

City Council Regular Meeting Session Transcript – 10/4/2018

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[10:11:05 AM]

>> Mayor Adler: Council, I think we're about ready to tee this off. Before we begin the meeting, we have reverend Eric Borchers is here from our savior lutheran church to lead the invocation. Would everyone please rise?

>> We begin in the name of the father who created us and his son Jesus who saves us and whose spirit encourages us. Dear wise and loving father on behalf of all those who are here today I want to say thank you. Thank you for the many and abundant blessings and provisions. Thank you for the blessing of our lives. Thank you for the opportunity to enjoy and fulfill our calls in this world -- callings in this world. Thank you for family and for friendship, we thank you, lord, where we live in a land where our forefathers said we would be free to especially you or reject you. I would ask that you lift the veil of darkness who do not yet know you. In holy scripture you said that citizens ought to obey the governing authority since you have established those very authorities to promote peace, order and justice. And so today I pray for the various levels of city officials and for the assembled council today. For the mayor, Steve Adler, district 1, Ora Houston. District 2, Delia Garza. District 3, Sabino Pio Renteria. District 4, Greg Casar. District 5,, district 6, Jimmy Flannigan. District 7, Leslie pool.

[10:13:05 AM]

District 8, el Ellen troxclair.

>> District 9, Kathie Kathie and district 10. We pray for the famous support staff who they are surrounded with who make the city of Austin great. I pray over the agenda that's set before them today. And I ask you to graciously grant them wisdom to govern amid the conflicting interests and issues of our times. A sense of welfare and true needs of this city's people. A keen 30s for righteousness. The ability to be able to work in harmony T personal peace for their lives and their family and for the joy in serving in their task. It is in the name of my lord and savior, Jesus Christ, that I ask god's richest blessings on this council, this great city of Austin, its surrounding communities and on our great nation. And all god's people said this morning, amen. Thank you.

>> Mayor Adler: Before we get started, we have some visitors with us today. Do you want to introduce them?

>> Yes. We have some webelos with us today from den 6 and pack 2030, mostly from river place elementary and the four points area out in district 6. So I'm excited to have some of the most distant residents of the city of Austin joining us in the chamber this morning. Please, boys, why don't you stand up and everyone give them a round of applause.

[Applause].

[10:15:12 AM]

>> Mayor Adler: Thanks a lot for being here with us today. Council, I want you to know the word from the conference room this morning was that they really like everything that's going on right now in the city. We're trying to figure out how we can sneak them in to vote.

[Laughter]. Haven't quite figured that part out yet. Welcome, guys, thanks for being here. With that at 10:14 I'm going to call this meeting to order. Today is October 4th, 2018. My daughter Karen's birthday. We are in city council chambers here at city hall. Council, I'm looking at the consent agenda. It's items 1 through 44, and items 60 and 61. 1 through 44 and 60 and 61. Changes and corrections tells us that item 6 has been withdrawn. Item 14 is being postponed to November 15th. Item number 36, councilmember troxclair, has been added as a sponsor. And item number 41 has been withdrawn. We have some items that have been pulled. Item number 8 has been pulled. That's the board of visitor issue. Item number 42 has been pulled and item number 60 has been pulled. 42 by Casar and 60 by pool. We have late backup in items 14, 30, 32, 33, 34, 36, 37, 38, 42, 45, 47, 54, 57 and 58. We also have item number 35 which is being pulled for speakers.

[10:17:20 AM]

So looking at the agenda I'm showing items being pulled as being item number 8 -- Mr. Flannigan, were you pulling 33?

>> Flannigan: Yes.

>> Mayor Adler: Mr. Flannigan pulls item 33. 35 has been pulled by speakers. 42 Casar, 60 pool. We have some people that have signed up to speak on the consent agenda. Are there other items to be pulled? Mayor pro tem.

>> Tovo: Mayor, I'd like to also pull item 26 for a couple of quick staff questions. And who pulled number 8?

>> Mayor Adler: I pulled number 8 and there are blanks that need to be filled in.

>> Tovo: Thank you.

>> Garza: Mayor, I have a question about item 30. I just want to verify the revised draft includes the changes that were discussed at work session. Okay. Thank you.

>> Mayor Adler: Item number 30 includes the changes discussed at work session as they were handed out by staff I think a day or two ago. It's in late backup. Anything else to pull before we ask people to speak on the agenda? All right. Let's call then speakers to speak on the consent agenda. Gus Pena?

>> Mayor, do me a favor. Could you run those items that I've pulled for speakers?

>> Mayor Adler: 13, 19, 34 and 38 is what I'm showing.

>> Okay, great, thank you.

[10:19:20 AM]

Good morning, council. My name is Gustavo Gus Pena. Native austinite, proud Marine Corps veteran. And I'm speaking on number 13 first, bear with me. This is having to do with the interlocal agreement with Austin independent school district at Barrientos mexican-american center. When we grew up we were penalized and ostracized for speaking Spanish. So we want to make sure that the students are not only getting cultural education in accomplish, but also in -- in English, but also in Spanish for our students, not just aid across the board. And we wholeheartedly support this item on the agenda and whatever we can do to help them out is most appreciated. Number 19, youth works. I've worked with youth works since the late 1990s, and you know, this money, this expenditure is a worthwhile expenditure for the organization. It's top-notch. It helps the youth also to become president bush -- to become productive members of society. I supported for many years. Even when I was homeless I would give money, whatever I could. Thank you very much for supporting American youth works. And number 34, let me see if I can get to it. Oh, yeah. This is having to do with the sobriety center in lieu of being arrested. Thank you for that also. I think people make mistakes. I've made mistakes in life also. I'm not perfect, but you know, you're intoxicated, you have to pay the piper, but least there's a sobriety center. And I was at the county also at the county side and it's an outstanding -- it's outstanding for the people who are intoxicated and in lieu of being, you know, penalized, but they should be -- don't drink and drive.

[10:21:25 AM]

I don't drink anymore anyway. I think that's it. City owned property on east Walmsley drive. Maybe some of this -- this is a collaboration with the housing authority and the city of Austin. This is good. I think it would also benefit our taxpayers in the low socioeconomic status of people here in Austin. And mayor and councilmembers, sometimes I'm tough on y'all, but you are elected to do what's in the best interest of the public. And mayor, make sure when somebody calls you, call them back. I didn't call you,

so don't worry about me, but there have been people that say you don't call them back. Do the best interest for the people, the city of Austin and I thank y'all for the hard work you do and continue the March. Thank you.

>> Mayor Adler: Thank you. Mr. Hirsch? Stewart Hirsch?

>> Mayor and members of the council, Stewart Harry Hirsch from district 2. I hope I'm more successful in getting you to modify the early childhood resolution, item 36, than I was in getting you to modify the home repair budget two weeks ago. It failed miserably on that. Early childhood development for children under six years old and for after school programs for children old enough to attend public schools should be a permitted use in the same zoning districts where public schools are allowed. When we require conditional use permits we're treating our children and grandchildren like they were potential nuisances that have to be reviewed by the planning commission. The last one I helped a not for profit pose would have cost \$7,000 if you hadn't waived the fees. Weren't adding any additional slots, but just trying to accommodate low income families that didn't live on site. Why would the review services cost \$7,000?

[10:23:27 AM]

I can't figure that out. Last Friday more than 100 of us in work breakout sessions, more than 300 enrollees met in Minneapolis to discuss ending poverty two generations at a time called the two gen model. There were more of us from Austin than any other city in the country. I learned the following from an Ann E Casey foundation study conducted in Boston for the Jeremiah program. Single mothers whose families stand to gain from the benefits of secondary degrees face substantial obstacles to college completion. Just eight percent of single mothers who enroll in college graduate with an associate's or bachelor's degree within six years compared with 49% of women students who are not mothers. Of us know what it means to secure quality affordable early childhood development when our kids were younger and our pay was lower. When I was your weatherization coordinator and completed my probationary period in 1978 I was earning \$5.93 an hour and I've attached a copy of my payroll action to show that it's really true. We should appreciate what some of our brothers and sisters face and increase opportunities for early childhood development. We are all brothers and sisters in this community and we need to do the right thing so that all our kids get a head start. Thank you very much.

>> Mayor Adler: Thank you. Is --

>> Garza: May I speak to that briefly? Thank you, stu from district 2 for bringing that up. The first be it further resolved is to identify current fee schedule and potential fee waivers that may be applied to expense associated with opening, operating high quality academics. Maybe it doesn't talk specifically about conditional use permits, but that was one of the things that we are asking staff to do. So I think it's still on consent at this point. I would ask to provide that additional direction that we are looking at the process of having to remove conditional use permits for childcare facilities.

[10:25:34 AM]

>> Thank you so much.

>> Garza: Thank you for bringing that up.

>> Mayor Adler: Is Lori glover here? Come on down. Are you're the only speaker on this item number 29, but you did have donated time so you have five minutes.

>> Yes, thank you. Good morning. Thank you for allowing me to speak this morning. My name is Lori groover on item it 29. I'm from district 8. I have a handout that I handed you guys and it's posted for everyone to read. I'm a member of the linebarringer law firm. I want to make the council aware of this rfqs that is before the council today for approval. The concern is that the actions of the incumbent vendor are not consistent with the priorities and values established by the council on the important issues of proper collection methods of fees and fines for criminal enforcement by your municipal courts. I'm asking that you refer this matter to the judicial committee for them to review and report back to the city council. And I'm going to keep it brief. I've just got a few things if you will bear with me. We responded to this rfqs and in an earlier stage received the highest score of the review team. That decision was set aside without explanation and the process was repeated. But we believe that there are items that were not considered as part of the procurement process that should be considered by council and its judicial committee before negotiating a five-year contract with the incumbent. Briefly the issues are as

follows: I've got three items. One, the last several years this council has taken great care and passed multiple resolutions to ensure defendants in municipal court are treated with respect, dignity and fairness. The recommended vendor in this rfqs has been the collection agency for the city of Austin for more than 10 years. During this time it's been the subject of allegations and proven violations of the standards set by this council for the fair treatment of defendants, including indigents.

[10:27:38 AM]

They include attempts to improperly collect excessive, unauthorized fees with indigents and . Collection letters containing illegal threats to jailed individuals on unpaid fees where the cases were not even criminal and jail time was not allowed. Those were parking citations. Both of these issues were initially raised by independent third-parties, not by linebarringer or by a competitor of the incumbent. They were not reviewed as part of this procurement process. And it's something that the judicial committee and this council should consider before negotiating a new contract. Number two, the review of the rfqs did not take into consideration the most relevant, unrefuted performance reality in our community in a head to head competition in which we share collections with the incumbent on the same fees and fines cases, linebarringer has consistently out performed the other vendor. This is the camisas. It's Travis county JP courts. And every month we get information directly from the court in head to head competition and we are consistently beating them. If you can switch over to page 2 we've got a little graph there. Understandably procurement is not allowed to consider this information. So procurement takes the score sheet that they're supposed to score people and they take one response and they score

it. They can't compare them to each other, they can't compare other things and they can't consider these violations and ethical issues that we have raised in our protests. So on the item number three, the last thing, during the deliberation process for this rfp, I was here on August 9th, 2018. This was on the agenda. I wanted to speak. There were several of us here. We waited and we were going to speak and then we were told, hey, it's going to be continued so if you want to speak, you speak today. You don't get to speak at a later date. I said yes, id understand. I'll wait. The following Monday the judicial committee met, a member of the incumbent showed up at the judicial committee meeting in violation of the no contact rules selling their services in citizens communication.

[10:29:46 AM]

This issue has been raised and I think it's an issue that should disqualify the incumbent from being awarded this contract. I want to close by saying we ask that no action be taken until this matter is reviewed by the judicial committee and a recommendation is provided to council. We make this request based strictly on fairness and best practices, make no threat or suggestion that we're going to take legal action of any type against the city and we will abide by the judicial committee's recommendations. I hope I've left a little bit of time in case anyone has a question for me. I'd be happy to address it.

>> Mayor Adler: Questions? Thank you very much.

>> Thank you.

>> Flannigan: Mayor, so I imagine that we will leave this on consent. We talked about it on Tuesday. You know, I share the vendor's frustration with many of the parts of the procurement process we are frequently confronted with over which we have little control, no control or the state prohibits us from considering certain elements. This is not going to be the last word on this procurement and I hope that we find ourselves in a more flexible state regulatory environment in the future that allows us to consider a broader set of factors, but I think for the short-term at least I hope we'll just leave this on consent. Thank you. And thank you for speaking today.

>> Casar: Mayor, I have one question for the municipal court folks if they are here.

>> Mayor Adler: Municipal court or procurement?

>> Casar: I imagine -- it may require both of them. My question is related to the language in the all right, sir and how much we can request any changes -- in the letters and how much we can request any changes once we lock in a contract? I haven't read the letters, but once it was raised I want to know what it is?

>> Houston: Mayor, I have a question. Could we take it off consent?

>> Mayor Adler: We'll take it off consent and come back to it.

[10:31:49 AM]

Item number 29 is going to be pulled. We'll bring it back up here in a second. So I'm showing the pulled items, again, the consent range is 1 through 44 and 60 through 61. The pulled items are 8, 26, 29, 33, 35, 42 and 60. Is there a motion to approve the consent agenda? Ms. Garza makes that. Ms. Houston seconds. Any discussion or comments before we vote on the consent? Yes. Councilmember alter.

>> Alter: So I just want to point out that once again we're being asked to lease space for city offices. I understand that we need to move forward with these leases. There are comments. I think it's items 10 and 11, and perhaps additional ones. That referred to a cbre plan that that would allow us to purchase rather than lease. At a minimum I would like to be briefed on that, if not the full council. I think we need to be thinking at every stage about how we position ourselves to purchase properties that can be used for our city offices or used currently owned city properties for that purpose. Yesterday -- Tuesday during work session Ms. Hart was on the dais rather than you, Mr. Cronk, and I mentioned that as we were looking at what we are doing with city-owned properties I hope it goes without saying even if it hasn't been in these various resolutions that we will also be asking whether these are appropriate properties for city-owned facilities. Over the long run we will be in a much better financial position. So if you could please follow up in an appropriate way it may be that it's an individual briefing or a briefing to council, but I'm very concerned to make sure that we move towards purchasing and don't get in a cycle of leasing over time because it appears like we're doing that a lot right now.

[10:33:57 AM]

The other item that I wanted to speak to is an item that I'm a co-sponsor on with respect to the childcare and the permitting and zoning item, 36. I wanted to, and I've spoken with Ms. Garza on this. I would like to add direction to that resolution to consider how the two new small business ombudsman that we created during the budget process could have as part of their purview helping the childcare centers navigate the the permitting process and to consider that included in their job descriptions. Childcare is a small business so it fits under that, I just wanted to make explicit that as we are designing those job descriptions and their scope of work that we can include in that helping the childcare centers navigate the permitting process.

>> Mayor Adler: Okay. Anything else before we take a vote? Let's take a vote then on consent. Those in favor of the -- hang on. Councilmember pool?

>> Pool: So this is just a point of clarification because what councilmember alter said sounded like she was hoping to make that amendment or something to be included. That sounded like something we would need to get agreement on either from the sponsor or pull it so that we could then pull it up and have a vote.

>> Mayor Adler: She was intended it as direction. It's not something that has to be accepted by the sponsor because right now it's all of our things. Does anybody have objection to that direction?

>> Pool: Thank you.

>> Mayor Adler: Hearing none, it's certainly the will of the dais.

>> Pool: Thank you.

>> Mayor Adler: Let's take a vote on the consent agenda. Those in favor raise your hand? Those opposed? It's unanimous on the dais with councilmembers troxclair and Renteria off. The consent agenda passes. Let's take up item number 35 35, which has speakers with it.

[10:36:03 AM]

Councilmember tovo, this is your resolution. Do you want me to call the speakers first? Let's go to the speakers. Is Carlos Leon here?

>> Yes!

>> Mayor Adler: Take your time. On deck is Nicole Hudgins. Is Nicole Hudgins here? You will be up next. Mr. Leon, you have three minutes.

>> [Speaking foreign language], Austin, Texas, October 4th, 2018 to speak what's right.

[Speaking foreign language]. First and fore foremost, gracias for letting me speak against item number 35. Abortion is not a reproductive right, health condition or planned parenthood. It's the exact opposite. It is the first degree murder of the most innocent human life because life starts at conception with a spark of light which god says is good in genesis chapter 1, verse 4. Making payers of insurance plans tacitly support evil like this is wrong. Like the abortion of truth, document 1 on screen. This October 3, 2018 article documents Evan Pritchett's argument against kavanaugh. He alleges that Cavanaugh prevented the truth. Cavanaugh's own handwritten notes say, startling discovery. Appears to be bullet hole between ear and Joan. Then, quote, how can person kill themselves twice? Once to neck and once to jaw? Yet the official final report that Cavanaugh wrote said it was suicide.

[10:38:04 AM]

Document 3 on screen. In fact, the reports appendix which Cavanaugh did not want or write talks about concealment of the facts, witness tampering and willfully ignoring facts refuting its own conclusions that is alleged against Cavanaugh and his government thugs in writing. Camera on me. This is what the senate judiciary committee should have been publicly questioning Cavanaugh about on record because if Cavanaugh buried the truth to write an alternate false reality to cover for deep state operatives in return for future benefits like a future federal judgeship, then that is serious documented professional misconduct as prosecutor destroys his impartiality and integrity as judge or justice on any bench. America needs truly independent, conservative constitutional justices. Not deep state team players who are already bought and paid for. May justice be done now before the senate votes on his judiciary confirmation. In Jesus' name I pray, amen. Thank you, lord. God bless Texas, the united States of America, constitutional law and truth and above all as always, god's word.

>> Mayor Adler: Thank you. Nicole huge ipse, why don't you -- Hudgins, why don't you come down? Is Amanda Williams here? You will be up on deck. Ms. Hudgins, you have three minutes.

>> Thank you. Good morning. My name is Nicole Hudgins and I'm the policy analyst for Texas values. We're the largest statewide organization focusing on faith, family and freedom in the state of Texas with over 100,000 supporters. And today I'm speaking against item 35.

[10:40:06 AM]

This resolution is not pro choice. Choose as defined by Webster's dictionary is to select freely and with consideration. But this resolution tells austinites, including women like me, that we should be forced to pay for abortion whether we like it or not. That's not allowing us to choose. That is not a choice. To be clear, I'm against abortion, period. The current law that you're calling to replace actually doesn't stop Texans from purchasing abortion insurance. The current law ensures people like me are not forced to pay for it as this practice takes the life of a child. Repealing current law would force women like me to embrace what we don't wish. What is the choice in that? Finally a child being barbarically ripped apart, or injecting saline solution and being burned to death is not health care, period. I purge urge the council to remove item 35 from the agenda and vote against it. Thank you.

>> Mayor Adler: Amanda Williams. Why don't you come on down? And on deck is Amy arenbedi. You will be on deck. Go ahead.

>> Hi, good morning. Thanks so much for including this on the agenda today. My name is Amanda Williams. I am in favor of this resolution. I'm the executive director of the lileth fund. We are the local abortion fund here in Austin. We provide direct financial assistance to people in central and south Texas who can't afford the full cost of their procedures.

[10:42:09 AM]

So this resolution recognizes that all people deserve to access safe abortion care regardless of income. At the lileth fund we hear from thousands of hotline callers every year. Two-thirds of our clients are low income women of color. The majority of whom are mothers working to care for their families. Bans on abortion coverage at the state and federal level specifically target the communities we serve. Forcing them to pay out of pocket for abortion care. So just to clarify something that's been said. There is no existing coverage at any level. Private insurance, federal or state funds cannot cover abortion care, so I want to make that clear. In many cases these bans can out right prevent people from accessing self abortion care altogether leaving them without a choice. Today we want to lift up the story of a woman named Rosie, after whom this resolution was respectfully named. Monique has sent a statement that she would like me to read here today so I'll read that now. My mom, Rosie, was a college student and as expiring teacher from McAllen Texas who died trying to create a better life for us. Because of a shameful federal policy that still to this day bans medicaid from covering abortion she was unable to afford to pay

for an abortion at her doctor's office and instead sought an unsafe procedure. This led to her death 41 years ago just yesterday. For so long I didn't know the details of my mom's experience, but I'm proud that more than 40 years later my mom's legacy lives on in funds and legislation working to repeal laws that kept her and so many others from accessing safe abortion care. Monique's statement means very much to us at the fund and people in our movement. We're so proud that her mother's story will be recognized today by the city of Austin, by you all. Thank you for doing that. With the support of this council we'll continue to honor her memory by fighting to ensure that all people have access to safe abortion care right here in Austin and beyond.

[10:44:14 AM]

Her death should not have happened. We can do more to prevent further. Thank you.

>> Mayor Adler: Amy arenbedi.

>> Good morning. My name is Amy arenbedi and I am the executive director of pro choice Texas. I want to thank you for including this item on the agenda and allowing me to speak. This is a statewide organization that utilizes education, organizing and public policy to support and protect all Texans' freedom to make personal reproductive health decisions. These deeply personal decisions include timely and affordable access to abortion. Rosie did not have access to the abortion care that she wanted. Rosie lost her life 41 years ago because of policies that restrict insurance coverage for abortion care. And no one else should have to suffer due to these unjust bans on abortion care. I want to say thank you to mayor pro tem tovo, councilmembers Garza, Houston, kitchen and pool for joining us in introducing this resolution. Where we're working towards a future where every Texan has access to safe, affordable abortion care within their community. Today's resolution is a step in the right direction in recognizing the importance of reproductive health care, including abortion, and we hope that our state and federal leaders follow suit so that all people can make reproductive health decisions, including the decision to have an abortion with dignity and respect. As we honor Rosie's legacy today we pledge to keep fighting against these restrictions and bans that make it harder for people to access the health care they need. Thank you.

>> Mayor Adler: Thank you. Those are all the speakers that we have. We're back up to the dais. Mayor pro tem.

>> Tovo: Mayor, I'd like to move passage of Rosie's resolution, item 35.

>> Mayor Adler: Motion to pass item 35. Is there a second to that motion?

[10:46:16 AM]

Councilmember pool. Discussion on the dais? Let's take a vote. Those in favor please raise your hand? Those opposed? It's unanimous on the dais with councilmembers troxclair and Renteria off the dais. It passes.

[Applause]. Let's. Pull up item number eight. This is the appointments to the board of visitors here in Austin. We're asked to fill in names on that. I know that the -- we're asked to fill in names on this and we were asked to have the mayor and district 9 filled in by name. We have elections that are going on. I wonder if it makes more sense for us to not fill in names on this until the elections have been passed. Alternatively I would fill in that rather than names I would put in the councilmember in district 9 or councilmember and the mayor or their disi designees. And I say that in case -- so that there was flexibility in terms of the council offices that could be in that position. Mcraven.

>> Flannigan: So I think we are at this awkward moment where we don't have agreement on the dais where process for all council appointees for things should go. I've been of the mind as I've said provely, that the mayor should make the recommendations as a straw man that we can debate. I'm not sure that showing up on the dais with two blacks is necessarily the -- two blanks on the dais is right either.

[10:48:16 AM]

I've served in this capacity. I have a staffer who has experience in tourism. I've made this a priority in my own office. It's something that I feel passionate about and I'm willing to spend the time to do, but again it kind of goes back to this process that we haven't really solved as a dais of how this should even happen, not just for visit Austin, but on all the other external boards and campo appointees and clean air action and all those other things where we make appointments. So I don't have an answer for your question. I don't know -- it might be fine to postpone it, but it certainly doesn't answer the underlying question I have of just about the process we haven't come to agreement on.

>> Mayor Adler: It certainly could be one of the things that make the government at works issues. Councilmember kitchen.

>> Kitchen: Well, I'm also -- have a concern that could perhaps are dealt with later, but that is the composition of the board as a whole. I just see a few places where we're not as broad as we could be in terms of representation from the arts in the community. So when I read through the entire board, I had some concerns about that. I'm willing to deal with that later and not hold this up, but I did want to flag that, that concern. And so I think this is a good step to appoint two members of council, but I don't know that it has to be done today.

>> Mayor Adler: Mayor pro tem.

>> Tovo: So I just wanted to remind our council and the public that I think it was at our last meeting we appointed some councilmembers to the community development commission and we made appointments of councilmembers in the areas that are represented -- are largely represented in the work of the community development commission.

[10:50:22 AM]

And so my assumption is that that's probably why the board made the recommendations they did about including the district 9 councilmember given that so much of the work of visit Austin has to do with the convention center and the promotion of tourism in and around the convention center area. So you know, it's awkward given that it's -- I am the occupant of the district 9 position, but I do think we also need consistent practices. If we're making appointments to boards that deal with issues that more dramatically impact one district over another, are we going to open up those positions or are we going to have the councilmember that represents it? I think there's also a good argument for having the district 3 representative on there or district 1 represents downtown and district 3 is quite close. So I'm certainly amenable to your suggestion, mayor, of leaving those names blank and just saying the district 9 representative and the mayor or the district 9 representative and the other council representative in whatever district we determine. But I think there's a rationality here. But I would actually invite those who made the recommendation on up to maybe speak to what their rationale was in making these recommendations.

>> Mayor Adler: Okay. I don't know if you want to speak to the rationale. I'd like to make the point that in response to that I think it would be good for us to talk about in terms of government in work session because I agree we don't really have a process to do that. I think that while the convention center is certainly downtown, I think the impact of visit Austin is most significantly citywide. So I'm not sure that there's a real geographic impact everybody associated with this. Imperative. Certainly it is within district 9 and can be a factor that can be considered. And if it was something that you were interested in doing, I wouldn't have any wish that at all in part because I think that this is an -- a subject matter interest of yours as well.

[10:52:30 AM]

It's coming at an awkward time because this is a two-year appointment, I think, on the board by the bylaws. And a lot of these two-year appointments where council is being brought in I think should correspond to the terms. So I think probably the most appropriate time to make this appointment would be beginning in January and then it ties to somebody's two-year term. But it was just that the blanks were on there and we hadn't had a chance really to talk through it and I'm not sure the best place to do it is here to try to figure that out that I was suggesting. I know there's going to be a meeting on November 7th and I would assume that you would invite any and all councilmembers that wanted to come and participate at the board in that meeting could be there in that intervening meeting. But I just had those kind of unresolved questions. Councilmember pool.

Avenue>> Pool: A couple of points I wanted to make is as you mentioned it is a two year term and conceivably the assignment of that responsibility could change every two years. I'm not so concerned about it being equal term with any of our council terms because if it's someone who isn't reelected or has left the council being term limited, then that seat is open and it is thus -- that person is not then serving as a councilmember on that board. So I don't see that as a major obstacle. I do tend to align with

having the districts recognized. So that would be district 9. And I was actually kind of promoting our councilmember Houston in district 1 earlier, but I know that she has other things on her mind to do and she has graciously stepped away from that, urging that I brought. I think even from this date. And I understand why Visit Austin would have recommended the mayor then in that seat.

[10:54:37 AM]

I would point out that I think is November 7 the day after the election. So we would actually know who is returning mostly at that point, but maybe we're making more of this than we need to. Maybe we stick with the process that we have been using this year with regard to filling some of these positions that have come vacant out of sequence with others. Make the appointments that you have suggested or that others might suggest here and move forward so that we can have councilmembers at the meetings as early as possible so that they can start learning those ropes at the level of specificity that I think is really necessary. As we sit up here and we don't we sit up here and don't necessarily know everything that's going on. I think it's great two councilmembers are being invited to join and I would like to do that with dispatch.

>> Mayor Adler: Ms. Houston.

>> Houston: I understand the board is composed of industry professionals, but at some point I would like to know from where these people live. Because it looks fairly vanilla in a position and it would be helpful to have some caramel or brown or -- if you get my drift, in the mix. But I know they have to be industry professionals, but I'm sure if we looked very hard, we could find some people who would meet more diversity of the board and the executive committee. Of course, I recognize Albert Black, but if you could tell us what district people live in that would help. Because I think the issue is all of Austin is a tourist destination. And we don't want to forget some of those that are outside of the downtown, and that's what we felt, those of us that represent districts that are outside of central city is that we weren't being paid a whole lot of attention to and we had wonderful things outside of the center city that people are not being made aware of.

[10:56:47 AM]

And you are doing a great job improving that and I appreciate that, but if we could look at the board, we could look at some of these that the board would not be able to see.

>> Mayor Adler: Councilmember Kitchen, then councilmember Flannigan.

>> Kitchen: Okay. I -- I do have a concern about designating this for council slots because -- because, you know, part of what -- at least from my perspective we've been thinking about over the last year or so is that tourism is a citywide -- you know, it's a citywide function. And as councilmember Houston said. And so I wouldn't want to limit and just designate any particular district. I know that district 1 and district 9 are impacted, but so is district 5, you know, with Zilker Park, and so really so are all of our districts. I

would see this as an appointment similar to how we do other appointments with people that are interested and working through a process like that. So I would also like to just ask a quick question. For the other members of the -- of the committee, I'm wondering if those were invited to participate or if they volunteered to participate. And the reason I'm asking is because my earlier comment really was directed at the -- the creative alliance, which is an alliance of arts groups in the community. There may be other alliances like that, but visit Austin's activities are directly related to them. And on par with the chambers of commerce that are here. And so I really think that it would be important to include them, and I don't know what the process is for filling out the rest of your board.

[10:58:52 AM]

Is that an invitation or is that something that needs to be voted on? Could you answer that?

>> Mayor Adler: You might want to also address the mayor pro tem's question as well.

>> Tom Noonan, president of visit Austin. Our executive committee invites new members to the board making sure we live up to at least that 50% being from the hospitality tourism industry. We have in the past had several members of the community, cookie, so we are -- not only the visit Austin board but some of the other boards like foundation board as well as sports commission board and others.

