and beyond the saves dollars. The way that I think that we do that -- and I would love the manager and other council

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members to comment -- is that if there's any 380 agreement that we execute to help the small businesses early on next year, that obligation would not incur to the city until the f.y.2022 budget, right? We wouldn't be rebating those taxes until December or January, and then until we're doing the December and January, which isn't in this year's budget, it's next year's budget. As the mayor mentioned I think that we should be expecting stimulus, but if we wait until the stimulus gets to us, then we might have some businesses that might have closed that we wanted to get that money to. So, manager, I would like for you to think about a way to authorize either on Thursday or on December 10th some reasonable amount of money to go into the 380 program that would be an f.y.2022 obligation. To be clear, that would be relief that we could provide in f.y.2021 to businesses now. But we would essentially, you

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know, if we told the landlord please cut the rent of a small business and we will get you relief in December or January when your property tax bill comes due, we can essentially provide that relief now when people need it. And then pay for it with the stimulus that we know that is coming. So it's a good way to front the money. And so I understand that there are some uncertainty about exactly the size of the stimulus and how quickly it will come, but -- but I think that what would be fair is to start programming in -- I don't know the right amount, but some number of dollars -- \$2 million, \$3 million -- knowing that the stimulus should be larger than that and it has to come before f.y.2022. And so -- so I know that it is pushing it a little bit, but I would hate to wait for the stimulus and wait a month to develop the program and take a will month of applications if we

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could start providing some relief for the 380s now and pay for it with the stimulus that comes or deal with it in the f.y.2022 budget. So I don't know if that is something that we can give direction on on Thursday, or if you have to bring back another item on December 10th but I would want the economic recovery staff to provide all of the tools and the pieces that help on the interest and not have to come back in January to do that. So I will ask the staff to think about how to give council that option if there's a vote needed. I know that we aren't budgeting it for this year, but we would be incurring an obligation for next year's budget. So that's clear to everyone. But if anyone has questions you can always >> Council member, we'll follow up to clarify that, what we went through to identify the \$15 million was a difficult exercise as you know, and so we're going to make sure that we can provide some tools, but then more

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importantly to get the feedback from you and your colleagues about where those funding -- where that funding would come from. >> Casar: Right, and to be really clear it wouldn't be scraping dollars from this year's budget, it would be budget dollars in f.y.2022, so that's to be really clear what I would ask for folks to think about. But I think that it is really entirely possible. >> Mayor Adler: Council member pool and then council member alter. >> Pool: Thanks. Real quick, I like the idea that Greg is presenting, and think it would help us kind of get a jumpstart on lining up with which entities would be leaving the 380 funds knowing that there's that lag time. So if there's a way that we can start that ball rolling before the end of this fiscal year and then roll it into our deliberations for

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fiscal 22 budget, I think that's a really smart suggestion and I really like that. That's all. I just wanted to jump in on that one item, mayor, thanks. >> Mayor Adler: Thank you. Councilmember alter. >> Alter: Thank you. I have some more basic questions that I wanted to get clarified. But first I just want to say I'm really pleased that the childcare work is able to build off of the grants that I sponsored in the spring with respect to the childcare fund and that we are moving forward with United Way and that those funds will be getting out sooner -- as soon as possible to the childcare organizations because that is really very important. On the legacy grants, you mentioned that there was 8 -- for the legacy and the iconic venues you mentioned that there was 800 some thousand that was already

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provided. I think when we start to talk about the legacy businesses it's larger than that and certainly when we talk about restaurants and venues together it's more on the order of four million plus. So I think it might be helpful to have a little bit more information if we can on those numbers because our previous small business grant did reach some of them. The problem was there just wasn't enough money and there was so much demand from the businesses. So if you could provide that of in the near future that would be helpful. For the legacy item on number 12, can you help me understand why we are excluding non-profits if they meet the other clarifications? -- The other qualifications. >> Councilmember, so address your first point we absolutely can provide that and in the meantime I just would be remiss to mention that our website, the [txrecovers.com](http://txrecovers.com), if anybody is looking for that information sooner rather than later, we have dashboards that dissect all the grant programs that we

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have talked about and list information on all those programs. So it is accessible to the public right now, but we're happy to respond with a little bit more detail on that too. In regards to non-profits and David gray will correct me if I'm wrong, but I believe that was part of the initial item that came forward from council. But David, is that correct? Am I mistaken in my memory? >> You're correct. That was part of the initial item that came forward from council and it's within council's purview to make the modification if they want. We were trying to be respectful of council's intent under the very first saves direction that we received back in September, which was really clear to look at businesses in these specific districts so that's subsequently why we did not include non-profits as part of that mission. >> Alter: I'm going to think that through before Thursday. I think that there are --

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some are gallery museums that would fall under the legacy business item definitions, but would be non-profits as opposed to for-profit. So I may look into thinking about that. I don't think it's a huge number that might be eligible, but I think there may be a few like contemporary or mexicarte that might fall in that category. So I want to think about that. And there's a section called commercial tenants and would like to better understand what that section means and requires. We had some conversation about it in a previous one of our sessions and it says as parts of the mandatory it rental assistance programs residents should demonstrate

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a commitment from the property owner to enter into a more favorable or long-term rent agreement or lease agreement with the applicant. Can you explain what that means in practice? >> Sure. I'm happy to take a pass at it and encourage my other colleagues to chime in. So the intent here was to align with council's intended purpose of ensuring a long-term survivability of the program participants. One item that has been specifically referenced in conversations as well as in some of the past legislation has been this piece around long-term leases. And specifically renegotiating leases that are more favorable to the tenants to help them survive the pandemic. In conversations with stakeholders both tenants as well as commercial property owners, we've learned a lot of reasons why about people would and are able to restructure their leases and

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also why people are unlikely to restructure their leases. And we didn't want to mandate that the tenant successfully negotiates a new lease if the property owner was unwilling to do so because we didn't want to penalize the tenant or the business owner who might be in dire need of some type of help from the city. So the way that we've programmed this is exactly how you read. We would require applicants for

enhanced funding to demonstrate that they attempted and really made a solid effort to enter into a more favorable rent or lease agreement with the property owner. We've used a number of strategies in the past to really make these demonstration processes easy, everything from allowing people to upload copies of emails so their property owner where they've tried to negotiate a more favorable lease or some other kind of way of documenting the conversation

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that had happened. And if you do that, then we're great, but we at least want to have it be somewhat of a requirement that there is a conversation between the tenants and the property owners about more favorable lease. And we felt like this section really aligned with the direction we received from council to make sure that we're also doing it in a way to position businesses for long-term survivability as opposed to giving out immediate grants and then the business subsequently closes in 30 to 60 days. So that's the purpose as well as how we might implement that particular piece of the guidelines for these two programs. >> And David, that was great. I would just add to that that the uniqueness of this program is that because of the technical assistance, if the business is having difficulty in that negotiation, the technical

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assistance piece is where we could hopefully provide some assistance in those conversations and discussions. >> Thank you. That part I understand. I appreciate David's explanation and actually to me it resonated more than the way that it's worded in here and I think that the -- that the challenge I'm having is with the wording to demonstrate a commitment rather than to demonstrate an attempt to secure a commitment which to me those are very different phrasings about what we're asking. And I don't know that -- I don't know, do I need to make an amendment to make that kind of thing, but I think it really -- you know, I'd ask staff if I need to make an amendment for something like that, but it just -- it really changes what is communicated to somebody who is just trying to figure out what this means and hasn't been deep in the conversations. >> Councilmember, I agree. Let us give it a little bit of thought and we will

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circle back with you before Thursday to let you know what we amended in our proposed guidelines or if you would like that amendment. >> >> Alter: The way David said it a few minutes ago, I think that switch does communicate more clearly. I thought you had said earlier that the technical assistance program was a mandatory evaluation, and this sounds like it's a mandatory program. And again, it doesn't seem to be in line with what you just said so I don't know, can you explain again the difference, because I

thought you said that we were requiring that not for the immediate need, but for the other that they have to sit down and have an evaluation and then the program is available to do much more than the evaluation, but if they decide not to do more than the evaluation they can still try to apply for more

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enhanced stuff but they have to sit through at least evaluation. Is that correct? >> Councilmember, the way you're explaining it is correct and we will be more clear in our marketing and in our communications collateral about the program. Part of these kind of grammatical things that you are picking up on is more a consequence of staff trying to move rather quickly to deliver something to council in the community. But the way you're explaining it is the way we intend to operate it. So we will be much more clear in the website that talks about program guidelines. We plan on having an orientation to walk people through the guidelines and the process and so we'll make sure that we're much more clear as we go to roll out and implement the program. >> Right. I want to be clear I'm not asking these questions as a criticism. I know this is challenging and you're doing this very quickly. I want to make sure I understand what we're voting on and what we're asking of

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folks and that we understand where confusion may prevent people from applying when in fact we want them to apply and we want them to help and we want them to take advantage of the technical assistance and be open to that, but we're not trying to add sort of additional hurdles moving forward. Thank you for the clarifications. If you can let me know that this is stuff you will take care of appropriately either in the collateral or in the guidelines, I would appreciate it. >> Mayor Adler: And I guess in a program like this you're trying to provide incentives not only for the venue, but for the venue landlords as well. And I agree that with Alison and with David, that the intent of this is not to require a landlord to participate in order for the venue to be eligible for relief. But when you're ultimately deciding how to spend limited dollars, if a

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landlord steps up and is willing to offer that longer term lower rate lease, it's more likely that then that package is something that will get funded and landlords should know that when they're participating in these conversations that if they want to have access to the rent that comes through this program there is an incentive for them to participate as well. They come for a more attractive package in the presentation. All right. Anything else on this item? Yes, page? >> Ellis: Thank you. I agree with what you said about landlords participating in this. I'm enjoying all the questions my colleagues have about that.

Director Briseno, between saves and the chapter 380 which option might be more flexible for your team to

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work with. One is identify funding but the other has a little bit more of a long-term implication of success for a business. Can you tell me the ones that are easy or flexible to administer quickly? >> That's an excellent question. We haven't really had the luxury to think about that question. I would say both pose difficulty so it's really a tough guess and I'm seeing Zenobia -- synobia nod. I like to think of its a a tool chest that provide relief and I think that's important goal going forward. So synovia, but want to add? >> Director Briseno, you are correct. This is going to be a first and just the options of these tools and flexibility

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will go further. >> Councilmember, this is rodly Gonzalez. I just wanted to mention of course with the use of the 380 program historically we've used it as a performance based tool meaning that the business has to demonstrate performance before they receive some form of cash payment. And I think what may be discussed here is the cash payment coming ahead of performance and we just have to think about that in the context of how we've used the tool previously. Currently the guidelines and the programs that we've put forward are grant programs. There are some requirements tat we have, but they're not necessarily things that we have to monitor like with what we would with chapter 380 programs in general. So we have to think about the use, the historical use of 380. We've looked at it as a performance based tool. And so that may not lend itself to the flexibility that we currently have with other programs.

