

# City Council Regular Meeting Transcript – 04/06/2017

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 4/6/2017 6:00:00 AM

Original Air Date: 4/6/2017

Transcript Generated by SnapStream

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>> Mayor Adler: We'll have invocation this morning from Shastri Larry Higgins from the Austin shambhala meditation center. Everyone please rise. Do we have -- sir.

>> Good morning. Mayor and council. Citizens. Saambhala is fund da mental leadership and the quality of a leader is mannimoney. So I would like us to take a few minutes in silence and think about the definition of magnomoney. But let those go for a moment and just contemplate this. Magnomoney, greatness of mind, that elevation of dignity of soul that encounters danger and trouble with tranquility and firmness which raises the possessor above danger and trouble. The definition of one who is magnanimous is to sacrifice gain for noble and useful purposes. A magnanimous leader deletes in acts of benevolence.

[10:13:56 AM]

So thank you and may your service be of great benefit.

>> Mayor Adler: Thank you. All right, council. Today is Thursday, April 6, 2017. We are in the city council chambers here at city hall, 301 west second street in Austin. It is 10:14. We have a quorum. So we're going to begin. Let's look at the consent agenda. The consent agenda today goes through item 34. Item number 1 is the minutes. We're going to pull that today so that councilmember alter has a chance to be able to review it. She wasn't on the distribution list. She's just going to check that. We'll pull that and come back to it. I also have us pulling item number 29 for people who have signed up. Is John Russell here? John Russell? Okay. We also have some changes and corrections. We're scheduling to 10:30 to do the presentation on economic development with Merck. I think it's going to be at 11:00, not 10:30. Item number 2 is pulled by councilmember troxclair. Item number 22 and 23 were pulled. You recall that those were mutually exclusive.

[10:15:58 AM]

It was going to be one or the other. My understanding, councilmember pool, is we're going to go with item number 23.

>> Pool: That's correct.

>> Mayor Adler: So item number 22 will come off the consent agenda. Item number 30 is being pulled and will be taken up no earlier than 3:00 P.M. Today. Are there any other items to be pulled?

Councilmember Garza?

>> Garza: I had a couple of questions about 27.

>> Mayor Adler: Okay. Let's go ahead and pull that and we'll get right after it then. So 27 pulled by Garza. Anything else to pull? Ms. Houston?

>> Houston: Thank you, mayor. I have a question about number 3 on Austin energy.

>> Mayor Adler: Okay. Let's pull that one. Anything else to pull? All right. We have some folks here to speak on the consent agenda. Mr. Pena, do you want to come on down?

>> Mayor, as is my bad practice, can you prompt me on the items, please sir?

>> Yes, sir, number 5 and number 13.

>> Okay. Number 13, let me see. I don't have number 5 with me. Anyway, number 13 having to do with the qc 3, childcare, local match contribution. As it is -- as we deal with housing, as we deal with education, quality childcare is very important nowadays. We don't want anything negative to happen during childcare services provision or provided. We've heard -- I've had some comments from the community about this item, so I'm going to let them address you and councilmembers that are pertinent to councilmembers about it.

[10:18:07 AM]

But we're totally supportive of that. And as much money as we can allocate to quality childcare, but also, mayor, we need to make sure that the entities are doing a top quality job of providing childcare services. I'm going to leave it at that. I'm a little bit rushed for time right now, but permit me to say this: I lost a good teacher from Albert Sydney Johnston high school, Dr. Charles akin. He was my teacher and he kept me from going to Vietnam early at Johnston. And I'm asking respectfully if I'm -- his wake is today. I'm honored to be one of the speakers as a former student of Dr. Akins. He's a pioneer in education. Those of you who know, I love that man. I dropped out and he enabled me to come back and graduate. But if anyway, having to do with these other items, mayor, I need to go because I have a doctor's appointment, but housing, housing. The discrimination issue is very important and we deal with it. Anyway, I'll leave it at that. And Dr. Akins spoke highly of y'all also before he passed. I met with him before he passed seven months ago. And I just want to say that we lost an outstanding man and a good quality educator. And I love him and as far as I'm concerned he's still alive. Anyway, the burial is tomorrow. Today is the wake. And just like any other good educators, this man is top-notch in my book and a lot of people at Johnston high school. Thank you for allowing me to breach protocol. Have a good day.

>> Mayor Adler: Thank you. Is Robert rose here? Would you like to come on down? You had signed up to speak on item number 10, I think.

>> Yes, sir.

>> Mayor Adler: Mr. Rose.

>> Well, my name is Robert rose.

[10:20:08 AM]

I live at 11607 February drive here in Austin.

>> Mayor Adler: Can you pull the microphone a little bit closer to you.

>> On the Halloween flood of 2013 my wife and I woke up in the water, flood of walnut creek. We got to the front door, tried to get out, and the water was about thigh high then and it was about 18 inches higher outside the house than inside. And I tried to open the door, couldn't get the door open. So I pushed on it and water shot me into the other room. So we got out. After the flood of 13 we decided to try to sell the house. We had four different buyers interested in it. Two of them actually had contracts, but when they found out their flood insurance was going to be \$10,000 a year, they backed out of them. So my wife and I decided the only thing to do would be just to remodel it and move back in it. So that's

what we did. In may of 2014 we got back in the house. In may of 2015 we had four foot of water in the house as opposed to three foot of water in the Halloween flood. So my understanding is they -- the city had applied for a grant from FEMA and the state for a grant. And it was approved, so they can't move forward on it until we have approval from council. So I'm asking for whatever support y'all could give us today for that. And I appreciate you letting me speak on that today.

>> Mayor Adler: Thank you. Council, the items I have being pulled are number 1, number 2, number 3. 22 is withdrawn. 23 is going to be pulled for speakers. 27 and 29. Number 30 is being pulled because it's being considered this afternoon.

[10:22:19 AM]

And I'm sorry, also number 14 and 16 have been withdrawn. And number 18 is being postponed to next week. 4-13. You so I have 1 being pulled, 2 and 3 being pulled, 14 and 16 being withdrawn, 18 postponed to 4/13, 22 is withdrawn because we're going to be passing 23 or considering 23, and that's pulled for discussion, 27 and 29 are being pulled and 30 is being pulled because it has a time no earlier than 3:00. Is there a motion to approve the consent agenda? Ms. Houston makes that motion. Is there a second to that motion? Mayor pro tem seconds that. Any discussion on the consent agenda? Yes.

>> Flannigan: I would like to be shown as voting no on item 12.

>> Mayor Adler: On item 12. Okay. Any other comments on the consent agenda? Yes, Ms. Troxclair.

>> Troxclair: I would like to be shown as voting no on item 4, this is a solar rebate for target. \$1.1 million over 10 years to subsidize a company for putting in solar panels, which I don't think that the rest of Austin energy customers should be responsible for paying for. And I want to be shown abstaining from numbers 10 and 11 just because we still don't really have a policy that helps us to understand when the home was purchased, whether it was a floodplain at the time of purchase, whether it has flooded recently, et cetera. I want to be shown abstaining from items -- item number 21, which is the body cameras, because of the legal challenges and the costs associated.

[10:24:29 AM]

But I'm glad we're moving forward with getting body cameras. And just abstaining from items 26 and 28 because I abstain because of the fee waivers.

>> Mayor Adler: Okay. Any other discussion? Yes, Ms. Pool? Okay. It's been moved and seconded. Those in favor of the consent agenda, notations made, please raise your hand? Those opposed? It is unanimous with everyone on the dais. That's the consent agenda. We can't do the consent agenda on zoning because that's set for a 2:00 time certain. Let's then pick up the consent agenda. Ms. Houston, you had a question on something? Number 3?

>> Houston: Yes. Is anyone here from Austin energy? Thank you, Ms. Sargent. The question is very simple. I'm not sure why we're giving a rebate to a property that hasn't been built yet. The one on en Franklin drive has not been built.

>> Jackie Sargent, general manager with Austin energy. Our applicants for these rebates need to apply through the program that we have, and they need to be deemed to be eligible to receive those rebates. And it's part of that process that when the payout on the rebate would be, and maybe it's being done in conjunction with them constructing it, and they're going to include that as part of their construction and then the rebate would be paid once the system is installed.

>> Houston: It's just /odd/( ed)on when they've just broken ground to have something for a rebate already on the agenda rather than closer to when they're ready to complete the build.

[10:26:31 AM]

>> Understand I'm not familiar with the property, but I can look into that and I believe that the parameters require that the property would be constructed and I'm not sure if it's far enough along --  
>> Houston: They don't have framing up. They haven't poured concrete. I was just wondering why was that held until at least they start construction rather than they've just cleared the land. I drive by there everyday. But if that's your process, but it looked on to be giving a rebate to something that hasn't been built yet.

>> Understood.

>> Mayor Adler: Ms. Troxclair?

>> Troxclair: And psw, they build market rate homes. These aren't subsidized affordable housing.

>> I don't have that information. Our program is such that there's certain eligibility if the structure allows for solar to be installed in that. We do not discriminate based on type of housing.

>> Houston: Mayor, I can answer that. And councilmember troxclair, I guess it's because I'm so far over here, I'm having a hard time hearing you. Troxclair I'll speak up.

>> Houston: These are not subsidized housing. These are market rate houses.

>> Troxclair: I'm not going to support this item. Almost every week we're giving rebates to either corporations like target or to developers that are building market rate homes to the tune of millions and millions of dollars. And the other Austin energy customers are having to subsidize that cost. So I think as council we need to revisit that policy.

>> Kitchen: Mr. Mayor, I'm not certain that the ones in district 5 don't have some affordable housing. I don't know this particular property, but psw does have affordable housing units on some of their properties.

[10:28:34 AM]

And I would say that the other thing is that this is a -- we give rebates to -- we have a whole policy related to rebates so this is not an exception to an existing policy.

>> Mayor Adler: Mayor pro tem.

>> Tovo: This is an interesting discussion. I hope we can talk about it at Austin energy. I've spent a fair amount of time thinking about this and meeting with Mrs. Kimberly, who is the director of this program, and talking about that element of it. And when we invest in energy efficiency, even for market rate units, we lower the possibility of having to invest in power plants down the road. I think it's a very -- I think it's a very cost effective program and from a policy perspective it's very consistent with what we're trying to achieve in keeping rates lower. And I would just ask for some additional information about that. And when we talk about the market, some of the -- anyway, there are some issues I would like to continue to address, including the resolution that I sponsored to keep watching the affordable units to make sure that the rebates are in turn incentivizing an increase in the rent because of the landlords or the property owner's participation in that program. So I know it's something now -- Austin energy supplies us with information about rental rights and my office has been kind of keeping a file on those so we could go back periodically and Austin energy supplies us with reports periodically so that we can track those rental rates to make sure they're not going up in the affordable units. So that's a different issue we can address, but generally I'm supportive of the policy that has us investing in energy efficiency.

>> So if I could make a couple of comments, Debbie Kimberly, vice-president customer energy solutions. Psw develops a number of infill properties. They're one of our consistent partners in our green building program, for example.

[10:30:34 AM]

So often times they will go into an area, build new properties, they're built to the highest levels of energy efficiency as well as solar. They often will be able to do this as they're being constructed so that they can ensure that the property -- the systems on those properties are oriented and the cost of the solar system, and frankly the benefit of the solar system, will transfer to the occupants of those homes. I would note that in a number of these cases they are built to affordable housing. And the fact that you're looking at a green built property means that they lower their energy consumption, they rely on solar, they receive the value of solar credit as part of the benefits of installing that system. These systems also help us meet our corporate sustainability goals and in particular the requirement that we get to 200 megawatts of local solar by the year 2025 with at least 100 megawatts being on residential or commercial -- customer sighted properties. So this is consistent with that council-established policy. I'm happy, mayor pro tem tovo mentioned the semi-annual report that is scheduled to be done again this June. We have consistently done that since 2013 to determine if there is any correlation between what we do to incentivize energy efficiency with multi-family properties and rent increases. And to date we have found no correlation. Rent increases tend to be a function of market forces. Sorry I wasn't here earlier. I came as fast as I could across the river. But I'm happy to answer any questions that you have.

>> Flannigan: I also think it's important when we talk about dollar figures and we're talking about how much money we're doing for xy or Z, that we're being consistent about over what period.

[10:32:42 AM]

We have two items on the agenda about solar rebates. One is a one-time and the other is over a 10-year period. So if you look at the dollar amounts it looks like millions and millions of dollars, but the one is over 10 years, so it's a decided different type of communication and I think it's important that we're clear with the community when we're talking about a dollar amount that's over 99 years, which we did last month, or dollar figures over 10 years, dollar figures over one budget. It's easy for that distinction to get lost in the rhetoric.

>> Mayor Adler: Is there a motion to approve this item number 3? Ms. Pool makes the motion. Is there a second to the motion? Councilmember Casar seconds the motion. Any further discussion? Yes, Ms. Troxclair?

>> Troxclair: I just did a quick Google search on these communities and Lightsey ridge in district 5, the cheapest unit is \$500,000 all the way to \$900,000. Parkside in district 9 is 475 to \$600,000. And the homes in SEMA hills start at 529 and go up to \$850,000. So these are expensive homes and it's -- this is a council policy. The Austin energy staff is doing exactly what the council has directed you to do. So -- but these are expensive homes and these are people who would be willing to pay for an upgrade of having solar panels on their properties if the builder chooses to sell them that way. And in fact, the builder probably is. The builder is probably going to the buyers and say hey, we have this added benefit and that's one of the reasons that you're paying a premium for this property. So these are not affordable units. They're 800,000-dollar two bedroom homes.

>> Casar: Mr. Mayor, I think it's important to clarify for me that I don't see this as a subsidy for affordable ihop. I see it -- affordable home ownership.

[10:34:43 AM]

I see it as a reduction on reliance on public plans, but also on climate change. The top leading scientists in the world say that our current market driven consumption patterns are destroying the ecosystem. Government intervention as opposed to builders continuing to sell their houses and market them is important. And I think that having a debate about whether or not the subsidy insufficient or too much to

get us to the kinds of solar energy and alternative energy sources that we need is an important debate. Whether or not we actually need to give less subsidy, and psw would deliver an equal or similar result, I am interested in making sure we're calibrating our incentives and subsidies, but I just see this as we could subsidize things for affordable housing because the market isn't delivering that on its own and people are being pushed out. I also believe in subsidizing renewable energy and alternative energy sources because obviously the free market right now is delivering us a pathway to human destruction.

>> And if I could add just briefly, we have installed solar in a number of affordable housing units, including homestead oaks in southeast Austin where 140 people are getting the benefit of solar as well as at capitol studios across from our state's capitol, which houses a number of formerly homeless veterans. So we try to ensure that we meet all of our segments with this.

>> Mayor Adler: In any event, this is the policy we've adopted. We have people acting in relies on the policy we've adopted. My suggestion would be that we approve this and if we want to challenge the policy or discuss the policy, we could set it for discussion at an Austin energy meeting.

>> Houston: Mayor, my question was not about the policy or about the benefits of that. We've gotten off into -- mine was how are we giving a rebate to something that hasn't been built? And I still want to know how do we do that. I'm willing to have that conversation offline because we've kind of dropped off the train track. So if you can just tell me how we can do that instead of waiting until something's constructed and then asking for the rebate.

[10:36:48 AM]

>> I'd be happy to do that offline, councilmember.

>> Mayor Adler: Thank you. I'm not showing any speakers signed up to speak on this item number 3. Are there any? Okay. It's been moved and seconded. Those in favor of this item number 3 please raise your hand? Those opposed? Ms. Troxclair is voting no. Others voting aye on the dais. Okay. And then I think there was another quick question -- what was it, on number 27? Ms. Garza?

>> Garza: I'm very supportive of naming a street after Mr. Overton because of his contributions and the fact that he's our oldest living United States veteran. I just have questions about -- it says that it's an honorary naming, so I wanted to know what exactly that meant. And for example, is Cesar Chavez an honorary name or is that the name of the street? What's the difference?

>> Right. Councilmember, Robert spillar, Austin transportation department. The honorary street naming process for honored members of our community, typically -- well, I was about to say that typically they've been deceased but that's not always true -- started when we desired to rename second street Willie Nelson boulevard. The typical renaming process where it actually becomes the name of the street is an involved process because it requires us to change addresses and actually add [indiscernible] To the cost. An honorary name is a secondary name alias on top of the base name. So the buildings on either side of second maintain their second street address, but you may remember the previous mayor, mayor Leffingwell, used to always talk about how we were on Willie Nelson boulevard. So it is a way we can still honor our citizens as council may desire, without having to dramatically change the names of our streets.

[10:38:54 AM]

That's really what it is.

>> Garza: And the other question was it's named Hamilton. Is there any history to that name that it currently has?

>> So in fact, we did not -- I can't give you any information on that. Many of our streets are named by whoever built them in the past, the developer or the individual that lived on that. And brought to the city -- the city adopts it. So I can't answer that question.

>> Garza: Okay.

>> So we're not removing, if you will, the name Hamilton. It will remain the address, but there will be a brown sign with the Alamo sort of cutout as the honorary street name alias.

>> Garza: All right, thank you.

>> Flannigan: Mr. Mayor? Just to add to that, there's another honorary street name is Bettie nailer on fourth street and it's been a very valuable asset to the community to see her name emblaze sonned over the fourth street signs.

>> Houston: Sorry, I was trying to get an answer from Austin energy, mayor. It's not going to be a permanent sign? This is for one day for them to have an honorary sign for him on his birthday when he's 111. And then it comes back down. Because we too tried to figure out who Hamilton was named -- that Hamilton avenue was named after and we were unable to do that. So this is just one of those honorary signs like we did for Willie Nelson boulevard.

>> Yes, ma'am. But the Willie Nelson boulevard is a permanent honorary name that stays up.

>> Houston: Oh, well -- this was supposed to be like sesame street. I forgot we did have red river.

>> I apologize. Apparently in my absence this has been changed to just a one-day honorary sign.

>> Houston: Just for his birthday, may 11th, when he will become 111 years old.

[10:40:56 AM]

>> Mayor Adler: Is there a motion to approve this item number 27? Ms. Houston. Is there a second to that? Mr. Renteria? Any further discussion? Those in favor raise your hand? Those opposed? It is unanimous on the dais. That takes care of 27. Let's now -- let's now move to item number 2, see if we can take care of this one before 11:00. This is the this item was pulled by Ms. Troxclair. Staff is here. We have four speakers. Do you want to raise your issue? 2. This is the fee schedule for administrative hearings.

>> Troxclair: [Inaudible].

>> Mayor Adler: Can you point the microphone towards you.

>> Troxclair: We talked about this issue at work session the other day. I'm passing out an amendment to remove the changes in subsection a, which are steep penalty, steep fine increases for people who have code amendments that don't have to do with zoning. So it's still -- it still keeps the change to the zoning that has to do with the short-term rental enforcement, which is in subsection B, and those fines start at \$500 and go up from there, but considering that that's the issue that we were wanting to address, I just want to make sure that we just address that issue and we don't unintentionally penalize other people who have maybe done a code violation for the first time and they're having to pay \$250 instead of 20.

[10:42:56 AM]

>> Cora Wright, the interim director for the code department. I just wanted to say to councilmember troxclair and the mayor and council that we did as a staff distribute information to you. You should have this available to you regarding the kinds of violations that councilmember troxclair is referring to. Specifically you should have a chart in front of you that describes the types of cases that go before the administrative hearing process, and they're divided by property abatement cases, permit violations, property maintenance types of cases, and then zoning cases. And it also provides for you the number of cases that we see for each area. Councilmember troxclair did in fact raise some concerns about those cases that did fall under subsection a of the proposed amendment and I believe that there was concern

that we would maintain that structure as it is, the penalties as it is, and of course staff is willing to look at that. There were also other concerns rarding those individuals who might present to the administrative hearing process without the ability to pay the fines, and there's been great discussion about that and we're prepared to respond to any questions that council may have about that as well.

>> Mayor Adler: So I'm unclear. We had the suggestion that we needed to increase the rates in order to provide the deter rents. And do I understand, Ms. Troxclair, what you're doing is you're taking out the increased rates that were intended to provide the deterrents. Or is there a subtlety on this?

>> Troxclair: There's two separate issues. There's a subsection a that deals with things like trash, tall weeds, et cetera. And there's a subsection B that deals with zoning and short-term rental issues. The reason this came before us is during our discussion about short-term rental issues, property owners, next door neighbors wanted the ability to present evidence during these hearings.

[10:45:04 AM]

So subsection B is the subsection, if I'm understanding correctly, that addresses the zoning and the short-term rental issue. But I was concerned about also so substantially increasing the fines in subsection a for other [indiscernible].

>> Mayor Adler: Okay. So are you okay with this amendment to subsection a.

>> Staff can support keeping subsection a with the existing penalties and not making an enhancement in that regard and still have the ability, the hearing officer that is, would have the ability to escalate the level of penalty based on the numbers of times the property owners are brought before the hearing officer for the same kind of violation. Yes.

>> Mayor Adler: Okay. Mayor pro tem?

>> Tovo: Thank you for the additional information that you've distributed. I appreciate it. As I -- I want to be sure I'm understanding the amendment. As I look over the code violations, types and descriptions document that you distributed, property abatement would be -- property abatement would not have this increase because that's what's being under the proposed amendment there would not be a change to the penalty amounts for property abatement cases.

>> Yes, ma'am. I believe the proposed amendment that we're looking at today would keep subsection a the same, meaning that for the first violation the hearing officer would be able to assess a penalty of not less than \$20 for the first violation. And then escalate accordingly. So yes for property abatement types of cases, it would fall under subsection a.

>> Tovo: Okay. How about permit violations?

>> All of the -- all three, the property abatement cases, the permit violation cases, and the property maintenance cases, would all fall under subsection a.

>> Tovo: So I tell you one of my concerns about this -- I don't know if there's a solution here.

[10:47:07 AM]

You know, I understand the discussion we had the other day about tall grass and property owners might need more time to comply. I'm really not comfortable withholding accountable people who are doing work without a permit. And remember they get cited -- as I understand it, they get cited by code and have an opportunity to come into compliance. They end up in a hearing process if they have not brought that property into compliance. And then my -- so those are -- as our description indicates, no plumbing permit, no mechanical permit, electrical work without a license, no electrical permit. I mean, these are issues of health and safety if people are not complying with the processes we have here at the city. And then my additional and perhaps -- well, additional concern is that property maintenance cases probably

capture code actions that relate to substandard housing when you have a proner who is not fixing up a property and it's posing life and health and safety issues for those tenants. Am I right in thinking that those -- just in looking over them, maintained unsafe building, failure to repair wall cover, no stair and porch rails. These are the protections we have for our tenants who are living in potentially substandard housing that we've had great issues with that. And I certainly want to hold those property owners accountable. So can you help me understand whether the cases I'm talking about fall into this third category?

>> Yes, thank you. By the time a case is presented to the administrative hearing process, the property owner has already experienced having an inspector respond to a complaint, and upon that initial inspection provide education to the property owner about what the code requires and based on the type of violation establish what corrective action needs to occur and a reasonable time within which that corrective action should be completed. And then upon the return inspection, the inspector may view that there's been no progress at all. If in fact a property owner does demonstrate that they are moving in the direction of correcting that violation, if they can present evidence, we have and we do work with property owners to provide some level of an extension, but it really is based on a case by case situation.

[10:49:23 AM]

So by the time a decision is made for most of these cases to take the case forward to administrative hearing process, it is because the property owner has not been able to come into compliance with -- voluntarily. So yes, we are presenting cases in which -- that fall in these categories, and overall I think we would consider them as the lesser complex cases that we would otherwise take to the building and standards commission for which there might be imminent and immediate danger, but certainly all of these cases have the potential for having an impact to the public safety. So because we found that this process is very, very successful in that in most cases I looked at the numbers, we may have had two repeat violators that it seems that when property owners get to the administrative hearing officer and present their case, once that penalty has been imposed, most property owners come into compliance. Now, with respect to the -- the penalty, the current state is that the hearing officer has a range and can take into account several considerations about where that penalty would apply. For example, staff and I were just having a conversation about this. The existing code allows for the hearing officer to consider indigent situations. So already the hearing officer is taking into account certain circumstances of life that might present a property owner's difficulty in ability to pay. By continuing -- I also want to share with you that on the average the type of cases, the property abatement cases that a hearing officer will impose, it typically falls at least at a 250 range.

[10:51:32 AM]

So in other words, for first-time violation we've seen for the most part it's been a 250 that they've been imposing. So the 20-dollar base rate that we're seeing in the existing scale is far below what is happening in the hearing process, although the hearing officer does have the latitude to consider a lower penalty and take into account situations of life where it's difficult to pay. So it is taking into account the penalty structure that is commensurate with what we're seeing today, but also address the issue of potential repeat violators in the administrative hearing process.

>> Tovo: I appreciate that information and it sounds like the property abatement cases if most are getting on average a 250 fine, are probably situations where there's been a long-standing issues of noncompliance.

>> Yes.

>> Tovo: Let me register my concerns that if we're not -- we have some council policies, including some that I helped bring forward to hold people accountable for having properties that are well maintained and don't pose health and safety standards. We have leaned on -- and this was primarily the previous council, but we have spent a lot of time urging our code compliance staff to hold the property owners accountable, to really take them through the administrative hearing process or through our boards and commissions so that we're sending a loud signal that that's not acceptable in Austin, Texas to have a substandard property that's holding a health and safety standard. I applaud staff for looking at our fees and fines and bumping them up as appropriate.

[10:53:35 AM]

What the answer is here. If we're concerned about the property abatement cases posing a challenge for people. Again, it sounds like there are a lot of opportunities for them to clear their case before their administrative hearing. I would at a minimum maybe postpone that piece of it and ask staff to come back and repost it, but I'm not comfortable just eliminating it without further discussion. I think there are very good reasons for doing it. We've gotten also some information -- various people, including the Austin board of realtors, have weighed in. They're working with women and housing and others to look at the repeat offender program fees and they believe some of these fees may be calibrated -- need to be calibrated a bit higher to cover some of the costs. I'm not sure whether we're striking those out here as well or whether those would fall in, but I have concerns about this amendment for the reasons I've talked about.

>> Casar: So probably by the time the speakers are done, since we have four speakers, my staff and I think councilmember troclair's staff and others are working to clarify and to make sure that there is some inclusion on -- in the ordinance around indigency to make sure that if somebody is being charged more than they have the ability to pay ordeal with, that there is clear direction to the hearings officer to take account of that and actually directing that that must be taken into account. So hopefully at least that part can be cleared up. The two questions you raised, mayor pro tem, were some things I was talking through and thinking through this morning. I think the challenge is if we raise the mandatory minimum fee for these non-zoning violations, I don't know -- at once it makes it more clear outwardly that that is the minimum you will be charged, but it's not necessarily that we will be holding folks more accountable because they're already being charged more than 250. What it does is limits the administrative hearings officer's ability to charge less than 250 in these extraordinary cases where the administrative hearing officer is charging less than 250.

[10:55:45 AM]

So I think that as far as actually holding these folks more accountable, I think it is up to the administrative hearings officers, in the large cases where there's property owners that need to take a bigger fine to go far joined the mandatory minimum fees. I'm a bit of two minds about whether or not to raise the -- to raise the mandatory minimum fee to 250, but if we are to do so, I think the Dane gency portion kind -- indigency portion kind of handles my concern, if we are able to get below 250, which it does. It's not making anybody pay anymore, it's just limiting the ability to go below 250, I think that indigency amendment, which I think is being worked on, would be really important. As it relates to the repeat offender program, I think that's what a lot of our public speakers are going to talk about. We're not in this ordinance posted to make any modification to the repeat offender program, but I know there have been conversations to do that and I would like to -- once the speakers are done, ask legal whether or not we can give direction from the dais on this vote to go ahead and start reviewing that. But I know we're not posted to make that change. We're not making any changes to the repeat offender program

by the posted ordinance. So I'd be interested in figuring out how we can -- if that's some of the speakers' concern, which I believe is it is, how we can execute that. I hope that answers sort of some of the -- potentially some of your questions around whether or not councilmember troxclair's proposed amendment holds people more accountable for tenants for these dangerous tenants issues. I don't know -- I'm not sure if it exactly does, but it might at least send the message that we are charging the minimum of 250, which is important. And then pairing it with some way to make sure that nobody gets caught in the drag net I think is important because I have had experiences of constituents who really didn't have the ability to deal with the process and to pay even with all the chances they have to abate the issues, it's pretty [indiscernible].

[10:57:51 AM]

>> Tovo: So if I could. It wasn't a question I had about sending a signal. That was a statement. And I -- I just sort of stand by my point that I think we need to send a stronger signal. But I support the indigency clause you're talking about. That's a better option than removing the increase of fees across the board.