>> Kitchen: Okay, so when we see a person's name on here and an entity under it, like someone -- let's see, I see Mike Rollins with the greater Austin chamber, is the invitation extended to Mike Rollins or to the chamber?

>> It was extended to the chamber of commerce, and we said it could either be Mike or someone Mike or the chamber thought --

>> Kitchen: I would like to ask your executive committee to extend an invitation to the creative alliance in the same way that has been done with the chambers. Would that -- do you think that's something that -- I mean, I don't feel like I have to -- I don't know that it's necessary for us to vote on that. I'm just asking you if you think that that would be something that could be done.

>> I will definitely bring up to my board. Obviously I'm a staffer and that's a board decision.

>> Kitchen: Okay. And maybe you can let me know?

>> Certainly.

>> Kitchen: Okay. Thank you.

>> And then the mayor pro tem's question?

>> Mayor Adler: What was the basis for the recommendation of the mayor and district 9?

>> Tom, would you like to take that?

>> I'm Tom Stacy, volunteer chair of visit Austin. And the logic behind the recommendation was simply similar to the downtown Austin alliance where we have the downtown district represented and in our

case for visit Austin we thought that because tourism is a citywide function, that the mayor covers the -- it was a citywide position, that made sense, and the largest concentration of hotels are in the downtown area as well as the convention center was the logic of having district 9.

[11:01:19 AM]

It was just simple logic, and by the way, we are conclude welcome -- any member of the council is welcome to come to any of our board meetings or send your aide. We want to be inclusive, we want to be transparent, and we would like for you to better understand what we do and how we do it. I think, as councilmember pool pointed out, it's some things you don't really know how we operate. It's a great staff, great professional staff and we would love for all of you to come. I know we can't with a quorum and have a city council meeting, but any time you can and have an interest we would love for you to come whether you are on the board or not. You would certainly be listened to.

>> Mayor Adler: Thank you. Further discussion on the dais? Mr. Flannigan.

>> Flannigan: I just wanted to thank councilmember Houston and kitchen for being a citywide issue. My understanding on the community development corporation that was related to the projects it overs sees only exist in those districts and I took that as exception to the rule that we don't think about things under a district -- through a district lens only. As councilmember kitchen said, the red line essentially serves only my district because by the time you leave d6 the trains are full and they are really full on convention days because of how many people get the more affordable hotels in district 6 and take the train in for conventions. I represent lake Travis, another tourist destination. I think it's broader than that, but ultimately we still haven't answered the question about a process we can all agree to about how these are going to be decided.

>> Mayor Adler: Okay. Councilmember alter.

>> Alter: I think there are many directions we could go with this. I first of all want to thank visit Austin for agreeing to have some councilmembers on the board. This grew I think out of our discussions in the last budget cycle and I'm glad to see that a year or so later we're making this happen.

[11:03:22 AM]

I think it's important for there to be councilmembers on the board to learn about the contributions of the hospitality industry. I wanted to point out a Q and a answer that I received which might address at least a piece of the questions the mayor brought up, and the answer was that should an appointed councilmember's term on the city council expire before their term on the board, their board seat will expire as well and a new member will be appointed. So I think it would be -- if we wanted to appoint mayor pro tem tovo and the mayor today, I don't see any obstacle to just doing that with their names and we could decide at a later date whether we wanted to do the geographic distribution with the benefit of their experience on the board. That being said, November 7th is the day after election and I

know if I was up for election on the 6th, I probably wouldn't want to show up for a board meeting no matter what happened on the 6th. So it might be some other councilmembers might be able to be there on the 7th or we can make some arrangement for it to start in January. I have a clean air force board on that particular day myself. You know, I think it's great that there are more than two councilmembers that are interested in serving on this board and learning, and, you know, there may be an answer of having, you know, three councilmembers and then you have three advocates potentially who are understanding things better or you have three folks who know things more which may not be a bad outcome. I would like us to see, you know, either say commit that there will be two people, whichever two people that might be, that can show up on the 7th to be present and represent the council. If we cannot come to agreement on putting forward mayor Adler and mayor pro tem today at the very least. But I think the important thing is to get councilmembers to these meetings so that we can learn and communicate better with visit Austin.

[11:05:29 AM]

>> Mayor Adler: Okay. Councilmember pool.

>> Pool: Well, I'll make that motion and I appreciate councilmember alter laying it out so carefully that we appoint today mayor Adler and mayor pro tem tovo. To the board. I don't have the exact -- here we go. I move to fill in mayor Adler in one blank and mayor pro tem tovo in the second blank so that they are appointed to the board of directors of visit Austin.

>> Mayor Adler: It's been moved to appoint. Is there a second to that? Councilmember kitchen.

>> Kitchen: Yes. I have a quick question. So councilmember pool, you are including the names, not the -- not the seat designations, right? I can second it with the names. I cannot second it with the seat designations.

>> Pool: I actually said the names.

>> Kitchen: I just wanted to verify.

>> Pool: Mayor Adler and mayor pro tem tovo.

>> Mayor Adler: It's been moved. Is there a second to that? Councilmember kitchen seconds that. Can we -- excuse me. I would move to amend this so as to have this come back to council at our meeting in December or January, our meeting in January, so it comes back to us in January in case we want to address this whole issue in council governance or make alternate appointments at that time or allow people appointed to be able to make designee appointments. So I move to amend the motion to make this appointment effective, but coming back to council in January.

[11:07:36 AM]

Is there a second to that? Ms. Houston seconds that.

>> Pool: And I have a question. We haven't yet set our meeting schedule. When you say January, you mean in the new year.

>> Mayor Adler: First meeting in the new year.

>> Pool: I have a question for the gentleman representing the board of visit Austin. You have a meeting November 7. Are they monthly meetings?

>> Quarterly meetings.

>> Pool: Okay. So December and then presumably March would be the next one or February?

>> Yeah, I think March, right?

>> Yeah.

>> Pool: Okay. All right. I was concerned more meetings might be missed without two members of the council being designated. I still kind of would like some folks to go since the opportunity is available to us and even if it's in informal, I don't know that I would be able to, but I think there's interest on the dais for people to go and I don't think we should stand in anybody's way to go. Would that be a welcome presence?

>> Any of you all are welcomed at any of the meetings.

>> Pool: Where held?

>> Usually congress and cedar Chavez. This meeting I believe is at the womens club in November.

>> Pool: Maybe you could send us that meeting notice to all of us so we have it and whoever is able to come. Does that sound like a good compromise? To have the coverage sooner, but then come back later and make the designation as far as --

>> Mayor Adler: Mayor pro tem.

>> Tovo: I think I need to understand your amendment better. Are you basically suggesting we just postpone the conversation until January?

>> Mayor Adler: Well, I'm fine postponing it until January. If people want to have an appointment for November which seemed to be the issue, then I was saying let's appoint people to go to the meeting in November which under this motion would be me and you, and then we would attend in November. I would ask, you know, conceivably that we appoint the same way we appoint the urban issues so it's you or your designee or me and my designee for November.

[11:09:43 AM]

Then it gives us a chance to visit it again in January again, maybe in the broader context of how we do appointments or otherwise. So that was my intent. So it would be me or you or our designees for

November, and then it would come back to council on the first meeting in January. First meeting after the first.

>> Tovo: One of the things that's happened here and it's been the product of a lot of conversation and I'm really grateful for it, we've been urging and hearing from the community the request that that board include some council representatives. I don't want to leave today not having taken action -- if there are concerns about individuals we're discussing, let's discuss it but we need representation on this board. It's generally good practice for having a proxy for each of our boards that are intergovernmental so when we have absences our entity is still represented. So I'm happy to -- I think that should be our practice. Council member how Houston and I have done that for the sobering center.

>> Mayor Adler: Appointing me and Kathy for our proxies for the November meeting and this matter will come back to us in January. Any objection to that? Ms. Houston.

>> Houston: Mayor, you know, as one of the people that's not going to be here, it seems like we're spending a lot of energy on the November meeting when we have an election the day before and those two people might not be the same people. Then you have to come back again. It seems like we're making work. People can go in November and see what's going on, then for the may meeting and the March meeting, March meeting you will have time for the people who ramp up whoever you are going to appoint and whoever the proxies are. Seems like we're just trying to do something for a November meeting which may be productive or may not be, but people can go if they want or not.

[11:11:51 AM]

People saying we'll do this when we have more Mike to think about it, have a process in place and you can make that in January and those two people go forward.

>> Mayor Adler: Let me see if I can divide this into two questions. The first one is going to be is everybody okay with us coming back to council right after January 1st for making the appointment for that two-year period of time? Is there any objection to that? Hearing no objection, that's going to be the first component of this. We're going to come back first meeting after January and address it. Then the second question in front of us is do we want to appoint two people for the November meeting or do we just want to say anybody and everybody can go? I think that's the second question. Councilmember pool.

>> Pool: I kind of liked the proxy with you and and the mayor pro tem but the door is open for any of the rest of us to sit in. Without a formal appointment if there were a vote, none of us who would be there would be able to give a vote because there would not be that formal appointment. So I'm going to stick with having the two of you go forward and align with what the board of trustees for visit Austin has suggested.

>> Mayor Adler: Let's take a vote on that. I'll represent the question this way. I'm going to ask for those people's votes on appointing me and Kathy or our proxies for the November meeting. That's what we're going to vote on. Are you ready to vote? Those in favor of that please raise your hands. Those opposed? Unanimous on the dais with transaction off. So the -- councilmember troxclair off. The record should

reflect Kathy and I or our proxies will attend at the November meeting and this will come back after January 1st to decide what we want to do with the appointments thereafter.

>> Casar: Mayor, I think it's important to clarify in this case you mean your proxies which don't have to be approved by council.

[11:13:51 AM]

>> Mayor Adler: Correct.

>> Casar: You mentioned like udc, but we said designees shall be approved by council. In this case since it's between here and November, we wouldn't ask you to bring them back.

>> Mayor Adler: That's correct. Kathy and I will let the visit Austin folks know who will be showing up with voting power.

>> And we just looked at our calendar, the next meeting February, not March. We'll make sure that all the officers have invitation to all the meetings going forward and the locations and times. We encourage and look forward to all your participation.

>> Mayor Adler: That would be great. And if it looks like we have a quorum of the council that's interested in going, we'll go ahead and designate those as a council meeting. It doesn't mean you have to do anything, but it would enable the public to know a majority of us might be there. Thank you very much.

>> Thank you.

>> Thank you.

>> Mayor Adler: So that takes care of that item. Let's look at item number 26. Mayor pro tem, you said you had a couple questions on that?

>> Tovo: Yes, I do. This is the contract for regs room cleaning. You know, I don't know that we have any data in the backup. I asked a few questions that have been distributed. The answers to which have been distributed here. Which I appreciate. I mean, the restrooms have had, I would say, a very strong impact on public health in the area where they are functioning, and I think we absolutely need to continue them. I hope that as a city we can come up with -- we can look at the data and come up with some way to quantify what the impact of that has been in terms of cleanliness both to our streets and waterways. I know I hear lots and lots of concerns and it is really a matter of human dignity as one of public health and water quality, frankly, to get -- to have public restrooms be available.

[11:15:54 AM]

We have heard some concerns about the size of this contract. I believe I understand, and you can verify, that part of why this is expensive is because it's not hooked into the plumbing and the need to haul the waste off site.

>> That's correct, councilmember. Richard Mendoza, public works director. I'm joined by Jim Dell's, director of transportation department. And yes, we're pleased to provide this forward because this will allow continuation of those critical services provided by the pilot mobile unit that we do currently have in place at 500 block of Brazos. And that unit, temporary in nature, requires to be manually not only serviced with water but also to be pumped out on a daily basis, and sometimes on a multiple times during a single day during heavy usage events.

>> Tovo: So I just need to express my concern. My office has been going back and forth with your staff for a very long time over this issue. We both -- we have allocated -- we allocated the funding for the permanent restroom, for the portable restroom. Part of why we need to move forward with this contract is because we still don't have the permanent facility. I have to express concerns about that and ask what is our path to actually getting that. I want to read, my colleagues, we've passed two resolutions related to restrooms. I'm going to read from the one 2016-028-167. One of the be it further resolutely directions talked about continuing the discussions for a permanent public toilet. That was done using -- that was to be done using the portable one to test different locations which I think staff did a good very good information from that. The next says that the city manager is directed to identify a funding source and initiate procurement of a public toilet facility such as the Portland loo for permanent installation downtown and return to city council for approval of this purchase as soon as feasible.

[11:18:04 AM]

That was, you know, well over two years. So we authorized the -- we directed the purchase, we identified the funds, I believe that year in the budget and through a variety of means, one a direct allocation, then councilmember Garza and I both had remaining office balances that we put toward the effort to try to get the permanent and portable both moving. And then I identified some funding that was available in one of the parking funds. We had the funding, we had the direction, we still two and a half years later don't have the permanent facility and I'm told it's going to be at least another nine months. So what can we do to actually get that purchase made? I'm a little -- I just would like to see us actually be able to fulfill that real need.

>> Yes, ma'am, and I do understand your concern on that. We have initiated design for the permanent two facilities and we've gone through the process of collecting all the data from the pilot program, analyzed that data and arrived with our partners with the downtown alliance with transportation department as well as public health for those two locations. And so the design work is currently underway. We understand the need, sense of urgency, and where we can compress that speed moving forward we will.

>> Tovo: So are you looking to actually construct something or looking -- we had all of these years of discussion really talking about buying a pre-made model that can easily be installed and that is designed for an urban environment in ways that discourage other kinds of activity within them.

>> We will not be constructing, we will be procuring, but we need to have the design specifications criteria, how that unit -- how many stalls it needs, the availability of the utilities, making sure we ensure Ada compliant access. So until we have the data to define I guess the scope of the unit for the demand as well as the site so we can make sure that we have available utilities and Ada accessibility, our engineers can now start with specifications to drive that pro tumor and that's underway -- pro conductor and wire working with Dale and his staff.

[11:20:23 AM]

-- Procurement.

>> Tovo: A couple years ago we had discussions about which were accessible, I feel as if we're -- I think I'll leave it here for now. I would ask our city manager, we've had so many aspects of this question over the last couple of years. There are ready-made models out there. We directed the purchase, identified the funding. I sure hope we can figure out a way to move forward. Please look for every solution so we can actually make the purchase rather than wait another nine months to actually get it on the ground.

>> [Inaudible]

>> Tovo: My office has done sort of forensic accounting, got collections of all the presentations at public health, I'm happy to make that all available.

>> Thank you.

>> Kitchen: Yes, I would like to -- and I apologize if you've already sent it, but I would like to see the results of the pilot. I support the mayor pro tem's efforts and thank her for those efforts. I'm very curious about the results of the pilot because I think that this is -- this is important for all the reasons the mayor pro tem mentioned, it's an important public health and human dignity issue. And I also think that at some point, considering what we determine and what we learn, we may -- there may be other parts of the city where it's appropriate to consider these. So if -- if you can just tell me where to find the results of the pilot or to send it to my office, that would be great.

>> Yes, ma'am.

>> Kitchen: Mayor pro tem, if you have other information available that would be great.

>> Mayor Adler: While you are up there too, there was a media report that this item was to pay for a person to clean the facility. But the expense goes well beyond that.

>> Beyond the person, and we've been partnering with the downtown alliance during the pilot program and we'll be continuing those discussions to continue partnering with them.

[11:22:32 AM]

But these are basically for the pumping out services as well as any maintenance for that unit. The unit really is very heavily used so the need there is apparent, but it is a mechanical system and they do periodically do need maintenance and attending to. So this contract will provide for that not only in the immediate term, but we'll have the opportunity to -- to use this mobile unit in a variety of places as those other areas become apparent to us. And this contract will provide for those services going forward.

>> Mayor Adler: Okay.

>> Casar: Mayor, from my understanding, tell me if this is correct, the Q and a says this pumps out waste two to five times per day, 365 days a year.

>> 24/7.

>> Casar: So it's the maintenance, it's up to five pumps a day it's cleaning whenever it needs to be cleaned.

>> Yes, we have to absolutely ensure this unit maintains public health, sanitation to protect all the users.

>> Casar: Thank you.

>> Mayor Adler: Okay. Is there a motion to approve this item number 26? Is there a motion? Councilmember kitchen makes a motion, councilmember Flannigan seconds. All in favor? Motion carries. We're not going to get to item 60 so I would let people know, this is the arts thing, we'll take that up after lunch. To people who would want to speak to it and it would carry over anyhow. The next is for the folks here, let's move to item number 29.

[11:24:42 AM]

This is the court issue that we're speaking to. We were just calling down our court people and potentially our procurement people. Did you have a question?

>> Casar: My one question, I was ready to move forward but wanted to double-check that some folks had brought up -- one of the competitors brought up questions around the letter that's sent out to people. If we approve this contract, do we have any -- I haven't reviewed those letters. Do we have any - any authority or influence over those -- the letters that are sent out to people, the content, et cetera, if we approve this?

>> Good morning, council. Kim Chadwick, Austin municipal court. We do in the current language of the now expired contract, we have a requirement that the court has to approve all of the language in the letters. And we also included that in the contract that is being reviewed today. We have recently -- I've been with the court since 2013 and I know we've made several changes to language based on changes in hours, changes in the environment of the court, and I wasn't sure the reference, I wasn't sure if they were talking about our particular letters or letters maybe from another court as it pertained to the civil. But we do have control over the language.

>> Casar: Thank you. And we have retained control over who gets sent to collections and who does not, right?

>> Yes, we do.

>> Casar: Thank you.

>> Mayor Adler: Okay. Ms. Houston, you had some questions? And we have two speakers signed up as well. Ms. Houston.

[11:26:43 AM]

We have two additional people that have signed up. Ms. Houston.

>> Houston: So my question was, I've had some concerns from constituents who have contacted me about this similar issue in the past. Does it have to be a five-year term in order to give the judicial committee time to kind of take a look at it? Could it be a two-year contract and that gives them time to look at it and come back with a different recommendation that includes some of the concerns that the first speaker talked to?

>> Yes, I believe the city has control over the terms, so the city can dictate a shorter term, but I believe, and I think purchasing would be the expert, that the longest is five years.

>> Mayor Adler: Procurement, do you want to come up and address that?

>> Mayor, councilmembers, James Scarborough. Councilmember Houston, appreciate the question. In this case the solicitation went out with a contract term of five years, so the offer was based on the five years. But we include the provision in the anticipated contract as we include in most of our solicitations the ability to end the contract earlier if necessary. So if there's a policy change or there's no longer a need for the service, we have the ability to end the contract earlier. So that would be available to us if the judicial committee came back with a policy change from the city, but we don't have provisions that would -- that contemplated a shorter period than what was in the solicitation, which was five years.

>> Houston: Thank you.

>> Mayor Adler: Okay.

>> Flannigan: Thank you, commune, for that question -- councilmember Houston for that question. I think given the real difficult path, the process took on this procurement and the fact that we can cancel it if we find reason to do so in the future, my concern, as I talked a little bit on Tuesday, is that the restrictions of state law and what we can consider, I don't know that we would get anything different.

[11:29:01 AM]

If those restrictions might change, I think we would have reason enough to revisit it. But it's something the judicial committee will be looking at as well as the things the contract does not restrict us from doing in terms of flexibility on what we do for collections that are at six or seven months, maybe we work those in-house a little more. There's some flexibility and changes we can do on the text of the letters, so there's actually a lot of stuff that's not locked in on the contract, we can work on while we think about what a rebid may or may not look like in the future.

>> Mayor Adler: Councilmember Garza.

>> Garza: I'm generally having just a hard time with this issue. I understand the limitations and the concerns and that we can change it, but given the discussion we just recently had on concerns about how indigency was being determined and, you know, my experience working in child support is many times people don't pay because they really can't pay. And then to put them in this cycle of adding an additional penalty on top of that and so I could support this going back to the judicial committee, but I understand the desire to move forward and -- and have more discussion, but at this time I will be voting no on this.

>> Casar: Mayor.

>> Mayor Adler: Councilmember Casar.

>> Casar: It was raised and I think I recall it, a question around testimony during judicial committee from the person who -- or that's being recommended. Could we get clarity on whether or not that that was okay?

>> Councilmember Casar, there was a concern brought to our attention with regard to that comment. In looking back at the meeting of the judicial committee, it was our observation that the comments were made during public comments and it was to -- to the extent of informing the committee who the company was, but there was no reference to the solicitation, there was no reference to their proposal.

[11:31:19 AM]

So by strict definition of the anti-lobbying ordinance, the communication was not related to a response and therefore did not trigger the provisions of the ordinance.

>> Mayor Adler: We're up at the dais. We have another speaker. Jordan Freitag. Mr. Peña, you are on deck. You have three minutes.

>> Thank you. I already speak loud enough. Good morning, councilmembers. I really appreciate your time today and certainly -- my name is Jordan Freitag with msb, the recommended vendor. I'm joined by Aaron our CEO and we appreciate your due diligence during this rfp process, and the point of me being here is try to make you feel more comfortable Mr. The city's choice. I'm happy to answer question. We have an Austin based company. All the work on the contract has been and will continue to be done here in Austin. We have employ over 450 local Austin area residents. We feel that we share and promote a lot of the same values that the city does, including a workforce that is composed of more than 70% female employees, and also more than 70% minority employees. We provide several volunteer

opportunities for our employees including working with the capital area food bank, the Salvation Army and the city's homeless population. We offer a base salary that is 12% more than what was required in the rfp to offer our employees. And all of our employees get full benefits including medical, vision, pto, disability, 401-k. We feel that our local presence allows us several benefits to the city including walk-in payments at our office. We also allow over 100 additional walk-in locations including HEB, 7-eleven, Walt.

[11:33:25 AM]

We have a local P.O. Box on all our letters so when constituents get these letters, it makes them feel better that it is coming from an Austin address. We certainly offer face-to-face meetings. You can come to our facility at any time. We also offer a much softer approach. The city has moved away from such events like the warrant roundup and things like that and we completely embrace that. All the letters that are sent out, I'm happy to provide those to you, councilmember, if you would like to review those. We review them regularly with court staff and certainly we can change the vertebrae age to meet your -
- verbiage to meet your needs. Happy to answer questions.

>> Mayor Adler: Thank you very much. Mr. Peña.

>> Good morning, Gus Peña, former IRS investigator, department of treasury, I still carry my -- my identification. I don't care whether like it or not but I'm going to use it. This has been a troubling subject for us in the community. Again I say low S.E.S., socioeconomic status. I also was a bailiff at municipal court and criminal court as bailiff. It is incumbent upon us as a society, we know poverty still is rampant here in Austin. A lot of poverty. So in order to pay the rent, in order to pay the bill and food, et cetera, pay the rent and guess what, they get delinquent on their fines. We understand that it is incumbent upon them to resolve these matters, but I would -- I was glad they did away with the warrant roundup. To me it was tragic to the people, even though they do owe the money for delinquent cases.

[11:35:34 AM]

Be customer friendly to the people. This is a bad time, it's a bad economy for a lot of people. I say low socioeconomic status. Veterans, they get a little bit of money. They don't get the 3,000 per month that other veterans get unless you are 100% disabled. So please, I would -- and I thank you and I hope you will send this back to the judicial committee. I was not able to speak on the issue, but I'm speaking here in and for the best interests of the poor. The have nots and the less fortunate. And this is a trying time, but I tell you what, people get scared. People run away. They think they are going to be arrested. Let's make it a better process and, you know, nine times out of ten they are going to pay, but right now it's a tough time for them. Anyway, please vote accordingly and remember about the poor, the have nots. Thank you.

>> Mayor Adler: That gets us back up to the dais on this item number 29. Is there a motion? Mr. Flannigan.

>> Flannigan: I move approval of this item.

>> Mayor Adler: Is there a second in Mr. Renteria seconds. Any discussion? Those in favor of 29? Those opposed? Councilmember Garza voting no, others voting aye. Councilmember troxclair off the dais. That item passes. If, okay. Item number 33. Historic preservation fund. Councilmember tovo, this was your item.

>> Flannigan: We talked about this on Tuesday. I wanted to figure where we landed, mayor pro tem, sounds like we had a lot of agreement on a lot of it and I wanted to make sure we knew where we ended up.

[11:37:39 AM]

>> Tovo: I don't know if you are -- so I think in summary, just most of your proposed amendments were fine with me. I would say where we continue to have I think maybe a differing of opinion is on the names. After consulting with our staff and with others, we would like to keep the names the same as they were proposed in the original resolution, and we may have staff and somewhere I've got a staff response about that. And so we could walk through the amendments one by one. I did propose, and I will distribute, an amendment that captures -- captures a little more flexibility on the cap. It's not quite the amendment you proposed, but it's the -- the bullet. Let me think, though, you didn't write yours up as amendments and I didn't capture --

>> Flannigan: I'm handing out what I handed out on Tuesday. Should be the exact thing I handed out on Tuesday.

>> Tovo: Good. To mayor, when I move approval, I can move approval with a lot of these in it.

>> Mayor Adler: Why don't you make your motion.

>> Tovo: I would move approval of the item -- of item 33 with -- you want me to just stop there and we'll take them as they are or --

>> Mayor Adler: Why don't you run through. If you could work off of Flannigan's deal and point to page and line number.

>> Tovo: Sure. With the following Flannigan amendments. Line -- all of the lines 9 through 14. With the exception of the words or activities because it's duplicate language. In that sentence, between 9 and 10:00.

-- 9 and 10.

[11:39:40 AM]

All of the language on page 2. And 3. And -- except 60 and 61. On page 4, not accepting 62 through 65 because it deals with the names, ditto for 67, deals with the names. 68 is fine. 69, 70, fine. 72 fine. 74 no. Line 76 fine. Line 79 no. Page 5, line 102, no. Lines 84 to 86, no, but I've proposed an amendment on the one I handed out that I think captures that that we can talk about maybe in a second.

>> Mayor Adler: Okay.

>> Tovo: 89, no. 95, no. 99, no. 102, no.

>> Mayor Adler: And 82 is no; is that correct?

>> Tovo: I'm sorry which? 82?

>> 82. At the top of the page.

>> Tovo: Correct. No. And then on page 6, no. So basically I've accepted all the changes with the exception of those directing the names and those directing the cap, but I think the amendment I propose, I believe, may --

>> Mayor Adler: Let me see if I got this right and for the record, you are making the motion with certain Flannigan amendments, so I'm looking at what Jimmy has handed out, mayor pro tem, and I'm looking at lines 6 and 7 and I didn't hear --

[11:41:55 AM]

>> Tovo: I did not -- I do not accept those and I want to understand what those mean.

>> Mayor Adler: Let's hold off on 6 and 7, but on 9 through 14, they were fine, except that you wanted to strike or activities because it's on line 10.

>> Tovo: Correct.

>> Mayor Adler: Okay.

>> Tovo: Or vice versa.

>> Mayor Adler: It picked up on line 10. And then page 2 of six you are taking all of those amendments, carrying over to page 3, all of those, but on lines 60 and 61, that was a no. And then on page 4, continuing the no to 62 to 65; otherwise that page is okay except for line 74 and line 79. So on page 4 --

>> Tovo: I think it's actually line 67 and line 74.

>> Mayor Adler: Got it.

>> Tovo: And line 79.

>> Mayor Adler: No on 67, no on 79, and what about line 74?

>> Tovo: No on 74.

>> Mayor Adler: No on 74. So these three lines, plus 62 through 65. And then on page 5 of six, it was no to all of those.

>> Tovo: Correct.

>> Mayor Adler: And no to the change on 6 of six. That's the base motion. It's been moved. Is there a second to that? Councilmember pool seconds that. Discussion now on the dais? Mr. Flannigan, do you want to talk about the amendments not taken?

>> Flannigan: Lines 6 and 7 comes out of the resolution being cited from the 2017-a3160. So that was part of the resolution that we passed last August.

[11:43:59 AM]

And an amendment consistent.

>> Tovo: What does it mean in this context, though, because the city bond requirements are those related -- I think it was in that other one because it relates to the convention center bond requirements. I'm not sure I understand how it is relevant in this conversation. And that's why I flagged it. There shouldn't be any bond requirements. I mean unless -- maybe this is a question for Lela. I suppose there could be bond requirements with some of the funding we've used for historic facilities that might interact, but it wouldn't prevent us from using H.O.T. Funding, so --

>> Flannigan: And I would say it's just the factual statement from the resolution. I don't think it substantively changes the be it resolveds. I was just trying to -- you know, in many of these things we talked about on Tuesday was going back and reflecting the language. I don't know that there's a dramatic substantive difference.

>> Mayor Adler: For me I would err on the side of including language from the resolution just because I don't know whether it's important or not, but it was part of the resolution, it makes it more historically accurate.

>> Kitchen: Could I speak to that?

>> Mayor Adler: Yes.

>> Kitchen: I'm not comfortable with including it and the reason is that I think it could be interpreted as limiting in the future. It was also in a resolution where there were a number of different things that we were dealing with at that time beyond just this. And so I -- I think the reference to the tax code is the applicable legal parameters for what we can use these funds for, and so I would not want to inadvertently by adding this language put additional parameters around it, and I don't think it's necessary and I'm concerned about including it.

>> Mayor Adler: Lela, would you talk to us?

[11:46:00 AM]

Any relevance to the bond requirement mentioned in that city council resolution in the first whereas clause that relates to the subject matter of this?

>> I don't think it hurts anything to have it in there, but I don't know that you have to. So it's really up to you. There's not the -- the city manager has already figured out how to appropriate this 15% and stay in compliance with the bond covenants. There might be a point in the future where those are challenges, but I think that the city manager can bring that forward and raise those issues at the time of budget, if that's an issue. So I think it's okay to take it out of the resolution, if that's the will of council, or if council wants to leave it in just as belt and suspenders you can do that.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: I kind of see it differently. I read it in the context this resolution as saying the items in the be it resolved, that we are resolving that doing this is in a manner consistent with the bond requirements. Not that the whereas would limit the be it resolveds, but it's consistent. We're in semantics games now, but I don't see it's limiting it. I think it's more the recitation of the language facts just from that resolution. I don't want to spend too much time on this either.

