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>> Mayor Adler: All right. Let's -- are we ready? Is our invocation officiant here? There's a lot that happened this week. Let take a second of silence to think about the folks impacted, the victims, by what happened in Las Vegas. >> Mayor Adler: Okay. Before we gavel in the meeting, I want to take a moment to recognize a special guest that we have with us today. We are joined today by Marty lankton, president of the firefighters association, local 341. He represents over 4,000 men and women who serve the third-largest fire department in the nation. And Marty is here to say a few words about the efforts of our city of Austin firefighters during and after hurricane Harvey. Is Marty lackton here? Sir, why don't you come on up and . . .

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>> This is a little bit different than Houston. It's quite nice. [Laughing] >> Kill me for saying that. Mayor and council, thank you first of all for letting me speak in front of you and everybody here. As the mayor said, my name is Marty, president of the Houston firefighters association. And on behalf of the 4,000 members, I am here to express our deepest and sincere thank you to the Austin firefighters, to the fire department, as well as to the city of Austin. Mayor. [Laughing] >> Your support in the aftermath of hurricane Harvey will always be remembered by those of us in Houston. In our time of need, Austin firefighters were among the first to show up at our disaster relief center during the storm. From the moment we called for assistance, president Bob nix answered the call without hesitation, without any further explanation, his answer was yes to everything I asked. The first thing he did was I dropped my phone while on a rescue boat. And I said all of our stores were closed, would you mind picking up in a phone in Austin. So he did that. Thank you for that. You don't realize that you lose a phone in the middle of a catastrophic event, how bad that is. Randy somehow managed to acquire two 18-wheelers full of water during the height of the storm in Houston when we had no water available for our own firefighters. When I say acquire, I'm not going to ask anything beyond that. [Laughing] >> Somebody's

missing two 18-wheelers, mayor, I'm sorry, but they showed up. And I want the public of Austin to know that this was still while the storm was going on. They showed up Tuesday to our

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offices, to our unit hall, and we have over 300 firefighters in Houston affected by the storm, as well as all the houstonians that they're out there protecting. We are particularly grateful to the Austin firefighters, lieutenant John sterling, and Stacy Oakley for their help. And also to the city for the provision of AFD vehicles. And also we want to personally thank chief Rhoda Mae Kerr. I understand she couldn't be here. >> She could not. >> Give her our heartfelt thank you. I'm going to take a very quick moment and brag about John and Stacy. They not only arrived -- on Tuesday, but they worked over a week straight. And anything our members or families needed, they were there for us. That's something that I cannot tell you in the world of firefighting, when you're dealing with firefighters, they're always out there taking care of others. They were there to take care of us. And we will never forget that. With their help, and the help of the international association of firefighters, we have provided food, water, disaster relief, peer support, vaccines, for the firefighters that were exposed to the contaminated waters. We know John and Stacy were in Houston with your support. Mayor, city, chief, and the support of their brothers and sisters in the Austin firefighters association. As a show of our thanks, I would like to please give a gift, a small token, and accept this wood carving from our association on behalf of all of the Houston firefighters to the city of Austin, the Austin firefighters association, Austin fire department, and to the citizens of Austin for their unwavering support during this difficult time. I want to say thank you again, and a small token, but I wanted to present that to you all.

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[Applause] >> I just want to say briefly thank you, Marty. In the world of firefighting, it's an absolute given, when firefighters are in trouble, the firefighters around them are going to help. And the firefighters from other cities will come. I know you did the same thing for us. We appreciate you guys and the close relationship we have with you. Thank you so much. [Applause] >> Mayor Adler: Manager, do you have recognition today? >> I do. Thank you, mayor. Is Michael Brown in the audience? We have a group of individuals from hillsboro, Oregon, that are visiting the city of Austin today and tomorrow. They've been admiring the city of Austin from afar. And they have come to learn how we do things here. And we'd like to recognize the delegation from hillsboro and thank them for coming, and really appreciate the fact that they want to see how we do things and learn from us. And we'll certainly learn from them as well. Michael Brown, are you in

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chambers? [Applause] >> Mayor Adler: All right. I think we're now ready to begin. So I'm going to call this meeting to order. Today is Thursday, October 5th, 2017. We're in the city council chambers here at 301 west 2nd street. The time is 10:20. We're going to begin our meeting. Let's take a look first at the changes and corrections. Item number 26 is being postponed to October 19. Item number 41 should be noted that it is related to item 51. Item number 45 is a duplicate, so no action is required on that item. And item number 52 should be noted that at its 4:00 time certain or no earlier than 4:00 time posting, there's going to be a request to withdraw this item that's made. We have late backup in items 28, 29, 32, 42, 52, and 55. We have item number 4 is being pulled by Mr. Flannigan. It looks like we have a short agenda. Hope springs eternal. It looks like we might be able to finish this one before dinner and then have folks stay for music that want to celebrate live music in this city with Mia

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Garcia. [Clearing throat] Pulled items number 4, the consent agenda goes from items 1-37. In looking at the people that have signed up, our rules say that you have to sign up and pull items or sign up before 9:45 in order for an item to be pulled. Let me see who's here. Gus peña, are you here? Thank you. Is John Roberts here? No? Is Cyrus Reid here? Cyrus Reid is here. Is Jason Lee here? Jason Lee, no? Okay. David king and jack Nelson. No? Okay. And tayne ward, here. Jack Nelson, Mr. Roberts, and Jason Lee are not here. We then don't have any items that are pulled by speakers. We also have items number 54 and 55 on our agenda. So it's items 1-37 and items 54 and 55. Are there any other items to pull on our agenda? >> Casar: Mayor. >> Mayor Adler: Yes. >> Casar: I'd like to pull item 33. I have an amendment. I don't have it presented yet. I'll present that after consent. >> Mayor Adler: We're pulling item 33. Any other items? Ms. Houston. >> Houston: I want to make a clarification. We posted an amendment to item number 32 yesterday. I'm going to withdraw that and we'll be voting on 32 . . . >> Mayor Adler: As originally filed. >> Houston: Mmhmm. >> Mayor Adler: Item number 32 is as originally filed. Anything else? Yes. >> I'd like to pull item 32.

[10:25:08 AM]

>> Mayor Adler: Number 32 has been pulled by councilmember alter. I have items 4, 32, and 33 being pulled. Item 26 being postponed. And that's items 1-37 and 54 and 55. All right. We have some speakers to speak on the consent agenda, so I'm going to call them up to speak at this point. The first one is Gus peña. >> Good morning, mayor, Gus peña. Born at 2327, native east austinite, Marine Corps veteran. I'm

here to speak on number 6. I'm sorry. It's regarding the capital contracting office authorizing award and execution of a construction contract with concrete and contracting corporation for indefinite. People are questioning, it states in the backup, indefinite delivery, indefinite quantity project. That, you know, as a former IRS investigator, it sets up a signal as to what the heck this is calling for, what it means. So I don't have a response. If you can, staff, maybe they can answer that. But anyway, I would like to, again, state for the record I said before, let's spread the wealth to other companies. I don't know how the contractor is selected. I guess on . . . By the way, whatever department. But we'd like to see others competitive, also. Number 8 is having to do with Austin Travis county mental health, they're doing a darn good job. We still have a lot of veterans

[10:27:09 AM]

out there that are homeless, mayor. And I notice that a lot more of the homeless population is moving away from the arch and the Salvation Army. I don't know where they're going. They've reached some of our camps where we're doing outreach for our homeless veterans. Mayor, we still have a lot of homeless veterans here. The secretary has agreed to come to Austin. I don't know. He's going to come to Austin to straighten out this mess, because he knows. He's gotten a lot of angry letters from the VFW, okay. And item number 12 is having to do with early childhood services. As much money as we can expend for childhood services, that is a no-brainer. We need the children to be prepared to enter elementary, middle school, and graduate from high school. And if they want to, you know, college. Like you did, maybe law school, become an attorney. That's item number 12, as much money as we can put in there, let's do it. Item number 30? >> Yes. >> Okay. A resolution relating to residential things. Mayor and councilmembers, we're having problems with owners of properties booting out people, even when they have one or two days on their lease. We need to have these individuals know they can go to the Austin tenants council and get some relief. They have attorneys over there. And the last item, before I forget, judge, presiding judge in the municipal court, she's doing a darn good job. Her and her staff over there. I went there with one of my nephews and boom, got relief. They had made an error. But the judge -- [beeping] >> That's all I want to say, mayor. We still have to work on the homeless issue. Thank you for the efforts you all do. We recognize Deborah Thomas. She's a darn good city attorney. She's doing a darn good job. >> Mayor Adler: Thank you.

[10:29:09 AM]

>> Thank you very much. Have a good day. >> Mayor Adler: -- Cyrus Reid. >> Thank you. I'm here representing the Sierra Club in support of item 33. There have been last-minute discussions. Basically this resolution takes the good work that a number of folks and city council did on the generation plan,

where has you remember Ms. Garza, we added some components to make sure that the energy efficiency money, at least to a certain amount, was going to working-class folks and getting access. And I think this resolution supported by a number of you is trying to do the same thing on solar. It's trying to make sure that some of the solar incentives that we're all paying for actually get to people who are the least able to pay their energy bills and get access to that. I believe there's going to be some additions to just clarify what the language means. It sets a goal of a minimum amount in this fiscal year and in future fiscal years for working-class folks to get access to solar, and it also says we want one of the programs that we discuss, the shared solar program, which is for people living in multifamily areas, to get access to the value of solar payments. And that's something that Austin energy's been working on. We're hoping it will get done by the end of this year. That's what the resolution does. I believe there's going to be some noodling on the language, but we're in support of it. >> Mayor Adler: Okay. Thank you. >> Casar: Mayor. While Mr. Reid is here, it makes sense to you all for us to set the goal post at half a million for this year, understanding that these programs are just now starting to roll out. And so we should set ambitious but realistic expectations. >> Exactly. It's October already. We're into the budget year. So the idea is to set the budget

[10:31:09 AM]

this year at half a million and raise it to a million next year. That gives time to develop those programs so all people can get access to solar. >> Casar: Thanks for your work. >> Mayor Adler: There's an amendment that incorporates these? >> Casar: That was mine. That's why I pulled the item off of consent, in case people had questions to deal with it. I pulled it off. He was signed up before I pulled it. >> Mayor Adler: Now that this is here, should this go back on consent? >> Casar: There's questions. >> Mayor Adler: I'm seeing some heads shake. We will keep this pulled. Thank you. Next speaker would be David king. Mr. King. >> Mayor Adler: 29 and 31. >> Thank you, mayor, mayor pro tem and councilmembers. I'm going to speak on 31. 29 you're going to pass. 31 regarding removal of memorials, it's way past time that we take this action. And I think we had enough discussion. We should just go ahead and remove those monuments that we already know exist and start renaming the streets that we know already have names after confederate folks from the confederacy. We should start taking that action now. The other thing we should do is look at expanding the scope of this resolution to include confederacy monuments and memorials on privately owned property for which the city has granted or may grant consideration, privileges, or rights such as tax abatements, incentives, zoning entitlements, or waivers from city regulations. If we're going to give these private property owners any public entitlements or benefits, then we should hold them accountable to these same standards and not support their -- any confederacy monuments or memorials that they

