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[10:11:30 AM]

>> Mayor Adler: Good morning. All right. I think we can get this going. All right. So we're going to begin with an invocation. So let's begin with the invocation. I think that we have reverend chuck Freeman here of free souls church. Everyone please rise. >> Good morning, council and congratulations to your elections and reelections. Please join me together in prayer. Oh great spirit of life, love and compassion, as the oval office tweet storms us into a regression into the most depraved impulses before America's past, may this newly inaugurated and convened Austin city council blow a different wind of the spirit. May they embody the legacy of mayor Gus Garcia, who rose through dignity and determination from what he described as a destitute up bringing to become Austin's first elected hispanic mayor with 40 years of public service to follow. And may we have the humility that he had that when he was elected he chose a tiny office where the mayoral assistants formerly toiled. And may we be energized as he was, first to last, but a drive for equal economic and educational opportunities for all races, for all disadvantaged, for all ethnicities and all

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religions. And may we be like him where the minute of the topic of education for low income and depressed came up, he would sit straight up and have the commitment to talk about it and do something about it, and may we have the humility of his sense of humor that just made him fun to be around. And may we have the clarity of reverend king who said to his congregation, you may turn me out of here, but you can't turn me out of my calling because I got my guidelines and my anointment from the almighty and god has called me to deliver those who are in captivity. And finally, may we have the integrity of reverend king who used the metaphor of a drum major for leadership. If you want to say that I'm a drum major, say I'm a drum major for justice. I'm a drum major for peace. I am a drum major for righteousness, and all of the other shallow things will not matter. We bless this council and offer this prayer in the name of all that is good and sacred and holy. Amen. >> Mayor Adler: Thank you. And council, before you all sit down, would you call join me please down here in the well. Before we start the meeting if y'all would go ahead and move down. Before we start the meeting the city employee program healthy connections, boy, have you all joined us today at the right meeting. The city employees

group is going to lead us in a short wellness warmup to get our blood flowing for the meeting here. We're going to call up pe instructor Diane Ross. Thank you very much. This is our fourth annual wellness warmup.

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So you're going to lead us in a short two-minute stretching routine and then after this we will -- we'll convene the meeting. Y'all can go ahead and start. >> Okay. Good morning! Okay. I'm just going to have you move out in the aisles. Feel free to stand up. I can't really hear the music. Can you turn it up. We're going to take a big breath up. Inhale up. Now you're going to step out right left. Here we go. Right, left. Now reach and drag this way. Reach drag. Good. Other way. Step up right left. Reach. Good, reach and drag. Awesome. Here we go! Give me a step tap. Turn this way. Oh, oh! Hey, hey. Do it again, step tap. Step tap. Good. Turn this way, here we go. Yes, awesome. Give me a V step right left. Right left. Step out right left. Here we go. Right left. Good. Reach and drag from the top. Ready? Here we go. Reach. Do it again other way. Step right left. Good. Reach and drag. Awesome. Yeah! Step tap. Step tap. Good. Now turn. Ready? Here we go. Oh, come back. Step. Clears

[10:18:09 AM]

. Give yourself a hand. Woo! Great job, ladies and gentlemen. Thank you so much. Thank you. >> Mayor Adler: All righty then. Today is January 31st, 2019. It's Thursday. It is 10:18. We have a quorum present. Councilmember Flannigan is not with us today. Councilmember tovo will be with us shortly. I think the other councilmembers are here, just not quite up on the dais yet. Let's take a look at the changes and corrections, read those into the record. On item number 10, I'm showing that being postponed until March 28th. Item number 11 postponed to February 7th. Item number 43, it's suggested date is February 7, 2019. There is no suggested time. On item number 78, councilmember Renteria has been added as a co-sponsor.

[10:20:09 AM]

The ahfc meeting today has been canceled so will not be called. We have questions to make sure -- we have requests to make sure that we don't take action until after 4:00 on items 30, 31, 32, 34 and 77, and we'll mak anybody who wants to testify on those that arrives at 4:00 has the opportunity. In other words, we're not going to close the discussion on that until after four so if we have people who want to speak, they can. We have some late backup in items 10, 16, 17, 21, 28, 30, 35, 38, 40, 50, 59, 61, 66 and 78. Let's go ahead and take a look at what is being pulled pulled. Let me check. Is Jared Schneider here? No? Okay. Then we just have one speaker signed up on item number 78. So we don't have to pull 78. So this is what I'm showing as being pulled. I'm showing councilmember tovo as pulling items 22 and 28.