>> Mayor Adler: Yes, councilmember kitchen.

>> Kitchen: I'm not comfortable with including it. So I think that -- for the reasons I stated, I'm not comfortable including that.

>> Mayor Adler: If I understand, what this is saying is that resolution said let's use 15%, do it in a way that's consistent with the tax code and with the bond requirements.

[11:48:05 AM]

Then the manager said we can now do 15% in a way that's consistent with the tax code and with the bond requirements.

>> Correct.

>> Mayor Adler: Okay. So I would support to have it in there because we're doing this consistent with both of those two things. And to leave it out I'm not sure why you would leave it out.

>> Kitchen: Well, I can explain.

>> Mayor Adler: Okay.

>> Kitchen: Consistent with the city bond requirements, we had a lot of conversation when we passed this about what that word meant. And -- first much, we're doing this -- first off, we're doing this for the

future, and the second thing is we had a lot of conversation about what that meant consistent with the city bond requirements. It doesn't -- and I don't actually think that this -- well, I have concerns about whether -- I know you said you pulled the exact language. I'm just concerned it could be interpreted in the way that in the future if there is some concern about the bond requirements it could be interpreted not to use this. We had a lot of discussion about the bond requirements and how much of that was discretionary in terms of our decision making. So this language like this is just two open-ended because it takes it out of the context of the entire resolution that we did before. And I know that was not the intent. So council said we don't need it, I'm not comfortable with including it for all of those reasons.

>> Mayor Adler: Let's take a vote on this one. Councilmember pool.

>> Pool: I agree with the mayor pro tem and councilmember kitchen. I'm not comfortable with it either. I was satisfied with the language the author of the resolution.

>> Mayor Adler: I'm happy we can do 15% because we can do it in a matter consistent with the bond requirements. To me it's important to be able to say that we're doing this and we're able to do this because it's consistent with the bond requirements. And it was an issue back then as to whether or not we could do it in a way, and the manager figured out a way to be able to do it and I think that's great.

[11:50:08 AM]

But to leave it out, I think it's factually -- it doesn't represent what the city -- because we did spend time talking about that and it became an important part of that resolution that is met. I don't know -- since this is an historical recitation of what we did, why we would leave out what we did.

>> Kitchen: How about this? We could reference the resolution, because what we did is we passed that resolution. This -- does this -- and leave it at that. But what this does is -- we passed a resolution and then it's picking out -- I mean it's taking some of the words. So it could be in accordance with the resolution, you know, so -- I don't want -- none of us want to revisit that conversation that we had, so -- and I'm concerned this language is doing that.

>> Mayor Adler: Let's take a quick vote. Mayor pro tem.

>> Tovo: There was quite a bit more in the resolution as has been indicated. As I see it, we're summarizing the most critical points, and I don't -- as much time as I've spent on this issue, it wasn't clear to me what that meant in this context, and I think all this time about that issue, we're doing this for future councils. And this is one complicated, super complicated area, and I think the more clarity we bring to this the better. And so to me that is the important point is the allocation of the 15% in accordance with the tax code because that's our obligations.

>> Mayor Adler: What if we did this? What if we said in accordance with the tax code, and other matters?

>> Flannigan: Mayor, I -- I don't want us to relitigate a thing the council already decided and that section of the resolution I don't think it makes sense to leave out a clause when it's a direct quote from that

resolution, and in a matter consistent, it says fund other things, these projects may be city of Austin facilities, there's no other element we've left out.

[11:52:28 AM]

This is the actual text from the resolution. I don't want to relitigate it, I just want it to reflect the resolution that's being cited.

>> Mayor Adler: Are we ready to take a vote? Let's take a vote. Mr. Flannigan is offering, all in favor of that amendment please raise your hands. Three people. Those opposed? It's the -- how are you voting? Let's take it again. Those in favor of the amendment raise your hand. Casar, Flannigan, me, Pio. Those opposed? It's the balance of the dais with councilmember troxclair off. The amendment does not pass. Next item. You want him to continue working through his amendments?

>> [Inaudible]

>> Mayor Adler: I think so. Okay. So I think we're down now to page 3 of six. Is that right? Line 60. Is that what you had a different deal for?

>> Tovo: Yeah, I have different pages for it too. Just one second, let me figure out which one.

>> Flannigan: I think we're down to the last two questions and one is the name and the last is the thing the mayor pro tem brought up. So two questions remaining.

>> Mayor Adler: Why don't you tee upplanned we've had conversations with staff too and I think it's just an open question for me at least, the work work groups wanted to call heritage tourism. There's parts that call it preservation. I don't know that we're super productive in the semantics, if we want to move on and just deal with the last item.

>> Flannigan: Any objection to that?

[11:54:29 AM]

Then we'll proceed. Which one do you want to tee up?

>> Tovo: Mayor, I think the last question is the bulleted one on Mcraven's. I think it's page 4. Sorry, 5, line 84. So what I've proposed doing is just adding language increasing the \$59,000 to 250, but making it explicit that staff have the discretion to recommend grant requests above this threshold. Let me say recommend to city council just to be very clear that those could come to city council for consideration. Recommend to city council grant requests above this threshold. That just offers an opportunity for, you know, extraordinary cases or unusual cases that they believe should come forward for consideration beyond the 250.

>> Mayor Adler: Sound good to you. Any objection to the mayor pro tem adding that? Hearing none, that's added. So we have the the base motion as was laid out earlier with the additional amendment that was handed out by mayor pro tem tovo that we just discussed. Ready to vote in those in favor of this item please raise your hand? Those opposed? It's unanimous on the dais with councilmember troxclair off. Item number 33 passes. I'm sorry, that was -- yeah, item number 33. I'm sorry, Kate, you signed up for this.

>> [Inaudible - no mic].

>> Mayor Adler: I thought you might be. Thank you. All right. So that takes care of that item. All right.

[11:56:31 AM]

Is there a couple of minutes before noon. What can we take care of here quickly? What about item number 62, the CDC appointments from housing and planning. The motion is to appoint four of our colleagues on that. Councilmember Casar, do you want to make that motion?

>> Casar: I'll make that T.

>> Mayor Adler: Motion for item number 62. Anyone second that? Councilmember pool seconds that. Hearing none, that item passes. Item 62 passes. We can also take up I think quickly number 45, which is the audit plan. Is there discussion on the audit plan? Is there a motion to approve the audit plan? It came from audit and finance. Councilmember pool, seconded by councilmember alter. Any discussion? Those in favor of the audit plan please raise your hand? Those opposed? It's unanimous on the dais with councilmember troxclair off. That was item 45. I see us having item left here now item number 42, which is health south, and item number 60, which we're going to take up later. Everything else we can't take up and I think we're a minute away from citizens communication. So we're just going to wait a minute here, take a break, and at noon we'll call citizen communication speakers. We have no executive session today and we have no Austin housing finance corporation items today. 130.

[11:58:31 AM]

We'll come back at 1:30. We'll see if we can take up the cultural contracts, leadoff on that.

[12:00:35 PM]

>> Tovo: We're going to go ahead and get started with the citizens communication portion of our meeting. I'm mayor pro tem Kathie Kathie filling in for the mayor. Our% speaker is Angela Gettis talking about the Ruth program. You will be followed by Joseph Reynolds providing a pud update.

>> Thank you. Good afternoon. Hi. My name is Angela Gettis, founder of the Ruth program. And we are the first program in the nation to help single women that are displaced alone and don't have a family or church core. What we do is partner them up with the right elderly widow who lives alone and she needs a medical live-in home helper, but can't afford one. So we give both of these ladies a hand up together instead of a handout apart. As you will see on the screen . I also have companies that support us like Avera institute. They have actually given us products for the holiday season where we're able to utilize that as a release for sale to the public, helping us in the office administrativewise. So this is the perfect season to do that for all the companies that say we don't give monetary -- we don't give anything monetary, but we don't mind giving gift certificates for services and products. One of the things that I think -- I did not have an opportunity to mention, what separates us from most organizations that are similar to us is we only do a one-time charge. That's for the initial vetting process and the consultation. So in that process it takes about a little under 10 days. Once that's done these two ladies make an informed decision knowing their police record, background check, medical history, even personality analysis, and they do a weekend together to kind of get to know one another better. They come back to our studio office, we're in the apicon building. And once they make that final decision they're good to go, they sign off and we release them into the wild as we call it and let them live happily ever after.

[12:02:38 PM]

I also want to thank ao design for the the website that we will have up in about a week. So far we have all of our due diligence lined up. We're just looking forward to companies in the local area that would like to support us with whatever products or services they say they would like to give, if not monetary, we appreciate it and thank you for your time.

>> Tovo: Thank you very much. Appreciate you being here. Mr. Reynolds, welcome. You will have three minutes.

>> Where do I push? The red button?

>> The right button. Okay. Council, I'm Joe Reynolds and I live on west 49th street. A piece of land along shoal creek was chartered by the republic of Texas. When Austin grew the tract was bounded on the north by 45th and on the west and south by bull creek road. It had meadows -- where do I push? Ah, there we go. And meadows with flowers. And butterflies and trees that kids played in, trees so big that when we measured them it took three or four of us to pass the tape around the trunk. Austin could have bought the tract, had right of first refusal. After a vote in a special called meeting the city manager was told to identify funds, but nothing happened. So that December the state of Texas optioned the 75 acres to a developer. May-june, six months later, a pud application was filed. That application showed just less than 60 acres of impervious cover, almost 60 acres of new roads and roofs. This is what the meadows and flowers look like now. There was a pond that was a part of this all along and it now seems to be in the park that is kept for the city dedicated parkland.

[12:04:51 PM]

The purpose of the pond is to get all the storm we Ares with the car oil, the dog walks, the trash, everything walked in to be bio treated. I've not seen the pond specs, but the picture of this -- that looks here, the pond is an average of three feet deep so it can hold three acre feet of water. But a one inch rain on 60 acres would be five acre feet. The pond is flushed about twice by a common rain. A two inch rain would be 10-acre feet. A thunderstorm can do that if about an hour. The pond flushed four times in an hour would be spectacular to see. During the pud hearings I sent the council papers on the creek. Over the past 20 years this creek bank has eroded westward 160 feet, moving eight feet per year. The dam for the pond will soon be vulnerable and someone will need to pay for the erosion. It's in dedicated parkland. The developer proposed that the homeowner's association for the pud pay to maintain the park. This will be a big budget item. During the pud hearings, a spring was recognized as a critical feature. Up stem the soil was deep side. A fellow from the lady bird center said it was from black land prairie that now looks like this. In conclusion, I urge you to go by the sales office and check the price of the affordable housing that you all are paying for and be sure and ask about the monthly hoa fees.

>> Tovo: Thank you, Mr. Reynolds. Next up is John goldstone. And then our past speaker for today is pat valles-trelles.

>> Mayor, council, my name is John goldstone and I'm not here to give you an award for transparency in our bonds. On April 26th, 2018 I came before you and a copy of that speech is in front of you and asked you politely if you wanted me to give you an award for transparency or call you liars. I'm afraid I have to call you shameful liars as I define it as in your official capacities.

[12:06:55 PM]

Especially you lame ducks and opponents, you've proven your inability to understand the argument and inability to stand up and act like bold legislators and states men. What are you afraid of? It is clear that the city will do anything or say anything as the absent mayor and the pro bond pact did during the mobility bond no matter how deceptive to get these bonds passed, systemic the two cent number or five dollars per month for an average house. The only number that a voter needs to in order to vote yes or no on the bonds is a the soon alone repayment costs on funding or as every Uber and Lyft driver those, they would not have bought their cars without knowing the car payment. The city's bond website has a bond calculator using a true, but deceptive statement, \$60. Liars. Your 3.009 disclosure shows ten cents or \$300 per year for that same average house. Liars. By the way, neither of these two numbers is a standalone repayment cost per \$100 of value using the city's assumptions. Liars! What are you so afraid of? That the voters might vote no if they knew the repayment cost of a 500,000-dollar is five times what you liars are spewing or \$58,900 per year for a 500,000-dollar home per the 3.009 disclosure. This is disgusting and shameful behavior, especially at a time when we are completely surrounded by disgusting and shameful behavior. Aisd, rrisd, hays county, Smith I will Issac turrubiate Salinas, drop Issac turrubiate Salinas all engage in this shameful epidemic of lying. Only Travis county has seen the light in their 2017 bond where they gave the actual car payment for this car. Thank you, Travis county. If you city of Austin leaders I have nothing but scorn, disgust and a feeling that you are heaving, corrupt

politicians for your own political gain. And I hate having to say that! Really, truly, I have to ask you, how do you live with yourselves?

[12:08:58 PM]

How do you teach your children to be honest when as we all know in this case you are not? Now, if any of you, especially you lame ducks, or opponents for your office would like to know about this vast lie being told to the voters by our absent mayor and city council, email me at Goldy rant @gmail.com. For the rest of you hippocrates, except for a few who are opposed, shame on you for teaching your children to lie. Tell your constituents to vote no. Thank you.

>> Tovo: Thank you, Mr. Goldstone. Ms. Valls-trelles, you are next and will be our last speaker of the day.

>> Thank you, mayor pro tem, councilmembers and city manager. I am here primarily to thank interim assistant city manager Hensley for supporting and contributing in a very positive way towards moving towards hiring dog walkers. The dog walkers have not been hired yet, but she has helped us keep the process moving so I'm very appreciative. I'm sorry she's not here, but I will convey that and I have conveyed that already. So the other thing is that when we started that process I committed to her that we would do respectful advocacy and that we would speak to staff and to her about the issues that we wanted to talk about and the same thing is what I'm going to say now. We want to continue to move forward on other issues, but instead of announcing what those issues are here today, I would just simply like to request a meeting with city manager cronk. We have some people that worked on the team. We had kudos from assistant city manager Hensley and her staff member Lewis about how we behaved ourselves.

[12:11:02 PM]

I think we will bring forward to you some issues to discuss in private and we would like to do the same with the councilmembers is to let you know that we have some issues that we'd like to discuss, but not necessarily here, but in a discussion with all of you. Thank you.

>> Tovo: Thank you very much. Thank you to our staff, some of whom are in the back, for our work with our constituents. Colleagues, that's our last speaker for citizens communication, so we stand in recess until 1:30.

>> Kitchen: Mayor pro tem? Could I ask a question? Are we going to executive session? No? Okay.

>> Tovo: We have no executive session today and since we just have one or two items left on the consent agenda before our 2:00 agenda, the mayor suggested we just reconvene again at 1:30.

[1:45:14 PM]

>> Mayor Adler: All right. One, two, three, for, five, six, we have six. It is 1:45. We are here at city hall, we're reconvening. My hope is to call up item number 60 actions -- 60, assuming that makes sense. Then zoning and double back into item 42. Let's take a look at item number 60. We have one -- let's see. Is [inaudible] Wood bridge here? Why don't you come on down. Is [inaudible] Gray here? Yes. You're on deck. And cookie Ruiz here? You'll be third. You have three minutes.

>> Does it matter each one?

>> Mayor Adler: Either one works.

>> This is my first time so please excuse me.

>> Tovo: We appreciate you coming down.

[1:47:15 PM]

Thank you. You'll have three minutes.

>> I am on the board of Shakespeare so I'm representing them. Austin [inaudible] is a professional theater company that is bringing free Shakespeare to thousands of -- in Zilker park for 35 years in collaboration with

[inaudible]. First we would like to thank councilmembers, staff and those members of the art commission for hearing our concerns and who are proposing to limit the funding from last

[inaudible]. They've worked long and hard the cut. To 11% cut to 16 groups from last year's funding.

[Lapse in audio] Let me start that over. See, I'm extremely nervous. Aware that applicants when scored are now only 30% of arts groups evaluation excellent. Does that make any sense to anyone? It doesn't to me. That was [inaudible] This year for any input. Still doesn't make any sense. However, we hope the council will consider that 11% for which Austin Shakespeare is thousand dollars, which is a huge hardship when we started [inaudible].

[1:49:21 PM]

And -- 16 fellow artists \$20,000.

[Inaudible] And in the audience. To be aware that groups suffered this year panel who were ill prepared. We are a -- but we refuse to be put in a position of taking from large groups or taking from small groups. The councilmembers alternative measures of funding in this very critical moment. Please -- we will suffer for two years.

[Buzzer sounding] Okay. Next year's funding is based on this year's allocation, we ask that you help these [inaudible] Impacted by these cuts to levels.

>> Mayor Adler: Thank you.

>> And invite you to see us

[inaudible]

>> Mayor Adler: Thank you very much. Ms. Gray.

>> You're going to get -- thank you so much.

>> Mayor Adler: There's a button on the base.

>> Hello. Thank you so much forgiving us the opportunity. I have written notes but I'm going off the top of my head. The biggest is just last minute not knowing, and I do represent -- the funding cycle for -- to see a loss when -- and many others for the past years or growing.

[1:51:24 PM]

To find out days before a decision was to be made. \$20,000. When we were looking at 49,500. Is a lot of money. We have our seasons. Those big cuts to our seasons two years in advance so the dance is already hired, the venues set. If there's -- set aside and let's figure out a way to get us back to where we were. New and established organizations. Where we were last season. That would be absolutely

[inaudible], but I'm also smart enough -- miracle. And I thank all of my colleagues in the arts because we are all in this together.

>> Mayor Adler: Thank you. Ms. Ruiz, you have three minutes.

>> I'm here today as a member of Austin arts -- funded through the distribution of the H.O.T. Tax. The intention of funds to be used. I want to also recognize as my colleague did, not all processes move the same way every year. This was a tough one. To our arts commission September 17 to hear us. We asked them to consider their original recommendations.

[1:53:27 PM]

As volunteers and -- about three times over the course, and they had their best to make us as whole as possible given that we are not -- contract with the city of Austin entitled to funds, but just this issue of notice. The work they put in as well as arts division. We have work to do and I think as advocates we will see. We have a growing city. We have incredible arts organizations that are still growing though I think it was the issue of application and time.

>> Mayor Adler: Back up to the dais. Councilmember pool.

>> Pool: I'd like to make a motion to approve the recommendations for this item number 60 and I'd also like our staff to come and finance committee a couple different things about

[inaudible] That remain. But if I get a second, I can talk further on the motion.

>> Mayor Adler: The motion is to approve the recommendation from the commission and staff. Councilmember pool.

>> Pool: Just a couple of things. The chair of audit and finance -- although she isn't here today, which would be good to start the conversation about sustainability. Conversation needs to happen with the community stakeholders and our groups. The committee audit and finance would be a good place to review and discuss ideas with staff on how to move forward. Then I'd like to thank our cultural arts division staff for going back and scrubbing the budget to find ways to increase the funding for this cycle.

[1:55:34 PM]

The notification issue was startling everybody concerned and I think those of us on the dais as well felt that. So that was important work and I know the community appreciates the effort. So these awards you have heard will be set for two years, this year and next year. So we have a good amount of time for the next grant cycle to review methods for awarding grants for the arts community with the goal of the program more sustainable. Again, I thank everybody, all the extraordinary efforts and everybody working together to improve the arts so we could be here today with this approval motion in front of us.

>> Flannigan: To my arts commissioner about this that she will be sharing the subcommittee moving forward on, but I think it's frustrating I know for the arts to get this notice late, but I don't think the commission is surprised at the outcome. I think we have a -- glad we're revisiting this that funds 99% of the applications. So when we went out, my understanding is the staff got -- from staff, council or the community to say see more groups participating and then a bunch of applications came in and the process that funds every application that comes in, but the fund didn't grow as the applications did. But I do think that a very important policy conversation for council to consider very high level do we want to be using these funds to fund fewer organizations or to provide supportive funds for many organizations. The hotel occupancy tax revenues.

[1:57:36 PM]

I'm excited to see my commissioner, but I don't think they are going to answer the question for us as we know many commissions answer a question, they come back and say do all the things. But it will eventually come back to this council to make that decision so be thinking about how you feel about that going forward.

>> Mayor Adler: Ann.

>> Kitchen: Thank you, councilmember pool. I would like to participate in consideration of a subgroup of council. So I'm not on audit and finance but I'm happy to sit in during those conversations and I would suggest any other councilmembers that would like to be in that conversation participate. Because as sad, and you said also we're going to have to work through this. And I imagine it will take some time. And so I ask to be included. In those conversations. And it may be that the audit and finance committee wants to dedicate some [inaudible] To this. That will take some time to work through.

>> Mayor Adler: With audit and finance, I would like to be part of that conversation as well. And I want to thank -- I want to thank the commission for working this out and for staff. I want to thank the arts groups. Because I know it wasn't easy to look back and identify points along the way where -- where there could and probably should have been greater notice. This was a process that -- funds from the year before. Those are one-time funds. So when you carry over funds from the year before, there should never be an expectation the money is going to be there next year because by definition there is next year.

[1:59:46 PM]

But I don't think that was given away. That was a differentiation between those dollars and what one-time dollars. To the extent there can be a thing as recurring dollars when you are talking about a tax. I think that we noted earlier in the year that the -- that the H.O.T. Tax money was coming in flat and my understanding is that not widely dispersed that information and it should have been. Need to figure out how people are looking as a grant source can regularly check on their own that is happening so they can continue to monitor that. I think it was great that we increased the solicitation and went out into the community and invited more people to participate that had the perfectly foreseeable consequence of having a lot more organizations that were going to be making application for funding and that wasn't weighed into the recurrent thing the way that it should have been. And I agree we need a conversation about the degree to which organizations can think of these funds as kind of guaranteed funds or what does it mean that they're just supplemental funds and from year to year there's not really a guarantee and how does that work with actual operations of arts organizations, to look at the timing of this. It seemed as if the timing of this caused real hardship for organizations which means that probably we ought to take a look at our timing and then the fiscal year of the organizations that are planning in sleeve receiving this money to make sure if there is a change or expectation or a hope isn't going to be met or that an expectation is going to be met so it can be incorporated into a season or into a program.

[2:01:47 PM]

That all said, I think that given the fact that I believe that we as the city was materially responsible for the issues that arose because of this, I'm pleased we were all able to work in a way that got us back up to this level of support and I want to thank the arts organizations collectively from recovering from the

shock of the moment and then being incredibly constructive partners over the last couple of weeks. So thank you. Alison.

>> Alter: If it's acceptable to Ms. Pool I would like to make a friendly amendment to the instruction. Over a year I have been asking to understand about the collection of hot taxes from strs. We have had at least one company come forward and say that they have over five million dollars a year in hot taxes in escrow. By my calculation that's an additional \$750,000 for the arts organizations, another \$750,000 for historic preservation and a balance for the convention center and other activities. I understand there are obstacles, there are challenges with our existing ordinances, but we have yet to hear back on that. So unless you're prepared to share that information now, I would ask that information be presented to audit and finance as soon as possible and that if it needs to be done in executive session, it be done in executive session, but that we need to understand why we cannot access this funding. The state is collecting their portion of that. I understand we may choose not to do that because of things with our ordinance, but I still have not seen the information that we need to assess why we cannot do that.

[2:03:49 PM]

That would be funding that would help a lot of things that would help a lot of people care about and would also potentially give us information on strs that are unregistered. I understand there are some policy complications and there are some things we need to work out, but I don't have any details about what those challenges or how big they are, I just know that there's this pot of money out there that we mbe able to access.

>> Pool: I see that as a friendly amendment, yes.

>> Mayor Adler: This amendment is asking staff to come back to audit and finance with -- in essence with more information and a briefing on the issues involved with collecting hotel tax refuse from strs.

>> Alter: Yes.

>> Mayor Adler: Any --

>> Pool: It's our understanding that the taxes collected, but we need to find a way to draw it down to the city is my understanding.

>> Mayor Adler: Also there's the issue of taxing something that's illegal in the city and becoming dependent on it. So there's a real significant policy conversation here separate and apart from any vehicle issue. But not to be bait the merits of that -- not to debate the merits of that now. Mayor pro tem?

>> Tovo: To have that conversation either, but because it keeps coming up in the the conversation and people keep asking why we're not accessing that money, I think it's important to just note that I think it is critical that we figure out -- that we spend time thinking about that situation, but frankly some of those that are collecting -- are collecting taxes, I'm glad that I'm complying with the tax law, but they're running -- they may be running illegal short-term rentals if they're not going through our registration

process. So I think it is to the benefit of all of us to make sure that we're figuring out at the same time how to kind of bring people into compliance with our ordinance.

[2:05:51 PM]

>> Mayor Adler: Okay. That said --

>> Tovo: I don't think the public to there's this pot of money that we're not accessing because we just haven't gotten around to doing it. It's very complicated.

>> Mayor Adler: So we're noticed on 60 to discuss and execute cultural arts contracts, but I'm going to let this amendment go on. Without objection I'll let that go on. I don't want to end up in a conversation about this because we're not noticed to have a conversation about that. Any further we'll take a vote in Ms. Houston, you're up.

>> Houston: Thank you. I want all the arts organizations to know how much I appreciate and value everything you do for the city, but as we move forward, one of the things that I've been asking for for the last four years is the diversity of your boards and where you perform so that some of the kids in my area can't get to zilker park to see the Shakespeare company. Some of my kids don't even know where zilker park is. And if they did, there's little transportation to get there. Ballet Austin, how much outreach are you doing in parts of the areas where we've got school districts that are underperforming and don't have that opportunity to experience the things that you all create for that? So those are things that you need to be thinking about as the board of directors is what does your board look like and then how do you reach further out into the community then to legacy groups and the people that you've usually worked with? But I appreciate all that do you and I'm glad that we had some money in reserves so that we could get you up halfway to where you need to be.

>> Mayor Adler: Let's take a vote. Those in favor of this item raise your hand? Those opposed? It's unanimous on the dais with councilmember troxclair gone. Thank you all for coming down. So that item passes. Why don't you take us through consent zoning.

[2:07:52 PM]

>> Mayor and council, Jerry rusthoven with the planning and zoning department. For your consent zoning cases today we have item 47, which is case c-14-2018- c-14-2018-0052, this is ready for approval on second and third readings. For the items for which the item is still open we have item 48, c-14--2018-0072, this case is ready for approval on all three readings. I would like to point out that the applicant has amended their request and the neighborhood is in agreement to remove the conditional overlay that permits the three academic uses so those will still be allowed. Item 49 is case c-14-2018-0043, Belmont apartments. I believe that councilmember Houston would like to see this case postponed to November 1st, is that correct?

>> Houston: November 1st November 1st. I thought you said February.

[Laughter].

>> I guess that would work too.

>> Houston: No!

[Laughter].

[Inaudible].

>> Item 50 is case c-14-2018-0057, this case is ready for approval on all three readings. Item 51 is case c-14-2018- c-14-2018-0044. This case is also ready for approval on all three readings. Item 52 is case c-14--2018-0053. This case is ready for approval on all three readings. I would like to point out that we have asked about a sidewalk on north bluff. The applicant has a site plan in for review. They have requested the fee-in-lieu of actually constructing the sidewalk and at this point the staff is not approving that fee-in-lieu request. That may change, but at this time the answer is no. Item 53 is case npa-2018- npa-2018-0001. O 1. This case is ready for approval on all three readings. Item 54 is c-14-2018-0039. This is ready for approval on all three readings.

[2:09:53 PM]

Item 55 is case npo 2017- 2017-0016.02. A related case is case c-14--2017-0094, applicant is also requesting an indefinite postponement. And item 57 is a discussion case.

>> Mayor Adler: So the consent agenda goes from item 47 to item 57, and 57 is being pulled. The others are on the consent agenda. Yes, councilmember Garza.

>> Garza: For item 52, it was my understanding that it was definite that the fee-in-lieu was going to be allow and they were going to be required to build a sidewalk and that is what my approval of this -- support for this was hinged on.

>> At this time that's correct. At this time the staff has rejected the fee-in-lieu request, however, the site plan still under review. It cannot be approved until the zoning is approved. The applicant may try to convince the staff to change their mind, but at this time the answer is no. I cannot say that's final because the site plan has not been finally approved.

>> Garza: That's what concerns me is you're qualifying it with at this time. So is there something we can do in conjunction with this approval to say that they will build the sidewalk?

>> We cannot with this approval because that's a separate administrative process, the site plan process. But we do understand your message that you would not like to see that approved. At this time we are not. I just don't want to say that's the final answer because the site plan is actually still under review. Until it's approved without the fee-in-lieu of, I don't want to lead you to believe that that is finalized because it is not. But for right now the answer is no.

>> Garza: Okay. Well, if that's the answer, I'm going to be voting no on it.

>> Mayor Adler: Okay S there a motion to approve the consent agenda?

[2:11:54 PM]

Ms. Houston?

>> Houston: And this may be in backup and I keep missing it. On item number 53, is there an educational impact study someplace?

>> Councilmember, I'd have to look that up. I'd have to see the number of units. But --

>> Houston: How many units does it take to trigger --

>> A couple hundred, 200?

>> Houston: Okay.

>> Mayor Adler: Councilmember pool moves passage of the consent agenda? Is there a second to that? Mr. Renteria seconds that. Councilmember Garza wants to be shown as voting no on item 52.

>> Garza: No, I actually would ask for a postponement on that. I would like to talk to the applicant again.

>> Mayor Adler: Councilmember Garza is pulling item 52.

>> Garza: I'm not pulling it. I'm asking for another postponement.

>> Mayor Adler: 52 and 57 are pulled. The consent agenda is 47 through 57 and the two items pulled are 52 and 57. It's been moved and seconded.

>> And to postpone the public hearings as well.

>> Mayor Adler: All the public hearings are closed on those items. Those in favor of the consent agenda?