>> Mayor Adler: How about this --

>> Tovo: We have four speakers signed --

>> Mayor Adler: We have four speakers signed up. Let's let them speak. There's going to be additional amendments, as well as the possibility of taking section a and passing B and then holding a potentially. So I suggest we let these speakers speak, we then take a break, and we do the 11:00 briefing, and then we come back to this either at the end of that or right after lunch when people have had a chance to write down what their concepts are, or ideas. Does that work okay as a way to proceed? Ms. Pool.

>> Pool: Yes, I think that's a good way to proceed. I did want to get a piece into the writing, though, of the additional changes on the indigency issue. I wanted to see if we could tie -- have some action to get property into compliance. So if it's a weeds issue which turns into unwelcome animals --

>> Mayor Adler: Okay.

>> Pool: We can't just allow that property to stay in that state. So I think we have programs that help with mowing and so forth, so if we could tie this action into further support --

>> Mayor Adler: I hear that.

>> Pool: By a city program to abate the problem in those instances where indigency is keeping the owner from making those --

>> Mayor Adler: Okay. Yes.

>> I just wanted to clarify that the part where we're adding evidence presented by individuals who attend the hearing as a new option for the hearing, the administrative office, that that would hold in all cases, even if we remove the changes that we make.

[11:00:05 AM]

>> Yes. It would remain -- I think the changes that you are debating have to do with subsection a. The reference to allowing testimony by individuals who have first-hand knowledge about the case and violation would still be able it to come forward and offer evidence and testimony.

>> Thank you.

>> Mayor Adler: Okay. Anything else before we call up the speakers? Counselor, did you have something you wanted to add?

>> I guess a legal question, since she's up there. Indigency is usually used in cases where someone's liberty is being taken away, and so I'm just curious, are we setting a new precedent here? We're including -- I'm open to it, but are we setting a new precedent by making it a criteria in administrative hearings?

>> The indigents of the violator is not inconsistent with other administrative penalty processes. What may be proposed by councilmember Casar would actually -- we'd be looking at it as an inability to pay based on a certain income level. And so that would be a little bit different than what we were traditionally thinking, I think, of the indigency.

>> Garza: But that is used as a criteria in administrative hearings for an offense that would not lead to jail time?

>> Correct.

>> Garza: Okay, thanks.

>> Mayor Adler: Let's call Mandy Demayo up to speak. Is she here? What about Joliana Gonzalez? Andre is on deck. And then David King, and then we'll take a break to do the briefing.

>> Good morning. Thank you, Mayor and Council. Mandy had to step out for another meeting.

[11:02:07 AM]

I'm not sure how enlightening this is going to be, in light of what you're looking at today. But because you're talking about administrative fees and also about the fee schedule in general from the Austin Code Department, I'm here on behalf of Austin Tenants Council and Austin Women in Housing to make you aware we have been working in a small work group for the last couple months alongside the Austin Board of Realtors and the Austin Apartment Association to prepare some recommendations about the repeat offender program that's currently in place. We have not had the opportunity to meet with the interim director yet, but I think that one of those recommendations is likely to be reviewing the repeat offender program registration fee, which is the annual fee to be listed on the program. It's the opinion of the group thus far that the registration fees currently don't allow enough of an incentive to be or get off the list, and also that they don't provide the Austin Code Department with enough of a cost recovery measure to recoup some of the costs for things required in the ordinance, like periodic inspections. And so in light of the fact that you're looking generally at administrative fees today, and because the fee schedule is in front of you, including the repeat offender program list, we just wanted to make you aware that those discussions are under way, that there's a work group working on it collaboratively, and that we have been invited by interim director Wright to present those recommendations to her and her office in the coming weeks.

>> Mayor Adler: Thank you.

>> Thanks.

>> Mayor Adler: Next speaker, Andre. David King is on deck.

>> Good morning, Mayor and Council.

[11:04:07 AM]

I'm Andre, I'm with the Austin Board of Realtors. I won't repeat what Julianna said. We're really excited about working with the Women in Housing Subcommittee and other affordable housing advocates to look at this and to develop some recommendations for Director Wright. I really appreciate the conversation on the dais this morning. I think it illustrates a lot of the issues that we've been working on for years and what makes this a hard riddle to solve. I just wanted to point out, since it came up, I think one of the important things that we're weighing putting in our recommendations is just looking at the auditor's recommendation that code implement a more defined program for prioritizing code violation complaints. And I think that you all would recognize the value in that. And I believe they've begun to work on that. I don't want to speak for the director, but being able to prioritize complaints and follow the process based on priority so the priorities are reported and reflected in the outcomes we're I think the real issue is that we want to be sure that if there's a health and safety issue out there that we're

addressing it as immediately as possible, but that if it's a matter of someone's not really maintaining their property, maybe like they should under code, that there's not the same level of -- you know, that there's more flexibility in terms of how that case is handled by staff. And so I think by looking at that prioritization, that can address a lot of the issues that you all are grappling with. So that was really all I wanted to say.

>> Mayor Adler: Great. Thank you. And thank you for your work. Next speaker, David King.

>> Thank you, mayor, mayor pro tem, councilmembers.

[11:06:09 AM]

Mayor, I first want to thank you for your process in having the proposed amendments discussed on these important matters first before public input, because what you are allowing there, mayor, by doing that, is you are allowing us to hear about those proposed amendments and then provide input. In the past we have seen major amendments being made after public input, and the public has had no opportunity to provide input on those mayor amendments. So I appreciate your process here. Thank you, mayor. I wanted to point out that, you know, I support this. I think this is important. These changes are important. But my main point here is just, if -- do we have a process in police for the office of equity to look at these violations from the perspective of, are they intended as a way to displace existing residents? And I think we need to look at that, because there are some situations in which neighborhoods become gentrified first by a lot of violations being reported. That begins the process of displacement. And I'm not saying I have evidence of that occurring here in Austin, but what I am saying is that we need to know if that's occurring. And I hope that the office of equity is able to look at this from that perspective to see -- at the violations to see if those might be precursors to gentrifying a neighborhood, to displacing existing residents by first submitting a lot of violation complaints and then getting them into the spiral of they can't pay their fees and now they have to move out of the neighborhood. So I'm not saying that that's occurring, but I want to make sure that the city -- that the office of equity is part of that process in looking at those violations from that lense. Thank you very much.

>> Mayor Adler: Thank you. Before we go to the briefing?

>> Because I know there's an amendment going on, and I wanted to express some concerns before that, because I've sat in criminal -- I mean, I've been counsel on indigency hearings.

[11:08:13 AM]

I wonder if we're addressing what we're trying to address here, because anytime I've been in an indigency hearing, if someone is a homeowner, they are not found indigent. So I guess I'd have to understand the criteria of when somebody would be found that. In the cases I've always seen where you were homeless, you were, you know, on tanif or some kind of social program, and homeowners would not fit that. I could see where this could help renters, but I just want to make sure we're really solving what we think we're trying to solve here, which is to help lower-income, possibly homeowners, not have the fee.

>> Mayor Adler: Yeah. Mr. Casar.

>> Casar: Right now I think -- because I have had homeowners in my district living on very fixed incomes. So we are talking about homeowners at less than 60% mfi, being charged a \$500 fee, getting people on a payment plan or reducing that fee may make sense.

>> Mayor Adler: Okay. Let's go ahead and move to the -- [ clearing throat ] -- excuse me, to the briefing that we have set no sooner than 10:30. Staff, you want to lay this out for us?

>> Yes.

>> Mayor Adler: 34.  
>> Good morning, mayor and council.  
>> Mayor Adler: 35, rather. Sorry.  
>> Okay.

[11:10:25 AM]

>> Mayor Adler: Does the other speaker work? Oh, the presentation. Got it. Sorry.  
>> Good morning. As you know, the city of Austin's economic development department develops and leads innovative programs that increase the prosperity for all austinites and our businesses and community. The purpose of today's briefing is to discuss a project announced last Friday, March 31st, and to look at the different parts of this policy and process today to help you better understand our recommendation for next week's action. Throughout the briefing today I will provide an overview of each one of those steps. We'll look at the bio and life sciences sector to also give you an understanding of what it is that's going on within that sector here in Austin, provide a company overview. We'll go through the web loci and the council approved matrix so you can understand how we scored the project and why.

[11:12:31 AM]

We'll also explore the different benefits that are available through the agreement that we are proposing for council, as well as some of the expectations associated with the company being in Austin. We'll follow up with the next steps and the timeline for moving forward. This council is particular with how we go -- familiar with how we leverage programs to create an economic impact locally within the city of Austin. This council has helped to nominate three different companies. You have approved seven different small business loan programs. You've even used our creative content program to generate local creative jobs for the film industry. And you've also been the first council within the state of Texas to create a digital media production development zone here in Austin. Because of your actions, you've been able to help the economic development department to not only bring in hundreds of thousands of dollars worth of private investment to our city, but we've also been able to retain thousands of jobs and create thousands of jobs. So, thank you. Today I'm here to provide you information regarding another program that we can leverage here within the city of Austin to create more jobs, to drive more investment into our city, but ultimately to create more opportunities for all austinites today and within the next ten years and more. Our economic development policy provides us tools that we are able to use within this process. Because this is your first time reviewing these different programs, we're going to go through some of the steps in more depth today. One of the first steps in this process is taken on a daily basis. The city of Austin is a lead contributor to opportunity Austin. And because of that investment, the opportunity Austin initiative is able to focus on what it is the city is looking to do in terms of industry diversification and helping us to establish our presence on an international scene for helping to develop industries that are on the next horizon. Because they've looked at our local selected target markets, we are currently here today.

[11:14:33 AM]

They were able to help us to secure one of the companies that you're going to be speaking with later. This company is from the bio and life sciences industry, which is one of the sectors that we have appointed as our target market here in the city of Austin. A study provided by civic analytics through our partnership with Austin technology council in 2014 indicates that a life science sector represents 206

establishments here within the city of Austin -- sorry, within the Austin msa. This sector also provides over 6,000 jobs and 1 billion in value to our Austin region. Research and development in the life sciences represents \$380 million in regional economic impact and provides more than 3,400 jobs. Within this sector there are five manufacturing industries which contribute more than 100 million to our annual gross regional impact. The economic development department cited life sciences and technology integration in our 2016 target market assessment because the life sciences sector offers opportunities for people with less than a four-year degree. It also offers workers the opportunity to create -- or connect with jobs that only rely on the job training. These types of jobs generally pay 13 to \$24 per hour. This is a promising area aimed at creating well-paying jobs across the spectrum of low, middle- and high-income segments of the market, as well as skills. With the focus written into our working plans, efforts have delivered the subject of today's presentation, a potential agreement with Merck. Since 1891, Merck has helped to find new ways to treat and prevent illness with over 125 years of experience. This company is an innovative and global healthcare leader that is committed to improving health and wellbeing around the world, with core product categories including diabetes, cancer, vaccine, hospital acute care, and animal health.

[11:16:48 AM]

Merck continues to focus their research on conditions that represent some of today's most significant healthcare challenging like cancer, hepatitis C, cardio metabolic disease, antibiotic resistance and Alzheimer's disease. The company is also on the front lines of the fight against emerging global pandemics such as ebola. A strong portion of the company is also focused on the science of healthier animals, as Merck strives to develop solutions to help improve the health and performance of animals around the world. Merck is headquartered in new Jersey, and the company currently employs just over 68,000 employees worldwide. Their transformative technologies continue to challenge the healthcare ecosystem so provide care in the most efficient manner to enable wellbeing of patients, which brings us to the focus of the project that could land in Austin. Merck embarked on a strategy that required the company to restructure itself to better position itself in order to serve clients and patients alike. A core component of the strategy was establishing I.T. Hubs that would bridge biology with technology to deliver innovative solutions and services. Merck opened three I.T. Hubs to date, one in new Jersey, Prague, and Singapore. Unlike most I.T. Hubs, these look within the communities that surround each location to focus on research and conditions that represent some of today's most significant health challenges. The I.T. Hub works collaboratively within their respective community to develop data-driven products that shift the delivery of healthcare options. It also makes the accessibility and the availability of healthcare manner and delivery more accessible, while also allowing everyday people to be better informed and have the ability to interact with data for more of a personalized and preventive healthcare planning.

[11:18:55 AM]

Merck has met with a strong number of community stakeholders to date, actually, 35 different groups. And also discussed a variety of projects that could improve public healthcare and lower the cost of healthcare here in Austin. Potential initiatives include efforts to eradicate human papilloma virus, and cervical cancer in Austin. Pilot projects around better uses of health data and community-based programs bolstered the training from schools to the healthcare industry. Merck officials were excited to learn about the city's ten-year collection of health-related data for services provided to individuals and families in east Austin, as well as the potential to assist in making healthcare services more available and affordable in that part of our city. Merck has a strong interest in the development of the animation zone

as its mission aligns with the university, central health, people's community clinic, and many of the other groups that support the transformation of healthcare delivery and affordability. The location of their fourth hub here could create a stronger, more complete ecosystem to address local health outcomes. The opportunity comes at an exciting time, as local health providers are looking to form a community digital healthcare initiative that will use the data to progress delivery and affordability of care in our city. Now that you understand more about the company and the scope of their project, we can take you through some of our different data collection tools and how we analyze this project to form a recommendation for this agreement. The first tool that we use, that we posted online, is the business information form. This is pertinent to collecting company information as well as project information so that we can better understand the data and also the software side of the company, as well as the project landing here in Austin. We use the data captured from the business information form as input into our web loci system in order to estimate city revenues derived from the expenses to be incurred as a result of the project.

[11:21:08 AM]

The web loci tool was developed by Georgia tech and is used by 300 agencies across the globe. The assessment tool goes a step further than a traditional analysis, because it allows staff to input the most recent city data to be able to apply. The platform can project the current fiscal impact by looking at cost and revenue for the city of Austin, and it then forecasts those impacts for extended periods of time. Examples of cost that the system includes would be the impact on parks and recreation, the impact on our libraries or public safety, as well as electric and water utility operations. Examples of revenues would include property tax, sales tax, electric and water utility charges. The final assessment tool informing a potential recommendation is the council-approved matrix. This allows staff to assess economic, financial, and qualitative factors stemming from the project as well as the company. Projects must first meet all of the minimum criteria, score at least 60 points for a potential recommendation, and they're eligible to apply for bonus criteria during this phase of the analysis. Staff looks at the overall economic and fiscal impact of the project, linkages to the local economy, infrastructure impact, the character of jobs and their labor force practices within the company, as well as the quality of life and the cultural vitality of the product and company. The proposed I.T. Hub here in Austin scored 95 out of 100 points on the council-approved matrix, and since the score directly connects with the city's proposed investment, let's review these items a little more. The score is reflective of the following -- the project is within opportunity Austin and the city of Austin target market that could catalyze the innovation district.

[11:23:20 AM]

The project anticipates creating 600 jobs, and provides a strong environment for training and research. The project creates a significant contracting opportunity for our local firms as it proposes to invest 20 million in construction, 8 million in business personal property and an estimated 2 million in annual expenditures, as well as an additional 500,000 in local purposes. The project meets all four criteria for an extraordinary economic impact, as the firm is the targeted industry, they're involved in technology, creating more than 500 jobs, and being reviewed for state funds. The company met criteria for three bonus consideration, the first being that they were eligible for two of the extraordinary economic impact, another for locating within an area that was designated by the growth concept map of imagine Austin, and they will be developing a program for alternative transportation. Finally, the company committed to a lead silver certification for their permanent location. As you've seen in your review of the contract with Merck, these particular items are incorporated into our performance-based agreement, mean that the city will only provide an annual payment after we have confirmed the

company's activity in each one of these areas. The score for Merck is also reflecting of their existing policies and their past practices that align with our community values. The following are a few highlights for the outstanding practices of these values from Merck as well as their global recognition that the company has received for their efforts. First, Merck is committed to global diversity of inclusion in all aspects of their operations. In fact, the company was named one of the 40 best companies for diversity in 2015 and also was one of the top 35 businesses for supplier diversity by black enterprise magazine. The company partners with hiring services for fully inclusive practices that provide a diverse applicant pool and resulting workforce, such as their work with recruiting or hiring veterans through the hiring our heroes program.

[11:25:35 AM]

Merck was named one of the U.S. Veterans magazine's best of the best top veteran-friendly places to work in 2016. The company was also recognized for the 29th straight year on the working mother's list of 100 best companies for working moms. Merck was also placed on the human rights campaign list for best places to work for diversity and inclusion of lgbt employees. This company enables a long list of diverse groups while providing training and programs such as unconscious bias education, micro-inequities training, executive leadership council for African Americans and the leadership forum for women. Merck provides strong employee development and retention efforts, including executive leadership, peer coaching, and educational programming for professional development. The company offers key talent programs to support employees' career aspirations in professional development within the organization, including executive development, emerging leaders program, and women's leadership program. The company policy provides for tuition reimbursement while providing vocational training and apprenticeships in-house. Employees are able to take advantage of an online platform to find on-demand resources related to career development as well as succession planning. Merck was awarded the international best employer award in 2016 as evaluated on four criteria, a compelling employer brand, high employee engagement, effective leadership, and high performance culture, of which they are very proud. Merck is firmly committed to community involvement, philanthropy and social investments. The company is looking to have a high impact -- I'm sorry, to have a positive impact on our local transportation, as offers flexible work arrangements available to all employees that include programming such as alternative transportation, telework, remote work, flex time, and compressed workweek.

[11:27:42 AM]

That's why they were looked at as one of the best locations to work for working mom. Merck's global volunteerism policy provides up to 40 hours of paid time off annually to employees so that they may engage in volunteer activities that support nonprofits locally. The company also supports national and local charitable efforts while also providing a dollar for dollar matching program in support of nonprofits. Now that you understand how the company and the project was measured through our tools, let's review the outcomes of these different analysis programs. Moving forward, it's important that you remember that the fiscal impact analysis represents only direct benefits and costs as a result of the investment and the jobs that are being created. The total direct benefit over a ten-year period is 10.2 million. Our total cost over a ten-year period is 8.3 million, which includes the city investment in this project. The recommended economic development grant is equal to \$200 per job, which equals to and is capped at \$856,000. Therefore, your total net benefit or return for investment on this project is 1.9 million over ten years. The city investment of \$856,000 could also secure an additional investment from the state of Texas. The following is a glimpse of the immeasurable impact the project could have

on our community, especially in terms of how they could knit together a community to assist the city in achieving its goals for public health. During their visit, as I mentioned earlier, the company has met with a high number of community stakeholders, ranging from healthcare providers to workforce development entities. A short list of those meetings is included above. The company is seen as a key and catalyzing player in the innovation district's mission to transform the ways our community gets healthy and stays healthy.

[11:29:46 AM]

We previously discussed their conversations and level of interest to engage in potential initiatives like eradicating human papilloma virus and cervical cancer in Austin, as well as the pilot project around better uses of local health data and services being provided to individuals and families in east Austin. The company would look to host tech innovation summits and engage local vendors, suppliers, healthcare partners, universities, and the business community. The focus of these conversations would be around special topics that accelerate the development of healthcare solutions locally. The company will also look to host a variety of events that will help to develop a future workforce such as focused hackathons for healthcare and coding competitions in which our universities are already participating, but in other locations. Merck has made it very clear to our organization and to many of the community stakeholders that workforce diversity is imperative to the success of this project and as a long-standing corporate citizen of Austin, the company would look to support local initiatives focused on S.T.E.M., especially those that connect with minority groups and girls. The city is looking to invest in the creation of jobs over a ten-year period, one in which the 7th and 8th-graders of today could connect with this company and do leading-edge work within our city. Finally, as you read Merck's on on observations in addendum a, the location of the hub in Austin could draw company from the various sectors closer to Merck to provide goods and services for their operations on a regular basis. Our department will join with Merck in a concerted effort to address opportunities for small business and entrepreneurial development adjacent to the innovation district. We will look to leverage the opportunity to connect our hispanic-owned businesses in the area of healthcare and home health, as we understand her they are reported to rise for the year 2020.

[11:31:53 AM]

We will look to develop linkages in the development of veteran-owned businesses within this area as we look to deploy a veteran-owned business loan program. And the future location of having a business solution center from our small business program as Houston will help us to continue the legacy of small business in east Austin. In terms of contractual obligations, we've already reviewed some of these concepts in earlier slides. But these are the obligations from Merck in order to meet our performance-based agreement over a ten-year period. The company will invest 28.7 million, create 600 jobs, provide healthcare insurance not only to employees but also extend those benefits to spouses, domestic partners, as well as their dependents. They will comply with our mbe/wbe ordinance, locate in an area designated by imagine Austin. Also, within a half mile of a rail or bus stop that is accessible by safer pedestrian bicycle routes. The company will develop a program to encourage alternative modes of transportation and ensure the new permanent facility of the location is lead silver certified. In exchange for these deliverables over a ten-year period of time, the city of Austin will provide a performance-based economic development grant payable on an annual basis once compliance review of the project is confirmed, the total estimated value of the grant is capped at \$856,000 over the duration of the agreement. In closing, I would like to summarize the next steps to get us to -- that get us to this point today, and also the next steps in the process. On Friday, March 31st, staff posted our working

documents and a draft to an online portal that is open and collecting public comments on this project throughout the duration of this exercise.

[11:33:54 AM]

Staff also released information to the media on this day so we can begin the process of promoting that online public forum to be able to capture comments. Today our meeting is open for a public hearing. We would like to set the public hearing for April 13th, your ne council meeting, so the public may comment on the proposed agreement between the city of Austin and Merck. On April 10th -- sorry, April 12th -- we will transmit the public comments we received to your city council offices. On April 13th the staff will be available from economic development as well as some representatives from the company to be able to answer any questions. Also, we will have our second public hearing at that time, which will be followed by council action on the proposed economic development agreement. Again, my name is David. If you have any questions, I will be happy to answer. Thank you.

>> Mayor Adler: Were the other speakers part of your presentation, or should we go to the public?

>> We do not have any other speakers, so I believe we would just go to speakers who have signed up.

>> Mayor Adler: Okay. Mr. Gus peña, John Russell, David king.

>> Thank you, mayor and councilmembers. You know, my name is David king. You know, I'm not a fan of taxpayer incentives, you know. I typically speak against them. And in this case I'm concerned. I mean, we're talking about Merck, valued at \$39.5 billion. That's a big multinational corporation. And I don't see why they need these incentives to create these jobs and open up their facility here in Austin. They're going to open up a facility somewhere.

[11:35:55 AM]

And you know how these tax incentive games are done. They pit one city against another, one county against another, one state against another to bid up the incentives to create these jobs that they are going to create somewhere. And so I don't think this is -- this is a no-win situation overall in the aggregate. It's not going to help our overall economy. It's just going to put a burden on us by using our taxpayer dollars to fund their profits, basically. And to say that they're going to create some jobs here. And there's no guarantee that those jobs are going to be taken by people who live here already. There is a sentence in there saying it will try to do that, but there's no teeth in that. There's nothing there that will help guarantee that that's going to occur and that it's going to help employ people here who need jobs, low-income people, middle class, middle-income families here in Austin. I'm concerned about that. Merck is playing the game these other multinational corporations play. Lindbergh news reported that for years multinationals such as pfizer, Merck, Johnson & Johnson move ownership of patents to low-tax companies, which allows businesses to skirt paying U.S. Taxes on sales of those products. It was \$2 billion that they're not paying in taxes here in the U.S. And guess who gets to make that up? We the people. So I think if you look at equity overall, this is inequitable. They're using this loophole to not pay taxes that they should be paying here. And wheredo they stand on direct price bidding in medicare? We pay the highest prices for drugs in the world in the united States. What is Merck doing to help solve that problem, are they standing in the way or trying to help us? So we give them incentives out of one hand. They take profits out of our pockets when we go to pay for our prescription drugs.

[11:37:59 AM]

I don't think that we should be playing both ends of that game. And then \$28 million in investments in our county here, in our city. You know how that game is played. The companies make those investments

then they go to the appraisal district and say no, it's not worth \$28 million. It's worth \$14 million. So the promise in expected tax revenue from that property does not occur. It's much less than what's espoused at the beginning of the project here, so I'm concerned.

[ Beeping ]

>> And then we know about -- so, my last point, what are they going to do to help displacement that's going to occur when these new jobs coming, and it's going to displace people here? What are they going to do to help with affordable housing? Thank you very much.

>> Mayor Adler: Thank you. Dr. Pierce burnet.

>> Good morning, mayor and council. The mayor didn't give me an on-deck notification, sorry. So, I'm here. I'm wearing a couple hats this morning at the president of Houston university and a member of the greater Austin black chamber and the Austin chamber. I'm speaking to you from those perspectives and representing my fellow presidents and the deep Dean of the medical school, also. We met with representatives from Merck, Jim and mark, about the ways that Merck can partner with HT to increase diversity in S.T.E.M. And digital fields. And one of the members that -- from my campus community that my professors, Amanda. And she is a biology professor. And she got very excited. So when I have a faculty member get excited about a partnership, it really perks my interest, because it's about the academics there on campus.

[11:40:07 AM]

So, Merck has established a model for integrating their I.T. Hubs to work effectively within and for local communities as they have in New Jersey, Singapore, Prague and other locations. The reason that's of interest is because we recently received a grant from the Negro fund, and we're modeling what Merck is doing and other organizations. We're hoping that they will be a neighbor of ours so we can model that. If it doesn't, it's still something the university will pursue. But it will be better for the university if they were a neighbor. And central to this model is the commitment to diversity across all backgrounds, as you heard in the earlier presentation. And diversity brings in new ideas to build a more robust, productive organization. And the university has been working with other companies in this area, but I sense a sense of sincerity I did not feel from some of the other organizations in Austin that we've been trying to work with to partner with for us to fill the pipeline for tech positions, if you will. And we were also pleased to learn that Merck envisions building that diversity through S.T.E.M. Partnerships. As an engineer myself, one of our taglines is ## #iamthepipeline, and it's moving the computer science majors, etc., into the works field, and even though this is an I.T. Hub there's verticals we're building our curriculum around that. And we're thinking beyond traditional programs, being innovative, such as internships, recruitment fairs, etc. All those things were involved. The I.T. Hub will do a little traditional I.T., but focus primarily on digital health, drug delivery, patient communications, etc. And for us, as we build those curriculums, we need a partner to move our students into those spaces. Finally, we have the career pathways initiative, which I spoke about earlier. And then we have the St. David S.T.E.M. Scholars, students in fields that are complementary to the work that happens at Merck.

[11:42:09 AM]

And their core treatment areas being cervical cancer, diabetes, Alzheimer's, those are the chronic illnesses that affect the populations that we serve. Those are verticals. There's a relationship there. From Houston's perspective as we partner with Austin community college, because we have an articulation agreement with Austin community college, this is a natural pathway from the community college into Houston and then to move into the workspace while the students have an opportunity to have internships. Because that's a challenge for us to be able to have students come in as freshmen,

move through their matriculation to seniors and have a mentor the entire time. That's something Merck is already mirroring in New Jersey, Singapore, and the fabulous city of Prague. So, in closing, thank you for giving me the opportunity to speak this morning. We're excited about potentially having a partner that has already a proven record of commitment to placing students that we serve at Houston and in Austin. Thank you.

>> Mayor Adler: Thank you very much.

>> Houston: I want to compliment Dr. Pierce-burnet on her lovely footwear.

>> I looked all over Austin for this shoe. Thank you.

[ Laughing ]

>> Mayor Adler: Robert osier. The doctor is on deck.

>> Thank you, mayor. The Merck incentives proposal merely adds to what is shaping up to be an enormous boondoggle for special interest. Money intended for our poor is apparently diverted from indigent healthcare to fund the creation of a powerful research platform for a private partnership. This is done through lump-sum annual transfers of \$35 million by central health to finance UT faculty, staff, and researchers.

[11:44:11 AM]

That is coupled with the loss of roughly 23 to 25 million annually in rental payments due to the privatization of the current hospital. This totals slightly more than the 55 million annually in additional taxes central health got through prop 1 in 2012. Over a ten-year period when the earlier speaker was talking about the cost, it's 580 million we're laying out, taxpayers, to compensate for revenue losses through the hospital privatization, central health has proposed a massive development on the site of the campus that would block the capital view corridor and has no affordable housing in the Brackenridge campus development, even though housing is a powerful social determine in and determinant of health for the poor, and the mission of central health is to help the poor. Now Merck comes asking for incentives for high-skill jobs this city has plenty of already. What we don't have is a way for middle- and low-income people to stay in the city with good jobs and affordable housing. Merck will not commit even 10% of their jobs to go to the disadvantaged. We should not aggravate the inequalities that are festering in our city. The intellectual property generated by the del medical school can be taken to a global market by companies like Merck, but local taxpayers have been cut out of any economic benefit from commercialization. The clinical trials for the drug Merck wants to develop here will be conducted at a new private hospital owned by Seaton, not the public hospital we own now. The public is not a beneficiary of the private affiliation between del and Seaton involving research and commercialization. The economic benefits of commercialization have been privatized while public taxes and revenue losses arises from poor business decisions by central health fund much of the cost of the proprietary endeavors that the Dell medical school, Seaton, and Merck will engage in.