Items 30, 31, 32, 34 -- 30, 31, 32 and 34, if we have time and people this afternoon, we will let them speak, but those are items that we'll keep speaking open until at least 4:00 and we won't vote on it until then. I'm also -- I'm going to give a comment on item number 38, but not pull it.

[10:22:15 AM]

And I'm showing item -- actually, 38 has been pulled for speakers. So 38 has been pulled. And 77 also is being pulled. Similarly speakers will be kept open until at least 4:00. We won't take action until then. So the pulled items are 22, 28, 38 and 77. 30, 31, 32 and 34. Okay. Are there any other pulled items before we ask people to speak on the -- on the consent agenda? Yes, councilmember alter. >> Alter: On item 21, which is the quarter-cent update, I think we have to change it to O Henry middle school from o'henny elementary school as part of the district 10 thing. I know that Ms. Della torah has that corrected if we could have that moving forward that it has the correct name for the O Henry that would be great. Yes, councilmember kitchen. >> Kitchen: Whenever you're ready I have a very short comment about 78. >> Mayor Adler: Okay. Let's go ahead and let the public speak that wants to speak on the -- is there a motion to approve the consent agenda? I need a motion. Councilmember kitchen makes that motion. Councilmember pool seconds it. Let's now have citizens speaking on the consent agenda. On number one we have silver white mountain. Is she here? Item number 1 is approving

[10:24:16 AM]

the minutes. You have three minutes to address us on the minutes. >> No time for pleasantries. This topic was originally supposed to have been on today's agenda, but instead was pushed to February because council implied the new people may be clueless until February 7th. Now, let's see if you can guess what it is. I also invited someone from cap metro community involvement department to be here. And today is my birthday and I'll talk if I want to. First, I don't understand what Gus Pena means by we need a better bus system. That comment seems too vague to me. Here's the flip side riding on the bus. Pulling a cord has been obsolete. Bus drivers identified by number. Buses run every 30 minutes, 15 and other routes every 10. Certain buses now have their own turning lanes and if you live far south Austin to far north you can get their faster in traffic. How's that for a commercial. It would be better public relations, but it doesn't count because I'm the public. Now let me tell you a true story. Today I turned 64. Well, 61 years ago my mom carrying my baby brother and I were riding on a city bus going down congress avenue. My mom chose to exit at the back, I sitting and scooting on each step. We now have kneeling puss, you just step across. Back to the story. The door shut while I a three-year-old is still on the steps and the bus rolled away. I sat there watching my mom age 20 first run between some vehicles and running down congress avenue with my baby brother in her arms. My brother called me this morning to wish me a happy birthday. Sorry. Back to the story again. My mom running frantically screaming and waving for the bus to stop. Stop, stop! I can still hear it so clearly and see it. That event is burned into my brain and that is the only memory I have as a

[10:26:16 AM]

three-year-old. Oh, nowadays there's also a sensor that won't let the doors shut unless it is clear. Oh, there also was no ac like today because I remember the windows going downwards. Now I know there is always room for improvement so unless the buses are going to be solar powered or electric, some are already, the emphasis needs to be put on the aspect of ridership, on routes we already have. Oh, there's also wi-fi on certain routes. People were surprised when I informed them of that. So cap metro, concentrate on riding to get some of the traffic on I-35 and mopac. But then again, who am I? Only someone who has been here over six decades and four years. Thank you. [Applause]. >> Mayor Adler: There is a question that was given to me about the chair ruling on germaneness of people that speak. We know that we have citizen communication that people can come in and speak on anything they want to. I don't think this is an appropriate time for us to discuss that, but if we can add that to government that works section so we can discuss that issue, I think that would be helpful. Also speaking on the consent agenda we have Gus Pena. Mr. Pena, do you want to come on down? >> Good morning, happy new year and welcome to the new councilmembers, some I know, some I don't. As it relates to the last speaker that spoke, I'm going to address it very briefly. I have the right to do that. We're talking about buses 7 -- a bus that takes us veterans that don't have cars or can't drive to the clinic. And then the number 17 that has been cut at capital