>> Flannigan: Mayor? So I want to be shown voting no on 47. On 48, which we talked about on Tuesday, I still have concerns about a process that we seem to follow where these negotiated agreements between some folks in the the community and developers that happen out of the public eye and I think these should be brought to us as advisory opinions. And what we're finding ourselves, what I'm finding myself in is a process where I am prohibited from changing or adjusting these agreements because they're amending applications or they're using legal means that restrict the council's ability to reach these compromises. And you know, this neighborhood in particular, which I understand the community folks who have participated want to see this remain or maintain some residential character, but multi-family is a prohibited use in the co's, so at best what we'll get is increasingly unaffordable single-family home on this site so I have issues with that as well.

[2:14:20 PM]

On 51 and -- well, we're going to pull 52. On 51 as I said on Tuesday, I'll support this noting that the one co on the drive-through is part of the process I think we should explore about uses having policy direction that apply across the whole city instead of just waiting for zonings to happen that we then can prohibit uses one by one.

>> Mayor Adler: Okay. We'll make the motion with those changes.

>> Mayor, we do have a change, while councilmember Flannigan was talking. On the applicant on case 52 has withdrawn his request for a fee-in-lieu on the sidewalk on north bluff so therefore he will be constructing it. So I believe that we can --

>> Garza: Thank you. I want to speak to that real quickly. I think there are times when it is appropriate to have a consideration of fee-in-lieus and I think especially when we're talking about individual homeowners who we're asking them to pay in their neighborhood if they're just trying to model or expand, and that is a -- is an option for an individual homeowner when it is so expensive to rebuild or build in Austin. But when we have a developer or an entity for-profit that I believe can afford to build a sidewalk, especially in an area where there's significant residential going up, I think this is a case where it's appropriate that they be required to pay for that sidewalk. So thank you to the applicant, whoever is here, that agreed to withdraw that request to not build that sidewalk.

>> Mayor Adler: Item number 52 is back on consent with the understanding that there will be no fee-in-lieu. Yes.

>> Flannigan: Just to clarify, I'm also voting no on 48. I made a statement, but I'm not sure I said I was voting no on it. Just to be clear.

>> Mayor Adler: Those in favor of the consent agenda please raise your hand? Those opposed? It's unanimous on the dais with councilmember troxclair gone. That gets us then to item number 57. We're going going to pick that up after we do the health south item, item number 42.

>> Thank you.

[2:16:27 PM]

>> Mayor Adler: Okay. This is councilmember Houston's motion. This was pulled by councilmember Casar. Do one of you guys want to go first?

>> Houston: Mayor, I'll go first. We had very good conversation about the health south properties, of not only the rehabilitation part, but the parking structure that is also part of this ask for the council on Tuesday. And so I'm not sure if I need to go through the whole thing, but the health south property was purchased back in 2017 from the health south organization somewhere in somebody's mind that mixed income housing could be constructed on that site. These two parcels of land are in district 1, and although many people feel that the -- how do I say this? The best thing to do is to sell the property and go find mixed income housing someplace else in high opportunity areas, I, however, think that it is

critically important that we walk the walk as we've talked about providing housing that is income accessible for people from market rate down to below 60% median family income in the central business district where there are so many amenities. For example, you can walk to the Dell medical complex from this property. It's about .8 miles from the university of Texas. .4 miles from the state capitol. And even if you worked at city hall you could probably walk or bike or scoot here. This is about 1.3 miles. There's a demand for low wage jobs in that census tract area.

[2:18:28 PM]

Those jobs are at this point less than \$3,333 a month. So to me it's important that we as a city council commit to finding ways to provide housing for low to moderate income families where they could in fact enjoy the amenities that other people are able to enjoy in central Austin. And so that's why I'm moving this forward. I have an amendment to my own resolution to kind of clarify it. It's been passed out. It's in the be it further resolved that we add "Lease and development of the two properties." And also from Tuesday we talked about family friendly housing. And those are the two amendments that I would like to add to the original motion.

>> Mayor Adler: Okay. Ms. Houston moves passage of item 42. Seconded by mayor pro tem. So that motion is in front of us now. I think that the issue in front of us is whether we want it to be just on site or whether we're opening up the possibility or asking for information not just on site. I think that's really the issue in front of us. Someone want to speak to that? Mr. Casar?

>> Casar: Yes, mayor. So I really appreciated the conversation at work session. I thought it was a really thoughtful conversation and I think all of us want the best thing, it's just that there are limited options and it's hard to figure out how to do it right. So I took off the table the amendment that I brought at work session and drafted from that conversation -- because not everybody spoke up and I'm not sure exactly where everybody is at, at least three options for addressing this issue. And I am okay with any of them because I think it's hard to know exactly what the right thing is to do.

[2:20:32 PM]

I think it could be great to have mixed income housing on this site, but just like we need affordable housing in the CBD, I also want to see how much we could get in Clarksville, how much we could get in east Cesar Chavez or holly or the south central waterfront or Bouldin. So I just want the information we get back from this to provide us options rather than fewer while still focusing on providing affordable housing options. So that way we can weigh based on how much we can get in the CBD do we want to compare that to other nearby options. So option a here says that respondents would have to provide an on-site affordable housing choice and then would have as an option in addition to their on-site affordable housing plan to provide us what their off site affordable housing plan might look like, preferably within one mile of downtown. Option B is more similar to what I described at work session where they could present either on-site or off site or both. Again, preferably within one mile of

downtown. And then option C is because I -- I didn't hear from enough folks to know exactly where the dais is on preferably within one mile of downtown. So my option C is to replace -- is to do either of those two things. But instead of saying preferably within one mile of downtown, saying in a centrally located area with limited affordable housing options or in an area that experienced significant gentrification and displacement. So again, I think all of these could lead us to getting more information and still be faced with a hard decision, but rather than just having one thing for it, I wanted to just appropriate these ideas to the dais. Present these ideas to the dais.

>> Mayor Adler: Ann.

>> Kitchen: I have an amendment that's based off of councilmember Casar's amendment. And it goes to what I was -- and it would fit with any of the options. And it just goes to what I was speaking about at work session wanting to make sure that the term on-site mixed income housing was interpreted broadly enough to include housing support for homeless individuals as an option for people to provide proposals on.

[2:22:52 PM]

So my amendment just simply adds the phrase "To include housing support for homeless individuals" after the phrase "On-site mixed income housed."

>> Mayor Adler: Okay.

>> Casar: Mayor, can I ask a question about that? The way you presented it, you mean as one option, so really it would mean something like to potentially include that.

>> Kitchen: Yeah, but -- yes, exactly. To potentially include that. I'm not saying it must.

>> Mayor Adler: So I will add potentially without objection to that?

>> Houston: I object.

>> Mayor Adler: No, no. To the -- okay.

>> Houston: What are you asking are we objecting to? Adding to?

>> Mayor Adler: No, that's fair. We don't actually have an amendment in front of us at this point. I understand you've introduced that issue now and I'll make sure that we do move past that issue.

>> Kitchen: My amendment is an amendment to his amendment.

>> Mayor Adler: Right, but his isn't really up yet. So now I want to have a conversation on that issue at this point because there are like multiple options for that. So I think the best way for us is on the dais to just have a conversation now about where we are with respect to the question of are we only asking for information or interest with respect to affordable housing on site or are we asking for information or interest with respect to that, but also allowing for proposals for affordable housing off site. Let's have that conversation.

>> Flannigan: Mayor, can I ask staff a question?

>> Mayor Adler: Yes.

>> Flannigan: I'm not sure which staff is appropriate to answer this question, but I'm not sure if it's better to have a process that starts really broad that says you could do ABC or D and then we get a bunch of proposals and evaluate them. Or is it more effective to have this debate now and narrow the focus as much as possible? I also -- I don't want to force developers or affordable housing developers to go through a bunch of hoops if we're not going to get there anyway?

[2:24:53 PM]

Give me some guardrails on how I should be thinking about this?

>> Rebecca giello, interim director of development. I think that placing loose guardrails around the request for information would be helpful. It allows staff flexibility to go out and identify in the market opportunity. That said, I understand the prescriptive nature of the policy direction and so this currently right now is in the economic development department realm and we would follow our general process to be as broad in offering council the future choice to identify what pathway to move forward. So a request for information would go out, solicit information for council to consider and a later request for proposal and/or request for qualification.

>> Flannigan: So the next steps from this would be another opportunity for council before final proposals are put together? Is that right?

>> I do see that. I see that this solicitation would provide council with additional information to be more prescriptive in the future about exactly what we would be doing on this tract.

>> Flannigan: So that's interesting because I don't know if we've done that before in the way that you've described it. So it sounds like we could be a little broader today because we're going to have an opportunity to narrow it one more time before we get final proposals to decide.

>> That's correct.

>> Flannigan: Okay. Thank you.

>> Ms. Houston, on this question, I still have the recurrent question that I had before which was I agree wholeheartedly with what I see as the overarching thrust of this, which is to make sure that we use this asset to drive affordable housing. The question that I had before was is there a place a block away if we opened it up to the marketplace or one stop away and could we get three times as much -- three times as many families planted a block away or three times as many families one bus stop away?

[2:27:09 PM]

And when we had the conversation you had indicated that you thought that question had already been answered. And I pushed staff and I can't find and they said they had some conversations back then, but they're urging us not to rely on that as the answer to that question.

>> Houston: Mayor, if memory serves me correctly was in in executive session when Lorraine was still here back in 2017. And I admit that the data is probably old and so I'm willing to have staff look at that. I think what we have in the resolution allows that kind of look broadly, but I think we need to be -- I need to be really clear about I'm not thinking about two bus stops away or over in another high opportunity area. I'm talking about downtown business district which has no place for low income, moderate income wage earners to live. And it has the amenities that we are talking about, but we never -- we won't be able to find another piece of land downtown to be able to do that. I think the staff understands that we're looking for as much information as we can with this solicitation with the understanding that we're trying to house people with mixed incomes.

>> Mayor Adler: I agree with that and for that reason because you had said that same thing on the work session and because I agree with what you said, I -- I look at the amendments that come from councilmember Casar as being consistent with that. He's put in a geographic limitation of a mile downtown and I think that's fair. What we may not have developed before is a person who has a tract that's within a mile, that the staff wouldn't have known to pick up, but when this request for information or interest hits the street they may look at it and go, well, they wouldn't have considered my tract because it wasn't available, but I see this now and I think I might be able to participate in something that involved that tract and my tract.

[2:29:29 PM]

And it doesn't mean we're going to do it. It just means before we decide something we will just get that information or that information.

>> And I think that's what allows the staff to bring it back to council and say we have a developer who has a piece of tract in another high opportunity area that they think that they can do something both on-site and off site. Because if I'm understanding councilmember Casar's amendment, he's not talking about in lieu of, he's talking about on-site and then there might be a possibility to do something off site as well. Is that not correct?

>> Mayor Adler: I think it's allowing for either on-site or off site or both, but if it's off site it has to be within that geographic area. It has to be within a mile.

>> Mayor Adler:

[Indiscernible].

>> Houston: You know where the property is located and there's nothing within a block of that area --

>> Mayor Adler: Within a mile of that area. But my understanding was that the solicitation would be based upon what we can build on those two parcels of land. And also if you have something that's off site what could be built off site within a mile of that area? So it would be both and not either/or. But the

primary thing for me is to ensure that people who are low to moderate income in this city have an opportunity to live next to amenities.

>> Mayor Adler: And I'm a thousand percent with that. So I understand, Ms. Houston, if somebody has a piece of property that is within that mile away and they're willing to say I have this piece of property that's a mile away and I'm willing to throw it into the conversation, the difference between option a and option B that councilmember Casar presented, is does that person get to throw that into the hopper and say I have a piece of property and you can make this part of deals that you might be able to put together.

[2:31:36 PM]

Option B, that person could just throw in that tract. Option a as I read it, councilmember Casar says he could throw that or she could throw that into the hopper but only if she also made a proposal for something on site. And I'm not sure I would add that hurdle. If someone had a piece of property that was a mile away, I would want them to throw it in as part of the information, but I'm still directed to where I thought this was headed.

>> Houston: But my concern is with that either/or is that people will be throwing their hat in or their proposals in for something that we're not looking for. So we might get 10,000, 110 options to say we could build this overplies someplace within a mile, but we still need the information about the realistic opportunities on that site in order to even make a decision about whether that's a realistic option for us to do. So I can see both and I was willing to do that, but I can't do either this or that. You can do off site or you can do -- you can do off site and not even pay attention to the property that's on-site.

>> Mayor Adler: Mayor pro tem.

>> Tovo: Yeah, I think -- I'm glad you asked those questions or brought that up, councilmember Houston, because the way it's drafted it almost sounds like you have to make a proposal on-site and one off site if that's what you choose to do. And I -- and I -- I think what we're saying here is -- well, let me just say fundamentally -- I'm really committed to moving forward a resolution today that gets us back meaningful proposals on this tract for mixed income housing, but with a high priority on affordable housing. If we ask people who may have tracts outside of this area as well to come forward with those proposals, but to also do some information on this tract as well, if they're trying to sell us a tract that's in a different mile away, that's probably going to come out looking like the better option of the two that they bring forward in response to councilmember Casar's amendment, right?

[2:33:55 PM]

I don't mind. I think it would be great to ask people hey, if you have tracts within a mile of downtown that you think would be appropriate for affordable housing, send them on to our real estate office. We're interested in hearing about it. I don't know that that gets us to meaningful information on that

can be built on the health south tract. And we can talk about if somebody has a tract a block away, but the reality is if somebody has a tract a block away, it's hard for me to see it's an affordable option for the city to purchase. This we own so we have the land costs out of it. I'm not sure why it would yield more units on their tract versus our tract. I mean, it's the same real estate market within a block. And I just -- I don't see that as a viable possibility. So again, I just -- I guess I'm back to the point where if what we want are realistic, interesting, useful opportunities for this tract to really test the viability of this option, I would really like our staff and I would like everybody who is responding to this to really be focused on the task at hand of looking at this tract and seeing what's possible. And I have some questions for staff about the no solicitation and how that will play out and some other things with what they will do to promote this because I think this is only going to be a meaningful exercise if we really get the word out that we're looking for creative proposals on this tract. But at the moment I'm really inclined to just ask that question about the tract. I do want to just say the information that we got back from real estate is in the question, the council question and answer, it was a question I asked in response to the council work session we had about a year ago when this came up the first time. It was please provide some examples of currently available properties, prices and square footage in the central business district. And the staff provided us -- and I can put this up there. They provided us with the tracts that they had available at that point.

[2:35:56 PM]

I would say I just in scanning this, I don't believe anywhere in the immediate downtown area. There was some on east fourth. That was as close as we got to downtown. There were -- they were as wide ranging as south first street, some on far south congress, Enfield, but none in the immediate downtown area. But I'm happy to make a copy of this or -- I can send it all to you. March 27, 2017, the council had a question and answer for item 52. And it did have also a graph of where those properties were available. So I think that may be the information that we're -- that we've been talking about, having asked the staff to produce and having received.

>> Mayor Adler: Councilmember pool.

>> Pool: Thanks, yeah. I really want to move forward on this today as proposed by mayor pro tem tovo. It's essentially a bird in hand. I'm sorry, it was councilmember Houston. It's essentially a bird in hand. And if we step back and toss out some speculation about where might there be other property, bring it to us and let us think about it and maybe it's a swap. It gets super complicated. I will point out that we have passed on this dais a bond proposal that would put money for affordable housing into bonds. And if you -- if there are parcels downtown that are available that people want to either provide to the city or sell to the city, perhaps that would be appropriate to tee it up for bonding -- for financing through bonds, but not this. I think we are much closer to having this realized, on the ground, and become a home place for a significant number of people at the 60%, which is the other thing I really wanted to drive into, that for households who earn 60% median family income and below, if we start getting fancy and go speculative route, I worry that the people we are targeting, lower income folks, for them to be able to live downtown, we will lose that opportunity.

[2:38:07 PM]

So I'm strongly in support and I think it's time that we put a stake in the ground and move this forward, and I thank councilmember Houston for bringing this forward.

>> Mayor Adler: Further discussion on the dais? Councilmember kitchen.

>> Kitchen: Well, I am comfortable with I think it's option a that is an "And" not an "Or." Because I hear what my colleagues are saying and I think it is important to understand what our options are on this property. So I want to not end up in a situation where we were not getting proposals on what could be built on-site. At the same time I want to have all the information that's available to us, particularly since the process that we're talking about allows for funnel down and will come back to us to make decisions. Option a says in addition to their on-site proposals. So I read that as requiring an on-site proposal, but also allowing for some additional information if someone wants to make an additional proposal. And that is fine with me. I really would like to have a broader range of information from people.

>> Mayor Adler: Okay. Alison?

>> Alter: So I want to go back a little bit to Tuesday's work session where we talked about we have this property because staff had the foresight to buy it. And so it's a good thing that we have this property, but we bought it for six million dollars and it is estimated to be worth \$30 million. And my concern is that however we approached this, we can approach it to maximize the amount of affordable housing that we can provide within this area of the centrally located area.

[2:40:11 PM]

I do not know because I am not the business person who owns the property nearby whether there is some scenario that would get me more affordable housing if I just asked them to come up with their ideas or if I get the most affordable housing just building on the site as is. And I would like to see us have a request for information that provides that wider ambit, which I think would be option B with C worked in. I believe maybe staff can speak to from their perspective if the goal is to maximize the amount of affordable housing in this downtown area, what kind of request for information you would recommend? Perhaps you could speak to that.

>> Rebecca giello, interim director, economic development development. I'm recognizing and understanding the policy objective from pulled voices. So a, I do believe could get you to both objectives. With respect to recognizing that there is a policy objective to have an rfi respond to options that are site specific. As well as I believe a could get us to if you have other ideas within a mile. So the way I would read a is -- I think in all fairness it does -- it narrows what you would get and be specific with both objectives. That you can't just throw in anything. You've got to do both an on-site analysis as well as and if you have other ideas. So I'm open to the kind of dichotomy, I guess, of the policy objectives discussion with whether a gets you to both.

[2:42:18 PM]

I believe that it does. I believe we could do an rfi that would require if you respond, you're going to did give us something that is site specific. Oh, and if you do, give us something site specific, you can give us other options too. That is how I would read a, I would recommend a. With the understanding that you are fine with other ideas as long as you give us something on site.

>> Mayor Adler: Jimmy?

>> Flannigan: Thank you, councilmember alter. You kind of read my mind. That's what I was thinking and you articulated it great. Maximize the blueprint goals to me is probably my most important on this. As councilmember alter said, getting the options I think is great and we should see all the information in front of us before we make a decision. And knowing that it's a a two-stage council process, which again I don't think we've ever done before. It's kind of been an exciting, hopefully it's not a Pandora's box we wish we hadn't opened. I think we're going to have a lot of opportunity to engage and narrow this scope if what we get back doesn't feel right.

>> Houston: Mayor?

>> Mayor Adler: Ms. Houston.

>> Houston: I agree with Ms. Giello and also as part of councilmember Casar's amendment. Let me be clear, I know we as a council and a city are trying to get as much affordable housing as we can. This project is small. We've got two parcels of land. That's not my intent is to maximize income accessible housing. My intent is to do something to keep people who are at those low wage, middle wage jobs, who wkor in city hall, to be able to live downtown.

[2:44:26 PM]

So if we're able to get additional housing as a result of that, that's fine, but this -- this resolution is to focus for the first time to do something now on people who have different incomes so that they can be able to stay in the downtown area where they can work at waller creek, at the capitol, at the medical complex, when Brackenridge hospital site is redeveloped, they have the the options to work there as well. Something that we don't have anywhere downtown, and this is the only piece of property that the city has at \$6.5 million that we can even build anything on. And the urban institute said -- urban land institute said they thought that they could get about 200 units there. So did the other study. But I think we need to ask more questions and see what we get back, but I don't think this is, again, either/or, this is both and. And I think this is not -- and I see the dollar signs in people's eyes. Let's sell it and do affordable housing or income accessible housing someplace else. This is the most high opportunity area in this city, and this is the only parcel of land that we own right now that can be -- can house people. So I'd be happy to accept option a with the understanding that we're clear on we get as much information back as we can and we do it within a mile of downtown.

>> Mayor Adler: Is there consensus to go with option a with the additional amendment from Ann kitchen? Mayor pro tem?

>> Kitchen: Could I speak to that amendment?

>> Mayor Adler: I recognized the mayor pro tem first.

>> Tovo: I have some questions for staff. I guess my first question is can you point me -- maybe we have one on the city website. Can you point us to a map that would indicate the one mile radius of the downtown area?

>> Can I point you to the map?

>> Tovo: Yes.

[2:46:26 PM]

And I guess my question for -- so it's one mile of downtown, not within one mile of this tract.

>> Correct.

>> Tovo: So do we have a map that would show one mile of downtown?

>> We could certainly make one very quickly. We would use the designation in our comprehensive plan of what is a downtown, define that, put a one-mile buffer around it.

>> Tovo: Maybe one of our planning staff can sort of eyeball, give us a rough sense of where that would extend.

>> Casar: I'm looking at googlemaps now, if it's helpful. It's past home legislation pizza on south congress. It gets you -- hold on -- home slice pizza on south congress. It gets you -- hold on. East that will get you --

>> Tovo: We can circle around back to that if that's helpful.

>> Tovo: Maybe we can circle back to that if it's a matter of distance. I will say again about having our conversation this way is that there may be just some fundamental philosophical differences here about how we want to approach this question of maximizing -- are we trying to maximize the numbers or are we trying to make available housing in an area where we don't currently have it for people who are working in that area who can't currently afford to live there? And the intent of this resolution that councilmember Houston has brought forward is to try to create housing in an area where we currently don't have housing that's accessible to people we know are working in service industry jobs downtown. On me that's a value and those units will be more expensive and I know we could take this money and build more units elsewhere, but that is exactly why we don't have affordable housing in certain areas of town where we very much need it because we're always looking for the lowest land values.

[2:48:36 PM]

Can you help us understand what you will do? One, is this -- if passed will this be subject to the no solicitation ordinance? In other words, will councilmembers have an -- if it is subject to the no solicitation ordinance -- well, let me stop there.

>> So we would be working with the purchasing office and in recognition of the typical solicitation rules, I believe it would be.

>> That's correct. Council can choose, though, to lift the no solicitation. We don't recommend that. So, you know, -- but that is at council's discretion.

>> Tovo: So I guess what will -- who will the staff be who will promote this opportunity to respond to the rfi to the development community and how and where will you do that? I'm really anxious and eager to get good proposals back from people who are doing creative work in adaptive reuse, in affordable housing, not just in Austin, but in other places as well to really get some creative minds on that. And if the council can't get involved in those discussions, who on staff will do that and how will you do it?

>> Like I said, it would be led by the economic development department, however, in partnership with the neighborhood housing and community development office, so we have spoken already with the leadership of neighborhood housing. There has been a broadening vendor list and recognition in that particular environment around a lot of the policy work in housing to include permanent prospective housing and a number of different initiatives that have led to a fairly broad national recognition of interested vendors. So I anticipate that it would go national and I anticipate that it would be in partnership with nhcd to ensure that there be a vibrant, like you said, a vibrant partnership base looking at a number of different creative options.

[2:50:40 PM]

>> And to operationalize this quickly, just picking up on what swim director giello said, is we have a very robust list that we have curated as well as economic development that we will interface with the housing department that we've curated with a number of policy conversations as well as our more immediate solicitations that we've done in the last year and a half.

>> Tovo: Thank you, that's helpful. If we have ideas as councilmembers of particular development companies or particular organizations who might be interested in responding, is it appropriate, is it allowed under the no solicitation ordinance for us to forward those to the staff contact to make sure that they're included in the solicitation?

>> Absolutely.

>> Tovo: And then several people have asked me about taking a tour of the building. Is that something that you would organize as part of this rfi?

>> Yes, indeed, probably multiple to our opportunities.

>> Tovo: Great. So interested parties should not contact council offices if we pass this. They should get in -- they'll need to operate under the no solicitation rules, which is to contact the designated point of contact for that information.

>> Correct.

>> Tovo: Okay. And if we publicize it in ways on Facebook pages or things of that sort, is that a violation of the no solicitation? Of course I guess if people responded it might be.

>> So if there could be an opportunity for us to get back with you should the item pass, we can be very prescriptive about what is the best way to market the opportunity, along with partnership of the purchasing office.

>> Tovo: Okay, thank you, that's very helpful.

>> Casar: Mayor?

>> Mayor Adler: I think what you just said was really helpful for me. I see value in having this location used because of its location. So if there are less expensive units that are a mile away and there are more of them, I didn't mean for what I said to imply that I would go with the option that had more units than the one that's downtown because I see a locational and intrinsic and important value, value, of having the uses downtown.

[2:52:51 PM]

I just don't know what that relative difference is. And that's the information that I'm looking for. But to be clear, for me I will not be ultimately deciding this question based only on where are the greatest number of units or the least expensive units. Greg and then Ann.

>> Casar: Mayor, I'd like to move option a as an amendment.

>> Mayor Adler: Is there a second to that? Councilmember Casar seconds that.

-- Councilmember Garza seconds that. Councilmember Houston seconds that. Any further discussion?

>> Casar: I would like to speak to it just one last time because again, to me I don't think that we need to be looking for the lowest land value. I think we're making it really clear that we're actually looking at putting affordable housing in some very highland value places. And so -- very high land value places. I look at it as an opportunity to put affordable housing in a high land value place. I want to look at a few options when we do that. This is a big decision. Ultimately if this is worth around \$30 million or more, we bought it for six million dollars, that's a 24-million-dollar worth of an asset there that we're putting towards affordable housing and that's on some of our smaller housing bonds half of one of those. So this is a significant decision and I'm glad that we're doing this. I think I'm glad that we're putting significant resources behind affordable housing, not just in the normal places. And I appreciate that it seems like there's some consensus around looking at this location and then some other high value places within a mile. I finally got my Google map working and a mile out of downtown takes you just past Dean Keeton.

A mile west of it doesn't get you much past mopac. And a mile east takes you up to Blackshear. So you're talking really centrally located places being the preference for the off site opportunity.

[2:54:54 PM]

>> Mayor Adler: Is there an objection to adding the kitchen amendment that adds to potentially include housing support for homeless individuals?

>> Houston: I do.

>> Mayor Adler: You have an objection to that.

>> Houston: I have an objection to adding that. But she would like to speak to it.

>> Mayor Adler: Ann?

>> Mayor Adler: Well, -- do you want to make your amendment to the amendment?

>> Kitchen: Yes, I do.

>> Mayor Adler: Is there a second to the amendment of the amendment? To potentially include housing support for homeless individuals? All right, seconded by councilmember Casar.

>> Kitchen: If I could speak to that. To my mind this is the reason I wanted to bring this up because to my mind I would read the language that is in here, which is the on-site -- I would read mixed income housing for households who earn 60% median family income and below to include homeless individuals. But I bring this just to -- I'm bringing it to making sure that there's no miss ining that someone -- misunderstanding that someone could make a proposal that would include some part of their proposal to provide some housing support for homeless individuals. And so I'm not sure -- and it's potentially, it doesn't say it has to include -- I'm not suggesting that that's a limitation. I'm not suggesting that it has to include, but I would not want a proposal to be precluded if part of it was proposed to include housing support for homeless individuals, particularly since that property-- on Tuesday I spoke to recuperative care kind of housing, which is only one kind of housing for homeless individuals. But considering the location of this property. If you could have 200 units there, if you had 20, 25 units for recuperative care kind of transition, which is housing support that then is for individuals who are homeless and go from there into more permanent housing, why would you not want someone to provide us with that kind of information.

[2:57:11 PM]

It's a huge opportunity in that location with a building that is set up the way it is. So I guess I'm not understanding what the objection would be to including that.

>> Mayor Adler: Ms. Houston?

>> Houston: Thank you. And councilmember kitchen, I too share a respect for and a need to have services for people who are experiencing homelessness, but when we start to expand the focus of this particular property to folks who are on our streets experiencing homelessness, we already have over \$26 million (mic squealing). In ongoing funds for homeless individuals. We have another 3.1 million that's going to be available. That's where I think the money that you're looking for and the housing or the recuperative care or whatever it is should come out of that bucket. We don't have that many buckets of money to be able to talk about people who are working, people who are working, not homeless, people who are working in this building who cannot afford to live in a high opportunity area in this city and have to come in from Hutto and Bastrop and Austin's colony to come work for us at night. That's the working class people that we're talking about, not people who are living on the streets looking for housing. Because we got money to do that already, and so that's something that should be used. That money should be used for because we have limited amount of dollars, limited amount of space for the people who are the low income wage earners.

>> Kitchen: If I could just speak to that.

>> Mayor Adler: Hang on one second. Councilmember Garza. We'll come right back.

>> Garza: With

>> Garza: With regard to the, I guess, kitchen amendment, I support the idea generally, but I guess my question would be I'm not well versed on homeless housing and all that stuff, but my assumption would be that dramaticry changes a RFI or RFP because supportive housing for our homeless community is not just a unit, it's also on-site things like wrap-around services, it's my understanding that is whole what that is shown to benefit people experiencing homelessness, so it seemed instead of should propose, because I understand what you are saying, councilmember kitchen, you don't want people to think they can't propose that, but I would suggest changing that to respondents could propose onsite mixed housing but makes it sound like their bid -- even though it's not must, but I would suggest could.

[3:00:08 PM]

>> Kitchen: Mr. Mayor?

>> Mayor Adler: Yes.