[10:33:11 AM]

may have on that private property. Thank you very much. >> Mayor Adler: Item number 32 as been pulled. We have a speaker signed up on that so we'll wait. Matthew Wolfe to speak on number 30. >> Hello. Thank you so much for having me to speak today. I want to especially thank mayor pro tem for the conversations that we've been lucky enough to have. My name is micky Wolfe, I'm our student body president at the university of Texas. One of the things we have is guarantor forms in housing throughout the city that allows for people that have financial aid and might come from less privileged backgrounds to use that as their guarantor. So currently this is something that's done in certain housing apartments in Riverside and other areas where students live. But it's not something that's don across the board. And while this resolution, we would hope that it would be able to focus specifically on the bonus density programs that a lot of apartment buildings near campus housing can take advantage of, because then it would allow us to really make those housing more accessible for all students from different economic backgrounds and, you know, really push forward a campus that could be more accessible because if you're able to live closer to campus, there are a lot of benefits that, you know, can happen academically as well as extracurricularly there. I want to reiterate, thank you so much for considering it. We really support this item and hope to see it pass alongside the rest of the consent agenda. Thank you. >> Mayor. >> Mayor Adler: Those are all the speakers I have signed up on

[10:35:11 AM]

things other than the pulled items. Anybody else, let me know. >> I have one more item that needs to be pulled. It's item 54. And this is the wastewater project at ACC. I think there is an agreement with our staff and stakeholders to hold it for two weeks. I'm getting an affirmative from Mr. Jennings on the side there. >> Mayor, could we postpone it on the consent? >> Pool: I'm sorry. That's what I'm intending to do. >> Mayor Adler: Let's just note it on the consent agenda, it's being postponed for two weeks. Is that what staff wants to do as well? Thank you. Number 54, postponed to October 19th. All right. Is there a motion to approve the consent agenda? Mayor pro tem makes a motion, seconded by Ms. Garza. Any discussion? >> Can you just repeat? >> Mayor Adler: The items that have been pulled are items 4, 26 has been postponed to October 19th, 32 has been pulled, 33 has been pulled, and item 54's postponed until October 19th as a part of the consent agenda. Comments or notations that we should make? Yes, Mr. Flannigan. >> Flannigan: No on item number 10 and the postponement for 24. >> Casar: Mayor, I wanted to clarify on 54, I stepped off the dais for a second. My understanding from legal is that they're going to draft -- we postponed this last week. We're going to postpone it two more weeks so there can be continued conversation with folks working on water conservation with the community college. But that the legal team can draft documents to make sure that if we come to a place of making a decision in a couple weeks, that everything keeps on track. >> Mayor Adler: Asking legal to go ahead and do that.

[10:37:13 AM]

Okay. Mayor pro tem. >> Tovo: Thank you, mayor. I just wanted to make a couple quick comments. Number 8 on our agenda is some funding for the homelessness outreach street team. And I just wanted to call that to your attention, but particularly to call to your attention the numbers of their -- which really indicate the great success that this program is having. And I hope that as we continue through the fall, if we are able to identify additional funds, we can look toward having the host team expand its efforts. It's clearly showing a lot of success in the areas where it's currently working. I want to just very quickly thank micky Wolfe from UT student government for coming down to speak about item 30, and for initiating this idea. I think this is a very important measure. And I look forward to seeing it move through the process. And Paul is also signed up not wishing to speak from the apartment association. He has been a good resource of what current practices are and has expressed a willingness to continue to work as this moves through the process. Thanks to both of you. I look forward to seeing some good policy work in that area. >> Mayor Adler: Okay. Let the record reflect that I'm going to abstain on the zoning request on Rio grande, number 10, for the same reasons as I have before. Yes. Councilmember troxclair. >> Troxclair: I would like to be shown voting no on items number 2, 11, 16, 21, 29, 30, 31, and 34 and abstaining on items number 3, 35, 36, and 37. >> Mayor Adler: Okay. Anything else? Moved and seconded, approval of the consent agenda with the notations and recusals mentioned, please raise your hand. Those opposed? It's unanimous on the dais. That now gets us into the pulled

[10:39:13 AM]

items. Mr. Flannigan, you pulled item number 4. >> Flannigan: Yes. I have handed out an amendment to ensure that any grants approved by staff don't conflict with any previously approved council ordinances. Is there any questions about that? I'm happy to explain, but I think it's straightforward. >> Mayor Adler: Any objection to including this amendment on the resolution? Mayor pro tem. >> Tovo: I guess I would like to ask, are there some grants that . . . Was there an example that gave rise to the need for this amendment? >> Flannigan: I'm concerned about future grants coming with some of the recent decisions from the justice department as conditions. >> Tovo: I see. Thank you. >> Mayor Adler: With no objection, that is being included. Is there -- yes, councilmember pool. >> Pool: Just to check, because I'm not against this, I just want to understand some long-range ramifications. So, if something happens that would put this in conflict with changes that we don't yet know about from the FAA, then would this automatically trigger this being brought back to council? Is there a mechanism in here that would trigger this so we would know? Is that something that the aviation department then would keep track of and bring to us? >> Flannigan: The intent of this is, if the grant comes with something that -- it comes to us to approve. That's all we're doing. We're not rejecting grants. We're changing when management can approve a grant without coming to us. And this is an annual thing the aviation department does, as I've come to understand. But there have been changes. And I think more council oversight is probably

useful. >> Pool: You do perceive there to be a trigger in here that would notice that change that would then trigger it coming back to council. >> Flannigan: I'm not sure what you mean by notice. >> Pool: Staff would recognize there is something coming down from the federal government putting us in conflict.

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And so it would then elevate the issue to come back to us. >> Flannigan: That's the intent. >> Pool: Okay. >> Flannigan: If it was in conflict with something we had decided, it would come to us for approval. >> Pool: Okay. That's great. Thanks. >> Mayor Adler: Okay. Is there a motion to approve this item number 4? Mr. Flannigan makes that motion, councilmember alter seconds that. Discussion? Those in favor, please raise your hand. Those opposed? That is unanimous on the dais and approved. That gets us up to item number 32. Ms. Houston, do you want to move the original? >> Houston: I'd like to move the adoption of the original resolution. >> Mayor Adler: Is there a second to that? Councilmember Garza seconds that. We have someone signed up to speak on this item. That would be tayne ward. >> Good morning, council, good morning, mayor. My name is Dr. Tayne ward representing an organization is which is an indigenous rights organization based out of Austin Texas here. I want to thank you all for considering this resolution which would be consistent with over 40 countries nationwide in terms of the language, which would change Columbus day to indigenous peoples day. I think it's important to recognize not only the legacy of indigenous peoples in the region of central Texas as well as across the Americas. Texas and central Texas specifically is the oldest continually inhabited site in all of the Americas. So this is actually a very important place for native peoples.

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Texas is also unique in having not a single tribe which claims Texas as ancestral territory to still live in Texas. They were all displaced or killed off, or they have not been recognized by the federal government. And the three reservations that exist in Texas are all tribes that were displaced from elsewhere and brought to Texas. So recognizing the native peoples of this land is especially important. It's important that Austin takes this step. Furthermore, we are living right now in a moment where there's a considerable amount of changing of names, taking down of statues, confederate monuments. This came up today. Looking at the history of indigenous peoples in Texas, we could change all the names. Austin, for example, is the man -- not only was he a slave-holder but he invented the policy where any settler who brought slaves into Texas would be granted land. He expanded the displacement of native Americans at the same time at which he expanded slavery. We have to say his name every time we say where we're from. I'm not asking us to change the name of the city of Austin. Lamar, which is a boulevard many of us probably took to get here today, you know, he penned a policy of genocide

against native Americans. Of course we would change the name of the boulevard, we'd erase a lot of the culture of our city, many businesses and people who have known this street. We're not asking for that to be changed, either. We're asking for indigenous people to be honored. The only name we are erasing here is the name of Columbus, someone who was actively known to have committed genocide in the caribbean, an area which is suffering right now under both man-made and natural disasters. I would like to honor those people right now and their ancestors who suffered under this colonial oppression. I think it's also important not only to recognize the past, but

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also the present moment. Native and indigenous people have a right to their land. People who have maintained ancestral ties with land, including places like east Austin, needs to have a precedent set that we -- [beeping] >> Mayor Adler: You can go ahead and finish your thought. >> Did you give me three minutes? >> Donate. >> Thank you. I was saying that the east Austin, we need to set a precedent for people who have ties to land to be able to stay on their land. We have to understand that native peoples have migrated across these borders for thousands of years. The native peoples of central Texas did migrate up to the pacific northwest, as well as deep into Mexico. As these increasingly militarized laws are coming our way, we have to demonstrate that we believe in the right to migration. We have a right to protect our lands. And the mega-projects that are disrupting native sacred sites in places like eagle pass, which many of you may not have heard of, are also disrupting these burial sites, sacred sites of indigenous peoples. They have a right to fight for these. It's important that as a city we recognize indigenous peoples in the past and in the future as indigenous peoples are tied to seven generations in the past and in the future. We want for everyone to consider seven generation from the now, and how we will live then. What type of society are we building right now? What is the change that is before us and how will we take on that change? I think very much it's important that part of that change recognizes the indigenous peoples of this land, that it recognizes people's right to tie to the land and to each other, to build cultures which are diverse and unique. And it is not an erasing of anyone's culture of any kind to get rid of Columbus day. Of course we all celebrate European history all the time every day. No one is trying to take that

[10:47:17 AM]

away from anyone. We are asking for one day out of the year where indigenous people can claim as their own day, one day which we currently do not have. I ask you to consider this all, and I thank you very much. [Applause] >> Mayor Adler: Thank you. David king. >> Thank you, mayor, mayor pro tem, and councilmembers. I support this resolution. And I would also ask that you please look at any support

the city provides for the celebration of Columbus day and pull that support. I don't see how we can honor indigenous people with this request today and then turn around and support the celebration of Columbus day. So I would ask that the city look at whatever support it provides for the celebration of Columbus day and pull that support. Thank you very much. >> Mayor Adler: Thank you. Those are all the speakers I have signed up to speak. We are now back up to the dais. Ms. Houston. >> Houston: Thank you, mayor. And thank you, Dr. Ward, for your comments. This -- resolution is before us today in the spirit of inclusiveness and inclusion, acknowledging and celebrating the contributions indigenous people have made and continue to make in our society. There is only one human race, but there are many parts of that human race. And the indigenous people who have lived in our -- on this land before any of us got here or any of our forefathers arrived here are just asking for that same opportunity to have the recognition and the acknowledgment that they, too, were the original conservancies of our land.