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>> I was going to say that I can appreciate that they may have both their own strengths and weaknesses. And a follow-up question to that as we're talking about how to fund the 380, I have initial reservations about committing to other budget cycles. It's just something I would have to ask questions about and think through to see if that's the most appropriate way to come up with it. Do we have a commitment of how much money we would be looking for to try to fund the 380? >> In part of my discussion with councilmember Casar, I think we need to take the next day or two to give an estimate of what we're looking at. I do think that it's important to have that clear idea of what that amount is so we're not having an open can of opportunity to provide that relief. I would want those guardrails if you will. So we want to give some

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thought on what that number would look like and bring that back to you the information. >> Ellis: I think that would be helpful especially if we get to another budget cycle and if we want to know if we're going to fund something else early, what does that mean for that next budget cycle. So I would want to have a little more information on that before providing, but that wraps up my question so I'll take it back to the mayor. >> Mayor Adler: Okay. Additional question, Rodney. I think that the chapter 380 agreements that we've had in the past have all been like you've said performance based and that was kind of the quid pro quo. My understanding is what we're doing with the chapter 380 agreement now is we're decoupling the 380 participation from the pro Forma. What we're saying is survival in this environment of this industry is a huge benefit to our community so survival itself become the performance. So it's a tool we can use without asking for anything

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other than hanging in there. >> Absolutely. I think that's what your council is saying is that the survival item, the dilemma is where any types of requirements that are added for the use of the tool that we typically would monitor such as wages or safety requirements, etcetera, those come after the fact. And it could be that we give dollars upfront and then we do the monitoring only to find out that the performance wasn't there and then we're in a claw back situation. And we've never had to do claw backs because we require performance upfront. So as we talk about the 380 tool we want to make sure that we don't set up businesses that are receiving these programs, that we're not inadvertently setting them up for failure in the form of like we're doing a monitoring after fact of certain requirements that they haven't met and then they're having to come back and pay those dollars

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back. >> In this case it would be measured by the survival depending on what requirements you place with that acknowledged the assurance that the city gets here and a normal 380 is the evaluation element with the technical team that's looking for exactly that kind of criteria as part of the obligation for the use of the tool to start off with. So I think that there's some trade-offs there as well. >> Absolutely. If those are the requirements of the council, which is survivability, something that is a low threshold, it may not be as much of an obstacle. I'm talking about it's the traditional requirements that are imposed on chapter 380 requirements. >> Mayor Adler: The question that was originally asked by council back in the first weekend of October is was can we use this tool where community benefit is



[11:17:53 AM]

survivable. Councilmember harper-madison. >> Harper-madison: Thank you, mayor. I think as pertains to the 380 conversation this may be neither here nor there, but I think it's worth saying. I have some constituents and then some folks outside of district 1 who have small businesses, especially those with brick and mortar who have managed to stay afloat, who have managed to implement some creative tactics and private as much as possible, tap into their personal savings, etcetera, and stay afloat without asking for any assistance, without applying for grants. I find myself wondering what incentives can the city offer those small businesses without limitless resources that have mentioned to stay afloat. And I don't know that it's financial assistance per se but something in the way of permitting or something. Is there an opportunity for us as a body to take into consideration what we can offer in terms of incentives for businesses that have

[11:18:54 AM]

fought their way to surviving throughout the course of this pandemic and don't have limitless resources. I think if we're acknowledging performance F we're acknowledging something in the way of proficiency, by the way of managing your business to where you were able to stay afloat, I think it's important for us as a body to acknowledge them as well. >> I think that's next on point, councilmember harper-madison, and I believe on December 10th council will be considering extending the shop the block program, which is a program that was developed that is non-financial in nature, that assists our small businesses with expanding their opportunities to create revenue so we think it's a great program. Thank you, council, for adopting it. It's been implemented with great success. And in that regard what we want to do is look at various ways that we can help our businesses increase

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their revenue opportunities, whether that's expanding footprint in a way that's doable, that doesn't cause as much consternation or to your point ensuring that we're constantly making sure that we're responding on a time lie basis for permitting, etcetera, and thus far we have been. We want to help at every opportunity that we can for our small businesses that are suffering. >> And Rodney, if I could add to that, another piece of the discussion is our overall economic recovery framework, a path that we sent on months ago of looking at what is our overall economic recovery plan. As you're aware it has included council subpanel discussions, extended focus group discussions, work with city staff and other departments to look at what can we do creatively for economic recovery. And we're rolling all that into an overarching plan.

[11:20:55 AM]

Right now I'm working with our sister departments to look at different areas that do impact, for example, our development services department but that will all come to something that we're working as a written document and hopefully it will provide some creative relief for those that may not be in the same situation. >> It's Ann Morgan and to clarify the shop the block item is actually on this week, it's item 7. You will have it this week. And I wanted to just echo something that councilmember Ellis had said, councilmember Casar's idea about looking to the future to fund something is an interesting idea that we want to think about but it does run into the problem that we need a sinking fund to fund something in the future which is dollars that come out of this year's budget. I heard your idea and we need to think about if there's a way that we can get there.

[11:21:59 AM]

>> Since we're on the topic about the item that's on the agenda helping extend that -- the help that we provide for really like cafes and stuff, it's very specific and I'm happy to talk about this, but a business doing stuff outside now to have space, but they have amplified music. And I think because of the zoning issue they had a neighbor that was upset about it. So it seems like they were referred to planning and development maybe because of the zoning issue and the noise issue. Is there a channel for them? And now I know they've reached out to my office and I believe the mayor's as well. Is there a way to when that kind of stuff happens -- because then they're just told sorry, you can't do this. To divert them to economic

[11:23:01 AM]

development and maybe there's a liaison there that can provide some options for how they're trying to stay open? I think it's a dance studio. Is there a process in place to get folks to our small businesses advice? Because I'm sure that people know to reach out to the council offices, but not all small businesses know. >> Thank you, councilmember. Sorry, we'd be glad to talk with you offline. And this fiscal year we actually moved music enforcement from economic development towards development services and that might have been the shift. But yes, certainly the music office and her team have helped the small businesses to try to conform with the sound ordinances by developing innovative practices and techniques if you will that will minimize sound disruption, but we would be more than happy to

[11:24:01 AM]

talk with your office online and connect with the small business. >> Garza: Okay, thanks. >> Councilmember Casar and then councilmember tovo. I'm sorry, it was councilmember harper-madison and then councilmember tovo. No, Casar first, harper-madison second, tovo third. >> Casar: Thank you. I'm sure you will sort it out. My thought is for example when we hire a staff person in the budget, but it's in the last two months of the budget, we don't budget for the whole salary. We feel that the salary for the next year. Or when we sign a contract for midyear we don't budget, have necessarily in budget the who year's worth in contract, so something to think about. And then something to -- Rodney, to your question or point, I know maybe one of the programs you require upfront money, but I see the affordable this program to

[11:25:02 AM]

not have to pay the 380 program to not have to pay some of those funds until the next year with the landlord reducing rent in this year. So that's just kind of my thoughts on it. And then the last thing that I wanted to kick over to director Briseno again between here and maybe kicking off the 380 program is how are we best defining survivability if someone were to lay off all of their employers is that survival? You may not be able to get to that level of detail but something potentially for us to think about is how do we make sure if our goal is to both retain jobs and retain the business, how do we do that without setting up too complicated of a barrier for this business to provide. >> Councilmember Casar, if I could just respond to that briefly. As part of the chapter 380 guidelines that we've drafted if we were to

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execute those programs, there are certain performance indicators or basically a ladder of reward so that if you do retain your employers, let's say you're a restaurant and you do retain 100% of your employees you get a greater reward than a restaurant that may only retain 20% of their employees. So we're trying to think about what the survivability would look like and how do we incentivize businesses to not only stay open, but also keep people employed, keep them paid at least at their current level of paid and continue to provide high quality service to the city but I think the question you're asking around what does the survivability look like in a covid context, that's a conversation that we're workshoping with peer cities across the nation and really trying to understand what does it mean to say survivability in a post covid environment. But I wanted you to know that we are thinking through some of those things and making sure that we're structuring the incentives in a way that really north

[11:27:02 AM]

Korea the businesses that might receive support from the city to keep people employed, keep paying them at least their current pay, maybe even offer them more pay, so on and so forth. >> Thanks. I

scanned the memo. I didn't see that. Maybe I was in there or in the previous one, but it sounds like an elegant solution. Thank you. >> Mayor Adler: Okay. Councilmember harper-madison? >> Harper-madison: Thank you. This actually speaks to what councilmember Casar brought up and a question that I have about what are the reasonable expectations. I like the idea of being able to offer support now and then repayment later. I do have some concerns about the guarantee of stimulus both by way of the amount and by way of the timing. I hope during the course of that conversation somebody can help to give me a better idea of what sort of

[11:28:03 AM]

guarantees we have there because it does -- it doesn't feel like there's any guarantee, in which case I think the question I would have then was ultimately if we didn't get the amount we had anticipated, and the amount of time we expected, what's the course of action -- what's our recourse then if we operate expecting to get a thing that we don't have yet, I just worry about the lack of certainty there. >> Okay. >> Mayor Adler: Thank you. Kathie? >> I had a quick comment that really hark ins back to such an earlier part of the conversation that it may be not worth mentioning. I want to make sure those listening to the sound ordinance piece of the ordinance understand that and I believe this is reflected in the guidelines memo as well, any businesses using the shop the block are

[11:29:07 AM]

required to adhere to our current guidelines regarding the sound ordinance and we ask some questions in the q&a to clarify that because we hear probably every week from individuals about the sound ordinance and I want to make sure that the shop the block continues to be well supported by the community as it has been before and don't want them to think that we are waiving some requirements for businesses. We are absolutely doing what we can do to support our businesses and in a way that can also [inaudible]. >> Mayor Adler: Kathie, you're muted. >> Tovo: [Indiscernible] I don't know where I muted myself. Anyway, I think I made that general point. >> Mayor Adler: Two seconds ago. >> Tovo: Great. The other thing I want to say is I want to underscore -- one, before we move on from the shop the