[11:46:21 AM]

Merck already receives a powerful incentive from local taxpayers in the amount of roughly \$58 million a year. That sum is leveraged for their drive to commercialize the ideas generated at the del medical school. There is a boon for Merck shareholders and incentive enough to that company. The city of Austin doesn't need to provide more. Thank you very much.

>> Mayor Adler: Dr. Menendra.

>> Thank you for giving me a chance to speak. I'm here representing the Dell medical school. So, a few things. First, I wanted to mention that the Austin community college has written a note in support of this proposal. And I think you are just seeing that letter. But from our perspective, really the frame is for us

that this is an opportunity to really leverage the investment we've already made to make an accelerated impact on community health. And I want to talk about two pieces to that that maybe we are well-positioned to our expertise to address. The first is to really make impact in population health, we absolutely are going to need savvy folks that know how to handle the large amounts of data that then help us understand how we most effectively use our dollars to advance health. This is precisely the expertise that Merck is promising to bring here to Austin, so it would be complimentary and multiplicative of the kinds of faculty and interests that we have. So, for example, where do we intervene if we want to start a program on making Austin a city where cervical cancer just does not affect us at all? We would need that kind of expertise and the assets they bring to really identify the areas and then come in and do the work we need to do. And that intersection of healthcare expertise, together with the ability to collect and mine data, that's a unique expertise and that is lacking in Austin right now.

[11:48:23 AM]

So that's one. And the second is, let's be clear, pharma is a big part of the healthcare ecosystem. There's just nothing we can do about that from our perspective. They are players. They did build the drugs, the devices, the interventions. Our focus is to say, which one of the pharma do we work with to then bring them in to make the impacts that we need to make? Some of it's data, but it's also data tied to the health interventions that they bring. And from our analysis, Merck absolutely is interested in making these impacts. I'm sure they have their reasons. The reality is the payment systems are changing. The world is changing to focus more on population health. And as a result they are interested in saying, how do they evolve their business to meet those ends. That then becomes a shared interest for us. So together with them, we want to stitch together the data, analysis, drugs, interventions, and make Austin the place we demonstrate new models. Like Mr. King mentioned, pricing is a big issue in healthcare. And we believe it's precisely why we need to partner with the right pharma who are interested in looking at new pricing models for drugs such as pricing that is attached to outcomes rather than other metrics. Those are the kinds of things that we can only do with the right pharma partner and bringing a partner like this into our ecosystem helps us bring together and work to really impact community health. That's it for you. Thank you for letting me speak.

>> Mayor Adler: Thank you very much. Councilmembers, that closes -- I mean, that ends all the speakers that have signed up at this point.

>> Sorry, maybe I didn't put it on.

>> Mayor Adler: Come down and speak. I didn't have you signed up.

>> I thought it was 34. I intended to. I don't know what 34 is. Thank you. Good morning. I have three problems with this deal.

[11:50:23 AM]

First of all, as the speaker for the city said, this is just one of many tax break requests that are going to come to you over the period of time for the innovation district. Where is the plan for how you're going to spend those tax breaks? Are we just going to hand out tax breaks on an ad hoc deal by deal basis? Well, that's what we're going to do. We're going to give away a lot more money than we need to. So if we're going to have a comprehensive innovation zone, and we're going to subsidize it even more with public dollars, you need to have a plan on how many millions and millions of dollars you're going to give away of public dollars that could go for something else. The second is, as Mr. Osier said, the community, Travis county, Austin taxpayers have put \$105 million into the medical school for economic development purposes to be an anchor for economic development, because there's been little healthcare for poor people, which is supposed to be the purpose. The same is for Seaton and with the

Brackenridge lease and other things. There's been tens of millions of dollars to subsidize those as a part of economic development. The last thing is, all the studies show Merck isn't going to decide to come here based on a million-dollar subsidy a year, and the city staff has never explained why Merck would not come but for these tax subsidies. Where the \$10 million might not mean much to Merck, it will mean your constituents' roads will not be filled, affordable housing will not be built, and other things. And this is just one of many such requests. And there's no plan to how we're going to decide how much tax breaks we give for the innovation zone. Thank you.

>> Mayor Adler: Council, those were all the speakers that we had signed up for this.

[11:52:27 AM]

We're not scheduled for any action today. Does anybody have any questions before we move on to the next item? Yes. Mayor pro tem. Okay. Ms. Garza.

>> Garza: So we got the presentation. Is this the day to ask questions, or when it comes before us on Thursday are we going to get the same presentation? I mean, just because it's fresh in our minds right now. We just got the presentation.

>> Mayor Adler: It would be fine to ask questions now.

>> Garza: Okay. I have a question. Okay. I'm trying to understand the exact benefit that the city's getting. I know there's some -- you know, there's an economic development side, I feel like, with this. And then there's a community benefits side to it. I know there's gray in there that the community benefits -- I understand that. As-is right now, I don't see -- for me, I don't see the production of jobs I would prefer we're bringing to Austin. We have a lot of high-paying tech, medical-oriented kind of jobs here. So I think it was slide 11. And it says the first bullet, the fiscal impact analysis represents only direct benefits and costs as a result of the investment in jobs created. I appreciate the math. When I write down the 1.9 million it comes out to 190,000 a year is the benefit that the city's getting. So what is included -- what is the -- as a result of the investment?

>> Sure. The investment is the \$856,000 incentive that we would provide to the company for locating here in Austin.

>> Garza: And -- were you done?

>> Yes.

>> Garza: Okay. And then the jobs created, is that number the 200 per job?

[11:54:31 AM]

>> \$200 per job is used as a multiplier to be able to get to that capped amount of \$856,000.

>> Garza: Okay. And then I had a question that was in the matrix. One of the -- the subsection B, the powerpoint said it's going to create 600 jobs. But it says something like about half of those will be -- so, will be austinites. So that's 300 jobs. Right?

>> Correct. According to the information provided in the business information form. After working with the company, I have a better understanding of their intentions. Throughout their meetings with some of the different councilmembers and community groups, they've stated they will be bringing online people from Merck to be able to usher in the work that's being done in the community. And their hopes are to be able to remove those people out of Merck so that over a period of time we're able to backfill those jobs with people who are here living in Austin.

>> Garza: Of those 300 jobs, how many of those -- there's a page in the powerpoint that talks about low-income, \$13 to 24. Of those 300 jobs, how many of those are in that range for the 13 to 24 per hour?

>> I can tell you that 51% . . . I'm sorry, 180 of those jobs would be making around \$64,000.

>> Garza: That's way above \$13 an hour.

>> These are entry-level positions and then we've got another 360 jobs that would be around the \$85,000 amount.

>> Garza: So do you have a percentage of the 300 that would be making \$13 an hour?

>> I do not. That is something that we can hopefully research with the company before next week.

>> Garza: Okay. And additionally, in meetings with the company, I thought those lower-income jobs were going to be contract workers.

[11:56:37 AM]

And so I want to know . . . There's issues with contract workers that -- in California and apple and Google and problems with them not getting benefits, so I want to know if they will be Merck employees, or will they be contract employees for the company? And the business information part said that they'll be paid \$11 an hour. I'm assuming that was just a mistake, because it says whatever the city's current living wage is. It says \$11. That's not our current living wage.

>> It may be. The company has agreed to the living wage within the agreement.

>> Garza: Okay. I have more, but I'll pass it for now.

>> Mayor

>> Mayor Adler: Yes, Ms. Kitchen?

>> Kitchen: I have some additional questions also. About the agreement itself. And I'll just ask one other question and then pass it down. So we had some discussion, and thank you for your presentation, where we talked about the benefits to the community in terms of partnerships and projects and those sorts of things. And I know that's something that the health care community has been pointing to as very helpful for the community. I don't see those reflected in the agreement, so I'm going to be asking where we might reflect those in the agreement because that's in addition to the other kinds of things we're talking about, those kinds of partnerships for the community were a large part of the reason that the health care community is suggesting that this is important to pursue. Is it in here? Am I missing -- you don't have to answer it right now, but I don't think it's in here at the moment.

>> No, ma'am, it is not listed within the agreement, although it is, you know, expected of the company to collaborate on the grounds. We've seen that through their performance in other locations. So we certainly considered that level of performance within the development of the incentive, but it's not necessarily baked into the agreement.

[11:58:47 AM]

I don't know if -- that has not been a term that has applied to other agreements in the past as well.

>> Kitchen: I know we're looking at the benefits to the community and it's one of the things that we're citing as a benefit to the community. So from my perspective it should be reflected and it shouldn't be an issue for the company because it's something that they're saying they're going to do and they also do in other communities. So the second question I have about the agreement just relates to -- it's on page 2 and it's -- first let me back up. The eligibility for the additional benefit which gets it up to 200 and the additional benefit is up to an additional \$50 per job and so my understanding is the entire \$50 per job is being put forward because they've met two of the nine extra benefit bonuses. So -- and those two relate to the Leed certification and the transportation issues. So the language right now talks in terms of encouraging employees to use alternative transportation modes. And it has a process of submitting a description to the economic development department for review approval. I would like suggest and I'll be bringing forward some language to suggest after we have a chance to talk about it, my question is to seem to me that these kinds of plans really ought to be looked at by our transportation department in addition to the economic development department simply because these kinds of programs are

something that as a city we're really promoting. And there's been a lot of work by the transportation department. So I'll be talking approximate with you guys and atd to see if that makes sense, but seems from my perspective that you would want to review this kind of alternative transportation program across departments.

[12:00:56 PM]

I have other questions, but I'll let others go first.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I have some. I'm not clear on whether we'll take this up again after lunch. I see that it's citizens communications time. Should I go ahead and just --

>> Mayor Adler: Why don't you go ahead and see.

>> Tovo: I'm not sure if we'll have time to get through mine. I've had an opportunity and I thank the company for answering a lot of the questions I forwarded in advance. Just a couple of quick things that I'm noting, it was my understanding from your presentation and from your discussion that the project would qualify for Leed silver. The answer on the business development form says that the Dell medical school, when asked to describe, it says the Dell medical school buildings will be at least Leed silver certified. How does that help me understand Merck's? I understand there will clearly be a collaborative relationship, which is a huge benefit, but this was an answer about Dell's buildings.

>> And the company is looking to locate within those facilities at Dell medical for their permanent location.

>> Tovo: But it will be a commitment regardless of where they are to be Leed silver and above.

>> Yes, that is within the agreement.

>> Tovo: We talked about childcare in our conversation. Was my understanding that Merck tends to invest and provide support for families to get childcare elsewhere versus an on-site childcare facility? Through but I notice on page 16 of the business development form -- I may be calling it the wrong thing. The business information form, that when asked if the company would provide an on-site academic or subsidized academic, the answer was no. So if between now and then we could clear up the answer. It was my understanding from the conversations that they do provide subsidies or some support for their employees to seek childcare elsewhere. With regard to the jobs -- excuse me, not the jobs.

[12:02:58 PM]

The ongoing education, we had a pretty thorough discussion about this too in our conversation, in-person conversation. And I do again between now and next week want to verify that the educational opportunities are open to all employees, including those that are within -- I think there were about 15 employees who are not -- who are filling jobs that do not require a college degree. On page 8 it talks about 10 to 15 positions do not require a college degree. And again, there was conversation in our session that talked about the benefits, the educational benefits being open to all employees, but on page 10 it again talks about eligible employees being eligible for a reimbursement. And so I need to know if that's the case, if it's only open to eligible employers -- eligible employees, how does that qualify as -- how does one qualify as eligible?

>> And I guess I'll just lay out a couple other questions and then call it a day. I would like to have a further conversation about the 75% of the full full-time jobs being city of Austin residents. Again, that too sounded a little bit different from our conversation that we had. I thought that number -- I was a little surprised that that was not a hard and fast commitment to fill those jobs here with local residents at 75%. I understand what you're saying about the leadership transitioning and that that's their inspektion, but for the bulk of those jobs, I would expect those to be city of Austin residents and stiff

still gives them 25%. Those are the questions I have at this point. Let me say that I am really very pleased to see a company come forward and use our new matrix.

[12:05:00 PM]

This is the first one that has. And they are -- you know, it's a pleasure to not have of the benefits that really should be part of everybody's base proposal. And so I appreciate the company's proposal that does not seek exceptions to some of those provisions and I'm real interested to learn more and to hear more conversation over this next week. I do believe Merck would be a great addition to our Austin ecosystem and I believe Austin has a lot to offer Merck. So I certainly hope Merck will choose to locate here and I'm at this point very favorably disposed to this proposal, though I do have more questions that I'll forward on through one means or another.

>> Mayor Adler: Ms. Houston?

>> Houston: Mayor, I have some comments, but I'd like to hold them until after citizens communication because it's after noon now.

>> Mayor Adler: Okay. So my sense is we have enough questions that we're not going to be able to resolve this, so we'll pick this back up after -- after citizens communications. I would just say as you're getting these things, maybe there are things that you can take down. We have obviously another week to work out. I don't know if they'll be able to respond, but for me, I mean, I would echo what the mayor pro tem says in that I think this would be a great addition to our community, I think very important and strategic one for our community. For me on so many different levels, and I know there are numbers that have talked about the direct economic impact of this and the direct jobs that come from this and I think that's an important thing for us to learn more about it and as councilmember kitchen had to get commitments to things that are there, but for only \$85,000 a year, \$200 a job, if there was something being offered to this other than the collaboration with Dell, to leverage the \$35 million that the community is already paying and how this enhances that investment that would be enough for me.

[12:07:10 PM]

If it was only the work with houston-tillotson in developing the pipeline for the students for \$85,000 a year and to leverage their programs and their faculty, that would be enough for me. As would the letter from ACC who is the person or the entity in our community does the most for competing jobs and to get their endorsement on this for what they think it does big picture for everything they're doing for \$85,000 a year, \$200 a job, that would be enough for me. As it would be enough for me just knowing how this relates to the regional workforce plan that is going to focus on three areas, tack and skill trades and health care to help ledge that in our community because that helps become a component to move 10,000 people out of poverty over a five-year period of time. And I don't think you have to link this job for job when you have an opportunity that's presented like this. Anybody want to say anything else before we go to citizens communication? Then let's go to citizens communication. Thank you. We'll come back. We don't have executive session today. We only have two speakers on citizens communication. So that being the case, it will be 12:10, we're going to come back here about 1:00. I think we might be able to do that since there's no executive session. So let's call the people that are here to speak to us. Bart Whittington. And Janice Pickens is on deck. You have three minutes, sir.

>> Thank you. Thank you, mayor and councilmembers for having me here today. My point in being here today is to bring awareness to HIV prevention for the city of Austin. Not only for the city of Austin, but for Texas.

[12:09:12 PM]

In a 2014 report that CDC put out, Texas has the highest rate of new H.I.V. Infections in the nation. And if trends continue, one out of 81 Texans can expect to be diagnosed H.I.V. Positive in their lifetime. The southern United States has the highest rate per 100,000 individuals with HIV infection and Texas has roughly around 82,000 Texans living with HIV today and approximately 13,000 Texans who do not even know their HIV status. That's where -- as well as those who are hiv-positive, we know along the care continuum that about 70% of hiv-positive people fall out of care and therefore are no longer remain virally suppressed and are therefore able to pass the infection on. We know that drugs now are so effective that if an hiv-positive person is virally suppressed they have negligible to zero chance of transmitting the virus to other people. In 2012 the F.D.A. Approved a drug called Truvada as a preexposure prophylaxis, which means a medication that you take prior to becoming infected, much like if you were going to go some place where there was malaria, you would get shots to prevent yourself from getting malaria. This drug Truvada when taken as prescribed is 90% if not higher effective at preventing HIV infection. So what you see before us today is the opportunity if we are able to provide -- if we are able to provide access to not only hiv-positive people to receive their medications and become virally suppressed, as well as those who wish to access free exposure prophylaxis to prevent HIV infection, we technically have a means to almost stop HIV in its tracks.

[12:11:22 PM]

The good news about preexposure prophylaxis is there's a good news and bad news. The bad news is we only have one or two facilities in the city that's providing preexposure prophylaxis to Austin citizens. One of them is the kind clinic, of which I'm fortunate to be one of the founding members of that organization. And we provide health care at zero cost to Austin citizens or anyone who wants to access health care for that medication.

[Buzzer sounds] If you want more information, I'm sorry my three minutes are up. Feel free to contact me at bartwhittington at utexas.edu.

>> Casar: I think in our budget cycle or maybe two budget cycles ago we continued to try to push health equity funds that -- to make sure that our public health department looked at prep. I would encourage you and your -- the other clinic in the city to both engage with the city to see how it is we can help with it.

>> I'd be happy to do so. Thank you.

>> Mayor Adler: Thank you. Mayor pro tem? Excuse me, sir?

>> Tovo: I would just add also one of the other pieces of that conversation was if we can partner in facilities. I think that was also part of the discussion. As there and to be a need for that. Thank you so much for the work that you're doing.

>> Thank you. One last point of interest is if someone is uninsured and makes less than 58,350 a year, Gilliard Sciences will provide the drug at no cost to the person. So that is a huge advantage to those who are uninsured. Thank you.

>> Mayor Adler: Thank you for your work. The second speaker has canceled. So that ends our citizens communication.

[12:13:23 PM]

It is 12:14. We're going to take a lunch hour recess and we'll be back here at 1:00.

[Lunch recess].

[1:16:21 PM]

[The meeting of the Austin city council will resume momentarily.]

>> Mayor Adler: I think we have a quorum. So I don't know if we have staff here to answer questions. We do? David, it's good to see you. It is 1:16 P.M. We have a quorum present so we can be back to asking questions about the items 34 and 35. 35. Does anybody have any additional questions while up on the dais with respect to issues in common? Ms. Houston? Either way, Ms. Pool, you want to go first? It is 1:17. We are reconvened.

>> Pool: So a couple of other questions that I had have already been aired. I was interested in local hiring and the numbers, and I think we also talked about the number of disadvantaged austinites who might also be hired. So I'm going to follow that and I think we also touched on essentially what sounds like, if not the better business program, at least something similar. Could you talk a little bit about that? I know we've got the living wage piece, and then local protections, to the extent there's anything in here as far as building that would involve a contract with the city.

>> Sure. The company has already committed, and all construction that is a part of this project, yes, they will be providing those living wages.

[1:18:24 PM]

They will also be providing the osha 10 training as well to the construction workers on anything related to this project.

>> Pool: Great. And then the last question I had goes to where the temporary site for where the building would be. Do we have any information on that? Or maybe some of the folks here from Merck might be able to answer that.

>> I'm not familiar with a temporary location. The company hasn't selected any location yet. They're still looking at Austin, amongst other possible locations. So I don't think that they've nailed down any temporary or final locations at this point.

>> Pool: Okay.

>> In terms of local hires, I just wanted to touch on something that was stated earlier. There was a question about 75% of the hires being local, and I think that connects back to bonus criteria. I think the intentions of the company, they would love to embrace as many austinites within their positions that are open as possible. Unfortunately, they did not want to commit to that bonus criteria, and a lot of companies traditionally don't, although their intentions are to hire as many local individuals as possible into that position, because if they are not able to hire all 75% within that given year, they're not eligible for any of the incentive from the city. So it tends to be something that is looked at as a pretty high risk for some of these companies in terms of a commitment. But I know their intentions are to hire locally as much as they can.

>> Pool: Expanding on that a little bit --

>> Sure.

>> Pool: -- It sounded like Dr. Barnett was concerned and interested in seeing the connection up with houston-tillotson and I'm sure ACC and the school districts in town. Can you revisit a little bit about the commitment or at least the discussions around the training for a local workforce?

[1:20:25 PM]

>> Sure. Starting from a very deep level, the company is very engaged in stem programming. They've -- I've heard them say on multiple occasions during meetings that they are very focused on diversity within their workforce, particularly having females within the work environment. So from that range, they will be focused on a lot of the stem programming that is initiated within the community at a very

elementary and middle school/high school level. From that point, we are looking at how it is that pipeline of workforce connects with university institutions. They haven't only spoken with htu, they're also speaking with ACC as well. There's a bio program, an accelerator program available through ACC that they were particularly interested in. And of course St. Eds also, and several other university institutions around Austin. How it is they're able to engage with those universities, the company is particularly interested. They would like to grow that workforce here in Austin. It takes a very unique person who's going to bring some of those biology traits and technology traits to the table to be able to do the type of work that they're looking to do on site.

>> Pool: And then over about a ten-year period, do you have kind of an estimate of what the total pay and benefits that might be paid for a job with Merck?

>> The total pay for benefits or the --

>> Pool: Total pay and benefits.

>> In terms of total pay, I know cumulatively, we've look at at it, but what will be paid in terms of benefits I'm not sure.

>> Pool: Do you think the

[indiscernible] Portion is included?

>> No, ma'am, this is specifically salary.

>> Pool: Salary, great. If we don't know where the temporary site would be, then we also don't know where the final site -- the permanent site would be.

[1:22:32 PM]

>> I'm sure. So the company has not been able to -- or has maybe not told me about some of their searching for the temporary locations. Of course they work with some of our partners within the community to establish or look at different locations. I would think that they would try to be as close to their -- their long-term facility. I have heard from the company that they are interested in locating, if not in the innovation district, definitely adjacent to it, because they will have so many working partners and individuals they can collaborate with adjacent to the innovation district.

>> Pool: Okay. Thanks.

>> Of course.

>> Pool: Thanks, mayor. I would just say, also that this looks like a really interesting opportunity, and I appreciate the work that has gone into bringing this forward to us. I won't be here next week to vote on this item, unfortunately, but -- but I'm encouraged by what I see here today.

>> Thank you.

>> Mayor Adler: Thank you. Ms. Houston.

>> Houston: Thank you. And thank you for listening to some of the concerns that colleagues have. I think that makes for a richer conversation.

>> Mayor Adler: Can you point a little more --

>> Houston: Sorry? Oh, you can't hear me? Oh, my god, that's different. Okay. Is it better now?

>> Mayor Adler: It is.

>> Houston: Good. I was thanking you for being able to listen to some of the concerns that my colleagues had, so that we can answer those, because this is the first 380 agreement that's been available to district 1, and I'm excited about that. I think Dr. Pearce Burnett said that in her conversations with the folks from Merck, that she had -- she noticed a sincerity that has not been there before. And I want to echo that. They don't want to just do community benefits.

[1:24:35 PM]

They are about cooperate neighbors and how to be good neighbors. So in my conversations with them, although we've talked about some of the same things everybody else has talked about, my focus was on, how do we get some innovation into that pipeline in my title 1 schools. And they are specifically interested in young women, and so I said to them, we've got Bertha Sadler means that is on the aisd's chopping block, and we also have Lyndon B. Johnson school, and the science academy is going to be leaving, so we need to fill that void to give some specific opportunities for young kids in neighborhoods to be part of that pipeline, to give them the exposure, the expectation that you can do better than. Also have talked to them about reaching out to some other historically black colleges and universities like Texas southern university in Houston that already has a school of farm school of pharmacy, and health sciences, primary view university has biochemistry, computer sciences, so we're not just limiting -- I know they've got a good partnership with Dell and UT, but there are other ways that we fill that vacuum, and it's not just always here in Austin. Because sometimes young people of color leave Austin to go someplace else, so we need to always try to make sure we are incorporating them. Today, coincidentally, the critical health indicators report was issued, and if you'd put up that map for me, please. As I talked to Dell, all of this innovation zone is in district 1, Dell, the medical school, hopefully Merck will be there, too, but as I talk to them, this is the map that I talk about.

[1:26:41 PM]

Because if you look at the disparities in this report and look where medical services and hospitals are located, up and down I-35 from the north to the south, there is nothing east of highway 183, all the way until you get to manor, which is just a small health clinic, and we have one clinic that is one Thursday a month at Turner Roberts recreation center, and it's from 9:00 to 5:00. So when we talk about innovation in health care and health care delivery, it's, how do we get those products out to people. If you look in this, you will also find that cancer is the number one issue in our hispanic population, cause of death, and number two in the black. Those people live in that area. And so, to me, this is an excellent opportunity to get Dell and UT and Merck, hopefully, to be able to look broader than just the innovation district and to reach out. And I'm confident that they're going to be willing to do that. And so I'm looking forward to whatever we need to do to make this happen.

>> Mayor Adler: Thank you. Yes, councilmember alter.

>> Alter: Thank you. I, too, am very excited about the prospect of Merck coming. One of the things that we talked about in our meetings with the firm was the pipeline efforts. And I know that councilmember pool, I think, was trying to clarify a little bit in more detail what those efforts might be. I would love to see some additional public description of what those might be, for the public, so that what's been discussed and what's not in this report can be made a little bit more evident. We've heard conversations already about various universities. But I think there's also a lot of ties to non-profits that we have with capital idea, with goodwill, with workforce solutions.

[1:28:45 PM]

I know those conversations have started now that the name has become more public, but I would like to see those incorporated in some kind of public manner. I also think it would be helpful to communicate some of the information that was communicated to at least my office in our private meeting about the past successes that Merck has had in building the pipeline, so they're not coming to Austin and saying we're going to build a pipeline, and have no experience doing that. They are committed to it, and they have experience that they're drawing on from other communities for that. That being said, when I was looking through the detail of the web loci, I was a little bit discouraged in the descriptions to see that, you know, recruitment in Austin would be satisfied if they held a booth at the Austin clear expo. That

just didn't seem to do it for me in terms of a commitment in trying to recruit people in Austin. We know it's less costly for them to recruit in Austin, but I think now that they've been here and they've seen the wealth of opportunity here to recruit, that there ought to be some more things that we can get them to commit to than that, preferably in writing. I was wondering -- this is my first 380, and I think most of the council's, but is there a way to add to the audit reporting, something about pipeline efforts and something about recruitment efforts in Austin, so that we can monitor, over time, whether or not they're living up to their statements with respect to pipeline development and recruitment in Austin?

>> So that will be a great question that I will pose when speaking with legal after this meeting. My initial hesitation is putting more into the agreement, that we will have to determine the measurements being done over the course of a week. My hopes are to, in some way, kind of formalize some of the relationships that we did speak about today.

[1:30:51 PM]

I think that what we've heard through the duration of meetings, not only with your offices, but also with goodwill, capital idea, milge, the veterans association, the company is very interested in how it is they can connect locally to create that workforce and to connect with austinites here. And so I don't think that there will be a sense of hesitation. My only concern is being able to work that through. But we will try our best.

>> Alter: Yeah. Even if we can get it as part of the reporting, if we can't legally bind it. I'd prefer if we can legal by bind it in some way, but even if we can make sure it's there as an expectation in the reporting, which at least gives us a public eye on what they're doing, that can be some kind of control. And I do want to echo what councilmember Houston said. I felt like it was genuinely just part of their own DNA, and how they were approaching stuff, and how they were going about their new business model, but the rest of the public did not have the benefit of those conversations and the ability to understand how that relates to their business model and whatnot. And so I think having that greater clarity would be beneficial to the broader community as we try to bring this company here to help us build our innovation zone and our biosciences. Thank you.

>> Mayor Adler: Yes. Councilmember kitchen.

>> Kitchen: I'd like to echo all that has been said. I think that there's some exciting opportunities here with this, and my comments earlier around community benefits go to a similar type of thing that councilmember alter is talking about. I do think we need to capture that intent. Again, it's not to name a specific project or to put a lot of details around it, but I do think it's important to capture it, because it is part of the community benefit that we're talking about. And this is a ten-year time span. So we're -- the folks that we're dealing with right now with this company are acting beyond in good faith, and they're providing, you know, sincerity in what they intend to do, but it is a ten-year agreement, and we need to capture it over the course of time.

[1:33:01 PM]

So we can work with you on some potential language for that. I can't imagine that they would have -- that anybody would have any concerns about, because it just captures the benefits that we're talking about.

>> Mayor Adler: Councilmember Garza.

