

City Council Work Session Transcript – 7/26/2022

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[9:11:39 AM]

>> Mayor Adler: Okay, are folks ready? All righty then. We're going to go ahead and convene the city of Austin city council work session here on Tuesday, July 26th, 2022. The time is 9:11. This is our work session in anticipation of our council meeting on Thursday. Colleagues, we have a chock full agenda, almost 200 items on Thursday. There's a betting line developing on when our end time will be on Thursday. I hope we surprise the world, but I think that depends to a certain degree on being able to work through and identify issues today. We have a chockful work

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session age today and we have a hard stop at 5:00. Because we'll lose the system that's necessary to broadcast us to the community. In going through the agenda I'm going to suggest that we begin with a suggestion on the budget rider process just because it's going to be a relatively significant issue as we go into the budget process, and I think that there are significant differences on that with what the staff proposed. So I want to tee that up for conversation even if we don't resolve it today give staff a little bit more direction on that. Then I propose we go immediately then into the pulled items that are going to be - items that are going to be considered on Thursday. We're going to consider

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first the housing bond, that's not going to take long, just to touch base on that as it's coming up. Going through in order, the live music venue item that council -- the mayor pro tem pulled. Councilmember Kelly pulled the license plate reader. Maybe council member Fuentes pulled the license plate reader

issue to touch base on that. You'll recall we had set that for further discussion this week even though we're not going to take a vote on that this week. We're going to that that as part of the budget process. Item number 132 has been pulled, it's the statesman pud. Councilmember tovo, I'm going to suggest that we take that up with the statesman item briefing when we have staff here. That will be this afternoon. Staff will not be here until

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lunch. They're with the county. >> Tovo: Mayor, what time? >> Mayor Adler: After lunch. >> Tovo: Are we doing executive session over lunch? >> Mayor Adler: The hope is to do executive session over lunch. >> Tovo: So it wouldn't be until probably what do you think, 1:00, 2:00? >> Mayor Adler: That would be my guess. >> Tovo: I just want to let the staff know. >> Mayor Adler: My guess is it won't be any earlier than 1:00. 2:00 is probably more reasonable given executive session. That staff is over briefing the county this morning. I have us discussing health south that councilmember tovo pulled: It's real brief on the airport expansion consultant contract that council member Fuentes pulled. And then the arch contract with urban alchemy, which is -- that councilmember

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tovo pulled also to be discussed. We need to get through those pulled items if we can. We have the parkland dedication fee for commercial and residential development discussion. As I posted on the board, don't anticipate action on the parkland dedication item today, but we're going to set it so that it can be acted on as part of the budget process when we're setting the fees. But we are going to discuss it today and going to give the community a chance to discuss it with us on Thursday. So it's going to be more than just a mere discussion item because the public is going to be given an opportunity to talk. Then I have us talking about the south central waterfront district in the statesman briefing, talking really quickly about the update on the implementation of

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reproductive health care resolution. There's a memo that I think is pretty self-explanatory so I don't think that will take but just a second. Mostly to see if anybody had any questions about it. And then I have us hopefully during lunch at least starting with the executive session. We could come back and finish with executive session, but we have the sale or transfer of the semi-automatic weapons, health south, the 9611 McNeil road and real property that could be used to provide affordable housing. I see that as the schedule. We'll try to work our way through. Again, a lot of things for us to get through so if we can push to get through all this I think that would be great. Is everybody okay? Yes, Kathie? >> Tovo: Yes, I pulled health south but it's my intention to discuss that in

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open session. If we discuss it in open session today rather than Thursday that it would be in open Thursday. And I was wondering if we could talk through Thursday and how we might manage that agenda and get through it in a reasonable time period. >> Mayor Adler: Okay. Let's do that at the end. All right. So let's touch base real briefly here, but first on the budget rider process discussion, this is the budget rider issue. The staff has indicated to us some concern that a lot of riders are coming up with the expectation that the council will vote on them

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quickly. Staff has indicated not having the time to sufficiently vet them or legal vet them and suggest wording to us. And want to make sure that as in recent years it looks like we're doing more and more with the budget riders. So we need some kind of process to make sure that we're doing that in a deliberate and reasoned way. The staff had proposed that budget riders now be called budget ifcs as and to adopt a project that looks more like ifcs, meaning that it takes more than four people to sign them and bring them forward and then they be brought forward a week before the council budget meeting which is on the 17th, so they would be

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needing to be filed by the tenth. Ed, do you want to talk to that at all first >> Thank you, mayor. Ed van Eenoo, chief financial officer. Our budget officer Carey Lange is with us virtually today so she might want to add some context as well. Certainly we understand and appreciate the importance of the budget rider process. Council providing us direction specific to the budget. One thing we've noticed in the past every year when we go through the budget process we touch base with council and we've heard from a variety of views that it's kind of a chaotic process, particularly those who are coming in new and the first year they're doing it is a chaotic process and hard to follow. I've heard similar comments during the process from both the media and the community like what's going on. It seems like there's so many yellow pieces of paper flying around on the dais. Certainly staff would like to have time to vet the various concepts and resolutions both from a legal perspective and from a

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financial perspective, the transparency is an important goal that we had. And then I think there's also importance about the consistency with the posting language. Rememb at the end of the day we are posted to adopt a budget. I think for the most part the budget riders actually do pertain and are germane to the budget. Perhaps there are some examples where there's direction coming that's not necessarily directly tied to the budget. The budget is very broad, but I think those would be staff's thought process behind it. Certainly not wanting in any way to restrict council's ability to provide direction on the budget, but really just seeking an orderly process that we would hope would work better not only for staff and the community watching, but also for the council. >> Mayor Adler: Thank you. >> And Carey is with us virtually if she has anything to add, maybe give her a second as well. >> Mayor Adler: Okay. Carey, did you want to add to that?

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Carey, can you hear us? >> Apparently Shean't hear us right now. We'll work through the technical difficulties but I think we can move forward. >> Mayor Adler: Okay. Colleagues, then -- Natasha, can you hear us? So it's an issue with both. Let's take a second. >> Harper-madison: I can hear you. I was having trouble with my mute button, but I with hear you. >> Mor Adler: Yes, we can hear you, that's good news. All right, colleues, L's begin the conversation. If Carey joins us let us know THA that's happening. Vanessa. >> Fuentes: Thank you, good morning. Iefinitely understand the need if for us to be able to

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vet our but riders amendments with staff in advance. So I'murious -- because I know from my experience last year was having the questions that we submit through the q&a process, is there a buffer time there and when we get staff responses, when we receive staff responses from when we submit ifcs or the budget rider language, that might help in providing us with that sufficient time for us to formulate and draft our amendment, our rider based on the response that we received from staff and to have time to share that draft language with staff in advance. I'm St curious what's the buffer time frame there? >> Our goal is to get responses back to council in five days. I'sure you all have examples and frustrations of where it's taken far longer than five days. Sometimes the qstions are veryn-depth and take a lot time. And then there's always these bottle necks in the budget process so that week or two leading up to budget,

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we may well get in excess over 200 questions and it's hard to hit five days when there's so many questions coming in. Five days is our goal. I think two-thirds of the time, three quarters of the time we're able to get our responses out in the five-day window. >> Fuentes: Thank you. >> Kitchen: I see this as

two different issues that don't have to go together. One of them is the timeline, which is really important. To me that's a question of whether or not we establish deadlines. The second issue whether or not we're going to require four people. And I don't think those two things are dependent upon each other. So just from my perspective, I don't have any issue with setting deadlines. I think it can be helpful. And maybe we think of them as targets that we really try to reach because that means that can vet things ahead of time. I think we've done that in the past and so we just need to be clear with each other about what that is.

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The second item is not dependent on the first and it's quite a departure from what we've done in the past. I don't support requiring four people to -- and Ung an ifc process because what we're doing with our budget is we're amending it. So it's more akin to amendments and I think anybody ought to be able to bring that. Which has been fine in the past. I D't think that -- I don't think that issue causes difficulties as long as we're meeting deadlines and vetting what we're doing. You kn. So I would say -- and I don't really care whether we call it a rider or an ifc. The difference between how we've done a rider and ifc is just the four people versus -- not the four people. We can call it whatever you want. The point I want to make is that I can't support requiring four people and treat willing it like an ifc for what's essentially an

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amendment process. But let's do deadlines. I'm happy to do deadlines and help staff with that. >> How much detail would be helpful in these ifc budget riders? I know when we have longer amounts of time to be able toet them for our normal council agendas, sometimes people have them for weeks or even months that we're working on them with our colleagues and staff. But for the budget rider process do we need a lot of whereases? Do we need to make our case or do we just send you a be it resolved and get our co-sponsors? >> I think it's the latter. There's so many things going on during budget I think a be it resolved this is the direction without all the whereases. >> Tovo: Si think I want to understand a little bit what exactly the change

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is. I think the vetting part is important. I think we tend to take up -- I think there are a couple of things that have contributed to T lack of it. One is taking tm up at the very end of the budget process when we've already, you know, passed the others, we've talked about the money and then we're trying to fly through quite a few budget riders. I have no issue having earlier deadlines for them with the understanding that any of us, as I think we've established a few budget cycles ago, any of us has a legal right to bring an amendment to the budget process at any point just as our colleagues have a right to

say no, this is too late, we can't consider it we need to take it up at a different meeting. So I'm happy Tory to get budget riders in earlier for vetting. With the understanding that if one emerges after the deadline, we have a right to bring it forward for consideration and ask our colleagues to consider it. And given that, we don't need co-sponsors for

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amendmts to the budget. You need a second and then folks can indicate their support by voting it up or down. So I can't support the four co-sponsors. I also know in the years where we did what was it called, like the concept list or something like that? In the days before the budget approval, we were running -- instead of diving into the issue. We were trying to balance diving into the issues and looking at the issues and coming up with solutions with running around and trying to get the necessary numbers and people would feel like if they weren't on something they supported that they needed to conct that office and try to get their name on it. It was unnecessary bureaucracy and chaos and I think we just indicate our support by voting it up or down. So I would suggest we have as a strong goal/deadline the budget, getting our budget rider resolutions in or whatever we're going to call them, but with the understanding that we, one, don't need sponsors. And if there's a pressing need that emerges you always

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have a right to bring something after that point. And it is, we've had -- you know, we've had dning relutions very late in budget and have had to have some other -- there was a need a couple -- I don't know, maybe four or five years ago we were trying to figure out how to fund public restrooms and literally the night before budget approval found a fund that had bunch of money in it that was right underneath the interstate that could fund a public restroom over there. So I don't want any of uto be prevented from finding information at the last minute being able to do something good for our budget, for O community. >> Thanks. I certaiy don't want staff to be hindered by some of thlast minute changes that we tend to make up here on the dais. And I understand the need for more orderly process and so the deadlines I think are great. I'm not sure I could support the four co-sponsors knowing how difficult it can sometimes be to find co-sponsors for things

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specific, especially when they're district needs. So I'm wondering if maybe you could help us understand why you came to conclusion so that maybe we can understand it. >> Sounds like there's general agreement that T budget adoption process can be a bit disorderly and chaotic so let's try to bring some order to it and timelines. Staff had the same conversation, how do we make suggestions to council

about how to bring a more orderly process to bear. As we were discussing it came to the conclusion that there's already a well established ifc process that everybody is aware of and familiar with. Let's use that. Totally hear what you're saying. I still don't have Kerri on the line, but I don't think there's any real concern on staff's part about not doing the co-sponsors. But that's the only reason is we had a well established. Everybody is familiar with it, understands it, let's bring that to the budget was our thinking.

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>> Pool: It makes a lot of sense to streamline. What I'm hearing is the official ifc process is probably too cumbersome because we don't need whereases. So it's really a truncated version of that. I think having four sponsors is probably too many. I know for the Austin energy oversight committee agenda we have three. I do think it's helpful to have at least one other person on there who effectively functions as a second. The piece that really strikes me as the most important in all of this, though, is getting the information of the additional requests for budget coming from all of us on the aisle to one another earlier as well as to staff. So I think that that benefits all of us as well. So even in those instances like Kathie has mentioned at the last minute or the night before we are able to find some funding for something that we really want to have. It doesn't preclude that from happening, but I do like the idea of getting us the information earlier.

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So it sounds like, Ed, there's probably bits and pieces of all of this that I think we could pull together to structure a really hopefully straightforward and easily understandable process going forward. Maybe fewer than four people, get the information early. It can lay out the elements of what you're looking for, but it doesn't have to dig real deep into whereases as an explanation. >> Mayor Adler: I like what you're saying and I'd expand on what you're saying. I think it's probably bits and pieces and probably a little bit more time to think about what the rule is than we could fashion here. I think it's important for the council to have the ability to give direction to anything that's put in budget. And as Kathie said, someone could come with an amendment. The way we do it now, we don't have to do it this way, no amendments come

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without being posted seven days ahead of time. We could adopt that rule as a body if we want to. But we haven't adopted that and consciously not adopted that so as to allow people bring amendments at the end. But if somebody has the ability to bring an amendment at the end, I think they have the ability to propose a direction associated with that amendment. There's a cost associated with that and that is that person bringing that amendment or bringing that direction is asking their colleagues to vote on

something at they haven't seen for very long and may not have had the chance to vet with their council staffs or with their community or their constituents. And may there's something that balances that that says that an amendment and/or or

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a message posted to the message board seven days in advance is sufficient time for us all to be able to read it and to vet it. And if you come with a direction that is new, that people haven't had a chance to vet, recognizing is it coming at the same time we're all trying to do amendments, that it takes a super majority to be able to pass. And I can't -- can't we after the fact of the budget bring a direction and pass it as a council? In other words, we have an obligation to pass budget on a cain day, but there's nothing to stop the council two weeks later from adding a direction in the form of an ifc. So I think you could adopt the rule that says if you're

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ING to get your direction passed on the 17th at the same time the budget is passed, then a super majority has to be ready to consider it. Even if they're not voting for it. And if you don't have -- if you have three or more council members that are not ready to vote on a direction, then that's a direction that needs to be brought two weeks later where it only requires a simple majority. And that way if there's a significant minority of the council that doesn't feel like they're ready to vote yet because they haven't had time to vet it, they have some measure of relief. I'm trying to blend both and to provide multiple pathways for the council to act, but

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not putting the minority of the council a position where six people could basicay put up a direction and get it passed without a significant number of the council feeling like they really haven't had a chance to vet it or to consider it. Mayor pro tem. >> Alter: My comment is on the broader issue, but not specifically for recommendation. >> Mayor Adler: That's fine. >> Alter: So I agree that we need more structure and deadlines. I'm concerned about the Meline as laid out given when we have our public hearings and when we have our work sessions. As I understand the schedule, we will not have our first work session where we're talking about the budget together until the 9th and you're telling us that our deadline is the tenth. And I don't see that as realistic. And then we have another one on the 11th. So in theory I love the idea of us having this stuff done

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earlier, but this process is really tricky this year. We usually have way more opportunities to be talking about the budget together and to go on depth on particular things. I don't know if on the second -- we have no way of knowing how many people will show up. We have no way -- I don't know if we're planning to have some conversations, but then somebody can post something, we won't have had a chance to talk about it and like we could have suggestions or knowledge and you may not know what they're doing, but there's no opportunity to have that conversation. And I don't have a solution for that, but I'm not comfortable agreeing that I'm not going to bring something on the 11th if we're only talking the second day. On the 11th there's usually a ramp up. There's some broad questions we're going to have conversations about. To what we have properly addressed our overinvestments. There are going to be things that we have to look at as was mentioned earlier, which

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is a 2 some item. And this week, so I imagine that very few of us are getting budget work done this week. I don't know what the answer is, but I feel like we do this every year where we get such little time to review such a large budget and then it happens because of there's so little information in the budget. I'm asking the same questions I'm asking every single year in budget. You can literally go back and see that I'm asking questions like, you know, what was funded for aid this year? What grants were ended that we have other things. That information is just not there and we never get the answers in five days. I don't think I've ever gotten an answer for thing in five days that I'm aware of. Granted I don't love the budget Q&A interface, though I'm not on there perhaps timely, but I just -- I feel like it's unrealistic. >> Mayor Adler: Ann?

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>> Mayor Adler: I want to remind us of another dynamic. I don't have an answer for it, but just something to be aware of. One of the things that happens with direction is a lot of times that budget rider direction is part and parcel of the amendment. In other words, it's not something separate. It goes with it. So to -- I would be reluctant to separate an amendment process from a budget direction process. So there's that. I think we need to remember that if I'm going to -- to give you just a specific example, last year I did a budget rider related to Austin car, which is the 911 clinician. So it had some dollars in it, but it also had some specific use for those dollars. And bringing that later would not have worked because bringing the

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amendment was contingent upon those kinds of direction. So we just need to be aware. I'm sure my example is not the only example. That's a dynamic that we need to be aware of too with regard to the directions. So I just want to point that out. I would -- mayor, I really, really do appreciate you trying to think of where some -- how do we make this work together. But I don't feel like -- I'd be really reluctant to do the super majority also. I think what I'd rather do is just say to my colleagues, do your absolute best to get something by whatever we decide is an appropriate deadline, but not introduce something that could be viewed as more of a barrier or perhaps even punitive, although I know you didn't mean it that way, but to my mind it would be kind of a barrier, you know, to say okay, if you don't get something in by a

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certain day you need to have a super majority. I'd rather trust my colleagues to do everything they can to meet the deadline. And I understand that -- the other dynamic we need to be aware of is sometimes what's going on and I like the way you've done this in the past, mayor. Is that we have a number of amendments, you know? Sometimes with direction with them. And they're not all going to work because of the dollar amount we're working with. So we kind of have to go through them and kind of rank them in our mind. But that's an exercise that I'm not certain we can do ahead of time. And one of the ways we've done that that's really been helpful kind of the running list, Ed, that you guys have done with us, -- mayor, I'm not remembering exactly how you've done it. But sometimes we've adopted everything and then we've said okay, we're over amount. We need to go over it again. I don't remember exactly how you've done it. But my point is there's a relationship between them.