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And so as I said before, I hope that people will support this resolution in the spirit that it's given. >> Mayor Adler: Further discussion on the dais? Mr. Renteria. >> Renteria: Yes, mayor, I'm going to be supporting this. My group, united east Austin, we have been celebrating diade la Raza. This is going to be our event, we're going to celebrate it at the mexican-american culture center. We say Columbus didn't discover America, he was lost. You can't discover something when you're lost. So that's why we celebrated. We don't want it to get lost, you know, what we are today all started because a person did come and discover that there were people living there, a big civilization that had their own culture and all that. And that all got wiped out, you know. And we need to preserve this. That's why we have been celebrating Dia de la Raza, which is on October 12th. >> Mayor Adler: Further discussion on the dais? Councilmember troxclair. >> Troxclair: Councilmember Houston, I was hoping to get clarification. Is the resolution as it's written to replace Columbus day with indigenous peoples day, or is it to celebrate both Columbus day and indigenous peoples day? >> Houston: Excuse me. Thank you. The resolution as it is written is silent on that. Some people have made some assumption that it's to get rid of one. I think that's up to this dais to determine whether we have the

[10:51:18 AM]

ability to celebrate both. But that was my understanding, that we would, in lieu of Columbus day, we would be honoring indigenous peoples day. But I have been receiving lots of emails that people feel that if we take away one, there's no way -- again, in this polarized environment that we find ourselves in now, there's no way that we can celebrate both, although there are many examples where we celebrate a lot of things on the same day, including emancipation day. So that's something that I think

the dais will have to have a conversation about. >> Troxclair: Okay. Thanks for answering that question. I understood that the intention was to add indigenous peoples day to the existing recognition of Columbus day. I passed out an amendment that I think honors both. I certainly understand that, you know, it's important to recognize the good and bad parts of our history. And certainly there was a lot of pain and suffering that indigenous people went through. And I heard you, you know. And I know that this is the spirit in which you offered this amendment, the spirit of inclusiveness, because I know you always fight to make sure that abrasive language isn't used and that people do feel included and open to discussing their opinions. And I think that my changes, my amendment to the resolution captures that. I've received a lot of communication -- I think the rest of the dais has, too -- from Italian Americans who, you know, and the knights of Columbus who feel like some of the wording in the resolution is disrespectful to their heritage. So I'm just hopeful that, you

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know, if I get a second and we take a vote, I wanted to at least offer this and give the dais the opportunity to be inclusive. >> Mayor Adler: Further discussion on the dais? Councilmember alter. >> Alter: I, too, had been under the impression that this proposal was to recognize and honor indigenous people as well as Columbus day. So I would like to make a motion that we add an also under the first be it resolved so the Austin city council hereby declares the second Monday in October as also indigenous peoples day in the city of Austin. >> Mayor Adler: Okay. Your also that you're offering would go, I'm sorry, where? >> Alter: The first be it resolved clause, this was what was posted on the message board last night, although there were a few other also clauses that said Austin city council hereby declares the second Monday of October as also indigenous peoples day in Austin. Many other cities have done this. >> Mayor Adler: Is there a second to this motion to add the word also in the first resolved clause? Councilmember troxclair seconds that motion. Is there any discussion on the amendment? Ms. Houston. >> Houston: Mayor, and I appreciate and I've had the conversation with councilmember alter of their willingness to try to make this work. I have to respect the wishes of the indigenous people who are responsible for lifting up this concern and this opportunity. So I would not be able to support adding "Also" in that. >> Mayor Adler: Okay. [Clapping] >> Mayor Adler: If there's no further discussion, we'll take a vote. >> I'd like to . . . I would

[10:55:23 AM]

just like to speak to this. I had hoped that we would be able to add the language "Also" in here so that I could do what I very much want to do, which is recognize and honor the indigenous people. I'm an academic by training. I'm married to a historian and we have had lots of conversations about the history

involved here. And I'm uncomfortable with the first part of the resolution. It's not the language or the historical approach that -- as a way that I would articulate it. I had hoped to be able to divide the question and vote and endorse having and honoring an indigenous peoples day and be able to not vote for a portion where I was not comfortable with the language or the historical approach. It had been my understanding, until this morning, that the intention of this resolution was to do it in addition to Columbus day. So I ask my colleagues to please consider supporting this amendment. I think, you know, it is us on the dais who have to decide what it is that we want to commemorate. I had hoped to adopt that approach because I didn't think that this was the time and place, nor were we necessarily the most appropriate people to be word smithing the history and those pieces. I had hoped to be able to approach things so that I could honor and recognize indigenous people in that way. >> Mayor Adler: Further discussion before we vote? Mr. Casar. >> Casar: Mayor, I'm going to vote no on the amendment. I was just walking around downtown yesterday to get lunch and to go to the bank, and saw on two different instances signs saying we're going to be closed on Columbus day to celebrate the discovery of America, which is just historically, that's just

[10:57:24 AM]

not true. And that's, I think, another continued myth that isn't true that's spread by -- spread in our schools and spread by our governments by not acknowledging the real history of indigenous people being the folks, the humans that first came to this land. And so I think that I appreciate what I believe was the intent, which is to -- in solidarity with the indigenous peoples movement to rename this day indigenous peoples day. So I'm going to vote no. >> Mayor Adler: Okay. Ms. Pool. >> Pool: Yeah. I have to agree. It's been decades that I have -- since my awareness has been raised back in high school about how our indigenous peoples or native Americans were treated. And we really haven't gone far enough at all in trying to heal over those wounds and addressing the really reprehensible treatment that the first peoples in North America have had at the hands of folks who look like me. And I can only apologize for that. And not do anything to make things worse. >> Mayor Adler: Let's take a vote on the amendment. Those in favor of the amendment, please raise your hand. Councilmember alter and troxclair. Those opposed? It's the balance of the dais, the amendment does not pass. Are we ready to take a vote on the motion? >> One quick thing. I hope this is friendly, on the third be it resolved, can it say Austin area public schools? The capitalization might be confusing for the future. That's the only change I'd like to make. >> Houston: I'll accept that as a friendly amendment. >> Mayor Adler: Any objection to saying Austin area public

[10:59:24 AM]

schools? Seeing none, that changes incorporated. Further discussion on the motion? Mr. Casar. >> Casar: Mayor, I do have a question. My understanding, again, which is the reason that I voted against the amendment, is that this would indeed mark the second Monday in October as indigenous peoples day rather than Columbus day. I would like to have that discussion to just understand what the resolution does, because if it indeed doesn't do that, then I wouldn't have spoken against and voted against the last amendment in honesty. And so I amendment in honesty. I heard from the sponsor. My preference is to do that. I could make an amendment to clarify that or actually what I prefer to do is actually ask the last speakers to address that point if you can address it briefly. Either one of the two speakers signed up if you could tell us what your intent was very briefly, then that may inform our discussion. >> Thank you so much. Very briefly to address that, it would be to replace Columbus day with indigenous people's day. A couple of reasons for that, it remains consistent with over 40 cities across the United States who have passed a similar resolution. And also we believe that that is the most spirit of inclusion, specifically because there are many ways to celebrate history and we don't feel like celebrating Columbus day is either an accurate representation of history or one that's rooted in the values of this city. >> Casar: And so would you be supportive of an amendment that said the Austin city council declares the second Monday in October as indigenous people's day rather than Columbus day in the city of Aus anyone. >> Absolutely. >> Mayor Adler: Thank you. Further discussion on the dais?

[11:01:26 AM]

>> Casar: If I'm allowed to make that motion, aisle make that motion. >> Mayor Adler: Okay, Mr. Casar moves to add in the first resolved clause the language rather than Columbus day. Is there a second to that? Councilmember Garza seconds that. Discussion? Ms. Houston? >> Houston: I'll probably vote for that amendment. Again, we're setting up a paradigm where even though I understand the marginalization of indigenous people in this country throughout our history 00 what we're setting up now is that this group is more recognizable than the other group -- than trying to, again, as I said that we can both honor them and respect them on the same day. But, again, as I said earlier, this is the will of the dais. So I'm willing to listen to what the others have to say. >> Mayor Adler: An amendment presently on the floor. Yes? 1. >> I would like to ask the city manager a question in terms of the practical immakt of the resolution. Is the language -- is your read of this is that the city will relabel all of its calendars and materials and the things that the city itself controls to now say indigenous people's day regardless of -- I mean, is that the intent you're hearing? >> I would interpret it that way. We follow federal laws for our holidays. This is not typically a city holiday. You see we have a calendar here noted Columbus day. We would change that. I don't see an extreme cost going forward. We would recognize the second Monday as indigenous mean day. >> Not worried about the cost.

[11:03:27 AM]

We're clearly saying this is how the city is going to recognize this day on the calendar. Okay, thank you.

>> Mayor Adler: Okay. Any further discussion on the amendment? Put it to a vote. Those in favor, raise your hands. Those opposed? Troxclair and alder voting no. Now to the discussion. >> Mayor, I passed out an amendment earlier. I would like the chance to offer it. >> Mayor Adler: Ms. Troxclair passed out an amendment on page 32. Is there a second to the amendment as shown on the page? Fails for want of a second. >> Troxclair: I wanted to at least capture it in the record. I do have one more question -- I just want to clarify, Columbus day is a federal holiday. So to the extent that the -- we can't -- we can't replace -- we can't control -- to councilmember can Casar's statement, we're closed because of Columbus day, this isn't going to change that. It's up to the individual business owner what kind of sign they want to put on their door. Our intention is not to try to -- the federal -- there's nothing we can do that will change the effect that the federal government is going to continue to recognize Columbus day as a federal holiday. Is that right? I don't know if that's a legal question? >> Mayor Adler: I think it's a rhetorical question? >> Houston: Mayor? >> Mayor Adler: Yes. >> Houston: My understanding that the federal holiday stays in place. We're just saying on the second Monday in October, in Austin, Texas, it will be known as indigenous people's day. >> Mayor Adler: Councilmember

[11:05:28 AM]

Garza? >> Garza: I would just say that if enough cities do what we're doing, at some point, our federal government will recognize us. So that's the whole point of these small changes at the local level. >> Mayor Adler: Okay. Councilwoman alder? -- Council bom? . >> I want to clarify since I'm abstaining on the final vote that I favor honoring the indigenous people's day. I understood the resolution to be doing something different than where we are landing right now. I want to be very clear that I support the creation of indigenous people's day. I had understood this was happening in a different way and I'm not going to be able to vote positively for it. >> Mayor Adler: Okay. Let's take a vote. In favor of item 32, raise your hands. Those opposed? Those abstaining? Alter abstains. Troxclair votes no, others eye. Item 32 passes. [Applause] Council, as we posted on the message board, we're going to take the citizen's communications speaker today at 11:30. They've come in. We can change that on our posting requirements because there's not a legal requirement for that to be posted. Which is why we can change that date from that time from the dais. And I understand the folks who want a ride to the lunchtime event, a van will be available at 11:45. All right, let's continue on then with our agenda. >> Troxclair: Mayor? I'm sorry, we're breaking for a lunchtime event? >> Mayor Adler: For when the citizens communication speaker is done until 1:15.

[11:07:29 AM]

There's a -- some members of the council that wanted to go to a luncheon today, I think it's the worker's defense project. >> Troxclair: Okay. Then we'll reconvene at 1:15. Okay. >> Mayor Adler: Next item, item 33. Mr. Casar's, are we ready? Not quite? >> Tovo: When we move on, if we're done with the consent agenda, it's possible we might not come back until the 2:00 posted agenda. We'll sort that out a little later in case members of the public are watching. >> Mayor Adler: Good catch, thank you. >> Tovo: We'll have to determine that in a bit. >> Mayor Adler: If we're done with the consent agenda, we'll be done until 2:00 so we won't come back until that. Thank you for coming up. >> Casar: I can save us time if we take it up at 2:00. There's legally wrangling over a word or two. >> Mayor Adler: Is the citizen's communications speaker here? No. So I would say continue to wrangle. We'll go into recess now until since there's nothing else that I can see that we can take up, we'll go into recess until say 11:25 in case the legal wrangling is done and we can handle it. So, the council will go to recess until 11:25. Yes?

[11:09:33 AM]

>> Troxclair: These agendas are different. It doesn't say 2:00. >> Mayor Adler: 38 and 39 executive sessions we've discussed, 38 and 39, we don't need to do. We're going to recess until 11:25.

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Checking. Testing it, one, two, three, testing on dais9, one, two, three, four, five, six. Running out of things to say, ABC, def, ghi. Testing, checking one, two.