[11:30:08 AM]

block I want to acknowledge councilmember pool's leadership on that. That really has turned out to be a very successful program and I appreciate our staff's work on there and continue to get good feedback from businesses about how that's really enabled them to operate well during this period of time to help them better balance their resources, which are strained right now. On that front I want to underscore some of what councilmember kitchen and others have said. I think it is critically important that we get

this money into the hands of the venues that are struggling as soon as possible and thank you, staff for working towards ways that you can both comply with the council directive to provide technical assistance that may help with the sustainable long-term change and success while also getting that immediate assistance into the hands of those venues as soon as possible. So if there are other ways to really expedite that process, I know that you're

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committed to doing so. So thank you for getting these programs up and running as quickly as possible and I want to acknowledge the many individuals and venues who have written to us and asked and encouraged, pleaded that that money just comes available as soon as possible. We've had good success with various other kinds of relief throughout this pandemic because we were able to get it into the hands of people very quickly with as little guidelines or little -- certainly by upholding a set of standards and making sure that we were verifying information that has what we need to verify, but also with the priority on speed. >> Mayor Adler: Okay. I want to return if we can, Veronica, to the economic development corporation issue. Then we'll go ahead and break for lunch after my

[11:32:09 AM]

colleagues address this too. EDC provided us the hope or potential of being able to act more nimbly and quickly than council and the city can otherwise act. And I really appreciate the staff bringing this forward and taking councilmembers to look at ads the last few years as well as councilmember Tovo's continued push to help us realize this. And it's good that it's happening. I do have some questions about it and the first one relates to a process that we're on, a track we're on that has a lot of people coming in. We're going through that process and separate from that process we talked about stepping up the process and having an interim CEO with a small board with staff and council quickly so that we could make sure that if there were opportunities

[11:33:11 AM]

where we could use the EDC to leverage the bond money, for example, they were already working on that for venues and we had specifically addressed it with respect to the resolutions passed by council and making it available as a tool to help with saving dollars or to bring in additional capital that would be able to make somebody's proposal really work or really pop. So my questions are how are we doing on that? Have we set up the interim board? Has it been meeting? Has it hired counsel? Does it have its staff? How is it functioning? >> Mayor, I will switch hats and answer those questions as your interim CEO and president of the EDC. We have been working fast in that regard and I'll also switch hats. We have David Culligan on the line, our interim CEO -- was entity and is fully

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committed to standing up the edc. We have -- council took action I believe in October to have an interim board and we have our interim board members in place. They consist of the interim board members that were identified as board members as well as the chairs of the music and the art commission. The board has yet to meet. We've been meeting one on one with the board members. However, we haven't received our letter from the secretary of state acknowledging the creation of the edc and the filing of the articles of incorporation and the bylaws and so we have the interim board to schedule a meeting. We've also been working closely with our consultant and now consultant team and looking at the projects that council identified through the report as the priority projects to start looking

[11:35:17 AM]

at. We also in those discussions, working with consultant on identifying legal work representation as well as working on identifying a search firm to start the staffing component -- the permanent staffing component of the edc. David, am I missing anything in with regards to some of the steps we've taken the past couple of months? >> No. That was a pretty strong update. >> So Veronica, we had talked to -- when we were doing this we had thought that. >> I know you have to staff it long-term. The consultants had indicated back then that they were able to help staff it like right away with people that had already done this kind of thing and had experience in it so that you didn't have to see the search firm. I see the search firm for the permitted thing, but I would really like to be hearing now what the edc thinks it could be doing with respect to some of these venues. I would like to be hearing from edc now with respect to

[11:36:18 AM]

its thoughts or suggestions on how to leverage the bond, creative space bond funds. I wouldn't mind hearing from the edc right now with respect to ideas or thoughts on the south central waterfront. And I know that that entity will work independently of the city. Don't want to be on so tied to the city that it just becomes an extension of the city that way, and working within the time constraints that the city works in. The edc I think independently staffed and stood up quickly will provide an opportunity maybe to push or product push or prod or move things faster than they would have otherwise. I don't think they have to go through the same kind of rfp processes, they could get the council, the interim board.

[11:37:18 AM]

The consultants could bring in that kind of interim team to get it going. And I'm real anxious to hear. I was hoping we would hear before we left for the winter break from the edc. My hope is we hear this well before the meeting in January with respect to the interim, not the long-term one, the interim one on what kind of path. And I think that's the expectation. I have a question about the permanent one now that the board is going to up to 20, 25 people and we have a bylaw change that actually has an executive committee or something that can act more nimbly than the board that it's now growing too. I would be interested in seeing an amendment to the bylaws that allow for that. There may be other questions that other questions have with respect to bylaw governance, but the main thing I want to say right

[11:38:21 AM]

now is when we were all together and we asked the consultant can you staff this thing for people to come up and have it running and working all the way, he said yes, I would like to see that. >> We're happy to provide a more thorough report. Our consultant has listed a team of consultants that are standing up and working in that regard. They're tackling again those priorities that council had set, some of the projects that you mentioned and working in that direction, but we're happy to provide a more thorough report on the assessment. >> Mayor Adler: That would be great. If before we leave for the December break that gives us two weeks, if you will give us a report on how it's looking and how that team of consultants who already have expertise in this see us and progress made. Ann? >> Kitchen: Yes, Veronica, I think that report will help. In that report what I would like to see is I'd like to

[11:39:24 AM]

know the date that were going to be brought back to us, the contract between the city and the edc on the creative space bond project. We're late again with proceeding on that bond project, later again that was not proposed. So in this next phase I really appreciate fact that the rfi that was done and completed but I'm not aware of anything that's happened since then and that's been done for awhile. So the reported needs to assess that and we'll talk about it online. I'm not sure I understood you correctly. The consultants, are they now acting as staff? It sounds like they are, is that right for the edc? >> They are consultants, but depending on the initial work of the edc to get it up and running, working closely

[11:40:26 AM]

with myself as the interim CEO and president and with David Culligan as the interim coo? >> Kitchen: Can you put that in the memo? We can know exactly what they're working on and their positions. We're talking about consultants actually coming in as interim-- you could have an interim coo, interim CEO, interim project manager, whatever the titles are. So that they have the authority to act as actual staff

people on an interim basis. So that's what I'd like to understand as part of the report. You guys are stretched so thin and I want to echo what everybody else has been saying in terms of how much work y'all have been doing. Please understand that it's very much appreciated so I'm not certain how you guys can

[11:41:26 AM]

be both an interim staff through standing up a new start-up entity like the edc and also do all the work you have to do as staff people for the city. So I think you should seriously consider an interim coo and interim CEO who are consultants. I don't see how you can do that work quickly. So I just ask you guys to think about that and maybe put that in your report. I don't see how it can happen. And then I would urge again because the other question I have is about item number 10, the -- what's proposed for the board members. It looks good. I have two questions about it. The president and CEO of the edc, I'm not seeing them as voting board members.

[11:42:27 AM]

That usually sets up a conflict when you have your CEO and actual voting member of the worth that hires and fires them. So I think it would be better to have it as a position. It's fine to have it as an ex-officio position although you don't really need that. I do think it sets up a conflict to have them as a voting member, so I would suggest it not be done that way. Finally, I would like to note, and I have to think about this a little bit more. But I would like -- I'd like -- I think that you've got a good breadth of entities in terms of making nominations, but I continue to see a lack of representation by the small business association. I see that you've got the alliance of chambers. I see that you have the

[11:43:27 AM]

greater Austin chamber and other entities too. It just feels like an oversight to not also address the small businesses because they are impacted by these -- by these activities in the edc. So I would note just an idea, we can talk about it more, but perhaps that position that you have for the president/ceo as a voting member could be replaced with a representative of small businesses. And whether that's abia or something else, because I know you are in the process of assessing the needs of small businesses, I just don't see that position reflected. And the reason I'm going there is because I see an acknowledgment for the breadth of the rest of the chambers. I think they're all there. I'm not sure if all those chambers are represented in the three that I mentioned.

[11:44:29 AM]



So if we're leaving out any of those chambers, I would like to understand that and like to idea why. So that's what I saw. I may be missing one. So those are my comments about item number 10. >> Councilmember, to address your first question, the president and CEO is an ex-officio board member. They are not a living member of the board. That is the first concern. >> Kitchen: Okay. >> With regards to the small business and the representation we thought the chamber would have a small business view as well. But certainly I'll give him your message and I just -- proposing the board as it is structured, it is a large board already and so we're just cognizant of the fact that we want to make sure

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that this board is able to move effectively forward. >> Kitchen: I'm concerned that we continue to single out all of the chambers except the small business chamber and I don't know why we continue to leave them out. That may be a longer conversation to have, but that's what it looked like for me. >> You're on mute, mayor. >> Mayor Adler: Sorry. Mayor pro tem and then councilmember Flannigan. >> Garza: I wanted to jump in and add a comment because I don't want people listening to think that we don't have representation for small business because I know for the Latino, the

[11:46:31 AM]

greater Austin hispanic chamber, I believe the authority of their membership is small business as well as for the black chamber. I understand what you're saying, councilmember kitchen, there's one in particular that does not have a seat, but there is small business representation with the Latino and I know the African-American chambers. >> Mayor Adler: Councilmember Flannigan. >> Flannigan: That's similar to what I had in my mind. There are four chambers that make up the Mecca chamber, all of which are primarily small business representative and that was in the chamber analysis that is now being postponed to both next week and into January. So we can even see the most recent analysis that's been done on those chambers and

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I'm comfortable with the compromised layout that the staff has put together because if we start digging into what is the level of representation, am I 100% comfortable with all four of those Mecca chambers having one seat on this board? I don't know that I'm 100% comfortable with the equity side of the business community only having one seat and then adding another seat for what even staff calls the non-equity side of the business community? So I'm comfortable with where the staff is at and I think one of the challenges for abia and I'm excited to see the work evolve with staff is it's not a chamber of

commerce because it restricts its relationship to certain ownership types. So it is a slightly different type of organization, one that has value absolutely and that's why there's really good work to be done through what we have already directed staff to do in exploring that and the other chamber. So I think the staff has reached the right middle

[11:48:33 AM]

ground. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Thank you for that clarification, mayor pro tem, and councilmember Flannigan. You're certainly right. I didn't mean to imply that there wasn't small business representation. That was a good point to make. And councilmember Flannigan, I get your point also and have a bit of concern about that too with all four of those chambers having one representative. And I understand that it's difficult to come up with slots like this because there's always somebody left out. I'm happy to raise this as a larger conversation in different -- impacts different aspects of this. I think we can go forward with the edc this way, but I continue to be concerned. I don't see the abia is not a chamber you know because -- that's probably a