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So I want to just preserve our ability to work through that as part of the budget process. >> Mayor Adler: Kathie? >> Tovo: And just kind of thinking about what you just proposed, I would suggest too instead of approving -- I'm trying to switch us to approving from adopting. Instead of approving at a higher threshold and changing our threshold of approval, I would suggest we kind of keep it simple and have a period of time proactively ask the staff to let us know if there are budget riders that they are concerned about or feel need more vetting or need more time. This isn't different really this from what we do on every council agenda. Sometimes there are things that hit our agenda as resolutions that four people may feel strongly enough about to put on an agenda, but they still need vetting and the council majority might decide to postpone it. I would suggest that we proactively ask our staff to let us know we can have an

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earlier deadline with the understanding some might come in after about all of them. We proactively have a budget of time in the budget where we say staff, do you feel we need more information, more detail? All of our staff can hear that information and act on it as they will. And that we schedule a period of time on our next council agenda where we'll take up anything we postponed. Any of those budget riders we postponed. So we'll carve out a little bit of them on that next agenda. We may not be ready to pass those then either, but at least we'll take an up or down vote. People think they're ready to deal with it today or not ready to deal with it and it goes on the next agenda. >> Mayor Adler: Mackenzie. >> Kelly: Thank you. I meant to follow up with staff on this when it was first laid out to my office it's my understanding that there are several council initiatives or resolutions that were not funded in the budget and I was hoping we might be able to get a list

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of those ahead of time when we go into the budget because I know some of the priorities are going to be very important to myself and my colleagues. I would like to be able to work those into the amendment process, but we need that lead time to know what we're looking for specifically that's not been funded. Do you have an estimated time when you might be able to get that to us? >> Yeah, we have that -- oh, go ahead. Sorry. >> I sent out a memo, I believe early last week with -- an email with the ifcs at this point, as well as the board's and commission's recommendations that we received as part of the process. So you should have that. I can make sure we follow up with your office to see if you all have that information. >> Kelly: Thank you so much. Sorry I missed it. >> Mayor Adler: Leslie. >> Pool: Do we have general agreement in trying to get the

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budget riders earlier? >> Well, I mean, I think the issue that the mayor pro tem raised, that we were having a work session on the 11th, and then the amendments are due the following day. And so I think we need more time. The prior day. So it will be difficult to meet that deadline when we're still receiving public feedback. >> So, I'm not sure that's entirely the case. We've been getting input since the first of the year from some advocates. I think those riders that are ready to go should definitely be put out there. And then there isn't any bar to us bringing additional information. My whole point is -- and I think I join staff on this one, and probably all of us feel the same way, it's important to get the information as soon as we can,

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as soon as it's available. So I just want to push all of us toward getting information. Are we talking about up on the meager board? >> Mayor Adler: My sense is at this point, no one's ready to have like an

enforceable rule that we follow. I haven't heard anybody speak in favor of that. Other than a general admission to the entire council to post as early as you possibly can. I mean, that's what I'm hearing thus far. >> Pool: And would it be to the message board, or are we using a different forum? >> Tovo: Can I suggest something? >> Mayor Adler: I think the message board enables us to talk to one another. >> Pool: Right. >> Mayor Adler: And the staff could pull anything off the message board into whatever list it's coming.

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But if we post them to the message board, then we can at least engage one another. >> Pool: What I'm trying to do is just at least establish that agreement on maybe one or two details because everything else seems to be pretty free-floating at this point. >> Tovo: Can I speak to -->> Mayor Adler: Hang on a second. Mayor pro tem. >> Alter: Thank you. I wanted to ask if you could give us an example of a budget rider that has proven problematic. Because I'm not sure that I'm -- I mean, I appreciate the need to have things vetted, and I want them vetted as early as possible, and I will do my best to do that. I want to be mindful. I want to hear from my colleagues and I want to hear answers to my budget questions and I want to be able to have, you know, the presentations that we hear on the 11th, so I don't think the 10th is viable. But it would be helpful to understand the budget rider that has proved, you know, problematic in terms of interpretation. So that we have an understanding

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of that. So, my first question would be, can you give us an example of a budget rider that has proved problematic beyond the fact that we should have more time to vet it, which I completely agree with. And then -- yeah, so let's start there. >> Carrie is trying to speak. >> I was muted. Okay. I think what we've seen, without really having a specific example in front of me, but when we looked at last year's process in general, several of the riders that came in, it took the staff both budget and the clerk staff and department STA several months to really understand and get a clear understanding of what the rider was and what -- how we should put that information into the system. So we look at some of the riders

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that were put into the car. You'll notice that many of those riders were not actually entered into the system for a couple of months after budget adoption, and that was because we were doing a lot of back and forth of really trying to go back and understand what the intent of the rider was. Again, I don't have a specific rider in front of me to say this specific one, but we can let you know which ones were the -- brought the most challenges and trying to make sure we entered it correctly, had the right information, and the full intent of the council once we started going back and reviewing the data and reviewing the minutes to input that information. >> Alter: So is it more of a problem of how do you capture this in the

budget and moving forward and making sure it gets done, or is it a problem of the posting language? I mean, I'm just trying to understand from the staff perspective, what problem we're trying to solve. From our perspective, we want more time to vet things. We want to make sure we hear

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things from the staff. But absent an example of a budget rider that was particularly problematic, I'm having a little bit of trouble... >> We have seen riders in various formats. Some of them were in the be it resolved whereas. Some have been in -- the format hasn't been always standardized. And so pulling from what the intent is has been a change. So there are several different piece of the things that we looked at over the last year, when we looked at last year, that made it a challenge. And some with the lack of standardization, the different formats we received. And then the -- especially with some of the last-minute ones, making sure we articulate the intent the way that it was -- capture the rider the way that

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it was intended in the discussion. And so there's a lot of reviewing of the minutes, reviewing of the conversation. So I think it's on both ends. It's the format that's coming in initially as we as when there are later riders that we have to make sure we're following what the intent of that rider is as we're going back and reviewing. >> Alter: So perhaps we should get our budget amendments and budget riders as much as we can by the 12th, which has been our standard practice, the Friday before and that we take up those amendments and those riders before we take up other things that are coming after that point. And that we ask ourselves, when we're doing a budget rider for it to be in a be it resolved format, and that everyone should be running their budget riders by legal, you know, at least

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once before it gets submitted, that might address -- that might address some of the issues. And then, you know, as a council, we need to take it seriously that if we don't think a budget rider belongs in the budget, that we say we'd like you to bring an ifc so we can look at this more, and, you know, that is on us to take those kinds of -- make those kind of calls as, you know, part of that. I do want to talk about the unfunded IFS. >> Mayor Adler: Before you go there, just real quickly, I think all these things make sense. And we have precedent for that. We've done that in the past. We've set a date like that and we've considered those things that were filed by those days, and we've considered all those before we've considered then the -- I think that's where we initiated the word tranche way back when, and we considered -- right. And then we considered the things that were not filed by

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that day, but we consider them after the others. The other should get considered first. >> Alter: And I think the new part is really making sure that legal is looking at those budget riders and that we're bringing legal in as we're developing those, Y know, at an earlier stage, and that we have to be open if legal is saying, you know, this really belongs as a separate ifc, it's fine to surface it and bring it forward. But, you know, we're going to say you need to bring that as an ifc and not part of the budget from the posting standpoint, or something like th, that's a conversation, and obviously we can always go ahead and still bring it. But that information should be shared with the whole council, if that's the review. So the other thing that I wanted to raise is that, I don't think that unfunded ifc list is accurate. For instance, Austin civilian core is missing staffing to be able to move forward with the pathways that that staffing and that other full budget stuff was in the original ifc, we have

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unfunded pieces with respect to sexual assault. The per recommeations will be coming back sort of the week of budget, and there's no provision in there to be able to fund the sexual assault response, even though we promised in the settlement to the survivors that we would be funding that. And those are just the two that came to my mind that were important to me. I'm sure that my colleagues have other items tt have not been, you know, included in there. Some of them are. I know that council member Ellis's item that I co-sponsored with respect to additional traffic enforcement was on that list. So, you know, there's some that are and some that are not, and I think that's important. Do we have a sense of when we will hear any additional information about additional sales tax or things coming in? From the nexmonth?

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>> I'm sorry, I didn't hear your question. >> Alter: Do you know when we will be hearing about any additional receipts of tax revenue? That might change the -- >> We will be bringing that information forward in the next few weeks when we're preparing for the budget approval. So we'll have that updated prior to the adoption days. Alter: Okay, but we will have those prior to the 12th? So that's part of the challenge here, is if we don't know what amount of money we may or may not be able to work with. >> I believe we will be able to provide some of that before the 12th. During our work session, will be able to provide some information. I don't know if we'll have the final data at the 11th work session. But any additional revenue that we've received through that date we'll be able to provide. >> Alter: Okay, thank you. And then on the 2nd, would we be posted to be able to have any conversation if there are things that -- you know, if the budget

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hearing doesn't go all day, will there be time for us to have some conversation to clarify, you know, what topics will be covered at the other work sessions, or, you know, for us to begin to surface things for our colleagues so that, you know, if there are people who are interested in collaborating on things, that we can facilitate some of that process on the 2nd. It's really unusual to me that our only two work sessions are the same week, and the week before budget. >> Currently, we don't have posting language for discussion. I think that's something we can discuss and look at. But right now, there isn't any posting language for discussion at this point. >> Mayor Adler: In fact, why don't you go ahead and just post it that way, possible discussion among council. That way we have that flexibility, we can decide based on timing whether we want to do it or not. >> Alter: Right. And obviously that's the one that's set aside for the community to come speak to us, but, you know,

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depending on how many speakers there are, that might be an opportunity for us to be collaborating on the budget. >> Mayor Adler: That's a good point. Thank you. Council member Kelly. Your light's on. No? Council member Kitchen. >> Kitchen: I also had a question about the list of resolutions that were not funded. Just wanted to point out that a lot of those just have some terms that say "Under development." And I just wanted to point out, so what that means to me is I've got to do more research to see what that means. Whether under development means it's coming or whether it means -- that doesn't give me enough information to know whether or not I need to bring any kind of budget amendment or rider about that particular item.

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So I just want to point that out, because it's introducing some more time and more back and forth in the process that I'm having to do some research to check. So that's just -- the list is helpful. I agree with my colleagues about perhaps it's not complete. But also, I want to note that even the items that are on it don't give me enough information, so it's going to take more time. >> Mayor Adler: Got it. All right, so, the answer to the question, I think, kind of the consensus on the dais, even though we can't take action, the sentiment I'm hearing is that we adopt the policy that encourages everyone to get their budget amendments and their directions out prior to the close of business on the 12th, by way of message board post, and those will be the things that are considered. First we're encouraging everybody to do that.

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We're asking your office to advise us on those things because they'll be posted in legal to advise us, including the questions of what things with respect to direcon may be more appropriate for an ifc. But whatever advice for council you would give. Colleagues, are we ready to move to the next it? Council member Tovo. >> Tovo: What about my idea of scheduling a period of time on our next council agenda to cover the things? As budget riders. >> Mayor Adler: Let's do that if we can on our notices, if we just put the budget process discussion or budget discussion, let's just start putting that on the agenda whenever we get together, council. And if we have an additional five minutes or more, if people want to highlight things, let's just put that on the agenda. >> Tovo: Mayor, I'm sorry, I wasn't being clear, I guess. I meant have a period of time --

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on our very next council agenda after the budget approval, have a section of time where we could take up budget riders that we decided needed more time. Not as ifcs, but as budget riders. >> Mayor Adler: I'm fine with that. >> Tovo: If they would facilitate it, they don't need to be fully fleshed out resolutions, although you're always in a better chance of passing it with more information. And then the other thing, in terms of where submit our budget riders, it would be super helpful if we also submitted them to the agenda office for posting in the backup right away. One of the things that happens on the message board is that people start discussing it, and even if you're trying to get a clear sense -- or we have a really well-thought-out deliberative plan for how we're going to post them on the message board, because otherwise, people post -- some people start discussing budget amendments, then some people post their amendments to somebody else's thread, and it just -- it becomes wildly challenging, I think, for us and

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for the public, especially for the public to kind of figure out what are the issues in play. So if we submitted them on the message board so that we can discuss, but also submitted them to the agenda, we would have, you know, one set of them very easily accessible in the budget posting. >> Mayor Adler: Okay. I think that makes sense. Leslie? >> Pool: I think the last piece is, are we backing away from having four people supporting an item? >> Mayor Adler: I think so. >> Pool: Okay. And we're not going to establish any number at all? >> Mayor Adler: I don't think so. >> Pool: Very good, thanks. >> Mayor Adler: So as to not have an additional hurdle while there's so much happening at that point in time. >> Kitchen: I agree with putting the following item on the agenda, but I do want to caution that I think we should be

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prepared to deal with riders as part of the budget, because what I wouldn't want to do -- what I have in mind is those kind of directions that are really part in parcel of passing the amendment. So I would not want to use THA unless we absolutely had to >> Mayor Adler: Okay. Natasha. And then I'll come to you. >> Harper-madison: Thank you, I appreciate it. I think I might have missed something. I really appreciate that Leslie asked for clarification there. I might have walked away when it was discussed that there was I guess critical mass around hesitation to have a number of people co-sponsor, so to speak. I personally appreciated staff really taking the feedback from council after our last budget adoption and retooling that amendment process, just for, you know -- anecdotally, when I

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heard what I thought was pretty clear direction from staff about how we should approach presenting our budget task. I really -- you know, and a couple of my colleagues and I had this conversation about really being thoughtful about how much we brought forward, how much we tried to, you know, work out throughout the course of the base budget process and how to talk to our constituents about, you know, thinking through that next year. We're really trying to all actively, collectively not bring too much forward for consideration. And then when it doesn't go like that, it's like, well, shoot, I could have brought forward a bunch of stuff, too. But I thought collectively, we had decided that, you know, in our fine time, our finite access to resources and staff, frankly, finite opportunity to vet our ask, when I thought the ask was, don't bring too much stuff, really be deliberate about what you're bringing forward, certainly don't bring anything last-minute, and don't bring any more than you have to, given that we have to take into consideration what all the

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council is bringing forward. I say all that to say, if we're not all moving at a similar pace, then it definitely feels like somebody's contributing to the process of streamlining more than others, and that is not a good place to come from. I don't think it feels good. And so I was really looking forward to some additional layers of -- I hate to say oversight, because I don't want to sound punitive, as to your point, Ann. But I do appreciate some additional layers of oversight to really kind of regulate how much we're bringing forward, the timing of us bringing it forward. And it feeling deliberate and not whimsical. You know, coming last-minute with something that, you know, has to be ten INT consideration as we allocate the resources that are, you know, within this general budget, it feels like it should be the most deliberate possible, and if it can't happen this year, then think about next year. But don't bring stuff last-minute, and don't bring too

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much stuff. All that to say, I thought the new process was going to result in more transparency, more clarity, and really help the process run more smoothly between staff and council. And this is something that I haven't heard anybody else recognize. But I also think it helps to remove some of the mysticism for newer council members. The budget process is difficult, and there's some sort of built-in advantages to the budget process for people who have done it longer, which flings to a lot of other things that I think are not fair for new council members, I don't think that's fair. I guess the ultimate question I'm asking is, did we decide as a body THA backing away from having multiple parties, you know, sponsor, so to speak, an item going forward. And if so, did we go from four to none or four to two? I missed that part. Can you reiterate what was

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discussed there for me? >> Mayor Adler: Certainly, we can do whatever it is that is the will of the dais. We didn't have anybody that spoke in favor of a number other than the suggestion by one of us, Leslie had said, you know, at least one person, I think. But it didn't get picked up by others. The discipline- no one really spoke in favor of a rule to impose some measure of discipline and notice. So I think that where we came down to was saying, hey, everybody try to do this by the 12th, post to message boards and to the clerk's office, and when we actually start considering these items, we are going to consider first those items which were posted by the 12th, which

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quite frankly, gives them some measure of advantage, because they're being considered while everybody has a lot of energy earlier in the process, and they get more of the oxygen in the room, and a chance to build a constituency. But that gives the staff the ability to be able to vet those. And then whether or not we consider any passed after that date will be decided by, again, the dais, and certainly, it would be a viable argument for someone to say, this came too late for me to be able to consider. But beyond that, there didn't quite seem to be a desire to suggest something else. But we can pause for a second to see if someone wants to suggest something else at this point, and people could suggest stuff

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later on. Natasha? >> Harper-Madison: I want to make sure that I don't miss the opportunity to suggest something else. I very much like the idea of having upwards of four people confirm that an item go forward for further consideration. I think it will just help everybody. The length of time, stress, staff time, staff effort, all of the variables that we have to take into consideration are affected by how many

things people are able to bring forward. I think having four people sign on and say, I also agree you should bring this item forward, makes it sound serious, makes I feel serious, makes it feel like, you know, an appropriate amount of diversity of thought went into the consideration around the item. I don't like the thought of us just all being able to willy-nilly bring things forward, even with,ou know, a wink and a nod agreement to do

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our best to be respectful of one another's time and that of the staff and our constituents, can get lost. You know, our jobs are rather deeply embedded in us doing what, you know, bay of discretion, what we think I the best thing to do. So if something should occ to you after that deadline, but you think, you know, you've done that cost benefit analysis and your idea is to bring that thing forward, you're going to bring that thing forward. Nobody's going to be able to stop any of us from doing what we think is the best thing to do for our constituents. So by way of protocol, I would like for there to be less loopy goosy expectation. I want it to be firm. By X day, you get to do this thing. And I think we're all guilty of doing the thing that makes it less clean. But my ask would be that we make it as clean as possible and have as many people support the item before we bring it before the body and staff for

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consideration, as possible, and I would ask if there are any other colleagues who have a similar ask or series O concerns, please voice them now. Not that I mind being out here on an island all alone, but that's where I'm at. >> Mayor Adler: Got it. Colleagues? Paige. >> Ellis: I think in years past, we used to have to he tee co-sponsors to get the amendments and the riders even brought to the table. So I feel like having no threshold kind of takes U the opposite direction. I'd be comfortable with three. I could also be comfortable with four. There might be a way to say, you know, the incentive of getting them out the door earlier is that you only need three co-sponsors, and the later it gets, the more vetting needs to happen behind the scenes so that we know by the time we're getting those last-minute amendments, that four people have had their eyes on it, and that's to me kind of the inntive of trying to,ou know, think of things early so that they can have the proper vetting. I will also say that as much as we can use the message board would be really advantageous I know when we're doing things hybrid and there's folks who are

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remote and there's papers coming out last-minute and the dialogue is moving that it gets really difficult when you're having to stop the ship and say, I don't have it, I can't read it, I don't know what people are saying, and I can only imagine that causes a lot of confusi in the public, too. So I just wanto rephrase

using the message board, writing things down, and posting them is good, and I do support the idea of having a first deadline tranche so that we know where the conversation is going to start. If I'm remembering correctly, last year, I think we got through the entire first day, and we're basically just outlining what is all on the table and what we're going to take them in, what's in, what's out, and then we really got to work the second day. And so I really want to be more expeditious in that if we're going to take the time to rehash our processes. >> Mayor Adler: How else do others feel about having two, three, or four people have to sign on to a amendment or a direction before it can be considered by the body? Ann.

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>> Kitchen: Well, you know, I really don't support that. And we've not done that in the past. We've not required it. And I don't believe we've required three in previous years. Now, as a practice, a lot of us have done that, but it wasn't required. And, you know, I guess where I'm coming from is, you know, doing the budget is like one of the biggest responsibilities I have as a council member, and so I don't want to set barriers or limitations or put boxes around that responsibility. So I would rather just trust my colleagues to try to meet this deadline and do the best they can. But I'm not interested in putting barriers or requirements around people, particularly since there is a certain fluidity that is necessary when we look at everything together. , What we'd essentially be

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doing is if we're required to get four, we'd just be putting our names on so it could be considered. It's not an indication of whether we'll vote for it in the end, because we can't. Have to look at everything together in the context of what's available to us with the budget. So, I just think that adds an extra part to the process that's not necessary. >> Mayor Adler: Mayor pro tem. >> Alter: So, I believe last year, I had four co-sponsors on pretty much almost all of my amendments and I try and do that, and I think there's nothing here that precludes us from that. And perhaps we ask people to include a line for co-sponsors, and if they have four co-sponsors, then we will know that that perhaps means a little bit, you know, more support. But it's something that's not required to get it to be discussed. I think it does mean something, which is why I've done it in the past. I'm concerned this year about the -- what feels to me like a

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more concentrated schedule about how things play out and not being able to have those conversations on the dais, and I would ask staff that for next year, when we do the calendar, that we don't make our only work sessions just the week before budget, because I don't think that's a really solid way forward. >>

Mayor Adler: Council, did you have something for us? I'm sorr >> Thank you, mayor. Leela for the fire department. Considering budget riders after budget adoption, the budget is adopted by ordinance, and so that would be a budget amendment process. You're welcome to do that and we're happy to work with you, and I would also encourage any of you who have ideas, feel free to not only bring them to the budget office, but also reach out to us.