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[Music]

[11:34:56 AM]

>> Mayor Adler: It's 11:34. We're going to reconvene the city council meeting here in city council chambers on October 5, 2017. We have one more item that was on the consent agenda. Mr. Casar, item

number 33. >> Casar: Mayor, I would like to move approval of 33 with the amended text I handed out except after the legal wrangling, one word will change in the be it resolved section. You will see first be it resolved section, one, two, three, four, five lines down, the word incentive is underlined and I would replace that word with -- replace the words "Incentive program" with "Solar programming." If I get a second, I'll explain. >> Mayor Adler: A second to this amendment? County member kitchen explains. You want to explain? >> Casar: This was designed to be a budget rider. I don't know if everybody remembers or if you blacked out. Near the end of our budget session, people were exhausted. We said it would be part of the plan and as a budget writer everyone assured us we could do it by resolution. This does not add anything to the budget, but instead setting a goal for our existing multimillion dollar solar budget that \$500,000 of this fiscal year's budget be set towards programs for solar adoption for underserved markets that's multifamily housing, low income folks, renters and nonprofits who largely have gotten less direct benefit from our existing solar programs, especially because so much of solar is based on income tax deductions that make it really accessible for some of these underserved markets. Great programming the staff is

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working on in this regard. Since some of the programs are just now being developed, we want to set a more realistic expectation of 500,000 in this fiscal year rather than \$1 million given that -- given that it's probably best to set goals that are -- that are brave but not unrealistic so we set our staff up for success. So I'll move that. And oh, sorry. I will also when I amended my original motion, we meant to set a goal of \$500,000 for fiscal year 2018 and leave 2019 alone just so we wouldn't be -- if there were some concerns that we would be putting the cart before the horse there. A report back in February about how we're doing towards the \$500,000 goal and that will set expectations for 2019. Austin energy is good with this. Solar Austin and Sierra club and all of the folks working on this for a long time are good with. >> Mayor Adler: What you handed out with first incentive programs become solar programming. And it talks about setting a goal of fiscal year 2018 budget and the language about 2019 comes out. >> Casar: Yep. >> Mayor Adler: Those are the two changes. Set a goal of \$500,000 fiscal year 2018 budget incentives to the solar program? >> Casar: Yep. >> Mayor Adler: Any objection. Moved and seconded. Any discussion? >> Casar: I would like to set up expectations for how this will go in January. >> Mayor Adler: Mr. Flanagan? >> Flannigan: The amended or the main? I have comments after. I'll just -- >> Vice president, energy solutions. >> Casar: If this passes as written, my expectation is you'll report back to the committee or the committee at whole or the council in February

[11:38:57 AM]

of '18. And my -- I just want to make clear for the record that my -- when we're talking about solar programming which is some of the words that we were wrangling with that we mean actual programming and help on the ground for some of these underserved markets, not the -- not the -- not to include things like consultant costs and other things but the \$500,000 on the ground. >> That is correct. We agree with that. >> Casar: That's helpful. We need to have some discussion going to the 2019 budget where we'll hopefully ramp it up to the goal that to figure out how we develop the right programs and where the budget money comes from to develop the right programs to really ramp this up to all of the people who knew? >> We agree with that, absolutely. >> Casar: Thank you for hearing us on this. You know, everybody pays into the customer benefit charge. But there are -- but renters and especially lower income homeowners and folks it living in lower income apartments have not been the primary folks that got solar on the roofs and so I appreciate you working to change that. >> Thank you. >> Mayor Adler: One person signed up to speak. We'll call that person before you go. Abel white? >> Cable white with public citizen. Keep this short. I want to say thank you to councilmember Casar and your staff for working with us and Austin energy to find something we can all agree on and thanks to co-sponsors and everybody else. This has been something that we've been working on here in the community trying to find solutions and try to work with Austin energy for solutions that will enable affordable housing in particular but other low income and renter communities to benefit from solar. So I hope you all will, you know, support this resolution and we'll have to take another look at how Austin energy is looking to move forward with

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these programs in February. But I'm confident that they are taking this seriously and I want to thank them for their work. >> Mayor Adler: Thank you. Mr. Flannigan? >> Flannigan: I have a lot of questions about this. With the amended language, I'm going to vote no with no debate. I have a lot of questions about this as it relates with the return on investment -- as it relates to return on investment for solar installations. A lot of programs and fees we charge our community that not everybody benefits from. I looked at solar as benefitting the community because it was offsetting green house gas emissions. That's the point of renewable energy. Given it's a goal and not a minimum, I'm okay with not extending this debate further. But my hope is that we're seeking to maximize this number of solar installations and that be the objective that we're handing Austin energy and I think there are ways to leverage the community's resources in a way that might be more advantageous than -- than what is being proposed. >> Mayor Adler: Take a vote. Those in favor of item 33 as amended, raise your hands. Those opposed? Councilmembers troxclaire and Flannigan voting no. Others eye. Thank you. Christopher surrey, I want to thank you on behalf of -- come on up. Because I'm talking to you. I want to thank you for rearranging your schedule so as to accommodate the council this morning. I want you to know that it's much appreciated. >> Absolutely. >> You have three minutes. >> Okay, all right. My name is Christopher scurry. I'm the founder and director of born to serve incorporated and we provide quality tennis and

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education programs to underserved communities in Austin. I grew up in St. Louis and my father was the founder along with a couple of other people of similar programs and the people are the kids that grew up in these programs. There was a 90% me trick lags rate to four-year colleges and universities and I want to bring that back to the Austin area. My wife and I were personally financing all of the operations which includes tennis rackets, tennis balls, courts repairs. We don't expect monetary support from external units as the city of Austin. But we do seek permission to use public tennis courts to Austin for free tennis lessons for the kids. We aim to provide free tennis lessons on Saturday morning on rosewood park which I believe is councilwoman Houston's district. And rosewood park includes two tennis courts, one of which I was informed was vandalized. I plan to personally finance the repair of the tennis courts but what I'm asking in return that I get a letter from mayor Adler or councilwoman Houston saying while we can't reserve the tennis courts because of park policy stating that we have your support and we -- we would like for residents to yield the tennis chourts to students or to kids at that time, my fear is that kids will come expecting free tennis lessons and tennis courts will be in use and they can't get that. That's all I'm asking. I don't know if this is a debate or do I just leave? >> Check with my office. Sounds like a good idea to me. So if you reach out to Leslie Varghese in >> Houston: Rodriguez in my office, we also have more tennis courts at dotty Jordan park. They're newer. And they weren't vandalized.

[11:45:00 AM]

>> Do I have 30 seconds left? >> Mayor Adler: Go ahead. >> What's the policy about affixing a banner to the tennis courts? >> Houston: We'd have to get you in touch with the parks and recreation department. Ms. Hensley back there will talk to you after you're finished. >> Beautiful. Thanks. >> Mayor Adler: Great. Thank you. All right, council. That's all the citizen communication that we have today. We don't have anything we can do until 2:00 when we have the zoning agenda. I think Mr. Flannigan, you pulled 43, 44, and 50, I think, this afternoon. >> Flannigan: Yes. >> Mayor Adler: We'll start with staff taking us through that consent agenda. We have two items that are set at 4:00. One is going to be withdrawn. The other is an indefinitely -- indefinite postponement. After that, proclamations and music beginning at 5:30. >> I have a question. >> Mayor Adler: Yes. >> Maybe we should start later than 2:00 and get it all -- push it all together, because if we start at 2:00 and then we're going to have a break again until 4:00. And there's one on here for 5:00. I don't know if that's right, but . . . >> Mayor Adler: I don't have anything at 5:00. >> Yeah. Because . . . >> My only concern might be that we have citizens coming at those times. At 2:00. I'm not sure about that. But my guess is we might have some people come down for the 2:00 zoning items. >> Yeah. And I just don't know how long the zoning cases are going to take, so let's come on back at 2:00. And until then, it is 11:46. The meeting stands in R

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>> Mayor Adler: The calendar looks like today. >> I'm Jerry with the planning and zoning department. For your 2:00 zoning items today, we have item 40, which is c14-2016-0134. I'm prepared to offer that on consent, but I understand councilmember Houston would like to have that item pulled so she can make a few comments about it. So we'll go ahead and pull item number 40. Item 41, c14-2017-0020. We have a postponement request on this item by the staff to November 9th. Item 42, c14-2017-0042. We have a postponement request by the neighborhood to November 2nd. I understand that the council wants to try to keep November 2nd as clear as possible. So the neighborhood is requesting November 2nd. The applicant prefers to have it postponed to the next week. They're both here. >> Mayor Adler: Okay. >> Item 43, c14-2017-0076, ready for approval on all three readings. Item 44, c14-2017-0077, also ready for approval on all three readings. Item 45, a duplicate. No action is required, it's been withdrawn, the item has been withdrawn. Item 46, c14-2017-0095 ready for approval on all three readings. Item 46, case c14-2017-0095, ready for approval on all three readings. Item 47, c14-2017-0091, ready for approval on all three readings. Item 48, c14-2017-0104, ready for approval on first reading. Item 49, case c14-h.

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When we bring this back for second and third reading, we will be adding the neighborhood plan overlay to the item. Item 50 is c14-h0107, approval on all three readings. Item 51, 2016-001, staff is requesting a postponement of this item to your November 9th agenda. >> Mayor Adler: Okay. Council, we had some items that were being pulled. Ms. Houston, you wanted to pull 40. Are you still pulling 43 and 44? And Mr. Flannigan is also pulling item 50. >> Flannigan: I don't have to pull 50 if I can make a one-sentence statement. >> Mayor Adler: Go ahead. >> Flannigan: I continue to be concerned about the historic value of some of the things that we note as historic properties. 50 in particular is noted in the documentation as a mix of different types of styles. No one of historical significance lived there, except for people who lived there when it was an old building. I get very nervous about providing tax abatement to properties that don't provide some community benefit in return for that. And I think even its listing on the national register is just only this year, even though it is a very old building and could have been noted at any time. So I'm going to vote no on this on consent, but I still have great concerns about the way in which we do historic preservation and the way that we designate historic properties that have very questionable history. >> Mayor Adler: Okay. All right. So the calendar I'm looking at, it looks like item number 40 is pulled. It looks like item number 42 is pulled, 43, and 44 are pulled, 45 is withdrawn. And it looks like item . . . I

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guess that's it. Is that right? >> Yes, mayor. >> Mayor Adler: 40, 42, 43, and 44. >> That's correct. >> Mayor Adler: Is that right? Item number 50 has been -- there are two people waiting to speak. Both are for. Elaine and Terry O'Connell. Are they here? >> They don't wish to speak. >> Mayor Adler: We just approve on consent? >> I'm not sure. >> I think, mayor, they're okay. >> Mayor Adler: Okay. [Laughing] >> Mayor Adler: Got it. Is there a motion to approve the consent agenda? Ms. Pool makes that motion, Mr. Renteria seconds. Any discussion? Ms. Troxclair. >> Troxclair: I have some questions about that item now, based on councilmember Flannigan's comments. If it's an old building but not necessarily historically representing something historically important, why are we approving this designation? So maybe I need to hear from the speakers, or I need more context. >> Mayor Adler: Okay. Mayor pro tem. >> Tovo: I would just say that, you know, remember this is sort of the last stop in the process, not the beginning of the process. So it's been through the landmark commission. They voted 7-0 with one abstention, recusal, rather. The planning commission voted 13-0. I believe it also had the staff recommendation. So all of those who we've tasked with doing, kind of, the initial review believe that it meets the criteria that are specified within our code, from our historic preservation officer whose job it is to, you know, be the first reviewer to the landmark commission, which is made up of individuals with significant expertise in architecture and historic preservation restoration to the planning commission. I'm happy to discuss it further. But I think in answer to your question, I would say that all of those who have studied it to this point believe it does meet