[11:49:34 AM]

longer consideration that we need to have. They do represent like these other chambers do a portion of our business community. So that's a longer conversation when we talk about that, but I really don't. I'm concerned and nursing home I'm not understanding in the -- why we continue to leave them out. So I'm willing to let it go for this one, but I do need that longer conversation with staff and at the right time with staff and council as a whole. >> Mayor Adler: I think too about the number again it's getting to be pretty big so I think it needs to have a nimble executive committee that can operate. I did note it didn't have a representative of the downtown Austin alliance and the adc originally started in the downtown Austin plan

[11:50:34 AM]

so I'm -- we'll talk to staff offline to see whether or not that particular expertise maybe actually -- that you can participate in projects. And some of the projects being down in that area might be that the daa should have a representative. Councilmember tovo? >> This has been one of the challenges really of thinking through who should be on the board all along. And I -- where I've gotten to a level of comfort is in that idea of having spinoff advisory boards for potentially even work project groups that we will need an opportunity. Our edc will need the opportunity to pull in potentially multiple representatives from the affordable housing community. The edc has an initiative that is related to housing. The same in the [indiscernible] Cultural spaces and other projects. So I absolutely think that

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that will be important to have a structure as time see involves to have a structure that allows for the additional voices and stakeholders to be brought in to work in a concerted and focused fashion so we may have more expertise on the board. With regard to the downtown Austin alliance, I know that they have reached out and expressed an interest in being involved and I certainly hope that they will. And I hope they will bring great value to it. They have their own economic development corporation. They have their own economic development corporation and so I think another thing for our edc to think through is how daa's development corporation can work in partnership with those projects that are downtown and that may be the best way to [inaudible]. >> Mayor Adler: Okay. Anything else on this? Are we ready to break for

[11:52:37 AM]

lunch? Okay. Veronica, you and your staff, I think those were all the EdD items, thank you. Boy, I tell you, you guys are like -- everything is being done at this city, Rodney, ask you, and sylvia, everybody working on this. Natasha, did you raise your hand? >> I did. I wanted to remind everybody that today is giving Tuesday. It's a global movement for everybody to take the opportunity to show? Generosity and kindness and compassion. If you're able give what you can to the efforts and initiatives that you see fit. And that doesn't always mean monetary giving. Sometimes it's an act of kindness. And so I just wanted to remind everybody of that. Facebook is matching up to seven million dollars in contributions to giving Tuesday. So if you find yourself scrolling on your lunch break, you may very well make a contribution that they'll match.

[11:53:39 AM]

Thank you. >> Mayor Adler: Cool. Thank you for that. And also thank you to David, David Culligan and David ray also on this call, Susana as well. Everybody is working on 80 different things at once. It is 11:53. We're going to recess this council meeting. At 1:00 we're going to convene in the executive chamber mode of this where we will, pursuant to 551.072 of the government code we're going to discuss real estate matters related to e3, which is the real estate matters. Pursuant to 551.072, e2, the Austin tourism and public

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improvement district. E one has been withdrawn. Without objection I'll see you guys at 1:00 in the channel. -- In the executive session channel. See you then.

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we have a quorum present. While we were in closed session we considered the legal matters related to item E 2 -- matters related to item E 3, we did not consider E 4. We will consider it on Friday -- Thursday, rather. Let's go to pulled items, Jimmy -- of UT item, which I think there is an item number six teen, I want to handle this quickly because we somewhere have two councilmembers that are -- >> Thank you, mayor. It is not so much a question of -- it is more of a process question. I was really thrown off by seeing staff place the resolution directing the manager to do something on the council agenda, that is normally manager councilmembers do, so that was partly confusing to me but also a resolution that initiates a zoning process without saying what the zoning is. As opposed to say a public engagement process or a public -- I mean it is not clear exactly what we are initiating

[2:56:24 PM]

because normally when we say council directs manager to initiate stoning we say what the manager is we are 0 -- so manager or planning staff can understand what it is we are actually initiating today and what the steps and the process look like moving forward. >> Thank you, councilmember we do have staff from our development services and planning on, we will get moved over. This is a continuation of a discussion that we have been having with council and this is an item as a follow-up from some of the executive sessions that we have had with council bringing this forward, but if you will just wait for one minute while we get staff to answer your questions . Council, this is Barry

[2:57:25 PM]

rusthoven. >> Go ahead. >> Councilmember Flannigan, you are correct, it is not very common for an item such as this to be on the agenda, that being said, we have done similar type items before where we did not specify the zoning, rather we were asked for the staff to go out and go through the normal zoning process in the sense that we go out, seek can stakeholder input, we would review it with the staff with all of the various city departments. We would then formulate a staff and go to the board and commission process and eventually bring it back to the city council. >> So if what you are saying -- if I understand what you are saying, after the is going to go do a process. What is the role of the council? Because sometimes I have been frustrated where stoning has come to council and we are having to, within a tight window

[2:58:25 PM]

make changes, I am -- I want to be clear how council is engaged. We are going to be as we often are learned to approve what the staff recommendation is and I really way want to understand better what process you are going to use. Because this is a very unique and special scenario that we are in where we have multiple properties, state home, the university has been a very close and frequent partner on a lot of matters but normally when there is zoning request initiated there is a give me some dates, Jerry. I want something more concrete. We're going to do public meetings in February, we're going to come back into a work session, what is it we're actually going to do? >> Councilmember, I'm sorry, but I don't have any dates right now. Obviously if the council passes this agenda item, we're going to start embarking upon that process. I imagine it's going to take minimum several months to get through this. This are some pre high

[2:59:25 PM]

profile tracts with a lot of public interest so we intend upon having public meetings, stakeholder meetings. We'll mail out notices. With regard to the notice it will be an unusual notice because usually we mail out the applicants' request, but there is no applicants' request and inviting people to the numerous stakeholder meetings that we have. >> Flannigan: That wouldn't be the notice required under the notice of petition rights because -- right? >> Correct, you are right. >> Flannigan: That's just a courtesy notice. >> Yes, but we need a way of letting people know -- >> >> Flannigan: That's fine. I don't have a problem with courtesy notice. There will still be a notice at whatever point the process that staff figures out with the public, there will then be a zoning classification decided and then official notices go out

[3:00:26 PM]

in accordance with our official notice. >> Yes, that's true. We'll find a way to make that notice as open as possible to allow as many as possible. >> Flannigan: It's not a process we've been done. We haven't been briefed on this. Maybe some of our colleagues have in private, but items on a Thanksgiving week are challenging to get on people's -- thanks for that clarification. I'm fine to let this move forward, but I hope many of us get to participate in this public process as well because, you know, it's just really important that we get this right and I would hate for us to fight three times when we might be able to work together and get it done right the first time. >> Mayor Adler: Okay. Councilmember alter. >> Alter: Thank you, I appreciate your questions, Mr. Flannigan. I just want to say that this is a continuation of -- this

[3:01:27 PM]

is a continuation of, you know, work that we have been doing in conversations with U.T., been working with U.T. To rethink the partnership, rethink the relationship, and U.T. Cannot initiate a zoning process because they don't believe they have to adhere to zoning. And so in order to be able to have the conversations broadly and initiate all of the public processes that need to happen before we can move forward, this was the next step. But all of those processes are going to happen and this allows us to do that more openly, it allows councilmembers to engage in it in a different way where it's not solely in executive session. And hopefully it will allow us to move forward in a way that allows for win-wins for the community, for the city and U.T. >> Mayor Adler: Okay. Any other discussion on this

[3:02:30 PM]

item 16? Okay. Then we've taken care of item 16. We've taken care of item 10. We're going to hear the staff make a presentation on health south. Before we do, the only other item pulled was item 23, which is the downtown court. It seems staff has withdrawn this item for consideration this week. Is that

correct? >> That's correct, mayor. By acm Gonzalez and his team are requesting withdrawal. >> Mayor Adler: Okay. Manager, I just wanted to state to discuss that. You know, I've received as I think a lot of council offices have received and a lot of community conversation about the proposal to put the community court over on the east side just east of I-35.

[3:03:30 PM]

And I've seen the presentations on it and I know there are always pros and cons and pros and cons of properties located west of I-35. There are a lot of reasons why this particular proposal makes sense as presented by the staff to be considered. But it's pretty clear, I think, that the appropriate thing to do is to withdraw at this time. Because I don't think that it can move forward. My concern in that association with that is that I think a lot of the concern associated with the court may or may not be about the court or its operations or about the need for the space or the operations. It get lost in the other conversation in the community about how it is that we're managing shared public spaces and whether or

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not we're -- how we're doing with respect to dealing with the challenge of homelessness in the city. I think that there are a lot of people that in the conversation about the relocation or new location of the downtown community court are asking the question what is the plan to end homelessness. Is it a two-year plan or is it a five-year plan or a ten-year plan. How many years is it and one of the benchmarks that we're looking along the way to see if we're successful. I think the community is willing and ready to really find ways to end homelessness and to house these folks rather than hide them and send them back to the woods and the forests or wherever they were forced to go before, unsafe and unsanitary conditions. I think our community is ready to spend the resources

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as evidenced by the support the council has gotten and the fact we've made it the highest priority. I think the community is with us in the desire to house people. But what's missing is what is the plan, what are the priorities, how are we getting from here there to, how long is it going to take, how do we know if we're succeeding along the way. And I found as I was talking to people about the downtown community court location, sometimes I couldn't get past that conversation because of what's happening in that area and what's happening at the library in that area. I think the community is asking us to do a better job of managing the shared public spaces than we're doing. These are public spaces to be shared and available to the whole community and that means everybody in the community. We cannot cut people off from being able to be in public spaces in part because we want them to be

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able to be somewhere that is not in the woods and in the streets. But we don't want anybody camping or forced to camp in tents or on corners or under highways. We want to house people and get them into better, safer places, and I know that's going to take time to do and the challenge gets exacerbated in covid and we can't put people into shelters because congregate living is something CDC says you should avoid and we're doing a really good job not having outbreaks in our population, our communities experiencing homelessness that endanger them and endanger the wider community. That said, I do not think that we are demonstrating to the public that we have a plan to manage shared public spaces in a way that reflects that they should be shared and available to

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everybody. And our inability to be able to demonstrate in ways that people can see that we -- that we have plans for sharing public spaces and doing that becomes then the second conversation that I had when I was trying to talk to people in the community and around the city about the location of the community court. I mention this because I think this community is entitled to have a plan that tells us what it is and how long it's going to take and what the benchmarks along the way, what we're doing and what it's going to cost and what are the priorities. I mention because the community is entitled to see in a short-term manner better management of shared public spaces in our city. And I don't sense the urgency to get both of those things done and out to the community that I'm feeling and that the people that I

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talk to in the community are expressing to me. And now I see us withdrawing a proposal for relocation of the downtown community court, that if we were not faced with what we are faced with at the library at that location, I don't know that we would be withdrawing or postponing that. Because it's impossible to separate those. But, you know, my fear is that we will lose the permission of the community to move forward with achieving the ending of homelessness in our community if we don't provide better answers. We've been asking for those answers, the community has been asking for those specifics for a long time, they are not coming, and I am concerned to see -- with the withdrawal, I don't think there is any other choice, but I'm concerned we are in a position where that needed to be withdrawn. And I urge again, I think. You know, there were \$65 million in the budget

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last year to deal with homelessness. My understanding is that, you know, about half of that is still unspent at this point. I would very much like to see what it is that that 30-some-odd million dollar is being allocated for and a determination being made whether any of those dollars are being spent on something that's a higher priority than housing people in our community. Hotel vouchers or other ways to house people, whatever they are, whatever is the best plan. Whether any of those \$30 million, any dollar of that is a higher priority than better managing the shared public spaces. And I recognize that sometimes putting resources against shared public spaces are not the resources that are most efficiently used to solve the long-term challenge, but I think we need to solve both of these challenges. We have to solve the latter in order to maintain permission from the community to do the first.