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Fees, taxes, whatever your concepts are, please, the more time we have to research them and give you the legal framework to go forward, then the better our advice can be to you. >> Mayor Adler: What are the special requirements for someone wanting to add, in essence, a budget direction to the budget that had been approved two weeks earlier? >> It's basically -- what you're doing is amending the budget, and under the local government code, once you adopt the budget, you have to spend in accordance with the budget, unless there is a city emergency, or unless there is a municipal purpose, and you can't amend the budget in a way that would impact what you've committed to tax, right, because you adopt the budget, you verify that it will need more taxes than the prior year, and then you adopt the tax rate. So you have to work within the confines of the money that you have, the money that you're bringing in, and then the legal

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framework. Whatever it is, it basically is a budget amendment. >> Mayor Adler: Okay, so I assume the situation where you're not changing any of the spending levels or limits, you're not increasing the spend. So the rate doesn't change, the revenue doesn't change. But you're saying in the budget, we said spend \$100,000 on this effort, and now we're going to further describe what we meant when we said on this effort, we're going to give greater specificity. Are there special rules for that other than just a majority of the council voting to provide greater specificity? >> Only procurement rules. So if you get too specific as far as council saying to the staff, we want you to spend a million dollars on -- an additional million dollars on health and human services. And if you come back and say, you know, we want it to go to these specific entities and not

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go through procurement, that you all as a body have set up, you just need to be mindful of that. Or let's say you wanted a million dollars worth of energy efficient vehicles, you can't necessarily specify the manufacturer of the vehicles in your next directions. Within that kind of confine. It's very fluid. >> Mayor Adler: But otherwise, it would just be a majority of council taking action. >> Yes. >> Mayor Adler: Okay, thank you. All right. Sorry to take us off track. The question that council member Harper-Madison has

asked for a discussion on is whether or not there's, generally speaking, because we can't make decisions here, but whether there's a general will to have two, three, or four sponsors before something can be considered, either amendment or direction.

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Council member vela. >> Vela: I agree with council member kitchen. This is more along the lines of an amendment than an ifc. I would support -- and my understanding is that would be leaving the process theme as it has been in prior years. I would generally support leaving the process the same as it has been in prior years. Again, this is my first budget I don't have experience but my sense would be to keep it the same, unless there's a compelling need to change it, and guess I'm not hearing a compelling need. >> Mayor Adler: Okay. Vanessa. >> Fuentes: Yes, I agree. The budget is the ifc, so we're offering amendments to it. So it doesn't make sense that we would have a requirement. For communities like MI, this to me having the requirement of four co-sponsors is just another institutional barrier to have to deal with, and so I would prefer not to go down that route and to be able to offer amendments as needed. And, I mean, to your point, mayor pro tem, last year, did make it a point to at least have one co-sponsor on all of the amendments that I offered. >> Mayor Adler: So I think,

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again, my read of the general will of the dais is to not have a specific requirement for co-sponsors. But I think the mayor pro tem's point is really good. I mean, let's indicate whether or not you have sponsors, and it's probably going to be prohibitive if you have three or four sponsors on something, that means everyone's going to see that other offices have seen it and looked at it and approve it. For me, at least, that will probably have more weight than something that's coming as an amendment without any other sponsors, or at Ast it will tell me that other people haven't looked at it. Not controlling, but it will be prohibitive of that issue. Council member tovo. >> Tovo: So, I guess I would say the majority of those who spoke indicated that they wanted a system without co-sponsors. Now we're setting an expectation that if you want to demonstrate

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support, you'll have co-sponsors. So now we're back to the situation that I described earlier, where we're all going to be in those last days of budget trying to -- you know, trying to make sure just as a matter of the process, showing that there are co-sponsors. I guess I'll say here, you know, there's probably a lot I'm going to support, and it's going to be based on whether or not it's a good idea and less on whether or not you took the time to get co-sponsors on a budget rider. I mean, there's just a limited amount of time that any of us have to talk about the big issues, and some of the budget riders are really

sma issues. And so -- and we're just simply not going to have time to talk about each and every one of those. So, it's not going to be prohibitive R me. I did also just want to ask staff the question, in looking through that list of unfunded items, I also noticed a few that were not on there. Halo camera is among them. I think halo cameras may be being funded through fiscal year 22 and that may be why it's not on the list. But I would encourage all my

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coeagues to kind of look at what they've brought forward and check that list, because I think there are some gaps. But I just need to know, I think, going into tomorrow's work session, what under -- what was the phrase, Ann, that I Yo mentioned? Under development or something like that. >> Kitchen: Yeah, it says under development. I don't know what that means for some of those things. >> Tovo: I assumed a - a couple of mind are noted as under development. I'm assuming that means they're not funded under the budget. But I ted to verify that with Carrie as we go into tomorrow's work seson. If that is the case, I wanted to understand kind of why some elements are funded and some are not funded. >> Yes, council member. Under development means that those items were not funded in the budget, or are still being reviewed or researched for funding options. >> Tovo: Okay. Thank you for that, because we have some important things -- some important things that are noted as under development. That means they won't go forward

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without our identifying funding. And Lela, in your description about what -- in answer to the mayor's questi, you started talking about procurement, but I would assume the same is true whether we talk about those issues prior to budget approval or after budget approval. We still can't -- we still have to follow the procurement process. >> Yes. But he had had asked specifically whether there was any particular framework for things that were being considered afterwards, and I'm just saying that doesn't go away. >> Tovo: Gotcha. But it also doesn't emerge. I mean, it's the same set of rules whether we do it prior to approving the budget or after approving the budget. There still has to be a municipal purpose. We still can't identify people in violation of our procurement policy. And there are no new thresholds. I mean, I think there is council direction that says we can't -- we shouldn't consider a budget amendment absent a -- you know,

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a... Emeg new -- there is some budget language about what the threshold is for budget direction, but I think given -- I mean, if we all agree that we're going to do this at our next council meeting after budget, I think that's our agreement. It doesn't need to meet the same threshold that it would be from the

budget amendment. >> Mayor Adler: I think that's true because it's part of the budget price now. >> Tovo: Okay. I just wanted to clarify. There are no new rules, no new thresholds, whether or not we take the budget direction before or after. >> Right. It's just once you've adopted the but, it is basically a budget amendment. Unless it's, as you said, policy direction without changing the dollars. >> Mayor Adler: Which is all that we're talking about here, because it's a direction to a change in dollars spend probably. But that's the universe of what we're talking about. We're not talking about changing spending. That's happening in the budget

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adoption. This is just policy direction, or how to spend those dollars, or something related to the spend of those dollars. >> And I can't think of a situation where that would be a problem. But, of course, please do feel free, if you have those ideas, maybe they're not as fully fleshed out as you would like. You're not going to get them ready by budget. Please, if there are any kind of legal framework issues that we can help you with, do reach out to us. >> Mayor Adler: Great. Yes. >> Mayor, I just wanted to confirm, so on the budget work sessions, do you want us to put an item on for just general budget discussion? >> Mayor Adler: I think that would be good, so that the council has the opportunity to be able to talk to one another, if that opportunity arises. All right. So, I think there's not a will to do something other than encourage people to file by the -- post by the 12th, and the

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people who -- those things that are filed by the 12th will be the things we consider first. We're posting to the message board. We're sending them to T clers office. We're asking staff and budget staff, legal and budget staff to get back to us as quickly as they can on those things. And everybody gets to individually did the prohibitive weight of anything related to this exercise. All right. Thank you. Colleagues, let's go through some of the pulled items. E first pulled item that we have is the consideration this week of the potential -- it's a resolution asking staff to come back with an ordinance setting a bond election in November for

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affordable housing. This is something that a pretty wide and broad and deep coalition of the community has approached us asking us to do. It's one of the most successful tools we have to deal with what is a huge and perhs the most significant crisis we have in the city, which is housing that's affordable, and this reaches to that part of affordable housing that's most difficult to meet the challenge. It is a resolution that is posted as 300. We had been asked by the -- those groups to do at least 300. I think the intent now is to amend that resolution when it comes to council on Thursday to set it at \$350,000.

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The difference between 300 and \$350,000 is about 50 cents a month to the -- is about 50 cents -- >> You said 350,000. >> Mayor Adler: Yeah, 300 million. Gotcha. The difference 300 million and 350 million is obviously 50 million. But the impact to the average homeowner taxpayer is about 50 cents a month. It's three 3 and \$4 is the impact. And I just wanted to give everybody heads-up on that consideration. Staff had given us numbers on the tax impact at 300 million. We had asked them to provide us the same information at 350.

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Thank you to staff for having done that. They also gave us the impact at 400 million. At 400 million, we get up to something that's, you know, roughly a dollar a month increase. But again, I think that we're going to be asked to consider \$350 million on Thursday. Council memb pool. >> Pool: I'm a co-sponsor on this item, and a lot of why I'm really supportive of this effort goes to our interest in ensuring that homes that may Ben need of repairs, pretty significant repairs, so that they wouldn't be demolished and replaced by, like, class a, right? Buildings. Is to keep people in their

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homes. And that is a thread of our policymaking that we've talked about a lot for many, many years, and I think this is a real distinct opportunity for us to specifically target the home repairs, keeping people in their homes, and helping people figure out ways where they can manage to stay in Austin, and so that we don't inadvertently run them out of town, because of the increases in the cost of living here. Mayor, you have that resolution probably open in front of you. Which lines has the information on the specific targets, which is the repairs and the preservation of existing homes? I just wanted to read that out for the community to emphasize the importance I think of this particular proposal to help folks stay in their homes.

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>> Mayor Adler: On page 2 of 3, line 43, says, in about as simple language as it can, because it's listed in bullet points, it says home repair. That the city manager is directed to coordinate with the clerk to bring back an ordinance with sufficient time for council to act. To place a 300 million -- because that's how it was filed -- affordable housing general obligation proposition on November, to fund housing priorities

such as first bullet point low income housing ownership, home repair. Second bullet point. Third bullet point is preservation of existing affordable housing. Also covers an area that you have for a long time led on and championed. Low-income rental housing, including but not limited to permanent supportive housing. The last bullet point, land acquisition in both vacancy and improved property. These were the elements that

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were part in parcel of the 2018 bond proposal, so we've listed them. The decision was made after a lot of discussion not to specifically budget by category, so that it can be more nimble than that and really take advantage of opportunities that are presented. But it does include each of the areas that were covered in the 2018 bond because that's been so successful. So successful that almost all the money is gone, which is why we need to do this again. >> Pool: Thanks for reading that out for everybody. I think it's really important. And again, that's why I am so supportive of this additional effort. And I would be willing to move that figure up to 350. >> Mayor Adler: Thank you. Council member Fuentes. >> Fuentes: Thank you, mayor. I want to thank you for your strong leadership on housing and for bringing this item forward. Certainly, our community is demanding for us to do more on

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affordability, and this is part of it. This morning, I was at a meeting with a constituent who shared with me that her rent is going up \$300. I have about 40 families at the congress mobile home community that are actively being displaced and are within two months of having to relocate within Austin, and it is very hard right now to identify housing options. So, knowing how successful the 2018 bond was for our community, certainly produced many affordable housing units, has helped our seniors and our most vulnerable stay in their homes. This is needed. And certainly at the scale of 350 million. So I'm really proud to be a co-sponsor on this item, and I'm looking forward to seeing our community learn more about this effort and we'll be supporting it moving forward as well. >> Mayor Adler: Thank you. Council member Kitchen. >> Kitchen: Yes, I also want to thank you for your leadership bringing this forward.

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As well as all of my colleagues who have supported -- all of us have been supporting affordable housing. So this is an opportunity we need to move forward with. I want to recognize that the coalition of many groups in the community that have done a lot of work to develop support for this concept, and to bring it to us. I also will support the 350. I think it's important. I agree with council member Pool that it's really important to help people stay in their homes. But I'm also glad to see that all of the range -- all of the subject areas that have been included in previous bonds are included here also. They're all part in parcel

of an effort that, whoas for all different parts of our community, like the land acquisition, for example. I also want to let my colleagues know that I have asked our staff

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to provide us information about the possibility of taking a look at our senior tax exemption and the potential for raising that. I think that that is something that could be helpful to that segment of our population as we move forward, not only with this bond, but also with some of the things that we need to do with our budget. So, just wanted to let everybody know that. And now that the staff is working on that. And should have that information available for us shortly. I think that might be within our abilities to raise the senior tax exemption to some level. But I think this is needed. It also helps niors, our bon proposal. You know, the home repairs, as you know, is really important for seniors to help them stay in their homes.

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So, thank you for bringing this, and I would support it going to 350 if that's what my colleagues are amenable to. >> Mayor Adler: Great. Thank you. Okay. Anything else? Mayor pro tem. >> Alter: Yeah, I just want to indicate, you know, Carly we've spent mos of the bond of the affordable housing from 2018, and we don't have funding to make the gap between now and 2024 when wehould be doing a bond. But I just want to state that I'm going tbe abstaining on this item because my town hall for my budget is on August 4th. This was just placed on our ifc, and while there were conversations, there was nothing concrete to share with my constituents. I do not feel comfortable voting in support of it at this point in time without having a chance to speak with and communicate with my constituents about this potential bond issue. I think that's really important todo. And since this was a two-step

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process where we vote to have it come back to us and then we have a vote on whether to put it on the ballot, and I have Tse opportunities coming up in my district, I want to do that before I make a decision one merits. That being said, we have spent our affordable housing bonds well in the past, and we are at a point where we do need additional funds. But theres an impact on the stacks payer a tea a Tim of high inflation and I'm not in a position to judge that impact without having those conversations. >> Mayor Adler: Chito. >> Vela: I will be supporting the affordable housing bond. One thinghat I would like see, and I think the public would like to see, and I know anecdotally what the 2018 bond money went to. But it would be a great -- and there may be one, I may not be

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aware of it, a comprehensive report of what that money went to build so that the public can understand. Because it is a diffuse amount of money, with some going here and some going there. So sometimes there can be some skepticism about its effectiveness. And a more kind of comprehensive list of what that money went to so that the public understands what we're funding when we pass these bonds. >> Mayor Adler: I think that's a really good idea. There's also an economic impact analysis that I think it was done by Housing Works, that showed the multiplier effect. Not only do we do this, but this money then draws down hundreds of millions of additional dollars, and has a really large economic -- positive economic impact, and that information should also be made available. So we'll follow up. I'd like to work with you to follow up to make sure that that information is available to the community. Council member Tovo. >> Tovo: Yeah, I like that idea a lot, and I don't know, council

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member Vela, did you say all of the bonds, or just the last one? Because I think I would be great to see it for 2006 -- what was the next one? 2013. >> Vela: I think that would be great. Because as I said, there's a lot of different housing units that we may be familiar with, but we're not necessarily knowing that that's connected to the 2013 bond, the 2018 bond, or, you know, how it got to be. So I just want folks to know that the affordable housing money that we pass here is a critical component of getting these, you know, foundation communities projects set up, these different projects set up, which I think people are very appreciative of and generally very supportive of. >> Tovo: Totally agree. In preparation for last week's lineup, I did some of that. Some of it is on our city website, and some of it is on Housing Works and our city staff has done some of the same analysis of saying, I believe of

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saying how much money some of the projects brought into the community. I think some of that is on the city website. But at least having a -- maybe even before Thursday, if this is possible, just having a list of all the projects at a minimum for all of the bonds would be super helpful. And then maybe working in the weeks ahead to get that fuller information. But I think a lot of it exists, it just needs to be pulled. I had a question about the items, and I thought appropriate that it's the same kind of priorities being outlined. Low income ownership, preparation, affordable housing, land acquisition. We've talked for a long while, and are finally starting to build on some of our publicly owned tracks, including our city-owned tracks. It is certainly appropriate and the staff have always said that our general bond can be one source of funding to build on our -- to create affordable housing on our city. But I would like to call that out in a separate bullet saying affordable housing development

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on publicly owned land. I think people are very supportive of seeing not just the city, but also ISD and other entities build on their own utilized land and creating affordable housing, and I'd like -- of course, we can use -- again, I think we can certainly, within how the previous bonds have passed, use that funding for that purpose, but I think calling it out would be helpful. Is that something that you would consider as an addition? Should I bring it as an amendment? >> Mayor Adler: Yes, let me talk to all the stakeholders and make sure there's something that we're not aware of. But obviously, I know it's something that we are considering and need to be considering. >> Tovo: And I'm pretty sure we've used general bond funding for some of -- I don't know, actually. May I ask that question of director Trulove if she knows the answer. Have we used general obligation bond funding for - I know we've used it to acquire properties. Have we used it to help fund some of the development that's

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happening. For example, the last -- the kind of partnership to purr class the houses through haca. Are we using general bond funding for the rehab of those units that are going to be lotteried off? >> Yes, we are. >> Tovo: Okay. I mean, we already have the ability. >> And we're just starting with the series of rfps that will build on the properties that have been acquired with the 2018 affordable housing bond. So Y'll see starting on the agenda tomorrow us working through starting to work through some of the properties that have been acquired. >> Tovo: That's exciting. That's eat. What are we going to use for funding to get those? >> Each one will be a little bit different, but having a stable source of funding through an affordable housing bond helps to ensure that we can provide that gap soon, that we anticipate will likely be needed on most developments that were.