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the criteria. >> Troxclair: And I don't see our historic preservation staff here. Can you just tell me what criteria it met, or what is the reasoning for recommending approval? There you are. Sorry, I didn't see you there. >> Hello, councilmembers, I'm Kara, the historic preservation officer. And the building retains a degree of integrity. It's significant for architecture. It does have a unique blend of period revival styles. And it has significant for its historical association. It was developed during a time when the city of Austin was expanding very rapidly from a relatively sleepy town to one that was the center of government, the center of education. The state government was expanding rapidly, local governments, university of Texas were expanding. And affiliated -- because of these institutional expansions, many, many new white collar employees -- were moving to Austin to live here and work downtown. The downtown core was developing -- was being redeveloped from single-family houses to a mix of smaller-scale apartment buildings, mostly two-story, four-unit buildings similar to this one. They were very different from rooming houses of the past, which were single rooms off of long corridors. These buildings, they tried to be -- they were developed to be homes for these young single workers, very often women who were living by themselves. >> Mayor Adler: Okay. >> That was long. Architecture -- >> Mayor Adler: Hang on just one second. >> Yeah. >> Mayor Adler: If we're going to discuss this, we should

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probably pull this item. Does anybody want to pull this item? >> Troxclair: If no other councilmembers have questions, I'll just -- are you going to abstain or vote no, what did you say? >> [Off mic] >> Troxclair: I'll just abstain. >> Mayor Adler: Thank you. So, the abstention will be noted. Your no vote will be noted. Any further discussion on the consent agenda? Those in favor, please raise your hand with the notations made. Those opposed? It's unanimous on the dais with the exception of the notices that were made. Thank you. Thank you. So, the consent agenda passes. We are now on the items that have been pulled. Let's go ahead and finish this conversation. Well, no. We passed that. So that gets us to the postponement issue. I guess first on item number 42. >> Honorable -- >> Applicant? >> Sorry? >> Mayor Adler: You're the applicant? >> Michael, I represent the property owner. >> Mayor Adler: You have five minutes. >> Okay. Honorable mayor Adler and distinguished councilmembers, very briefly, in the request for postponements and by the homeowners, they cited that the neighborhood needs clarification regarding the impact of the traffic transportation issue. I will note that on the agenda backup staff report on page 11 it reflects that the neighborhood traffic analysis is deferred to time of site plan. So it would be impossible for them, since no site plan is going to be submitted until after the rezoning determination is made. They won't have that traffic study. So there's really no basis for requesting the postponement for that reason. Furthermore, as Jerry had noted,

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this distinguished body is going to consider city manager interviews for the 2nd. So that time is going to be off. Requesting October the 12th to ensure that this matter can be resolved by year's end. We're concerned that if it gets postponed further, at least to the 2nd, it would have to be after the 2nd, that we're running into the holidays. This matter wouldn't be resolved and would continue into the next year at great detriment to the homeowner. This has been through a long process. And there's been a lot of input, a lot of discussion. And I think it's time to be resolved. We're asking October 12th for the first reading. Thank you. >> Mayor Adler: Is there anyone here else to speak on item 42? >> Mayor Adler: Come on down. Do you want to speak? [Off mic] >> Mayor Adler: Okay. What's your name? >> My name is Bob king. >> Mayor Adler: Okay. Is Scott here? >> He is. >> Mayor Adler: Okay. You'll have six minutes if you want it. You're speaking to the postponement issue. >> Yes, sir. And regarding the postponement and -- >> Mayor Adler: Can you pull the microphone up? >> Is this better? >> Mayor Adler: Yes. >> The neighborhood isn't asking for a traffic analysis as much as probably a miscommunication, not understanding what that meant. The question had to do or still has to do with the access from Mcneil that is existing right now. There is a transportation recommendation that it be closed off and that also the right of

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way be extended into the property. And we as a neighborhood would like to know what that -- if that's on the item to be approved. And if so, how that impacts us on blackfoot and where the residential component is. So that had a lot to do with why we asked for postponement, to see if there was some resolution on whether -- I'm not sure how it gets done, whether it's council or staff, or how you resolve that access question that is under consideration. I don't know how the applicant stands in that, or where they are on that. So we're just -- we'd just like to know as much as we can. The property is Irco right now. It can be used gr, which came from zoning and planning is more than we would like to see. Lr is what it has. And staff is Irmu. And also with the understanding that codenext would designate it without a request to change it to Irmu. And our primary concern has always been access to blackfoot, traffic at the corner, and then the intended use. We would like to see it keep its neighborhood component. And we're one of the few streets along Mcneil that looks like a residential neighborhood as you turn down blackfoot. And so we're asking for some time to make sure that we've been able to present that. We have our neighborhood president who couldn't come. We have several people that just couldn't attend today.

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One might be back from Houston. But anyway. So we were asking for time to get some clarification and also to have everybody here that could be and schedule that out. It's just a difficult timing issue. >> Mayor Adler: So you would ask for November 2nd? The issue on that was that council was looking to try to claim some of that time back. >> Yes, sir. And I don't know -- I didn't write that letter, Francine did. She's not here to speak for herself. But November 2nd I think just played into what would be next available and give us some time. So if it's not then, if it's, you know, I understand you have plenty on your plate. So next week would be less likely. We just need a little more time just so make sure we can try to organize the people who'd like to be here. >> Mayor Adler: Okay. Thank you. >> Mayor. >> Mayor Adler, councilmember pool. >> Pool: If the 2nd is one of the dates that we were thinking about switching from a council meeting to something relating to the city manager, could we then take the next meeting, which is November 9th? Is that date possible? >> That would be better for us, yes. >> Pool: And that way it wouldn't run into our need to repurpose the November 2nd date. But it would also give the neighbors a chance to have some additional conversations about what the access would be into the neighborhood, and where the extended right of way on to the property will be. And even if the applicant doesn't have a set plan, he probably has some sense of how he might be laying out that property. >> Mayor Adler: And on the other end, would the 19th of October work? >> The 19th you said? >> Mayor Adler: I'm just trying to -- >> Oh, of October. Oh. Speaking for myself, yes, sir, I

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could be here on the 19th. I'm just not as sure about the people that picked that date trying to look at their work situations. >> Mayor Adler: I understand. Thank you. >> Mmmhmm. >> Mayor Adler: Any other questions? Yes, Mr. Flannigan. >> Flannigan: Were we considering canceling the meeting on the second? I thought we were going to have a short meeting, hand a couple Zones cases. >> Mayor Adler: We left that open for the manager. We expressed a preference for interviews over two days. They weren't sure what days people would have available. We sent them away saying look at three days, the 26th, the 31st, and the 2nd. And we also admonished them to try to split it over two days and then come back to us and tell us what worked. So I think that was the full extent of the conversation. >> But I think the point was to not put anything else on the 2nd. Try to handle what's there, but not put anything else. This would be putting another case on the 2nd. >> Mayor Adler: We were trying to keep as much flexibility as we could for that day. But we allowed that we would be meeting on that day. There was a conversation that if we needed to, we could handle some things. There were some things that were already set on that day. As I say, I don't remember what the existing workload is. I recall several things. >> It would be my preference to do October 19th, which gives us the act to do only the first reading, if the dais isn't prepared to finalize. That way we can at least make some progress. And then if we have to come back on the 9th or whatever, we'll at least have made some progress on the case. >> Mayor Adler: Okay. We have a couple more people that have signed up. We'll give them a chance to speak. Thank you, sir. >> Usually we hear from one person from either side. That's up to you.

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I did ask the applicant. They're okay. >> Mayor Adler: Okay. Thank you, sir. Thank you, Jerry. We're now - then back up to the dais, discussion on postponement. Councilmember pool. >> Pool: I'd like to make a motion that since the applicant is okay with the 19th of November, and that seems -- I'm sorry, November. >> October. >> Pool: Okay. Are they both the 19th? >> No. >> Pool: The other one's the 9th. I was going to say November 9th. Is that all right with the applicant, November 9? >> We don't meet on the 9th. >> No. The applicant is okay with October 12th or 19th. And they prefer not to have it on either November 2nd or November the 9th. >> Mayor Adler: Councilmember Renteria, did you want to say something? Councilmember Flannigan. >> Flannigan: This is my district. If it's okay with everyone to make the original motion to postpone to October 19th, that gives us the flexibility, as I said. If we're not comfortable moving forward completely, at least we haven't forced it into December. October 19th is my motion. >> Mayor Adler: Is there a second to that motion. Ms. Houston seconds that motion. Any further discussion? Let's take a vote on the motion. Those in favor of postponing until October 19th, please raise your hands. Those opposed. October 19th is the postponement. >> Mayor, our next

discussion case will be item, I think it was 40, which councilmember Houston pulled, 0134. This case is here for third reading and approval. >> Mayor Adler: Ms. Houston? >> Houston: Yes. Could you put up the video?

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>> Houston: It's upside down. Can you move it around? [Laughing] >> Houston: Really? Okay. So unfortunately this is sprinkle cutoff road that we're trying to show you in the daytime, which is a rural road, two lanes. I think it's about 24 feet wide. No shoulders. And we've got multiple developments that have already occurred in that area. And this is yet another development. That's all right. That will make my head hurt. Thank you. [Laughing] >> Definitely making my head hurt. >> Houston: There's some dangerous curves on the road as well. And there were some recommendations made by the transportation department. And I want to make sure, Mr. Rusthoven, that in the covenant, these recommendations have been covered. >> The covenant covers the dedication of right of way and requires a fiscal posting for improvements. >> Houston: Say again? >> It requires the restricted covenant requires right of way dedication and money for what we call boundary street improvements. They have to pay for the portion of widening the road that's adjacent to the property. >> Houston: While you're up here, there have been several other -- Dee has had a couple of developments. Have they paid for the widening of their portion of it? There's questions about whether or not staff has talked with Travis county, who owned some part of this. >> Right. I'd have to go and do some research with the transportation department to see what other fiscals have been posted. That requirement that has been around for a long time. I presume if anybody has come in with a case since the 1980s, they should have had to dedicate additional right of way as well pay for improvements for the portion in front of their property. >> Houston: Okay. So tell me on a road this size, what is the Normal traffic count

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that is in our records about? >> Primary? >> Houston: Mmhmm. What's the count? And then I'm going to want to know what the count is today on that road without this development. >> Good afternoon, Eric, Austin transportation department. The neighborhood traffic analysis indicates there are about 3200 vehicles existing on sprinkle cutoff road. >> Houston: What is the norm for a road this size? >> I don't know if we necessarily can answer that we normally set a street. Typically these types of collectors can -- we've seen -- carry up to 8 to 10,000 vehicles. >> Houston: Really? I thought somewhere in your transportation guidelines that pavement less than 30 feet wide should have a maximum traffic count of 1200 trips per day. >> Right. That's in section 256, the desirable operating levels. That's correct. Now, what desirable means, I don't know if that necessarily means it's not going to function. It could be more

desirable in terms of quality of experience of using the street rather than -- we know a two-lane street can still carry thousands of cars. >> Houston: But it's a matter of safety, because there's school buses that go along that road to get to pflugerville ISD -- manor. So, if it's currently handling 4,000 trips a day, is that what you said? >> 3200. >> Houston: Okay. 3200 trips a day, that's almost three times what you say is a minimum floor for health and safety reasons, I would suspect. >> Right. A lot of times as your video showed, it is substandard. Typically with the wider street, we can get the curbs needed a