>> Garza: I wanted to clarify some of my statements earlier, and, in part, respond to what the mayor said, because I -- there are good things in this proposal. But, overall, it seems like the benefits -- it feels less like an economic development agreement and more like a social services or public health or educational development agreement to me. And my -- and just to give a different perspective on, you

know, my concern with the low -- the low amount of lower wage jobs, is, it seems in a way we're -- you know, we offer these incentives, and we're -- it gets top heavy, so we're saying, you know, this is a good thing, and it'll trickle down. It'll trickle down through these pipeline programs. It'll trickle down through, you know, these different jobs that will be available. Instead of -- what I wish we would do, as our economic development department of the chair, would be to go look for companies so it doesn't trickle down, so we give -- we bring jobs that directly help lower income. I understand the pipeline programs. I understand how that helps. I think it's great that we're going to partner with the universities. That's going to help low income kids. But what also helps low income kids is finding ways to get their parents good jobs, so they don't have to depend on all these social service kinds of programs. And so I'm kind of at an abstention point right now. I don't know where I will be. I think this is -- there's some great opportunities, but at the end of the day, it still feels a little icky to me, to give incentives to billion-dollar companies, who, at the end of the day, as good as corporate partners as they are, at the end of the day, they need to answer to their shareholders.

[1:35:12 PM]

And so I think that the support on this dais to support this agreement -- I just hope, going forward, we really use this tool to directly bring jobs for our lower and middle income families, and I really hope we're making an effort, the chamber will make a better effort at that, as well as our economic development part.

>> I respect your concerns. It's something that we work in on a daily basis, making sure that we bring very strong proposals, and the strongest of companies to you all for this type of determination. We don't do it very often. Clearly, we haven't done it in over two years. That being said, let me try to help extend a little more confidence to you. I think through addendum a, and I hope what the company can help to tell you more about whenever they do this with you, is that we viewed this project as a catalyst project because of the indirect impact that it would also have on the community. We understand that, yes, Merck will be providing 600 jobs through their agreement with the city of Austin, but in with them comes other service providers who are going to be providing different things that they need to be operational on a daily basis. And we understand, through just one example, the working relationship with Jones Lang Lasalle, who helps to provide the administrative needs for the facilities in terms of upkeep, any renovations in-house. Those are most of the jobs that we are looking to bring online as part of having this bigger project locate here within the city of Austin. So we know that a greater number of jobs that won't be paying those high wages will be coming to the city as part of this project, you know. And I think the company can tell you how they've observed that in some of their locations around the development of these I.T. Hubs. I know they tried their best to describe that relationship in did you know addendum a of the business information form.

[1:37:18 PM]

>> Garza: To respond, that's essentially what I meant by the particularly down effect. One of the original purposes was to be that anchor, now it looks like we're adding this subcategory. We're saying here's one anchor, but now here's another anchor that will help. And the at what point do we stop saying, now this is another anchor, now this is another one that's going to provide that. I appreciate that explanation, but I wish there was a more direct -- this incentive is going to help this corporation that is appointing -- this corporation is providing these jobs to our lower income austinites.

>> Mayor Adler:

>> Mayor Adler: Only because you said you needed to respond to something I had said, I join you in thinking that, really, the most frequent usage of this tool as a valuable tool is to help drive jobs directly,

and that's why we worked on the resolution a week or two ago, to make sure that we could really focus these incentives on bringing jobs for people who live here and training for people who live here. So I'm all over that with you. This proposal seems to me to be in a different class by scale, just because I think that, ultimately, this has the potential with the significant investment the community is otherwise making, to drive thousands of those jobs. And I'm not sure there's a real clear path. I'm not sure you can look at this and say, because of this, there's going to be a thousand jobs in two years, and 1500 jobs in four years. But as I sit and I talk to the leadership at ACC, and I talk to Dr. Pearce Burnett, and when I talk to the medical school, when I -- there's just something that is qualitatively different about this one in terms of what it does to leverage the investment the community is otherwise making.

[1:39:22 PM]

So I want to make clear that I'm not generally supporting trickle down things because I don't want someone to come back with that expectation that I would, or to misinterpret what I'm saying to do that, because I think that, ultimately, for me, it's about jobs, and this just seems to be a unique situation.

>> Garza: And I think we're saying the same thing then.

>> Mayor Adler: Yeah. Ms. Houston.

>> Houston: Thank you. Thank you, mayor. And just so that everybody is perfectly clear, I've said this to the chamber and some of them in the room, and I've said it to economic development. We need jobs, middle income, middle income jobs. We've got enough high tech, innovative kinds of things coming into town. That's not who's here, and those are not the people who need the jobs. The jobs are needed by people who could come in at a middle income job and be able to take care of themselves and their families and pay the horrendous property taxes on their homes. I continue to say that, and that's the direction I hope that the chamber and economic development will begin to look.

>> Mayor Adler: Yes. Mayor pro tem.

>> Tovo: I forgot that I had one more question, and this actually came up in some of the public comment. We've had discussion in the past about companies that have received chapter 380 agreements that have been in subsequent years gone and protested their tax valuations, and in addition to expressing concern about that, I also brought forward a resolution that got much watered down, but spoke to that issue. So my question to the company would be, would they be open to a requirement within their contract that would speak to that commitment, that they would not be protesting their tax valuations during the length of time of this chapter 380 agreement, except for instances where there is an error that's been made, and so I can talk with you more about the language that we had worked out with regard to what those errors would look like.

[1:41:33 PM]

But, you know, certainly -- certainly, if there's a reasonable error, like a miscalculation or something like that, that would be excluded, but that the more general principle, I think, is that we want chapter 380 companies that are interested in participating in the chapter 380 agreement to -- you know, part of what we're assessing here is the property valuation that they're -- and the property tax expectations that are based on their anticipated investment, capital investment here in this community. And so I -- for those companies that then go and protest those, I believe they change the assumptions under which this council has made decisions with our chapter 380 program. So that's the question I would be appreciative if you would go back and ask the company.

>> Mayor Adler: Any further comments before we go to the next item? I think we're done. Thank you very much. Okay. I'm now going to call up the receiving of the task force report. This is item number the 29. All right this is item number 29, which was presented to us in work session.

[1:43:35 PM]

This is the task force on institutional racism and systemic inequities. We had the presentation from the report during work session. I again want to thank the chairs, president of HT, president Pearce Burnett, Dr. Pierce Burnett, who is here with us today, as well as Dr. Paul Cruz, superintendent of schools, as well as the 60 or so folks on the steering committee and the couple hundred people that worked already. This in the community has started some measure of conversation, which I think is a good -- good thing. A lot of time, and I appreciate that we're just beginning this process, but it was a lot of work and greatly appreciated. We have some people that have signed up to speak. We want to give them the chance to do that. Is Gus Peña here? Or John Russell? David King.

>> Thank you, mayor and councilmembers. And, mayor, thank you for allowing me to serve on this task force. It was a great honor, and I know our work is really just beginning now, because I am committed to helping us implement the recommendations that this council accepts from this report. And I'll be there for the long haul, to help us solve these problems. So thank you very much for allowing me to serve on this task force. I -- my purpose in speaking today is just to clarify one apparent mistake in the report, and that -- that I've heard now has been confirmed to be a mistake in the report, and will be corrected. And that mistake is regarding the statement that -- from the task -- the work group I served on, which is the real estate and housing work group of the task force, and the real estate and housing work group had recommended the following statement in the report, that -- that -- to ensure that no within funding model such as voluntary density bonus programs is embedded in the new code, but that development is open to other models, including those suggested in the report.

[1:46:02 PM]

That was what came from the work group. What ended up in the final report was: Ensure that the code offers a variety of funding models, such as voluntary density bonuses is embedded in the new code, but that development is open to other models, including those suggested in this report. So as you can see, there's a big difference. One says make sure it's not embedded, which is the recommendation from the work group. In the final statement, it recommends it be embedded, those programs be embedded. So there's certainly a big difference in those two statements. So that has been confirmed to be a mistake, so the final report is supposed to say: Ensure that no one funding model, such as voluntary density bonuses, is embedded in the new code, but that development is open to other models, including those suggested in the report. And I can give a little bit of context to that. The concern is that there -- these policies may have an inadvertent side effect that we may not fully understand, and if we embed them in the code, then now they become, in a way, potentially another form of institutional racism, which is certainly not the goal of any recommendation in this report. It's actually the opposite, to avoid those. So that's why we think it's important that we take time to understand those density bonus programs, and what impacts they have. Obviously, we like the impact of providing some level of subsidized affordable housing in development, but they also -- it's a concern that in redevelopment, we have displacement that occurs at the same time. So is there a nexus between those two strategies, and understanding what that nexus is and being informed by that, it's important that we go through that process before we embed it in our code. Thank you very much.

>> Mayor Adler: Thank you. I would just say -- I don't think the report is ours -- it's not our report. It's not the council's report, we're just receiving the report, but certainly that sentiment is noted.

[1:48:06 PM]

I mean, if the task force wanted to change the report somehow, it could. I'm not sure exactly what that vehicle would be, but I think you've aired the issue, and there are lots of items that are raised in this report that have support, don't have support, and my understanding is, from the description we had, and Dr. Pearce Burnett will be here, there are no minority reports, because everything was kind of taken in, but it's not a report for us -- it's not a report; we're just receiving it. The next speaker that we have --

>> Houston: Mayor? Before you move to the next speaker, if we're just receiving a report that we've been told by one of the work group committee members, it's written wrong, and we're going to go ahead and adopt it and put it in imagine Austin, then we'll be putting in --

>> Mayor Adler: This is not -- we're not adopting the reference to racism at all.

>> Houston: Okay.

>> Mayor Adler: We're literally just receiving it.

>> Houston: We're just receiving it, but then once we receive it, if that history does not follow this document, at some future council, then it could be adopted and put into codenext.

>> Mayor Adler: It could be. And I don't know the vehicle that went between the working groups -- I know the working group submitted reports to the steering committee, and then the steering committee and the chairs decided to do the report. Unfortunately, we have one of the chair with us, and hopefully she can explain that to us. And I don't have any problem with the task force doing anything the task force wants to do, it's just I was raising the question that I don't know what the vehicle is for that, since it's not our report. So we have no standing to amend it; we're just receiving something that was brought to us by a part of the community. But let's address that question.

>> Houston: Did the task force send a formal letter stating what their language was? So that it follows --

>> Mayor Adler: Yes.

>> Houston: -- With the document.

[1:50:08 PM]

>> Mayor Adler: Let's ask -- Dr. Pearce Burnett, would you be our next person to come up and talk? Again, as I said before you took on this assignment, you were drafted and scripted to do this, along with Dr. Cruz, and you were able to mobilize so many people from so many places in the community in such a short time, to give us, as was requested, not only a discussion of the challenges, but a suggestion of really specific things we could do, and you all delivered on that in an incredibly short period of time. And I also appreciate yours and Dr. Cruz's promises to stay engaged as this would move forward. So thank you.

>> So should I use this as my time to speak, or just to respond?

>> Mayor Adler: Why don't you speak first, and then at the end of that, not counted against your time, we'll ask you to respond.

>> Okay. Well, good afternoon. I'm here as the president of houston-tillotson university, and also as the co-chair of the mayor's task force on institutional racism and systemic inequities. As mayor Adler indicated, I was drafted, but it was not against my will. I actually -- as I indicated when we had the session earlier in the week, it has been a personal pleasure for me to serve the city in this way. And I'm most impressed with the amount of committed citizens that were engaged in this process. We had over 60 -- close to 60 people on the steering committee, and then really 200 people engaged in the working groups. So the one thing I wanted to list today is the common themes that came out of the reports, so that we can -- because I think it's important on of about of my co-chair and I, that we keep these common themes in in front of all of us. And the first one being in the interrelationships among racism in the fire sectors that were identified, education, finance, banking industry, health, civil and criminal justice, real estate, and housing, that was a tremendous interrelationship, which as you can imagine,

don't you have education, you can't get a job; if you can't get a high-paying job, that affects your health care, et cetera, et cetera.

[1:52:28 PM]

So there was tremendous interrelation among the working groups. And then the fact that institutional racism and systemic inequities from all working groups, it's not a myth, it actually exists, and it's a challenge, and it's a challenge we need to continue to address. And that there is a lack of historic and current data that's aggregated by race. It's often incomplete and we're recognizing that understanding and bringing that to the forefront that that data is missing. And then finally, that there's definitely a need. This came from each of the working groups, from a collection of isolated -- to move from a collection of isolated and random diversity and inclusion acts to a regional, inclusive, coordinated, purposeful, and intentional interdependent strategies. There are a lot of people doing this wonderful work across the region, and one of the byproducts of the working groups was that those people got together and saw that you're doing much similar work to what I'm doing, and if we were collective in our efforts, which is what the recommendations attempt to do, we could make greater strides. We may go fast along, but we go farther together. And that was a common theme that was lifted. This is hard work. I say this all the time. And this is just the first step. It is not intended to dismantle racism in its totality, but it's a very important continuing step in the important work that's already going on across the city. And I'm actually proud of our work. And I can move now into responding to councilmember Houston's request. What you have before you does include the correction, because the report was released to all the members of the working group and the task force so that they had an opportunity to read it, because, as you could imagine, we received five different reports from five different personalities, and then we wanted to have in it one voice so that it could represent the group in its entirety. So I really -- and I really want to thank David King, because it was a typo, and the typo changed the whole nature of it. David was persistent and up front right away, being very intentional, which is what we want people to do, to read the report for its content.

[1:54:34 PM]

So what you have before you, as the eyes have seen it from working groups, because everyone went to their area to read it. And I've received tremendous feedback from people, and that was the one typo, one correction that was made to the report. Of course everyone doesn't agree with all the recommendations made in the report, but that's the diversity of thought, which is what we're trying to lift as a community.

>> Mayor Adler: Is there a place that the community would go to if they wanted to download this report?

>> I'm told that it's on the city's website. It will be, if it's not already on the city's website.

>> Mayor Adler: Okay. So the document as posted on the city's website is the final report, and it already contains the change.

>> That's correct. That's correct.

>> Mayor Adler: Okay.

>> That's our master document.

>> Mayor Adler: Great. Thank you.

>> [Off mic]

>> Mayor Adler: And it's back up on this item and also contains the correction.

>> Yes.

>> Mayor Adler: Great. Thank you.

>> Okay.

>> Mayor Adler: Again, thank you so much for this work.

>> And Dr. Cruz and I are committed to continuing to stay engaged because it's become a part of our -- who who are, the report.

>> Mayor Adler: I've now fielded questions about this from around the country, both beginning with the perceived audacity of having a work group that was named to address institutional racism, as well as going through the specific points that were made, as well as the anecdotes and the history, as contained from the narratives of the people that were contained in this report. Anything else from the dais? There were some more people that had signed up to speak, and let me give them a chance to do that. Thank you, president. It's kind of nice to see you here. You're showing up on every item we have coming before the city today.

[1:56:34 PM]

>> It's nice to be here.

>> Mayor Adler: Victor reed. Is Victor reed here to speak?

>> Yeah, I'm here.

>> Mayor Adler: Got you.

>> I'm here. I'm going to make history, too, I'm going to put it on Facebook live for the first time. Have y'all ever had somebody do it yet? I'm going to do it right now. Because I feel like it's that important. And I'm going to bring my people to the table, because a lot of my people, unfortunately, they can't show up during lunchtime. They got jobs. They real low income people. Not some of these people that y'all put up put up here. Yeah. We live right now. So I can show the real people of what you speak of in your task force. Because unfortunately, mayor, you don't got the right people in your task force. I respect the president of HT university. Hbcu, proud university in this city. It was before the university of Texas, actually. It's the oldest university in Austin. But even she does not relate to my people. She's not from Austin. You need people on your task force that feels the pain like I do, brother. I've talked to you before. I cried to you three years ago. A lot of people think Moses in the bible went to the pharaoh and talked to him in three or four hours and made a pole turn into a snake and all that.

[1:58:34 PM]

But you know what, it took Moses years to speak to the pharaoh to let his people go. Y'all people come with these pipe dreams. Yeah, that's what your task force is, sir. It's a pipe dream. Just like y'all been doing for the last 50 years to my people on that side of town. And now y'all got the audacity to come into my community and then steal, give funding, like you helping my people. Yeah, I'm angry. My lip shakes with anger right now. I sit in this room for three or four hours listening to people talking about narratives, and all these big old condevelop conglomerates coming to the this city. And then I ride through 12th street and all my people have been eliminated. Three years ago it might have been -- [ chuckling ] Y'all people can't relate to my people, man. Y'all can't relate to the people that y'all are calling low income and throw the word off your tongues, the east side. This woman spoke about lbj. How y'all put those people on top of my people, separated the school, under the eyes and the nose of my people. And then you have the audacity, again that word has significance. You should be ashamed. You go to lbj, you ask one of them people what a hedge fund is. Ask one of them kids.

>> Mayor Adler: Go ahead and finish your thought.

[2:00:37 PM]

>> I will, sir. Ask one of them children over there what a hedge fund is, what I.T. Stands for instead of it. They can't answer your questions. I'm from the country, man. That's like me not knowing how to feed a hog.

>> Mayor Adler: Thank you.

>> Y'all going to do right by my people. This will not be the first city in America that eliminates a race.

>> Mayor Adler: Thank you. We have other people that are signed up to speak as well.

>> Sir, get real people on your task force, sir.

>> Mayor Adler: I understand.

>> I'm not on your task force.

>> Mayor Adler: No, but you have the opportunity now to weigh in, and to criticize it, to point out what it doesn't contain that it should contain, to push for any element in it that you think is good, but to make sure that whatever's not in there that should be in there is something that gets an airing and pushed for as well.

>> Yes, sir but with the race of the black Americans in this city, I'm going to give you what your credit is to all of you, your failures. Be right by my people, man!

>> Mayor Adler: Thank you. The next speaker we have is anobia Joseph. Sir. Your phone is up here, too.

>> Now we not on Facebook live.

>> Mayor Adler: Ms. Joseph.

>> Thank you.

>> Mayor Adler: Thank you.

>> Thank you, mayor, councilmembers. I'm zanobia Joseph. My comments somewhat echo the previous speaker. I'll be a little more eloquent, hopefully. I am against you just accepting this report.

[2:02:38 PM]

When you started, mayor, you said I'm not going to give any directions, tabla Rosa, blank slate, whiteboard. But if you don't start with the history, mayor, you can't move forward. I'm stuck on mason town December 25th, 1871, transportation discrimination when the train rolled through that community. I'm stuck on 1971 when 71 houses were demolished from loop one. Just because you don't see black people on west Austin anymore doesn't mean they didn't live there. Clarksville, who were those people? You don't even have transportation as one of the five pillars. You say you want action, but you don't have legislation written. Where were you yesterday, mayor, when senator salage introduced senate bill -- I don't even remember the number now. It demolishes the top five. It's detrimental. You went there on tnc. Tuesday there was an item in the public education committee specifically related to school re-entry. I find that problematic. I appreciate Dr. Allen having that particular bill before the committee, 2623. And she did take my recommendation and include teachers in the plan to transition students who are out of the classroom over 30 days from the disciplinary alternative education program, or juvenile justice alternative education program so that they can transition successfully. But we have problems, mayor. You have an equity officer. You are flanked by people of color. They need a legislative agenda. There's a 1995 statute, chapter 12, section 12.111, content, charter schools, that discriminates students with a disciplinary history.

[2:04:47 PM]

Where are the people of color at the capitol when these real issues take place now? I I've forgotten half of what I wanted to say, but respectfully, mayor, we sit here, the only data we need. It doesn't need to be disaggregated all that much. One out of three African-American males born today can expect to go to prison in if trends continue, according to the sentencing project. They've been saying that since 1995. I

sat in 2014 at Austin ISD and they couldn't even get the report before the school board. And you wonder why the African Americans who know the history don't want to participate.

[ Beeping ]

>> I'm sorry, mayor. But simply accepting this report is not good enough.

[ Clapping ]

>> Mayor Adler: Thank you. Is Dr. Khaled still here? I think those were -- is anyone else here signed up to speak? I think that's all we have. Item number 29 is to -- the motion to receive the report. I'll make that motion. Is there a second to receive this report? Mr. Renteria seconds that motion. Is there any further discussion? Ms. Houston.

>> Houston: Mayor, I think, as I said on Tuesday, that the number of people did an amazing job trying to deal with a very difficult issue, especially in a town that perceives itself as very liberal and very Progressive. Even the ability to talk about racism, systemic and institutional racism, for this community -- this was the first step for us to be able to air those words publicly, although all of us have known that that's the problem here in Austin, is that we've never aired it publicly before. And so I think by accepting the report gives us some opportunities to look at discrete action items that we will be able to work on as we roll out all the different plans that we have on the drawing board to ensure that equity -- and we don't have that same kind of unintended consequences that cause disparities in poor communities, be they white, black, brown, of immigrant status, whatever those poor communities are.

[2:07:17 PM]

Because that's what this affects. It doesn't affect people with high wealth, high income, people with privilege, people who have entitlements. So I hope by accepting this report it's not put on a shelf, that we in fact do look through our equity lens as the equity officer is trying to develop, at all the things that we do and not just parts of what we do, because racism affects all of us, not just me, and not just Mr. Reid or Ms. Joseph, it affects all of us. We just sometimes don't know it.

>> Mayor Adler: Anyone else want to say anything on the dais? Motion number 29 is for the council to receive this report. Those in favor, please raise your hand. Those opposed? It's unanimous on the dais, the report is received. Thank you very much for your time, and we certainly are well aware of the continuing challenges that we have. The next item that we have pulled on this agenda -- I don't know if we're ready to take up item number 1?

>> No, we're not. There are several errors -- the Austin --

>> Mayor Adler: Okay. Then we'll come back to that. Do we want to do the consent agenda on zoning to let people go?

>> Thank you, mayor, and council. Greg Guernsey, planning and zoning department. On your 2:00 agenda items, the first item I'm going to offer is item number 38, an indefinite postponement by staff. Item number 39, the staff postponement to may 18th. Item number 40, staff postponement to may 18th. Item number 41, staff postponement to April 20th, as well as item number 42 is a staff postponement to April 20th.

[2:09:26 PM]

Item number 43, this is an applicant and neighborhood postponement. And item number 43 to April 20th. Mayor, I believe you have one speaker signed up for item number 44, so I'll skip that one. Item number 45 is a staff postponement to April 13th. And item number 46 is consent approval.

>> Mr. Mayor.

>> Mayor Adler: If we only have -- I'm sorry.

>> Oh. I had thought that item number 4 was put forward for concept.

>> Mayor Adler: Item number 44?

>> Yeah.

>> Mayor Adler: There was one speaker, so we can have that person speak on the consent agenda, but it stays on the consent agenda.

>> Mr. King, I believe, is the speaker. He just indicated to me that he would withdraw the speaking opportunity if it goes on consent. That would be for three readings.

>> Mayor Adler: Okay. 44 consent approval, three readings. 46, consent approval on three readings. The others being postponed.

>> 46 is a covenant, consent approval, just approval.

>> Mayor Adler: Just approval over-46, 44 on all three readings, the others postponed. Ms. Kitchen motion, Renteria second, is there any discussion on the consent agenda? No speakers are listed. Those in favor of the consent agenda please raise your hand. Those opposed? Consent agenda is approved.

>> Thank you.

>> Mayor Adler: Okay. Are we ready to consider the fee schedule for administrative hearings yet, or should we hold on that? Is everybody ready? Does anybody want more time on this item? Then let's go ahead and call that up. This is item number 2, continued discussion.

[2:11:28 PM]

When last we were here on item number 2, Ms. Troxclair had moved the passage of the item with the removing of the penalty amounts in section two 2-13-23a, or were you intending to do that? Do you want me to treat it as a motion? Is there someone that moves passage of item number 2 and while it's there we can amend it? Ms. Houston makes the motion, the mayor pro tem seconds it. We now have the motion. Do you want to make an amendment to that? Or you tell me. You guys have probably talked.

>> Troxclair: I think there are a couple of other amendments. I'd be interested to hear from councilmember Casar and councilmember pool. I think we're all on the same page. We want to make sure that people who can't afford to pay fines for small offenses aren't forced to do so, why we still have an aggressive fee schedule for those who continue to make serious offenses for things that threaten health and safety.

>> Mayor Adler: Okay. So we have a motion on the floor. We've now debated amendments or discussion. We can certainly do that now. Mr. Casar.

>> Casar: There's two amendments being passed down, one from myself and one from councilmember pool. So I'll move mine.

>> Mayor Adler: Okay.

>> Casar: And if I get a second, I'll say what it is. I'll explain it.

>> Mayor Adler: Which one?

>> Casar: The one that says Casar on it, unless councilmember pool wants -- there's one that says nothing on it.

[ Laughing ]

>> Mayor Adler: The one that has nothing on it should be saying Casar on it.

>> Pool: Mine is intended to come after councilmember Casar's. I can second his motion.

[2:13:29 PM]

>> Mayor Adler: Got it. All right. Good to get caught up. This is how the public knows that none of us are violating the open meetings rules.

[ Laughing ]

>> Mayor Adler: Mr. Casar makes a motion to amend. Consistent with his amendment, Ms. Pool seconds that. Mr. Casar.

>> Casar: My motion amends part two of the ordinance to add sections E through I. It's the goal of the amendment is to include a section to very explicitly give the authority for the hearing officer to determine that a violator does not have the financial ability to pay a penalty so that the hearing officer can make a finding in writing and reduce the penalty to an amount that is within the violator's ability to pay. And a violator claiming the financial inability to pay the penalty has to have an income that does not exceed 60% of the hud mfi of the Austin area. This has the goal of making sure that if you're aren't able to pay some of these new higher mandatory minimum fines that the hearing officer is able to adjust the fine. And I would like to thank councilmember troxclair for having pulled this item during work session, because I otherwise would not have noticed the issue. So, thank you for having brought that up.

>> Mayor Adler: It's been moved and seconded. Is there discussion on the amendment from Mr. Casar? Mayor pro tem.

>> Tovo: This looks really good. And I appreciate your work on it. Can you help me understand, though, two -- the second provisions that says except as provided in subsections D and G, and then D except as provided in subsection G. I just haven't wrapped my head around what that does and how. I see --

>> Casar: Walking --

>> Tovo: If somebody could tell me, just give us the one-liner.

[2:15:31 PM]

>> To ensure that they can vary from the penalty amounts that are set for non-zoning. All the other violations have been zoning violations. It's just a clarification.

>> Tovo: Okay. So that would allow for the variation in cases of documented financial hardship. It would allow for variation from those fees for property abatement only?

>> No. Councilmember Casar's would apply to all of the funds in the ordinance.

>> Tovo: Councilmember Casar, do we have examples that you're aware of where people have fallen into those other categories of not having a permit, or not having --

>> Casar: For me, ultimately it comes down to trying to adhere to both in criminal and civil cases the spirit of what I think constitutionally we shouldn't be charging people fines if they are unable to pay them. So, ultimately be it a speeding ticket, be it having done work without permit, we do not have a system where we are charging people based on their income. Ultimately these fines and fees may not prove an incentive -- sufficient incentive for somebody with much higher incomes. And that's why we have the building standards commission and those much higher fines. But ultimately, I just fundamentally think that we should not be leveling charges against -- and fines against people that don't have an ability to pay, because that doesn't create the behavior that we want, which is compliance. It sometimes can create cycles of getting stuck in a system that isn't helping them or helping us.

>> Tovo: Okay. I agree with that philosophy. I think I would want for the staff to keep us apprized of how this is working. If we start to see, for example, short-term rental operators coming and saying they can't afford to pay the fines and getting by on that, I'm going to be concerned.

[2:17:35 PM]

For the reasons you've outlined, I'm willing to support this as long as we continue to monitor it and see how it operates out in the field. Out in practice.

>> Question.

>> Mayor Adler: Yes.

>> One clarification, the part I that we're adding, the ability to pay in installments would apply to any violator, not just those that meet an income requirement?

>> Yes.

>> Casar: Lay it out, yeah.

>> And the installment, with the language for the installment, they have to waive their ability to appeal the decision of the hearing officer so that they can get the fine paid, because you may have a situation where they don't meet the threshold for inability to pay, but they may not be able to pay the entire fine at this time, so this would give them the ability to pay it, but they'd also be giving up an opportunity to appeal the hearing officer's decision.

>> Flannigan: This is kind of a broader question. I'm surprised that paying in installments isn't part of an existing larger process. Are there other areas where we have fees and penalties that you can't now pay in installments? I mean, if we're going to allow an installment plan here, are there other areas where we don't allow installment plans?

>> The unique nature of this is that this is a fine as opposed to a fee. The other comparison would be municipal court, where they do have installment payments that are authorized by law. And so this is -- mirrors closely that --

>> Flannigan: Okay.

>> Process.

>> Flannigan: Thank you.

>> Mr. Mayor.