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>> Mayor Adler: And I think you see us doing that in the rental housing development assistance program and the ownership housing development assistance program. >> Yes, that is the program that we would be using for funding. Property may have been bought with the land acquisition bucket from the 2018 bonds, and then as we move into development, we would be tapping into either the rental housing development assistance or the ownership housing development assistance buckets for the actual development of that housing. >> Tovo: So I think it's covered in the first -- yeah, so I think it's covered in that first bullet and it's covered in the low income rental housing bullet. I just think it might be useful to call it out. >> Mayor Adler: Let's work on that together, get that in. Okay. Yes, mayor pro tem. >> Alter: Since you're working with a coalition and you want to make sure that the resolution is reflecting that, I would ask that you consider adding the

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following kinds of amendments. One would be a whereas clause that indicates how much of the 2018 bond has been spent so that we know how much is left on that. And then the other would be a be it resolved that makes sure we get updated data for a \$350 million bondn terms of the fiscal implications for the taxpayer along the lines of the memo that we received for the 300 million when it comes back to us that we have that information to be considered at that time. I would ask that you please incorporate it as you see appropriate as a be it resolved or as direction in that, so that I can be respectful of the coalition. >> Mayor Adler: That we get that information back. >> Alter: Yeah, so that we get the updated -- I T it's really important that we not only have what the investments have been, but also what the financial implications might be for the taxpayer, so that going

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into putting this on a ballot, that that is transparent for our constients. >> Mayor Adler: And that sounds good. Take a look at the memo that just came out from staff, and if there's holes in that with additional information, we'll make sure that we include that as well. >> Alter: I think the memo is just for the 300 million. >> Mayor Adler: They just updatedith both 350 and 400. >> Alter: Okay, I have not seen that yet. >> Mayor Adler: So it's just come out. >> Alter: If that's already there, I would just ask that you deliver it bk when the other comes to us as well. >> Mayor Adler: Okay. >> Alter: Thank you. >> Mayor Adler: All right. Anything before we move on? Staff, thank you very much on this. You pulled, I think, the next item, which was the music venue

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designation, live music venue designation. >> Alter: Yeah, I just wanted to ask the sponsors to explain what this does so that I make sure that I'm understanding and that staff understandings what this sets out to do. Because there's parts of it that we've talked about, and parts of it that we haven't. And so I wanted to invite you to spk to the resolution and what you see it accomplish and the mechanisms. >> Mayor Adler: Okay. And let me quickly correctly something I said. I said the memo had been updated. That's not true. It was answered in the q&a, which is why it would be easy to miss. So the information is out. But let's make sure it's out in a form that more people will be able to see in ansr to your last question. Item number 94, which is live music venue designation defines what a live music venue is. This was the main interest of

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the live music folks as part of the earlier code review processes we were in. And they wanted to be able to define live music venue because it was something that they felt that -- and I believe is true that the city wants to preserve and protect and make sure that we have those places in our city, the live music capital of the world, it's getting harder and harder to do. There's suggestions on how we might incent those uses the same way we incent the affordable housing uses and other things that are desired in the city. But it's a hard thing to do when there's not a statutory

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definition of what that use is. So you can create a place for a live music venue. Mostly using a cocktail zoning use. But cocktail zoning use is broader than just a live music venue. It doesn't have the connotation that a live music venue has. This resolution just creates the definition, and it asks staff to come back with tools that might be employed, that neighborhoods could adopt, if council could approve to help make sure that our infrastructure of live music venues continues and is strengthened. >> Alter: Thank you. So I think my question was less on the definition and more on the second be it resolved and

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the incentives. And as I'm reading this here, establishing the definition, and then you're saying we also want to do these incentives, but go ahead and put the definition in first and then work on the incentives. But I didn't totally understand the conception of the incentives. So would you be able to go through the four examples? >> Mayor Adler: Well, I think it asks the staff to come back with incentives. So it creates the definition. It creates the incentives that could be created the same way we have incentives for affordable housing, the same way we have at different levels of affordable housing, different kinds of incentives. We have different incentives for rental assistance, rental units, ownership units, different kinds of assistance for different percentages. I think this gives our staff the opportunity to work with the

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stakeholders to come up with ways that this information in our city could best be preserved and flourished, but it begins with defining it. >> Alter: So we're asking them to define it, and incentives that would allow us to encourage the building of -- >> Mayor Adler: That's correct. >> Alter: Okay, thank you. >> Mayor Adler: Council member kitchen. >> Kitchen: I want to say thank you for bringing this. I think it's something we've kind of thought about for a while, and we've, you know, really been doing one-off kinds of conversations with different developers, asking them to, you know, consider creative space. We've done this as part of pud. So I think that asking for something more formal program in the land development code is really exactly where we need to be. So I appreciate that.

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I do have a question for you. If you would be open to adding another be it resolved that would ask staff to consider a separate program for creative spaces, and by creative spaces, I'm thinking of our arts community, like our -- you know, the gallery spaces and work spaces for artists. Not instead of live music. Alongside of live music. And because we're not funding this, it's setting up a mechanism through our development process for developers to consider this as part of the land development code. I wouldn't see that as taking away anything from the live music venue aspect. It's just also considering the same kind of -- or a similar -- may not be the same kind of incentives. But a similar structure. Would you be open to an

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amendment, or do you need to think about that or talk to your -- >> Mayor Adler: Would say let's you and I talk about it the next couple of days, because it's something that I would be interested in doing. I'm not sure yet exactly how to get that done. There's been a lot of time with discussions with live music venues, so I know that they've moved that ball forward. I've heard some questions with respect to creative spaces, and then really how to define that. I don't want to hold this one up. >> Kitchen: Okay. >> Mayor Adler: So if this one is not the right vehicle for it, and I don't know that, let's explore that issue over the next two days. But if it's not, I will join you and support you on a subsequent ifc that might solve the challenges that they have been presented. >> Kitchen: Yeah, I'm happy to bring it as a separate resolution. Back in May of 2019, you know, when we were putting our

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concepts together, the concepts related to creative spaces was included in that. And there were also recommendations made as part of the whole LVC process in front of the planning commission that related to creative spaces. So I see these are analogous kinds of things. Happy to bring it as a separate resolution if that makes more sense, so we can talk about that. >> Mayor Adler: Sounds good. Anything else on this? Council member Ellis. >> Ellis: I would like to say thank you for bringing it forward and I would like to be a co-sponsor. >> Mayor Adler: Great. Thank you. If the clerk could make note of that. Thank you. All right. Ready to move on to the next item. The next item that we have is -- council member Kelly has pulled -- council member Fuentes has pulled council member Kelly's item on license plate reader. Council member Fuentes. >> Fuentes: Thank you. It's my understanding that this

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item, item 103 is posted for discussion only this week; is that right? >> Kelly: Yes, that's right. We had planned on bringing it back during the budget discussion as a rider. >> Fuentes: As a rider. Okay. Well, I have some questions. >> Kelly: Okay. >> Fuentes: And I submitted them the q&a, and staff did send me some responses this morning, but I have some clarying questions. So, one of the question I have is understanding where the data from the license plate reader will be stored. I asked if this database will be accessible to state and federal agcies, and the response that was provided to me -- well, first, I'd let you speak to that, and then I ha clarifying question. >> Thank you, council member. Assistant city manager at the public safety department. So, we should be having chief of staff robin Henderson and the sistant chief, Jason, able to -- it looks like they're coming on now, can answer your

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questions. Would you just repeat that one as they're now coming on? >> Fuentes: Sure. Is the database that we store threcords from the license plate reader, would that be accessible to state and federal agencies? >> I can answer this. This is assist chief. Currently, on our past contract, it was through vigilant, so if anher police department was part of the vigilant network, they contracted and paid for the service, then they would have acs to the data. >> Fuentes: So is there a scenario where I.C.E. Could decide if they want to have access to these license plate reader records, they could have access to this database? >> If they were part of vigilant

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on our prior system, yes. >> Fuentes: And what other agencies are part of vigilant? >> There's multiple. Since we started in 2016, and with the cancellation, I haven kept up with how many departments is. But we as APD control the data. So if there is a certa agency that we did not want to have that data, we actually have give permission to the departments that are requesting the data. So we can -- we have complete control of the information that's gathered, how long it's kept, and where it goes. >> Fuentes: So, in having that complete control, there would be an instance where you would receive a request from, for example, immigration customs enforcement, and APD would then have the option on whether or not to share that information? And is it specific to that record, or will ice have access to the entire database containing red information? >> Of course, I'm going back on

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2016 when I was the lieutenant over this project. I think that that is an option. All of those options that you just stated are an option moving forward. >> Council member Fuentes, I want to point you to page 4

of 5 of my resolution, line 68. I believe I addressed that as best I could based on prior discussions that the council has had related to this program. Bullet 2 says data sharing will only occur for investigating and/or prosecuting criminal activity, unless the circumstance arises where the city is required by state or federal law to share the information at the request of a state or federal agency for another lawful purpose. I was very sensitive to the fact that that was a concern in the past that was raised by the community, and I wanted to make sure that that was addressed properly. >> Fuentes: Gotcha. That to me -- what's concerning to me is that they would still have the option to have access to the entire database that will have records based on the data from the license plate readers.

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And we would not have control what they would do once they have access to this database. The other question -- and, too, given where we're at with the state of abortion in Texas, we have state leaders who have already publicly commented that they would bring forward legislation allowing counties to prosecute abortion providers outside of their jurisdiction. And so there's another opening, and I hate to even bring this up, but that is a real threat, it's a real risk that we face, too, not knowing where the state will land on prosecuting abortions, both abortion providers, and of course what that does to abortion seekers. So that's another concern I have with this particular item. Another question I asked is if there are other privately owned companies that scan license plates in Travis county. I'm trying to understand if there is a pathway here for when there are instances of criminal activity, could APD contract out with another vendor who has this

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type of equipment to help in that particular instance. So rather than having our entire fleet equipped with license plate reader, could we contract out with a privately owned company that could provide this information based on the situation that is occurring? Oh, you're muted. >> Kelly: Real quick. It's my understanding that there are only a certain number of vehicles that have this technology on it. The actual cost associated with it would be for the subscription service to be able to scan the license plates and have the information come back quickly. It's also my understanding that the funding is already in the budget, and so I know it's been a concern of some council members that it seems like we're raising the budget of APD, but we're allocating the funding for this purpose, which is already existing. So, it's just for the subscription to be able to utilize the technology that

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already exists on the vehicles. And I believe there are two trailers that we also have at APD that allow for the scanning of plates. >> Fuentes: It seems like the officer wanted to speak to the question on working

with a privately owned company on license plate reading? >> Okay. If I'm understanding you correctly, what you're asking is, instead of going vigilant, there are private entities that contract out with other companies to collect license plate readers on their own for whatever reason. If we would have access to that information. I believe that we WOU end up having to identify all those different companies, and then trying to get a contract through all those companies. I don't think very many of them would be willing to give us the data without having something going their way. Does that answer your question? >> Fuentes: So there is a potential where we could work with a privately owned company

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to -- for that surveillance service, depending -- that is specific to situation. So if there is a suspect and you're trying to monitor their activity when they enter the county or the city, but you could tailor their equipment for that particular -- because again, my concern is these license plate readers storing information on this database, this cloud that law enforcement agencies could ask for access and have the entire database at their disposal. >> To answer your question, I have no clue about what individual private companies do and do not with their data, and the availability to us. I think there's so many unknowns there to give you an accurate answer. >> Fuentes: And then, the last question is, how many vehicles do we have with APD that have the equipment for the license plate readers? >> Currently, I believe we have around 14. And that's including the

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trailers. Each car has multiple cameras because of the angle and when they collect the license plate information. >> Fuentes: Thank you. >> Vela: Why are we saving the data that we're collecting? And just to -- just to random vehicles that were sweeping up their location at random times. These are not people suspected of any type of criminal violation; is that correct? >> Mayor Adler: I asked that question of the chief this weekend, and the chief said that frequently, or this use of this tool, they won't know which

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cars or which places they want to use the tool until after there's been crime committed or something happens. And then they go back to that area and say, do an analysis of this area during that period of time. So it's being saved so that they can go back when the need has been established. >> Vela: So -- and I'll just make a comment then. I cannot support the creation of database that can then be later fished through for potential criminal activity. That has major civil liberties implications, and we know -- we've seen it with the national security agency. We've seen it just about with every law enforcement agency or

telligence agency that has ever collected this information, that the information will then be fished through for other

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purposes. I think about the telecom companies and the liability bill that was passed at the end of the George Bush presidency, at the beginning of the Obama presidency, where NSA was essentially sweeping up all of the telecommunications information in the country, and it was really scandalous what folks were doing, fishing through the information, including looking for their girlfriends' info. Just creating those kinds of databases where, oh, we're going to keep track, fishing up all the license plate reader information, and put it into a database that then we're going to share with other police agencies. So anybody can be like, okay, where has this car been over the last -- I cannot support that. I can support limited use in an investigation. Like, if they say down on slaughter, there's been a use of a car and they've got a partial license plate, and we're going

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to put the trailer up there because there's been a series of robberies that have been connected to there car, and when it gets a hit, we know that car is there and we're going go after. That I can support, but saving the data, even if it's going to be a year for some sort of limited timeframe, I just can't support that >> Mayor Adler: Just by way of additional information, the conversation that I had with the chief this weekend, I asked him about why you needed the data for a year, and he allowed to me that he would be okay if it was the will of the council to shorten it as far as 30 days. You're the author -- >> Kelly: Yeah, that's amenable to me. As long as it helps with solving crimes. I mean, we did a community meeting, my office hosted it. In 2017, APD officers were able to successfully locate a kidnapped 2-year-old child from Austin after license plate readers alerted them to the

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vehicle traveling northbound 35. And so for me, this is a matter of life safety for pple in the community. We can save one child who is abducted, or if we could help one victim of a heinous crime get justice, then that's worth to me. And I think that's something we can all work together as a council to ensure that this data is protected, and that it's utilized in a way that will really be okay with all of us and be right for the community. >> Mayor Adler: So generally speaking, and then I'll pass the floor, I'm supportive of giving this tool to APD, base I think it serves as a force multiplier. I think that 30 days is much more reasonable than a year to keep the data. I'm okay with keeping the dat without having an investigation, because I think that the most frequent use of this is actually

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after the fact of a crime, when they're trying to say we have a crime in these three areas, and they're trying to see if there's a car that was in all three of these areas, to try and identify it. I am concerned with the questions that council member fuens raised and some that you raised as well, council member vela, and I would like us to figure out, before we consider this in August, how to solve for use. And that's the use of the data or the information outside our APD. My understanding is that our APD will log in and require whoever uses this tool again and to explain why it was they were using it. And we'll give those reports to the council so that we can see how frequently and what for people were having access.

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But once we leave our APD, I don't think we can expect the same kind of reporting for other law enforcement agencies that might have access. And they have other law enforcement agency using it for immigration purposes or using it for reproductive right issues, I would have a concern with that. And if the only standard is we can share with other agencies if they allege a crime is being committed, that's a pretty big catch basin that we don't participate in. So trying to figure out how to not have that happen in those instances or to give our city the ability to shut it down if we're in a position, where if we get it, we have to turn it over. But if we don't get it, then there's nothing for us to turn over, but to be able to

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summarily shut down the system, if use is side of us. But there's something there that I would like us to try to find so that we can provide this multiplier tool to APD, it's something that I would consider. Council member tovo, then council member kitchen. >> Tovo: Under your last point, I wonder if this would be appropriate to discuss in executive session, what kind of legal mechanisms we might have to do just what you said, either to shut the program down, or withhold the information, if there's a high likelihood that it's being used in ways that were not intended. And it sounds like maybe between now and budget, it would be useful to have some really strong language in there about what those guardrails are going to be, that we're all in agreement on about how it should get used to address the really valid concerns that council member Fuentes and vela raised.

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To the time period, I want to better understand kind of H it's been used in the past when we had license plate readers. Wh was the retention timeframe in the past? >> In the past, it was 365 days. >> Tovo: And so, you know, it strikes me that probably for something like the rock throwing incident, that longer period was necessary, but for the kinds of incidents that you're describing, council member Kelly, a shorter time period like 30 days would work. What was the length of time -- I mean, I know the rock throwing went on for a long while, and several people, at least one person was really critically injured. What was the Tim period that you were drawing from when you were accumulating the information that led Y to that person? >> I wasn't involved in that investigation. I was actually back on patrol. So, I believe the data they looked at was from the entire

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frame of when the first incident was reported or discovered, all the way up until the time he was apprehended. >> Tovo: Yeah, I just can't remember. Maybe you could follow up with us. I mean, but that was aal bizarre circumstance. And so I think that WHA we're talking about in terms -- I mean, I know it was a long period of time, because in the middle of it he was here at council talking about towing and stuff. I mean, he was kind of a regular individual here at council. So it was a long period of time. But I do think that, as I'm thinking it through, I mean, while that -- while he might not have been apprehended but for that information, I think given the privacy concerns, I think the balance leads me to wanting a much shorter timeframe, too. And so it would be useful in the kinds of abduction incidents that you're trying -- and not necessarily be helpful in those other ones, but those other ones are really odd ball ones that

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>> If I could add the rationale for one year, that was because of the data retention policy at the city. That was the guidance was following when I drafted the resolution. I'm amenable any change that's the will of the council protect THA data. >> Tovo: Thank you. >> Mayor Adler: Councilmember kitchen. >> Kitchen: So I want to ask a little different question that counciember Kelly, you may have addressed. I'm trying to remember if you have it in there now. And that has to do with the process forrticulating and developing what the safeguards are against the system. For example, there has to be a use poly. So I would be curious whether we have adopted the uspolicy at this point, but I would be more interested in making sure that that use policy is something that was developed in a manner that the public

[11:14:35 AM]

had some input on or participated or perhaps an opo, office of police oversight. Buty use policy, I mean the specificsf access and user roles. In other words, what are the security systems in place to establish

access to data and user roles, allowable uses, data sharing limitations, the potential of actually not making data available to other law enforcement agencies, but instead participating in the investigation with them instead of handing data over to them. Just a range of things to have the tightest security possible. And in talking about the process for setting those parameters and those safeguards. Councilmember Kelly, I don't remember if that's written into the resolution or not, that that would be a process that there's some oversight participation.

[11:15:36 AM]

>> Kelly: Right. So on page 2 of 5 starting at line 35 it talks about the Texas penal code providing criminal penalties if an officer or other public servant intentionally or his designee otherwise using information from the license program. It also discusses APD's general orders which provide the rules and security regarding the release of information. And on page three of five it talks about Texas 143.052 of the Texas local government code which also provides penalties to someone who misuses information. I do appreciate what you're talking about about providing input because -- and perhaps assistant city manager could speak to this. There was a policy on the use of this technology but it was removed when the ability for officers to remove technology was used in 2020. So perhaps we write in an amendment that includes public input related to the future policy being created I think that's a wonderful idea. >> Kitchen: Yeah. I'd like to involve the

[11:16:40 AM]

appropriate department. That might be the office of police oversight. But I think that very deliberate development of that policy and development in a way that is fully transparent to the public and the public has an opportunity to participate in would be necessary? So that may be language that we need to write in. >> If I may comment, and again, thank you very much for this information, which I'll generally say is very helpful. I know the chief would have liked to have been here but for the commitment that he has to go to, our sister city, in fact, he's traveling back today. This is an opportunity I think for council and for him to be able to take in this information and better be able to respond to some of the concerns. So as councilmember Kelly mentioned, there was a policy that was put in place

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for significant public input in order to operate the license reader program until we stopped using it. Going forward based on what direction council might provide in terms of this being part of the budget process, we will certainly take a look at that policy and incorporate any other additional public input that might be required in order to meet council's intent. >> Kitchen: Yeah. My thought is that it may take a bit of time and it may be a more concentrated work group kind of effort so that the public is sitting at the

table. You know, representatives of the public are sitting at the table in development of that policy. I would like -- I don't know if you have this or not, councilmember Kelly, but if you could share with us all the previous policy that would give us a better idea of how it was stopped out before. And -- scoped out before. And so I think that some assurances of what the process involves would be necessary.