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little bit more space as you mentioned, buses for using the street. So with a little bit more width, there's a little bit more tolerance for cars using the street. >> Houston: And I think in the backup, didn't we have the number of accidents that have occurred on that stretch of roadway, do you remember? >> I'm not familiar with that. >> Houston: Is that -- >> Crashes. >> Houston: When a street is that small and with the number of developments that are coming onboard, you all don't look at at -- traffic analysis as far as accidents? >> We will. If there's -- typically if there's a traffic impact analysis with it, we'll look at safety concerns. We'll look at the projected number of trips for a street. >> Houston: So this concerns me. I'm not a traffic engineer and you are. I've driven that road and that road is dangerous. I almost got hit head-on, because there's a severe curve out there going north. And for you to say that typically this is okay and it can carry more trips per day, it's kind of scary, because there have been several accidents, head-on collisions. And so I'm just concerned that we kind of are not -- we don't show enough concern, I think, that the neighbors have about the number of cars, and trucks, and buses on that road, so. >> Right. I think it's important to point out that the desirable operating level, that's purely a number. It doesn't even get into the details of the road characteristics, which you pointed out. For sprinkle cutoff I would say the crash is more due to the current design of the street, not necessarily the volumes on the street. Even if you had fewer vehicles, going around the curves with no shoulders and the vegetation encroaching on the street is a larger safety concern. From what I understand, the applicant would be required to

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upgrade the site of the street adjacent to this project. >> Houston: Have you had any conversations with the Travis county road management about how you could work together to improve those conditions? >> Not that I'm aware of. I believe the city annexed the street in 2016. Okay. >> Houston: Do -- before you leave, sir, do you know the speed limit on sprinkle cutoff? >> Let me see if it mentions in this report. >> I don't have that number in front of me, no, ma'am. >> Houston: Thank you. Mr. Rust Hoven. >> The memorandum is the traffic analysis. What it does is it takes the existing traffic on the road, adds the

projected traffic, compares it to a desirable operating level, and states it's up to the council to approve it or to be satisfied with the mitigation proposed if it exceeds the desirable operating level. I would like to point out that in this case, the number of trips that are in that memo presume the applicant's original request for mf2. What the council approved on first and second reading was sf6. The number of units in the memo proposes 248. That number would fall to about 165 under the sf6 instead of the mf2. And just doing some quick calculation without exact numbers, that would be about a thousand trips as opposed to the 1700 that are presumed in the memo. It would be about 1700 trips less than are presumed, if you approve it on third reading. >> Houston: That would be a thousand trips in addition to

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the 3,233 that are already there. >> Yes. It would be a thousand on Tom of -- top of the 3200 that are already there. >> Houston: Okay. And do you know anything about coordination with Travis county about not only sprinkle cutoff, but the build-out of east breaker lane? >> No. But we can get in contact with them. Obviously the breaker would solve this solution. But I don't have a timeframe on that. >> Houston: Okay. All right. Thank you. >> Mayor Adler: Okay. >> Houston: Do we want to hear from the applicant? He's here. >> The public hearing is closed. >> Houston: Thank you. Okay. You know, this is one that's really hard for me, because I've driven that road in the middle of the day and in the evening. And there are very few lights. The city hasn't done a very good job since we annexed the area in providing the infrastructure that I would be safe in having a house out there. But with the reduction in the number of units and the reduction in the trips per day, I'm going to move on third reading sf6 with the conditions that are included in the backup. >> Mayor Adler: It's been moved. Is there a second to the motion? Councilmember pool seconds that. Any discussion? Those in favor, please raise your hand. Those opposed. It's unanimous on the dais. It's approved. Thank you. I think that gets us up to item number 43. And by the way, we postponed item number 41 to November 9th. I think associated with that, is there any objection to postponing item number 51, the related matter, to November 9th? Hearing none, 51 is postponed. >> Items 42 and 43 are related, first, c14-2017-0077.

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>> Mayor Adler: 43 and 44? >> I'm sorry, you're right. 43 and 44. C14-2017-0076, this is for the ACC Rio grande campus located at 1212 Rio grande street. It's unzoned. The building was built in 1916 as a junior high campus. In 1925 it became home to the Austin high school, home of the fighting maroons, who tonight I will be watching them defeat the McAllen knights, and watching my daughter play in the band. Go maroons. >> Mayor Adler: Just lost a vote up here. [Laughing] >> I had to get a plug in. I told my daughter I would. The property is unzoned. The proposed zoning is to dmuco and dmucoh zoning. That

is the staff recommendation. That was also recommended by the historic landmark commission, as well as the planning commission. The community college is proposing to do interior remodeling and protect students when they want to take a break from class. They came in to get zoning. It was unzoned and there was uncertainty. Item 44 is related. This is located at 1218 west avenue. The requested zoning is from sf3 and P to dmU. The staff recommendation was for dmU, the planning commission agreed. This is also a part of the ACC Rio grande, it backs up to the recreation center and house park. With that, I'm available for any questions. We have some representatives from ACC in case there are any questions. I have the historic preservation officer here if there's any questions about the historic

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nature of the building. >> Mayor Adler: Thank you. Mr. Flannigan. >> Flannigan: No issues with the historic designation or the height limitation. That makes perfect sense to me. What I am curious about are the list of use and trip restrictions. First, the trip restriction. This is an ACC campus. Is there not already more than 2,000 trips a day to this location? >> I think if you actually base it upon the size of the building, you would not get the 2,000 trips. In the real world there probably are 2,000 trips. But having attended that school myself, going to UT, I know a lot of the students that go there take public transportation or walk over from UT. We did not feel it was necessary to do a traffic impact analysis for the campus. >> Flannigan: So the point of the CO is to eliminate the TIA in the future. >> If it were redeveloped, I don't think it would be because of the historic zoning, they would have to do a TIA if they went over 2,000. >> Flannigan: If they went over 2,000 conceptually. >> Yes. >> Flannigan: Not in practice. >> To your point. I'm going to surrender here. [Laughing] >> I believe because of the historic zoning, it would be okay to remove the conditional overlay. I think anything that were developed would have to use the existing structure. It would probably not trigger anything in the future. >> Flannigan: It's important generally to zone for what will happen in practice, not what will happen in concept. I think we get into trouble otherwise. So there's that. Some of the COs on nearly the entire properties for both are already limited under the criminal justice overlay. And so what is the intent or the reason for also adding them as a CO restriction? >> Well, the two that I recall would be the liquor sales and

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the bail bond service. >> And cocktail. >> Cocktail and pawn. And only a portion of the campus is within the criminal justice overlay. So both the original Austin or old Austin neighborhood association as well as the staff and the planning commission thought that it was a good idea to just kind of complete the square if you will and say that those uses are prohibited rather than have them be conditional on a portion of the property and permitted on another portion of the property. >> Flannigan: And based on

my read of it, it's the criminal justice overlay covers all of track two and 90% of track one. So we're only talking about 10% of track one. >> Correct. If it were to come in -- >> Flannigan: So that notwithstanding, if we are concerning about the limitations of the criminal justice overlay, would it not be better practice to right-size the overlay? Rather than to create a Hodge hodgepodge of cos. >> It was originally done at a distance from the jail. It did not account for property lines. >> Flannigan: Maybe that's something we should consider, as opposed to putting them into cos, especially when we're talking about publicly owned land and we're only talking about 10% of one of the two tracts. We're overcomplicated the zoning unnecessarily. The other cos that aren't included in criminal justice, automotive, exterminating, outdoor service station, are not prohibiting in any of the surrounding tracts. >> No, but they were recommended in the downtown Austin plan to not allow those uses in this particular area. >> Flannigan: How are they being restricted on other properties? >> As those other properties come in we'll apply a similar co, or when we do codenext we're trying to implement the downtown Austin plan through the zoning of codenext.

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So the CC and I can't recall the other one, the equivalent of dmu will have those prohibited. >> Flannigan: Right. Whatever they are. Which is ultimately why the height restriction is not concerning me. Because we're covering that with codenext. My concern with adding these cos is that it will unnecessarily create f25 zoning where we have added all these restrictions that need to be solved through policy-level decisions, like building in use restrictions into our base Zones. This is why I pulled these items. I am trying to simplify what we're trying to do here. These are both ACC tracts. None of these things are contemplated. They're in part or in whole designated historic. Any changes to the ownership of these sites the would follow a probably impossible public input process. I don't think there's any value in further complicating the Zones on these two tracts for these two cases. >> Councilmember Flannigan, I did discuss with ACC about the idea of waiting for codenext. Essentially, they're going to get the zoning for free. But their timeframe was such that they needed to get moving on the renovations. >> Flannigan: I completely understand that. I'm not asking and wouldn't and the a property owner to hold their breath while we hold ours. [Laughing] >> Flannigan: But nonetheless, I do think we have to make sure we're making decisions in context of what we're trying to accomplish as a council, given that there is no immediate risk of any of these things happening, even without codenext. There is no immediate risk of anything happening because of the historic designation, because of the property owner, the process that would be required should ACC try to change it. I would prefer to move forward without the cos. However, mayor pro tem, if you would like to make your motion in whichever way you choose, since this is in your district. >> Tovo: I think I need to wait to be recognized by the mayor. >> Flannigan: There you go. >> Tovo: Mayor, I'd like to move staff recommendation with the cos in place. If I get a second, I'd be happy

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to speak to that. >> Mayor Adler: Councilmember alter seconds. Mayor pro tem. >> Tovo: So I think this is an ongoing conversation we're going to have. But I would say that I agree with the staff recommendation that these are important conditional overlays to put in place. As you may or may not know, this is immediately adjacent to one of our few existing neighborhoods in downtown Austin. There are residences in the area. There are office buildings in the area. But it is an area that is -- where I think it is important and appropriate to regulate the uses that are within that. And just generally, you know. We have a fundamental policy discussion, I think, to have about conditional overlays. I think they've been extraordinarily useful in helping achieve consensus around zoning changes where there might not otherwise have been consensus, because it gives the ability to exclude uses that are inappropriate, but to allow uses that are. You know, with regard to -- and I'll just cite some of the city staffer's reasons for doing so. We've talked about height. That's not in discussion so I won't talk about that here. But it does talk about the additional prohibited uses. Some of these are conditional. This is an extra measure to ensure that they're never allowed in the district. I'm getting distracted by complimented with an I, but we talk about that later. The prohibited uses on tract two talks about that it's important -- you know, it is outside the criminal justice overlay. And it wouldn't otherwise be prohibited. But again, it's adjacent to an area that is somewhat residential in its feel, and I think that's appropriate. You know, again, I think that it is important and appropriate and, you know, perfectly within our rights to prohibit particular uses. It is in public hands.

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I don't anticipate ACC is going to sell it and redevelop it, however, that happens. Aisd is in the process of selling some of their tracts. It's possible 30 years from now ACC might decide to divest itself of this particular property. I hope you don't. I'm excited about the work that's going on there and the idea of continuing to have an ACC campus in one of our historic buildings downtown. I think it's a vital and increasingly vital place within our educational system and in our downtown landscape. So I don't anticipate that's going to happen, but it can. And when we do zoning, we do it for the future, not just for a particular property owner. And so I think these protections are important, even though it is in public hands. >> Second. >> Mayor Adler: Moved and seconded to proceed with this item on all three readings, as recommended in the backup and the motion. It's been seconded. Any discussion? Mr. Flannigan. >> Flannigan: I'd like to amend to remove the use restrictions, as I have described. I feel that -- I can appreciate the mayor pro tem -- the feel of this neighborhood. I think it's important to remember this neighborhood is already zoned for office and retail for the entirety of the neighborhood. And not a single one of those properties has this list of co restrictions on it. I just fundamentally, I think it is unnecessary and complicates the zoning in a way that only makes the job of our staff harder and the job of the community harder to better understand our zoning code. So I'll make that amendment and we

can go on. >> Mayor Adler: It's been moved to amend so as to strike the use codes. Is there a second to that? Mr. Casar seconds that. Discussion.