>> Kitchen: I thought I was -- I don't have a -- it could be whatever wording makes sense to people. I was thinking the potentially include took care of that because the first part of the should proposed gets you the onsite mixed income housing, and I'm hearing we want to be sure we get that in the proposal. So I was just saying to potentially include, but I'm open to any kind of language that makes it clear that I'm just talking about the opportunity because, you know, I hear what you're saying, but that's not always the case. I've seen -- well, also I would just say that there are people living on the streets who are working. And that -- I guess I didn't see this as an issue because if you're earning less than 60% median family income, some of the people in that area are on the streets. So I just -- I'm just wanting to make sure that we open this up for the opportunity for people -- for us to be creative and someone may come forward with that kind of proposal, someone may not. For example, you know, like foundation

communities, they have mixed income housing. Some of their housing and some of their places that they house people, some of their units are for people who were homeless. And it doesn't mean that their whole -- it doesn't mean that their whole complex is for homeless individuals. It also is not a permanent supportive housing kind of thing. There's a whole range of housing for individuals that -- that have experienced homelessness, and one of the key issues that we have discussed in terms of additional funding is the fact that we can fund all day people to be, you know, to have social services and connect them to services, but at the end of the day they have to have somewhere to live.

[3:02:12 PM]

And the 3.1 million that we put into this is -- for homeless individuals is a drop in the bucket. So all I'm trying to do is make sure that this is not foreclosed as a possibility, I don't think it will take away anything from the goal that we all share, which is having, you know, mixed income housing available for the lower wage workers in that area. So ...

>> Houston: So mayor, I will not be able to accept that as an amendment.

>> Mayor Adler: I understand. We have an amendment from councilmember kitchen that's been moved and seconded. Further discussion? Mayor pro tem.

>> Tovo: I mean, it always seemed clear to me that mixed income housing could be just like foundation communities where -- I've forgotten the name of the program, the home program, I think the -- I think it would be helpful to provide some information about what you mean when you say housing support for homeless individuals. It really does sound like permanent supportive housing, which some people have looked at this building and said this building is set up, it could be an emergency shelter for individuals experiencing homelessness. Is that what you are talking about with those units or are you talking about a rapid rehousing for, say, families who are recently homeless in the womens and children shelter who do not necessarily need wrap-around support services?

>>>> Kitchen: I'm not talking about a shelter, I'm talking about housing. That's what I mean by housing.

>> Tovo: I'm asking these questions because I think it's helpful to know.

>> Kitchen: Yeah, uh-huh.

>> Tovo: I think we want to be as clear as possible and that will help the kinds of responses both from those bidding and those from the community.

>> Kitchen: I do think it's appropriate to accept bids if someone wants to propose the recouprative housing.

[3:04:14 PM]

I don't think we should foreclose our possibilities here. We have a lot of needs. I don't see why we would narrow our possibilities on this land. And -- but I'm not talking about a shelter. I'm not talking about an arch. I'm not talking about a temporary shelter. So -- I guess, you know, maybe we should ask our staff what -- what the language as is -- what they feel like they could accept as is. Maybe we don't have to have this conversation now. We could have this conversation more in terms of what we do get because I don't know what we would get. I just want to make sure we're not going to turn someone away that might want to make a proposal like that. So how would you interpret the onsite mixed income housing for households who earn 60% median family income or below. If someone wanted to make a proposal that had part related to housing and homeless individuals?

>> I believe the way it's written now would not preclude those proposals. To the many points that I am hearing, what you would see in a rfi would really be about the proposal of partnerships in order to evidence the type of housing that is being proposed.

>> Kitchen: Okay.

>> So the language as is would not preclude a number of different housing types for very specific incomes.

>> Kitchen: Okay.

>> Because that's really -- we're talking about what the partnership base would have to be comprised of in order to deliver that. Staff, in recognition of all of the policy conversations, would not necessarily need additional language.

>> Kitchen: Okay.

>> It wouldn't preclude that type of proposal.

[3:06:16 PM]

>> Kitchen: Well, if that's the understanding, I'm happy to pull down the amendment.

>> Mayor Adler: Councilmember kitchen pulls down her amendment. But she can't do that on her own. Does anybody have objection?

>> Houston: I need clarification because at one point councilmember kitchen was talking about housing homeless people who may also be working, then she said recouprative care so I just need to know what is it you are looking for because your budget from the -- people who are homeless and the additional 3.1 to bring assistance to the vulnerable communities, you all should be able to craft something with foundations community out of that. This, again, is for people who are working poor, not people who are just left homelessness. So there's a difference to me, and you're trying to move people where you've got more money than god himself over to a pot of money that we're just barely hanging on to.

>> Kitchen: Okay, I appreciate the request for some more clarity. Let me just say 3.1 million is not going to house the homeless in this community.

>> [Inaudible]

>> Kitchen: It's not for housing. But let me just get back to answer your question. Recouprative care -- the recouprative care is a range of housing and it includes moving people from a hospital into more permanent housing. The recouprative care concept that we have in town includes finding more permanent housing for those individuals. What the recouprative care program does, which I helped found, it takes folks that are -- that are discharged from the hospital and it --

[3:08:21 PM]

>> Houston: Councilmember, I understand what recouprative care is and I appreciate you pulling your amendment down. I think we need to go ahead and --

>> Mayor Adler: I understand. Any objection to Ann pulling down her amendment? Hearing none, her amendment is pulled down. That gets us back to Greg's amendment, which was to add option a, as seconded by Ms. Houston. Any further discussion? Yes.

>> I don't know that we talked about councilmember Houston's amendment for adding family friendly --

>> Mayor Adler: We haven't gotten there yet. Okay. Councilmember Casar's amendment is in front of us on option a. Further discussion? Those in favor of adding a please raise your hand. Those opposed? A is added. And mayor pro tem sustained. Everyone -- mayor pro tem abstained, councilmember pool abstained, the others voted I.e., troxclair was -- aye.

>> Houston: The amendment said regarding the lease and development of 1215 red river and 606 east 12th street. Then we added because of the conversation on Tuesday, family friendly.

>> Mayor Adler: So you are adding the words lease end and the phrase family-friendly.

>> Houston: Emphasis on family-friendly housing.

>> Mayor Adler: Did you want to talk about that?

>> The words family-friendly, I would ask if we could use multiple bedroom just for fair housing issues.

>> Mayor Adler: Any objection -- hasn't been seconded yet. Do you want to make it, Ms. Houston, multiple bedroom instead of family friendly? All right. Ms. Houston, adding lease end and the phrase multiple bedroom.

[3:10:21 PM]

Is there any objection to that amendment being added? I would ordinarily say having heard no objection, it gets added. Did you want to speak before I said that? No objection. Those two amendments are added. Mayor pro tem -- I'm sorry.

>> Flannigan: The two amendments?

>> Mayor Adler: Lease and.

>> Flannigan: I have questions about lease and.

>> Mayor Adler: We're going to add the phrase multiple bedroom. Let's keep the conversation going on the phrase lease and. Is there a second to adding the phrase lease and? Mayor pro tem makes that -- seconds Ms. Houston's amendment. Discussion? Do you want to discuss Ms. Houston adding the phrase lease and?

>> Houston: The only reason that was added is because there's some opportunities to do a long-term lease, which is what happened with health south, in order to be able to develop the property in the way that would benefit the folks that we're looking at. So this would be able to say that they are going to do a long-term lease, 50 years, 99 years, to be able to develop the property. That would be an option.

>> Flannigan: You're talking about a ground lease. Oh, okay. So the thinking was that without that phrase, we might be contemplating selling it? Was that the --

>> Mayor Adler: Makes sense to me just because 100 years from now, I would sure like be part of the city that got the land back.

>> Flannigan: I don't have problem with the ground lease. I was thinking the development didn't include that as an option.

>> Mayor Adler: But in any event, do you want to say something?

>> Greg Canally, finance. I would add to that because of the two-step process we would want to lay out in RFI, and then in coming back the extent of any possible transaction, a ground lease or a sale, that would come in that second step. In terms of detailing out the type of transaction. We want to be able to understand all the options, report back and then as we would develop RFP, we would want to understand that as part of that.

[3:12:25 PM]

So it might be a premature discussion to determine what that may look like at this point. Understanding as we laid out in March long-term -- having long-term ground leases is mostly beneficial to the city, but we want to make sure for this specific parcel would understand all possible options.

>> Flannigan: Okay. And it made me question -- as I was following the thread amongst all the debate, I heard Tuesday the building is not -- is going to be torn down in any event. Then I heard some contemplations that it might not be turned down, but my understanding is that the building wasn't salvageable, but we're going to accept -- if somebody thinks they can do it, then --

>> Mayor Adler: My only concern with this is by saying lease, you're only asking for information on leases. Should it say sale or lease and development, or do you just want to get interest or information with respect to a lease? Mayor pro tem.

>> Tovo: If I could, and this was the point I wanted -- that I was raising my hand to make. We've been asking some questions of legal staff and whatnot, and some of the answers seem to assume that we were -- we were soliciting bids for sale, and I'm not sure I can say for myself as a co-sponsor, that's not the intent. I want to receive bids back not from people who are interested in purchasing the tract, from people who have ideas been some specific interest in redeveloping the tract for the purpose as specified in the resolution. So I do want to narrow it down and say place assume you would be doing it as a lease and tell us what your proposals are. So that -- to me, that is -- I'm very concerned about moving forward with an rfi that asks people to come in and bid for the property. That would solicit that kind of --

>> Mayor Adler: Aren't there some developers -- I understand the affordable housing use, but aren't there some affordable housing developers that buy the property as opposed to lease the property?

[3:14:36 PM]

>> Tovo: Sure, we see tax credit projects like that all the time.

>> Mayor Adler: You wouldn't want to see something like this on that property?

>> Tovo: I think it's in the city's best interest to hang on to this tract in the middle of downtown Austin. I think it's never going to be less valuable and strategically none of us can predict what kind of needs the city might have 25 years, 40 years with regards to transportation and having this continue to be in the city's real estate portfolio I think is important.

>> Mayor Adler: My only reservation on that is while I think you are absolutely right and probably I would let this go because that's what my gut tells me it would be. Until we got the information, I don't know how that might change the economics of a deal. I don't know if we're going to plan affordable housing on this site, if we would get considerably more as opposed to to leasing it, I don't know the answer to that. So without seeing that information, I'm uncomfortable making that decision now. Because I don't know -- I don't know what's involved in that. Although I like the idea 100 years from now the city getting the land back or 50 years or whenever it was. And while that's a decision the city ultimately needs to make, when you are just asking for information, I don't know I would limit it because I don't know what I would be limiting away. Certainly not designed to stop there being affordable housing on the site. I don't know how that impacts the economics or what the development performance would be.

>> Tovo: I guess I see it a little differently. We're going down the path that looks more like aisd's process which is we have these tracts, community come forward, let us know your ideas and they ended up selling most of those. They didn't end up working with collaborative proposals with the other entities who were engaging on that front. I think if we have a sense of what would be ideal, the city hangs on to the land, we have affordable housing, why not start out this first step and say this is our idea.

[3:16:38 PM]

Let's see what comes back. Otherwise I think we'll end up with a fair number of bids for the property, of officers to purchase it.

-- Offers to purchase it. If we're trying to focus staff on recruiting and soliciting ideas about how to redevelop this property for the purposes we think would be useful, I would just -- I would start the conversation there and see what it yields.

>> Mayor Adler: Isn't there a significant difference between what we're doing with aid because we're saying we're going to evaluate those proposals based on what they deliver to us in affordable housing. Aisd didn't do that. Aisd said just give us offers.

>> Tovo: And with a focus on affordable housing. That was one of the values that they brought to it. So - in any case, that would be my preference, to say let's -- we want to see -- again, I'm aware that the staff have pretty limited time and if you they are communicating, if our staff are dealing with people who might be interested in purchasing it and people who might be interested in offering us a tract a mile away and whatnot, I'm not sure we're going to get a group of proposals that are really focused on this.

>> Mayor Adler: Ms. Houston has moved to amend to add the words lease and. That's been seconded. Any further discussion about adding the words lease and? Pio.

>> Renteria: I just wanted to make my comment on it. We -- being on capital metro board and how we handle the saltillo development, we actually didn't sell it, we went into a long-term, 99-year lease. And I have no problem looking at both sides, selling it or leasing it. I would like both -- to see both options. But I really have encouraged my trustee in Austin ISD, land is very valuable here. Even at -- I have received information that we're only have about 10% of developable land and that once we run out, we're going to have to look at

[3:18:49 PM]

[inaudible]. Land is going to be very valuable, especially downtown land. And I would -- I would hate to sell that piece of land there at this time when we don't even know what's going to happen in the future, especially in this area the way that growth is going on. And as the land value goes up so high. Every year it just increases. So I would like to see both options come in and, you know, we can get a developer to, you know, go into a long lease and rent out -- and they give us, you know, either 40 or 50% option where we don't ask for any money and no profit off of it. We'll just say hey, you can have this and we'll go into a long-term lease with you. You manage your part and we manage our -- and we can reduce the rates that -- the rent we could charge so we could really address some of the real affordability and create family-friendly housing there. Well, multiple bedrooms, shall we say.

>> Mayor Adler: In front of us is the amendment to provide the words lease and. Further discussion? Yes, councilmember alter.

>> Alter: This is a request for information so people are going to say pretty much whatever they want regardless of what we put in there. I'm hoping if people have great ideas that we're not thinking of that

they will still send them in. I would prefer if we said regarding the development at 1215 red river and 606 east 12th and at the end of the sentence per lease arrangement because they are going to tell us both either way. We can express we have a preference for lease, but, you know, I don't want staff controlling the information that comes to us if information does come back. So to me that would seem a preferable approach.

[3:20:55 PM]

So it would say at the end, with a preference for a lease arrangement.

>> Mayor Adler: Are you saying that as an amendment?

>> Alter: Sure. Regarding the development of 1215 red river and 606, mixed income housing with a significant emphasis on family-friendly housing, 60% median family income and below with a preference for a lease arrangement.

>> Mayor Adler: Okay. Alison moves to strike the words lease and and at the end of the sentence include with a preference for --

>> Alter: Not that option a doesn't -- isn't modifying that same be it resolved. I'm assuming that --

>> Mayor Adler: This would go before that. So the amendment is to take lease and and basically move it to the end of the sentence by saying with a preference for a lease. Is there objection to that change? I'm sorry?

>> [Inaudible]

>> Mayor Adler: Is there a second to that change? Councilmember Flannigan makes a second. Any discussion on that? Let's take a vote. Those in favor of striking lease and and putting with a preference at the end of the sentence raise your hand. Casar, alter, Flannigan, Renteria and me. Those opposed? It's the other five people, so it's 5-5, the amendment does not pass. Any further discussion? There's an amendment to add "Lease and." In favor raise your hand. Mayor pro tem, Ms. Houston, Ms. Garza, pool and kitchen. That's five people. Those opposed? It is the balance of the dais. That also does not pass. We're now back to the main motion.

[3:22:57 PM]

Ready to take a vote? Yes.

>> Houston: To staff, since all of those motions failed and we're going back to regarding the development of, does everybody understand that we're talking about leasing? Or what is your understanding of?

>> Councilmember, yes, I believe so, and rfi is not a formal solicitation process. There won't be bids. I think as councilmember alter expressed, I think the way you've crafted it and added this language, I think my sense is you will get a variety of responses that you will be able to respond to and look at.

>> Houston: As you can tell, we're all looking forward to that with bated breath.

>> Mayor Adler: Those in favor of 42 those in favor please raise your hand. Those opposed? Unanimous on the dais with troxclair off. 42 passes. Manager, did you want to dress be it resolved -- address be it resolved?

>> The final be it resolved did direct the manager to provide results by November 1 and the conversation at work session we just indicated we would be available to provide an update by November 1 -- I'm sorry, November 1st, but will not likely be able to present results at that time.

>> Mayor Adler: Thank you. We've taken care of 42.

>> Tovo: When do you think the solicitation for the rfi would be issued? If we take the update. I'm concerned we don't have a timetable at all.

>> We feel confident we can get you an update by November 1 and solicitation in November.

>> Tovo: In or end.

>> In November.

>> Tovo: Okay. So --

>> Which was the conversation and the sponsoring councilmember felt comfortable with that with recognition we would definitely be reporting back as to status November 1.

[3:25:07 PM]

But I appreciate that. From the very beginning we have indicated we would need more time in November.

>> Tovo: Okay, but the rfi would be issued in November.

>> That is our plan.

>> Tovo: How long is it typically until you would hear back? How long will you give applicants for their proposals?

>> So that is one thing that we would want to stay typical with, and it's my understanding we would do that at minimum three weeks. So with results to you by the beginning of the year. So through -- I mean recognizing there would be a holiday, two holidays, we felt confident that allowing for at least December for the community to respond, community meaning a fairly broad community at that on a national level.

>> Tovo: Okay. Thank you. I was trying to slip it in before councilmember Houston leaves. Thanks.

>> Mayor Adler: Thank you. Let's go on. Let's pull up item 58. Oh, we can't call it until 4:00. In the absence of that, let's call up number 57. The bryson-krueger home.

>> Good afternoon, Mr. Mayor, mayor pro tem, councilmembers. Steve Sadowsky. Planning and zoning department. We're up here for the second and third readings of an ordinance to designate the bryson-krueger-critz house. I wanted to give you update since our last hearing. I met with the applicants and their agent, and since that time the applicants have engaged an architect out of Montgomery, Alabama, Bobby Mcalpine, who has done remarkable work throughout the country and has expressed a great deal of sensitivity toward the historic character of this house and is dedicated to does a new design that would take care of a lot of the issues that we had with the previous design.

[3:27:28 PM]

Now, I have not seen the -- the new design since the architect was just recently engaged, but what this shows to me is a demonstration of good faith to be more sensitive to the historic character not only of this house but of the historic district that it's in. So staff is willing to take that demonstration of good faith on its face and say that let's move forward with allowing the applicant to make the changes. This case has a valid petition, so it would need a super majority of the councilmembers to make it an historic landmark. But I think we are achieving the goal that we wanted here, the initial design for what the applicants were proposing for this house was tantamount to a total demolition of it. But I think now we have an architect who shows a great deal of sensitivity and hopefully we can move forward with a very sensitive design that will retain the historic character as well as the integrity of this house.

>> Mayor Adler: So are you recommending not to do the historic designation anymore?

>> We would withdraw our recommendation for historic zoning based on the applicant's demonstration of good faith and hiring a new architect who is very sensitive to the character of the house and the district, yes.

>> Mayor Adler: Okay. Thank you. Mayor pro tem.

>> Tovo: Mr. Sadowsky, first of all, I wanted to thank you for the follow-up research that you did. I think there were some assertions in the last council meeting that the person who owned it, one of the people who owned it who was a business partner of Malcolm reed was not necessarily a significant business person and I think the research that you did showing -- really providing us with excellent information that I think we can use on future cases and really in better understanding some of the earlier economy of Austin is just super helpful.

[3:29:36 PM]

So thank you so much. I imagine that took a considerable amount of time and I appreciate the effort you went through to document that history of the cotton industry in those years, and, you know, there were

very recognizable names and I think it will help put them in context. So thank you so much for that. I want to drill down a little on what you've just said. Did I understand you have or have not seen the designs?

>> There are no designs yet, but I have reviewed the architect that they've chosen has a website and in going through that and doing my own research as well, this architect appears to be very sensitive to historic character. The letter that he also provided states that he takes the historic character of the house into consideration. And is looking toward the things that we felt were really important about maintaining on this house. Principally the facade and not adding a third story, doing additions towards the back. The architect they've chosen has acknowledged both of those things that will be integral to his design, so staff feels comfortable moving forward with his statement of commitment.

>> Tovo: How -- I remember the third floor there were also some movement of window and door openings. Is that still in the -- is that still a possibility?

>> My understanding is that they will be using the existing facade to the greatest extent. So the character of the house, I believe, will remain.

>> Tovo: I guess how do we know that if there are no plans drawn up? I mean, that's -- let me ask you another question. There was also a facade being applied to the current exterior. Is that still -- is that something they have backed away from as well?

[3:31:40 PM]

>> As far as I know, not.

>> Tovo: They have not. Okay. So I wonder if maybe the -- typically if they were developing -- we don't have any designs. I think they have a new architect, but there's no -- it doesn't seem to me we have real clarity on what they are proposing and whether or not that will still constitute adeem layings until they really have more concrete plans. I'm wondering what other options we have here. If postponement on this until there is more information is an option.

>> Well, I think right now it is either to designate the house as an historic landmark and enforce a certificate of appropriateness if so, or to to take applicant and architect at his word as far as developing a sensitive design. Certificates of appropriateness generally aim to preserve the facade of the house and allow modifications to the house behind the facade. So that the character of the house is maintained. I think this architect, at least from what I've seen, shows a sensitivity and understanding to retaining the principal facade of the house. So my hope is that this demonstration of good faith by the applicant and by this architect will end up in a win-win. It would be better if we had design, believe me.

>> Tovo: I know at the end of the day the homeowner will make those decisions about how sensitive to be with regard to the design.

>> Yes.

>> Tovo: Okay. Thank you.

>> Mayor Adler: Councilmember pool.

>> Pool: I'm uneasy just trusting the word when we don't have any way to ensure or enforce the word, and so what would it harm to hold off, to do a P and wait until -- postponement and wait until we have certainty what the design would look like?

[3:33:47 PM]

Would that harm anything?

>> Well, I think the -- from the city's perspective, there wouldn't be any harm whatsoever. I think from the -- you would have to talk to the property owner, though, about their schedule for -- for this. You know, I mean honestly I feel a little uneasy about saying, oh, yeah, whatever they design is going to be fine.

>> Pool: As do I.

>> I wouldn't say that or wouldn't even start to go there unless I had researched this architect pretty well and I understand his sensitivity.

>> Pool: But we don't have assurances this architect will continue on this project.

>> Outside of the engagement, no.

>> Mayor Adler: Jimmy.

>> Flannigan: I think I'm a little confused about the process that I'm seeing unfold right now. The determination of whether or not the building is historic, to my mind, doesn't hinge on what it might turn into. It's either historic or it's not historic.

>> That's correct.

>> Flannigan: So is there some other -- help me understand what the certificate of appropriateness is in the context of this case, what is the role of that?

>> The certificate of appropriateness would come into play if the building is designated as an historic landmark. Certificate of appropriateness then would guide any modifications to the building. And the landmark commission would review that for modifications or either approve or deny it.

>> Flannigan: I see.

>> They are tied together in a way.

>> Flannigan: Do those happen in historic districts as well?

>> Yes. In local historic districts but also if it's landmark.

>> Flannigan: This isn't in an historic district.

>> No.

>> Flannigan: Right.

[3:35:47 PM]

That's always confusing. It just seems really odd that we would base the decision on the historic nature of the building on what they may or may not build in its place. I don't like anything that's a single-family home in this place. We're talking about these ginormous houses and we have a code -- I also don't want to get into a place we normally find ourselves where we postpone and ask property owners to incur additional costs with that because I don't know that the historic designation for me hinges upon what architect they are going to hire. It's either historic or it's not historic. If what you're saying is this architect and the applicant are coming up with ideas that might be permitted under historic designation, then why withdraw the recommendation? Or am I mishearing that?

>> Well, no, I still stand by my original recommendation. I believe this house does meet the criteria. It's up to this body to decide whether it meets those criteria to the extent that you would vote to designate it as an historic landmark. The code says the council may designate, not will.

>> Flannigan: Yeah, yeah, yeah.

>> This house meets the criteria as well as the historical association. If council decides yes, it does and it's a good case you want to designate it, you have the authority to do that, or you could say it may meet the criteria, but we are not bound to designate everything that meets the criteria. That's the council's discretion in any historic zoning case. What I'm saying here is that we have -- we have a case that the house could be designated as a landmark.

[3:37:47 PM]

We now have a situation where we're in negotiations and an architect has been engaged to design modifications that may or may not be approved by the landmark commission. We have no way of knowing because we haven't seen them. The indication seems to be there is a much greater sensitivity to maintaining the character of this house, in which case the need for historic zoning to protect it against unsympathetic modifications is obviated to an extent.

>> Flannigan: I don't support historic designation. I was pretty convinced by the last council meeting. But I'm also uncomfortable with a process that there's negotiations again happening prior to a decision of the council that may or may not be actual decisions that may or may not be historic. I mean, to me the decision in front of us is whether or not the building as we see it is historic. And if it is, we should mark it as such, if not then we shouldn't. It's not about what it could turn into. I had that same concern when we heard the landmark commission where they rushed because -- they didn't like it for whatever reason. I'm not particularly a fan of it either, but the things can't see in the code we don't have. I rarely get everything I want here, but -- I just don't know that it makes sense to hinge the decision of this historic designation on whether or not they are going to hire a good architect or an historically sensitive

architect, to be fair, or what. It's either historic or not. I don't believe it is. I think what we heard in the last meeting was compelling enough for me, at least, but I hesitate with the way this process has evolved. It just doesn't seem right.

>> Mayor Adler: Further discussion before we take a vote?

[3:39:52 PM]

Councilmember Garza.

>> Garza: What are we voting on? I thought they were withdrawing the request.

>> Mayor Adler: I'm sorry. The applicant gets a chance to talk. And we don't have a motion yet. Thank you. Applicant, you have five minutes to talk.

>> Thank you, mayor. I'll be brief. Glenn Coleman. I'll be brief. So to be clear on one thing, this is how the conversation unfolded. During this process, which is very painful for these applicants or homeowners, they have learned a lot about the Italian renaissance revival style. The staff is asserting that this is Italian renaissance revival. We've heard from an expert, from the city of San Antonio last month, this doesn't meet the qualifications and if it does, it's very low style. This started my clients down a pathway of learning more about Italian renaissance, meeting with neighbors and looking at some of the homes in the area like this one right around the corner. And so they got into it and said let's do this. Let's explore what is high style of this type of house and let's find out more about it. They did. They did some research. They came to understand that typically maybe a third story would not be the ideal -- ideally suited to this style and came to understand yes, they would need to rebuild the facade from red brick, which is what it is now which is Tudor or Tudor revival to mediterranean so that would involve rebuilding the facade. As they learned more, they realized the two main concerns the historic zoning officer had, symmetrical and height.

[3:41:54 PM]

Hey, we've gotten together, we've sat down, we've advanced towards you, towards the historic landmark officers in a way we hope would please him, and we have certainly brought up the design of context of the greater historic context of the area. So while it is true councilmember pool the facade would be rebuilt, the facade would look very different, but we have a commitment from the architect to start that rebuild from the original plans of the original architecture, elevate this house, inflect this style into the -- better into the period, and to move forward. And whether that -- the original house is not historic. As you heard the expert testify, it does not qualify. Either in architecture or historic associations, but that doesn't mean we can't all come together with a better plan and work towards something that would fit better with the historic character of the neighborhood. That's all that's being offered to you today. We signed the architect Sunday. It's going to be months before we have the real plans. This is not a trivial undertaking, this is very expensive architect and it's going to take some time.

We will not be satisfied to pause here for months and months and haggle about the design. We're making you an offer to step closer to you. We're not conceding that the house is historic, but we want to work with the concerns expressed by the mayor pro tem's office and expressed by the historic landmark commission and that's where we are. We hope that you will vote this down and let us proceed or just not entertain the motion and let us move forward. I'll entertain any questions you have. Thank you.

>> Mayor Adler: Thank you. Does [inaudible] Wish to testify?

>> [Inaudible]

>> Mayor Adler: I'm sorry?

>> [Inaudible]

>> Mayor Adler: Jay Riska? No. That gets us up to the dais.

[3:43:54 PM]

Councilmember pool.

>> Pool: I guess my chief concern is, again, the certainty on knowing whether what is being offered here would really come to pass if we were to step away from this and go the route that our historic preservation officer is suggesting. I did think he was going to stick with the historic designation piece, so that was a bit of a surprise. But more to the point, it's the lack of assurances. So if there were some way that the applicant could get us something that shows that there is more -- more certainty that this will be realized and that the pictures that are being shown here today and the changes that are in the letter would actually happen, then that would decrease my uneasiness and increase my -- the good feeling that clearly he is working toward winning.

>> Mayor Adler: Okay. Takes nine affirmative votes for this to pass on second and third reading. Yes, Alison.

>> Alter: I don't know if you can answer this, but I'm going to ask and see. So when you signed the architect or when the homeowner signed the architect, give me a something of something that would help me understand the skin in the game with this architect to show that you are really moving forward with him. I don't need to know all the details.

>> I can't. We asked the architect to sign a letter with his name on it, put his professional initials on it addressing the two main points and committing to moving forward in the style that's been recommended, and those letters are in your backup and I gave Kurt one as well. So I mean, I've signed on the dotted line with the applicant. You know, it's true there's no restrictive covenant, we can sneak off and build an attitude door mansion or three odor mansion, but you have the guarantee from the architect.

[3:46:11 PM]

Hopefully that will be sufficient.

>> Alter: Thank you.

>> Houston: Mayor?

>> Mayor Adler: Yes.

>> Houston: This is probably a question for staff. This is in an historic district?

>> Yes, councilmembers, it's in a national registry.

>> Houston: A national registry historic district. I don't have a copy of that letter. Does it say it will be rebuilt in the style that is appropriate for a house in the national historic district? Or what exactly does it say?

>> The letter from the architect -- I'll just

-- I'm confident that our firm will deliver an appropriate design that should contribute even more than the existing portrayal of Italian renaissance revival architecture. Examples of my work in historically sensitive areas are enclosed. Please feel free to contact our firm. Is the final paragraph of his letter.

>> Houston: Thank you.

>> Mayor Adler: Is there a motion on this matter? Mayor pro tem.

>> Tovo: I'm sorry, Mr. Sadowsky. I just want to be clear. Part of why they went to the landmark commission is because they are in a registry district, a national historic registry district, so there's a requirement that they go to the landmark commission. Is that what sort of triggered the beginning of this? And the landmark commission determined it was not in concert with a national register historic district and initiated historic zoning?

>> The landmark commission initiated historic zoning on this case because it came to -- it came to them because the property is in the national registry district.