[11:18:42 AM]

>> Kelly: Is that something that you could email council? >> I believe that part of the council q&a that council member Fuentes asked for, we have both the policy as well as I think examples of how lprs are useful. >> Alter: I asked for I as well. >> Kitchen: Can you share that so we don't have to go look for it. >> Mayor Adler: Mayor pro tem. >> Alter: I also asked for a copy of the policy. I'm not sure if now is the appropriate time. I appreciate all the comment that my colleagues have raised and the work that councilmember Kelly has done to think about how we improve accountability and transparency, but I would really like to hear from our staff and what they're planning directly as opposed to mediated through colleagues in terms of how you would pla to change the policy. >> Again, mayor pro tem, I believe that based on this conversation we would take a look at the policies and

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determine whether or not additional changes are required. I think the -- as I'm understanding, and again I would defer to the police chief on this, the police took significant input from the community in order to try to beat the concerns, much of which Y are already expressing here, and certainly based on this information and wanting to create trust not only amongst you, but certainly E community and in the budget. >> Alter: Thank you. I think it would be helpful if we get additional information about where this subscription would be most useful and where its absence has impacted. I think it would be helpful to have that picture. My next question is I think might be for the city

[11:20:48 AM]

attorney. Trying to go back to our earlier conversation about budget riders and amendments and councilmember Kelly was interesting to learn that it was already in the base budget and what has to be allocated. And you're saying this is a budget rider so I'm a little confused here on how we are doing this and now this is not -- I just want to make sure we have clarity and so that however we proceed councilmember Kelly has clarity on that and we're all in agreement in how that works. Because it seems -- what I'm hearing is there's extra money in the budget for APD to do that but they don't have authority to appropriate it for this and they don't want to go purchase that without -- they still have to come to us for our contract, so having these rules, etcetera, but it's confusing to me given the setup. So if you or someone from budget can explain how this shou ideally work in this

[11:21:49 AM]

particular instance, which I think is somewhat different than our past situations with budget amendments and budget riders, I would appreciate the clarity and that maybe can help guide councilmember Kelly as she moves forward. >> Kelly: Thank you, because I'm not the best at using terminology sometimes and being new I sometimes don't use it right myself. Can you explain to us how the funding is working on this and that my understanding is correct that APD has the funding available but it just has to be allocated? >> So APD based on the subscription level, it's under the Ty manager's approval if I'm not mistaken. So certainly they have the funding to do it. However, given council's action, 2016, whatever it was, certainly APD is not going to move forward with pruring this kind of service without checking in with council again. So that is the item. I think not necessary to speak for councilmember Kelly, but in order to bring

[11:22:50 AM]

this back as a useful tool for APD certainly council needs take action and in the conversation that was had earlier, I believe, the mayor is suggesting that we have this as part of the budget process. And so again, hopefully not to speak too much for the council member, that's how it's standing up here as a budget amendment. Potentially. >> Alter: So I might suggest for this particular one so that TRE's more weight to it because we already have the resolution drafted, that it might more appropriate to have an amendment that allocates the Moy and a separate agenda item that is this ifc so that the rules governing how this procedure works are not buried within a budget rider. It seems to me that the importance of the community in transparency and accountability is such that -- drafted as an ifc

[11:23:51 AM]

anyway and you just need a change, a be it further resolved, so that it was not about prospectively I budget, but like we did it in the budget and this is what's going to govern that. That that might be a more appropriate way to handle it. I'm concerned about it being a budget rider. I think nobody being able to go back and reference is and think about it, we have that discretion and as we'll talk about later this afternoon, we will likely end up taking the commercial parkland approximate as a separate item. It won't be an ifc, but as an item for council in order to pass that with the budget as well. I don't know if that makes more sense. I just want to throw that out there. It adds an extra item along with budget. This seems to be much more involved than what we've done as budget riders and rightly so. The council asked councilmember Kelly to wait to do it until the budget,

[11:24:52 AM]

but I'm just wondering if that would be more clear, a more clear way to proceed. >> Mayor Adler: From my ear they're effectively the same so I could go either way. We could put something on the budget day that specifically calls out passing resolution to provide the authority to enter into the contract to we could do it as a separate item. We could do it as part of the budget. Why don't you decide how you'd like to go and let the clerk's office know. >> Kelly: Okay. >> Mayor Adler: But either one of those I think would work. >> Kelly: I do think this item is very involved and we have taken quite a bit of time to discuss it and talk about what our concerns are to speak with the community. And I want to make sure we encapsulate all that feedback so if this item is approved by council and it is the will of the council to bring it back, that

[11:25:53 AM]

future councils have references for what we did and they're able to look back and really understand where we were coming from. So. >> Mayor Adler: That would be fine. My only request would be that since we're going to be in the middle of the budget process that we not get lost on this for, you know, an hour during the middle of the budget, because we're not going to be able to do that. Which means elevating ahead of time whatever the workout. So when you talk to the chief and you talk to the sponsor and co-sponsors, I think the suggestion would be to get the holding of data as short as possible. My understanding is 30 days works that access to the tool be limited and logged and reportable to council and a process to let the council see it frequently

[11:26:54 AM]

this is being used. And that there be controls on this so that even though we know how we'd be using it in-house, what about if we created another agencies are going to have access to it. And I'm not sure how we're going to limit that to councilmember Tovo's point. We probably need put that on an agenda to talk through that issue, but to whatever degree other agencies might have access to it, how we shut it down if other agencies are getting access to it that might use it for things that we don't want it to be used for. And I've heard those as being the articulated issues, but the sooner you

[11:27:54 AM]

could publish those and get those out or get those to council, maybe there's a lot of work we could be doing between now and budget hearings so that we're not spending a lot of time on budget day. Mayor pro tem Alter. >> Alter: Thank you. I wanted to clarify. I had recalled that the amount of the cost was

over \$100,000, which is over the city manager's limit. Do we have clarification on what this costs? >> Sorry, I'm looking at the resolution. I believe the cost is a little over 104,000. It's \$114,775. >> Alter: For just for clarity's sake, the police department can't do this without us regardless. So TRE's another -- if we don't manage to get it done in budget and hopefully we'll be able to resolve it

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given that we've set in motion the process to have the conversations, there's nothing that pre-clues having that clarity come after the budget if it needed to in an ifc and they would not be able to pass the adoption of it without council approval and the council weighing in on those guardrails. >> Mayor Adler: I'd be amenable that too. We just as a group had committed to considering it no later than the budget process. >> Alter: I'm not advocating it. I just wanted to clarify that they don't have authority to do it -- >> Mayor Adler: Understood. Councilmember Tovo. >> Tovo: I need to clarify which budget the money exists in, but especially since this came forward as an ifc and councilmember Kelly tabled it until the budget, I agree that it is important to resolve it. And I appreciate it. I think this is a very useful conversation because I think we see what kinds of

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elements need to be addressed between here and there so that is -- it resolves as many other concerns possible. Can we have an executive session as a portion of our group, any of our budget work? I don't envision a super long one. I think it might be a good idea to check in on a couple of those points? >> Mayor Adler: Why don't you put it on the agenda the first time we're able to meet in executive session. >> Tovo: And mayor, I wanted to clarify where the funding exists. Does the funding exist in fiscal year 22's budget or are you saying that there's that flexibility within the APD fiscal year '23 budget or both? >> So I referred to chief -- chief of staff Henderson can respond to that. >> Tovo: Chief, we missed your first few words. >> I got the tap on the

[11:30:55 AM]

shoulder from our chief financial officers that says it's both in fy22 and proposed in fy23, APD's budget. >> Tovo: Okay, thank you I'm interested in submitting a budget question for all the departments to know what unspent funds are in any of their budgets because that means there are unspent funds in APD and potentially some of our other departments. Thank you. I have a lot of ideas on how we can spend it. >> Mayor Adler: Vanessa. >> Fuentes: Thank you. Some of the language that might be helpful either as an amendment or to the budget amendment, whatever process we go down, would be requiring council innovation when the database is shared to another law enforcement agency, when

the full database is shared. That might be another safeguard that we consider. One of the lingering questions that I have is do Travis county sheriff's

[11:31:56 AM]

office and/or dps have access to these license plate reader or do they have equipment in the subscription for license plate reading? >> I know back in 2016 Travis county did. Dps, I'm not sure we can follow up, though, and get that information for you. >> Fntes: Thank you. I still think there's the potential for us to partner with another entity and having this type of survey lens on a case-by-case basis versus having I set up in-house where we have a database that will be surveilling and collecting hundreds of records for a period of 30 days or more that could be accessible by other law enforcement agencies. And then a legal question is understanding the impacts of senate bill 4, the show me your Pers law. And I think that has requirements set up between

[11:32:58 AM]

immigration, custom enforcement having access to local law enforcement data. But I would like some clarification on that. >> Could I ask that all the questions raised THA staff are following up on be answered in the questions on q&a so we could have a moment in place and the public can see the answers to this as well. >> We'll do that. >> Mayor Adler: Anything else before we move on? Yes, chito? >> I would like to know who holds the data. To me I would like to see a 30 day delete, but if other agencies have access to the data then they could presumably sweep it into other databases and it really doesn't matter what we do with the data. In other words, is vigilant going to delete the data after 30 days or is it just internally that we are not going to have access to the data after 30 days? I think those are all relevant questions.

[11:34:01 AM]

>> We control the data. So if we set a 30 daytime limit then at 30 days the data is removed from the system. >> I'd like to understand in more detail the security provisions. Vigilant is the one who is deleting the data I'm sure rather than our staff. So the question is who is deleting the data? How do we know they deleted it? Is there a aviation process for the deletion. Is that built into our contract? What's our reurse to make sure that that happens. I would love to see the contract with vigilant because that would be helpful also to understand. And then we just need a further -- we need a list of all the security provisions and processes. So there will be policies

[11:35:02 AM]

and provisions so in order to understand that. And then I would just ask for consideration, I don't know exactly how you use the data and whether this is possible. I'm speaking to our officers now. But ask that you consider not sharing the data at all. In other words, instead it works from a approximate process of how policing works. Can you just -- instead of giving another agency access to dat would it not work for you to if they make a specific data request of you, our staff does the review of the data and then makes itvailable. I don't know if it's possible within your word processes, but I think it would add another layer of

[11:36:04 AM]

protection rather than giving another user access to the data. >> Mayor Adler: Would you please address that question in executive session? >> Kitchen: Okay. I'm sure we can do it legally. The question is whether it's part of the process. I don't know how they work with other policing agencies >> Mayor Adler: I think that was included in the questions they wanted to address in executive session. >> Kitchen: Okay, got it. >> Mayor Adler: All right. We'll move on to the next item then. Thank you. It's 11:38. Let's keep plugging along here. Councilmember tovo, you pulled the statesman pud. We're going to handle that this afternoon as part of the briefing on the pud. Health south you pulled. >> Tovo: Yes, I indicated before I think it makes sense to have our executive session first and I do want to have a council conversation in public about it, but it may be something that we need to do on Thursday rather than today.

[11:37:05 AM]

>> Mayor Adler: Okay. Airport expansion consultation contract. Council member Fuentes. >> Fuees: Yes, I don't think this will take very long. Colleagues, we have on the agenda, it was added on the addendum a contract authorizing up to 40 million for professional consulting services and program management. As we all know our airport is going through a multi-billion dollar expansion and we've had several issues here lately. And to be clear, several airports throughout the nation have all had issues with TSA shortages, with airlines having issues with their scheduling, but we know that in our particular airport that were at capacity and so I thought it might be good for us to take a moment to hear from aviation staff tooouch base on WRE WRE at with the program expansion, how this particular contract supports the expansion and anything that is being done to address the capacity issues. I know there are several

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strategies that are taking place to improve our passenger experience so I thought it would be good just to kind of do a little touch base at this time. If we have aviation staff available. >> Tovo: Mayor, while we're wing for them, may I make a quick comment? I apologize for mentioning this before when we talked about health south. I wanted to mention that I just distributed something for executive session and it's previously posted. It's the motion sheet that I had brought forward with councilmember Renteria on

[11:39:06 AM]

January -- at our January 26, 2021 meeting. Ani also have included the minutes toward the back so you can see what is incorporated into the motion. I believe all these amendments G incorporated into the motion as direction of staff on what we wanted to see in that exclusive negotiating agreement. And I apologize, councilmember harper-madon, I don't have an ability to get this to you, but it is the motion sheet that would be part the backup on January 26, 2021. And again just the minute from that day as well. >> Harper-madison: Thank you, council member. I received the text with the photocopy. >> I see we have staff from aviation. I'm happy to tee up the questions I previously asked. What I chaired with the director and Ms. Thompson is wanting to take a moment to hear from our aviation team to learn more about how this particular contract for program management consulting services is tied

[11:40:08 AM]

and will support the airport expansion. And any of the work that you would like to highlight that is being done address capacity issues that we're currently experiencing at the airport to improve passenger experience. >> Yes, council member, thank you for your question. Can you hear me okay? >> Mayor Adler: Yes. >> [Indiscernible] For austin-bergstrom international airport. The contract that you have in front of you is for program management support consulting services. So that would be involved into project management, project control, risk management, qa and qc and construction management as the construction starts happening. Also supplementing our staff members with the subject matter experts depending on what part of the program we're in on the planning, design or construction management, because we don't necessarily need to hire all those folks as city employees throughout the life of the program only. So this also would provide

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us the assistance to get through the next five to seven years. What we anticipate the dollar amount that you're seeing in front of you is to cover what we would think for the next five years for these services. How this contract specifically fits in the program, those -- this program would support, as I said, the project management piece of it. As you know, we recently have the master architect on board that

would be putting together the design for all the elements of the eap. In the meantime as those two pieces working and start putting packages on the street for awards and for construction and design, diverse design and then construction on many of the projects we have part of those 60 projects that we've talked about previously, is also we're working on the baara Joan terminal of adding to the assets and optimizing square footage in that terminal to add some capacity for the next five years as we see the new Gates opening, the new head of the house, the new

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runways. To continue matching the growth that we're seeing. So that would include as we mentioned before, additional Gates in the main terminal today, screening checkpoints. We're already working on the badge handling system -- baggage handling system and also some ticket counters for the airlines. So those are in the works, what we call short-term solutions, while the master architect and this project management contract work on the long-term for the whole adp. Happy to answer any specific questions. And I have Tracy on the line also. >> Thank you. And anything director yaft, that you want to share about the recent issues we'veeen having at the airport that is not unle many other airports, myself flew through dfw and had a crazy Ng line in customs. So I know that many airports right now are dealing with

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delays but anything you would like to touch on. You talked about short-term strategies to address our need for added capacity at the Barbara Jordan terminal. Anything else that the public should be aware of that we're actively doing to improve our passenger experience? >> I mean, scifically to the pasnger experience and as you heard what is going on at some the other airports, it is no -- a lot of airports are dealing with the staff acknowledge shortage, the airlines, the TSA agents screening folks. That is putting a stress on everybody. Fortunately we have been working here at Austin specifically with TSA and the airlines to try to manage the lines, try as much as possible to coordinate ahead of time on the planning and schedule and the additional flights that the airlines are adding. We are doing good so far. Eventually we will get to a point where we would have to look at some optimizing the Barbara Jordan as fast as possible so a lot of these

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projects will be on a critical timeline, one for the budget, but also because we need those assets and this capacity here as fast as possible. So you will see a lot more contracts coming your way. In the midst of all that on the operations side we have our operations team very involved, dedicat here, and they work hard to try to manage the lines and manage the airlines and federal agency eryday so we can avoid as

much as possible the stories that you see or are hearing around the country. The other thing I want to highlight quickly is also the FAA with the numbering the large hub and medium, we are due to the numbers we're seeing coming in, ranking as a large hub airport levels. So it's a good story, it's a good thing to have, but it also highlights how critical we need to stay on the adp program. >> Fuentes: Thank you. For further questions on my end, colleagues. Given the amount for this

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contract and experiences we've been having lately at our airport, I thought it was important that we just take a moment and hear from aviation team to learn more about how critical it is for us to move forward with adding and expanding capacity. And so that was my intent with pulling this item. >> Mayor Adler: Okay. Mayor pro tem. >> Alter: Thank you, council member Fuentes, for highlighting this issue. I'm sorry if I missed it in all of the conversation, but I wondered if you could zero in, Ms. Yaft, on the additional resources that the federal government has sent for TSA. I know that congressman Doggett's office has been advocating hard on behalf of Austin airport to make sure we have the resources. And I just wanted to ask if you can be very specific about the additional federal resources that have come to Austin in the last several months to help us. >> Yes, I can speak in

[11:46:18 AM]

general. They have supported us by adding full-time employees. They also have extended the amount of officers coming in from other states to help us with the TSA screening lines. So they extended the timeline on that for the end of the year. We're also working with them specifically on screening equipment and enhancing and upgrading some of the equipment that would be able to process more passengers through on each lane per hour than what we have today. So it's a combination between the personnel officers, the machines and the equipment but also offering retention bonuses, hiring bonuses for the officers to match the cost of living in Austin. And they have raised those percentage in the last few months to make it attractive to the officers. We're also helping work with them on job fairs to be able to have a job fair for all

[11:47:18 AM]

our stakeholders because they're all struggling to bring in employees. >> Alter: Thank you. Again, I just want to thank congressman Doggett's office for really going to bat for Austin and our airport. Thank you. >> Absolutely, we do. We thank for his support and his also. >> Mayor Adler: Councilmember harper-madison. >> Harper-madison: Thank you, Mayor, I appreciate it. My construction is teeny-tiny. Just an objection. While we have you I just wanted to bring it up. The line for the shuttle was unlike anything I had ever seen before to the point where people were walking in 110 with as many bags as they could pile on

their backs. It was a line of huge -- it was sherpas all the way through. That's something I wanted to point out in the discussion around capacity. Somethg else occurred to me during the course of the experience and THA was of the three shuttle drivers that I had out offing abia, only one of them -- it was

[11:48:19 AM]

really cute. He talked about how his 12-year-old niece had helped him figure O how to set up his vetan mow on on when people insisted on offering gratuity that they could give it to him. People don't offer cash and as patns, we know there's no requirement and you may discourage gratuity, which is too bad. Them lugging the bags in the heat, it really is -- it's admirable the level of hard work and service that they're providing. But it's maybe a discussion that we need to have further if gratuity is discouraged. Beuse they're working really hard to get those bags on those shuttles. And I think that might be an overlooked spot in terms of areas for expressing our appreciation for airport employees.