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Mayor pro tem. >> Tovo: I just have a question for staff. As I read the backup, it looks as if other properties in this area, indeed, have those uses prohibited. Am I reading that incorrectly? 600 west 13th. >> Yeah, under the related cases we have all the . . . What the zoning is on the adjoining properties. >> Tovo: As I see the staff report, 600 west 13th, prohibited cocktail, bail bond, liquor. The two that we did recently, Rio grande, 1105, no, sorry, that's not one. 1202 San Antonio, prohibited uses, bail bond, liquor, cocktail, 2,000 trip limit. 1204 San Antonio, similar set. I mean. So it is actually, I think, the case that other properties in the immediate vicinity have those same prohibited uses. >> It's something that the oana has been asking for. >> Tovo: And they are. >> The old or original, depending -- >> Tovo: Explain it. [Laughing] >> Mayor Adler: Mr. Flannigan. >> Flannigan: This case has a much longer list of use restrictions than the ones that are on a couple of properties that aren't even adjacent to this. They're a block away or two. And I believe all the ones that are a part of the criminal justice overlay. It kind of validates my point that we further complicate our zoning in this way. The overlay -- the criminal justice overlay is a great tool. And I think that's the tool that makes the most sense in order to implement public policy around how these uses impact the criminal justice center. I would . . . Depending on how this vote goes, either way I think it makes sense to right-size the overlay. If we're having this problem over and over again, the overlay should be right-sized to more appropriately reflect what we think the distance and the

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surrounding properties of the criminal justice center need to have, and what uses they need to be restricted. >> Mayor Adler: Mr. Casar. >> Casar: I seconded this motion. I'm going to support the amendment because although I do find cos useful in some cases, in this case, it's a historic building. And in the eventuality that at some point ACC chose to do something which I wish they wouldn't do, to redevelop this, we would have more votes to deal with that if they wanted to make this a giant pawnshop. [Laughing] >> Mayor. >> Mayor Adler: Mr. Renteria. >> Renteria: You know, I went to the old Austin high school. That's where I graduated from. My grandsons go to Biggs elementary, right across the street there between Rio grande. And so I don't think they could ever pull an alcohol permit, plus this being an historic building, even though Austin ISD, they couldn't do anything else to the building, it has to stay there. So I don't see whether it would hurt either way whichever way we go on it. I don't think they will ever be able to have alcohol there in that area anyway. >> Mayor Adler: Ms.

Houston. >> Houston: I don't think the community college is going to sell it either, but if somebody is here from the community college, could we have them come up and get them on record that they will not have a pawn shop, a liquor store or any of the other uses? >> Mayor Adler: Why don't you come up and introduce yourself. >> Mayor and council, Laura troops with urban design group representing ACC, and there have never been discussions of such a use. Of course, this is about renovating that New York

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building. Right now we do have a site plan in process. There will be improvements to the site with access and sidewalks and landscaping. But in the discussions with staff when this came up and with the neighborhood, we were -- the client was not in opposition to agree to those restrictions, but there has never been a discussion of a change of use, so ... >> Mayor Adler: Is it amendment to strike the use conditional overlay. Further discussion? Mayor pro tem. >> Tovo: I just want to ask Ms. Toops, so these were priorities in your discussions with the neighborhood association in that area? >> We did -- we met with an individual neighbor who is very close as well as the original or the old Austin neighborhood association, and this was a case back in 2012 that went all the way to the council and then was pulled so there was a lot of discussion of just agreeing to the restrictions that were previously addressed. We didn't revisit that. >> Tovo: And you have no objection to the conditional overlays? >> My client has never expressed any opposition to it, no. >> Tovo: Thank you. >> Mayor Adler: Further discussion on this? This is a hard one because I'm not sure there's really relevance here. This is something that's going to be picked up in codenext and needs to be picked up in codenext as we get rid of C Os across down. It sounds like it will be picked up with codenext if that section is reset. >> Mayor, this would probably get the f25 designation. What I was talking about is properties zoned existing

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dmu which are many around would get the codenext designation which would have conditions similar so they would all be similar in the future. >> Mayor Adler: Okay. There's been an amendment offered. Further discussion? >> Tovo: I really do want to stop talking and I know my colleagues would like for me as well, but there was a comment we're getting rid of cos, could you speak to that because that's not what we're doing and I don't want the public to get concerned about that issue again. >> We're getting rid of cos where we think there is a matching codenext designation. I guess because this case has not been contemplated because the zoning is only before you now, we haven't considered whether this close enough matches an existing codenext district, but we are keeping many cos, getting rid of some. The criteria is whether or not there is a codenext zone that closely matches it. >> Mayor Adler: I appreciate that correction. That's what we were trying to incorporate the cos, but thank you for saving

me from a lot of emails perhaps. [Laughter] There's been a motion to strike the co with restrictive covenant to just. Further discussion -- those in favor raise your hand. Troxclair, Casar, Flannigan. Those opposed? It's a balance of the dais. The amendment does not pass. We're back on the main motion. Any discussion? Those in favor of the motion on items 43 and 44, please raise your hand. Those opposed? It's unanimous on the dais. They are approved. Thank you. That's both items, 43 and 44. Council, and we have two items that are left we can't take up before 4:00. One is going to be withdrawn. The other one is shown as an

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indefinite postponement. Indefinite postponement requires a council vote because that's the same thing as just withdrawn on 53 because I could gavel this meeting at 4:00 and just to announce that those two items are withdrawn, and since there's no vote, other people don't need to come back. If it's a postponed indefinite, that requires action by the council. So if somebody can help me on that. So my question is, item number 52 I'm told is being withdrawn. That can be just announced by staff. Item number 53 being a postponement requires council action. I'm asking if staff would -- if it is all the same, if it is the same whether item 53 is withdrawn. Or we could all come back at 4:00. I'll be here. Because there's some really great music happening at 5:30 together with some proclamations for anyone that wants to -- >> Houston: Mayor, does it say it has to be Austin time? It's 4:00 someplace. [Laughter] >> Mayor Adler: The problem is once we use that rule we have to use it all the time. >> Houston: Okay. >> Mayor Adler: So we're waiting for staff to come back and tell us what they I'm sorry? >> Tovo: I assume - - I would be concerned if a withdraw means they then have to go through the whole process again as opposed to an indefinite postponement, which is just they come back when they are ready. >> Mayor Adler: So we'll postpone indefinitely.

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>> [Inaudible] >> Mayor Adler: I mean -- >> Mayor and council, interim assistant city manager. I think we would prefer indefinite postponement on this. >> Mayor Adler: Okay. Then we can't take any action now on items until 4:00. We will reconvene at 4:00 unless council would like to come back at 5:25 to handle these items just before music starts. No? Okay, we will be back here -- we will be back here at 4:00. It is 3:06. And council, let me -- before we leave, before we leave, I'd like to know who are the at least six people that will be back here at 4:00, recognizing we only need six people here. So I'll be here. If you have your hand raised, please come back. If your hand is not raised, you don't need to come back. Okay. We're in recess. [Recess]

[4:03:31 PM]

>> Mayor Adler: All right. It is 4:02 and we have a quorum of council. We are back from recess. We have two items left to consider. Item number 52 is withdrawn. And item number 53, there's a staff request for an indefinite postponement. Is there a motion to indefinitely postpone it? Any discussion? Those in favor, please raise your hand. Those opposed? Everyone on the dais, the mayor pro tem, Mr. Flannigan, Mr. Renteria, Ms. Pool, and councilmember alter. All voting in favor. Me, too. It passes. 6-0. With that, that's all the work that we have on our agenda. So we are adjourning this meeting, subject to music at 5:30 and procs. Going to be an exciting evening. We stand adjourned.

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>> Mayor Adler: We all set? You know, every Thursday we have our city council meetings. And I think that we are the only city council in the country that sets music and proclamations on every one of our city council agenda, because we are the live music capitol of the world. Oftentimes at city council meetings they don't end as early as today's meeting has ended. Sometimes these meetings go on pretty late. And I can't tell you how important bringing music into this building is, especially on those days, when folks are disagreeing, sometimes vehemently on the dais, but to bring in a little music, but it's part of who we are as a city. So we have people here watching. I know that there are people watching us on TV now because I get emails from them about the music selections that we make, as I get emails on everything else that the city does. But almost always they're really favorable. We have a real treat here tonight, in that we have with us Mia Garcia. I've met -- [applause] >> I'm excited about this because I had opportunity to meet Mia before. I was visiting a school, and Mia was there in classroom, and she sang to me. And it was such an incredible treat. It was one of those days as a mayor of a city in the

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classroom with the kids that I will always, always remember. I left that classroom. I went to the YouTube. I pulled down Mia videos because I had become a groupie at that point. I sent them to my girls and to my friends, so it is just really special to me that you would come to city hall. So Mia, at just nine years of age, is a singer that is already taking the world by storm. She was born into a musical family, as her mother is a singer and her father is a drummer. She often participates in care karaoke competitions and performances around Austin and Mexico. Her first recorded single music video is a cover of a Nikki Jam and Enrique Iglesias song. Her video currently has over 3,000 views on YouTube, obviously including me, and has gained internet and terrestrial air play worldwide. When Mia is not making music and

reaching for the stars, she studies hard and has earned placement on the a honor roll at her school. [Applause] This is going to be a treat. Mia. >> How is everybody doing today? [Applause] I'm my yeah I'm ten years old, and I'm here to sing a song for you guys.

[5:36:51 PM]

I hope you like it. [♪ Music ♪]

[5:39:58 PM]

[Applause] >> Thank you, everybody. [Applause] >> I'm going to talk while you're still up here. So crowd was here to listen to you, and I'm sure there were people that are watching on TV. If they want to see some more of your music, how would they do that? >> You can buy my music on iTunes, see my music on YouTube, Spotify, almost all social media, my website is miamusictx.com. >> That's great. If they were going to go on YouTube and find some of what were the names of some of the songs you think are really good. >> I thought all of the songs are really good. [Laughter] >> That's good. >> The ones that were my especially favorite were pepelepeux. And boom boom boom. >> Mayor Adler: Boom boom boom, great. It's so exciting to have you here, you're wonderful. >> Thank you. >> Mayor Adler: I have a proclamation, okay? Do you have something you want to say first? >> Well, first, good evening, everybody. First of all I'd like to thank god. I'd also like to thank mayor Adler, governor Abbott, and the Austin city council for this great honor. I'd also like to thank my parents for always pushing me to succeed, family, friends, always remember [speaking non-english language], if I can, you can. [Applause]

[5:41:58 PM]

>> We have other members of the council here today that wanted to hear you. Mayor pro tem is over here and councilmember alter is here as well. And they join me in this proclamation. Be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talent extend to virtually every musical general genre and whereas our musical scene thrives because Austin supports local favorites and newcomers alike and whereas we are pleased to showcase and support our local artists, now, therefore, I, Steve Adler, mayor of the music capitol on behalf my colleagues on the council do hereby proclaim October 5 of the year 2017 as Mia Garcia day. >> Thank you. >> Mayor Adler: Congratulations. [Cheers & applause]

[5:45:02 PM]

>> Mayor Adler: Thanks for coming back. This is like old home week for me here. I have friends that came back here for this one too. This is important to me. My daughter is dyslexic, and she is just incredible and so talented. And as I'm sure that all these folks are here as well. We have a proclamation that recognizes that specialness. Be known that whereas dyslexia occurs in a continuum of severity, affecting up to 20% of the population, according to national institutes of health, and whereas the city of Austin honors the dyslexia parent network, friends of dyslexia, decoding dyslexia, dyslexia center of Austin, and all organizations that provide services for learners who struggle with dyslexia and associated learning difficulties, these nonprofit organizations render support to families experiencing significant literacy issues as a result of dyslexia. A specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent word recognition, by poor spelling and decoding abilities. And whereas it is a local goal to raise awareness and understanding of dyslexia within the Austin community, to seek support for dyslexic services, and to ensure that individuals with dyslexia