>> Mayor Adler: Yes, Ms. Kitchen.

>> Kitchen: I just have a question, councilmember Casar. So -- and it has to do with the application to str-1s. I'm not sure I understood the conversation y'all just had, because this would not apply to str-2s because you have to be a resident of the property.

[2:19:40 PM]

It would only apply to an str-1?

>> Casar: You must be a resident of the property and sole owner of the property or premises, unless you're a co-owner and you can't find the other co-owners. So, yes. Ultimately.

>> Kitchen: Okay.

>> Casar: This applies only if you are the sole owner.

>> Kitchen: Got it.

>> Casar: And reside there, or co-owner and reside there.

>> Kitchen: Okay.

>> Tovo: One of the challenges for me -- I mean, this is a fair level of detail to be trying to sort out here on the dais. I'm not -- I would have to really think about how it would apply to short-term rentals where you have another unit on the property. And so you do have a property owner who may be renting out another -- an accessory dwelling unit. I'd have to really think about how those interact, how those different regulations interact. I mean, you know -- again, I just want to make sure when we have cases, which we do in at least, you know, a couple that I'm aware of in my district that I'm hearing a lot about, we have property owners who are renting out properties for which they don't have a license at all. And so I think this might work, but again, we're trying to measure a lot of different regulations against one another, and it's not immediately clear how that provision would work.

>> Kitchen: Okay. I'm just reading it as, have to be a resident of the property subject to the administrative citation. So you've got those two things. And the sole owner, except that you could be a co-owner. The bottom line is you've got to be a resident regardless of whether you're the sole owner or

a co-owner, you've still got to be a resident, the way I read this language. So -- and it has to be of the property or premises subject to the citation. I understand there still may be things to work out.

[2:21:41 PM]

>> Casar: And ultimately, in fairness to your question is that if there were some situation in which it was a short-term rental situation, even type 1, for example, again, for me I feel comfortable with at least the idea of the administrative officer being able to levy a lower penalty, be it a short-term rental violation or other violation, if you have the inability to pay, be it a short-term rental one or not. My position would be we should allow that flexibility rather than have a mandatory minimum fine.

>> Kitchen: I'm just wanting to be clear on what we're voting on. That's all I'm trying to do here, so.

>> Mayor, council, I would remind you there's an income limitation as well. It would be 60% mfi. It's not just occupancy in the property.

>> Mayor Adler: Ms. Pool.

>> Pool: So the definition of occupancy and property, is that the actual structure? Because we do have some instances where an Adu is a separate structure. So the person might live in the main house, and then have -- be negligent in keeping the back house, the Adu, up to standards. So would this apply in that case?

>> If they are a resident of the property and they own the property, and they have the 60% mfi, then they would be covered by this provision. They'd be able to ask the hearing officer.

>> Pool: Property means plot of land, not the actual structure.

>> It's resident of the property or premises, and then also the sole owner, or if the co-owner is in the same financial situation, then . . .

>> Pool: All right. Thanks. My concern, of course, is also to ensure that any -- that there is a duty to maintain property in a sanitary condition, and that's the piece that I'm going to bring next when we're finished with this one. And maybe this will do some belt and suspenders to Mr. Casar's amendment.

[2:23:48 PM]

>> Mayor Adler: Ms. Houston.

>> Houston: Thank you, mayor. And you all may have discussed this when I was off the dais, but if I'm reading this, how would I know that F has anything to do with short-term rentals?

>> Mayor Adler: Mr. Casar.

>> Casar: This is not specific to short-term rentals, councilmember. It is -- this is an amendment to just our general administrative hearing process, because today we are not just raising the minimum fine for short-term rentals. We're raising the minimum fine for everything that's going through the administrative hearing process. And so to protect -- the goal of the amendment, at least in my view, is to protect people who may be below 60% of mfi and can't pay a fine so that the administrative hearing officer is not bound to charge 250, but could consider charging less if the person has financial hardship.

>> Houston: Thank you. I appreciate that. But one of my goals would be that we're clear about what it is we're doing so that people who -- we've had concerns about short-term rentals in the past, and I'm not sure that people would know that this is the code or the violation that they would be referencing. So I'm not sure how that should happen, but for a lay person that might be having a property maintenance issue, a permit violation, I wouldn't know that this is where I should be going.

>> So the council would be adding a new subsection D to the penalty portion of the ordinance that would set the penalty minimums for zoning violations, which encompass short-term rental violations.

>> Houston: Thank you. And that's where that would be delineated.

>> Yes, ma'am.

>> Houston: Okay. Thank you.

>> Mayor Adler: Mr. Casar's amendment is on the floor. Is there further discussion?

[2:25:49 PM]

Yes, Ms. Troxclair.

>> Troxclair: I guess I just would tell the dais the information that I found out from staff in the meantime. I asked them about how many people had paid \$20. They said most people were paying significantly more. In fact, some people were paying on their first offense up to \$700 for the -- you know, permits and the things that aren't cutting grass. And so they said since the beginning of this program in the last three years there has been no one that has paid the \$20 fine. And there have only been ten people that have paid a fine somewhere between I guess \$21.250. So we requested the information about what kind of -- what levels between 20 and 250 they were paying. And we're waiting on that response. I think that it would be probably easiest for us to just postpone this for a week and come up with the correct language and the right -- easiest way to do it. But if there's consensus around councilmember Casar's approach, that's fine. I just worry a little bit that we're making -- we're setting up a new process that might be more complicated. But I'm happy to support it if everybody's ready to move on.

>> Tovo: Given that we have another meeting next week and could take it up at that point, I would second a motion to postpone this. I like dealing with things when we have them, but I also am looking at the next amendment and have some questions about that. And I just -- I would appreciate another week to really think through this issue and whether this is the only way we can tackle it.

>> Mayor Adler: Is there objection to post owning this -- postponing this for a week?

>> Casar: I would indicate to folks to also take a look at councilmember pool's amendment so that it's not a fresh new thing next week.

[2:27:49 PM]

And just on first glance, it seems to me fine to move forward with these two. But if folks request that we wait, I'm totally fine with that, of course.

>> Mayor Adler: Yes, Ms. Troxclair.

>> Troxclair: Mayor pro tem tovo, I noticed in the past hour that we were striking the term per day where it says up to a maximum fine of a thousand dollars per day. And I believe that legal has cleared that up with my staff saying that we still retain the ability to charge -- for the violators that you were concerned about that we need to make sure that they're getting their property in order for the health and safety of their tenants, I want to make sure that we're retaining that ability. And I think you've explained it correctly, but you might want to follow up with mayor pro tem tovo to make sure that we don't leave any gaps there, sometime between now and next week.

>> Tovo: I appreciate that. Thank you for alerting me of that.

>> Mayor Adler: Without objection, this matter is being postponed until next week. Thank you for that work.

>> Mayor, whenever the clerk has the changes to the minutes, I'm ready.

>> Mayor Adler: Okay. Handle that, then. Item number 1. Do you have changes to hand out?

>> I have the changes they gave to me. They were going to be making copies. That's why I said when the clerk is ready.

>> Mayor Adler: You don't have them yet? So we'll come back to it. Let's call up item number 23. We have some people that had signed up to speak on this. Let me call those people to speak. Is Steve Shannon here? Mr. Shannon.

>> Good afternoon. My name is Steve Shannon, and I'm with Progressive waste solutions, doing business as waste connections.

[2:29:56 PM]

We do not support the waiver of the anti-lobbying ordinance on a permanent basis as it relates to solid waste matters here in the city of Austin. If that were to happen, service contracts would be awarded not based upon their operational or economic merit, but based upon who has the most or the most effective lobbyists. That will kill competition. We have, as do other service providers in Austin, experience, professional employees, licenses, permits, trucks, equipment, insurance, bonds. We employ local people, hundreds of local people. We pay our taxes and our fees to the city of Austin and the various programs that they have and require of us. We are willing to invest the time and the money and the effort that it takes to respond to bids, which is extensive. We don't do these things on the back of an envelope. It takes a lot of time and effort. We're willing to do that and submit our proposals based in good faith. However, we do not have the time, or the money, or the inclination to send teams of lobbyists to try to garner influence for service contracts that are traditionally and normally bid out or put out for rfp. We want to compete on the level and fair playing field to the benefit of our industry and to the benefit of the citizens of Austin. Thank you.

>> Mayor Adler: Sir.

>> Yes, sir.

>> Mayor Adler: Just to put into context, my understanding is that what we're doing is we're waiving it for the purpose of this immediate discussion that we're having that seems to be recurrent, the number of times your client's been brought down here on this client has been too many in too many different contexts.

[2:31:56 PM]

So I think the hope here is to actually tee up this issue to be able to resolve it so that that doesn't continue happening.

>> Yes, sir. I appreciate that. If I might reply to you, it was my impression from reading item 22, which was a temporary suspension of the anti-lobbying ordinance, just to deal with the two items that the council is considering now. Item 23, from my reading, appears to be a permanent suspension of the anti-lobbying ordinance.

>> Mayor Adler: We'll discuss that in a second. Thank you for raising that issue.

>> Thank you.

>> Mayor Adler: I want legal to respond to that when we're done with the public commentary, 22 versus 23. Is Craig Geyer here? Craig Geyer? What about Phil gosh? Is Phil gosh here? Is Donna shaver here? You have six minutes, Mr. Gosh.

>> Thank you, sir. Good afternoon, mayor and council. I just want to say I respect how y'all are approaching things with trying to understand and listen. I really appreciate that and value that. I just had a question about waiving that anti-lobbying. You know, is it really healthy for our community? Is it helpful? And is it just? Something to notice, those that have violations of the anti-lobbying law are promoting to waive this. And my hope was just to share some experience that -- about this process, if that would be okay.

[2:33:58 PM]

So as a small business, my bid was made public recently. And information from my bid was used to misrepresent me by those who chose not to bid. So I submitted a bid. And then those that did not submit the bid came and submitted some information that was inaccurate. So my question, how does that promote transparency? And speaking as small businesses, who is going to want to -- how does that promote us to share, if anything can and will be used against you? So, I've experienced on multiple occasions publicly false accusations and misrepresentations of information by those who did not bid in the process. And I've been open and transparent publicly with the city and with the whole organics processing since 2012. So the question, if we're working together towards the zero waste, where have these accusations been the last five years?

>> So, in this process, some things that I've experienced are delays, slowing of progress towards zero waste, an unfair playing field. You know, small businesses don't have teams of lawyers or lobbyists.

[2:36:05 PM]

Unhealthy community approach to zero waste. Where I want to work is a city where people can work together for a goal. And it's about camaraderie, it's about working together. It's a battle out there with this. It's new. It's different. Not many cities are doing this. It's important to work together. So I've experienced loss of trust with people I've known for a while. When they come up here and spread partial information. It's very costly. It's costly for you. It's costly for small businesses. We could be making progress while we're dealing with this. So on behalf of the other small businesses and those cutting the wake in zero waste, I would promote a solution. Could I offer a solution?

>> You have six minutes.

>> Okay. Thank you. So I would propose we respect and honor the bidding process. If you do not bid, then no lobbying would be allowed. That way it's a level playing field for everybody. I know this has happened multiple times in the past, historically, where a company doesn't bid but yet there's a mucking business going on and things are derailed. And so I just would appreciate you consider how that's helpful, healthy, and just.

[2:38:06 PM]

Appreciate it.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: So, sir, my comment to that is -- and I appreciate the time that you and others have invested in the city's procurement processes.

>> Yes, sir.

>> Mayor Adler: And I appreciate the continued patience. Having been on this dais for a little over two years, the issues related to these contracts, these type of contracts seem to come up. And there seem to be unsettled issues which are causing them repeatedly to come up, and then be a matter that seems unsettled.

>> Yes, sir.

>> Mayor Adler: So I think it was the intent of the council to say look, we really need to stop that. We need to actually decide, if there are policy questions that have not been resolved, let's identify them and then let's make those policy decisions so that everybody knows what those are. It's important, in having that conversation, that policy conversation, that everybody be present to be able to do that.

>> Yes, sir.

>> Mayor Adler: The only reason that we had discussed waiving rules was to ensure that everybody could be present at the table to discuss those policy issues.

>> Yes, sir.

>> Mayor Adler: Please rest assured that I would not consider, and I trust that the committee that councilmember pool is going to be taking lead on is not going to accept anybody else's characterization of anything. And everybody should be there to lay out -- and everyone has an equal opportunity to lay out both what they have done, and how they perceive that, as well as if they want to comment on what other people have done or how they perceive that, they can do that, too. But everybody can be there to correct whatever part they think needs to be corrected. So, again, as I did just a second ago with Mr. Shannon, I just want to again thank you for your patience.

[2:40:08 PM]

And I appreciate your involvement in this conversation while we sort through these policy issues. And it's being done in part to ensure that y'all and everybody doesn't have to go through this fire drill every time one of these contracts comes up.

>> Yes, sir.

>> Mayor Adler: So, thank you.

>> Can I -- question. I think Mr. Shannon mentioned item 23. I thought -- if I -- it said future solicitations on part two. It reads all future solicitations.

>> Mayor Adler: And as I told Mr. Shannon, we're going to discuss that in just a moment.

>> Okay. Thank you, sir.

>> Mayor Adler: Thank you. Is Carlton Smith here? Mr. Smith, you have three minutes.

>> Thank you very much.

[ Clearing throat ] Thank you, mayor. I appreciate the opportunity to speak to you. I am a volunteer with an organization called score. And score has been around for about 50 years. And we work with people who want to start a small business and want to grow their business. And we do that for free. I've been doing it for 11 years. In 11 years, so far what I've received for doing that -- I did get a ten-year pin. I appreciate that. I get to look at somewhere in the neighborhood of about 80 to a hundred small businesses and small business startups a year. So I've looked at a lot of small businesses. And I've worked with them. We typically work with them -- we have meetings, maybe 12, 15, 20 times before we can get them started.

[2:42:10 PM]

And people ask me, why do you do that? Why do you do that for free? I believe that small businesses are at the heart of the Austin economy and the communities. We need small businesses. I do know that by studying a lot of small businesses, one of the things they do not have a great deal of is money. It's a tough way to make a living, but if you work at it really hard, plan really carefully, you can get a small business started. And we see it. We see it at score here in Austin. And we've got a pretty nice chapter. We work with about 1800 people a year. And then I got word that we're going to revoke the anti-lobbying ordinance. And I thought that was kind of interesting. So to sort of get myself up to speed, I looked up what lobbying means. And lobbying means the act of attempting to influence government leaders to create legislation or to conduct activities that will help a particular organization. Now, I know that I heard you, mayor, what you just said. That may not be your intent, but that's kind of what lobbying is. And apparently there's been some lobbying going on to get to the anti-lobbying. I don't know how you would have gotten to say we had an anti-lobbying in effect since what, 2011? Did

somebody say something that we needed to do an anti-lobbying? How did that happen? That's kind of interesting. Now, let me give you the other side of it. I know Mr.--

[ beeping ]

>> I know Mr. Gosh.

>> Mayor Adler: Finish your thought.

>> And he is probably a man of the highest integrity.

[2:44:22 PM]

>> Mayor Adler: Thank you. That's all the speakers we had signed up. Anyone else like to speak on this item? We're now back up to the dais. Ms. Pool, do you want to address the question of whether this is an indefinite or permanent, rather, a permanent waiver of the anti-lobbying ordinance?

>> Tovo: Yeah.

>> Pool: I'd be happy to do that. Of course in our council discussion, it was stated clearly that it was a temporary waiver so that we could take up the policy in all aspects in order to review it and be able to talk with the various stakeholders who were involved, which was why the anti-lobbying prohibition of conversation with council needed to be waived in this specific instance so that we could have those conversations. But if the dais will turn to page 3 of 4 of item 23, the ordinance that is offered there, you'll see part two on line 67 is the waiver of chapter 2.7 article six, it says city council waives the requirements in application of the anti-lobbying and procurement chapter and article of the city code to the following. There's a list and on line 76 it picks up with the timeframe until council has given staff direction on the policies applicable to such matters. So we are waiving the requirements in application of the anti-lobbying ordinance until we come back with our changes and policy direction to staff that are applicable in this case. And at this point last week -- I think it was last week or two weeks ago -- when we appointed the ad hoc committee, our instruction in that resolution was to come back with our recommendations on policies in June.

[2:46:28 PM]

So we're looking at about a two-month timeframe, maybe a little bit longer. Maybe ten weeks. So there was never any intention for it to be permanent, certainly. But I can surely see how, in reading the ordinance language, that timeframe might have gotten lost. Thank you.

>> Mayor Adler: It's important to note that we didn't begin with the anti-lobbying ordinance, we began with a desire to have everybody being able to get at the table to talk about the policy issues. And then we were told that there would be difficulty getting everybody at the table, because some people might be pro-colluded on participating absent saying everybody gets to sit at the table. It's only in that context that we're waiving any anti-lobbying things for the purpose of enabling everybody to sit at the table and participate in this policy conversation. And as soon as we do that, it comes back to council, the council at that point, any waivers of lobbying ordinances go away. And now we're back under the rules to apply whatever that policy is that's been adopted. All right. Is there a motion to approve item number 23? Ms. Pool makes that motion. Ms. Kitchen seconds that. Is there any discussion? Those in favor of item number 23, please raise your hand. Those opposed. Troxclair voting no. Any abstentions? Ms. Houston abstaining. Mr. Casar is off the dais. And Ms. Alter is off the dais. That being the case, seven votes for the item, passes.

>> Mayor Adler: Two off the dais, one abstaining, one voting no, seven voting aye. Just checking. Okay. Thank you. That gets us up to 2:48.

[2:48:33 PM]

Number 1 is not ready yet for us to take. Item number 30 is a 3:00 P.M. Time certain.

>> Mayor.

>> Mayor Adler: 36 and 37, clerk, were executive session. We're not going to be considering those in executive session. Yes.

>> I don't know how this works with time certain. It's usually to allow the people that want to come speak, and they're all here. Do we still have to wait until 3:00 because we signaled that in the beginning?

>> Mayor Adler: We probably can't call it any earlier. We gave people notice we wouldn't call it before then.

>> Garza: Okay.

>> Mayor Adler: They'd be entitled to be here to hear the speakers if they wanted to do that. So I'm trying to think -- see if there's . . . I think we may need to recess, because everything else is --

>> [ Off mic ]

>> Mayor Adler: They'll all be quick, but okay.

>> Kitchen: What about -- what's 48? Oh. That's a hearing.

>> Mayor Adler: That's after 4:00.

>> Kitchen: Okay.

>> Mayor Adler: So are you ready yet, or do you need a little more time?

>> She's printing.

>> Mayor Adler: She's printing. All right. Everyone gets a little bit of a break here. We'll stand down for ten minutes, then at 3:00 we'll bring it back on.

[3:14:46 PM]

>> Mayor Adler: All right. We're on record-setting pace here today. We are now back in, it's 3:00. We can do the housing corporation meeting. Housing and finance corporation meeting. Let's do that and then those folks can stay. So here it is, it's 3:14. I'm recessing the city council meeting but convening here at 3:15 on April 6, 2017, the meeting of the Austin housing and finance corporation. We're in city council -- council chambers.

>> Good afternoon, Rebecca, board of directors on behalf of the Austin housing finance corporation. I have two items I offer on consent. One is to approve the minutes of the February 9, 2017, meeting as well as the February 16, 2017, meeting. I also have an item to authorize 300,000 to -- certainly to put before you to authorize \$300,000 increase in funding for the negotiation and execution of a loan agreement with the university of Texas inter cooperative council, and the funding for this item will assist development of low cost cooperatively managed housing in the uno, the university neighborhood overlay district. I offer both on consent, available for questions if you have any.

>> Mayor Adler: Okay. We have no speakers signed up to speak on these items. So we are on the dais. Is there a motion to approve the consent agenda? Mr. Renteria. Is there a second? Ms. Garza. Any discussion on the dais? Ms. Houston.

>> Houston: Thank you, mayor, and thank you for being here this afternoon.

[3:16:47 PM]

I submitted a question and I just want to be sure, you gave me a lot of information, but my question was about taxpayer dollars being -- and what's coming out of the overlay fund. Are any of the taxpayer dollars being used to fund this? And I didn't get an answer to that.

>> Currently the property is tax exempt to be determined once developed by tcad if it will remain tax exempt. So that is to be determined in terms of a tax exempt status, but the only funding of subsidy currently is the \$300,000.

>> Houston: Out of the trust fund.

>> Yes, ma'am.

>> Houston: So no other tax money from the city is going to fund this?

>> Ellis Morgan, neighborhood housing, that's correct, no taxpayer dollars. It comes from fee in lieu paid into the uno.

>> Houston: Thank you, that's all I needed.

>> Mayor Adler: Further discussion on the dais? Those in favor please raise your hand. Those opposed? That concludes our business of Austin housing finance corporation. The meeting is adjourned. Thank you. This is record time getting you out of one of these meetings. You're welcome. That gets us then back into the Austin city council agenda. We're here on April 6, it is 3:18. We're continuing with our agenda. Item number 1, councilmember, you will let us know when it's ready to go. It's ready? Okay. Ms. Alter.

>> Alter: So we just made changes from the draft minutes with respect to the Austin pud. You should have before you the sections in yellow were the parts that were changed.

[3:18:51 PM]

Essentially what we have changed is that it originally had Mr. Casar's motion as amendment and it was a substitute motion. Also had a wrong vote, 7-4. That initial vote was a 6-5 vote. Then it -- the order how it was presented to reflect the fact Mr. Casar's substitute motion was all for housing, for affordable housing, and there was a friendly amendment by councilmember Flannigan which was agreed to apply exhibit and the traffic led part C to be 826,000 was going to be spent. That was allocated for traffic. It also did not reflect councilmember pool's intention for it to be unadjusted trips as pointed out by Mr. Rusthoven. It had me making the motion for second reading, which I did not. Councilman Flannigan had the second. I appreciate the time to let me review the changes with the clerk and these will be reflected in the minutes posted as approved if none of my colleagues have additional comments.

>> Mayor Adler: Are you sure you didn't make that motion?

>> Alter: Yeah.

>> Mayor Adler: Okay. Is there a motion to approve the minutes with these corrections made? Seconded by Ms. Kitchen. Any discussion? Those in favor please raise your hand. Those opposed? It's unanimous on the dais. Okay. Let's do the labor piece agreement matter. It's item number 30.

[3:21:03 PM]

Do you want to lay this out or go straight to speakers?

>> Garza: I believe Mr. Gonzalez has -- he is speaking. He can speak to specifics. But I guess basically I'll say it, a labor piece agreement is basically asking for a fair opportunity to organize in exchange for not striking. They are used in airports throughout our country and they are used successfully there. I'll let the speaker speak to it and Mr. Gonzalez can give more details.

>> Mayor Adler: Okay. I have signed up is Ophelia Ophelia Medrano. Is David king here? Thank you. William will be on deck.

>> [Speaking in Spanish].

>> Is it okay if I translate?

>> Mayor Adler: Yes.

>> [Speaking in Spanish].

>> Good afternoon, mayor and city council. Her name is Ophelia, she's a cook at the Annie's at the Austin airport.

[3:23:04 PM]

She asked to tell you a little about herself. She is an immigrant. She came to this country looking for a better life for herself and her family. She gets up every morning, goes to work every day and goes home to other family.

>> [Speaking in Spanish].

>> So I'm a proud member of unit here local 23 representing food service workers in Austin. We currently represent about 85% of the concession workers at austin-bergstrom international airport. As the airport expands, we are continuing to organize. And when he say we, I mean all of us up here because the union is us.

>> [Speaking in Spanish].

>> Today the city council will be voting to assure that the organizing at the airport will be done in a peaceful manner without disruption. This council has our commitment that if this passes we are ready to work with whichever employers the city selects to make sure this is exactly what happens.

>> [Speaking in Spanish].

[3:25:08 PM]

>> Over the last few days we have had the privilege of meeting and talking with many of you on the council and on behalf of my union brothers and sisters who work at the airport I wish to thank you for taking the time to listen to our concerns and the kindness you have shown us. Thank you.

[Applause]

>> Mayor Adler: Next speaker is William Gonzalez.

>> My name is William Gonzales, president for local 23 in Texas. We represent concession workers all over Texas. I wanted to talk briefly about lab peace and what it is.

-- Labor peace. The city has a right to protect its proprietary interests where it has a revenue stream such as at the airport. There's a right obviously to require a contractor who wins a bid to enter into a labor peace agreement. That does not mean

[inaudible]. By federal law that is still the workers. The workers in that unit have to decide to be unionized. The labor piece agreement won't be -- the law is that the workers have to decide to unionize, then they have to enter into collective bargaining. All the peace agreement says is the employer who wins the bid has to demonstrate that they've received an agreement from the union assuring that there won't be a strike, a boycott or any economic

[inaudible]. And usually in return there's some kind of agreement where, you know, the process of the workers can organize peacefully. This, again, this does not mean that those workers who are covered under this rfp will be a union, that's their decision. What this means is the city is saying we make -- usually in a union organizing drive it can -- sometimes it can get very contentious.

[3:27:13 PM]

All the city is with this is make sure there isn't a disruption. Let the workers decide, let it be done peacefully so nothing happens in the airport that would adversely affect the city economically. I'm willing to answer questions if you have any.

>> Casar: My understanding from y'all is there's several airports across the country that have similar requirements.

>> Airport in Miami, fort Lauderdale, Philadelphia, multiple airports in New York, San Francisco, Las Vegas, all over the country have labor peace requirements.

>> Casar: Thank you.

>> Mayor Adler: Further questions? Discussion? Thank you.

>> Thank you.

>> Garza: I don't think she wishes to speak.

>> Mayor Adler: Those were all the speakers. We're now back up to the dais. Ms. Garza.

>> Garza: Move passage of number 30.

>> Mayor Adler: Is there a second to that? Further discussion on the dais?

>> Garza: I didn't really prepare -- I wasn't prepared to say much. In fact, I was sure -- but then the workers contacted me and said they wanted to come here today. And I think it's important --  
[buzzer sounding]

--

>> Mayor Adler: You can finish your thought.

[Laughter]

>> Garza: It's going to be a long one. This is something emotional for me to please excuse some possible tears when I -- when I saw all of you walk in, you know in a time where our immigrant families and our lower income families feel under attack, are scared, are vilified, it was really beautiful to see all of you walk in.

[3:29:28 PM]

I come from a labor family. I truly believe that I'm only able to sit on this dais because my father dropped out of high school -- dropped out of middle school, excuse me, he dropped out of middle school, but he served his country and then he became a San Antonio firefighter. And he got involved in organizing. He got involved in his union. And because he had a job that supported labor, that supported being able to advocate for fair wages, he was able to get a good job and good pay, and that is the only reason I am able to sit in this position here today. And so by you being here today, by you getting involved, I hope you continue to do it. You know, there are so many big unions. The ones I am a part of now and have been in the past, some of their members I think take for granted the hard work that's come before. I guys have been doing that work and I hope you continue to do that work. And because you will continue to do that work and organize either you or your children, I love some of you brought your children, you all will be sitting on this dais some day. You will be leaders, your children will be leaders. I'm so proud of your effort and it's so wonderful to see you here today. And I think this is -- we were talking about economic opportunity before and economic agreements. This is truly an economic agreement here. This is a direct -- this action will allow you to sit at the table, to have the conversations that you have to have so you can get fair pay and you can provide for your families. So I strongly hope that my colleagues will support this.

[Applause]

[3:31:28 PM]

>> Mayor Adler: Is there any further discussion on the dais? Ms. Troxclair.

>> Troxclair: I just have some questions for staff if there is somebody here.

>> Jim Smith with the airport. I'll be happy to answer any airport questions, but the legal basis of all of this we have the attorneys in the back.

>> Troxclair: Thanks. I think the -- you would be the right person to answer my questions. Do you know how many businesses this would impact at the airport? Like are there -- how many businesses are operating concessions that aren't unionized?

>> Well, my understanding is at least the way the resolution is worded that this affects prospective solicitations and the one we currently have going on. Approximately about 18 months ago the council authorized the extension of the existing concession contracts at the airport. So about two-thirds of the airport have just entered into new 10-year contracts for concessions. Now, our nine gate expansion, we're doing a new solicitation for what vendors are going to go into that nine gate expansion. And it's my understanding that's what we're talking about with the impact of this resolution. So the resolution wouldn't impact existing players, but it would impact those who were trying to seek opportunity in the new expansion.

>> Troxclair: Of the existing businesses, do you know how many this would have impacted if it was in place? I'm trying to understand going forward if there's going to be businesses who can't -- who can't operate. So you're saying the businesses who are operating now, they just signed a 10-year agreement.