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>> Appreciate it, council member. It is not -- one, it's not required and it's also not encouraged. City employees are not allowed to accept gratuities, so that is part of the job. And we do. And we provide customer service with that gratuity part. Private companies at the airport do allow gratuity. >> That's too bad. I wonder if there's any way for us to work around that in the future, for us to think Abt a creative solution for offering adtional incentives for these types. 110 degrees throwing my big bags and really because they were doing such a great job and doing the job, refusing my assistance. Speaking of the customer experience, I sat in the shuttle just feeling bad the whole time that this lady my mom's age just lugged all my luggage and I wasn't able to express my appreciation. Maybe that's something for us to table at a future conversation. >> Appreciate it. We're here to help. Thank you very much for the

[11:50:21 AM]

conversation. >> Mayor Adler: Great, thank you. Yes, council member Fuentes. >> Fuentes: I wanted to close and share with colleagues since we were talking about the budget today, one of the items that we're lookingts seeing how we can ensure that the aviation advisory comssion is broadcast on atxn. It curntly is only available on audio. I think since we're going through a multi-billion dollar airport expansion program it's important that we have those meetings live and available on atxnd so that's one O the budget amendments that we're looking to put forward as part of the aviation enterprise budget. >> Mayor Adler: Okay, thank you. Anything else on this item? Staff, thank you. Let's go now to 190. Councilmember tovo, you pulled the arch contract with urban alchemy. >> Tovo: I did, thank you. I'm hoping we have some staff joining is here who

[11:51:21 AM]

can talk a little bit about the process of identifying this potential provider for RVices at the arch. It's obvioly a resource that is extremely important in our community, pviding emergency shelter and also the kinds of resources that individuals staying there need to begin that pathway to housing. And as many of you may remember, we've done a lot of work as a council I changing the way services are delivered at the arch. I and others in support have brought forward several resolutions to increase the funding to provide for case management so that all individuals at the arch are case managed, hav access to case management, are on a path to housing. Ani'm super concerned as I know many of you probably are as well about the situation with needing to find another provider. I understand from -- I understand that that is necessary. But I would like to get some information about what the staff process was for

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identifying urban alchemy and if you could sort of talk us through that and their experience a little more. And I don't think it will surprise anybody we're all -- we've all probably gotten a couple of emails expressing se concerns about urban alchemy and we would like you to extend appropriate address to some of those and again help us understand why this is the staff recommendation. Why this provider is the staff recommendation. And also -- I have more questions. Let me leave it there at the moment. >> Good morning, Adrian Sturup, Austin public health. I believe with me today I have Houston smothers from our contract health and also Ms. Gray our strategy officer. So on July 1st when we provided information to counl that there was the inntion to and our

[11:53:24 AM]

contracts with front steps as of September 30th, the team got together and began formulating a plan of how we would provide services in the interim. After speaking with purchasing it becamelear to us that the best venue would be to have an emergency contract for services. On the 18th we contacted or rehosted a meeting with about ne non-profit organizations within Austin and Travis county who are dealing with providing services in this space. In addition to the bridge shelter contracts, we talked about other services that the city currently contracts with front steps to provide, we lay down the budget, we answer questions. And at the end of that meeting we ask agencies to submit letters of interest by five P.M. The following day. The expedited timeline was for us to be able to get an item before you on the 28th and to be able to move forward to execute those

[11:54:26 AM]

contracts with the start date of August 15th to allow the new vendor to have a transition period between their services starting officially and funding [indiscernible]. The things that we looked at for the contracting process are similar with what we call O threshold requirements. It looked at the organizational disability, their financial management, taking look at their audited finances, TAKG a look at their staff structure and board and asking them to answer questions about their expertise in providing services within the space. Out of the nine providers that were at the table that day, one organization expressed interest in running services at the arch, that was urban alchemy. In reviewing their finances well their structure and their plan to staff up it

[11:55:28 AM]

seemed reasonable and sound, so the staff moved forward with that application. Since the time of this item becoming public we have been made aware of concerns. Staff had a conversation with the organization yesterday and I will allow Keisha to provide more detail as I was unable to be present. But I did have a conversation with the city manager of Saucedo and he had nothing about good things to say about the city providing services for encampments and providing services in larger urban areas that had homeless services. So not only are they well versed and highly recommended for working in encampments for providing, as he called it, humane care and credited them with moving to their largest encampments in just a matter

[11:56:30 AM]

of days. And he described the intentionality, the care, the personal boots on the ground, the relationships that they built with the residents of each of the encampments to make that happen. He also alluded to their ability to provide shelter services. I talked to the principal myself, Dr. Miller, about her experience in providing shelter services. And the shelter that she described is quite different from the arrangement that we have at the arch with respect to design and entryway and the environment. So I do feel for this purpose, a temporary 12 month contract to get us over the hump while we conduct a full solicitation that urban alchemy is a strong partner for us to do is work with. Eisha, do you have any additional information about the meeting with urban

[11:57:32 AM]

alchemy yesterday regarding those allegations? >> Tovo: Before we turn to that, if I may, mayor, director Sturup, thank you. I really should have started with a thank you to staff. This is an extraordinarily challenging situation and I can only imagine the work you've had to do to really move

quickly and rapidly so that the individuals who need this resource can be served with no gaps in service. So thank you to you and your staff for all of that work. And to our homeless strategy officer. Before we -- before we talk about the next piece, could you help us understand -- I have only learned of this myself on Frida and haven't had an opportunity to really dive into researching this organization either, but in my initial review it did seem like most of what I was hearing is about the work that you described first. THR work at encampments, on the ground, building relationships, connecting individuals with service. Critically important, critically necessary here, but the job that we're

[11:58:32 AM]

hiring them to do is managing emergency shelter, which is such specific work. Can you address in more detail what the range of experience Urban Alchemy has with regarding -- regarding managing and administering congregate shelter? And you referenced the principal having some experience. I don't know if that's through Urban Alchemy or through a different organization but can you speak more specifically to the organization's experience running congregate shelter? And cause you mentioned the principal had experience but it was in a very different kind of shelter, can you give us more information about that? On one part, but really solidly I want to know what experience they have. There's such a range of services that need to be delivered, but this is the one WRE -- it's my understanding this is the one we're hiring them to do. >> Yes. And >> Yes, when I referred to the principal, I was speaking of the principal of the organization, which is Dr. Lena Miller.

[11:59:33 AM]

And so I will say that -- and Ms. Gray can help me out as well with this information. They've run shelters in the California area. They've moved away from congregate shelters because that is just, you know, all of the best minds in this space were saying that is not the way to go. But agreed to partner with us, or at least at the time Dr. Miller and I were having the conversation, she agreed to at least listen to what we had to say. The model that she described to me for the shelters that she has run don't include metal detectors or security guards or the flavor of an institution live space. She described creating an

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atmosphere that evokes the relationship that she hopes to have with her clients. And so, she likened it to a day spa. When you walked into the facilities that she was used to running. Calm colors, relaxing furniture. Ambassadors that greet people and connect them to services. Places where people can be. And that is a very different environment that we -- from what we've been able to create here in Austin. And it seems to be on the cutting edge of what most of our partners nationwide are turning to when they talk about shelter services. So, again, she was very clear that congregate shelter was not part of

their model, but because they believed in Austin, and they knew that there were people who need to be served, she was

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willing to revert back to providing that for us, because that's what we're requiring at this time. >> Tovo: How large -- >> For me to be sure to know that that wasn't the best practice. >> Tovo: THAs very helpful, thank you. And a lot of what you've described would be very beneficial in that space, I think. How large are the shelters that urban alchemy has managed in California? Are they equivalent sizes? To the arch? >> I can give perhaps a little bit of context there, and I don't have specific numbers, council member, but I'm sure W can get them. The facilities that urban alchemy has operated in California are very much like our protective lodges or our current bridge shelters. So, many of them in hotel conversions, I am aware of them having taken on a facility that had 250 beds.

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So, that's significantly larger than the bed capacity of the arch right now. But we're happy to ask them for details about the capacity of the shelters they've run previously. >> Just to add on to the end of that, to give you just a tad bit. Urban alchemy has about 40 years of experience in the California area, specifically Oakland. The tenderloin, mid market communities, San Francisco, including the south central avenue corridor of downtown Venice, California, and the Hollywood communities. Within this space, they've worked and managed three tiny home villages, one safe sleep village, which is equivalent to a sanctioned encampment. They've also managed one hotel-based shelter and one safe park program. And during the height of the pandemic, they also assisted

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with three other safe state villages and one congregate shelters. >> Tovo: That's very helpful. I couldn't capture all of that. If we could ask you to maybe pull this into a budget q&a -- I mean, not budget q&a, an agenda q&a -- I mean, what I captured was they've run three tiny home villages, one hotel based facility, and something more like a sanctioned campground, and I missed what you described that as. And then some other things I didn't capture at all. So if you could kind of put this into an answer, that would be helpful. I heard you say that they've been in operation four years. Can you -- I really -- I really trust all of you on here to make the very best decision for Austin, so let me start by saying that. As I am a little nervous about an organization that is that young in this work, and brand-new to this community.

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So I'm sure those are issues that you've wrestled with as you've made this recommendation as well. Can you help me get to a place of more comfort? Based on your review and your research. >> Certainly. Even though the years may seem very short, we looked at the extent of the services tt they have rendered to the community, the communities that they've served. And within that formula, it met the needs -- it met actually our threshold of requirements for the actual letter of interest. Thus, our request to move this option forward. I'll lean on Diana or Adrien if you want to add to th as it relates the number of years of service.

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>> I'll just acknowledge that they are a relatively young and a very quickly growing organization, but we also, in our community, have been looking for new providers, and have historicly really had only one congregate housing provider, which is the subject of the contracts that we are now, unfortunately, discontinuing. So I think that the breadth of the experience is relevant. Theyave grown very fast and have operations in multiple cities. I do think that we'll -- you know, as director Sturup indicated, there is a one-year contract that allows us some time to do some planning and to do a full solicitation for our partnerships going forward into the long-term.

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>> Thank you, Ms. Gray. I will add -- and'm going to tee it up to someone, potentially for you. I think it bears noting, although they're a young organization and new to our community, they have been doing some outreach work in our community. So it's not like they're coming in not being aware of the situations or the players or the base level politics within the community. And so they're coming inyes wide open. The time period is important because we really want to be able tollow for that smooth transition between front steps. The board is all in in support of at. And our department will continue to support this organization with whatever resources that we can bring to bear to make sure

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that while they are successful in providing these services for us, understanding it is a risk, but it is a calculated risk, which we have considered Ver carefully. >> Vela: Anyone else interested in this contract -- I mean, the question being, if not urban alchemy, then who? >> Well, then, there's the other issue. As I stated earlier, there was only one organization that expressed interest in managing the arch on a temporary basis. >> Vela: I appreciate that. I mean, I think that's pretty conclusive. >> Kitchen: Can you

help us -- thank you for all this information. This is very helpful. I think it also might be helpful for people to understand what

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kind of review or oversight or process you might all put in place in your work with urban alchemy, just as, Y know, reassurance for folks that the kinds of concerns that some may have seen elsewhere would not be an issue here. What do you plan on doing to help review your work, or oversee the work? >> I'll chime in there. So, Austin public health, we have a very rigorous contracting standards, and for the [indiscernible] About boilerplate and standard exhibits. So in order to consider for funding, a case requires the potential grantees -- the threshold that director Sturup mentioned, which requires a review of the organization's governance, board of directors, financial practices, and

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programmatic experiences. This is also reviewed by aph's contracted compliance unit, which also conducts a contract review of the agency. So, basically, what I want to make sure is that you understand that we are going in with some rigorous requirements already, in addition to, you know, kind of leading the conversation as it relates to their hiring practice, not dictating their policy and procedures, but leading the conversation. In addition to that, we also reviewed urban alchemy's audit in a company management letter. It did not identify any significant concerns, which allowed us to move forward in this recommendation. Each year, we require grantees to submit their financial audit, their management letter, if applicable, and a form

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certifying that the CPA that conducted their audit passed their results to the board of directors. We actually verified this information independently with the CPA that informed the actual information. We also require grantees to submit the agency administrative profiles, which includes information on their financial management, their board of directors governance, and financial solvency, among other factors. >> Kitchen: So talk with me more about any on site review. By that, I mean checking in on folks and checking to see what's actually happening with operations. How do you do that? And do you anticipate doing that? >> In the event this contract is executed, it will be done. I will answer that affirmatively, that we do that annually. As to how it's done, it's definitely a process that we can

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provide you kind of more -- it's very detailed and I can provide you a written response to that. >>

Kitchen: I guess I'm more concerned about something that's sooner than an annual review. I'm not suggesting your process needs to be any different than you would normally do, I'm just -- given the questions and concerns that have been raised, it would seem appropriate that in this case, just some onsite kind of review and double-checking that occurs at some reasonable level, but certainly once a year. >> So from what I've been able to ascertain, most of the concerns are around the staffing. >>

Kitchen: Okay, okay. >> Of Urban Alchemy and some of the allegations against those staff. I will say that Austin public health has rigorous standards for vendors who are working with -- and I cringe at the term, but

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it's legacy, vulnerable populations. We do have insurance requirements around that and we do have criminal background investigation requirements around that. So although there is [indiscernible] To the model that is being employed, because I understand wanting to give purpose to people with lived experience, working in that space, there will be some differences based on our contracting requirements here in Texas. Excuse me. Please excuse me. So, along with our criminal background investigations as well as our contracting standards for vendors working with vulnerable populations, we'll have those protections in place out the gate. We can write into the negotiations in the scope of work with the provider regular check points to catch and

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address those issues as they arise. I do find it important to mention THA the city manager, when that unfortunate singular incident was caught on video and they brought it to the attention to the leadership of Urban Alchemy, it was addressed immediately, and there were not any additional concerns on the part of the city. So I'm hoping that we can have that same relationship, that we're clear out of the gate about what our expectations are, and that we can write into the agreement language that makes the council feel comfortable about more preventative check-ins to make sure that those processes are in place. >> Kitchen: Okay, thank you very much. >> Mayor Adler: [Off mic]

[12:15:02 PM]

>> Pool: Director Sturup, the city that you were talking about specifically, could you tell me which city that was? >> Saucelito. >> Pool: I was reading the press coverage of what happened in Saucelito. One of the concerns was that the employees of Urban Alchemy couldn't be identified, they didn't wear any

identifying, like, uniforms or jackets or name tags or anything. If we proceed with urban alchemy, will we have ways to identify the staff? Who were there -- >> We can definitely include that into the scope of work that we would like the staff to be uniformed. Every time I've encountered the staff, they had nice purple shirts on. So I know they have that capacity. So I can definitely talk to them about that process. >> Pool: I Thi it was specifically the name of the

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person, not just identifying the outfits, but the actual name of the staffer. Much like we have with our -- we have our key cards that have our picture on it and our names. And I think there were concerns about drug use among the staff members. >> We can confirm with the vendor about what their policies are for a drug-free workplace, and if it doesn't meet our needs, then we can either negotiate or come back to council saying that we need to move into a different direction. Right now, everything is negotiable. >> Pool: Right. I share my colleagues' discomfort with the situation. I recognize this is the only entity that has stepped up to the plate. There are also some significant down sides, which have been expressed here today that I've been walking around with in my head since we found out that

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this was the sole vendor responding and potentially being chosen. So, I continue to have significant concerns. I will say that we need to do something, and that is the case and this is the entity, then we need to be absolutely on top of everything that's going on there. And I know staff probably shares these concerns. I'm not speaking, you know, outside the boundaries of what all of us would hope for. So, this is a difficult one, mayor. We're really in a difficult position. So I think some of the Conces that are being raised could be remedied by significant oversight by our staff and careful eyes on the situation should we choose to move forward. And my thanks to all of staff for the work that they're doing.

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Director Sturup was starting to say something. >> Mayor Adler: Director Sturup, were you about to say something? >> I was going to say, the other thing is that I believe our contracts allow us to terminate for convenience if we go down this road and we're in a position where we're feeling that it's just not working for our community. So it's not like we'll be -- it will be a different problem, but we will be locked in for a 12-month period if that's -- if we get to a place where we feel it's not work. >> Mayor Adler: Council member pool, I have the same sense that you do. This is a difficult situation, and difficult situations, there is seldom a really good answer. There's the best answer, and as best as I can tell, everybody that I have grown to trust and respect and have faith in

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this environment, director Sturup, director gray, echo E.D., are all suggesting that this is the right direction for us to go, and I'm not going to substitute my discretion for theirs in this instance. I want to go with that recommendation. Any further discussion? All right. That gets us, I think, through all of the pulled items that we had. It's 12:15. I suggest that we give ourselves 15 minutes to grab lunch, tt we start the executive session at :30. All of the executive session items are also set for Thursday, so we can pick those things up. But I do think it's import for us to get to the parkland dedication, so that we can get that briefing, that we get the

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briefing on the south central waterfront, the reproductive right healthcare resolution is going to take literally two minutes. But I think we need to move through executive session as quickly as we can because we have 200 items on Thursday. We're going to take our break here. Everybody can grab sandwiches. Let's convene remotely on executive session at 12:30, if we can, and we can eat and do the exutive ssion. Hope is that at 1:30, we can come back for the presentations. We're going to begin with the presentation O the parkland fee and the south central waterfront reproductive health, and then colleagues, we'll see where we are with respect to going back into executive session. That work? Council member kitchen. >> Kitchen: Yeah, mayor, the item related to the firearms issue, it's not up on Thursday, but we won't have another

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opportunity before we may be bringing some action. So, if it's possible to get to it, perhaps we could -- an initial conversation that could happen fairly quickly. It's on the addendum in executive session. That's what I meant. But I mean, there's not an item to vote on on Thursday. >> Mayor Adler: That's correct, but we can consider it in executive session. >> Kitchen: If we can get to it, it would be great. >> Mayor Adler: Colleagues, I will also point out to you that the health authority in the city, having taken a look at what is a rapid rise in the coronavirus hits, and seeing an increase in absenteeism, both in the city Austin as well as the workforce generally, is suggesting that there's only one real solution that we had to this, and that was people masking. I know our community does not want to go back to masking, and

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hasn't really contemplated returning to masking. But masking in this instance has, in the memo that came from Ann Morgan while we were in session, is like wearing a raincoat on a rainy day or grabbing an umbrella. The city manager's office has asked all city employees when they're inside here in city buildings to consider putting on a mask. So I just wanted to let you know that when we come back to our meeting, I will be wearing my mask as requested by the city manager. Just giving you that notice. It's not a requirement at this point. Just a request. I'm going to honor that request. My sense with the virus is that we're probably going to be facing these intermittent surges. The sooner we can push down a surge, the longer we can enter into a period of not wearing

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masking again, until something changes, we're probably looking at repeated periods of time, short times, my hope is, you know, just a week or two maybe, where we're wearing masks to push down the number again. But anyhow, just by way of notice, the next time you see me, I'll have my mask on. Council member Harper-Madison. >> Harper-Madison: Thank you, mayor, I appreciate you pointing that out. I'm working on my third time with being exposed to COVID, and I've actually got it twice now, so that's one of the reasons why I'm going to be more and more remote and masked. So thank you for pointing that out. I also, on a considerably more pleasant note, want to take the opportunity to give a great big shoutout and congratulations to our former colleague and forever friend in public service Jimmy Flannigan is getting married this week. So, congratulations, Jimmy, on your upcoming nuptials and your forever.

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>> Mayor Adler: Great. Ann. >> Kitchen: Just real quickly. It might be helpful -- I don't think we need to go back to the full briefings that we had, but it would be helpful to -- and maybe we're getting this, and I just missed it. But it was really helpful to have staff updates on where we were as a community in terms of community spread. So I would just ask that we get that again, and it can be a memo or whatever, or maybe it's just -- anyway, something to help us with information would be appreciated. >>> Happy to do that. >> Mayor Adler: I think a memo would be best for right now, only because I don't think we have the two hours to give up in the session. But a memo I think would be really helpful, especially if we're asking people now to consider something that they haven't considered in a long time, and I know that's not going to be welcome news to anybody. With that then, we're going to

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go into executive session, pursuant to 551.071 of the government code, we're going to discuss legal issues related to e1, automatic weapons. Pursuant to 551.072, we're going to discuss real estate in e2, e3, and e4, which is the exchange of interest in real property, and exchanges of real property for affordable

housing. Without objection, here at 12:25, we're in recess. In ten minutes, we'll try and gather back again.