[3:48:19 PM]

Ordinarily their choices are two. They either make recommendations or they can initiate historic zoning if they feel that the design for the modifications were so extreme that -- as we talked about last time, are tantamount to demolition. I think we've seen a walk-back from that original design here in this commitment, and while I'm not 100% comfortable with it, I think we're headed in the right direction.

>> Tovo: We've heard a commitment to construct a design that will be potentially a walk-back. There are a lot of IFS, I think here.

>> There are.

>> Tovo: Okay. And so will -- once there's a design, will they be required to go back to the landmark commission?

>> Actually I didn't think because the landmark commission if it's just a national registry case, they make recommendations which they've already made. They made recommendations on the current design, basically talking about you need to maintain the symmetry, you need to scale back the third story proposed. Those are all things that-that the architect agrees with. I think once we see the design, we'll make the evaluation at that point as to whether the commission should make additional recommendations about it.

>> Tovo: I see. So based on what gets submitted when it gets submitted, it may be that it's going around again through the historic landmark commission.

>> Yes.

>> Tovo: That's helpful. Another question -- there's another question.

>> Alter: Just to follow on mayor pro tem's comments, does that mean the design is going to go at least to you before they can build it?

>> Yes.

>> Alter: And then it's your determination because it's in a national historic very, it comes to you and you make a determination as to whether it has to go back to commission or not.

[3:50:22 PM]

>> That's correct. If the new design --

>> Alter: It's not like we would walk away and then there will be no check at all.

>> That's correct. The design would still come to me. And if the design addresses the recommendations that the landmark commission has already given on this case, then we would approve that.

>> Alter: All right. Thank you.

>> Mayor Adler: If this got the historic landmark designation and they came in with the plans they are proposing, would they be approved? As being allowable for this building with that designation?

>> I'm sorry, could you repeat the first part of that.

>> Mayor Adler: If this building was granted the historic designation, and they came back with the plans that were proposed, would those plans be allowed?

>> The plans would be reviewed and approved by the historic landmark commission. With the landmark designation. As it stands right now, without the landmark designation, the building is contributing to the national register district which meantime the landmark commission only has advisory authority. So they would make recommendations for improvements, but there's no mechanism in the national

register district to enforce those. So the only way to enforce a landmark commission recommendation would be to institute the historic zoning case.

>> Mayor Adler: If they don't design the building the way they say and the plans come to you at that point, could we redo this process if we didn't do it now?

>> Well, assuming the amount of time went by. A year would need to go by before that would -- I believe under code we couldn't bring the zoning case back.

>> Mayor Adler: Okay.

[3:52:25 PM]

All right. Yes, councilmember pool.

>> Pool: Mayor, you had mentioned that we needed nine votes to pass on second and third reading, but if we have six votes, it passes just on second reading. Is that right? Is that correct?

>> Mayor Adler: Yes.

>> Pool: Okay. Thanks.

>> Mayor Adler: Is there a motion or do you want to go on to the next item?

>> Tovo: I guess it would be helpful to me to hear a little bit more from my colleagues. I was persuaded that it meets the historic criteria. It is a recommendation of our landmark commission. They are the ones who initiated the zoning actually, so, you know, I think it's still appropriate to consider their recommendation. Are there others who have concerns about it who are not prepared to support it? It seems to me another potential would be just to indefinitely postpone it for the moment and let the plans come in and then determine at that point whether or not they are going back through the process. I mean, I think it's -- if they have hired an architect who is going to be sensitive to the historic character of that area and the historical significance and the architectural significance of that building, there shouldn't be any -- it should be an easy process to go back through with the zoning, go back through the historic landmark commission and have those plans approved. If it's not the will of the council today to make a decision on that historic designation, indefinitely postponing it I think has the same impact.

>> Mayor Adler: Make the motion to indefinitely postpone.

>> Tovo: Well, again, there are only a couple of us who have talked. If there's overwhelming support for the historic zoning, I would say that's the better of the two paths.

[3:54:28 PM]

>> Mayor Adler: Ms. Houston.

>> Houston: Well, you know, most people who -- not most, but some people who have lived in Austin know that district and know what the homes look like in that area. I have the letter from the new architect, and his reputation seems to be solid, but I have the word of somebody that all I have is a piece of paper, and -- I don't want the city to get in a position where we're relying on people's piece of paper and then they don't follow through and then we come back and that historic -- national historic district, regardless of whether it's one house or 15 units on that one block, then it's destroyed and people come back and say you've set a precedent by doing such and such a thing and so now we want to be the same thing on our block, on our property. So I'm conflicted. I don't know anything more than I did before.

>> Mayor Adler: Is there a second person on the dais -- Jimmy said he doesn't believe this deserves the historic designation. If there's a second person on the dais that feels the same way, we could move forward, take a vote, because it's not going to get the nine votes necessary. Councilmember Garza.

>> Garza: I wouldn't say that I don't think it's historic necessarily. My issue is I support historic designations when somebody is asking for them, but I have a fundamental problem when we are telling someone they have to do something with their house.

>> Mayor Adler: You are going to vote no on the historic designation.

>> Garza: Yes.

>> Mayor Adler: Let's take that vote. Councilmember pool.

>> Pool: It seems to me that we could move more quickly or on the applicant's behalf if we were to vote this.

[3:56:34 PM]

And vote it to take the historic designation because he has come to us and said that he recognizes that it's contributing structure, he has lined up an architect who has reviewed it and offered ways to make it conform as best it can. And he seems to be pretty intent on carrying that out, although, you know, we still lack the certainty, but if we could pass it on second reading and let them move forward, then he can go about what he needs to go about doing to bring us back that assurance. You probably have a copy of a contract that you could show to us. And then we would not be slowing him down, we would be staying within the realm of the landmark designation for that neighborhood, and the new design would hopefully not do any violence to that and everybody could move forward. So I think we could take the vote. If we don't have nine, it still would pass on second reading, I would hope, and we could keep moving this forward. So I would support the motion to approve this -- I don't -- what the original staff recommendation was is what I would support.

>> On second reading.

>> Pool: Assuming we don't have nine votes.

>> Kitchen: I appreciate my colleagues asking where you all stand so I will let you know that I'm not going to be able to support the historic designation for a couple of reasons. One of which is I -- it is our staff recommendation where we're at right now. I have similar concerns to the ones councilmember Garza voiced.

>> Mayor Adler: The votes aren't there for the historic designation. Let's go ahead and vote.

>> Tovo: But I want to get clarity. I thought I heard Mr. Sadowsky first say he was withdrawing his recommendation, but when asked I thought I heard him say he believes it meets the criteria for historic designation.

[3:58:39 PM]

I'm sorry to keep calling you back, Mr. Sadowsky, but I was a little unclear where we stood on that.

>> I think the

>> I think the best way to approach this, mayor pro tem, is that I still do stand by the original recommendation in this case. I think the house does qualify as an historic landmark. Whether you all are judging the value of that qualification, whether it's a good case or bad case, what I was trying to get across is that I'm willing to take the risk or the chance that this is all going to work out, and in order to do that, understanding also too where the votes lie here, was willing to say that I'll put my recommendation to the side in the hopes that we end up with a good result in the end.

>> Tovo: Thank you.

>> Mayor Adler: Let's take a vote. Yes.

>> Renteria: I would like to ask the owner if he's willing to come down here, how he feels about what we're doing right now.

>> Thank you. I welcome the opportunity. You know, my understanding was that we had made a pretty compelling case that this is not a contributing property, not a landmark based off of all the analysis that's been done today and all of the experts that we engaged that that -- we've engaged that that case was argued pretty successfully last time. Went in good faith and met with the historic preservation office and said that, you know, we've done further research on what we could do to make this property continue to be contributing, and one of the things we thought was to bring a top 100 architect in the country to the table.

[4:00:39 PM]

Mccollough pine was noted as one of the top architects. He doesn't have examples of his work in Austin today. He does in Dallas, Houston, other parts of Texas. This would be an opportunity to have an

example of his work in Austin and he's probably the most noteworthy architect when it comes to exemplifying historical district reinterpretation. So we engaged probably the most expensive person that we could have, but someone we thought would honor the property, knowing that we're trying to have a positive outcome. And he was quite interested. He came down and saw the property. He personally thought there was nothing historically significant about the current architecture. He was very, very adamant about that. He didn't see anything that caught his eye. He felt like it was an incredible location and incredible neighborhood that he could do something really, really significant there. We don't think it changes the historical designation.

>> Renteria: Are you comfortable with the designation of --

>> You mean rezoning? Absolutely not. Absolutely not. And neither are our neighbors. We have two valid petitions against this. We could have had a third, but we chose not to pursue it for this reading.

>> Mayor Adler: By my count it needs nine votes in order for this to pass and there are seven votes. Maybe fewer the. Let's take a vote.

>> Garza: But if there are six votes doesn't it move on to third reading? I think that the votes aren't there, the motion is to deny the historic designation. There has been a motion.

>> Mayor Adler: There has been a motion to approve historic designation.

>> So if there are six votes it moves on to the next reading.

>> Mayor Adler: Moves on to the next reading.

[4:02:40 PM]

Okay. Those in favor of historic preservation please -- designation please raise your hands. Alter, Adler, mayor pro tem and pool. Those opposed please raise your hand? It's the balance of the dais with troxclair off. 5-5, does not pass. It does not have six votes. The the motion is denied. All right. That gets to us two things left on our agenda, council. One of them only has one speaker. We could probably let staff go on item number 59. Is there Pena here? Mr. Pena here? No. Is there a motion to approve this item number 55 in Mr. Renteria makes that motion. Mr. Casar seconds that motion. Do you have a problem if we take a vote.

>> I have no problem.

>> Mayor Adler: Those in favor of 59 please raise your hand? Those opposed? It's approved.

>> Thank you very much.

>> Mayor Adler: That gets us to the last item on our agenda, which is item number 58. There are a lot of people that have signed up here on number 58 to speak. My guess is that it's going to be close in terms of whether there's enough time whether we'll be extending it into dinner or not. And then break for dinner and come back. I would advise folks if they want to speak you don't have to use the full amount of time if you don't want to, but let's call the people up who are ready to speak on this. Is Mr. Pena

here? Is Raul Rosa here? Do you want to speak? Come on down. Is Carlos Lopez here? Carlos Lopez? No? Is don segura here? Why don't you come on down to the other podium.

[4:04:41 PM]

>> [Inaudible].

>> Mayor Adler: Why don't you go ahead and tell the clerk that. Is Robert omorosa here? Why don't you come down on it to this podium. You have time donated to you from Leta Chandler? Is she here? And is Beth la coke here? So when you get called you will have seven minutes. Mr. Rosa, you have three minutes.

>> Thank you, sir. I appreciate it, mayor, councilmembers. Thank you for your time. I'm here to support the name of Menchaca, manchaca being changed to the proper name. In our country when we're born we were given a name with honor and respect. And when you change that name it's an insult to the family that we don't honor that name. So I'm asking that you give me full support on that. We have already surveyed the whole neighborhood. They're all in agreement of changing the name to men shack. And -- Menchaca. And Mr. Mayor, I'm asking that you do that today without any histation. Our community in east Austin appreciate all the support we have gotten from y'all. And this is very intimate to me and I'm going to tell you when I first got married the judge asked me if I would take the hand of my beautiful wife, and he called her Guadalupe. No! It's Guadalupe. So if we let things go like this we wouldn't even know what cup we were in or what state we were in. Mayor, I thank you very much for your support for our veterans. You're doing a great job for that in the city of Austin and for all the members out there for our veterans, thank you for your prayers, and we appreciate it. Have a good evening.

>> Mayor Adler: Thank you. Mr. Mr. Omorosa speaks, is Wayne Tyson here? Do you want to come down to this podium? You will be donating your time to someone else?

>> [Inaudible].

[4:06:44 PM]

>> Mayor Adler: You either use your moments or you don't.

>> Well, I want to speak.

>> Mayor Adler: Then you will be speaking after Mr. Omorosa. Mr. Omorosa, you have seven minutes.

>> Mayor, just to make sure do I have nine minutes, three minutes each?

>> No, it's two minutes for each of the added times.

>> Thank you. Good afternoon, councilmembers, my name is Robert omorosa. I'm proud to call Austin home for the last 13 years. My wife and I own a small business on manchaca road called manchaca village veterinary care. I'm here to testify against the initiative to change manchaca road's name for two critical reasons. First, this initiative clearly do not draw from evidence and relies solely on emotion and unsubstantiated claims. There is no proof that captain Jose Antonio Menchaca every physically visited manchaca springs. Nor is there any documentation such as personal accounts, maps or old newspaper articles mentioning him in or around manchaca springs. Captain Menchaca was an intelligent, bilingual and well traveled office of the army and later mayor pro tem in San Antonio. Yet he never mentioned the springs or the use of his name. Not even in his own extensive memoirs. What we do know is that captain Menchaca was born and raised in San Antonio and the did decisive battle that he fought are, in the battle of adjacent, was in -- San Jacinto was in modern day Houston. His time in Travis county undocumented. You will hear a lot today, a lot of testimony from proponents that are based on opinion. I encourage the council to review the research submitted by the manchaca onion creek historical association and other legitimate groups who have dedicated significant time researching this topic.

[4:08:45 PM]

It includes far more compelling evidence that the name manchaca is a native American word. So by following this misleading path we are erasing the history of indigenous people who were here long before captain Menchaca was born. What of that heritage? If anything, maybe we should be talking about correcting what the railroad did in 1880 in returning the vista ridge back to -- village to its original name, manchaca without the a at the end. The the village and the captain share nothing more than a similarity of name. And I have yet to hear proof stating otherwise. I applaud judge Perkins who has been pursuing this story line for many years. I admire his tenacity for what he believes in, but at the end of the day it's just an opinion with many historical holes. And the council may think that his views are popular because he's been outspoken for so long, with obvious connections to city government entities and access to the press to convey his thoughts. Perhaps that's why there was an assumption made at your Tuesday work session when the concern was voted -- was voiced that people have not been well informed. That everybody's already known about this all along. No, it's news now because it's in the press. Councilmember Garza, I encourage you to reach out to those people who live and work on this road for a broader view of public opinion. An initiative is financially disruptive as this requires undeniable proof. I encourage the council, especially councilmember Renteria, who sponsored this, to at the very least postpone this campaign until you have done better community outreach and conducted a thorough review of history before forming an opinion. It's the responsible thing to do. Secondly, proponents claim that this street name change will not cost taxpayers a thing. That cannot be further from the truth.

[4:10:45 PM]

This is not just about street signs. Local businesses like mine will incur substantial cost as a result of this. My family-owned business has been on manchaca road since 1975. Its name like many others along the road is purposeful, name recognition is imperative to attracting new clients. Businesses like mine will be faced with the following

costs: Roadside marquee and exterior signage modification, website and email addresses, uniform embroidery, stationary and marketing materials such as brochures, event signage and promotional items such as tents and giveaways, time and labor for all of our rebranding efforts, and perhaps the most long-term effects such as relevancy and name recognition which we have spent many years building. This puts this at risk. These small businesses are tax paying, job creating pillars of the community. Unlike the proponents of this bill, we are the ones being affected by this. From my business alone I shipment this change to cot me over \$49,000 in total rebranding efforts and I have submitted a detailed list to you, each and every councilmember. Lining out these costs with vendor estimates. To some people it's just a change in a letter. But to a small business in a competitive market, with small margins and rising property taxes, who cares about the details and spends a great deal of time protecting our brand and staying solvent so we can hire people, make a living and serve the pet community with integrity, small changes are a big deal. Your mail survey response rate of four percent was indeed puny. Some people only found out about this initiative because they saw it on the news, but the number of those who are against this, 82%, is a good representation of the pulse of residents and businesses, especially as you get closer to the actual village of manchaca. If you want to hear directly from people who would be affected by this, most would reject the measure, but at least you would be including them in the process.

[4:12:51 PM]

Finally, I would like to mention a recent generalization that has been attributed to opponents of this change. This is not about race. The narrative was introduced to pollute this debate. My wife and co-owner of the business, Dr. Sandra ontirivus, who is helping manchaca's sick pets, is also hispanic and I subpoena he for her today. We employ hispanic employees and interns. A significant number of our clients are hispanic. We live in a beautifully diverse region and it has been harmonious for us for as long as we and form irrelevant ownrsers can remember. My wife's father was the first Latino eagle scout in El Paso. There's no source of pride for her heritage. It's meaningful and I appreciate that. Just as my own Italian heritage is meaningful to me. But my wife, regardless of her hispanic background, is looking at the evidence with a critical sigh and so should you. In closing, it is admirable captain Menchaca, a war o'row, who served honorably and contributed to our Independence --

[buzzer sounds] But only under the appropriate context. I sympathize with you about the misspelling of hispanic names whenever and wherever they exist. And I agree we should honor him. A school was named for him under erroneous pretenses, but nonetheless a great honor. If that is not sufficient there are many ways to honor captain Menchaca without changing the name of a major business and residential corridor.

>> Mayor Adler: Thank you.

>> Kitchen: Mr. Mayor, could I ask -- sir, if I could ask you a quick question. I know in communications with my office that I had heard from you that you had reached out to other businesses along Manchaca.

>> I have.

>> Kitchen: And I think you had mentioned to me that at least maybe -- that you had some indication that some of the businesses were not aware of what was going on, is that correct?

[4:14:53 PM]

>> Most did not, no.

>> Kitchen: All right. I just wanted to clarify that.

>> I should also clarify that I operate in Travis county, which is just south of city coverage, so about two of those businesses did not know south of the line. Maybe five of them in your district did not know as well.

>> Kitchen: Okay, thank you.

>> Mayor Adler: Thank you. Thank you very much.

>> Thank you.

>> Mayor Adler: Thank you.

>> My name is Wayne Tyson. Can y'all hear me?

>> Mayor Adler: Is Linda -- hang on one moment. Is Linda Barrett here? We'll have the next speaker at this podium. And are you [indiscernible]? I missed you in that change. Ms. Barrett, you will be just a moment. Mr. Tyson, go ahead. You have three minutes.

>> Okay. My name is -- my name is Wayne Tyson and I came here today from Cypress, Texas. My wife of 50 years, Dorinda Tyson, the great, great, great granddaughter of Jose Antonio Menchaca. She worked with Judge Perkins to correct the spelling of Jose Antonio Menchaca's name and she would be here today if she had not passed away in January of 2016. I am here to speak for her and to stand with Judge Perkins to right the wrong that was done to Jose Antonio Menchaca by misspelling his name. I want to acknowledge and thank Judge Perkins for leading the efforts to correct the spelling of Jose Antonio Menchaca's name on the street signs in Austin, Texas. Well, I screwed that up. Judge Perkins' efforts started in the year -- 2011.

[4:16:56 PM]

And now is the time for those efforts to be fulfilled. Jose Antonio Menchaca stood up and answered the call to fight for Texas Independence from Mexico. He fought under the leadership of Sam Houston at the

battle of San Jacinto. He stood up and answered the call when he served as a captain in the trainers to protect -- Texas trainers to protect the early settlements from Indians in the central part of Texas. Jose Antonio Manchaca stood up to defend Texas from the invasion by Mexican troops in 1842. He was wounded in that battle. Jose Antonio Manchaca stood up and put his family, his life on the line and his family in jeopardy to do what he felt was right, and I am asking the audience city council to stand up and do the right thing by simply spelling this Texas patriot, Jose Antonio Manchaca's correctly on the street sign for the street that was named to honor him. It is only justice that his name be spelled correctly on these signs. I appreciate your time and consideration, and again, appeal to you to stand up, do the right thing on behalf of Jose Antonio Manchaca. Thank you.

>> Mayor Adler: All right. So the next speaker that we had was someone who has now donated her time to someone else. We're not calling you quite yet because there are people ahead of you, but when you get called. So if you could sit down for just a second. The next speaker then would be Carlos Lopez?

>> Still not here.

>> Mayor Adler: What about Linda Barrett? Why don't you come on down and speak now. Is Cindy Willie here?

[4:18:59 PM]

Wiley? Why don't you come down. You will be at this podium. You have three minutes. , Ms. Barrett.

>> Okay. Mayor, council, my name is Linda Barrett. I live in the manchaca area. And I'm here today speaking for the manchaca-onion creek historical association, which was founded in 2006, continues to this day. And our group membership included the families of pioneering citizens of the area who really were interested in history. Some of those people were in their late 80s, 90s, we videotaped, we audio taped their history and we thought the best way to preserve it was to do that. We've written a lot of articles. We actually published several articles, published a book. I've given you a lot of the documentation that we have come up with. And I served as a board member and past president of this non-profit organization. We do not support the changing of the spelling of manchaca road to Manchaca road. Our group has thoroughly researched the origin of the name which is written in documents and accurately produced maps. One of the maps I'll hold, is a map that is considered the most accurate map of the region that was produced in 1849. I'd like to quote Sam Houston. He spoke on the floor of the U.S. Senate. Here's what he said. It's the most correct and authentic map of Texas ever compiled. Manchaca springs is listed on that map and it's spelled manchaca. And I believe you have that in your packet, along with some other maps that support our position.

[4:21:06 PM]

In 1854 Mitchell map of Texas. We feel that this name probably has a native American origin. Long before the captain came into being, long before the citizens of manchaca came into being, native tribes

wandered through here looking for good watering places, good places to camp, and to stay for awhile. Many of these centered on the manchaca springs area, which was located off old San Antonio road. It was a stage line, it was a well thought of, well documented and high praises for the manchaca springs stage line. With the documents that you have will show advertisements for that spring. We believe that in all the examinations --

[buzzer sounds]

>> Mayor Adler: Finish your thought. Conclude.

>> Could I say one more thing?

>> Mayor Adler: Just conclude.

>> Okay. I would like to say that most of the citizens of manchaca, the community, are not -- were not communicated to, were not considered when this came up. And I'm talking about all the people and all their families that are listed in this book that we compiled, the memories. I would like for you to consider them.

>> Mayor Adler: Thank you very much.

>> Pool: Mayor? Could I ask if I could see the book? And I'll be sure to get it back to you.

>> Absolutely.

>> Pool: Thank you so much.

>> Mayor Adler: Okay. So Cindy Willie and then JP Kirkson. Is JP Kirkson here? Come down to this podium. Go ahead, you have three minutes, ma'am.

>> Yes. I am Cindy Willie.

[4:23:07 PM]

I'm a fourth generation on the same property in the manchaca area, and I haven't been involved in this very long, but once I started reading some of the historical documents on both sides of the debate here, to me it is clear that manchaca spring manchaca spring was named before Mr. Menchaca was famous. So therefore the name comes from that and that is documented on the 1849 map of Texas as manchac. So I googled the choctaw word manchac word and here's what I found out. Dr. John R Swanton, a linguist who worked with native American languages suggested that the name manchac without the a on the end is derived from amichaca, which is a choctaw word meaning the rear entrance. And there are other water bodies in the Louisiana area, I believe, with the word manchac in their name. So -- to me when I saw this pop up, that's just -- it's just like the whole house lit up, not just a light bulb went off, but with manchaca being derived from the choctaw word amichaca. There stands all the previous referrals in the early 19 -- early 1840s once it was spelled manshaca.

[4:25:08 PM]

Other time it was spelled manjack's and another time it was spelled manshacka. So my stance is that this was named after the choctaw word and not after Mr. Menchaca as some propose. I mean... He was a good, intelligent man and deserves recognition, but I don't believe that the manchaca spring, therefore the town and the road, was named after him.

>> Mayor Adler: Thank you.

>> Thank you. >>

>> Mayor Adler: Mr. Kirk you have some name donated to you from mark fisher. Is he here? Mark fisher? Okay. What about Robert Tyler? So you will have seven minutes, Mr. Kirkcy. And then I have Jackie seller hark. Is Jackie seller hark here? You will speak at this other podium when Mr. Kirkcy is country did. You have seven minutes.

>> Good evening, mayor and councilmembers. I am a resident of manchaca. I am a 50 year resident of the south Austin area including 36 years in the community of manchaca. During my name in south Austin I have never lived more than a few blocks from manchaca road, so I like many others, residents and businesses, have a keen interest in the name of the road. Most of my comments are based on research done by the manchaca-onion creek historical association. Those folks, as you've heard today, have conducted expensive research over the past several years. First, let me confirm that based on his biography, captain Jose Antonio Menchaca was a true Texas patriot and as such is deserving of recognition and honor for his contribution to the history and culture of Texas.

[4:27:17 PM]

You have heard that he was in the Alamo, although he was granted a partner to leave with his -- pardon to leave with his family before the decisive battle. He was with general Sam Houston at San Jacinto. He helped repulse the invading Mexican forces from San Antonio in 1842. He was granted a home in San Antonio and served as an alderman and mayor. He was given a military command in the Texas rangers and probably patrolled the area around San Antonio. He decide and is buried in San Antonio. San Antonio was and remained his home. However, the reality is that manchaca road was not named for anyone. Much the same as Barton springs road, manor road, burnet road, Springdale road, weberville road, and many others in the Austin area, manchaca road was named for the town or the community that was a destination at the end of the road. In several years of research, the association has found no credible evidence to support that manchaca springs or the community of manchaca was named for captain Menchaca or that captain Menchaca ever visited the geographic area we now know as manchaca. Even in his own memoirs, there's no confirmation or any reference to the springs or the community of manchaca. As we've heard also, the a at the end of manchaca to make it manchaca was added by the railroad in 1881. That addition gave the mistaken impression that it is a derivative of a Spanish hispanic surname. Finally, the initiative that you have before you seems to be pure conjecture. That is, the resolution that you're considering is based on incomplete information and inference formed

without proof or sufficient evidence. If there is a real desire to honor captain Menchaca, and I believe that is a very appropriate recognition, that honor in my opinion would best be accomplished by naming a new road or a park or a public place in his honor and not by altering 100 plus years of history and disrupting countless businesses and residences along the road, including as we heard today, at least 18 of which businesses include manchaca as part of their name.

[4:29:44 PM]

I submit that you might consider the new highway 45 south that is being constructed just west of manchaca or the new park that the county will be building along onion creek where it crosses old San Antonio road. Thank you for hearing me this afternoon, and I hope you will consider this information as you deliberate this resolution, and I encourage you to vote no. Thank you.

>> Mayor Adler: Before Ms. [Indiscernible] Speaks, is Edith Tyler here? Why don't you come down to this other podium. Ms. Alajar.

>> Thank you, councilmembers for taking the time to hear us this afternoon. My name is Jackie

[indiscernible]. I am the great, great, great granddaughter of Jose Antonio Menchaca and a proud eighth generation Texan. We respectfully ask you to approve our request to correct the street sign spelling of our forefather and Texas patriot. My family has always been proud of our history. Menchaca's story has been passed down through each generation. My mother proudly shared his story, including the name of the town and street for him. When I moved to Austin with my family in 1975, I noticed that the name of the street and town were spelled incorrectly and asked my mother, why would they misspell his name? We were disheartened to know he was being honored with his misspelled name. My mother would collect newspaper articles that referred to the misspelling. I brought one of those articles with me today. Written by Audrey baitman, who at the time was curator of the austin-travis county collection of Austin public library. The article is titled, manchaca named for colonel Menchaca, site name empty tribute. She highlights the history of the site and callstation to the misspelling and consistent miss pronunciation of the Menchaca name.

[4:31:45 PM]

This article sums up what this misspelling is to my family and third great grandfather, an empty tribute. The elementary school is spelled correctly as is the historical marker on the school grounds. Change can be hard for people, but I don't see this as change. I see it as correcting a long overdue wrong. We believe correcting the street sign is a reasonable request. We want to honor Menchaca's name as I'm sure anyone in our position would. Thank you all for your consideration.

>> Mayor Adler: Thank you. Before Ms. Tyler speaks, is Fred Cantu here. You have time donated from [indiscernible]. You will have five minutes, Mr. Cantu. Please proceed. Three minutes.

>> Hello. I'm Edith Tyler. My maiden name is Hector. My family has lived and owned property in the manchaca area since 1859. My great, great grandfather, James Hector, was a map creator, and he was the executive draftsman for Anson Jones. In 1859 he bought 1009 acres between live oak cemetery and slaughter creek. He was very familiar with the area, and because of that he always -- my family has always referred to manchaca ending with a C. To this day I'm a fifth generation owner of land in manchaca and I honor the spelling of manchaca ending with a C because that was a choctaw word that was the spring was named after.

[4:33:54 PM]

And manchaca was named after the spring. And when the railroad name to manchaca that were thrilled that it came, but they happened to put an a at the end of manchac, and they misspelled the word by putting an a at the end. When they misspelled manchac and added that a, they changed our history. They made our town appear that it was a misspelled Spanish surname. In reality it is a misspelled choctaw word. I would love for this to be corrected, but I would be just happy if y'all just left the name the way it is and let us go on with our little town the way it is now. Thank you very much.

>> Mayor Adler: Thank you. Is Jesus Della taya. And you have time donated from Jeff siler and from Elizabeth Villegas. You will have seven minutes in a moment. Mr. Cantu you have five minutes.

>> Thank you, mayor, councilmembers. My name is Fred Cantu. I am the president of the manchaca estates neighborhood association. I'm also president of the south Austin Democrats and a current officer with the Austin tejano Democrats. I have lived in the manchaca estate neighborhood association for almost five years. I have lived in Austin 40 years and I'm a seventh generation tejano, which some of those trails that are alluded in the map start from and that is across from

[speaking foreign language], also called Alamo ranch. I want to come come up here and just talk about the manchac part, especially the choctaw word for entrance in the rear.