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are accurately identified and provided with appropriate services, now, therefore, I, Steve Adler, joined by my colleague on the council, councilmember Alter, do hereby proclaim October of 2017 as dyslexia awareness month. Congratulations to you all. [Applause] Heather, I want to give you a chance to speak to not only the issues that were raised here, but the fact that folks of that dyslexia sometimes excel, in fact frequently excel in so many different areas and are so creative and there are so many people throughout history that have been so consequential that have also been part of this club that my daughter is a part of. So, here, why don't you have a chance. >> Thank you so much. Thank you, Mayor, for having us back again this year. We just are here to spread dyslexia awareness up to 20% of the population is affected by spectrum of dyslexia. And there are still so many people who just don't know very much about it. Sometimes that includes educators, which we're trying to help get into schools and spread awareness. There are a lot of myths, and share more facts about what is true and what is not true about dyslexia. We like to refer to it as a "Differentiation" rather than a disability. Everything has their special talent, and they just have a different part of their brain to read but they certainly can learn to read. They just have a very systematic way they need to go about learning how to read and it's a little bit different than other folks. I am a cofounder of dyslexia parent network, also parts of friends of dyslexia. We also have decoding

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dyslexia here with us tonight. Also super thankful for Austin ISD and all they've done to help spread awareness. There's a conference, and I hope a lot of people will join us on October 19. We also have principal Clark here from Murchison medical school, we're very excited about having him with us as well, and several students who would like to come up and share their thoughts with you. So do you mind if I introduce some people? >> That would be great. >> Waylon? >> Hi, very nice to see you all today. So as I talked -- >> Let's move you over here. And then people can see you. >> There you go. >> Hi, very nice to see you today. As I talked about last time, my friend Andrew, he helped me a lot with dyslexia. By the way, I'm Waylon Hardeman, third grade, nine, turning ten. I wanted to thank all of you for coming here today and listen to all of us. Dyslexia isn't a disability. It's just a learning difference that -- I mean, it's harder for us to read. So that's it. [Applause] >> Hello, my name is Andrew Nash. I am in third grade at Murchison, nine years old. I do not have dyslexia, but I do know a lot of people, my brother is dyslexic, a lot of my friends are dyslexic, including Waylon. I know a lot about it because me and my sister have to know a lot because we have to help my brother learn, and we love doing it. I love doing it because I love helping him. And it's just amazing for me because I love my brother

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my heart and I love helping him learn. [Applause] >> My name is Bennett Wright, I go to Murchison elementary with those two like Waylon and Andrew, and I'm in third grade with them too. And I just want to say thanks to Austin ISD and my teacher and I have gotten to take flight for two years in a row. It's hard. You know, y'all have learning differences. And so, like, I know someone who is blind, I know someone, let's see, is -- it's hard. It's hard for all of us. So we have a hard time, everyone has a hard time. So I just want to -- we just want to help everyone who has a hard time and I just want to say thank you Austin ISD. [Applause] >> Hi, I'm Tesla Summers, in sixth grade at Murchison medical school. And dyslexia does not prevent me from doing anything. It actually encourages me to move forward, and dyslexia gives me a different way of looking at the world. Thank you. [Applause] >> Hi, my name is Jordan, I'm 11-year-old, and I go to Ross and Sanders for dyslexic kids and I'm in fifth grade. And me and my papa and my two brothers are both dyslexic, and it was really hard for me in first grade to read and write, and my school didn't know what was going on, so they had to figure it out and it took a

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wireless but they finally figured it out, and then I went to Ross and Sanders, and they have amazing teachers there. And they have amazing friends that help you more than you would even know. And if we -- you might not think we're markets but we're brilliant and we think outside the box. If five of y'all stand

up now, one of y'all will be dyslexic. My name is Jordan dyer, and I'm 11 years old. [Applause] >> Hi, my name is Anabelle baker and I'm 9-year-old. I'm in fourth grade, and I attend rosalyann Sanders school, I'm dyslexic, eager and proud. Let's start by how my day begins each morning. Walking down the board walk I see my dyslexic friends, I also see the facings of many famous dyslexics, Walt Disney, Albert Einstein, are just a couple. I came to school not knowing how to read. Learning is different for everyone. I was taught the way that felt right for me. The way my brain works, now reading brightens my day. Before I go, I want you to remember three things about being dyslexic. Number 1, dyslexic means extraordinary. Number 2, we all have our own gifts and own talent, and, number 3, I stand for my school. I am proud to be dyslexic. Thank you, mayor Adler, for declaring this month my favorite month, dyslexia awareness month. [Applause] >> My name is acher. I'm 11 years old. I go to oak hill elementary. I'm in fifth grade. I'm dyslexic. Even though I am dyslexic, it makes me -- it's hard to read. Even though I am dyslexic, I

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use it as my encouragement to try to learn to read even better. [Applause] >> Hello, my name is Mary hatly, and I also go to Sanders. There's some people behind me that also go. I know them very well. I've been there since second grade. My -- when I went to first grade, though, I was -- I didn't know I was dyslexic, but I had lots of trouble reading. Two weeks before school ended, my mom took me out of school because it was really hard, and then in second grade I started going to Ross and Sanders, and then I met so many good people. But since it was so new to me I was scared, but then I met so many good friends, and today I am -- I was here last year, and this past year has actually been a lot different than last year, and, well, I really like being dyslexic. Some people might think it's hard, but it -- I love being dyslexic. Thanks. [Applause] >> Hi, my name is jack and I go to school at Ross and Sanders. Dyslexic can't -- dyslexia can be hard, but I have learned to read and it's great. Thank you. [Applause] >> [Speaking non-english language] Murchison. Hello, my name is Henry. I have dyslexia and I learned Chinese at Murchison. I kind of like Chinese

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because in a way it's a breath of fresh air because you -- the words don't get mixed up. They're characters instead of words, like sometimes I see something and I'm like, oh, that's that, but then my friends correct me, and I'm, like, no, that's that. [Applause] >> Hi, I'm really excited to be here, my name is Robby cooper and I work on behalf of dyslexic children every day so there really is no dyslexia awareness month in my family at all. Daily work on the federal, state, and local level. I interact with people -- at various levels. I just wanted to say that it's really interesting for me that our city has declared October as dyslexia awareness month. Our governor has as well. The senate, U.S. Senate, has

issued a resolution, and also our president trump has also signed a resolution as well. So it's really a national and local effort, and I hope to see the day when all dyslexic learners can be valued and supported in our society. Thank you. [Applause] >> Good evening. I'm Brad Clark, principal of a middle school. And I want to say I'm humbled and inspired to stand here with these brave students and these amazing advocates who have in many cases, dedicated their lives to helping us improve the support services for students with dyslexia. I'm in this fight because of these amazing folks up here who have educated me and shown me just how important it is for schools and communities to partner, to do what's best for their students. And we're doing that at the

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middle school. It's a model we have to have throughout the state. We can really make a difference if we work together and do what's best for students at all times. That's what's happening. It's because of amazing people like the folks standing behind me. Thank you, mayor Adler, for this proclamation. And thank you, councilwoman alter for this as well. We appreciate your support and look forward to our continued partnerships. [Applause] >> My name is Daphne, social worker and parent of a dyslexic -- my sister is dyslexic, struggled for many years when people didn't really understand it. But mayor Adler, thank you so much for having us here. And I want to challenge, if you'll notice I'm so excited to have these kids here. Can we note that a lot of them are from private schools and notice that, and challenge? Could you help us parents and advocates so that next year when we're standing here we could have private schools, but we have somebody? I'm proud that murkeson is taking a step. Thank you. But I want to see a kid here from every part of the city. Do you all agree with that? Can we make that challenge, that every kid, that it doesn't have to be the ones that have the money to go to those schools. So let's challenge ourselves. Y'all are so awesome. And thank you. Thank you so much. [Applause] >> Hi. My name is Kim. I go to okay hill elementary. Bs and Ps make my head hurt and it gives me lower grades. [Applause] >> Hi. My name is Lauren and I go to henry middle school.

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Last year I went to oak hill elementary, and take flight has really helped me in this process of dyslexia. [Applause] [Off mic] >> Thank you. You guys were awesome. [Applause]

[6:04:07 PM]

>> Thank you so much. >> He did great. >> Mayor Adler: All right. We have another proclamation. This is kind of a proclamation about our own family here. So, be it known that whereas in 2005, in the wake of hurricane Katrina, president George W. Bush established October as national code compliance month in acknowledgment of the importance and impact that code enforcement has on communities. And whereas code officers are dedicated, well-trained, highly responsible individuals who take their jobs seriously and are proud of their department and the local government within which they serve, they provide for the safety and health, and welfare of the citizens of Austin through their enforcement of building, zoning, housing, and other codes and ordinances. And whereas, assisted every day by support and program staff, they attempt to provide quality public education and customer service to the public for the betterment of the community, now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim October of the year 2017 as Austin code month. And I give this proclamation to our director, Cora Wright. [Applause] >> Thank you again, I'm the

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director for the Austin code department. I want to say thank you to the mayor and councilmembers, city manager, and city manager Arellano. I want to thank you for proclaiming October 2017 as the Austin code month. Your proclamation, mayor, honors the staff of the Austin code department, some of whom are with me today. We want to thank you for acknowledging the fact that Austin code field inspectors, their managers and supervisors, and support personnel all play a very vital role in helping to make Austin a safe place to live, and work, and play. Austin code is called upon as the first-time response personnel to well over 25,000 citizen calls a year. We address substandard property maintenance concerns as well as substandard and unsafe structural conditions in existing residential and commercial properties. We also address work without permit, which is important to correct to ensure that our buildings as they are being constructed are done so safely. And we investigate over-occupancies and unlicensed and unregulated lodging facilities across the city. We are very honored and we're very proud to serve Austin. And we do so through code education, collaboration, and code education and enforcement. We thank you for joining mayors from all across the country, mayor Adler, in recognizing the good work of code enforcement personnel and for proclaiming October 2017 as Austin code month. Thank you again. [Applause]

[6:09:27 PM]

>> Mayor Adler: And we have another proclamation. Be it known that whereas September is national recovery month, and whereas university high school is Austin's first and only recovery high school, and whereas with its unique blend of recovery support services and rigorous academics, university high

school offers a safe scholastic experience for students wishing to thrive academically while maintaining a healthy commitment to sobriety, and whereas university high school creates a specially designed learning and social environment for high school students working a program of recovery from substance use disorder that is both life-changing and life-saving, now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim September 30th of 2017 as university high school day. Thank you so much for the program that you do. And Ms. McIlroy, if you want to say something, that would be great. >> Thank you, mayor Adler, the city council, and city manager. We are so grateful to serve Austin and central Texas as the first and only recovery high school. We're grateful for our community partners and the support of the city at large. Thank you for this day and for honoring September 30th, 2017, as university high school day. And now I would like to have one of our students just tell you a little bit about what university high school has meant to him. This is Michael Robinson, a senior and in his third year at university high school. [Applause]

[6:11:31 PM]

>> My name is Michael, and I'm an addict and alcoholic in recovery. I have just over 19 months of sobriety. And I've been going to university high school since about mid-january of 2016. And it was definitely a rough start, because it was just in the beginning of my recovery. And through time and through the different staff members I've made many connections to both the kids and the staff members. I still talk to the past ones that have left the school. And I'm graduating a semester early, which I didn't even think I was going to get through my sophomore year when I was at my public school. So this university high school has saved my school career. And it's set me up for much bigger things than just high school, so. [Applause]

[6:13:33 PM]

>> That's the best part of the whole school, people like him. >> Mayor Adler: Take care. Good to see you.