[10:28:17 AM]

metro right near where the health and human services is at. So the prior speaker is wrong. These are most important routes for people that do not have transportation. So I bear strong umbrage against the prior speaker about that that I'm always complaining about the bus. If you think I'm the only one, you should have been at the board meeting to hear the comments and complaints even from the bus drivers. And Renteria was there so he knows better than that. And I will leave it at that, but I tell you what, I do do my own homework before I come over and speak about these issues. Capital metro bus schedules need to be rerouted, number 7, number 14, number 228 and number 17. Put them back on. It's hurting the meeting. Anyway, now back to city council as it should be. Number 7, it's having to do with African-American cultural heritage district and an extension option not exceed \$900,000. You know, my black brothers and sisters are, I'm going to say this,, excuse my language, they're getting the royal shaft from the city. We need to appropriate more funding for services for my black brothers and sisters. They're not getting their due diligence. And I have my homework. I've done my homework, but I'm going to let your homework on who I'm speaking to and I'll leave it at that. And also hispanics not getting the due diligence. Okay. That's number 7. And number 12 as it relates to the capital metro metropolitan planning organization private funding for enhanced mobility of seniors, we need more money than what is allocated for it because we have a lot more seniors that are not able to drive. They're in wheelchairs and they're mobility impaired. I am one of them. I suffered a helicopter crash so

I'm not in the best of health right now, but do you know what, I keep on trucking, Steve, and I'm going to keep on trucking as far as I can that the lord allows me too.

[10:30:17 AM]

[Bell ringing]. Is that the three minutes already? And mental health, mental retardation for aides for AIDS services. We need more education on that issue. If you have unprotected sex you need education on that. And the negotiation and execution of contract with mental health policy institution for \$75,000. We need more money for mental health treatment. There's kids in high school -- actually, in elementary that their moms and dads are separated and they're causing problems with the kids environment. [Buzzer sounds] We need more money for mental health issues. Thank you very much and please, remember what capital metro is all about. Do your homework -- >> Mayor Adler: Thank you. Mr. Hirsch, do you want to come up. [Applause]. >> Happy new year mayor and council. Stu from district 2. I support district approval for 16 and 17 for reducing fees for early childhood development and I'll comment later when item 38 comes up. In addition to reducing licensing fees, I hope the city council will soon consider some suggestions that some of us have made for land development code changes that would reduce other city fees as well as design cts, while increasing childcare opportunities for lower income and middle income families. Consideration of expanded childcare vouchers could also be important. Finally I want to highlight for you that these policy decisions and the others that you will take up today are occurring as the Texas legislature considers limiting tax increases to two and a half%. Some of us would remind you that those limitations have existed in Massachusetts since 1980. I've provided you a copy of a one-page summary of how

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proposition two and a half works elsewhere, recognizing it may take a different form in Texas. I also continue to suggest the policy of anti-snob zoning override that has been a source of housing affordability in Massachusetts for more than four decades on a voluntary basis and since the Texas legislature likes volunteer and doesn't like mandatory, it might be worth considering. Again, this could be part of land development code revision. Thank you very much for your service and we'll see you on item 38. >> Mayor Adler: Thank you very much. Councilmembers, I think those were all the items -- all the speakers that wanted to speak on the consent agenda. Again, items being pulled are 22, 28, 31, 32, 34, 38 and 77. Any further discussion on the consent agenda? Yes, councilmember Garza. Mayor pro tem Garza? >> I just wanted to speak briefly on 16 and 17. This was a recommendation from the childcare working group to try to incentivize childcare facilities that become high quality childcare facilities and one of those recommendations was to waive city fe to help them through that process. So I want to thank our public health department for taking the lead and waiving -- I believe they're the first department to present an item for council to waive the inspection fee for high quality childcare facilities, and I welcome any other departments that may have the ability to waive fees for our high quality childcare facilities. Thanks. >> Mayor Adler: Okay, thank you. Councilmember kitchen? >> Kitchen: I have

a brief comment on item number 78. This is the item that is a resolution with a process and steps to take to bring forward immediate shelter for people experiencing homelessness with services to connect them to housing.