[3:33:31 PM]

So this wouldn't impact them for 10 years?

>> The existing players who were approved by council, yes, they have a new 10-year contract.

>> Troxclair: But this would impact any new people. So are -- are most of the restaurants or concessionaires at the airport already unionized? Half and half? I don't have any idea of the context of the issue that we're addressing.

>> It's a mix depending on who the direct employer is of the employee. For example, Delaware north, which has probably got somewhere in the neighborhood of 60 to 65% of the existing operations at the airport, they have a labor peace agreement. They do it on a national basis. So it's relatively easy for them to comply with this new requirement. However, you have other players who do not have a history of having labor peace agreements and therefore they would be affected in the sense if they want to propose on a new space, they would have to engage in these discussions.

>> Troxclair: So potentially around 40%?

>> No --

>> Troxclair: The company that has the big national conglomerate handles 60% of the business, are there 40% that might not be able to apply at the new terminal?

>> Well, if I can answer it this way, the new focus of the nine gate expansion we've broken that up into multiple packages so that new proposers could bid on individual packages. You are going to get the big players like a Delaware north and Hudson and players like that who are going to bid on every space in the airport. Then you are going to get individual, local minority/women owned businesses, and that's why we broke it up into small packages to allow them to do that.

[3:35:33 PM]

Most of them, most of the smaller businesses do not have experience, direct experience with a labor peace agreement so it's going to be a new thing for them to comply with in order to submit a proposal.

>> Troxclair: So of the -- so this is -- this won't impact the large businesses that already have franchises and already are nationwide and work with this, I guess, conglomerate, but it will impact the smaller businesses.

>> It has the potential to do that.

>> Troxclair: Okay. And how -- is the process expensive?

>> I -- I'm not directly involved and I don't have the research on that so I can't say what would be involved.

>> Troxclair: Okay. Okay. So there are -- so you don't know -- so there are businesses -- there are businesses that are operating at the airport that would have to -- that are not currently complying that would have to comply, they are most likely small businesses and we don't know if it's -- how expensive I have or time consuming to go through?

>> Anecdotally in our survey of other airports who have labor peace agreements, and there's a number of airports that do, they vary in the scope of what they cover, but the bottom line it has had a tendency to reduce the number of people who respond to your rfp because some people don't want to go through the exercise of doing the labor peace agreement. It certainly doesn't stop people from doing it, it just has a tendency to have a greater impact on the smaller players.

>> Troxclair: So okay, the information that I have here is Fara coffee, aunty Ann's and walking roll. Those are businesses that operate at the airport that don't have those agreements?

[3:37:37 PM]

>> Those are businesses who operate at the airport do who have been there a period of time and I can't say if they have a labor peace agreement or no. I'm not familiar with their arrangement. I only know at Delaware north, they do have one.

>> Troxclair: So -- I mean obviously I'm concerned that our small businesses are going to be the ones that are impacted by this because they might not have the ability or resources to go through the process like the largest company that you have there. And so I don't want to -- I don't want to make it more difficult for them to -- to compete for business and to operate at the airport and to -- and to go into the other terminal. So I mean one of the things I love about our Austin airport is that we have such a -- such a great variety of locally owned small businesses that provide -- that provide concessions and services there. So I just -- I mean I don't have -- I don't have the data to know is it -- is Hoover's going to be impacted? Is salt lick going to be exact by this? I'm not sure that the author would -- or that the -- well, I guess that the sponsor would be amenable to some kind of limit on the number of -- like maybe if it's a business larger than a certain number of employees or that has a contract greater than a certain floor amount, but knowing -- knowing -- just based on our conversation, knowing this is going to impact our small businesses -- what about does it have a negative impact on minority and women owned businesses?

>> It just depends. You know, again, anecdotally from talking to other airport directors around the country that do have labor peace agreements, some people have philosophical issues with labor peace agreements and don't submit a proposal to an rfp.

[3:39:44 PM]

Others find the -- the expense a stumbling block. But then there's others who have met all the requirements that the labor peace agreement called for at that particular location. So it's a mixed bag, so to speak, across the country in terms of how these things are dealt with. It's clearly not a prohibition, but it is potentially an inhibitor for the small players to comply with.

>> Troxclair: Thank you. I think this probably has the will on council to pass so I won't take up any more time asking questions, but I appreciate you answering them and I'll just register my concern that we're impacting small businesses by this and benefiting the larger businesses who have the capacity and the money and ability to go through this process.

>> Mayor Adler: Councilmember Casar.

>> Casar: I want to just clarify because it's confusing that Delaware north, which employs about 55,000 people, has \$2.5 billion annual revenue, is the company that manages some of the employees who I spot at the airport at Hoover's and at the salt lick, et cetera. Every single package that traditionally gets bid on gets bid on by these very large companies and work with our local businesses to operate at the airport. I think you can see that happening in tandem, and then smaller companies can still bid, but I think holding this standard across the board for the benefit not just of the employees but of the airport's operations is important so that's why I support it. Also I asked Mr. Gonzalez the question earlier about all those other other airports that have labor peace requirements and they have pretty significant mbe, WBE and db. I feel comfortable voting for it and I'm sure he could forward us that information or tell us now, but if this has the will to go, I'm not going to prolong it.

[3:41:54 PM]

>> Kitchen: Thank you for that clarification. I was going to say something similar. I don't see this as having a negative impact on small businesses. A labor peace agreement is an agreement for how employees will work with the employer in going about the business of organizing. So it's not a huge, long, complicated, expensive process. And employers that are working with their employees in good faith don't need a long, involved process to work this out either. It's a basic right that our employees have. And so I think it's important that we move forward and support it.

>> Mayor Adler: Okay.

[Applause] Any further discussion on the dais? Ms. Pool.

>> Pool: I just wanted to register my support as well. I think the decent wages and the safe working conditions is really important and whatever we need to do to ensure that for all our workers, those are steps that I want to take. I also want to advise, I got a note from a friend of mine who happens to be the president of the eye lines for Texas retirement Americans, Glenn Scott, and she was communicating with me to let me know and through me the rest of the dais that the Austin alliance for retired Americans supports this agenda item. Supports decent labor standards for airport concession workers through peace agreements with contracting employers and urges our approval. I will be voting for it as a proud union member myself.

[Applause]

>> Mayor Adler: Ms. Garza.

>> Garza: And I mean I think councilmember troxclair and I will have to agree to disagree, but I disagree with the generalization and the statement that knowing that this will affect small businesses because that's not what director Smith said.

[3:43:57 PM]

He said there's anecdotal examples of it, there's different reasons why they wouldn't choose to operate. There are smaller businesses that do -- can do a labor peace agreement and have done them in other airports. Even that being said, this is a policy issue that if you are a local Austin business, and Austin has helped make you successful, you should even be held to a higher standard to bring some of that benefit back to austinites and be open to a labor peace agreement. It's my understanding it's not cost prohibitive for any size company to -- to participate in addition to the fact that councilmember Casar clarified many of these businesses are employed by that larger company, not by actual employees of that smaller company.

>> Mayor Adler: Okay. There's no further discussion, let's take a vote. Those in favor of this item number 30 please raise your hand. Those opposed? Ms. Troxclair voting no, the others aye. Item 30 passes. Applause.

>> Mayor Adler: We have two public hearings that have been set, but we can't start either of them until 4:00. It is 3:45. Those are the last two items. We will reconvene promptly at 4:00 and until then we are in recess.

[4:06:40 PM]

>> Mayor Adler: I think we're back. It's 4:06 we have a quorum. Let's go ahead and handle item 48. Which is the public hearing, and then to consider an ordinance. We have one speaker signed up to speak. It is Stewart Hirsch. Staff, do you want to lay this out for us, and then we'll call up Mr. Hirsch.

>> Good evening, mayor, council, Carl Ren, assistant director of development services and the building official. In accordance with the recommendations of the Zucker report we're asking you to update the residential building code and we've made a major reduction in local amendments as we recommend -- recommended by Mr. Zucker. We believe we brought you a very good ordinance, and we're asking for your consideration and we'd appreciate your support. We do have a presentation if you want it, but there's only one speaker. We'll leave that obviously --

>> Mayor Adler: Let's see if there are questions that ask for that. It's 4:07 council. We have an hour worth of speakers on the next item depending on how much we want to talk to each other we could conceivably be done with this meeting by 5:30 so only those that wanted to would stay for music and proclamations although everyone is invited to stay with me for music and procs but I just mention that. Mr. Hirsch, would you like to address us?

>> Thank you, mayor, members of the council. My name is Stewart Harry issue and I'm here to take one step towards making Austin affordable again. I ask you to adopt the 2015 international residential code as recommended by staff with one amendment. Delete all amendments on fuel gas piping to be consistent with the opinion issued by state attorney general John Cornin in 2002.

[4:08:49 PM]

Quote, the international residential code is the uniform residential building code for municipalities in this case and its performing provisions for residential construction. Development services staff recommended this approach to the mechanical plumbing and solar board and the building and fire code board in 2015 and 2016, but when plumbers asked for more restricted uniform plumbing code the boards went along as they have for 20 years. Problem -- the staff withdrew its original recommendation. You'd have to ask them why they changed their mind. When many of you adopted the energy code last year I introduced you to the affordability concept of death by a thousand cuts. No individual technical requirement has much financial impact on housing affordability. But the cumulative effect is to make housing more expensive than it needs to be to meet safety and sanitation requirements, and I have brought you a picture of what we've done in the name of safety and sanitation in terms of our building and plumbing codes both at the state and local level historically here in expense in other states throughout the original confederacy. So choose to allow plumbing to either the international residential code or the uniform plumbing code in new single-family homes, in two family homes by adopting my recommended local amendment which is to precisely delete section R101.2.1 on page 2 so that if a builder and a plumber want to plum to the international code they can, if they went to do it to the uniform code they can. It's been consistent with state law. We often blame the legislature for what we can't do in -- for what they can't do. For 20 years they've given us the power to do this and we've declined that power and as a result we have more restrictive plumbing standards than state law would compel.

[4:10:53 PM]

It's not a big step. I don't know how many plumbers will move away from the uniform plumbing code. I suspect it's a function of whether their builders and homeowners want them to. It makes common sense. It's consistent with state law. It's consistent with the national and international standards for plumbing a new house or duplex. Please find me -- finally after 20 years do what your predecessors have been unable to do. Thank you very much.

>> Mayor Adler: Thank you.

[ Buzzer sounding ]

>> Mayor Adler: Is Paul Mullin here? Mr. Mullin, you're our last speaker.

>> Hi. I as a home remodeler for many years, I'm really glad you got around do implementing the 2015 IRC at last. You'll probably get it just before the 2018 code comes out. But my main point is basically the same as the last speaker's, that the city for some reason that I can't comprehend finds it necessary to make so many complications for anyone doing any kind of building or remodeling work. And this is a large part of the cost of housing in Austin. Contractors tell me that if they're building a house in Austin as compared to Round Rock or Rollingwood or any surrounding districts they add 10-20% to the cost because of the inspectors coming around and making nitpicking the bones on them. For example, one contractor I spoke to had been putting new windows in a [indiscernible] Complex. Each got the same window but there was one apartment that he worked on last and the inspector was slow coming out, so the cleaners cleaned the window and took off the sticker on it.

[4:12:55 PM]

An inspector came and forced him to replace the window because he didn't have the sticker stating it complied with all the city requirements. I mean, that kind of nitpicky detail is the problem, one of the problems we have. The other thing that I wonder about is when we adopt a standard code that's, you know, the same across the nation, particularly it's the standard code adopted by the state of Texas, the whole state, why do we need to add 20 pages of special rules just for Austin? What's so different about Austin from all the other places? And why do all the people doing construction work have to learn special code variations in Austin? I don't know. Thank you.

>> Mayor Adler: Thank you. Those are all the public speakers that we have. Did you make the change with respect to international or uniform --

>> Mayor, council, staff recommended multiple times to the board -- mechanicals plumbing and solar board and the building and fire code board after peels adoption 69IRC plumbing provisions. Neither board would support it. And there was a very vocal opposition. And without board support, we felt like we would be unsupported so we bowed to the position of the two boards.

>> Mayor Adler: Why did you recommend going to the international code?

>> Well, two reasons. The international residential code's plumbing matches with in many ways the international residential code and allows a lot more flexibility in how you plum and how you install plumbing in a house. It is consistent with the Zucker -- it would be consistent with the Zucker recommendation that we adopt the international code family, with as few local amendments as possible.

[4:15:02 PM]

There was just a -- an inordinate opposition from my perspective, but we just didn't feel like we had enough support to come to you with that specific --

>> Mayor Adler: Can you adopt a provision that allows for either?

>> Sir.

>> Mayor Adler: Can you adopt a provision that allows for either?  
>> If did you what Mr. Hirsch said, you could use either one.  
>> Mayor Adler: Do you know why the commissions didn't take that recommendation?  
>> I would be trying to be a mind reader, Mr. Mayor.  
>> Mayor Adler: Okay. Is there anyone here from the commissions? We're up to the dais. Is there a motion to close the public hearing? Mayor pro tem moves to close the public hearing, seconded by Mr. Casar. Any discussion to close the public hearing? Those in favor please raise your hand. Those opposed? Public hearing closed unanimously. That gets us up to the dais for the consideration. Does anyone know what the issue is here?  
>> Casar: I don't understand it well, but I did get -- hear from folks at the commission level that there was almost unanimous disagreement on that front so I would feel a bit unprepared to make amendments in the direction if there were such uniform dissent on both boards.  
>> Mayor Adler: Is there a deadline that we need to take this action by, time sensitivity to this issue?

[4:17:10 PM]

>> Mr. Mayor, there's really not. We'd like to do it as soon as we can. It would be in our best interests to get it out of the way and get it started. It would be -- even with the plumbing and the uniform mechanical -- uniform plumbing code, the 15 gives us more flexibility and more -- there was some really good provisions in it.  
>> Mayor Adler: I just don't know enough. We have the Zucker that was recommending international, our staff is recommending international, we have boards and commissions pretty strong saying don't. I'm not comfortable amending it to make it international because I don't know but I now have an issue that I don't know so if -- my -- I wouldn't mind seeing this postponed for a week so we could just find out the answers to those questions. Ms. Houston.  
>> Houston: And according to Mr. Hirsch's comment, would it be possible to take it back to them and ask them to do -- they could use either/or as he suggests? Has that ever been attempted?  
>> Councilmember Houston, we offered that to them as an option. The published code as is published would allow either one.  
>> Mayor Adler: Is there a motion to postpone this for a week so he can figure out the answers? Is that no make the motion or to speak? Councilmember alter.  
>> Alter: I'd like to do both.  
>> Mayor Adler: You'll make the motion to postpone for a week. Is there a second? Ms. Houston. Ms. Alter do you want to speak?  
>> Alter: I remember we were encouraging solar panels on the roof. There was a question if we went with international standard it would be let's expensive to do the solar because it would be more in line -- the plumbing would naturally be more amenable to --  
>> The venting is more flexible.

[4:19:10 PM]

The designing of venting would be more flexible.  
>> Alter: And we did have some discussion there about what the plumbers were concerned about as well, but I think it's a more complicated issue than we'll be able to resolve so I would suggest that we have a postponement and for those who are concerned on either side can make sure weekend better their positions.  
>> Casar: Mayor.  
>> Mayor Adler: Mr. Casar and then Ms. Pool and Ms. Troxclair.

>> Casar: I would suggest considering those complications -- I remember trying to read it, it was pretty thick, if there's an option for us to move forward and revisit this question it may be better so we at least get most of the work done. I sense that with the heft of the agenda next week and our work schedules that I just don't see this being something to be resolved in a week, and so -- and I wouldn't want to continue holding the rest up. If it's possible for us to just pass all of this and then redress this particular question, that may be a better --

>> We could address it as a specific amendment during the solar and energy code discussions later. We will be talking about the solar code and solar ready soon. We could address it at that point if that's the council's wish.

>> Mayor Adler: But is the plumbing just concerning solar? Or is the plumbing issue of universal -- international versus uniform broader you than solar?

>> It's broader than solar. But one of the reasons it's useful for the solar application is it allows a different and more flexible design of the venting, and the venting can be located more easily out of the way in the -- with the international residential plumbing.

>> Casar: Mayor, if I could remind us I think we did actually send that issue away to those -- through that process, and so I think what Mr. Ren is mentioning, this question, they may very welcome back to us in its entirety --

[4:21:21 PM]

>> It will be a long discussion next week if you bring it back up, it will be a very long discussion next week, in my opinion. I may be wrong, but I believe you'll have a very, very long discussion about it if you bring it back up next week.

>> Troxclair: Mayor.

>> Mayor Adler: Ms. Pool and then Ms. Troxclair. I was remembering the conversation we had with the installation of solar panels on the roof and it was the venting that was at issue with regard to the plumbing code, and we chose at that point to continue to align our decisions with the professionals that were on the citizen boards that we have supporting. So if there's a way to extract that piece from this, then I could vote for the rest that's being afforded here, but otherwise I'll probably just vote no on this, on this item.

>> Mayor Adler: So that we don't hold everything up could we approve the residential code save and except the plumbing code and ask the plumbing code component to come back? Does that help or not provide much help.

>> If you don't have any plumbing provisions we can't put plumbing in the house because the residential code addresses every aspect of building a house. From the foundation to the roof, including the plumbing, electrical, mechanical. If you eliminate the plumbing provision altogether from the ordinance then we wouldn't have a way to put -- to and or approve plumbing designs and installations. We need something about plumbing. You can do uniform, mechanical, universal residential code plumbing bewe need one.

>> Mayor Adler: Does it matter if we approve one today and change our mind in two weeks?

>> We could certainly do that.

>> Mayor Adler: Empties troxclair.

>> Troxclair: I just wanted to say I agree with councilmember Casar. I'm prepared -- I don't want to support a postponement. I'm prepared to pass it today. I mean, we have the Zucker report recommendation, we have the staff's strong recommendation, we have no speakers here opposing it.

[4:23:23 PM]

It seems like something that we need to do and if we need to redress something later or make a tweak later we can do it once we have the time and capacity to filling it out if there's something that needs to be changed, but I want to support moving forward with it today.

>> Mayor Adler: Moving forward with the international or moving forward with the uniform?

>> Troxclair: The one that staff is recommending.

>> It's a blend.

>> Mayor Adler: The motion that's in front of us doesn't reflect the staff's recommendation.

>> It reflects what staff agreed with boards to bring to you.

>> Mayor Adler: Right. That's my concern. Is that what you're bringing to us -- it's what the boards and commissions recommend but it's not what you recommend. Other than the fact that you're recommending because the boards and commission recommend it and you were concerned about whether there would be support here for that.

>> There's no doubt that plumbing uniform -- uniform plumbing code is going to be a safe plumbing system. There's no doubt about it. That's really our major issue. Consequential it's also safe to the residential code, Mr. Mayor and council. That's -- it's a -- been a fairly hotly debated issue.

>> Mayor Adler: Okay.

>> Casar: Mayor.

>> Alter: I don't women-owned it be possible to -- sorry.

>> Casar: I was gonna make a friendly sort of substitute on this where we would pass this and then -- what we have posted and then give staff the further direction as they work on the solar issues to bring us back options on the plumbing code. If that's possible. Or even just recognize that staff could very well do that already since we've already directed them to work on plumbing code issues through a stakeholder process.

>> Mayor Adler: So what we've done for the solar code is not just limit it to the solar code --

[4:25:26 PM]

>> No, sir. We will be bringing the building code, we're working with the fire department to bring the fire code, we'll be bringing mechanical and plumbing codes.

>> Mayor Adler: I'd be really interested at this level, knowing and understanding the recommendations of the boards and commission.

>> Yes, sir.

>> Mayor Adler: But when staff comes in front of us too you're our professionals.

>> Yes, sir.

>> Mayor Adler: So I think it's important we have the [indiscernible] Professionals advice even if it's different than the council wants to hear or information. What is on the floor right now is the motion to table this for a week. Further discussion or changes to that? Ms. Houston.

>> Houston: Well, I would like to hear what staff's recommendation is too. If this has been going on for 20 years, it seems like we are being hamstrung by the boards and commissions, which we have appointed, but I've been here on the dais when we've gone against what our boards and commissions have recommended, and that -- this may be one of those times if it makes sense to you that we do a blend of, then we just need to know what that is. I think a week is too short. To get the kind of in-depth information they might need to do. So I was thinking maybe, you know, a week -- we don't have three meetings in a week -- in a month.

>> Mayor Adl: When do you think you'll be coming back with recommendations concerning the plumbing code?

>> There's a council -- oh, mechanical plumbing in June.

>> Mayor Adler: In discipline so we could approve it now -- in June. We could approve it now, staying with the uniform because that's the status quo.

>> Yes, sir. That is status quo.

[4:27:27 PM]

>> Mayor Adler: Status quo but updated but with the understanding in June we would actually want to have -- a complete understanding of the difference between your recommendation and the boards and commissions recommendation.

>> If it's your desire, as the council and mayor, for us to bring both the boards recommendation and staff recommendation we can certainly do that. That's not been our typical path in the past.

>> Mayor Adler: Part of me would like to have that part of the path every time, if the boards and commissions are differing from what our staff is recommending I'd always like to know that.

>> Mayor? If I could make a suggestion to the dais. Right now the language says the profession, international residential code and the plumbing code, which is our uniform plumbing code, you're not currently in effect apply when they do these for residential structure. When staff comes back 2002 the uniform plumbing code we can address whatever issues that are specific to the plumbing code as it concerns residential in that process. So that this ordinance can be adopted today as it is, and then when we come back in June if there's concerns that need to be addressed in the plumbing code itself, we can do that at that time.

>> Mayor Adler: Okay. And we would know that there are concerns to be addressed because there's the fundamental issue of whether we should use the uniform or whether we should use the international. So we know that we would want to have that conversation everybody is in agreement. Anyhow, does someone want to make that motion? We have a motion pending right now to --

>> Alter: I wanted to withdraw my motion to postpone, but I did want to just clarify, is there any way that we can be a little bit -- if we pass this ordinance, do we need to also have some kind of resolution that directs you to come back with that or has that already been included in the solar and other things that are coming back?

[4:29:41 PM]

>> I believe we've been directed to work on addressing the solar issue but that's not the plumbing code as a whole necessarily.

>> Alter: Maybe if legal, if you could let us know so that we don't have any --

>> Mayor Adler: I think the manager can take direction from the dais. Manager, will you bring back to us in June the mechanical and plumbing code with an opportunity to make the decision as to whether it should be international or uniform?

>> Yes, we will.

>> Mayor Adler: That would be great. The motion to postpone has been withdrawn, which can only happen if there's no objection since the dais owns that now. Is there an objection to the withdrawal to the motion to postpone?

>> Renteria: Mayor, what are we gonna vote on.

>> Mayor Adler: We would vote on this as it was presented, which has us in essence continuing a default with respect to the plumbing code except it's the more recent version of the uniform code. So right now we do the uniform code. This would have us using the more recent edition of the uniform code which basically maintains the status quo, and in June the question of should we go to international or universal -- or the uniform code will come back to us in June to make the decision. So in essence we'd be using the status quo for the following three months.

>> Just so the record is clear that's the international code that you're voting on today.

>> Mayor Adler: Oh, it's the international is the status quo, not the uniform.

>> So the text draft ordinance says the provisions of the international residential code and the plumbing code, and when staff uses the phrase plumbing code they're talking about the uniform plumbing code that we already have in existence apply. And then when there's a conflict, the plumbing code that has already been adopted by the city will control. When we come back with the plumbing code in June you can make whatever adjustments need to be made at that time.

>> Mayor Adler: I was correct in my characterization with respect to continuing with the controlling code being the uniform code as opposed to the international code.

[4:31:52 PM]

>> Plumbing code only.

>> Mayor Adler: Plumbing, that's correct. Is there any further discussion on the dais? Those in favor of adopting this motion please raise your hand? Those opposed. It's unanimous -- are you opposing? Those abstaining? All right. Ms. Pool is a no. The others and Ms. -- Ms. Alter is a no. The others are an aye. Passes 9-2, and this will come back to us in June as concerns the plumbing code. This issue of uniform versus international. Thank you. That gets us to the last item on our agenda, which is the public hearing to amend the comprehensive plan by adopting the Austin strategic housing plan. I think -- didn't we have a motion and someone moved to postpone on top of it? Just in case we don't let's retake the vote. Is there a motion to approve item 48? In case there wasn't, in case there wasn't, Mr. Casar makes that motion. Is there a second to that motion? Mr. Flannigan seconds that motion in case there wasn't one before. Let's take the vote again. Those in favor please raise your hand. Those opposed. 9-2, two no votes are alter and pool. It passes 9-2. Just in case. We used to have -- we used to have an hour of testimony on this item. We now have 90 minutes of testimony on this item. Which means we would be taking a break and coming back to dinner halfway through the discussion on is. So I would urge everybody who is speaking, council, we could give people an option to speak is this this did week, or next week, we could let people speak both times, we could ask people to limit their speaking or we could limit their speaking.

[4:34:10 PM]

But staff, you want to very briefly lay this out for us?

>> Good evening, mayor, council, my name is Erica Leak with the city of Austin neighborhood housing and community development department. I just wanted to very quickly note that there are a number of changes that are under review -- under review so those have been passed out to you and I'll quickly go through them. We wanted to let you know we are reviewing these so that you'll have them in mind during the public hearing. So one of them is adding information from the mayor's task force on institutional racism and systemic inequalities report regarding integration and diversity and strategies to address racial integration in housing. We wanted to clarify the relationship of this plan to imagine Austin and that it's being adopted as an element of the comprehensive plan. We'll be adding a section with specific strategies to address gentrification, as well as a section on family friendly housing. We'll also be looking at the potential to set a unit mix goal, as well as setting and/or clarifying a goal related to affordable housing in high opportunity areas. We'll also be clarifying language related to homestead preservation district tools, adding a couple of additional tools for fostering equitable communities. There's a clarification related to permanent supportive housing I mentioned last time. We'll be updating the executive summary to include the community values of the plan, and then a few other minor corrections.

[4:36:14 PM]

So we plan to send -- well, actually, upload as backup the actual change log that with the staff recommended changes before April 13 but we wanted to let you know that these are the general issues that we're working on thus far but we'll be listening to the public hearing tonight to see if there are other issues that should be addressed. And we're happy to have the public hearing begin if you are.

>> Mayor Adler: Custom, do we want to set any limitation on the ability to speak here? Do we want to limit the amount of time people can speak either this week or next week what's your there are misditch.

-- Ms. Kitchen. >> Kitchen: I think it would be important to allow speaking this week and next week. We're talking a significant number of changes. We have the changes that the staff just went through for us, but I know that there are amendments that different councilmembers plan to have also, and, for example, the resolution that I mentioned at the work session and eyeball posting tomorrow related to -- I'll be posting tomorrow related to a implementation plan. So I think it would be helpful to allow testimony now as well as next week.

>> Mayor Adler: That will have us taking a dinner break in the middle of testimony tonight. Yes, councilmember alter.

>> Alter: I appreciate the effort to make all of these changes, but I am a little bit concerned about having to digest them all and for the community to have to digest them have and have to vote on it next week to have it go into the comprehensive plan, and if there are a lot of amendments, this is a really important step for our community and I would feel a lot more comfortable if we had some time to digest some of those options.

[4:38:21 PM]

I don't know if it's possible to postpone another week or two, but -- and we don't have to talk about it now, we can talk about it later. I just wanted to throw that out there.

>> Mayor Adler: Mayor pro tem.

>> Tovo: I wanted to say that I agree with councilmember kitchen on keeping the public hearing open for the same reason she articulated and we could appeal on people next week not to repeat the same testimony they provided this week but really to try to focus on if they did speak today and are speaking next week to try to focus on the changes that are reflected in the amendments. But I'm completely supportive of keeping the hearing open without limitations.

>> Mayor Adler: Okay. Ms. Troxclair, then Ms. Houston.

>> Troxclair: Oh, I was gonna clarify your original suggestion was to allow people to speak either this week or next week so keep it open --

>> Mayor Adler: I was laying it out as option brothers we started debate I wanted to have the discussion. Once we start we're committed committed and we can't change it at that point. Seems to me that would be unfair. Ms. Houston.

>> Houston: I appreciate the staff's willingness to listen to the concerns that were expressed on Tuesday and look at the other strategic planning documents that have come forth in that time, but I, too, think that's a lot of information if you are able to incorporate all the things that you say in what you hear today but for us to all be able to read, digest, and be able to respond to you on the 13th, so I, too, would ask for it to be postponed so people have a chance to read and digest the information.

>> Casar: Mayor?

>> Mayor Adler: Mr. Casar.