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>> Mayor Adler: We are out of closed session here at the work session on July 26th of 2022 in the city council board and commission room. While we were in closed session, we discussed legal issues related to item e1. We also discussed real estate issues related to items e2, e3, and e4. We're now back out. We're going to start with the south central waterfront briefing. My hope is that we'll also get to discussion on parkland dedication. We're set on both residential and commercial. Obviously, we have a commercial item coming before us on

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Thursday, although I anticipate us not taking a vote on the commercial item on Thursday. I do expect us putting it out on the agenda and giving the community the opportunity to sign up to speak on it with U if they want to. But not taking an action, postponing the action. In addition to that, on south central waterfront action, we have the statesman pud case. I don't anticipate us taking action on the statesman pud case. Opportunity to be able to discuss it, but I see us postponing that to our first meeting in August. Which is actually toward the end of August. We have at this point, colleagues, anticipated -- we

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have over 40 speakers that are signed up. My guess is we're headed to 60 or more. It's my intent to set the time for speakers to roughly be at about an hour of speakers in the morning and an hour of speakers in the afternoon. We have almost 200 items. We take two hours out of the day for speakers, that's going

to give us a limited period of time to actually take care of items. But I think that's what makes sense. And let's see how many speakers show up. We'll post something to the message board Kathie. >> Tovo: It's my understanding that we would hear from speakers on the statesman tract as well on Thursday. >> Mayor Adler: Yes. >> Tovo: And when you said there were 40 -- I missed exactly what the number was that all items on the agenda, or specifically on the statesman? >> Mayor Adler: All items on the

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agenda. >> Tovo: Thank you. >> Mayor Adler: All right. We have a 5:00 hard stop, because again, they need to turn on the system other places. Yes, council member Fuentes. >> Fuentes: Yes, just real quick, I will be joining the council meeting virtually on Thursday. I'll be attending nlc's human development committee meeting, so I'll be in and out on virtual on Thursday. >> Mayor Adler: Okay. Thank you for representing our city in that context. All right. So, rami, I'll turn it over to you. >> Thank you, mayor. If the presentation could be brought up that would be great. You may remember that the second reading items for the statesman pud were on the June 18th council agenda, and the statesman pud item was discussed at the June 14th work session. At that time, council decided to postpone that item. However, there was a brief discussion among council members of information that you'd like to see come forward. Specifically, council requested an update on the south central

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waterfront regulating plan. Information from our consultant economic planning systems regarding the economic analysis of the statesman pud, a comparison of the eps analysis to the previous 2020 analysis by con northwest. Information on the south central waterfront tires as well as comparative analysis should additional height be granted according to the statesman pud. Today, we have staff from economic development, finance, housing, and planning, as well as our consultant, eps, to present that information from counsel, and as well, of course, the item is scheduled for this Thursday. With that, I will turn it over to economic development director or deputy director Susanna carbahaugh. >> Good morning, mayor and council. I'm deputy director for the economic development department. Today's briefing will be on south central waterfront district, and the statesman pud on 305 south congress.

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I will start the presentation on the agenda slide. Next slide, please. I will begin the presentation with the brief background and overview of the south central waterfront district, and then I'll hand it over to financial services department to cover the estimated infrastructure costs and financing scenarios, followed with the 19 decision points and funding gap. Housing and planning department will cover the regulating plan status up to date, and the economic analysis of the 305 south congress statesman pud. And

we will finalize with next steps. Next slide, please. The purpose of the south central waterfront vision plan is to establish a conceptual framework to allow site-specific building enhancements to exchange for onsite and community-wide benefits. It lays out the tools to guide the area for redevelopment for

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the next 20 years. We begin the history in the 1960s and '70s with the creation of Lady Bird Town Lake and beautification efforts by the first lady. In the 1980s, the waterfront overlay combined district was conducted, and in 2012 and in 2013, sustainable places design assessment was also conducted. 2014 through 2016, the stakeholder meetings and briefings were held. And in 2016, the greening of south central report outlines the vision. Also, in 2016, council adopts the south central waterfront vision framework plan, and as in 2020 the modified framework was updated. Next slide, please. The vision framework plan was first adopted in 2016 and updated in 2020. Please

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keep in mind that at this time, the project connects major mobility improvements in the area were not yet determined. Theaterfront district does include 118 acres with 34 privately owned parcels and only one city owned parcel. It does contemplate building new infrastructure including expanding a street grid, adding miles of sidewalks, and at least 17 acres of parks, plazas, and trails. It promotes density, adding 6.4 million square feet of new residential, office retail, and hotels by 2040. It does contemplate adding 20% affordable housing by adding 575 units by 2040. Multiple funding sources are contemplated within the financial toolkit including private funding.

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Development bonus fees, public improvement district, and philanthropy. Public funding sources do include tax increment financing, bonds, parking and affordable housing subsidies. There's an estimated gap based on 2020 assumptions between 4 and 600 million. Next slide, please. There is a transition from bringing this conceptual vision to market reality. It will need a complex related set of policy and programmatic tools including financial, regulatory, and operating tools. We will have to collaborate and coordinate with public entities such as the HFSC, APFC, AEDC and Project Connect and the private owners and T

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participation. Next slide, please. There's several essential components and variables to keep in mind. Few of them include the 305 south congress which sets the entitlements for parcels. The regulating plan sets a vision by districts and allowing owners to evaluate their options. The tax increment reinvestment zone number 19 offers dedicated revenue stream for district activities and the downtown public improvement district funds the Austin alliance. Some variables to consider include the project connect that will impact portions of the waterfront districts a sub districts. Regulatory tools are set for district and sub district goals. There is no legal path to do parcel by parcel

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planning. It makes the tirz revenue uncertain. The infrastructure and operating plans depend on market participation and coordination. The lack of city owned land in south central waterfront district, due to the fact that city only owns one parcel which is the one Texas center. Next slide, please. >> Good afternoon, mayor and council. As I jump into the south central waterfront infrastructure costs, this table may look familiar to you from when we were last before you in February. At that time, based on cost escalations that we had calculated in November of '21, the cost for the various infrastructure investments incding open space, roadway and drainage, street scrapes, infrastructure, and water were estimated to have grown to

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approximately \$277 million. So it's important to note those infrastructure costs are purely infrastructure. These costs do not account for administrative expenses for aedc, aordable housing or operations and maintenance at the various amenities that this infrastructure wod create. But in addition to that, since those updates, the 2022 market factors are reflecting an even greater cost increase. We're seeing estimates -- cost increases by approximately 30%, which would increase this infrastructure investment estimate to approximately \$330 million. Next slide. Prior conversations when we started talking about the infrastructure investments, we provided kind of a menu of options for different financing options for the district. Previously though, that listing was just general. It was just a list. So we've now provide you this list

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with a greater sense of their viability, so to speak. So the two options of -- the two financing options that would require only uncil's approval includes appropriations within the department budget as well as financing. The additional options such as vote era proved bonds and incentive reements, public imprement district all require additional approvals bend city council, some with much more significant processes associated with them. For example, municipal management district requires state legislative

approval or approval by the majority of property owners in the district. Someone would have to bring that to the table. There is already covered by the downtown Austin alliance district. If we were to look at a development district, that would be an additional bid on top of that O and M. Again, it

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would require another entity to bring forward that proposal. Next slide. So the tax scenarios we presented in 2021 are still in place for current consideration. We had originally presented to you an option at 46% contribution, which is associated with contributing only that property tax revenue that's associated with the but for value growth in the area minus revenue dedicated project connect and the Austin transit partnership. We presented it to you in two additional options, with river south and without the river south area. We also followed it up with what an 80% contribution would mean. 80% contribution is assuming 100% of the property tax revenue from the city of Austin being brought forward less that portion that we would be dedicated to project connect and ATP. So we have a range there from a pure cumulative

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venue perspective, a range of 153.6 until up to 290.8 million. But when you then want to look at it from a debt capacity standpoint, it reduces the available amount in terms of principal down to 95.5 million up to 180.5 million maximum. When council established the TIRZ at the tail end up 2021, it was with a 0% contribution. That is something that would need to be discussed going forward. Next slide. So number 19 decision points include the geographic boundary because there was significant conversation on the day as about whether or not to include the river south property. If you do include it, the general impact is 13.6 million over 20 years by including it in the TIRZ assuming a 46% recapture

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rate. If you were to go higher than 46 or up to 80%, it would increase that amount of the general fund impact. There were also decisions needed to be made in terms of project prioritization. Staff had recommended that the street network seem to be foundational to achieving the vision. So was what we recommended. Council has a very -- great interest in affordable housing investments in the area. We also looked at options for tiers, too, so that if TIRZ is performing at a level greater than anticipated, we would have the prioritization in place for where those funds could be invested if they become available. Also need to talk about tax increment contribution rate. Like I noted, it's set at 0%. So if the council desires to increase that increment, we would need to have conversation about that.

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But it's important to note, the general fund impact from allocating new construction value to the tier, that would occur without public investment. We need to have a conversation about but for value growth. Next slide. So bottom line, through debt capacity, it is not sufficient to fund the tier infrastructure investment. We are estimating 277 million. Now we're looking at 330 million. That tier bonding capacity ranged up to 185 million depending on the boundaries and the recapture rate. Again, that infrastructure cost is estimated 330. It does not include AEDC administrative costs, expenses, aered informable housing or O and M. The options this we have, we can reduce the scale of the project scope. We can negotiate with developers to fund certain improvements or look at funding options.

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recognizing that the viability is going to vary depending on which option you look at. We can utilize that tier infrastructure plan, but probably most important is that these estimates were done in 2021. The market has changed. That being said, until the regulating plan has been completed, it does not make sense for us to update that market analysis because that regulating plan would directly impact the value projections that our consultant would be utilizing to develop those value projections. That plan is important for us to take account for because otherwise, we're guessing at the different scenarios and development potential beyond just T vision framework as it is. So next up, I'll pass it over to Jerry on the regulating plan. >> Good afternoon, council. Housing plan department. As you know, in 2016, the council still approved the division plan. This

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plan generally speaking envisioned a variety of community benefits deriving from development within the district exchange for greater entitlements. I would note that the plan looked at it from a district perspective. So you might have properties such as the river south that were limited in the amount. But yet provide money or other consideration for community benefits. That might be elsewhere in the district. It's also important to note that the vision plan -- I'll get to the other plan in the moment -- is a voluntary program. It's a density program. So while the regulating plan would lay out greater entitlements in exchange for benefits, there would not be an absolute requirement that you're required to participate in the greater entitlements. The regulating plan that would actually codify the vision plan that was approved in 2016 was going to be part of the code next effort and

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then part of the code land development code rewrite effort. We know that both those processes are no longer underway. Therefore, the staff is working on the south central regulating plan as a stand alone amendment to the land development code. We anticipate having this back or going through the board commission process by September or November of this year. As you know, on Thursday, you have the statesman pud on the agenda. There's talk of other puds come through the process. When we talk about developers with these proposed pud or last year or two years ago, whatever it was, we do use the southcentral vision plan as a framework for this discussion on the puds. Hopefully if he have with a plan in the future, there won't be a need for them anymore. They can participate in the voluntary south central regulating plan effort and there won't be a need for handle the cases on a one-off basis. Next slide,

[4:12:40 PM]

please. After first reading of the statesman pud, T city contracted with eps to help us with an economic analysis of the pud. Their work is done in two phases, the first phase is complete and the second is underway. The first ok's about the overall feasibility of the project. If you remember, we had 20-something amendments from the planning commission and another 11 that were approved by the council on first reading. So those amendments, which the applicant has not agreed to, eps has assisted the staff in determining the dollar value of those amendments to the applicant. And eps is taking a look at the previous eco northwest cost estimates done as part of the 2016 updated in 2020 and Ms. Oliveras

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discussed those dollar figures. We have an issue with them because of the change in construction costs. The second stage they will be doing will be done in September. This will analyze the overall impact of the entitlements and the city could be receiving. We have eps here today virtually to discuss the memo that was attached to the backup for the statesman item. Just to summarize, the first phase of the study found that the eco northwest numbers are outdated due to rising construction districts. The project by itself is not economically feasible at this time and the the proposed amendments, the range of those costs range from 2.7 million up to 265.9 million dollars. So with that, I would like to turn it over to Rodney Gonzalez who'll handle the next steps.

[4:14:41 PM]

I would like to add that I think before when you were discussing the postponement request for the statesman, the request from the neighborhood which is until September 1st, is the request that's before -- that will be before the council on Thursday. I just want to make sure. >> Thank you, Jerry. Just to wrap this portion of the presentation before opening it up to council questions or to the eps presentation, as

Jerry mentioned on Thursday, council will be considering the statesman pud. The ordinance backup to those items. And Jerry also covered this, the regulating plan. Between now and November they will be working on it. Once the regulating plan is approved, between December of this year and January of next year, staff is going to update the tax increment reinvestment zone revenue projection, and that will give us, of course, a good baseline. That will

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give us a funding gap that we currently have identified for the vision plan. Kim also covered this. What want to do is look at that funding gap and also identify some ways that we might be able to close that funding gap. Kim listed the ways we can do that. We would want to do that in concert and in discussion with the south central waterfront board. Mayor and council, that concludes this portion of the presentation mainly relating to the south central waterfront. We can open up questions now or we can turn it over to Luke Felts to go over that analysis. >> The EPS analysis is what exactly? >> That was the economic analysis of the community benefits that had been provided or provided through the statesman pud application. It compares that analysis to the 2020 Econ Northwest analysis. It summarizes what council has in front of them, which is the memo that was attached to the

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statesman pud items. >> Why don't you go ahead and do those quickly since we have the time. I think that might inform the conversation or questions about the first part of the report. >> Can we ask quick ones outside of the -- I'll tee up questions I have for EPS. Jerry, you said I missed the date. When is the analysis, the second phase of the report expected to be done? >> September. >> September, beginning? Mid? >> My understanding was beginning. I'll have to confirm that with EPS. >> That timing needs to be lined up with consideration we would -- it makes no sense to continue taking action on the document without -- the zoning case without having this. >> We have Luke virtually who can help with answering this question. >> Great. Thank you. And then Jerry, you talked about -- and this question is probably more for our staff than EPS. I'm trying to line out what the different analyses were and when and let me just pause and say thank you. I

[4:17:45 PM]

know we have some of our south central waterfront commissioners here. So thank you for -- thanks for all your work and for being here today. You outlined on page 13 what some of those analyses were. There was the study in 2016 updated in 2020. It was my understanding that there were other analyses, too. Where does the report fit into this, for example? I think there was one or two other consultant reports that I don't have in front of me. >> So the CMR Capital Market Research, he is our outside consultant for

market analysis related to tirz development and other things. He completed his study in 2021, and then the intent is to bring him on-board once again to update that report based on the regulating plan once it's complete. >> The appropriate time it would be interesting to know how that

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information fits into this conversation, whether it's in sync or whether the assumptions -- and what assumptions he was using for his knowledge is. I think I'll ask questions these questions and then eps can answer. In 2016 to begin this analysis, E north west worked with -- I hope I'm getting the chronology right -- with endeavor to get some information from them. I see you shaking your head no, Richard. >> 16th. >> In 2020? >> Yes. Eps did work with endeavor on their proposal for the statesman pud. Eco north west did not work with endeavor because at the time they were doing their work. They did not have the statesman pud in front of us in 2016. >> If you could help us as you are going through your presentation, could you help us understand what you did with the

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information from endeavornd as I understand indicator there was also another consultant who helped come up with construction costs. I'm trying to figure out what information went into understanding the financial part. Also, I would like to know from our staff whether there was the assertion in, I think, the memo that we do not have access to the financial model that eco north west did. >> We'll allow Luke to address the work that the -- eps work of looking at the eco north west data. I think that he can better address that. >> Sure. I think that makes sense. But do you know the -- I think this really is a question for y'all. Eps -- I mean, on page two, it says eps made the best possible estimates given the available information regarding this analysis without having access to the actual eco north west financial modeling tool to review detailed

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assumptions or methodologies. This came up in previous conversation that's we don't have access to that financial modeling. I'm not sure -- they've done a lot of work for us. I not sure we're unable as their client to access their financial modeling tool, to really understand those assumptions and methodologies. Those are key to understanding whether or not -- how much value we place on the conclusions. >> Absolutely. We can look into that, councilmember, and see if we can't bridge that. >> I appreciate it. Thank you. I think my office has reached out to see if we could talk to eco north west about that. I think that's a question really for the whole council. Thank you. >> I have a question about the modeling and the elements, too, but I'm going to HD them until you finish the next part to see if it comes out of that answer. So et cetera let's go ahead and -- let's go ahead and finish that.

[4:21:46 PM]

>> We've got Luke on the line ready to present the eps analysis. >> Okay. >> All right. Thank you everyone. I'm Luca long with Darrin Smith who is unable to join me today. We prepared the memo in front of you all -- I can't hear the presenter. I don't know if you can hear him better in the room there, but virtually, I can't hear him. >> Let's test that for a second. Theerson on speaker, can you count to five? >> Are you referring to me? >> Yes. >> One, two, three, four, five. >> Thank you. >> Councilmember harper-madison, can you hear him count to five? >> Sure, in theory. If his volume was on a scale of one to ten with one being the lowest, he would be at two for me.

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>> I can tinker on my side I case it's user error. >> If he goes below two or you can't understand him, speak up, please. >> Thank you. >> Go aad and please speak loudly when you talk to manually get above two. >> I'll try to project. Okay. So a little housekeeping off the bat, I was told that the copy of the memo that was uploaded for the backup for the statesman was a draft. A new copy will be distributed. The only difference is the word draft. All the findings and numbers is all the same. All right. So a little bit of background. I'm sure [indiscernible]. Representing about 20% of the south central waterfront district area. Thank you. There

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are two financial analyses done that we've been referring to already by consultant,s, one in 2016 and follow-up in 2020. The recent suggested a funding gap of about \$146 million. Earlier this year after conditional approval of the rezoning for the site with the number of amendment requests that Jerry referred to, a developer identified six of those amendment requests that they could agree to on the basis of the project could not bear the additional cost of those items. Next slide, please. For the purpose of eps's phase one assignment is threefold. The first is to update the 2020 eco northwest findings to determine if that previously ideified \$146 million funding gap has changed at all. As we've noted, the market has changed in the last couple years. On the send tab, it would estimate the cost to the project of the amement

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request items that the developer did not agree to. Third, estimate the value of the community benefits that are already included in the currently proposed. We identified six community benefits in the proposed on the basis these were non compulsory that were above and beyond or superior to what would normally be required. Next slide, please. So we took the findings of the 2020 analysis and increased the value side and the cost side to reflect market changes that have happened since that study was completed. We found that while the value side metrics have increased in the interim, current market economics suggests costs have increased even more, which suggests an increase in that funding gap we previously mentioned. I want to emphasize what was brought up. In this rent phase of work, we at the time didn't have access to the sort of inner workings and the

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modeling of the project itself nor we recreated the model from the ground up given timing constraints, they built upon their analysis and applied the updated data from industry standard sources. Next slide, please. So this sort of gives a little bit more detail on the findings of our first page that rates for residential and commercial as well as price points for condo units have increased a bit over the last two years. Construction costs have outpaced them. That has increased the funding gap from 2020. From the 146 earlier, you see the yellow-brown box there highlighting our estimated range of the project shortfall has gone to between \$238 million to about \$400 million. I will note

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that all of the studies included in the memo, the detailed tables, are included in the appendix of the slide show. If anybody has questions, we can get into the details at that point. Next slide, please. Our second task was to estimate the costs associated with the fixed request to which the developer has not agreed. They're all listed here. I want to point out that these requested amendments are not all necessarily additive as three of them, the ones with the asterisk pt14, 21 and 1810, they reflect mutually exclusive alternatives regarding affordable housing. Next slide, please. So the result shown here demonstrates the wide range of costs associated with these amendments from the lowest of pt16 estimated to cost about 2.7 million to pt21 which is estimated to cost \$260

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million. The previous task one demonstrates that the project appears to be feasible prior to the addition of any of these requests. So each would send the project further into infeasibility and identify that gap. The extent which each request would increase varies considerably. Next slide, please. So the third and final item we examined in this phase is the cost estimation of the six community benefits we identified in the proposed project determined to be community benefits that I mentioned before because they

recommend non compulsory beyond the baseline requirement. We have the affordable housing, underground parking as opposed to below-ground parking. The park land dedication improvement fees this are superior to what a normal development would have pay is that \$100 per unit and hotel room that the developer has agreed