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So I just didn't want this item to be withdrawn quietly. I wanted to say that and I really want to see staff come back with the plan and a better short-time resolution for handling shared public spaces. Councilmember Flannigan. >> Flannigan: Mayor, I want to C.E.O. Something you said because it's a constant source of confusion for the community. -- To clarify something. There is a difference between having a plan and implementing that plan in a timely fashion. It has been made pretty clear to me that there is a plan, there is a lot of plans. In fact, when we had a public safety committee meeting in October, the staff laid out the plan and it was unbelievably comprehensive.

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Where we struggle, where we fail is not in the lack of a plan, it's not in the lack of funding even, it's to I think your core point we allocated the funds, but they don't seem to be getting spent. And it is taking far longer than anyone on the council wants it to take not because we haven't made it a priority, not because we haven't made it a top-line item in the budget, but for some reason there's a barrier on the implementation side. And that could be for a voter of arenas, it could be a lot of it I think is pandemic related and a lot of things had to get shifted to address the unforeseen relates of -- reality of 2020. With landowners which is not a new challenge for any city. That happens when you are trying to build everything from high-end homes to solutions for homelessness and we're having that challenge here. I don't want there to be on meme in the community that I

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often hear and I don't want us to reinforce this notion that there's no plan. There is an unbelievable plan. It is a spectacular plan. It covers everything from housing to support services to mental health to

substance abuse to public space management to crime and public safety and we went through all of that stuff in October and I intentionally wanted us to go through that stuff in October because it was so clear to me that we know what needs to be done. But manager I think what many of us are continue to be frustrated with is we have worked really hard in multiple budgets now to prioritize these financial allocations, and, you know, it's one thing to tell the public, well, you know, it takes a year to build a facility. That's fair. I can point to a few of those things we've approved, but there's still money sitting in the corner waiting to be allocated. And that is primarily my constant source of frustration.

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As far as the dac is concerned, I was chair of the judiciary committee before we upgraded it to public safety committee so my fellow committee members, Casar and mayor pro tem and councilmember harper-madison spent a lot of time working on the municipal port in a the look of ways barking in the dac, and if this location that was proposed was the right location, and I think it would be worth pushing it across the finish line. But it was always a really uncomfortable compromise because it isn't geographically centered where the dac needs to be geographically centered. I'm comfortable with the delay not because of the reasons why folks have friction, which there is friction and see the terraces library, I was

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never comfortable moving it this far east and I hope this will give renewed focus to great partnerships with the county. We've got this gigantic rentaller with the Texas facilities commission which this week we're adding more money into and I hope representative Rodriguez who is asking us to move this back downtown my be an ally in talking to the Texas facilities commission. All that being said, I think we are in agreement, but I think the words get tripped up in the community sometimes and at least a few of us are having some pretty regular and passionate conversations about that at the moment. >> Mayor Adler: And I bet you are having a lot of them. And to be clear and to reconcile with what you said, there's no question but what staff isn't doing tons of things and we have seen multiple reports that identify all elements that need to be addressed and it's a very comprehensive list. But what I have not seen is the choices about what the

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the things we need to do first and what are the expectations we can see. What are the priority being set. That's -- maybe it's an implementation plan that takes all the various elements and ss this is how we're going to get from here to there. These are benchmarks along the way so we can measure whether we're be successful or moving quicker or it's taking us longer. That is what the community is asking for at this

point and that's what I don't think we have succeeded. Councilmember tovo. >> Tovo: Tack on something you just said -- >> Mayor Adler: You are muted. You are good. >> Tovo: I think probably my office hears as much if not more feedback about issues related to homelessness than many other council offices. It is a critical priority

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and has been for my office to find -- to identify resources and advance initiatives and I'm so very glad that the council has made that a top priority. I do -- all of us want to see really immediate action, but I just want to be mindful of how hard our staff is working and, you know, we have -- I think we have a lot - - so in acknowledging, I want to, one, acknowledge, you know, again I hear from a lot of -- a lot of community members that they would like to see us have a better balancing of public space use. I am aware of and supportive absolutely of achieving that better balance while also identifying those permanent housing resources. Having said that though, I just want to appreciate our staff for a moment because we have placed enormous demands on them and it is --

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you know, as I look around and read about how other communities have responded to the pandemic, you know, all of our communities are really struggling to meet the tremendous needs that have been on our -- that have been present, but our community and our staff have responded so amazingly in terms of how they have looked out for and tried to meet the needs of individuals who are experiencing homelessness, especially those who are unsheltered. You know, it is -- I share the interest in having a real time line and information about all the city responses. When we sit and talk about it and we did have some great memos that were quarterly I think at one point that were summarizing all the various actions, I understand and we've gotten several during the pandemic that have been very useful as well. When we have an opportunity and the time to sit with people and explain all of the different initiatives

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the city is engaged in and these are effective initiatives and really efficient uses of resources people are surprised because they don't always see all of that comprehensive picture had how the city is engaged and how we're leveraging resources and engaging the partnerships. I concur with the opportunity there to community more comprehensively with the public and craft a time line with some expectations, but I do want to be sure that our staff understands how much we appreciate all of the tremendous work they've done especially during the pandemic because it really has been tremendous. As I started to say as I look around the country at how other communities have responded, I'm so proud of how Austin has in setting up the isolation facilities and doing the [inaudible]

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Program and making sure that we had food getting to individuals who are living unsheltered and setting up hygiene stations and restrooms. I would put Austin up there as a leader in how we've responded during this pandemic and clearly that has delayed some of the other efforts. At the same time, some of those efforts have continued including the search for those permanent -- those hotel-motels that would provide that permanent strategy. I also want to be mindful we sometimes give different directions to staff about that. We were asking them to move very quickly and then we've also had discussions about perhaps taking a little more time on some of those acquisitions. So it's -- it must be a very challenging thing to work in this area as a city of Austin staff member and I appreciate and commend your efforts. While also concurring that I look forward to having that plan with a time frame that we can provide to our constituents. >> Mayor and councilmembers, certainly appreciate this feedback and the recognition of the work that staff has been doing. As you know, it's a tough

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[inaudible] For our community and this council and for staff. I might suggest this is the perfect segue and what we did a year and a half ago with discussions and strategic planning retreat, if you will, so we will look at that. But I think now is the right time to have that discussion, but certainly really want to go make sure you know we are committed to working with you and our community to move this ball forward. >> Mayor Adler: Thank you. Pio. >> Renteria: Thank you. This -- this location just came up to me. I didn't have any kind of time to listen and to find out what was all about. It was the day before a work session. And, you know, we've been studying where to relocate the community court for over two years now. So this is not a -- like a,

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you know, we haven't planned. And we have -- this location was going to say at least two years if not more just to develop it. They are going to have to demolish a building that's there, a warehouse, and then rebuild something there and has to go through the whole site plan and everything else. So it wasn't going to be completed for at least two years. We have a community court now, there's no place for them to work out of. We have a municipal courthouse that's empty right now that could be rehabbed and there are already courtrooms in ihehere and offices. And we could use that \$21 mi1 N N toto rehab that. I'm pretty sure there will probably be less than 21 million to clean up and remove all the asbestos out of that building and fix it

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up, but that's -- that's, you know, we are -- our community have taken a lot, I mean besides Kathy, I'm right there on the border and, you know, I have a hotel up there that is being bought that was bought for the homeless. You know, we have opened our arms, but we have a soup kitchen right across catty corner from the library that's been there for -- probably 30 years if not more. And it attracts the homeless and we're all -- they've been there forever. But, you know, we're -- when we see our own library getting demolished, I mean we have worked years just to get a new library put in east Austin. And we finally got one, we got a beautiful kiosk there that's a shelter right now. You can't even see the kiosk, it's all torn up. And the parents and the families there will not walk

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down their kids there so that library because they are afraid. You know, I mean, I've known people, even some of the staff, our staff members have gone down there and seen how aggressive these people are. We've been working for the homeless population, house the homeless was one of our biggest programs. You know, we had Homer the homeless goose and we lobbied and -- for housing support to help these homeless people. And east side has always been open-handed, open-armed to help these people out and we're committed to helping them out. But there are some locations that we don't, have a master plan and our master plan did not include a courthouse, a community courthouse. It just -- it wasn't there in that location. It's got a condo right next to it. And I mean, public easement

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all the way around that area. Can you imagine if we -- handle what we have at the library, that's going to happen there in that location? You know, those things that, you know, we are understanding people here on the east side and we're very compassionate and very tolerant, but we have to draw the line somewhere. We're not downtown. You know, and that's what we want to let the people know that we're not downtown. We compromise and said, okay, business community, you can take fourth, fifth, sixth and seventh street all the way out to pleasant valley, you know, and we'll let you go ahead and build whatever you want to build there, you know, as long as you run it through the contact team and the neighborhood team. And that's the way we are and that's how we operate. You know, we do let the

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contact team know what's coming in and why. And we've got a lot of progress going through there. We have saltillo and we have Chalmers, transforming that into apartments for low-income people. We've

done a lot of, you know, for the community, for the homeless people. You know, I just -- you know, we just need to do a study whether we could use that -- the courtroom and if we could fix it up, and it will be a lot quicker, a lot faster than building a whole new building which is going to take over two years. >> Mayor? >> Mayor Adler: Yes, thank you. >> Tovo: May I ask a quick

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question. Councilmember, do you mean the municipal building? >> Renteria: Yes. >> Tovo: Okay. Thanks. I appreciate that. >> Mayor Adler: Okay. Colleagues, let's go now to the staff presentation on health south and that will be the last thing that we do today. >> Thank you, mayor and council. So in accordance with city direction, the staff issued an rfp for health south. The proposals were received and evaluated based on several factors as outlined in the rfp. Staff evaluated the written proposals and conducted interviews with the proposers. Today's presentation is to provide an overview of the staff recommendation on the development team to be selected for the health south redevelopment project. I'll turn it over to our staff. >> Good afternoon, council, chief economic recovery officer. Echo the sentiments that Spencer mentioned and I'm going to turn it over to Margaret Shaw who has been our project manager for this

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project and we'll share some more information about the proposal before you. Thank you. >> Good afternoon and thank you, members, mayor and council. Ctm is pulling up the presentation now. So thank you very much for the opportunity. We're coming forward today with a brief public presentation just describing the action that would be coming forward Thursday. Next slide. Next slide. Ctm? There we go. Just to review where we'll be today, a quick -- actually go back, sorry. Just to give an overview of the purpose of today's presentation for council as well as the public watching.