>> Casar: I'm fine with whatever the dais decides on the public hearing front. I would say that my understanding from when this first process got going was I thought we were gonna be voting on this today and was ready to do so.

[4:40:25 PM]

I do appreciate the staff taking a look to more clearly identify strategies and name them in the report to address some of the concerns that staff has laid out but at least in my reading of the strategic housing plan issues of gentrification and integrating high-opportunity areas and utilizing this variety of tools was already in it so I was supportive of that. But if staff wants to more clearly label it and expand that further, I'm supportive of doing so but I'm -- would be ready if we were posted to do it to move forward today. But I understand that our posting is just to take the public hearing so I'll be ready to vote for it next week.

>> Mayor Adler: Okay. Seems to be to me the sense on the dais, let's go ahead and give people the chance to be able to talk. Ask people next week not to repeat what they've said. And then we can -- everybody can look at what changes. Let's go ahead then it&call people. First person to speak on this item number 49, Mr. Pena, Mr. Rossle, Mr. Hirsch.

>> Mayor, members of the council, my name is Stewart Harry Hirsch and I'm still trying to make Austin affordable again. I suggested that the planning commission recommend and the city council adopt the Austin strategic housing plan as an amendment to imagine Austin. The key reason is that it establishes a framework for housing goals for those of us who are choosing to remain and return to Austin and goals for those coming to live here for the first time. I do not suggest adopting any of the planning commission amendments that have not been fully vetted among stakeholders. One of my children's [indiscernible - no mic] Has persuaded me Austin is not affordable for those of us who have lived here a while and or trying to return but very affordable for those of us moving from more expensive housing markets.

[4:42:34 PM]

Page 23 establishes an overall housing production goal of 135,000 housing units over the next ten years. If codenext is adopted in some form in 2018 and it distill reads like portages to me so I don't know if we will, applications relate to this change in regulations should make this overall affordable housing strategy achievable. This will require investment in technology improvements that will supply neighborhood housing and community development with lists of certificate of occupancy for housing contribute to go both the market rate and the affordability goals, and I can't emphasize that enough, you can't track success if you don't have technology that allows you to do that. Increasing the supply of homeownership and rental housing is a necessary but not sufficient step in making reasonably priced housing available to long-time and new residents. While deeper levels of affordability cannot be achieved from anything we've seen in the codenext draft to date ongoing discussions among stakeholders to modernize smart housing could result in different regulations that get us to long-term deeper levels of affordability. As stakeholders we welcome the opportunity to brief council on these suggestions as soon as they've been more fully vetted. Every five years we submit housing goals to the united States department of housing and urban development through the consolidated plan process and annually through the action plan adopting the ten year plan allows us to make sure all of our production goals and investment strategies are aligned, which habitually we don't do necessarily. I am here to say kudos to the neighborhood housing and development staff for suggesting bold goals to address the housing crisis so many of our brothers and sisters face. Please adopt the Austin strategic housing plan without the planning commission recommendations and consider those recommendations as part of

your codenext deliberations when you finally take that up. I cannot say enough good things about the staff work that was done on this.

[4:44:36 PM]

It is the most ambitious, perhaps unachievable under our current regulatory environment, but definitely achievable if we do the right thing by codenext. Thank you very much.

[ Buzzer sounding ]

>> Mayor Adler: Thank you. David king. Is [indiscernible] Daily here? No?

>> [Off mic]

>> Mayor Adler: Latidaley. I apologize. It was typed on here differently. You have six minutes.

>> Thank you, mayor. I'm gonna be very brief here. As you may know, the chair of the zoning and planning commission I think sent an email regarding a request that the zoning and planning commission be able to review this plan and provide input to the council before the council takes my whole action -- final action to adopt this and integrate it with the imagine Austin comprehensive plan. That's all I'm here to make sure you knee and ask you support giving us enough time to do that. We're gonna be requesting a briefing from staff at our zoning and planning commission, I believe the next regular meeting will be may 2, so I hope you will give us time to go through our process and provide you feedback on that. As you know, the zoning and planning commission handles zoning issues that for roughly 70%, almost 70% of the city, 65-70% of the city and many cases deal with housing, it's projects related to building housing. So I think it's important for us to have the opportunity to go through our process and provide input to the council. Thank you very much.

>> Mayor Adler: Thank you. Fred Lewis. Mandy Demayo is gonna be on deck.

>> Hello, good afternoon. I do not support the strategic housing plan because I don't think it is a administrate and I don't think it's a plan.

[4:46:41 PM]

According to the draft plan its purpose was to, quote, help align resources and do ensure a unified strategic direction." One thing is very clear if you read it, there's 60 recommendations in there. There's no way the city is gonna be able to focus on 60 recommendations. There's no way we have the staff to implement 60 recommendations. Nor do we have the money to implement 60 recommendations. And we have no direction as to which recommendation should come first, second, or wherever. So we made no choices. We just through the kitchen sink at the problem and said, here, we can do 60 things. That's not a strategy, and that's not a plan. So I don't think that purpose has been fulfilled. Second of all, the goals are not aligned with the resources. We have a immediate for 111,000 low-income units. The plan purports to provide 45,000, which would leave us actually almost 50% worst in ten years than we are today. And the resources suggested -- federal -- there's not gonna be significant federal money. Local money, bond issues, there's not much in that. Then we have the density bonus scream there's no voluntary density bonus program in the United States that has produced housing below 60% median income. The goal is not very good. I'm not going to address it. Second of all, the resources are a joke. I do not support

[indiscernible] I think it would be better not to have any plan at all. I think we need to go back and make choices so that we really have something other than just having the kitchen sink approach of 60 recommendations, which there's no way we're gonna do that.

[4:48:46 PM]

Thank you.

>> Mayor Adler: Mandy de mayo and then Sharon Blythe.

>> Mayor, mayor pro tem, councilmembers, thank you for holding the public hearing today, my name is Mandy de mayo, executive director of housings Austin. We sent y'all yesterday a letter detailing the reasons for our support for the strategic housing plan. I will be very brief and just highlight a few things. One, the affordable housing community has long advocated for a plan such as this. We have advocated for something that clearly lays out the needs for affordable housing, clear numerical goals by income level and specific strategies. So we were excited to be part of a stakeholder process that started probably about two years ago, really crafting this plan. We provided detailed input when the draft plan came before the housing community development committee about 18 months ago. This, what you're looking at now, represents a much improved plan and clearly lays out a couple of things we're excited about. One is ambitious yet achievable goals. The thing that I would like to highlight, we are particularly excited about, are the goals for both rental, affordable rental and ownership by city council district. Many of you know that our tag line as an organization is all kinds of homes in all parts of town for all kind of people, and I think that having these numerical goals by city council district will help us to achieve that goal of geographic dispersion, one of our core values as a community and get to us a point where we do have a diversity of housing product for a diversity of folks and diversity of income level all over the city of Austin. So thank you very much for considering this today.

>> Mayor Adler: Thank you. Sharon Blythe is up speaking next and Andre [indiscernible] Is on deck.

[4:50:54 PM]

>> Hello. I'm Sharon Blythe. I looked at the strategic housing plan and on this overhead here you see a half a mile from burnet road is that red line. That red line goes right through Austin memorial park cemetery. If you pass this plan, the developers would have the opportunity to develop inside the cemetery without even coming back to anybody to ask any questions. I'm offended by this because we worked too hard to protect that cemetery since 1991 from development encroachment. There's been at least three attempts, three serious attempts, to try to develop in the cemetery, to sell it, lease it, whatever, by the city of Austin. Any proposal the city gets, they recognize it's a valid proposal to use that cemetery inappropriately for development. There is no respect for this property. There never has been. I don't think there ever will be because recently in the budget hearings the city staff decided to couch the appropriation for the budget as a cemetery -- I mean, end of life services. A cemetery is not end of life issue. It is a place for memorial. It's a place for reflection. And it's a place for families. And I am offended by the city changing that title in the budget also. That is rude and inconsiderate for families that have entrusted themselves to bury their loved ones in the city cemeteries. So please consider do not approve this housing plan because it's not well thought out, it is not well focused on not been vetted very appropriately and it needs to be not approved. Thank you very much.

>> Mayor Adler: Thank you. Mr. [Indiscernible]. Is bill Morris here? You have six minutes.

[4:52:56 PM]

And when you're done speaking, Sharon justice will be on deck.

>> Great. Thank you, mayor, council. My name is Andre

[indiscernible] And I'm here on behalf of the Austin board of realtors. We have over 12,000 members in the Austin area involved in all aspects of real estate. And so we -- I'm here to testify in support of the strategic housing plan. This is a really large -- significant step forward for the city. When I started, I worked at the city as staff about ten years ago, and up until now we've never had a goal that focused on the entire housing market. All of our goals have been on specific city-assisted objectives, which is also

very important, but we've never looked at the whole housing market as being important to Austin, and that really -- we have a member here, soccer Chapman Thomas, I think you'll be hearing from right after me or soon that really that's what is happening in Austin, I know you're familiar but we're losing our stock of affordable housing. That's outside of the income-restricted housing, that's just market affordable housing that has long been a significant part of our city and is diminishing every year. So I really think -- one of the points I wanted to make was that if you look at this as a plan and you're expecting kind of a detailed plan, you're probably going to be disappointed. Really this is more of a vision with a tool kit. But I think that there's a lot of value in that as well, just having a tool kit. In part because it helps you identify what tools are available to you. It helps people understand the work that you're doing to bring more affordability to this city, and then it allows for a way of evaluating this council and this city against those opportunities.

[4:55:01 PM]

So I think it really is a step forward for us as a city, and so urge you to adopt it. We have some changes we've been discussing. We have some more specific changes related to clarity that we're putting into a separate memo. We'll provide to staff. I did want to mention a couple of the ideas we had. One is that there's a goal in here of 25% of affordable housing created or preserved to be within a quarter mile of a high frequency transit. And that really seems like a not ambitious enough goal from everything we've learned about the important linkage between transportation costs and housing costs. It really makes sense to maximize that goal and have as much affordable housing as possible built with access to transit so that people can reduce the transportation -- their transportation costs as well as their housing costs. We would also ask that you consider a concept, at least in concept, an idea brought up at planning commission which was that the 135,000 goal in here is referring to projected future growth in our city. And the idea at the planning commission was that we need to provide for that projected future growth but we also need to work our way out of the current gap that we have and that was documented in the comprehensive housing market analysis in 2014. So I wouldn't offer a specific number, but I think in concepts that really important. To accept that we need to move forward -- or we need to dig ourselves out of the hole we're in and we also need to prepare for future growth at the same time. Really, you look at this plan and the proof is in the pudding.

[4:57:06 PM]

It always is, right? And there's a whole lot of the projected units for affordable housing that are 47,000 that are somewhat -- are pretty -- it's not clear exactly where those are all going to come from but there's ideas here. Tax increment financing, homestead preservation districts, expanded density bonus programs, smart housing, that creates an important template for you to go forward, where -- and provides the opportunity for staff to look at thousand meet those goals -- how to meet those goals specifically. So I think really, you know, this is a step forward, and I don't think it's the only thing we need to do. I don't think it's gonna solve all our problems, and it's certainly not gonna be the last thing y'all do for affordability, but it's a necessary but not sufficient step, and without taking the step, I don't see how we can make progress. As a city. Thank you.

>> Mayor Adler: Thank you. I think we had said Sharon justice. Is Sharon justice here? Is Michael Abare here? Come on up -- oh, I'm sorry. Come on up. Is Kenneth Webb here? And is Thomas Rodriguez? You have nine minutes.

>> Mr. Mayor, councilmembers, my name is Sharon justice, and I have lived in Austin since 1970. Like many other austinities, I came here to attend UT. I fell in love with the city, and I stayed. I'm here today

to ask you to reconsider one of the goals in the strategic housing plan because I think it will be counterproductive rather than helpful.

[4:59:15 PM]

It's on page 16, and it says that at least 75% of new housing should be within one half mile of imagine Austin centers and corridors. This makes sense from a transit perspective, but not if your goal is affordability. Land along the corridors is expensive. It doesn't make sense to commit to building 3/4 of our future housing units on the most expensive and sought after land in central Austin. The land costs alone will preclude affordability. Also, we know what will happen if we do this, because it's happened already along south Lamar and south congress, and we're repeating this experiment now along burnet road. The market dictates that what gets built are large, upscale complexes made affordable -- and I say "Affordable" with air quotes -- because you make them small. And because they're small, families can't live in them. They're occupied instead by singles to couples, many if not most of whom are making above median income, and few of whom are minorities. This is the dynamic that has made Austin the most economically segregated city in the U.S., and which is decimating large parts of Austin's minority communities. This part of the housing plan simply doubles down on this process. Please rethink including this goal in a plan that addresses affordable housing, because it will not result in affordable housing. I'm also concerned that your vote to approve the plan is scheduled to happen before key information becomes available that will help you analyze and vet the plan's contents.

[5:01:16 PM]

Your vote is scheduled just five days before the codenext maps are released. Wouldn't it be better to wait until you know how the codenext maps will zone land near the corridors before voting? Also, I understand a report is due soon on the feasibility of replacing density bonuses with linkage fees. As I understand it, linkage fees have several advantages over density bonuses as a way to increase affordable housing. If you approve this plan on the 13th, you're choosing density bonuses as Austin's preferred policy. Wouldn't it be better to wait and see what the consultant's report says? I urge you to reconsider the 75% goal and to postpone approval of the housing plan until information that is germane to the plan is available for your consideration prior to your vote. Thank you.

[ Applause ]

>> Mayor Adler: Thank you.

>> I have a question.

>> Mayor Adler: Yes.

>> What was the page you referred to?

>> Page 16.

>> 16?

>> 16.

>> 60, thank you.

>> 16.

>> Mayor Adler: Next speaker is socar [ indiscernible ]. Is Elton Goddard here? Thank you. You have six minutes.

[5:03:19 PM]

>> Mayor Adler: And then Michael Aber.

>> Hello, everyone. Hello, mayor Steve Adler. I am a real estate broker and owner of elgon estates here in Texas. I'm the past chairman of the Austin board of realtors, and I've also been on the board of foundation communities. So I have a very long history of being passionate about affordable housing. I stand here today in support of the strategic housing plan. It is not perfect, but it is a step in the right direction. If we do nothing, then we will find ourselves ten years down the road where everybody is gone because there's no live music, because the live music capital of the world has no music, because the musicians can't afford to live here. A lot of musicians don't have cars. They can't live in Kyle or butte and drive in. We as realtors and real estate professionals in this city have a saying. And we say that people drive until they qualify. So you put somebody in your car and you start here at the center of the city. And based on their income, you drive until you can find a house that they afford. One of the things that Austin is always screaming about is how great and wonderful and green we want to be, and how on Earth can we reduce our carbon footprint when everyone who services Austin and works in Austin has to live in Kyle, butte, elgon, and manor? I started selling real estate here in Austin, Texas, in 1994. So I was about ten years old.

[ Laughing ]

>> You have to be 18 to get your license, that was a joke.

[ Laughing ]

>> And on east Riverside, many of you have driven by. If you are not familiar with it, it used to be the place where a lot of students would live who wanted to be off campus.

[5:05:25 PM]

And they could afford, you know, a nice or semi-nice apartment and then catch the dillo to UT's campus. Well, now those students can't afford to live there, because now it's called "The south shore," or lakeshore. And we make a joke that anytime a part of town gets an actual name like "The 04," or so fi or sola, whenever it becomes a name the price goes up. And now east Austin is not even called east Austin anymore. It's called eastside, or central east Austin. So this becomes -- it becomes a problem, because the people who work here, the baristas in Starbucks, the teachers, the ems officers, the police officers can't afford -- they can afford a \$160,000 house, that's not hour average, we don't have cities like that in this city. It's really sad. On east Riverside, there's a neighborhood called crossing garden place. When I was dating my husband, before we got married, there was a condo that he lived in. And he and his best friend lived there. And they each paid \$200 a month for a two-bedroom, two-bath condo. So they paid \$400 on east Riverside. Those same properties now are close to \$300,000. An artist, graphic designer, someone just starting out, they can't afford that. And neither can the teachers. So we want to --

>> I'm not sure what you mean.

>> My phone is crazy. It says crazy stuff to me.

[ Laughing ]

>> You know, sometimes I think these alexas and all of these different devices with going to take over our lives, and we're going to be in trouble.

[5:07:34 PM]

But anyway, what ends up happening is that we can't support the people -- the people who support us, who take care of our kids, who teach our kids, can't afford to live in our city. And I don't think that's the city that we want. We want a city that is representative of all people from all walks of life of all incomes and of all ethnicities so that Austin can truly live up to its height, you know. I mean, we've got to do it. So that's it. If you have any questions, I think I have a few more minutes.

>> Mayor Adler: Thank you very much.

>> Okay. Thank you.

>> Mayor Adler: Michael Aber, and then after that Josiah Stevenson.

>> Thank you. I'm Mike Aber. The last time I addressed the council, it was to encourage you to do the right thing on our city manager selection process. You did. I thank you. And I commend you for it. And I've got great expectations for that process giving us a really solid, world-class city manager. I'm here to speak against not this plan, but against incorporating this plan into imagine Austin. We've already heard that it's aspirational, that it's got 60 goals. We've had admissions that these goals are not attainable goals. We have had reference to one goal that I want to call your attention to again, because it just jumped off the page at me when I read it. It says, on page 16, "At least 75% of new housing units should be within one half mile of imagine Austin centers." Have you looked at a map? Have you given some thought to, what does this tell the homebuilders who want to build in the suburbs? How are they going to divide up the remaining 25% among themselves? These types of goals just should not be in our long-range strategic plan.

[5:09:39 PM]

There's another comment, page 24. Add flexibility to occupancy limits. Now, I've been in front of you several times, prior councils, and 2014, 2016, the city council got it right. They amended occupancy limits on new construction and the result was dramatic. And it's stopped, in large measure, the demolition of existing affordable housing for high-occupancy duplexes. It works. And for this report to suggest that those rules need to be undone is -- frankly, it's not very credible. The report does not mention -- and we called out to its authors more than one time that we have hundreds of thousands of units of existing housing available for the populations that they want to address. Now, another example of what this code does not refer to is the city, 2010 through 2012, did a zoning capacity analysis report. It came out of the planning department, done by Paul Frank. And if you look at it, the numbers, it demonstrates that there's room for 167,000 more units in residential zoned areas today -- or then. And there's another 1.4 billion-square feet of building space available in commercially zoned space. So to the extent that there's an agenda in this report and in codenext to squeeze this density into our existing neighborhoods, it's not necessary.

[ Beeping ]

>> Mayor, I think I had six minutes.

>> Mayor Adler: That was right.

>> My apologies.

>> Thank you. There's plenty of room to take care of our housing needs throughout Austin.

[5:11:41 PM]

Policies that try to cram it into our existing neighborhoods will further divide us. Mayor Adler has said he wants to unify us, and said publicly recently that the maps we released on April 18th will be wrong. Mayor Adler has said the code will be wrong. We have a lot of work to do on codenext, and injecting these 60 items into the codenext debate by putting it into imagine Austin, which is law in this city, is an unnecessary distraction. I suggest to you that you take this code, you clean it up to the extent that you can. I mean, this report. Because it is a report. It's not a strategic plan. Take it, clean it up, do not amend imagine Austin. Put it on the shelf and wait for our new city manager to come to town and give some direction to true strategic planning, along with measurable performance goals. And I also commend you for inserting performance-based budgeting in the budget process. But we need to start managing this city. And to the extent that you're going to be writing a strategic plan, there's a certain amount of top-down that is necessary in that. So I just urge you, please, do not put this in imagine Austin. Thank you.

>> Mayor Adler: Thank you. Next speaker, Josiah Stevenson. Is he here? What about Greg Anderson? Come on down. Joyce bagiano is on deck.

>> Mayor, William or Billy was donating time to me.

>> Mayor Adler: And I think I saw that, too.

[5:13:43 PM]

Is he here? Okay. Six minutes.

>> Thank you. Earlier this month, one of our employees came into my office, shut my door, and shared with me that due to unexpected turns in her life, she was shopping for a new home. She wanted a small place near work and friends. However, due to housing costs, she ended up in cedar park. I work in habitat for humanity. As one of our housing lenders, the same employee told me she loves to help people, but has found that instead, she has to turn away around 40 to 50 unique people every single day because there simply aren't enough homes. I'd like to ask you to please support this strategic housing plan. Austin habitat works with around 8,000 local volunteers annually who are passionate about giving back and building strong, stable, and self-reliant communities in Austin. However, they can only do so much. Land availability, as well as lack of entitlements for affordable housing are the single biggest problems facing Austin habitat. There have been some fascinating reports that have come out lately that speak to the need of paying attention to policies intended to foster affordability. One of those is the white house toolkit. I hope you've all had a chance to review it. It's interesting to point out that the past administration put it up. And the current administration has kept it up. As it points to inadvertent local barriers to housing development as being a real problem, which thankfully is solvable. We must allow and even promote housing production and modernize regulations. Recent data show that half of U.S. Ranchers pay more than 30% of their income on rent, and one in four are severely rent burdened, pay more than 50% of their income in rent. The toolkit points to opportunities to add to housing supply.

[5:15:44 PM]

To name a few of these things, streamline permitting, eliminate off-site parking requirements, enact multifamily zoning, allow for accessory dwelling units and establish density bonuses. Austin does some of these things here and there, but we can do a whole lot more. And we can do a whole lot better. As I mentioned earlier, the lack of entitlement is an issue for affordable housing builders. This is one of the reasons we like the strategic housing plan so much. Right now we often compete with developers who are okay with the limited development rights, as they are building \$500,000 homes. How do we compete with them when we're trying to sell \$150,000 homes? We, Austin, do what other major cities do and we allow for real incentives to encourage affordable housing dollars to be better-utilized. This will allow for each dollar the neighborhood housing in Austin housing financial invests to be better stretched and utilized, a value for all austinites. Why is the number 135,000 so important? For the first time we will have a measure to measure success or failure and we will have to face it. We can't hide behind promises that we did our best yet found reasons not to allow housing to be built. This will aid all of you to allow for more development, as well as encourage you to give city staff more administration power to get things done. Take politics out of housing. A sentiment I want to caution you all against is the theory that preservation equals affordability or even livability. Please be careful when exuding energies toward preserving 30 to 70 plus-year-old production homes. This home on the right was recently donated to us, built in 1982. After lots of consideration, we landed on the fact that we have to raze it and start over. It is dangerous to put too many marbles into the idea that we can preserve our way out of this crisis.

[5:17:48 PM]

We need lots of homes. If we want to promote affordability, we need to allow for more homes to be built in the central city and along the corridors. When the average lot in a central city neighborhood costs \$300,000 with no improvements, can any nonprofit go in and build two affordable homes at a sustainable rate? No. Here's a quadplex I saw in Portland. I spent a week there. Turns out, quadplex don't destroy place. They enhance it. If you were to allow Austin habitat and others to build such homes, we would. And suddenly what is an empentraable place for new housing product becomes fertile. I'm not suggesting you give away entitlements, but share the value of these places with people of varied backgrounds and increase our supply of income-restricted housing in the process. So please, approve Austin's strategic housing plan. It's a giant step forward in a direction we all know we have to head in. Just ask any of the families we serve, any of our employees, or I'm sure, any of yours. Thank you.

>> Mayor Adler: Thank you. Joyce baggiano. And then I think the next speaker is sunshine.

>> Good afternoon, mayor Adler and council members, I'm Joyce, I live in briker, bounded by mopac and Lamar. That's our plat map on the screen. And as you can see, the strategic housing plan requirement for 75% of all new housing units to be within a half mile of imagine Austin centers and corridors pretty much wipes out my single-family neighborhood. I say that because our neighborhood is zoned sf3.

[5:19:52 PM]

If this is amended, most of my neighborhood will be up-zoned for more density. Right now, most of our lots can hold duplexes but this plan and some of the codenext units, which would allow for even more density. And by the way, we do have an approved city neighborhood -- a city-approved neighborhood plan. And that is to be respected according to the comprehensive plan. The strategic housing plan was not advertised in my neighborhood, and we would like to be stakeholders, since this plan will have a major impact on us. By the way, numbers given in the report show that less than half a percent of the residents in each of the council districts were notified by email. I know we didn't know about this. That's too few stakeholders in a city this size. I understand that affordable housing, gentcation, and displacement are very important issues. We are being gentrified, even in west Austin. This plan leaves much to be desired. We all need more time to review it carefully. Why the rush? This plan is not meant to be an amendment to our comprehensive plan. Right now the public is trying to decipher the codenext text that was released in January and concern is growing about the codenext map due to be released April 18th. Mayor, I know you said the map is wrong, but that's not much comfort. Article 23-3e of codenext -- that's the affordable housing incentive program -- hasn't even been written yet. Let's stop planning in such a hasty manner. Please postpone the strategic housing plan and give the rest of us a chance to work on it. And please make all these changes that were announced just this afternoon available to the public. And by the way, there's a little bit of irony here. Cap metro plans to take away the number 21-22 bus route running along 35th street, and the number 19 which runs along bull creek.

[5:22:03 PM]

As we're being densified we're going to lose mass transit. But, thank you.

>> Mayor Adler: You realize when I said that the map -- what I was saying was that the maps won't be in their final form, and that I want everybody just to roll up their sleeves and help make them great. Thank you. Is Paul codoro here? I'm sorry. You're speaking, Paul's on deck. Go ahead.

>> Thank you, mayor, mayor pro tem, and council. My name is sunshine, the design and development director, real estate director of foundation communities and I chair the Austin housing coalition. I'm here today to speak in support of the strategic housing plan. The Austin housing coalition reviewed the

first draft and provided numerous substitute comments to improve the overall structure of the plan, including increasing the unit goal, developing actionable strategies, and pushing for a buy when timeline. Most of those comments were duly addressed and we feel confident in supporting the plan overall. There's always room for improvement, as has been mentioned previously, and I would urge the council to consider that the primary means for that improvement is actually with further council action and directive. A lot of the aspects of the plan, the 60-odd suggestions in there, some of them need further council direction to really come to fruition. As always, the Austin housing coalition and others such as housingworks stand ready and willing to participate further. Thank you.

>> Mayor Adler: Thank you.

>> Engel will be the next speaker.

>> I'm Paul codoro representing the Austin apartment association. And I'm here tonight to say we generally support the strategic housing plan. We did weigh in on the draft that was presented last June, had some comments on several of the strategies that were outlined in it.

[5:24:11 PM]

A few of those elements and strategies in the plan do give us pause, but generally most of the strategies and elements are known and have been imp. Implemented in other cities and towns. So we have confidence they can be successfully implemented here. We did comment in June on the first draft that the strategies -- any strategies in the plan that begin with pursue legislation, we just don't think those are bona fide strategies and should not be part of this plan, and we feel the same way today, since those are still in the plan. Lastly, the plan does call -- as people pointed out -- for a large amount of affordable units, maybe income-restricted units. To get to that point, there's going to have to be some real incentives. If you're going to double down on the density bonus programs, I think they really have to be revamped and analyzed to make them much more palatable for the builders and the multifamily developers that are active in the city. And we do reserve the right to address some of the other elements of the plan that were included tonight that we haven't had a chance to see. Thank you.

>> Mayor Adler: Thank you. Mary, Brad. Then you'll have three minutes and then when you're done, Larika Johnson. I'm sorry.

>> Good afternoon, mayor and council. Please reconsider a vote on this strategic housing plan. This plan is not a good plan. It lacks many things, including verifiable data and feasible sources for funding affordable housing in Austin. The gulls do not have an accountability feature which would track the new units. That data is needed for accountability and transparency. What gives me heartburn is that this plan is being incorporated in the imagine Austin comprehensive plan appendices without going through the official imagine Austin process -- amendment process, which is happening this year.

[5:26:25 PM]

There will be a five-year update to this plan with a joint committee of land use boards convening. Why are we superseding our procedures here? It feels sneaky and seems to be a run-around the codenext process. This action would be overreaching of power by circumventing this process for updating the imagine Austin comprehensive plan. Regardless of where the strategic housing plan is located or housed, adding it now without going through the process is presumptuous and has an appearance of impropriety. The process that this department used to gather input was biased. Part of the old way of doing things. We don't need to listen to the public because we know better. I attended a couple of the sessions where we were talked down. Furthermore, to prove the bias and lack of credible material, this plan includes a picture which is on the screen that asserts building smaller houses on smaller lots will be more affordable. This picture shows duplexes in the north field neighborhood. These are on narrow,

shotgun lots. But the duplex is selling for 400 to \$500,000 per side. That's 800 to \$1 million for the whole thing. And from where I come from, that is not an affordable unit. I want real affordable housing. Thank you.