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to. The fifth one is the easement cost. The last one is dedication of right-of-way for the Barton springs extension project which is an improvement identified in the tia, the transportation impact analysis. Next slide, please. As shown, we estimate the total cost of the project of these items to be in the range of \$118 to \$180 million. As mentioned before, the items are included in the appendix of the slide deck in case there are any questions regarding our methodology in calculating these cost estimates. These are our results for what each of these would cost the developer. Next slide, please. If I conclude phase one, before the project it appears to have a greater funding shortfall compared to the 2020 analysis. Each amendment requires the

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increase. There's a wide range in how great of an additional cost burden each item would represent and then third, the community benefits included within the project as it is currently proposed are estimated to cut the project between \$118 and \$180 million. Next slide, please. Next steps, phase two analysis at the city's request would include a more thorough in depth look at the overall project economics including the values, the cost, generated by the pud and the additional community benefit along with an estimation of the value differential created by the additional 125 feet in building height contemplated. In conjunction with that the property tax revenues that the city might expect or see because of that height increase. So that concludes the prepared slides. If anyone has any question I would be happy to answer

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them. >> Okay. Is that the presentation? >> That is. >> Okay. I have some questions that I would like to ask going back primarily to the first part of the presentation. When we're analyzing what can be built on this property, the statesman pud, I think it's really important for me to be able to put that in context. It's hard for me to put that in context without know what it is that we're going to allow to be built on the other properties around it. My best guidance for what can be built around it right now is the vision plan, which is, you know, of high level plan. At least it's something. The regulating plan will give a lot more definition to that, but I don't know how long it's going to take to be able to get to a regulating plan. There are those asking for the regulating plan for some time in part to be able to really be able to

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consider this pud application and the others that seem to be coming right behind it. So I think that setting the regulating plan out is critically important. Alternatively, if that's going to take a long time because what's required for regulating plan, maybe we need to be amending the vision plan in that's a better way to do that or looking at that. I don't know that's a necessary thing to do. What I'm most interested in, as I've raised, is the question of additional height because I think we live in a very different world today as concerns height. When the vision plan was done, when the vision plan was done, the three height categories, I think, were -- each of them were 200 to 300 feet lower than what I think would be supported by the council today. I think there's a desire for this part of

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downtown to more track what's happening to the other part of downtown that's on the north side of the -- on the north side of the river. So at what point does that discussion come back to us about what is the appropriate height? I ask that question in part because not only is that really necessary for me to be able to consider the statesman pud and then what's allowed there but also what we expect the statesman track to be able to provide to the public. There's obviously a really big gap between the capital infrastructure that's necessary to be able to support the kind of development that I think the community wants to have in that area. And

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of course, how do we bridge that gap? That's a gap that doesn't even include helping to underwrite the affordable housing that we want to have. What I don't have a feel for and maybe you all do is what is the quantum, the magnitude of difference in what can be generated from a TIF if the building heights were 300 feet. Each category was 300 feet taller than what was established back when the vision plan was done. The work that was done in 2010 to 2014 makes sense to me that it will be high but how much higher? I don't know. When it was described earlier, it was looking at whether the height should change on this track. But it's

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more than this track. 'S what happens if the height changes in the south central waterfront development in the 30 or so properties in that area. What happens to the TIF? That becomes a threshold question for

me. I don't know how to decide any of the questions that come after that without knowing that piece because that piece could impact the decision -- each of the later decisions and the decisions on each of the properties. How are we doing on that analysis? >> I'm going to also have another assist with that question. We certainly -- and her assistance would be with the Charles hunt study and you how he looks at the computation. You're right that the vision plan defines or talks about some height with regard to south central

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waterfront district. It's my understanding though that Charles hunt doesn't look at the height but rather the developable area within the district. So not parcel bypasser he will basis. So the analysis that's in front of us is what the developer has submitted to us in the pud application which to us is what can be supported by the market. That's what they are putting in the application, which is what they believe that the market can support. Your question, which is -- which it seems to imply, okay. Can we compute something higher than what the developer has submit used in it the pud application? That to us is not an indication of what the market would support. We can compute heights going up further but we don't believe that value necessarily is a number that you can rely upon for assessing either the statesman pud or south central. What we believe you can -- what we believe is information you can rely upon is market-supported data, which is what's in the statesman pud

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application. I'll turn it over to Kim to see if she wants to add anything further. >> So what Ronnie spoke to regarding a parcel by parcel is -- correct. It's based on the absorption capability is. The only time he would take specific heights or plans for a certain parcel or environment is if that environment is inked. If the statesman pud were inked and ready to go and they are ready to start on construction, he would take that into account. When it's a question mark to be determined, he won't take -- he wouldn't guess on what the potential is there. When he did his work for the original analysis, it was based on the framework as it existed in the current south central waterfro vision. With the

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regulating plan, since that would provide much clearer and updated development incentives, that would provide him the level of detail he needs to be able to provide an improved estimate of the absorption capabilities and the market value would be and then we would take those numbers and come up with the tirz revenue projection. >> Help me understand. We're figuring out how much debt the tif can service. Part of that equation is figuring out what the market value is, the land covered by the tif. No? Yes? Isn't it? >> I'm sorry. Can you say that part again? >> Isn't part of the analysis to figure out how

much revenue the tif would create taking a look at what the value of the real estate is that is covered by the

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tif? The real estate in the geographic area contained within the finance district. >> They look at the current values of the properties within the zone for sure. >> Correct. But they also factor in the before. They say if you're able to spend the capital to build the grid, you're going to get additional development therefore, the market value of the property in that area increases. Yes? No? >> Yes. It's assuming a public investment. Yes. >> If I'm assuming that, if I'm -- someone at some point then as part of that equation is necessarily calculating what the value of the property is with the additional capital and public investment, doesn't that value, in part, depend on what the development entitlements are for those

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properties? Doesn't that depend on the determination of if a track is allowed to build twice as high, for example, it's going to have a higher market value than the tracks of land that can only build half as tall. >> It would be -- with the regulating plan, it would be looking at what heights would be allowable under that plan. However, it would also take into account the fact that just by allowing that additional height does not necessarily mean that a developer would take advantage of that height. It would be depending on the market conditions. It's taking all of that into account. >> No. No. I understand that. Market value is going to have a market value definition. It's going to be the price a willing buyer would pay a willing seller taking into account the uses that are foreseeable and reasonable in the particular place doesn't know that anything is going to happen. In that equation, somebody has made a determination ,

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has to make a determination as to the market value of the property. In fact, the whole but for is the delta in market value of the property based on -- based on additional entitlements. Someone has said if you don't do anything in terms of the public investment, you get this kind of development. But if you do capital spend, you're going to increase the entitlements: Land is going to have greater value and, therefore, the tax that's generated will be greater. That's the spread. So somebody's made a determination on the value of those increased entitlements. >> Mayor, what might help with the conversation is if we get you a list that he uses when he determines those revenues. That might help council with understanding those types of decisions that were made. >> And that would be great. If you could

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target that to say then what would be different if we then said, rather than assuming assumption a with respect to additional entitlements, what if you were to assume twice the entitlements? Would your number change and would your calculation follow the same thing? >> Let's look at the assumptions that he uses and then see what tweaks, if any, you're referencing according to those assumptions that he's made. >> That would be helpful to see. >> Absolutely. >> Also, just in the meantime while we're preparing that summary of informati, in the December 21st, 2021 backup for establishing the tires, haze market analysis record which is lengthy is included in that backup if you want to dig through that as well. >> Can you spend that to me again and make it easier to find. The last thing I have and then I'll turn it over to colleagues is we have -- colleagues is we have people that have

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written editorials arguing that if we contribute money to capital improvements that we're giving money away to developers. What I've learned from listening to you guys is nothing could be further from the truth because that enables us to get the kind of development that the public wants in an area. If we don't make that conclusion, we get a -- contribution, we get a different development. The delta between those developments is the but for, the additional value that generates the additional tax value. I think it would be good to get a presentation about the difference if we don't make capital investment versus what is the tax value and what do we get in terms

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of development if we make the capital investment so that the public can better understand what that investment goes to. >> Well, I'll have to talk with Charles because his team mentioned earlier the analysis isn't parcel by parcel. We would have to look at that as to what carve-out could be done if the statesman were allowed to develop at the height they were requesting. What might help council -- and this is the second phase of the E ps report-- is the give analysis which is that what is council giving in terms of additional height benefits and value as compared to what is the community getting in terms of the additional benefits associated with that development. So some of those you heard from Luke the value of those public benefits, and so he's also going to analyze what that additional entitlement value is that would be quote-unquote given to the developer through the pud application. >> Okay. Further questions? Mayor pro

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tem? >> Thank you. I think this is a question for Luke. What is the assumed rate of return for the developer in the eps study for the statesman pud? >> Yeah. So for this phase, we haven't gotten into that level of detail. What we did is what's described in the memo is we took the findings. We took the total costs and the total value and then that implied that the funding shortfall between the two for the pud and then we applied these market values metrics to those to see how they changed. So we didn't get into that level of detail in this phase. >> I think that's relevant for us as we're trying to assess this trade-off. If we don't understand what the rate of return is assumed under the cost structure, I think that's a problem. I would like to see us

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better understand that because that could be all over the place. I think that's really, you know, the question that's before us and what the community is asking us is, you know, this question as to are these investments going to line the pocket of the developers or is this an investment in our community and important part of downtown, but it's really hard to assess that if which don't have a says -- an assessment of the rate of return. It's couldn't red in the cost -- captured in the cost structure. It could go up 30% by the way you're talking about your numbers. >> If it's the will of the council, we can go down that path as well. We can ask the developer what their rate of return is. Then the next question would be whether or not council wants us to identify that data. We would use eps to go through the

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pro Forma that the developer has. We would assess their revenues and cost estimates and put our eye towards it and affirm whether or not that rate of return is verifiable. So we could certainly ask that question of rate of return, but the next question would be, what do you want us to go through that additional step of review be to verify that rate of return. >> In a perfect world, I would. I don't know what time and resource intensity that involves, but I do think that absent that knowledge it's going to be hard for us to address some of the concerns that are being raised about whether this is a good public policy set of decisions and to be able to answer that, I think we have to understand that. Under the proposed pud, as I understand it, the project connect blue line would be going through the statesman pud. Is that something that they are offering as a community benefit,

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or are they anticipating being paid by another governmental entity, atp, for the land that would be used for the blue line? >> Councilmember, proposal right now is a third of the property to be dedicated to

park land. Right now, the station is no longer contemplated for being on the statesman property, also known as future park land. Right now, the station is going to be further south is the plan. The bridge structure needed to cross it will be on this section. So the plan right now, the proposal in front of the council with the application is that the six and a half acres is proposed for park land. A portion of that would need to be used for this bridge structure going over the lake. What the applicant and staff have worked out in agreement is that the portion of that park land that would now be used for atp instead of park land, all this would be worked out prior to becoming dedicated park land to avoid the

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chapter 26 issue. Once we know what that area is, with you we don't know -- which we don't know yet, we're could contemplating there will be a portion that would be instead be used for atp for the bridge. The applicant has agreed to pay the park land dedication fee for the area that would be used for the bridge inste of becoming part of the dedicated park land. So they would still give the property to the city. The city would probably in the future deed it to atp. But we're all acknowledging the original plan was to have that portion of the land -- of the acreage would be used for the bridge. They will pay us the dedication fee to make up the fact it's used for the bridge instead of park land. That's the plan. >> Okay. I will be -- I have other questions, but I'll let other people -- >> Can I follow up? Of

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course, this is an unknown. I'm not sure if you'll be able to answer this. But I guess the timing -- I'll be curious about the timing -- about the approach that Y just explained, you know, because atp is now indicating that their original time line for clarity and decision making about exactly where different, you know -- how the crossing of the river would take place is something they're rethinking right now. We don't have definitive time line except that it could get pushed back. The whole decision making process to get pushed back to the spring, for example. I don't know how that impacts the timing. So I would be curious about a later time frame for definitively answering the question about what is needed for land across the river. I'm

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not clear how that impacts what we need to approve with regard to the pud. It could be significantly different. We just don't know yet. >> Right now, I agree we're having discussions with the park department, with atp, city project connect, transportation department we're all working all the time on this. Right now, it's written in a way that it's just a -- I would say it doesn't matter at this point. So it's anticipated the entire thing would be park land. We would dedicate the park land in phases. The easternmost portion of the property where the bridge would be would probably be the last phase to be

dedicated as park land given the construction schedule. So again, a port of the property, which I guess is actually closer to half acre, again we don't know when. I don't know if that half acre could become three quarter or a quarter acre. I don't know. The way it's written right now, whatever that land area is would be -- they

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would, one, not only have given us the property already. But they would pay for it, if you will, because it's no longer being uncounted -- counted as park land. There's not a time limit although I have a discussion about a time period. Right now from a staff perspective, we do not want a time limit O that because we don't know when the design work for the bridge is going to be done, when all the final decisions about the bridge are going to be made. >> Sounds like there's no contingencies or limitations in terms of parameters about what the developer is able to do. In other words, it could be quite a bit more space or it could be less. We don't know yet. >> I think from the developer's perspective -- we are talking about a time period. We don't want to limit that time. Just from the cold calculation, they are giving this property up anyway. >> They don't care because they're giving us all the property. >> Exactly. >> It's really more ever

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an impact on the city on how much of it ends up being green space. >> Exactly and how much is used for park land. I would say, too -- this is a future discussion -- how much of the area -- this is really something for Ms. McNelly to focus on. How much of the area of the park is being taken by the bridge. >> Right. Uh-huh. >> The existing hike-bike trail -- it's the fact that it's being arched over by a bridge. Is it no longer park land, or is it? I'm throwing it out there as a hypothetical discussion. At some point, we're getting the property either way. It's a matter of, you know, is it being used as park land, or will a portion of that be used instead for this bridge embankment? I think to the developer's standpoint, they don't care. The portion no longer used as park land they would have to pay for because we would say we thought that would be park land and now we want money to make up the fact this is

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burning up some of the park land. >> We would get paid -- >> We would get paid for land we're getting for free. >> Because it could be significantly different in terms of what we end up getting. >> We consider that part of the superior package of trying to get things that we would not normally be able to get, land, area for a bridge and park land in exchange for the increased entitlements. >> For the area for the bridge is a value to project connect. >> Yes. >> Yes, it's a value to the city, but does the city pay for that or project connect. >> We anticipate nobody paying for it. The bridge someone has to pay for. But

I'm talking about the property for the bridge that would be coming off the existing endeavor cox property. Our goal and right now we're there is to the city gets that land either way, whether it ends up in atp's hands for a portion of it for the bridge or not. We're anticipating it would be, but we don't know the exact area. >> That's a whole --

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that's a different question. So I understand that. That's not necessarily relevant to this. Just makes me wonder what our relationship is with atp with regard to that land. That's a different issue. >> I won't go there. >> You don't have to answer that one, Jerry. >> Thank you. >> Yeah. I have quite a identify questions. I'll ask a couple and request that we have -- that we continue this conversation and as I mentioned before, I think it would be great to have eco northwest be part of this conversation as well. Can I ask Luke, you to answer the question I asked about how the construction costs -- where the information came from for the construction costs. As I understand it in 2020, eco northwest asked for information from endeavor. They also used Robinson to, as I understand it -- this is information coming from endeavor. It's their understanding Robinson

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was also part of it to come up with construction costs. But clearly the cost -- where the costs came from is not a important consideration. So where did the information come from about the cost of ING this and then I don't know that we'll have time to go through the affordable housing piece, but I'm keenly interested in how you colonial lated this. I want to say what I'm trying to understand is the section that you've compiled about the percentage -- about the cost of the affordable hong, understanding that the planned unit developmt has certain thresholds for affordable housing and I'm going to ask Jerry to remind us what those are as my second question. So anyway, first question is, where did the construction costs come from? How were they analyzed? Then the second would be a super quick one about affordable housing. >> Yeah. So in terms it of the construction costs, I guess the way

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that we slated the construction costs was using cost index from enr. So we have a high and low estimate and then the low estimate is the construction cost index and then the high estimate is the building cost index. So I guess to summarize the answer to your question is that we did not -- like I said, we didn't go through all the nuts and bolts and craft our own model. If we had done that, which we are open to do in phase two, that's when we would go and find specific per square foot construction costs to apply to each of those land uses that are proposed. We have not done that in this phase. What we have done is

taken the previously found construction cost estimates that were used by eco northwest years ago, in 2020, when it was last updated, and we slated those by indtry standard, cost indexes

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for the area. So does that -- >> It does. Thank you. So then I think my question is for staff about eco north west numbers, the numbers -- if eps was updating then, then I think the question is, where did they come from -- where did the numbers come from that eco northwest used? >> We'll have to go back to that study and look at them as well as to what you've noted before and see if we can't get that model to us as well. >> Thank you, and the relationship with Robinson who, again, as I understand also did some independent construction cost estimation that fed into the eco northwest assumptions. I just forgot my other question for eps. Jerry, can you remind us -- sorry. Go ahead. >> It was about the affordability program? >> It was. I want to start with what is the pud percentage requirement. >> In the pud ordinance

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is a proposal we call tier three. That's not the name in the code. I think it's just density bonus in the code section. But it says that 10% of the area above theaseline defines the baseline as the existing entitlement, 10 percent of the area that's above that in terms of height or far needs to have affordable housing. So that 10% of the bonus area, if I recall correctly the numbers are -- if I recall correctly, it was 60% [indiscernible] And 80% for owner occupied. >> And so Luke, in assessing the costs of housing, of producing that aered -- that affordable housing -- I think there's no fast way to ask this. I think we need to kind of walk through it. So I think I'm going to leave that for now and see if

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we can get some more time because now we have a hard stop. >> The hard stop is now. Obviously this is coming back to us on more than one occasion. We'll discuss this without taking action. On Thursday we'll discuss the park land dedication on Thursday. Thank you both of those issues for having everybody here and not being able to move forward on it. >> Just a quick question. So it's postponed. Won't be taken up on Thursday. Do we have a date it will be postponed to? >> Right now, I think the neighborhood is asking for September 1st. >> Okay. >> I know that the property owners were okay with an extension to August, end of August. They might have been taking about the same date. I just don't know. >> As I understood our previous conversation, it will be taken up for

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public comment and discussion. I mean, we'll likely have a lot of both. It's going to be a challenging day on that. I did remember my quick question for Luke if there's -- if there's an opportunity. Mayor, I don't want to go into detail on the park land, but I want to clarify we'll still have to make a motion to postpone it to the budget, and we may have to do a contingent waiver if the planning commission hasn't been able to take up the issue so that we're still able to take it up if we choose at budget. >> Yes. I anticipate - >> There will not be a substantive motion, but there may be a procedural motion that we are still -- >> If fact, there would be a non substantive motion because we need we would set it for that date in August when we were back to we can take action. >> Yeah. >> Okay. And with that then, this meeting is

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adjourned. No. >> Thank you. The resolution that you all passed last week on Thursday had to do with reproductive health care decisions and within that resolution it asked the city manager to come back today and make a written and oral report and so we provided the written report this morning. It was in your packet. We just wanted to flag that for you and say there are really no changes required administratively in our policies and procedures in order to affect you' ate the resolution which you call the grace act. So that's the he can tent of the report. -- Extent of the report. Thank you. >> At this time, really are adjourned.