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We'll give you a brief summary of the history of this site, the goals that council stated for the use of this site, the process of how we got to here and then our request for action on Thursday. We'll give an overview of recommended proposal, and then summary of some of the other proposals and next steps. There we go. Sorry. So while we're looking at that, the yellow is the capitol view corridor to distinguish between the garage and building. Waiting for ctm to go forward. There we go. >> What do you need?

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>> The next slide. >> Which number? >> I believe it's the third. It would be the third. The history of the site. History of the site. >> That's up now. >> That's the slide that's up, Margaret and I think you are not seeing what we're seeing. We're on slide 3. >> We'll do this by -- there we go. Thank you. So just a quick summary. We've had an a long history with the city of Austin with the site. The site was purchased over 25 years from the '50s to the 70s. There were no rehab services available so the city made this site available to Brackenridge through a ground lease. They then -- we executed a ground lease with rehab hospital services corp. To build a rehab facility. They then leased their rights to a group called health south which built the

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parking garage, acquired and built the parking garage next door. Then in 2016 health south decided to close this facility downtown and came back to the city to sell back its leasehold interest which in '17 we did with council approval. The acquisition was complete. Then council spent the year considering some redevelopment options, and then in '18 staff was directed -- we'll get into more detail -- to issue a solicitation to redevelop this site with a priority being affordable housing. We did issue that site on -- that rfp request for proposals in November 18 of 2019. Due to covid, we extended that closing to April of 23rd. We notified over 280 different vendor contacts, both people registered with the city a interested in the development as well as folks at both neighborhood housing, economic development, real estate and other parties knew were

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interested or could be interested. We sent it to all the councilmembers and well as county commissioners, central health, the housing authority and other public entities were also notified, central health of course. The rfp closed in April of this spring and a diverse set of panel executive, city staff executives were chosen to evaluate the four proposals received and selected the highest one that we're bringing forward for council approval. Next slide. So the next slide is getting into the resolution goals. I don't know if you can see that. I'm still on site history. But the resolution in 2018 just to recap was the highest priority was placed on affordable housing, serving folks earning less than 60% of median income.

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With multiple bedrooms. So serving families. The priority was put affordable housing on this site. However, if proposals had other properties within a mile of this site that could leverage additional goals of the strategic housing blueprint, those would be welcome. We also wanted to address the city's

financial obligations regarding this site. Proposals were welcome either for a ground lease or a purchase and we set a minimum offer of 12.2 million which included 8.7 million for the outstanding acquisition as well as up to 3.5 million for a proportionate share of the costs to redo red river adjacent. And as well, as you know, council also had a standing requirements for all of our public-private partnerships and those include and reflect many of Austin values such as our minority and women owned business procurement programs, third-party agreements, better builder standards and other things. We also asked the proposal that if it was possible,

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additional community benefits would be welcome. And the list you see here are some of the things that staff put in as an offer to get ideas generated from art to music to film, workforce, child care, small business and other services. We also at the request of Austin energy encouraged folks if they could to incorporate a district cooling plant facility for this quadrant of downtown. Next slide. So once the panel had finished reviewing the four proposals received and we were quite pleased with the response from the market, given the fact that we were under a global pandemic and real estate was quite up in the air, we received four proposals in strong, well-known partners locally and nationally. Aspen heights and Gentzler

[3:35:00 PM]

and Penn rose hunt. The two highest scoring were invited to interview with the panel and after the interview, aspen was the highest scoring. These scorings were last month on November 6th. Our action coming forward Thursday is ask for council's approval to allow staff to negotiate and execute an exclusive negotiating agreement with aspen heights partner. It's an intermediate step that outlines with the time lines, roles and responsibilities going into the development negotiation and then we would go into a master development agreement which is far more detailed and far more intense and bring back to council the terms and conditions negotiated under the nda for

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approval. >> Are you on page 6? >> I'm on page 6, but the screen [indiscernible]. I thought we were moving on. >> We're on page 6 now. >> Okay, you are on page 6. The request for council approval. >> Yes, I think that's the one you were just doing. >> Correct. So just to recap what staff's action item for Thursday is is asking for council to authorize staff to negotiate and execute a exclusive negotiating agreement. With aspen heights partners. That highest scoring proposal. The bullets outline a little bit of what that process looks like so the Ena goes at a very high level. Some of the roles and responsibilities of



the two parties as we negotiate. Once that's executed, we would move into negotiations for that much more detailed master development agreement.

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And under both we would speak to all the different requirements that the city has for public-private partnerships. As mentioned. So the next slide will describe in more detail aspen heights' proposal. So slide 7. So as you can see from these renderings, it's two towers, so the city site -- the shaded tower is the proposed hotel on the former [inaudible] Site. You can also see on the right-hand side the mural that they are proposing for the office tower, and then in this slide, stay here, you see what they proposed to address the capitol view corridor is an innovative elevated plaza. You can see between the two

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towers and a little bit of the plaza we'll see on the next slide. There's an office tower and residential tower that are joined by the plaza. Next slide, slide 8. They are proposing an elevated park plaza. For programming. So I'll wait a minute for slide 8. >> Slide 8 is up. >> Okay. Then you can see [inaudible] Of a park with intent to have music and other engaged family settings, a playground, the staircase shows you how an access point to red river, the new red river. As we highlight here, the team is an Austin based team with decades of experience working in Austin and also with the city. So next slide, slide 9.

[3:39:06 PM]

Will describe some of the development program details. >> It's up, Margaret. >> Okay. Sorry. The two towers, as I said, there are two towers, one 36-story dense residential with 348 apartments and 160 condominiums. The other one is a 15-story office tower. The affordable housing is integrated throughout the site, over 25% of those apartments would serve residents targeting 50 and 60% of median family income. Also offering ownership opportunities for those earning 80% of median income. They also propose an aggressive restale component over 25,000 square feet with a focus on culinary destination can collaborative space to support our local food system. They also offer a rooftop cafe and viewing deck open to the public with spectacular scenes of

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Guadalupe park and the capitol and other thing. Retail is designed not just to serve the residents but the workers at the capitol, U.T. And the innovation district and medical complex, also the visitors who come here. Other community benefits that they incorporated into this proposal is a 6,000 square feet of space that musics and arts organization can use. As I mentioned in the mural in the represented derring on the office tower, they work with our public arts program to choose local artists and go through standard process to do that. They are seeking highest sustain built ratings and solving that connectivity of the two towers and building community as well as connecting to Waterloo park, red river cultural district, the east side and east Austin in connecting. As I said the title of their proposal was tying Austin together. And that elevated plaza and its programming and the retail are an intent to do that. Next slide. Next and final slide walks

[3:41:08 PM]

through just the process under which we've been engaged for the last few years. We started in 2018 with council's direction to seek a solicitation. We're finished there and bringing forward to you that highest scoring proposal. We would move into the exclusive negotiating agreements in the next year. We expect that to take about six months once approved and then we move into the master development negotiations as well. And then our last slide is just reminding everyone we are still under the anti-lobbying ordinance for this poem. -- Proposal. A Shawn Willett is the public contact. For this solicitation at this time. With that, that's our public presentation.

[3:42:09 PM]

>> Mayor Adler: Okay. Thank you. Colleagues, just a stray thought on page 96 that presentation, you talk about 6,000 square feet available for music and arts purposes. Since I have been so immersed here in the last month or so on music venues and the like, there are a lot of music venues in that area down there at 11th -- 11th and red river. I'm not sure how easy it's going to be able to sustain those music venues relative to the highest and best use of the land that they are on. Obviously it would be great for the community if the owners of those properties would help facilitate that. We have a piece of property here that's in that area and it sure would be nice to see consideration if that 6,000 square feet, maybe that could be three of those venues or three of those clubs or maybe there's a way to actually help us ensure

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there's always live music venues. I'm not talking about just a public space where music can be played. But actually something that helps support and is a cornerstone of the music industry. [Indiscernible] Something I thought -- a wonderful idea. Colleagues, a broader conversation on this issue, it's going to

be up for us on Thursday. Does anyone want to add anything to the public presentation at this point? Okay. Kathy? >> Tovo: Thank you, I have comments and a zillion questions. I couldn't see if other hands were raised.