[4:35:59 PM]

That is all Louisiana. If you look at the handout and the map, manchac bend is the Mississippi river. That is a big body of water. And there's also a buy bayou, 18-mile body of water that goes all the way to the river, which is manchac bayou, which empties into lake [indiscernible] And empties into lake pontchartain. That is where manchac pass is. That is where I've seen the first mention of the word manchac as far as being a native American word. So I wanted to make sure that you understood the comparison to that to an indiscernible little spring outside of Buda that we couldn't find, and that's the picture at the lower left-hand corner, that barely, if ever, flows anymore. But that's some of the stuff we've been looking at and trying to say how that migrated to manchaca, Texas. Now, the manchaca community, we're talking the street here in the city of Austin. We, the justice for manchaca da group also put out letters to all the people and letting them know what we were doing. And we got very little

response as well. Now, my heart goes out to some of these business owners, but we're not asking you all to change the name of your business. The post office has said they will deliver the mail to a manchaca or whatever spelled name address. One of the things that when I start helping judge Perkins here in 2011 that I found out.

[4:38:02 PM]

I think somebody has a poster here for Menchaca that I made. I was astonished. He looks like my grandfather and I have a picture just like that. But nevertheless, my simple thing is -- and somebody brought up -- before I forget, somebody brought up the racist thing. We have never said this was about racism. We always said, and you know judge Bob Perkins and he knows his genealogy and his historical stuff, it was always, always, always about the facts. So all I have to say in closing is if we're going to honor some of our heroes, let's at least spell their name correctly. Thank you.

>> Mayor Adler: Thank you. Before Mr. Della teya speaks, is George morales here? George morales? What about judge Perkins, Bob Perkins? You have donated time from Christina Horak? Is she here. And is Cindy Perkins here? All right. Judge Perkins, you will have seven minutes. You will go next. Go ahead, sir.

>> Thank you, council. My name is say Seuss Della teya and I live a few blocks off of manchaca road and have since 1983. And I am also a former state historian and retired from Texas state university and currently serve as CEO was Texas state historical association. And about seven years ago when the judge started on this project I was already at work with a colleague of mine with a book that we since published with the university of Texas press.

[4:40:07 PM]

It has nothing to do with the road, by the way, but it does -- it is a life biography and an annotated collection of his memoirs that we edited and published published. In the course of doing that work I have interacted with judge Perkins a number of times regarding the issue of the road. And so I'd just like to address some of the historical issues involved, and I'm not going to get into the naming of the road itself. I think he can eloquently speak to that. For one thing, choctaw Indians did not live in this area. Far from it. The western extent of the traditional choctaw range is east of the Mississippi river. And as the map that was previously shown indicates, there is a manchac road. Dr. Swine ton's work on the origins of the name is based on an analysis that is conjecture as a lot having to do with Indian languages is, it's an approximation of what was there. The Indian peoples who lived in this area, tonkawa and

[indiscernible] Groups were non-sedentary. They wandered about. And by the time of the republic of Texas in the 1830s were under heavy pressure from anglo American settlement. So to take the tonkawa for instance, they were in this area, but often running into conflict with Texan forces. Some of those Texan forces were led by Antonio Menchaca, who was serving as a captain of a ranger company at that

time. So although there is no record of him having either named the springs or having camped there, he did operate in this area.

[4:42:08 PM]

So based on that, I think it's highly likely that there would be some association by people who later lived in this area to captain Menchaca's work. Now, the other thing that comes up is, of course, that the presence of people in an area in the 1830s, 1840s when this area was being settled, brings into question how they actually understood the names that were being used. And the names not only like Menchaca, but Seguin, Gonzalez, which was often the Z was changed to an S at the end, and I can give a lot of other examples where hispanic names were changed, anglicized or just miss communicated, was quite typical. And in fact, in the case of Antonio Menchaca, one sees in the records in public records from the 1830s and the 1840s his name is -- when it's referring to him specifically is changed to an a. So manchaca was a common way of mispronouncing and miswriting Menchaca, and they're close. In English the long a and short a are often mixed up by Spanish speakers, so it works both ways, right? So we have a situation where the problem of the name and the origins of the name could easily have become confused. I'm not saying that maybe somebody back -- although I haven't seen any record of it -- didn't apply the term Menchaca to the springs thinking that it was manchac because of a previous experience in Louisiana, many of the settlers who came into central Texas came in through Louisiana and they may have been familiar with a manchac in Louisiana, but there would have been no reason for them to name it manchac.

[4:44:23 PM]

They would have seen a Menchaca on or heard a Menchaca and they would have naturally translated that into manchaca Orman, but there wouldn't have been any reason because nobody speaking an Indian language in the area would have named it manchac. And nobody who was a Spanish speaker was living in the area. And so historically speaking and history believe me, I am the first one to tell you that the evidence is never perfect, the historical record is never complete, and one has to fill in the gaps as best as one can. But it makes no sense to fill in the gaps by introducing linguistic issues that are far removed from the area, and it makes more sense to follow the -- there's an old adage about the simplest explanation is usually the best. And the only -- and closest approximation to manchac that we have is on Jose Antonio Menchaca, who did, by the way, serve until -- through the 1842 period, did serve with Texas forces. So as to his acquaintance with anglo-americans, as to his long and enduring record of service to Texas, and in fact as his membership in the Texas veterans association. He was one of the founding members of it. It was a group of veterans from the Texas revolution, all indicate he was well-known to Texans. Many of whom spelled his name with an a, even though they knew him well. Did he care about that? It doesn't seem that he was bothered by people misspelling his name, but he didn't appreciate the historical legacy that he was leaving behind.

[4:46:26 PM]

And so in speaking of in favor of this I will conclude by saying we have an historical record --

[buzzer sounds]

-- That although not complete, addresses the issue of Menchaca and he is certainly worthy of having -- being remembered correctly. Thank you very much.

>> Mayor Adler: Thank you, sir. Hang on a second. Councilmember alter.

>> Alter: Doctor, I missed the beginning of your presentation a little bit about the background that you're bringing. That was a lot of really helpful information. I was wondering if you could speak a moment to your background. I looked a little bit up online, but if you could tell us a little bit about your background as an historian, it would be useful.

>> Very briefly, I got my ph.d at UT between 1985 and 1991, I worked in the general land office in the archives division. From 1991 to last year I was a professor of history at Texas state university. Between 2007 and 2009 was state historian. I've been president of the Texas state historical association. I currently serve as the CEO of the Texas state historical association.

>> Alter: Thank you. Appreciate the background. Is.

>> Pool: Is it Dr. Della taya. I have a couple of questions too. This is a really, really interesting historical conundrum to me. I wanted to ask a couple of questions because I'm trying to get the time frame and chronology in my mind. The Texas revolution was --

>> 1835-1836.

>> Pool: And when did captain Menchaca make it to Texas, to Austin, to this central part of the state? Because he was not -- well, first, let me ask, where was he originally from?

>> He was born in San Antonio in 1800. And he died in San Antonio in 1879. And in between he did a variety of things, including serving both in the revolution and -- we don't know the first time he came through this area, but in fact he participated in the runaway scrape in the spring of 1836, so he may have been here then.

[4:48:44 PM]

He may also have been here previously because as most of the tejano frontiersmen, he had to do what the anglo Americans were wind up calling ranger companies. Tejanos had, but they just didn't have any official term for it. So he would have been on Indian campaigns previous to that. He certainly participated in Indian campaigns in the period between 1838 and about 1841. So it's -- so he would have been ranging, ranging over a wide area that included the central Texas area.

>> Pool: And that's right about the time when Austin was founded, which is the end of the year in 1839. So then my question is the maps that we are looking at that happen to identify some geographic places, springs, and it's spelled -- and I agree with you that the naming conventions, the spelling conventions, literacy and the way people wrote and the way people would interpret how somebody else had written something, really brings some difficulties to digging into the historical record with any certainties. My question on the manchaca or manchac springs or the bay bayou in Louisiana are earlier than the 1830s, 1840s time frame.

>> I haven't seen any of the other maps being shown to you, but certainly on Louisiana maps of the late colonial, early 19th century century, the manchac bayou would have and. It could have and on those maps. It won't appear on any Texas maps. We don't have any Texas maps for this area previous to -- or detailed maps of this area previous to about-- to 1822, 1823 with Stephen F Austin preparing a map and that one wasn't very detailed for this area.

[4:51:00 PM]

So the 1849 map that has been referred to earlier, it post-dates when Antonio Menchaca would have been in this area. We were already in fact talking about the state hood period. So it's even after Austin regained being capital of Texas after Lamar tried to move it away.

>> Pool: Okay. So we're not able to point with any certainty even to a map to know that a naming convention center for a geographical place was man springs, but for the common parlance for those who lived in the area before it was even called Waterloo or Austin, it was manchac springs.

>> We don't know exactly when. It certainly -- manchac springs by 1849, but we don't know how early it gets that name.

>> Pool: Right. There is a map in one of the document packets that we got that it's map of Louisiana that is 1838 that shows that this was -- I guess this area was mapped before they got here to Texas.

>> Oh, yes, but that would be -- that's the Louisiana one.

>> Pool: That's the Louisiana purchase.

>> And that's the choctaw and that's not a language that was spoken in this area.

>> Pool: Thank you. And I just wanted to ask you these questions because this is a really interesting historical problem. And I don't know that any of us can find any real certainty, but what I do think is, as you have said, that the captain certainly was an honorable man and he should be acknowledged. And I would like to talk about that in the sense that that is what we are looking at, not that we are casting aspersions on in -- aspersions in any way that somebody deliberately misspelled a name in order to be disdainful or to denigrate anybody's racial or ethnic history and heritage.

[4:53:04 PM]

>> As I said, it is common to misspell in -- it went in both directions. The English of Spanish and Spanish of English.

>> Pool: And my last name is really simple, right, but even it is misspelled. So we all have these burdens that we bear.

>> Absolutely.

>> Pool: Thank you. Thank you so much.

>> Mayor Adler: Okay. We'll keep going. We have a lot more speakers here. Before judge Perkins speaks is faith Robbins here?

>> Here. Matures why don't you come down. You will have three minutes when judge Perkins is done. Judge?

>> Mr. Mayor and honorable members of the city council, thank you for letting me come after before you today. I have a real problem because I have to condense these last seven years into seven minutes. And so I'm going to try to cover as much ground as I can. Our main witnesses on this are the people of Menchaca. It's the old timers that lived in Menchaca that say it's named for Jose Antonio Menchaca. These people today come around and say, well, it's not named for him, but the people -- their forebarriers, their forefathers in Menchaca, they're the ones that said it's named for him. If you think about geographical names, some places have birth certificates like city of Austin. It was named by the republic of Texas congress. So was Houston, so was San Antonio. You can see the legislation that names them. But think of Barton springs, for instance. Barton springs is not named by the state of Texas, it's not named by the city of Austin. It was named by the people who lived in Austin and they named it for Barton who owned Barton springs. And the same thing if somebody lived at manchac springs, they would have named it for them, but nobody did but they didn't because it was too dangerous with the comanche Indians running amuck. In my research, Jose Antonio Menchaca was in the cavalry, he stayed in the army all the way through San Jacinto and through October 22nd of 1937. On that day H company was mustarded out.

[4:55:08 PM]

And he then came back and served as a captain again in 1838 in February, March and April of that year. So in April 1st of 1837 was premoated from lieutenant to captain -- promoted from lieutenant to captain and I believe that sometime -- I think the best evidence is some time between April 1st, 1837 and October 22nd, 1837, is when he and his troops came here. Their responsibility in 1837, if you look at the five-volume set called savage frontier by Steven Moore, he talks about what the cavalry companies had to do at that time. There were only two companies left in the army because Sam Houston had furloughed everybody else. Those two companies were both headquartered in San Antonio. One company was in charge of patrolling between San Antonio and the Rio grande and the other company that Menchaca was in and the captain of, they were responsible for patrolling against the comanche

Indians. In doing so they would come up, they would camp at this spring because you always want -- every military culture that's gone through this area has tried to get ahold of manchac springs because number one you always have water and number two you're surrounded by a forest where your people can fire out to the enemy. And there were several Indian fights that occurred at manchac springs. So it is the people of manchaca that said it's -- Menchaca that said it's named for him. They have said we don't have any documentation that it's named for him. That's true. Most places don't. There's no documentation for the name Barton springs, for instance. That's just what the common parlance was. And this was the thing. They say I have no documentation, but in fact I do because normally here say is not admissible, but it is an exception to the here say rule. Number 20, exception to the here say rule, is reputation concerning boundaries or general history. Reputation in a community arising before the controversy as to boundaries of or customs affecting lands in the community and reputation as to events of general history, important to the community or state or nation in which it is located is an exception to the here say rule and does come in.

[4:57:15 PM]

That's what we're relying upon is what the old timers of Menchaca have always said. Now, today some of these people are saying, well, it's named for manchac bayou. But their forefathers of Menchaca have always said it's named for him. In the defender published in 1836 it's a history of the communities around Austin, manor, pflugerville, Menchaca, all these places, all of them talk about their history. This is written 99 years after Menchaca was here. And they say in there, years later when the international -- first of all, they say during the reconstruction days of Texas, just after the civil war, there was a stage line through this area. The soldiers were there for the protection of the settlers against comanche Indians and the stage coaches against the highway man. The officer in charge of the officers was colonel Menchaca. So the strings became known as Menchaca springs. When the railroad was started, it was named for the old honored and well liked colonel Menchaca. So this is what they've been saying for all these years. Now, today some of them from Menchaca are saying differently. But their forefathers have always said it's named for him. So you have to ask yourself the question, when is it more likely to be right, the forefathers from the 1800s that were around when it was named or the people in 2012 when came up with this theory? Back in 2012 we -- KXAN interviewed me about this project that we're doing and after that they asked me to come speak to them at manchaca and onion creek historical association. I went out and stalked to them and I downloaded an article they had on their website. And it's an article called scouts were lost at Menchaca springs. And in the second paragraph of that article they say it was a watering hole for the early settlers as well and served as the campground for Jose Antonio Menchaca and his men when he was in the area to protect the early settlers.

[4:59:16 PM]

It's from the colonel that the springs take their name. With a twist in the spelling and the nearby city of manchaca in turn takes its name from the is springs. This is what the historical association was saying in

2009. They were saying in 2012 when I downloaded this article. Once we said let's go ahead and spell his name right if it's named for Menchaca, let's go ahead and spell it right, then they said, well, maybe it's not named for him. And I said, well, who is it named for? They said we think it's named for manchac bayou? I said why would it be named for that? They said they're both on the 30th parallel, the 30th degree of latitude, which is not true because the 30th degree of latitude goes through New Orleans, it doesn't go through manchac bayou. And it goes through the northern end of Kyle, not southern Travis county. So then they came up with other manchac bayous. And it's true that it was called manchac at the same time, but it's not because of manchac bayou, that's because of the fact that there were many anglos that were run into people named Menchaca and they would call them manchac. There's a family helping us in this regard, a woman named both families bear the name manchac, but they're Menchaca from nacogdoches born in 1976. Those people always called that family manchac, manchac, manchac, to the point, first of all, the spelling got to be changed, and after that it became manchac after Menchaca. I have a lot of other information I could give you. If you look at the state markers that have been put out there, you can see that everybody that's looked -- all the historians that have looked at this have used that it is named for Jose Antonio Menchaca.

[5:01:16 PM]

There's no question about that.

>> Mayor Adler: Thank you very much. Before Ms. Robbins begins, the speaker on deck will be senator Barrientos. You have time donated from Ms. Sadler and also Juan Garza. Is Juan Garza here? No? Senator, you'll have five minutes -- oh, there he is back there? Okay. I see him. You'll have seven minutes then. Go ahead, Ms. Robbins.

>> Thank you. Good evening. Thank you for all of us, for giving all of us the opportunity to speak. My name is Faith Robbins. I'm a 7th generation descendant of Captain Jose Antonio Menchaca. This makes me an 11th generation Texan. By way of Judge Perkins, my family has been introduced to a handful of cousins who also descend from Menchaca that we likely never would have discovered ourselves. As you may know, have heard today, or knew before, Captain Menchaca fought in the battle of San Jacinto in 1836, helped Texas win its freedom from Mexico. It was an important historical figure, such as Sam Houston and James Bowie. The revolution saw Crockett, Austin, to name a few. There were many biographical sketches that were a product of lifelong devotion to Texas history. He commanded a company in the battle of San Jacinto and received testimony of all he rendered good and efficient as much as. But during those times of severe trial and suffering on the frontier, when many who had been looked upon as friends to Texas fell away from their allegiance, his name has never been shaded by a suspicion. For a man who bravely fought alongside other well-known names and for a family name clearly proven loyalty, integrity, and fierce friendships, throughout American and Texas history, why wouldn't you fight to spell that name correctly? To some it's just another name on a street sign. It's a road. It's a town, a spring, and a school. To me, it's who I descend from.

[5:03:18 PM]

It is a part of my history and part of my family's history. It's also Texas and American history. Some may argue it will still be mispronounced either way you spell it. To that I say austinites have a strange and deep culture of mispronouncing things all the time. Guadalupe, pedernales, del valle. These names and places are often mispronounced but they're all spelled correctly. For a state and country so proud and bold when it comes to patriotism, I would assume no less than a steadfast determination? Right ago wrong to a veteran, hero, and original Texan. Wouldn't you?

>> Mayor Adler: Senator Barrientos, you have seven minutes. Is Carlos Lopez here? You'll be at the other podium.

>> May it please the council, my name is Gonzalo Barrientos and I cannot count how many times my name has been mispronounced, misspelled, otherwise, like so many other things around us every day. Manager cronk, welcome to good old Texas. Members, I know some people may be asking, Barrientos, what are you doing down at city council on a spelling issue or pronouncing -- pronunciation issue? Well, I believe, members, that it's much more than just a spelling issue, difference of opinion. After looking at all the facts, and especially listening to expert historians, like Dr. Dela teja, I've come to the conclusion it absolutely is and should be Menchaca. A lot of people use other slang, like Guadalupe and aroya sea and stuff like that, but the facts are there for you to decide yourselves.

[5:05:27 PM]

Now, I could go into a number of areas in my many years in public service. Everything from mexia, O mexia, Guadalupe, Amarillo, Colorado, and so on it goes. Einstein, Ali, Kim LI, Mohammed, dimaggio, Garza, and so I believe that the issue is not that clear to some people. We have to go back and study history and study it well, especially ask those whose names are a little bit different from Jones or Smith, et cetera. Some people even use beautiful words and names like this fellow in Washington for pocahontes. Well, it's a free country. Well, I tell you one of the main reasons I'm here today, because I heard yesterday or day before I put it down on the calendar, on a radio talk show, that, shall I say, illogical, uninteresting to right-thinking people when they mentioned Delilah talking about being offended, or was it Delia? Delia? Garza? Garcia? And they said, if she's offended, she's a fool. They said -- and I wrote it down at the time -- you're a wimp if you get offended.

[5:07:35 PM]

So I'm here also to defend the men and women who are constantly being insulted. These America. A nation of immigrants, except that those of us who have native American blood, and that is what has built this country. Not misunderstanding, not misapplying, but respect. There was a famous saying said by a Mexican Independence fighter, irrespecto [speaking in Spanish], respect of law is peace. But there's so much in between, like understanding each other. So god bless you for making those hard decisions,

and like we often say, mayor, you can please some of the people some of the time, but you cannot please all the people all the time. So it is better to displease the people when you know you're right instead of temporarily pleasing them when you know you're wrong. God bless Austin, god bless Texas, god bless America. Thank you.

>> Mayor Adler: Thank you, sir. Is dawn segura here? Dawn segura? Do you want to speak? No? Okay. What about Alonzo Reyes? Why don't you come on down. You have time donated from Robert crimm. Is he here? You'll have five minutes in just a moment.

[5:09:37 PM]

Go ahead, sir.

>> Carlos Lopez. I am the -- mayor, I thank you so much, and city council members, thank y'all so much for your time. My name is Carlos Lopez and I am the Travis county constable for precinct 5. Welcome to my precinct, whoever comes in. You know, this -- I wanted to just come up here, and actually, I just want to -- I'm going to be brief. You know, I think this -- I'm for the change to honor a great Texan who fought in the battle of San Jacinto and is considered a hero by many. You know, thanks to Pio, a section of the pan American center was named after my mother, Juanita Lopez. I appreciate that. I'll never forget that. And, you know, a lot of places that I go, they remember my first name, but they never can remember my last name. You know, they always call me something different. But I say, hey, it doesn't matter, as long as -- you know, as long as you get my name spelled correctly, I'm okay with that. You know, especially on the ballot. I just want to say that I favor the change, and I know it's a difficult decision for y'all to make. And it's difficult, and I understand, you know, the difficulty in accepting the name change, especially if you live on that -- you know, in that area, and it happens with many of the roads here in Austin, but eventually we grew into them and accepted the reason behind the name change. So please consider correcting this error that has been due for a long, long time. We have been working on this for a long time to get to here, for today. Thank y'all so much, mayor, and councilmembers for your time.

>> Mayor Adler: Thank you. Yes, Mr. Flannigan?

>> Flannigan: Constable, I just want to thank you for being here. We may be in your precinct, but in this building, you're actually a resident of my district.

[5:11:38 PM]

>> That's correct.

>> Flannigan: So I wanted to thank you for, again, the prize -- the only district 6 person to speak today, so thank you.

>> You bet.

>> Mayor Adler: Constable, thank you. Is Javier Perkins here? You want to come and speak? You'll be at this podium.

>> I'd like to devote my time.

>> Mayor Adler: Okay. He's already spoken. He's maxed out.

>> [Off mic]

>> Mayor Adler: The last speaker that we have is -- I'm looking here -- Gloria Allman? Then looks like you're our loose speaker.

>> I have five minutes?

>> Mayor Adler: I'll give you seven minutes.

>> I'm not going to take that much time, I guarantee you. Mayor Adler, councilmembers, I'm the former [indiscernible]. I'm here to give thanks to -- just take a minute to speak about the change in the name manchaca to Menchaca, for a fellow tejano veteran. As you know, it's been said before, Jose Antonio Menchaca was born in what is known as Spanish Texas in January 1800. This is important. What is known as San Antonio, Texas, original San Antonio de Bexar. Where is Bexar? Bexar county, just so you'll know. But we always called it Bexar. I mean "Bayer." He was well educated and could speak and read both Spanish and English fluently. He was a very smart gentleman. After the Texas revolution began in October 1835, Menchaca joined the Texan army, serving under captain Juan Seguin.

[5:13:44 PM]

After the fall of the Alamo, 14 14 tejano volunteers including Jose Menchaca joined in Seguin's new company. The men voted officers, choosing

[indiscernible] As the first lieutenant and Jose Menchaca as the second lieutenant. Among his duties, Menchaca's duties were to serve as a translator for the company members who could not speak English. After the Mexican army retreated from Texas, after defeat, Jose Antonio Menchaca, Seguin, and several other tejanos, went to nacogdoches to retrieve the families and return them to Bexar. On the journey home, most of the adults in the convoy became ill and Menchaca took sole responsibility for nursing the sick. He was well liked. He was well respected. As a matter of fact, in 1838, the congress of the republic of Texas passed a joint resolution in 1830, honoring his service in the great revolution, granted him home in San Antonio, 1838. It is an honor to be able to read about a tejano veteran who filed for Texas Independence. There's an example of his name being spelled correctly. I feel in Austin, Texas, via the whole San Antonio Menchaca elementary school. There are several documents which I can -- I've not given time to bring them up, its so many, that spoke highly of him and what he represented. It's just one name of many misspelled individuals. This is an important one in the fight for Texas Independence. I think it should be changed to Menchaca.

[5:15:45 PM]

I thank you for your time. As the senator said, god bless Texas and god bless America.

>> Mayor Adler: Thank you. Anyone else signed up wishing to speak? Council, that brings us back up to the dais. Councilmember Renteria, do you want to make a motion?

>> Renteria: Yes, mayor. Before I make a motion, you know, I've lived in -- growing up here, my name has always been misspelled. Yesterday when we had our luncheon at visit Austin, that's my name tag. Sambino. That's what was on -- I had to pick it up, and I said -- I'm going to save this one because they just changed my name to sambino, Pio, Renteria.

[Laughter] So I understand you know people misspell, so I want to make a motion to vote today for this resolution for renaming it and correcting the spelling of a misspelled name to Menchaca.

>> Mayor Adler: Councilmember makes the motion. Is there a second to that? Councilmember Garza seconds that I'd add parenthetically that my name was also misspelled on the card last night. Councilmember kitchen, then we'll come back to councilmember Garza.

>> Kitchen: I have some questions for staff. Mr. Dale. So -- and let me preface this by saying that I appreciate senator Barrientos. Thank you. Respect is what this is about. And so I appreciate that. So I have a number of things that I would like to explore, and these are in the context of not stating -- you know, of not being against respecting people or not being against correcting a name change or anything like that, but I have to think about how we do things.

[5:17:54 PM]

So one of the things that I have to ask about is our process for notifying people. I think that that is an important question for this road, and it is not -- I don't ask that in any attempt to delay nor to make any statement on what we may ultimately end up doing. So I raised this question on Tuesday, and I raised it because I think it is very important for people to have the opportunity to have their voices heard. Whether or not we end up agreeing with them or not. So we had some discussion at work session on the fact that there was a 3.6%, I think, if I got that right, response rate. We speculated, why might that be, and we talked about another way to actually be sure that we reached, in particular, the businesses along the road. It's a very long road, as you all know, and so I asked -- after that meeting, I asked Mr. Dale to do some checking, to see -- I appreciated the best estimate they were able to give us was a two-month time period, which caused some concern, so I asked Mr. Dale to just check and see what the possibilities are. So if you would just talk with us and let us know what you heard in terms of, you know, of if there was a way to do this faster and could actually let people know, would you please let us know that?

>> Sure. Jim Dale, assistant director for the transportation department. I'm here with Lauren, who manages or street name change process. Yes, councilmember kitchen, you had a couple of questions for us back at Tuesday about really specifically about getting to the businesses that are along there, and so we went back and we looked. We haven't done an exhaustive analysis of the things that we can do.

[5:19:54 PM]

>> Kitchen: Right.

>> But we -- but the work that we did do, we touched with a number of different groups, and one of them being the corridor planning office, or program office, like you mentioned. They didn't have a complete list, but they led us down a path that did get to something that may allow us to reach out to businesses in the future, and that is basically having to go door-to-door. There's not a mailing list or any type of communication contact list that we've come across so far. And, again, we haven't been exhaustive so we'll continue to look and see if there is, but we're looking at -- we're looking into these companies that distribute the flyers door-to-door, of doing something along that line, so we're looking into what's the timeline to bring you services on, and so lead times, but also the cost of doing that as well. And so that's looking to be the most promising thing that we can do. And just for clarification, the way the code is written now, we're required to notice the property owners. So that may not be the businesses that are in those particular establishments along the road. And that was your concern.

>> Kitchen: Okay. Thank you for responding to that. I'd also like to let my colleagues know I've heard from at least one business in the last day or so who just learned about this, you know, from the news, tried to go online and respond, but could not because the survey had been closed down, which is what the -- you know, y'all's -- the normal process. So -- okay. So then just one other question then, what would be -- what's your best estimate of the time frame that it might take if you were to pursue that option?

>> Right now, we're trying to find out what the lead -- we need to find out what the cost is.

>> Kitchen: Yeah.

>> And that influences our procurement process. But without going into too much details --

>> Kitchen: Right.

>> -- And there are still a lot of unknowns I'm scared to set a certain day, but for us to do the work and come back to council, best guess would be mid to end of November.

[5:22:02 PM]

>> Kitchen: Okay.

>> But we still have unknowns in there to find out but we're tying those down.

>> Kitchen: Okay. My last question is just to shift a little bit because there was another question that I asked you to check into. And that is -- the other thing that I had to consider, and I think it's prudent for us to consider how we might address the impact on business owners, and so I had some questions about the post office. I think Mr. Cantu had indicated that it was his understanding that the post office would still deliver, so I wanted to know what you all -- what y'all's understanding was if a business chose not to

go through all of the expense of changing, you know, various things that they would need to change, could they still -- I mean, would the post office still -- would they still deliver?

>> So there is a question as to whether they will still deliver, but here's the information we received from them. They will keep the alias for one year. So they will continue to deliver for one year. They had - they also told us that they would, after one year, they may start returning mail to senders.

>> Kitchen: Okay.

>> After one year, although they said they'd keep the alias on indefinitely, they didn't commit to that if there's some type of system change down the road, they may drop that alias.

>> Kitchen: Okay. Thank you.

>> And I want to check with my colleague here Lauren, just to make sure I'm accurate in that. Okay yeah.

>> Kitchen: Okay. That's all my questions.

>> Mayor Adler: Councilmember Garza.

>> Garza: I guess for staff I just have a question, then I have comments. Are any businesses required to change their name because of this change? No. Right?

>> No.

>> Garza: Are they required to change their branding or uniforms that their employees wear?

>> They will -- they would be required to update their address information on their branding materials, just so that they could communicate with them.

[5:24:04 PM]

If they didn't, then they may not receive the communication to continue business.

>> Garza: But if man -- m-a-n --chaca is in their business name, they don't have to change that.

>> That's completely their call, from what I understand.

>> Garza: Okay. Then I just have I guess, a couple comments. I wanted to be -- I think y'all can sit down unless anybody else has staff questions. I wanted to be clear that my comments on Tuesday were not intended to assert that the misspelling was done purposefully. They were simply to assert this was something that was, I believe, done accidentally, and that it was time to change that. I appreciate the comments by my colleagues that they, too, have their names misspelled sometimes. But, for example, my parents named me Delia Garza, but I have to say Delia Garza so people can understand it. My daughter's name is Lourdes, but when people ask when her name is, if I say that, I know I'm going to have to say it four other times before they understand it. Or if I say Delia, I know I'm going to have to say it four other times. So I have to say Delia and Lourdes. That was my point on Tuesday. I don't think this

was done intentionally. Thank you, senator Barrientos, for those comments. I was not aware that that was said on the radio, and usually I don't want to respond to criticisms that I find laughable. But I will say, when they have -- when those D.J.S have walked into a couple of burning buildings, when they've be walked into public office when pregnant, and give childbirth without pain killers, then I will accept criticisms.