[10:34:22 AM]

So in the backup you will see that there are -- there's some additional language that was discussed at the work session at the suggestion of councilmember Ellis. I want to thank her for that and she may want to speak to those suggestions. >> Mayor Adler: Okay. Any further discussion from council. >> Ellis: Thank you, councilmember kitchen, for accepting a slight change to that. As I participated in the echo count it became more visible to me of the special dangers to women who are out on the streets. So I think it's already a fantastic resolution and thank you. >> Mayor Adler: Okay, thank you. Councilmember Casar? >> Casar: Mayor, I'd like to ask you for your contribution to the 51st street project with your quarter-cent contribution. That piece of street has really had to change with the development of Mueller and the impacts all across those neighborhoods and there's been a lot of planning there. And I think from district 9 and district 1 and district 4, that last keep of gap funding that you stepped up to provide I think will do a lot for residents in all those different neighborhoods across the different districts, so thanks. >> Mayor Adler: Certainly welcome. The reason we do that is because staff told me that was the next priority in line and that's where the contribution went. But absolutely! Anything else on the consent agenda before we take a vote? Those in favor of the consent agenda please raise your hand? Those opposed? It's unanimous on the dais with councilmember Flannigan off. That will get us then to the pulled items, but before we do the pulled items, manager, did you want to say something about 2018? >> Cronk: Thank you, mayor, council, community members. As we had a nice warmup

[10:36:25 AM]

exercise to begin this council meeting, this is the first formal driven council of 2019, and it's always nice to reflect on the past year as well. So what we passed out on the dais, there's also copies available for the community members as well, but I asked staff to just summarize some of the key accomplishments that we had from the last year and put them into a small Austin wagger, two pager -- it turned out to be a three-page document, but that's in front of you. And this is organized around our strategic direction, key outcome areas. I just thought I would summarize a couple of them because it is always nice to reflect on how much did happen in 2018. And so in the government that works for all category, as you know, we adopted our strategic direction, we launched the inaugural equity forum. We successfully completed labor contract negotiations with both ems and our police union. In the health and environment category, we completed and unanimously approved by council the water forward plan. There was expansion of the waller creek tif. Achieved the highest live outcome rate to date with over 99.5% for cats and dogs combined, which is incredible from our annual services center. In the culture and lifeline learning category we achieved Leed platinum designation for our central library. Economic opportunity and affordability, we facilitated pop-up need centers and coordinated services through our host team,

the homeless ostrich street team. We reduced Austin water rates. For mobility we added an incredible 42 new airline routes to our airport. We deployed over 650 electric vehicle charging stations throughout the community. And finally in safety, we established the office of police oversight. We opened the sobering center. There was a reduction in violent crime by six percent. So this is just a small summary of the many accomplishments that were generated just from a half an hour discussion by city staff and we thought we would compile that just as a

[10:38:25 AM]

reflection of that past year. So I wanted us to reflect on how much we did accomplish last year and look forward to a lot more to come in 2019. >> Mayor Adler: All right. Thank you, that's an impressive list. You've handed it out on the dais and it's available if people want that. >> Correct. >> Mayor Adler: Let's go to the pulled items. Let's first pull up number 22. Councilmember Tovo, you pulled that? >> Tovo: I did, mayor. Apologies for this and the next, I do not have the pronounced amendments. We have a building-wide printing issue at the moment so I will have to read it from my computer. As indicated on Tuesday, I'm prepared to make an amendment to this contract to reduce the time frame given that our work group that's going to look at issues of outsourcing contracts -- outsourcing services for which there are ongoing needs here at the city is going to get started here soon, and we want to allow that work group to do -- to make some recommendations. I can say a little bit more about that in a minute. But I'm going to move approval of item 22 with the following modifications. The initial term of the contract, and this is the change, would be 12 months with an amount not to exceed 4,183,000, \$979. Four million \$183,979. A second to this? Councilmember Kitchen seconds that. Is there any problem with staff with moving this to a 12 month contract? Is the answer to that no? Staff doesn't have an objection to it. Is there any objection to passage of this item? Hearing none, it's unanimous on the dais with councilmember Flannigan off. Did you want to say something about that?