>> Mayor Adler: Fray.

[ Clapping ]

>> Mayor Adler: Julie Montgomery is on deck.

>> Mr. Mayor. Mayor pro tem, council. I first want to give a shoutout to Erica Leek. Through this process, I've found her to be accessible. She listened carefully, she took input seriously, and she kept her promises.

[5:28:29 PM]

On the number, our goal, I want you to know if you don't already there was a 6-6 vote at the planning commission last week to raise the total goal to 183,000. It was a split vote, as I said. That was to include our existing deficit of income-restricted home units that lies at 48,000 right now. My biggest concern, however, is not with the plan. It does need some work. And I'm sure y'all can improve it over time. My concern is making it a part of Imagine Austin. I think that will turn out to be a big mistake. We agree on that. If you amend the comp plan, you have to follow the procedure that's set out in Imagine Austin on pages 223 and 224. We haven't done that. I can't read the whole thing right now within three minutes, but there is a specific process for amending Imagine Austin. And we have short-circuited that, and I don't think that's appropriate. A further problem is that if you start amending the comp plan like this with attaching detailed, long exhibits, you're going to wind up, like we've done with the development code, with a very cumbersome comp plan. You're going to have to look at various parts, various elements, digest various potentially conflicting provisions, decide what those are, figure out how to change the -- figure out how they might change the policies that are in the main body of the plan, etc., etc. We're going to wind up with the same kind of document that's just not usable by the average person. The housing plan goes into far more detail than a comp plan should. Imagine Austin's always been intended to be a very broad, 30,000-foot view of our city and its future.

[5:30:33 PM]

We've got lots of plans out there that are on the shelf already. If we start incorporating those into our comp plan, into this broad vision, we seriously injure the value of that comp plan as a broad vision. Further future amendments, which I think will occur frequently, if it's part of the comp plan, you'll be amending the comp plan all the time. And that, again, violates this procedure set out in the current version of the comp plan. Those changes -- if they are any more frequent than every five years, they have to be minor changes.

[ Beeping ]

>> And they have to address new issues and conditions. I distributed to each of you a sentence.

Whichever way you go on the inclusion in Imagine Austin, I think would be an improvement and it will set out clearly that we're not trying to change the mayor policies that are in our comprehensive plan. Thank you.

>> Mayor, may I ask a quick question?

>> Mayor Adler: Yes, mayor pro tem.

>> I want to be sure I understood properly your last point. Were you agreeing that you didn't believe it should become part of Imagine Austin?

>> It should not.

>> Tovo: Okay.

>> I think imagine Austin is a much broader, more general plan that guides these kinds of more detailed plans.

>> Tovo: Thank you very much.

>> Mayor Adler: Julie Montgomery. And then Steven.

>> Good afternoon, mayor, mayor pro tem, councilmembers. My name is Julie, this is my first time before you as the regional planner for cap cog. For over 45 years, cap cog has served as an advocate, planner, and coordinator on important issues for the ten-county Austin region.

[5:32:37 PM]

Among the diverse programs cap cog operates is the aging and disability resource center, adrc, funded by the U.S. Department of health and human services to serve seniors and people with disabilities including policy advocacy in support of expanded development of the accessible, integrated and affordable housing options that seniors and people with disabilities need. It's in cap cog's role as the capital area adrc that we submit the following feedback on the draft housing plan. First, we applaud the use of a regional growth rate in setting the housing unit goals and encourage council to adopt the goal of 135,000 units as a floor, not a ceiling for new housing. As the plan notes, the region is interconnected and demand for housing in the city of Austin is raising prices and pushing lower-income residents beyond the city limits. Seniors and people with disabilities often getting by on very minimal fixed incomes are particularly vulnerable to this pattern. Only by adding sufficient housing to meet regional demand will Austin be able to meet their housing needs for housing known as both affordable and integrated into the community. Second, we commend the incorporation of transportation considerations into the housing goals and strategies and we recommend that transit service include the capital metro mobility innovation Zones in the connections 2025 plan. Seniors and people with disabilities are particularly transit-depend populations and will benefit greatly from transportation-linked housing bills and strategies. To ensure fair, affordable housing options integrated throughout the community, capital metro's new mobility innovation Zones should count as eligible transit service for the target of 90% of affordable housing created or preserved within three quarter miles of service. We support the housing goals and strategies that address the needs of people with disabilities. The provisions increases accessibility, adaptability, fair housing opportunity, more flexible occupancy limits and supply of deeply affordable units will be crucial for these community members.

[5:34:39 PM]

Cap cog appreciates your consideration of this feedback as you finalize your strategic housing plan.

Thank you.

>> Mayor Adler: Thank you.

>> Mayor Adler: Ms. Johnson will be the next speaker.

>> Hi, my name is Steven and I'm here to speak in support of the planning commission recommendation to include in the housing plan a strategy for retaining family-friendly housing in the urban core. In particular, as part of that strategy, I'm hoping that we can include an element for a robust -- thank you -- mix of multi-bedroom housing, housing with more than one bedroom, in urban areas near schools. There's a lot of elements, as you can see, that will affect whether families can live in the urban core -- schools, open space, services, daycares. But obviously housing is one of the big issues, and affordability of that housing. The other aspect of housing that's important for families is the nature of the housing, whether that housing has more than one bedroom. And that's because that type -- that issue, the type of the housing -- what's less clear to people is that you need a lot of this type of housing to draw families to a community. Families rely on each other. We rely on each other for playdates so that our kids have

friends, they can go down the street. We're, you know, working together to preserve our schools. We need a critical mass of families in a community to have retail and services to support families. So there's a lot of reasons that families -- when you move to a city, you're looking for a community that already has families in it to buy a house and raise a family, or to rent.

[5:36:48 PM]

So to support that, you need a critical mass of housing that supports families in a community. And how much is that? This is a really ugly graph, but it's data from -- this is Seattle -- that shows that if your community has at least 70% housing with more than one bedroom, you can have a natural age curve, a natural distribution of children in your community. If you go below 70%, the housing itself, the nature of the housing, the mix of the housing in the community starts to become a constraint, a handy cap handicap on whether families can live there. That's important to understand as we develop a strategy for families. I think the example of Mueller is a great one where we have enough housing in that community to draw different kinds of people, including enough families so that they're able to, you know, get into middle school, have a really strong community that's age-diverse, works well for families. We need to apply that same approach to other places around Austin. And I think the right place might be near underutilized schools. Thank you.

[ Beeping ]

>> Mayor Adler: Lyrica Johnson. And then Paul Mullin.

>> Good afternoon, mayor, and council members. My name is Lyrica Johnson, and I represent the north shoal creek neighborhood. I support many of the goals in this plan, but I and my neighborhood association are very concerned about the housing plan goal that calls for 75% of new housing to be within half a mile of imagine Austin centers and corridors. We believe that will actually reduce the amount of affordable housing in our neighborhood. I want to tell you a little bit about our neighborhood to explain why we think that. Our neighborhood is approximately one mile wide and slightly more than one mile north to south.

[5:38:49 PM]

Our eastern boundary is burnet road, which is a transit corridor. Our southern boundary is Anderson lane, an activity center. Our northern boundary is highway 183 and our western is mopac. The western third of our neighborhood is already largely office buildings, miscellaneous commercial buildings, and mopac frontage. Nobody lives there. Our residential core is concentrated in the eastern two-thirds of our neighborhood. There is a large segment of moderate-density multifamily housing along burnet road that has a density of 12 to 19 persons per acre, which is about Hyde park's density level, I think. Putting so much density within half a mile of our corridors and activity centers targets probably 75% of our residential core. So we are concerned that our single-family residences will be lost. We're worried about traffic, too, but that's a story for another day. We have 2,155 housing units in north shoal creek. That includes a dozen apartments and condo complexes, most of which were built in the '70s and '80s. Unlike most of Austin, only 37% of the dwelling units in north shoal creek are single-family homes already. I believe the figure for Austin as a whole is 56%. Our condo complexes weren't built as condos. They're renovated apartments converted into condos that provide affordable housing. Recently, a two-bedroom one-bath was listed for \$156,000. A couple of months ago, a three-bedroom two-bath was listed for 169,500. Because they were built when apartments were generally larger and more likely to have more than one bedroom, our apartments represent a good stock of affordable housing rental housing suitable for families. We don't want to see our affordable moderate density housing torn down and replaced by

new, upscale complexes filled with efficiencies, studios, and bedroom apartments that are not for families.

[5:41:01 PM]

Please take this goal of 75% of the new housing to be within a half mile of these centers and corridors out of the housing plan, because in north shoal creek it is more likely to decrease affordability instead of increase it. We also are anxiously awaiting the release of the codenext maps.

[ Beeping ]

>> Thank you.

>> Mayor Adler: Thank you. We have two speakers left. The first is Paul Mullin, then our last speaker's going to be chip Harris.

>> Mayor, councilmembers, my name is Paul Mullin, a retired housing economist and former adviser to Margaret thatcher in housing. I have lived in Austin for 24.5 years now and seen so many changes. And I am very, very worried about the future, simply because the pressures that we have seen in the housing market are so evident in rising prices. They are pressures which will increase over time, because so many people who already own houses haven't had an impact except on their tax bill from the rise in prices. That means that there's more pressure building up there. We are seeing a drop in the number of householders who actually sell their houses. So I haven't got the exact figures yet, but I notice from the census, acs reports, that there was a drop -- quite a big drop in the number of people who had moved within the last year. I believe that we'll see that people are getting stuck in this position. We've become - - we have a huge dichotomy now. On the one hand we've got the silicon valley influx. A friend's son, a brand new graduate from UT, was offered 80,000 plus a 5,000 signing bonus to join a high-tech company in Austin.

[5:43:01 PM]

He's delighted since he was born and raised here. On the other hand, yesterday when I was looking for a lost dog I met Juan, who was born in Austin and raised in the montopolis area. He works for a remodeling contractor, \$800 a week. And even at that rate of \$20 an hour, he and his disabled wife cannot find a place to live that they can afford. They are sleeping in the back of his work truck. When his work truck is in the shop for repairs, they are camping out behind Walmart. That's becoming increasingly the situation of many, many austinites. You can walk around and see people sleeping in cars all over the place. Only 10% of them were counted by the echo point in time count. So we have a much bigger problem than we know. In the housing market itself, the reason that prices have gone so high -- and some sources have even suggested that we're in a housing bubble. We're not, though. What's happening, of course, we're getting people moving in from either silicon valley, new York, Fairfax, Virginia, Seattle, a number of other places that have more expensive housing markets than ours. They have --

[ beeping ]

>> Right. They have sold their houses, come here with cash in their pockets, and priced the locals out of the market. We have to make huge changes to get an impact.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Our last speaker is chip Harris.

>> Thank you, mayor, councilmembers. My name is chip Harris , I want to thank you for listening to everyone's comments today. I just have a couple of quick things to add.

[5:45:04 PM]

First, the plan states the following -- an adequate supply of housing affordable to people working all types of jobs and integrated throughout the city is necessary to maintain a culturally rich, diverse, and livable city. The key phrase there is "Integrated throughout the city." If this plan calls for just the opposite, to put at least 75% of the housing needed along a few corridors and centers. That's dictating to folks where they will live and destroying the adjacent neighborhoods with overwhelming density. Second, I'd like to mention that the city's watershed protection department will be attending our neighborhood association meeting next week to discuss a pilot project they're planning, to ask for feedback from the neighborhood. It's a small project, one that will have a minor impact on our neighborhood. But the city thought it was important to involve the community. Then we have the strategic housing plan, something that will have a tremendous effect on our neighborhood. But in this case, the neighborhood has not been contacted. No one from the city has reached out to us to attend a meeting, nor have they asked for feedback. This evening, you have an opportunity to rectify that. Please delay the adoption of the plan until one, the planning commission's recommendations can be incorporated, particularly the section with specific strategies to address gentrification and displacement. That would be a keeper. Two, the completed plan can be presented to the community at neighborhood meetings. And three, after codenext has been approved. Thank you very much.

[5:47:05 PM]

>> Mayor Adler: Council, it is a quarter to 6:00. We are through the speakers. Do you want to -- we have music and proclamations. Do we want to come back, or do we want to hold council debate next week?

>> Next week.

>> Mayor Adler: Next week?

>> Mr. Mayor?

>> Mayor Adler: Yes, Ms. Kitchen.

>> Kitchen: I suggest that we post any changes that we're considering on the message board, and then we use the work session to talk about it. And that would probably be the best time.

>> I agree.

>> Items? Zoning.

>> Mayor Adler: Okay.

>> I would agree with councilmember kitchen on that.

>> I would agree as well. I just want like one minute, because a couple of speakers addressed this. And I always listen to everything everyone has to say. And it seemed like folks think that the activity corridors are mostly downtown, imagine Austin. And they are not. They're not all downtown. I just asked my staff to look at a map. They go south of slaughter, north of 183. There just seemed to be a theme of concern about 75% being a half mile within activity corridors. I guess it's hard to see up here even now, but the yellow lines are activity corridors. And there are -- in my district off south congress -- two bedrooms and three bedrooms on those activity corridors. So I just thought that would be informative to our discussions, you know, later on.

>> Mayor Adler: If there's nothing else, then -- yes, Ms. Pool.

>> Pool: Unfortunately, I'm going to miss the conversation next week. Can I just say a couple of things here today? And then because I'm going to need some support from the dais to pass a couple amendments for me for next week.

[5:49:08 PM]

And I can also put it up on the -- but I just wanted to say a couple of things. Because of all the work that's gone into the strategic housing plan, I wanted to thank staff for bringing the amendments to incorporate recommendations from the planning commission. And there were two items in particular that I think are really critical. And that matter, especially to me and to a number of folks who are in district 7, and that is family friendly housing with strategies. And we've had a number of people, students, Lyrica Johnson, all spoke to the family-friendly housing. And combating gentrification and displacement. And so I just want to say I look forward to seeing family-friendly housing section in the plan, and I want to explore some strategies to get more housing for families and to make sure that we have a sustainable and multigenerational city. And then to displacement and gentrification, I want to work with my colleagues to bring forward a map. This would be a data map that would help us identify areas where we need to preserve existing affordable structures, either through incentives or intervention. We could explore strategies like the right to stay, or priority access initiatives that would allow families to stay in their homes or to return to their neighborhoods that they've been moved out of with some protection. So I'll be looking to try to establish a legal foundation for housing preference policies to assist displaced families, children of displaced families -- essentially vulnerable communities. And the map could also assist us in establishing a legal foundation to set aside affordable housing for families with children. And I would also include in that women who may be pregnant. A number of other states do these. And there are some specific requirements for us to be able to do -- to focus on setting aside housing for displaced families.

[5:51:08 PM]

And so I want to work with my colleagues here on the dais to make sure that we have everything in line according to fair housing federal laws.

>> Mayor Adler: Okay. Mayor pro tem.

>> Tovo: Just very quickly, I wanted to ask if we could work together on that, councilmember pool. We actually have a resolution to that end that I think is circulating to staff, our legal staff. So I look forward to having that conversation.

>> Pool: That's terrific, mayor pro tem. My staff reached out to a number of offices, and I think yours probably was the top of the list. For the work that you have already done.

>> Mayor Adler: Okay.

>> Pool: In this area.

>> Mayor Adler: Now, great music coming up, important proclamations. We've taken care of all the business. I'm sorry.

>> Mayor. I just wanted to note, Rosie, interim director of neighborhood housing and community development. For the recommended staff changes that Ms. Leek mentioned, we hope to get those posted to backup tomorrow. There might be a couple in the works through Monday, but we hope to have that posted so folks can review it.

>> Mayor Adler: That would be great. Thank you.

>> Thank you.

>> Mayor Adler: So I am going to adjourn the meeting, subject to the music and the proclamations. It is 5:52. And we're done. Thank you.

[5:53:54 PM]

[5:58:45 PM]

Democrat determine. >>> >> >>> >> >>>

[6:02:55 PM]

>> Mayor Adler: This is the best part of city council meetings.

[Applause].

>> Mayor Adler: Right. In fact, this group gathered long enough ago to actually sit through 20 minutes of this that we did not intend for you to have to do, but now you understand why this is my favorite part of city council meetings.

[Laughter]. And it's an incredible treat that we -- that we have tonight. We have with us Demetrius Davis, desoul Davis started his career at eight years old when he took the stage at eight years old singing in a school play. He gained his showmanship and most importantly his vocal training through touring in the U.S., singing gospel music with his talented family and time spent in valuable church vocal workshops. Demetrius has been influenced by many jazz greats, Otis Redding, Michael Jackson, he has been influenced by his talented father, brother, mother and grandmother. Please help me welcome to the city council stage desoul Davis.

[Applause].

[♪Music playing♪]

>> Such an honor. This selection is called just can't do right.

[♪Music playing♪]

[6:08:31 PM]

Clears clears.

[Cheers and applause]

>> That song is available everywhere. Thank you, guys.

>> Mayor Adler: Let's go ahead and talk about that for a second.

[Laughter].

>> [Indiscernible].

[Laughter]

>> Mayor Adler: Thank you so much, that was wonderful. But let's talk about that. If somebody is in here or watching on TV and they wanted to find you, do you have a website? Where would they go to find you?

>> Anywhere dsouldavis, I have Instagram, Facebook, Snapchat, desouldavis.com is also a good source to find us. We also have a gofundme page, gofundme.com/desouldavis. If you want to contribute to the cause it's not inexpensive to do it. I love what the city is doing for us. It's so amazing. If you want to mind us, donate to the cause. That's us.

[Applause].

>> Mayor Adler: And if folks want to buy your music, where can they do that?

>> Just can't do right, it's everywhere on apple music, any streaming outlet you may have. We actually put in for Dan Dora so it will be on there as well. But right now it's on every streaming outlet, iTunes, Amazon, whatever.

>> Mayor Adler: If they want to come hear you, when is your next gig? Where would that be in the area?

>> We're playing for eights tomorrow, so we'll be there. But tomorrow is the sky lark lounge. If you've ever been there -- it's definitely a place to go for music in Austin. If you've never been we'll be there from 9:00 to 12:00. We really let loose. I like the way you guys clap your hands today.

[6:10:32 PM]

I love to see your smiling face.

>> Mayor Adler: We have that app I talk about, tipcow that started here in the city. If you don't have that on your phone, make sure you have it on your phone. It's a way for us here in Austin to be able to tip bands that we hear when we walk into a club. It's always important to remember that just because there's no cover charge does not mean the band are volunteers. So --

[applause]. Photography.

>> Hi to do that.

>> Mayor Adler: In fact, you can go to tipcow here and you can tip these guys here tonight because it's the mayor's link that you can pick up and do that. But it is great to have you guys here. Appreciate it a lot. And because I'm mayor I get to do a proclamation. And I've done one here. Be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talents extend to virtually every musical genre. And whereas our music scene thrives because Austin audiences support good music produced by legends, arrayal favorites and newcomers alike. And whereas we are pleased to showcase our local artists, now therefore I, Steve Adler, mayor of the live music capitol, do hereby proclaim April 6, the year 2017, as Demetrius Davis day.

[Applause].

[6:15:57 PM]

>> Mayor Adler: Okay. We have a proclamation here in honor of and in support of the public health week that is going to be accepted by Shannon Jones, who is director of Austin public health. Do you want to stand with me on this since we're -- councilmember Houston chairs our council's health committee. Be it known that whereas national public health week brings communities together to address issues to improve health, achieve health equity, improve quality of life and increase life expectancy to make America the healthiest nation in one generation. Whereas because everyone has the right to good health, Austin public health strives to remove barriers so everyone has the same opportunity to improve their lives and their health. And whereas people are living longer than the previous generations thanks largely to the work of public health and whereas Austin's public health endeavors to enhance the health and well-being of all residents of our community by preventing disease, promoting healthy lifestyle, protecting everyone's health and preparing for emergencies, now therefore I Steve Adler, mayor of the city of Austin, Texas on behalf of the city of Austin, council, do hereby proclaim third 3rd to 9th of the year 2017 as public health week. Congratulations.

[Applause].

>> Mayor, councilmembers, we like to thank you for this proclamation.

[6:17:57 PM]

I'm joined as you can see by just a remnant of the staff of our public health department. We're almost some 500 employees and we're quite proud of the work that our community has done. We're one of the healthiest cities in the nation and yet we have areas that we have a lot to do yet. Public health is to address those inequities while ensuring that the public health is maintained. Recently as a result of our work we became only the third at the time, but fifth total public health department in this state to be accredited and that's thanks to the work of the people you see behind me. And so we're proud of the work that we have done in our community, we're proud of the support that mayor and council has provided for us in those efforts and we would like to thank you for acknowledging the work of public health in our community. In closing I'd like to use the word of our former surgeon general C Everett

Koop, who would remind us that health care is vital to all of us some of the time, but public health is vital to all of us all of the time. Thank you so very much.

[Applause].

[6:20:31 PM]

[Applause].

>> Mayor Adler: Before councilmember Houston and I let Shannon Jones get too far away, we have another proclamation here. This is one of those bittersweet moments for the city. Austin is one of the healthiest cities in the country and this is in due to no small part with the staff, a part of which you brought to us today. But whenever a department does as well as yours has done it really falls to the leadership to look, and you have been exemplary in that regard. Your gifts and service to this city were extraordinary and in the time that our new council has been present I'm not sure we task any department with greater changes than yours. So this is an incredibly appreciate city for your service. And to that end we have another proclamation.

>> It known that whereas Shannon W Jones III, director of the Austin public health department, has served an 18-year career with the city of Austin, and 42 years of dedicated service and public health profession.

[6:22:32 PM]

During his career, director Jones has been responsible for management of all public health services provided by the city of Austin and Travis county. And whereas under director Jones' direction the Austin public health department earned national accreditation by the public health accreditation board in may of 2016. And whereas in 2005 when city council and community leaders got together to look at the quality of life for African-Americans, he was there to ensure that health was included. This led to the creation of the African-American quality of life unit and paved the way for the creation of the hispanic, Latino, asian-american quality of life commissions. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, on behalf of a grateful city council and grateful city, do hereby proclaim April 6th of the year 2017 as Shannon W Jones III day in Austin, Texas. Thank you.

[Applause].

>> Mayor and city councilmembers, city manager and others, a simple thank you so very much for this honor. I'm very honored. I've had a privilege very much to have made Austin my home. I've been in Texas some 40 years now. 18 of them have been in Austin. And indeed Austin has by far been the most beautiful and wonderful opportunity of all the cities I've had the opportunity to live. This has been truly a pleasure, and my staff I'm extremely, extremely thankful for the hard work you've done to make this effort for us all.

[6:24:42 PM]

I want to acknowledge the work that our department has done, not by me, but by us as a team. We have built a team there and we're quite proud of the work we've done. I wish Ms. Stephanie Hayden, our interim director, best of luck as she goes forth in leading efforts that we've attempted to undertake. [Applause]. Rarely in one's lifetime does it we have the opportunity to make a difference. I do believe in the 18 years we've been here we've tried to make a. And as a result of the work that we as a team have done we have made a difference. So thank you so very much for that. I'd like to acknowledge my brothers and sisters who are visiting me here on this special occasion. My brother -- my sister Anita, my sister-in-law Gina, my brother Clarence, my sister Laverne, and my youngest brother Darryl. They have

come to celebrate this most momentous time in our experience. I can't close without acknowledging the work and the life that our parents made for us all in making a difference. The commitment we have is because of the work, the life that they've made for us. And I could not leave here without in my own special way acknowledging their work and the lives that they made in making a difference in us. So the difference we've made has been a direct result of the mentoring development they've made for us. So thank you, mom and dad, even though you're not here. Thank you, Austin, for what you've allowed us the opportunity to do, and we wish you godspeed as you go forward. Thank you again.  
[Applause].

[6:28:40 PM]

>> Mayor Adler: So there are too many of these moments on today's proclamation agenda. In -- I have a proclamation here for Dan Pruett, who has done so much for so many people in such specific and material and concrete ways. Feeding people that would otherwise go hungry. The numbers of people that he reaches is a staggering number. But just the real impact. But the impact goes beyond the organization. It's in the advocacy work that he's done in the community, participating on boards and commissions as my appointee, among others before me, to keep this issue so front and center in our community. Attracting so many volunteers, doing so much with an organization. You know, it truly has been some of my most favorite days as a mayor in this job to be invited to go and pick up the meals and get in the car and to make the deliveries with Dan to walk in to someone's home and see the look of recognition on their face when they see Dan coming by and doing the delivery. These are people that Dan knows. He knows them, he knows their life, he knows the situation.

[6:30:42 PM]

He knows this community. So this was -- I'm really excited for you that now you get to go do other things in your life, but this is a huge moment of pause for this community to lose your active presence in so many ways. So it is within that context that I have this proclamation: Be it known that whereas Dan Pruett has demonstrated true community leadership as a vocal advocate for central Texas adults, particularly those who are most vulnerable during his 14 years as CEO and present of meals on wheels central Texas. And whereas under Dan's leadership, meals on wheels central Texas has expanded its meal service delivery area, added 11 quality programs to improve the lives of older adults and enable a holistic approach to client services. And whereas Dan has demonstrated leadership and other key community positions, including but not limited to member and past chair of the Austin commission on seniors and past chair of one voice central Texas, now therefore I, Steve Adler, mayor of the city of Austin, Texas, on behalf of a grateful city and a very grateful city council, do hereby proclaim April 6th of the year 2017 as Dan Pruett day in Austin, Texas.  
[Cheers and applause]

[6:32:49 PM]

First of all, I have the privilege of going into the homes of so many that we serve and I remember fondly one day when we are raining cats and dogs and I had a partner going with me that braved the rain, didn't mind at all -- I'm looking at him right here, the mayor. And I think they were glad to see me, but when they heard the mayor was coming they were a little more impressed. So thank you, mayor, for being such a great friend and partner. Thanks for supporting the commission on seniors and the work that's done there. Thanks to everybody. Mayor pro tem tovo thank you so much for being here. I bump into the mayor pro tem at the antique store all the time.

[Laughter]. And so glad to see you. Thanks, everyone, for being here quickly, my wife. You're not able to do a non-profit gig unless you have the support of a wonder of partner. There's no doubt about that. I would have never had the opportunity to do this if somebody in my life hadn't said yes, and that was my wife Susan. So I'm so grateful to her. Thanks for being here, everyone. Thanks for serving those in our community that have less. Do you it so well. I knee this council takes it to heart. I know that the council leadership that's at the top of your priority list and I know that you will keep it there and nothing could make me happier. Also thanks to my friend Adam Hauser, who is sitting out here, who said yes to this job as I was leaving. Thank you. Mayor, thank you so much.  
[Applause]. And councilmember pool, thanks for being here!

[6:35:49 PM]

>> Pool: All right. We have one last -- one last item to offer up, and these are certificates of appreciation. I'll just let everybody come on up. You all know how important our creative community is to us in Austin. We have music at every council meeting and we encourage people to go to musical events throughout the year. And we have artists in our community. And I was especially privileged to have a couple of different shows, a couple of different installations of art from artists who live in district 7 in my office since -- I guess in twice. In 2015 and currently. So I have some certificates of appreciation for some of our district 7 artists. So they're all here and what we're going to do is I'm going to read this and Louisa has some certificates. If you want to come closer, it will be easier to hand to you. I am very pleased to present certificates of appreciation to these dedicated artists from district 7. We are the lucky recipients of their work in our office and we're proud to show the enormous wealth of talent in our district. So thank you all for sharing your work with us here at city hall and throughout the city entirety. We are really happy for the work that you do with the public. So for the dedicated service provided to the city of Austin we have jade walker. And Brenda David. Tureko nurema. She was my first appointment to the arts commission. Thanks. Elizabeth Childs. Thank you, Elizabeth.

[6:37:49 PM]

And hennery Levine.

-- Henry Levine. Henry helped with the curating of the first installation in the office. Thanks, Henry. And manuk, not here. Thanks, jade. Jonathan Faber. Thanks, Jonathan. And Jamie berlant. And that little one down there, is she going to be an artist too? So here's what the recognitions say: Artists for the six in seven exhibitions are deserving of public acclaim and acknowledgment, their leadership and participation in the six in seven exhibits for the district 7 city offices brought recognition of the air advertise tick vision of our visual artists and helped broaden the expectation for the visual in our community. Thank you all.

>> I want to thank the mayor and thank Leslie for accommodating all of us in her office and letting artists take over for days and days at a time. We are thrilled to be included in city hall in the way that you think and the way that you lead our city. So we're very appreciative to you and the mayor and all the councilmembers for encouraging visual arts in our city. Thank you.

>> Pool: Thank you, jade.

[Applause].