[Applause]

>> Mayor Adler: Further comments on the dais?

[5:26:06 PM]

On the address issue, we have some streets here that we have Willie Nelson avenue, which is also -- is that -- an alias. Is that a real street name? And if someone uses that, does it show up indefinitely? What about pecan street? Which I think is also another name for 6th street. How does that work?

>> I need to check into that. I don't have the answer here with me tonight, but -- Lauren?

>> Those are actually honorary street names so it's like a secondary street name applied to the permanent street name.

>> Mayor Adler: If someone addressed something to Willie Nelson avenue, would it get delivered?

>> That, I don't know from a, you know, postal service, but I do know for emergency services, A.P.D., A.F.D., it would, yeah.

>> Mayor Adler: It would? Is there a way for us to do everything that we could as a city to ensure that alias had that multiple use, both extending it in time -- I don't know if that would be a request from the city to the post office or a city to -- I don't know what else it would be, so that it lasts indefinitely the way Willie Nelson avenue is lasting indefinitely, and pecan street is lasting indefinitely as well. And then in the future, I would like us to take a look at whether there are ordinance changes that we need to make so that the notice goes out to other than just property owners so that we learn from this moment. Mr. Flannigan?

>> Flannigan: Thank you, Mr. Mayor. I get the point that you're making, but I also don't want to confuse the community that what we're doing is honorary or that honorary is an option instead of.

[5:28:07 PM]

It's not what we're talking about. I think in this moment, if you addressed a letter using the E instead of the a, it would get delivered. There are many complicated street names. The post office is very accustomed to reading between the lines on how things are addressed, so I concur with councilmember Garza's point. And having been a small business owner myself, I can empathize with the concerns of

small business owners, but your brand is actually more important than the street name, and it will live on because you have built a relationship with your clients and your community, and changing the street name is not going to require -- nor frankly should you go out and change your brand, because even as you listed out the costs, you were probably right that they are even more immeasurable if you went to go change your url or branding. It's just not about that. It's just not about that.

>> Mayor Adler: Ann.

>> Kitchen: One other question I forgot to ask, what's the effective date of any action that would be taken today? In other words, how quickly would things be changed and do we have an option to provide a little more time? I appreciate what you're saying, councilmember Flannigan, but I think every business has to determine for themselves what the impact is for them. And I am, frankly -- cannot just vote for this and tell the businesses on manchaca to just deal with it. So what would be the effective date?

>> The effective date would be ten days from now. The earliest he would change the signs because we still have to make the signs, we'd need two to three weeks to do that. Our attorney was just telling us you do have the option to decide on the effective date and put that in the ordinance itself.

[5:30:10 PM]

>> Kitchen: Okay. So we could take a longer time if we chose to do that. Okay. Thank you.

>> Mayor Adler: This is a tough one because of the impact that it has and the disruption, but for me, it's pretty clear that I'm going to support this resolution. I'm convinced by the historian that spoke that even in a clouded area, it's more likely than not that it relates back to -- to the officer, and I think that it is a matter of respect and historical correctness, so I'll be supporting the name change. Mr. Casar.

>> Casar: And, mayor, I think I heard, and just a simple thumbs up to confirm, I think I heard from some of the advocates that you had done your own mailing or notification of folks. Is that -- is that correct? Yes. So my understanding is -- and I know that they may not be the same as the staff's notice and ability to respond to the survey, but I just didn't want that to get lost and appreciate your hard work on that. I'm going to be supporting this today as well, and I don't think I have much more to add than what has been said except just to really thank all the people who have done so much work on this for so long. I think I was at a tejano Democrats meeting in around 2011 as an organizer with folks, gearing to when they could finally had a city council vote. I never knew I would be sitting up here when that happened. So thank you all for all of your work and congratulations to councilmember Renteria. May be a little early.

>> Mayor Adler: Yes, councilmember kitchen.

>> Kitchen: I have a question for -- I'm wondering if there's interest on the dais to at least put an effective date for a month from now so that we can at least give those businesses that didn't get notice or are just now getting notice some -- some time frame so it's not just ten days?

[5:32:22 PM]

I would like to make an amendment to make the effective date one month from now instead of -- would that be acceptable?

>> Renteria: Yes, I will accept that as a friendly amendment.

>> Kitchen: Okay.

>> Mayor Adler: Any objection to making the effective date a month from what it would otherwise have been? Hearing none, it will be a month from what it would otherwise have been.

>> Kitchen: Okay. I have more, if you want to get someone else first.

>> Mayor Adler: Okay.

>> Kitchen: I don't know, someone else may want to speak first, but I did want to speak before --

>> Mayor Adler: Go ahead. No one else has raised their hand.

>> Kitchen: All right. You know, this is a really -- this is a tough one for me. You know, this road is entirely in my district, and I cannot support it. And the reason that I cannot support it is twofold. It involves the - I do think that this is not an appropriate process. I do think that we could at least do a process where people feel that they have the right to be heard. So I have to object to the process. And I know there's no -- there's not the support on the dais to provide the additional month and a half to allow people to feel like they can be heard, but I've tried to bring that forward, and I understand that my colleagues were not interested in doing that. So I object to that. I also feel like we have not come up with a solution for the many businesses that are on that road, nor have we -- I appreciate the extension of one month. That will be helpful to them at least. But it is hard to run a small business, and I'm not in the position to tell them what they have to change and what they don't have to change, and to figure that out in a relatively short amount of time. So I don't think that that's appropriate process, either.

[5:34:26 PM]

And so although I am -- you know, I don't want this to be viewed that I don't -- that I'm not respectful of the historical importance of this moment and that I'm not respectful of honoring a person who should be honored, that's not what this is about at all, I don't think that we have to -- I don't think that we have to not have the best process in order to do that, and I don't think we have to not be sensitive to what the impact this has on our small businesses along this road. So I just wanted to clarify that I will have to vote no.

>> Mayor Adler: Okay. Any further discussion before we vote? There's been a motion and second. Councilmember pool?

>> Pool: I just wanted to say I appreciated all the testimony everybody brought today and the information, and I, because of the concerns that councilmember kitchen has raised about her -- about her district and the businesses there, and balancing it against the historical record and the lack of certainty, I plan to abstain. But I don't think that will really have any major impact on the outcome of the vote.

>> Mayor Adler: Okay. It's been moved and seconded. Any further discussion?

>> Can I just clarify the effective date will be November 15th?

>> Mayor Adler: November 15th. Okay? Let's take a vote. Those in favor of this resolution, please raise your hand. Those opposed? Councilmember kitchen voting no, abstaining, councilmember pool abstains, the others voting aye, troxclair off the dais this matter passes. Thank you very much.

[Applause]

>> Mayor Adler: Council, I think that is everything that we have on the agenda by way of business. I would point out to you that there's an incredibly unique musical opportunity here in just a few minutes.

[5:36:33 PM]

I really would urge you to take a peak at this, and then we have some proclamations. But subject to those things, this meeting is adjourned at 5:36.

[5:45:33 PM]

>> Mayor Adler: Good evening, everybody. You know, not only is this the city of Austin, but it is also the live music capital of the world, which means we have great live music all over this city in lots of different forms and lots of different places, but because we're the live music capital of the world, I think that we're the only city council that meets that regularly stops their city council meetings at 5:30 or as close to it as we can and actually play and listen and hear and celebrate live music as part of our council meetings. Today's meeting, if you watched the end of it, was kind of tame to some, but I will tell you there are times that everybody is looking at the clock waiting for 5:30 to come around to listen to some music. Today, we have some -- we have some wonderful music, some wonderful performers with we are the chorus. We are the chorus is a community chorus of citizens with disabilities, and they're singing buddies. The group began in the spring of 1999 and is still going strong. They sponsor a fellowship and socialization for adults with developmental disabilities and their buddies through experiences of practicing, performing, and sharing music in an environment which encourages sound music skills and teaches knowledge of well-known songs. The chorus is directed by Judy ward, with companionment by Greta Gutman, who is a founding member of the group. Do you want to say something?

>> I do.

>> Mayor Adler: Okay. Why do you say something, then we'll welcome.

>> Houston: I am Ora Houston, I am still at this moment city council member of district 1.

[5:47:37 PM]

Some days I'm not sure, but I had the pleasure of hearing we are the chorus when they did a production of "Oklahoma," and I thought, this is something that we need to share with the city of Austin. So, again, I am so proud that you all agreed to come and sing for us tonight. Thank you.

>> Thank you.

[Applause]

>> Mayor Adler: So please join us in welcoming we are the chorus.

[♪ Music playing]

[5:50:03 PM]

T

[cheers and applause E]

>> Mayor Adler: That was absolutely -- absolutely wonderful. So you guys, we're just on TV, so there were probably people all over the city that were watching that, and it's going to be up and available so people can pull this down and look at it in the future if they want to. And some of those people are going to be wondering if you have like a website or a web page that they could go to to find out more about -- do you have one, and where would they go?

>> We do indeed have a website.

[5:52:03 PM]

It's called we are the chorus.org.

>> Mayor Adler: Okay. Then some of those folks are probably going to want to know where they can come and hear we are the chorus perform. Where would that be?

>> We have a performance coming up for our fall show, which is November the 11th, at 3:00 P.M. We meet at Christ Lutheran church at 300 East Monroe Street. And we practice on Monday nights, every Monday night through the fall, up until about mid-December, take a break for the holidays, start back up right after the first of the year and practice through June. It's open to anyone that would like to come and sing with us.

>> Mayor Adler: That sounds great. I have a proclamation from councilmember Houston and myself and our colleagues on the council. Be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talents extend to virtually every musical genre, and whereas our music scene thrives because Austin audiences support good music produced by legends and our 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 Live Music Capital, on behalf of councilmember Houston and our colleagues, do hereby proclaim October 4th of the year 2018 as we are the Chorus Day in Austin, Texas. Congratulations.

[Cheers and applause]

[5:56:42 PM]

>> Mayor Adler: You ready?

>> Casar: Good evening. Glen Scott for decades -- yeah, happy birthday, Glen. Today was -- is Glen's 70th birthday. And for decades, Glen loved and organized communities to make powerful change. And while I know that it's hard to say that in the past tense, it's also I think inappropriate to say it in the past tense. In many ways through all of you, so many people gathered here today, we know her work keeps on going. I kept thinking I wasn't going to cry during this and then I hear Glen saying that's the patriarchy talking. My mom said life was like throwing a pebble in a lake and there are pebbles that you have no -- ripples that you have no idea how far they will go and even when it hits the bottom you have no idea how life will have changed and impacted history. Glen's life was organizing hundreds or thousands of people to shove a giant Boulder in the lake. You could always find her on the front lines of every protest or March. She was at this podium, built coalitions and was a steadfast advocate for issues that impacted the working poor and working class.

[5:58:47 PM]

To immigrants rights, tenant rights, criminal justice, what guided everything for her was bold, unabashed love and niche. I'm going to read a proclamation about all that she did, but what I will miss most about her is how she did it. It was not just her tireless activism, but her ability to bring others along with her. She had an ability to stay, led by example, purposefully cultivated new leaders, especially seeking out and motivating women leaders and she created spaces for us to come together, work together for the common goal of improving this world. The people of all generations and backgrounds, all of y'all

here, are are real testaments to that, I don't think I could put better words on what I mean than when I look out to the crowd and to you guys. From Glen we learned compassion. We learned how to lead and when to follow. We learned what it means to dedicate our lives to fighting for justice and for something bigger than ourselves. She was a giant among us, a Boulder in the lake, and our charge now is to ensure that Glen Scott lives on through all of us as we continue her fight for a better world. So happy 70th birthday, Glen. Be it known that whereas Glen Scott shall be remembered as a lifelong champion of labor, power and the working class, organizing and empowering teachers, nurses, municipal, textile and displaced workers in Texas and across the nation. And whereas she was a proud socialist feminist who advocated fearlessly for reproductive justice and full equality for women and fought tirelessly for the rights of immigrants and working people. And whereas she celebrated and captured Progressive Texas history through oral storytelling to ensure the struggles of the past are never forgotten. And whereas Glen enriched this city as a devoted daughter, mother, grandmother, partner, and and mentor to many of us who learned from her how to blend political activism with a profound love of life.

[6:00:59 PM]

And whereas Glen Scott's legacy will live on through generations of impassioned leaders and activists that she developed and inspired to improve the lives of others. Now therefore I, Greg Casar, councilmember from district 4, alongside my colleague Ann kitchen and the rest of the city council and our mayor Steve Adler do here by proclaim Glen Scott's birthday, October 4th, 2018, today, as Glen Scott day in the city of Austin, Texas.

[Cheers and applause]

>> Thank you, councilmember Casar and the mayor and the council for taking the time and working on this. As you said, this would have been her 70th birthday, so it's the timing is very special and perfect. It occurred to me that the last timists in this room I was with my mother. We were here to support the affordable housing bonds. She testified, of course, in favor. I loved the idea of Glenn Scott day. I think it would make for a great holiday.

[Laughter]. Everybody could get out of work and out of school and just work on an issue that they care about.

[6:02:59 PM]

So real quick I'm just going to tell a story that I think exemplifies a Glenn Scott day. It was earlier this year my son was just about a a-old-month, and I was having car trouble and so I had to take my car into the repair shop and my mom was going to meet me and then just take me home. And so of course I have a baby and I have a lot of equipment. And so she gets there and her car is just -- there's just no room in her car for anything.

[Laughter]. It is completely filled, the back seat and the trunk. There's like 50-yard signs for all the political candidates she was supporting at the time, it was leading up to the primaries, and there was lots of posters and markers for like poster-making parties, and there was leaflets and newsletters and all kinds of stuff. There was also a bunch of fake money bags because she used them for a skit to protest the tax cuts.

[Laughter]. And they had been in there for months and I asked her if we could just take them out, and she's like no, I might need them again.

[Laughter]. So we get -- somehow we get my stroller and my baby and my car seat in the car and we go home. And Hendricks is a little bit fussy so she sings to him and rocks him a little bit. I don't remember exactly what she sang that day, but one of my favorites of her lullabies was deep in the heart of Texas. So he fell asleep and it was like 5:00, so there's no point in going anywhere in Austin at 5:00, so she pulled out her 20-pound laptop from like 1999 and started working.

[6:05:12 PM]

And like emailing and messaging people on Facebook and on slack and calling people. I remember she was organizing a lot of block walks for paid sick leave at that time. So she was working on that. And then maybe around like 6:30 or 7:00 she's like okay, I have a hot date with dad. We're going to go listen to some live music, drink some wine. And she was off. So that's a very typical Glenn Scott day, supporting Progressive candidates and grassroots campaigns, supporting her family and friends, but most of all having fun. So thank you and happy Glenn Scott day.

[Applause]. Prairie

[6:07:40 PM]

>> Casar: And the birthday party isn't over. I think folks are headed out to the city plaza. If you want to join them I think they're going to keep on going. Thank y'all.

>> Garza: Good afternoon. My name is Delia Garza. I'm the councilmember that represents district 2. I want to thank you for being here to recognize so many wonderful people in our community. I'm honored to have two remarkable young Latinas from Mendez middle school with us tonight. Giselle Martinez and Beverly Ramirez are in the kick start karate program at Mendez middle school. Giselle and Beverly went to the universal martial arts hall of fame and competed in the world championship the second weekend in August. They competed with other marshal artists from around the world. Giselle won the world championship in forms and composition and came in second in the fighting division, only losing the title by one point. Beverly competed in a different age bracket and won second place in both forms and fighting. Gazelle and Beverly are the first kick start karate champions in Austin independent school district.

[Applause]. The girls are students of grand master Mike Fillmore of Austin, Texas, which is instructor of the kick start program at Mendez middle school.

[6:09:45 PM]

Thank you, Mr. Fillmore for your leadership to not only the young women we're honoring today, but also many of the other students at Mendez middle school, which is in district 2. Giselle and Beverly being the first kick start karate champions in the district is so impressive and we're honored to present you both with certificates of excellence. If you could come up here really quick. And mayor, would you like to come up?

[Cheers and applause] So this is for Giselle Martinez for being a kick start kids world karate champion as a member of the Mendez kick start kids karate team. She is one of the first kick start kids world karate champions in the Austin independent school district. This certificate is issued in acknowledgment this significant achievement this fourth day of October of 2018, signed the city council and by mayor Adler and all the councilmembers. Congratulations.

[Applause].

>> Hi. I started doing martial arts for the past almost three years now. I was 38th in the kick start kids program. And I went on to going to my master Fillmore's temple, and I am proud to be like one out of two only world champions here in Austin. A lot of people don't have this opportunity so I'm glad. And thank you!

[Applause].

>> Garza: I also want to mention I met Giselle, I went to speak at an AISD board meeting to support Mendez and she went up there and spoke and it was very inspiring to see her up there speaking in support of Mendez.

[6:11:48 PM]

So this is for Beverly Ramirez for being a kick start kids world karate champion as a member of the Mendez middle school kids start karate team. She is one of the first kick start kids world karate champions in AISD. This certificate is issued in acknowledgment of this certificate achievement. Signed by mayor Steve Adler and the rest of the city council. Congratulations, Beverly.

[Applause]

>> My name is Beverly Ramirez Hernandez and I was born in Austin, Texas. I have lived here all 13 years of my life. I have been doing martial arts for the past three years now and I started in 2016 sixth grade at Con Sway Low Mendez kick start kids program. I am proud to be here this afternoon because I have done nothing but try hard during my kick start kids class and every other class. I come from an Hispanic family

and every since I was born until now my parents have taught me to be respectful, to be brave and to try hard in every single thing I do. I want to thank my instructor, Mr. Fillmore, for teaching me everything I know, from being a white belt to becoming a blue belt. I am really proud of being one of Mr. Fillmore's students because he has taught me how to have loyalty, courage, discipline, respect for everybody around me and I am proud to be here this afternoon. Thank you.

[Applause].

>> Good evening, my name is Jason, I'm the regional director for kick start kids. Just to give you a background about what we do, we're a non-profit organization founded by chuck Norris, walker, Texas ranger, you may know him as. We partner with school districts in Austin, pflugerville and Georgetown, all across the state.

[6:13:51 PM]

We have schools in Houston and Dallas. 59 total. We're just like any other program throughout the day. The students will come in and they'll earn their pe credit. I'm so proud of these two girls. I've watched them under master Fillmore's instruction and they have done great. Also what you may not know is they also traveled to Ireland last year, is that right, Mr. Fillmore?

>> Yes.

>> And Giselle won a world title there as well. So it was very tough competition. I'll tell you how hard they worked. Thank you for allowing us to recognize them. Thank you very much.

[Applause].

>> I think everyone has said everything, but I'm master Fillmore, their instructor, very proud instructor, by the way. These girls give 110 percent. They are my heart. They give all they have, and -- I'm going to get choked up here. They do a great job. Kick start kids program is a great program because without a program like this, these girls would not be able to be in the martial arts program. So I thank chuck and Gina Norris for starting this program and that's all I've got to say. If you want to know anything more about us go to kickstartkids.org.

[Applause].

[6:16:28 PM]

>> Mayor Adler: I'm going to read another proclamation and give it to Kevin, who is in charge of cyber security for the city of Austin. The proclamation, be it known that the city of Austin recognizes that it has a vital role in identifying, protecting its citizens from and responding to cyber threats that may have significant impact to our individual and collective security and privacy, and whereas critical infrastructure sectors are increasingly reliant on information systems and technology to support

financial services, energy, telecommunications, transportation, utilities, health care and emergency response systems. And whereas maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play and awareness of computer security essentials will improve the security of city of Austin's information, infrastructure and economy. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim October of 2018 as national cyber security month in Austin.

[Applause]. Do you want to say something?

>> Yeah. I had a whole serious speech about security planned, but I didn't know I was going after adorable children and dual standing ovations. So the next couple of weeks we'll be rolling out new security awareness training to all city employees, brand new content, brand new delivery systems. Be on the lookout for that. Our long-term goal is to start offering that kind of awareness and education to the public at large. Long past are the days where access to computers and the internet is a luxury that's so integral to the way we live and do business nowadays that I really hope we can start having conversations at the city level in the same context that we do the utility grid or public safety programs.

[6:18:33 PM]

Because I believe with all your help we can truly make Austin a leader in municipal cyber security. So we have that, thanks.

>> Mayor Adler: Kevin Williams, thank you.

[Applause].

>> Mayor Adler: All right, we have another proclamation, 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 the impact that code enforcement has to communities. And whereas code officers are dedicated, well trained and 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, health and welfare of the citizens of Austin through their enforcement of building, zoning, housing and other codes and ordinances.

[6:20:43 PM]

And whereas assisted everyday 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 2018 as Austin code month. And I'm going to hand this to the director of code and give Cora Wright a chance to talk.

>> Thank you very much, mayor. It's of no surprise to the residents of the city of Austin that Austin code responds to over 25,000 calls for assistance or complaints about code violation a year. In fact, we are

duty bound to investigate and respond to all complaints, and in response to those citizens calls for help, our dedicated inspectors start their day very early in the morning and the new shift that we have on board continue through the evening and on the weekend and on Sunday mornings investigating citizens' concerns about dangerous and substandard residential and commercial properties, illegal land uses or zoning violations and/or they look in to the problem of investigating unsanitary premise conditions that often threaten our public safety. Mayor and council, thank you so very much for the additional personnel that you gave to the department and we want you to know that we're proud to say that we have brought on the new recruits, the new staff, who have already helped us to result in a 56% increase in the number of inspections that we perform a year. And that's not only that, but we're now able to routinely investigate evenings and weekends, all kinds of concerns that our citizens have with respect to following the local codes.

[6:22:53 PM]

We've licensed over 2100 short-term rental operations, and this all helps to ensure that our strs are operating within compliance of our city's codes. And with the over 100 repeat offender properties that have been registered since the inception of its program, we have successfully transitioned 29 properties that were either substandard or in dangerous conditions to a place where they can now sustain compliance with city codes. So the job of a code inspector, not only requires that our inspectors are competent as the mayor said and are technically strong, but it also requires good customer service and integrity that is exemplified everyday. And fairness in the administration of code enforcement. So we don't take it lightly, mayor, or council, that our inspectors exemplify courage everyday as they are dispatched to unfamiliar places all over the city, sometimes confronted with potentially dangerous circumstances. And like in the recent loss of one of our co-workers across the country, Jill Robinson, a code enforcement officer who worked for the state of Utah, who was murdered during the line of duty, our inspectors often walk into situations that are unknown. So we recognize that they are dedicated to this city and they are fathers, they're mothers, they're family members, but we thank them for their diligence and their dedicated services day in and day out. That said, mayor and council, the Austin code leadership who is present today and our inspectors and our entire department, including our support staff, really thank the mayor and council and the community at large for your recognition and your appreciation of Austin code. Thank you very much.

[Applause].

[6:26:24 PM]

[Applause].

>> Tovo: I'm mayor pro tem Kathie tovo, I represent city council district 9 and I would like to welcome our Austin water staff from the wildlands conservation team up here. Tonight we're beginning the celebration of the 20th anniversary of the creation of the wildlands program and you will hear a little bit

more about what that is in just a minute from our assistant director of the Austin water utility, Darryl Slusher. But on behalf of the mayor and the entire city council, I would like to present the

following proclamation: Be it known that whereas Barton springs is viewed by citizens as the soul of Austin and represents one of the largest springs in Texas. It is a common ground for all people as well as for habitat for two endangered salamander species. Whereas 20 years ago the citizens of Austin, Texas, had the wild idea to protect land to secure the source water for the springs. They voted through the bonds to purchase conservation land to forever safeguard the abundant flow of clean water for future generations. This community decision created the water quality protection lands, which protect and restore land, groundwater, working ranches and open space to benefit Barton springs. And whereas as our hill country community grows, these conservation lands represent some of the last wild places for people and for wildlife.

[6:28:28 PM]

Now therefore I, Kathie Tovo, on behalf of mayor Steve Adler, do here by pronounce October 4th, 2018, as wildlands for water day in Austin, Texas. Congratulations.

[Applause]. And now Darryl Slusher, the assistant director of the water utility.

>> Thank you, mayor pro tem, I'm Carol Slusher.

-- Darryl Slusher. First I want to say that I'm really proud to have shared an era here in Austin with Glenn Scott. We're all going to miss her. The appropriate folks are marching to the capitol right now for her. I will keep my remarks short, but I want to remind everybody that this bond election that passed these bonds for the water quality protection lands 20 years ago also included a convention center expansion and flood control in east Austin because the council put together a package for the whole city and to show the environmental protection for national responsibilities, stronger economy and social equity that all worked together at one thing. I wanted to mention a few folks before I turn it over to Kate. First of all, these water quality protection lands are to protect Barton springs and the fact that we have 28,000 acres both in Austin, Travis county and Hays county, that is one -- probably a primary reason, along with the overall effort, that the Barton springs is still swimmable today. So it's really a responsibility of our generation, future generations, younger generations, that those springs still be swimmable 20 years from now, 20 years from that and on after that. I want to just thank a few folks that made this possible. The mayor at the time, Kirk Watson. Jesus Garza was the city manager at the time.

[6:30:28 PM]

Toby Futrell, who was assistant city manager, had a big role in this. And then later became city manager. Other councilmembers, Beverly Griffith, Jackie Goodman, Willie Lewis, Bill Spelman and Gus Garcia. I wanted to say to Gus if he's watching out there, Gus, we love you and we're thinking about you. And also on the city staff, Nancy McClintock, Junie Plumber. She negotiated every single sale of these

properties. And watershed protection David Johns. There's so many more. And I'm honored to be able to -- be in charge of managing these lands, but over the last 20 years it's really been the staff of the wildlands here behind me. We have Sheri cool, the division manager, Kate Mccann, even theeson and -- I'm sorry, I didn't realize you were here. And just a great team about 20 people managing the lands. And couldn't do it without them. And right now I'm going to -- so what we want is like 20 more years of this and we'll reassess it at that point. Right now I'm going to call up Kate Mccann because we're having an event out on the wild land properties this Saturday and we want to invite everybody to come out. And Kate Mccann from the staff is going to come up here and tell you a little bit more about that.

>> Thanks, Darryl. Hi there. My name is Kate Mccann. I can't believe I get to work on these wildlands and live in a city that protects these last wild spaces. We'd really love to share them with the whole community. So we joke that my co-workers have worked really, really hard for 20 years and told no one. And so we're hopeful that the whole community will come and join us this Saturday for the 20th anniversary of the water quality protection lands. There will be guided hikes in the morning talking about the great work that's been done to restore this land so that the water that falls on the ground 20 miles away that is really the source water for Barton springs is protected, is clean, both for all the wells between here and there and especially when it comes out of Barton springs.

[6:32:44 PM]

There will be guided hikes, there will be some tacos, there will be a crawl through a cave exhibit that should be really fun and some music and a good time out on some really beautiful land. If you can't join us on Saturday, I hope you'll come on a guided hike. There are about 50 every year and we'd love to have you. I've got an invitation. Or if you're at home you can rsvp for Saturday at a website, wildidea.eventbrite.com. It was a wild idea of the community to do these things and we're glad Austin did so. Thanks.

[Applause].

>> Tovo: So our last proclamation for this evening is for the Clarksville community development corporation. We are so fortunate to have several very strong community development corporations here in Austin, and Clarksville is one of our oldest.

[6:34:47 PM]

For 40 years they have been building affordable housing in what has become a very expensive part of town. It is in district 9. And we're so excited about the work they have continued to do to build not just housing, but also community in that part of Austin. And so on behalf of the mayor and the entire city council I'd like to present the following proclamation: Whereas the Clarksville community development corporation was formed in 1978 to provide affordable housing in historic Clarksville to preserve the unique history of Clarksville and to maintain a strong sense of community in that neighborhood. And

whereas during the past 40 years the ccdc has provided scores of low income families with affordable housing in Clarksville, has preserved much of the history of Clarksville and has strengthened the sense of community in that unique neighborhood. And whereas the Clarksville community development corporation distinguished itself by becoming the first community development corporation in Austin and one of the very few in the United States operating in an affluent neighborhood. Whereas the ccdc's many accomplishments of attributable to the dedication and hard work of numerous committed neighborhood volunteers, many of whom are standing behind me. Now therefore I, Kathie tovo, on behalf of mayor Steve Adler, do hereby present and declare October 2018 as Clarksville community development corporation month in Austin, Texas.

[Applause]. Congratulations. And now I'd like to welcome up Mary Reid to tell us a little bit more about Clarksville community development corporation.

>> Thank you.

>> Thank you so much for the honor. I think I speak for all of the board members in saying that serving on the board of the Clarksville community development corporation is a privilege and an honor. It's a labor of love. We love our neighborhood.

[6:36:49 PM]

We love its history. We love the opportunity to provide affordable housing in Clarksville. We love our tenants. We have 16 tenants right now and we will begin building a 17th -- we'll begin building another property this year, later this year, and so we'll be able to bring -- rent to 17 families in the neighborhood. Personally speaking about my experience on the ccdc, it's probably been the most fun and most rewarding thing I've ever done in my life, and I would imagine the other board members would echo my comments. Is there anything that any of the board members want to say?

>> No, but we appreciate

[indiscernible].

>> And I do want to point out somebody special on our board. Malcolm Greenstein, the guy back there with the white hair and beard, he was actually one of the founders of the ccdc. And he has served on the board of the ccdc with -- since its inception with a small hiatus. So he's been on the board for nearly 40 years. So I guess we consider him our oldie, but goodie. And I really appreciate the work that Malcolm has done over the years for the ccdc. And I also want to introduce some of our tenants Pamela and Lela and Thurman the third. They're here to show their appreciation for the ccdc. So thank you so much. I appreciate it.

[Applause].

END OF PROCLAMATIONS.