[3:44:11 PM]

I would like to entertain a conversation now to give the community some guidance on what they can expect this week. I am and have been keenly interested in this project. I worked extremely closely with councilmember Houston who brought forward both of the resolutions. It actually began back in 2017 with a resolution at that time to look at health south and consider whether it could be, again, with the intent of always being to create affordable housing on that site where we have 7,000-plus -- a need for 7,000-plus -- let me back up. We have 7,000-plus service industry jobs downtown and we have an amazing opportunity on this tract to really meet some of those housing needs for those individuals who are working in the downtown space. But the 2017 resolution asked, initiated close analysis of whether the building could be rehabbed

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for use as affordable housing using the existing room configuration and we got back some useful information. Uli did their own analysis looking at different -- different public tracts throughout the city that are owned by the city and ranked them in order of what they thought offered the best opportunities for creating affordable housing, and that's a really useful report in terms of informing the possibilities for health south. And then -- and then we are up to the time line that was reflected today here with the 2018. So this has been a leading interest of mine. It's really important to me that we have a signature project on this piece of publicly owned land that we can all be proud of as a city and that creates really substantial affordable housing on that site. It is something that, you know, longer than I've been on council, a lot longer

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than I've been on council. We've had community ones, some of the same ones, who have evacuated we use our land assets to create affordable housing because land costs are the biggest cost often of any project and especially in areas where we would have really high-dollar -- where the high dollar of real estate, of the land really prevents construction of affordable housing. We have an amazing opportunity as a city to create that community benefit through our own land and through partnerships. All that is to say I am concerned about the time line. This morning we received the presentation that you just saw for the benefit of the public, I would say it is important to me to make sure that we have as robust a public

conversation about this really significant public project as possible. And not only would it be challenging for me as a community member to engage

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in that robust conversation between Tuesday and Thursday, it's challenging for me as a councilmember. I had an opportunity to sit with our staff several weeks ago and we had a meeting and went through a bit of a presentation. I'm not sure how many of these details were in it because we were not able to in the time remaining to get through those details. I requested the power point because I hadn't met with the councilmember whose district this falls. It was not followed, we followed up several times. All that to say I got the information when the public did this morning. We just had an executive session that went through other details that can't be made public very rapidly. I certainly as a policy maker making a decision this week about this project as steeped as I've been in it along with councilmember Houston led the effort to

[3:48:18 PM]

have this site considered for this very purpose, I am not ready to make a decision this week. I would not be ready to make one next week either. But I certainly can't toe-do not feel that we would be doing a service to the public asking them to engage on something of this import so quickly. And I would just, you know, I can stop there if my colleagues are in agreement, if there are concerns about a day, then I can provide you -- delay, then I can provide you with examples of the many other public projects where we've given the public other opportunity to input, mayor mayor mayor Adler -- mckalla tract and it's a lot more challenging in this environment because you have to signal your interest in doing so by tomorrow. I like a lot of balance that I hear in this presentation.

[3:49:18 PM]

I am eager to talk about what opportunities we have to tweak the proposal to work with the developer and then I have a the look of questions -- have a the look of questions -- not a lot, but multiple questions that I would like to ask today to get some staff responses to, but as a threshold question, I want to ask colleagues will you support on request for postponement this week. >> Mayor Adler: Councilmember pool. Councilmember harper-madison, then councilmember pool. >> Harper-madison: Thank you, mayor. I appreciate it. I guess I'll answer my colleague's last question, the latter question, and then I'll say what I was originally going to say. Personally I wouldn't support a postponement. I'm looking forward to moving forward on this project. I find it to be comprehensive and amazing and it addresses the need in the community, it addresses the need in that area.

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It's a really fantastic use of the space. Having had the opportunity to look at all the proposals that were submitted, I agree with staff that this is the best proposal and that it will offer us what we're looking for as a municipality and for district 1. I'm very happy to support this project in district 1. As the current councilmember. I'd also like to say I really -- I looked through, you know, specifically like some of the particular elements about housing including, which I really like, there's the for sale option and the rental option. I really like how much we have in the way of affordability here. Hopefully my colleague and I will have the opportunity to -- I don't know what else could be proposed that would make these numbers work out to where we could move forward with 6,000 square foot of space for artists. 25,000 square foot park that's open to the public. I could go on, but there's so many elements of this proposal that I think are so

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amazing that I think this will really be a fantastic addition to district 1 and our assets as we move forward through doing exactly what they said in the proposal, which is tying Austin together. Waterloo greenway little made a specific point to tie Austin together, tie that east and west side of Austin together. And you probably recall during the course of our conversations about the convention center, it's another area where we need to tie Austin together and stop having this really clearly defined line between the east side and west side of Austin. So I wasn't going to speak because we are going to have an extended conversation on Thursday, but I would like to go ahead and make it clear that I support the project, I support this proposal and I would prefer we didn't postpone. >> Pool: So I think I was next. You know, we had a request to delay the decision on the

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downtown Austin community court because there haven't been sufficient time for that -- that proposal to be completely vetted, and so, you know, we pulled back from that. We pulled back from a decision about some parkland dedication spending. I think it was over on the west side of town. I think it was -- Kathy, I think that was in your district and we did that recently. I think that the request for a postponement here to allow -- I haven't had this presentation at all until we were briefed in executive session and just now. I'd like some time too. I don't think we're saying that the proposal that has been presented to us isn't good enough, I think what we're saying is we want some time to assess it and be sure of that. So I would support Kathy,

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your request for postponement. I think it's a reasonable one especially with a project as large as this one. I would ask staff is there a timing sensitivity if we were to take a little bit more time to push this off for a couple meetings? Will that have any -- will that make for some difficulties or does it have any negative effects on the rfp process? I don't know if that would be Margaret Shaw to answer or somebody with purchasing? >> I believe it's purchasing. I was just calling on Shawn or the attorney. >> It took me a minute to unmute. As far as the procurement [indiscernible] Economic development department as far as their time line.

[3:54:29 PM]

>> Councilmember, from an economic development perspective, we don't foresee any issues with a postponement at this time. >> Pool: Thanks. And thanks to Shawn. So yes, Kathy, I would certainly support your request for a postponement. >> You are muted. >> Mayor Adler: Council Flannigan. >> Flannigan: Are we having a meeting next week? >> Mayor Adler: There a meeting this week and next. >> Flannigan: There's not an agenda posted. That's why I'm asking. >> Councilmember, because of the holiday we did not post it two weeks in advance like we usually do. We're still posting it on

[3:55:30 PM]

this Friday, but yes, there is a meeting next week. >> Flannigan: And you have a sense, city manager, of the length or complexity of that agenda since we'll only have a week to review it? >> It is I guess on the whole lighter than this week, but again, things get postponed to next week. >> Flannigan: I agree with my colleague councilmember harper-madison. I suppose I could stomach a week, you know. I think part of the reason I'm remembering why we scheduled two meetings in December when we did that last year was in part so we didn't get tripped up over a holiday weekend. So I would support one week, but I do think it's -- these are the moments when, you know, it was like 30 minutes ago or less we were talking about how we have these big challenges about housing and

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not solving them fast enough and now we're contemplating going slower. This has been a really well constructed rfp process with many check-ins by council and these proposals are pretty not just reasonable but exceed certainly my expectations. And I am -- I would certainly defer for one week if the council felt it necessary, but I don't want to see the staff lose the time between now and our first meeting two months later to have initiated this process and get it rolling. >> Mayor Adler:

Councilmember Casar. >> Casar: There's two points to raise here. One, I think we ran into similar issue on something like this with the ahfq land, at least one of them

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if not both. Where I think while we can see the sealed proposals, when it's not out in the community why it is that we're preferring one over the other, it gets too jammed up and sometimes even folks that would agree might find themselves disagreeing because the information comes too late. And so I think a week would benefit all of us so that the information can get out about why it is the city is making recommendations or what the city's analysis is. I also think there are -- most of the remaining really good work will be probably in the negotiation with whoever is chosen, but I also would appreciate a little bit of time to see what direction we can give to finish improving -- put finishing touch et cetera on what ultimately is a publicly owned piece of land. I want to respect.

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I appreciate her not wanting this to get slowed down. We all, I think, voted to buy this piece of property which I am really glad we did. I think that there is .. Enough -- I think there is a purpose in getting the information out sooner, I would have liked for us to try to get this out sooner than today, some of the publicly available information, so I think we will benefit from that week and there are probably a couple of questions I have that I could probably squeeze inbetween here and Thursday by I think the week would help. >> Mayor Adler: Councilmember harper-madison harp I am comfortable with one week. I have to be clear my concern about postponement I think has been expressed by councilmember Flannigan and councilmember Casar, I would like to move forward because we are just so housing deficient that you know, I mean, I don't have the stats right now but, you know, getting so many units, especially so many that are multibedroom, so many that are under 60 percent

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of fmi I would like to move forward with that process as soon as possible so my concern about postponement is an extended delay, but I am comfortable with one week. >> Colleagues. >> Mayor Adler: Colleagues? Kathie. >> I am sorry -- page. >> Just very quickly I can also support a one-week postponement. >> Ellis: Just very quickly I can support a one-week postponement. >> Mayor Adler: Kathie. >> Tovo: Thank you I will do the due diligence to look at this and get the community feedback. A week is better than two days but I would say a week is not enough time for a project of this sort that is a public -- the end of the day a public asset and, you know, again I certainly appreciate the need and have remained in constant contact with staff over the last couple of years because it was so important to me to see this project moving forward, but it

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is as important for me to see this moving forward in a way that also has community support and community trust and I want to be very clear where the public, in addition to just seeing the information for the first time today in that powerpoint, for the first time today we had an opportunity in a very, very limited way maybe 15 minutes to get an executive session some of the other information about the other proposals so that we could compare among them. So I want to be really clear in addition to our inability to -- as a city to release some of those details we also had our first conversation about those today. Going back to -- and then I have some questions for staff, more than we can probably cover here today, but I will give it a start. In looking back at the testimony that we had about the last resolution, we had a pretty extensive conversation in the work session and again in the

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council session, we were really talking about two issues. One is about lease versus sale, and that is something we haven't even talked about here today. The staff have left that decision up to us and so that is a really important consideration, I know -- and I think that -- well, we also have pretty extensive conversation about whether the housing should be there or we should kind of get the benefit of that land and address it in the housing somewhere else. So I am very excited to have a proposal that is -- has on-site housing. For me the question is whether less than 25 percent of the housing being allocated to affordable units, 60 percent or below is sufficient. You know, so frequently when we have talked about using affordable public land we talked about having the majority of the housing that results on a public

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tract being affordable. And I think given the surrounding context of residential units downtown the more affordable housing we can get on that tract the better and so I have got to really give some thought. I know it is 25 percent of the rental units but when you add in the ownership units it is certainly less than 25 percent on there. However, it is great that it is on-site. I want to recognize and appreciate the applicant for doing -- for having -- for recognizing that value. Back when we were talking about the process, there was a lot of conversation on the dais about the process and the process that was going forward is a request for information and there were, I think at one point councilmember Flannigan you asked Rebecca I didn't have to talk about that .. It would provide us and -- you said councilmember Flannigan, I see

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this solicitation would provide council with additional information to be more prescriptive in the future about exactly what we would be doing on this tract. And then Rebecca giello confirmed that. There was another conversation a little later in the transcript again about making sure that it would be a two-step process, where there would be a request for information and it would come back and then we would, as I understood it the, and I think as others, as you on the dais understood it we would set some real requirements for what would be in that proposal. And then we would get the rfp. So I wanted to just ask our staff to respond to why the process shifted from a request for information to a request for proposals. And then I want to talk about the financial requirements that were placed on those proposals. >> First I will ask Margaret to help me out with that piece, that initial council discussion

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predates me so would you mind chining in? >> No. I am happy to. You are absolutely right councilmember there was a long discussion back and forth about a two-step process in an rfi however what was resolved in the resolution, the final resolution was to issue this solicitation and we did provide memos to mayor and council throughout the process updating folks on that change. >> And the process. >> Yes. The resolution said solicitation. However, in the course of that conversation I think we clarified what that solicitation was going to look like and there were at least two occasions where the housing staff confirmed that it was going to be a more general process and the impression is that then we would set some real requirements for what would be in that proposal. >> You are correct. And that was part of the discussion and then again, both Veronica and I, I was working on it and then not working on it, that changed in the process so

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when the final signed executed resolution came out, it was a direction to the city manager to announce and initiate a solicitation, and that was clarified and I am more than happy to share with folks a series of memos to mayor and council where we were updating council on all of the different redevelopment projects underway. >> Right. I know -- I absolutely know we got updates saying there was an rfp process that had been initiated and then launched and then the proposals that came in. I guess what I am asking is why it shifted from a request for information for a, to request for proposals. >> I believe Margaret is saying the final resolution that council approved while there may have been discussion on the dais we look back to the resolution that was asked and approved by council and that spoke to this solicitation rather than the initial discussion starting point. >> Tovo: Okay. That was right before we voted and I mean, I think that we

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interpret that differently. So how did -- can we talk a little bit, I had and the opportunity to meet again with some of our EdD staff and housing staff and wanted to talk a bit about the requirement, the financial requirement that was placed on the proposals to include a \$3.5 million for the proportionate share of cost for the realignment of red river street and I think in our conversations yesterday it was made clear that that was a requirement from the Austin transportation department. So by way of context I understand we are realigning red river, we are waiving or being asked to waive on Thursday that requirement, the requirement to pay the costs for central health or central health to pay the cost of that realignment so I am wondering why transportation department felt it necessary to recoup that cost from a project honesty owned land.

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>> Councilmember, since we have met with you earlier this week we have regrouped the transportation department and have some updated information on that and we have a revised response regarding that. At the time of the rfp being released that was the understanding. However, at this point it looks like that recoup will not be needed and be able to negotiate that with the orv moving forward. I am happy to give you more background on that after the meeting, if helpful. >> Tovo: So that is important. Thank you. That is good to hear and that is important to me because I think in the conversation we had yesterday it was said that, you know, that's the requirement we are making of all of the private development. This isn't private development, you know, the whole point of using our publicly owned land to create this kind of asset is because we can build value from it so I appreciate that that 3.5 is not going to be required, is not going to be assigned as a revenue requirement for this --

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for what is ultimately a private-public partnership. I hope then -- so I think it would be useful to know how that will be returned -- how that will help us get more affordable housing on that site. And so that is a question I would like -- I would like to get some information about. I would ask -- to our colleagues I think there are -- I see this as an opportunity -- you know, the way we talked about it on the dais that day suggested that we would have an opportunity to get some ideas back, come up with some really strong things that we want to see in this final proposal and then move forward, if we went -- if we move forward with the process as it is, then I hope we can identify some negotiating points that would be a part of that master development agreement so that our staff can come back with -- with a proposal that really enhances some of the

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community benefits. I really am eager to see more than 25 percent of the housing on that site be affordable. I think it is appropriate given that the land cost is borne by the city. I would like to see childcare, that is certainly something we talked about in terms of the site and a community benefit I know that was a part of the rfp and as we look at what down up to, the many things that downtown needs, one of the things that it really needs and has been cited for a very long time is high quality early childcare facilities and what better place than a place we are working to create housing for all -- for families, including families with children, especially right across from a park so that would be a community benefit I would like to see. >> Can you talk a little bit about the choice for office tower and whether you see that as -- you know, that is not -- as I think about all of the planning documents through time that have asked us to use our

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publicly owned land to create affordable housing I don't recall any of that have said they really want to see, you know, any planning documents from any of the various commissions we have had look at issues of city wide import. I don't remember any coming back asking us to use our city owned land to create office towers as a community benefit. So that part of the proposal gives me pause also and I would like to see what we can do to affect a change with regard to that piece of it. And I guess I would invite our staff to respond to that. >> I would ask Margaret to add anything, but I would answer that -- as a response to the rfp these were panels that each respondent put forward, so it was a piece of the proposal that they chose to address the site and the priorities that we

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listed in the rfp as part of that rose. Margaret, would you add anything? >> No, I think you have done it well. We asked for a catalyst project with an emphasis on affordable housing and as we talked about in the proposal, part of what makes that zero subsidy from the city is because they have other uses that are market rate uses on that site, so part of how we can get to that 100 units of affordable rental and affordable commercial in addition is to be able to finance that within the pro Forma and within the deal, so again all of the different proposals included different uses, mixed uses and there was who direction from council to just have one solid civic building, civic purpose use. So I would say it responds to the catalyst aspect of weaving in as councilmember Natasha harper-madison mentioned all of

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the from the east Austin to the innovation district and the medical complex of how we can tie those different uses and Waterloo market and Waterloo greenway, tie all of those different entities together is really what the catalyst aspect of that project was intended to do. >> So looking back at the resolution,

the most recent one, not the earlier one, which was clearly about housing, the resolution itself just speaks to housing. And again in the course of conversation we talked about other uses that would support that housing, like childcare. >> Tovo: I am certainly interested in the idea of having arts and cultural spaces, especially at low cost, but again the office tower is not -- is not following directly from the resolution as far as I can tell. >> So we are seeking affordable housing on-site. I just assume what we are

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looking for is your drive for having affordable housing on-site, the innovation of this proposal was to be able to finance that entirely within the proposal in order to do that you have to have unaffordable market rate projects that are going to provide a revenue stream under which you reach that deeper affordability, which is about one units we have also done our research to show 100 units is about the number of unit for an urban tax credit -- I will defer to rose city true love our ho housing director but we did market that's a pretty comparable, 100 units for a tax credit project in a dense urban development. As you are familiar with foundation community is a few blocks away is 135 studio apartments, so that was also within that range of what we got .. From other affordable housing developers in the area downtown. >> And.

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>> Tovo: And I know >> Tovo: I know the uli had talked about the fitness of this site being competitive for a tax credit, so I guess -- I appreciate that every development proposal could have responded in different ways, but it does seem to me that there are other opportunities to provide funding for that -- for housing there. >> Correct. And you are correct, the uli affordability report that looked at the sites. We did include that as an attachment under the rfp. So all proposallers had that document. They did speak to using it as a tax credit site and in their proposal they're looking at a little over 200 units. They are also requiring anywhere from three million to \$10 million in additional subsidy from the city to make that work.

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>> Tovo: Yeah, again, I'm not necessarily opposed to that, to providing that level of subsidy. I think it's a really important site in terms of our opportunities to do that. So what is -- what would be -- I have a couple of questions I'll just signal, mayor and city legal. I do have some questions about that we didn't have the opportunity to talk about at the time in executive session related to ifificates of obligation and debt repayment conversation. But I want to better understand what our opportunities are to list out

things that we would like to see in a master development agreement. If we agreed, for example, that we want to see less office tower, more housing, what would a process look

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like to do that in terms of your process, EdD? If the council came I am with -- and this is kind of the direction I'm going. There are certainly things I want to see -- I want to recommend we see in that master development agreement with regard to the proposal that's been brought forward and recommended. >> I would think that we would need that direction in the resolution that council passed to have us go down this path. Margaret mentioned in her presentation, but she really went back to that presentation, back to that initial meeting and wanting to really make sure that we're true to the direction that council asked us to take. While council did ask us to prioritize housing as well as a number of other community benefits, there was also -- in that resolution it did not say whatnot to bring forward. And so I would say that we're being true to

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council's distribution in what we're bringing forward to you. >> Tovo: Thank you. And I appreciate that. One of the reasons why we asked for proposals is to get the creative ideas of those who are interested in it. So completely understand that some of what comes forward might not be -- we might want to tweak or make major revisions to. So I guess I'm wondering from the process that's been initiated in terms of the proposals, how much flexibility within this framework do you have as staff to go back and say these are the things that the council would like to see in that master development agreement. I assume that's all completely doable because that's the purpose of the negotiation. >> Correct. As we're moving forward in the proposal, council could give us recommendations on how to negotiate and [indiscernible] With the negotiations where appropriate. >> Tovo: Okay. Thank you very much.

[4:19:05 PM]

>> Mayor Adler: Okay. Anything else? Councilmember Casar. >> Casar: Just daylighting what I'm thinking also for next week if we're ready for next week. I think if you look at the affordable housing points afforded to each project one can generally refer how much affordable housing is being provided. I certainly expect that we will pick -- we can pick a project that provides lots of the public community benefits that have been described while providing the most affordable housing by gross number that we can get from many of the proposals. And I think we could actually provide direction as they negotiate the financial deal points to provide more units or to provide deeper levels of affordability. I wouldn't want to be so specific as to us getting in the middle of the negotiation, but I think

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there's still space and time to make sure that we balance what we're getting financially out of the deal versus the community benefit side. So I think that we could probably provide some more direction not only to get the best affordable housing of the deals on the table, but to whichever deal we pick to still improve that some. I also am really intrigued by your idea, mayor, and if there's anything that we can say so that whoever we're in an exclusive negotiating agreement with in on red river that's an interesting idea and we can see if there's something that we can say as they're memorialized as they negotiate. And then finally, if the EdD staff could look at some of the job quality things we were thinking about in our exclusive negotiating agreement at the convention, I'm going to go back and look at that and see if it's applicable as we think about that as well. I just want to daylight those for next week.

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>> Mayor Adler: Sounds good. Looks like the votes will be there to postpone action from this Thursday, but it's on our agenda and we'll make sure, Kathie, that we get the opportunity in executive session as well as having to go in for the tipid anyhow for you to ask questions so staff will give Kathie that opportunity and others if they want it. >> Tovo: I appreciate that. If I could also ask our staff I know that the request has been made of staff to take a look at some of the information we received in executive session to see whether any of those additional details are able to be released to the public. Some of the information just generally that I think, and people will want to know, is if there is bedroom count and that kind of thing associated with any of the specific proposals. So if any of that information is available and able to be reviewed by community, I think that would be really important.

[4:22:12 PM]

>> Yes. That is a priority and we are in conversations with the law department on that. >> Mayor Adler: Okay. All right. With that then I think that's all our stuff. It's 4:22. Today is still December 1st. And that concludes city of Austin work session. We'll have city council meeting on Thursday. 10:00. See you guys then.