[10:40:26 AM]

>> Tovo: Yes. We had talked again on Tuesday about that work group. I wanted to let my colleagues know that we are scheduled to meet in early February. Our second meeting is going to be several weeks after that. And we're scheduled to wrap up our work on or around April 1st. So hopefully we'll be able to get those recommendations and those questions back to council in time to make some decisions going into budget because bringing more of those services on as permanent jobs will require some budgetary changes and we want to be prepped to consider those in time. So thank you. >> Mayor Adler: Okay. The next pulled item that we have is item number 28. Councilmember Tovo, you pulled that one as well? >> Tovo: I did. And I laid out the amendments I was prepared to make Tuesday so I will move passage of this item. And if I get a second then I'll make the amendments. Or would you like me to invoke the amendments into the motion? >> Mayor Adler: Let's do it real fast. It's been moved and seconded by councilmember Pool. Why don't you lay out your amendments. >> Tovo: So my amendments will be as follows: The initial term the contract listen 18 months in an amount not to exceed \$4.5 million with

three additional 12 month extensions to be voted on by council. The second amendment would be a requirement that payment of -- payment of the city's living wage for employees under the contract should be under the required term of the contract. And third the recommended vendor is required to participate with the shelter standards advisory council or similar body if and when such a group is constituted. So those are my formal amendments. I would also ask the council to provide the following direction to staff that the city manager is directed to solicit feedback from shelter and social service providers to better understand why the city receives so few responses to this solicitation? >> Mayor Adler: Staff okay with those changes to the contract?

[10:42:26 AM]

State indicates yes. Is there any objection to those amendments? Hearing none, those amendments are incorporated into the motion. We have a speaker? Okay. With respect to this item, I had raised the other concern just to make sure that the contract was being drafted in a way that gave us the greatest amount of flexibility, recognizing that we have a chief strategist soon to come on board so that if the chief strategist looks at this and in two months or four months or six months has a pro to come back to council with with respect to things that might impact this contract or the operation of the arch, they have the ability to do that and our contract is written as flexible as possible so as to accommodate that. It's my understanding that is something we can do. Staff indicates yes. I'm now going to pull up a speaker here on this item 28. Mr. Pena, do you want to come up and speak on this? >> Kitchen: Mr. Mayor, I have just a quick -- just on -- it not clarification. We had raised two questions at the work session that we got answers to so I just want to read the answers so we have them on the record. We had asked that if the language in the backup materials, specifically the summary of the changes and service at the arch and the key performance measures would be included in the contract, and the is that the changes in service and key performance measures that are identified in the backup materials are included in the solicitation and will be included in the final contract. And then the second question was related to the backup materials stating that the key performance measures may include, and so the clarification is, and the answer is that all of the key performance measures

[10:44:28 AM]

identified in the backup materials are required under the contract. So I just wanted to put that on the record. >> Mor Adler: Great, thank you. Mr. Pena, you have 3 minutes. >> Good morning, Gus Pena again. I am the president and co-founder of veterans for progress. On this particular item number 28, I want to educate y'all because I know y'all don't go frequently to the front steps of the arch or whatever. The arch is problematic, very problematic. Now, I don't know this gentleman, but I love my brother. His name is Mr. Robert young. Could you stand up, please sir? I don't know him, but I met him today. He can tell you about the problems at the arch. And it's very problematic. Everyday, I've known homelessness, mayor, look at me, I know I'm ugly, but you're not going to turn to stone. The issue is this. You remember when I worked on your campaign headquarters, my wife and I were homeless, so we know

what it's like to be homeless. And nobody helped us out. I had to -- and I'm president and co-founder of veterans for progress. Et cetera still problematic -- it's still problem Mitt tick issues. We need to make sure that the issues aren't there and it's safe and healthy for the people who go to the arch. He can tell you, Mr. Young can tell you. And I can tell you every darn day -- Mr. Pena, I see you for television, you ran for city council, mayor, can't you do something about it? We need you to come over here and address the city council and let y'all be educated about what's going on out there. And it's dangerous. It's dangerous. I passed by there this morning. I can't drive a car right now because of my accident -- my helicopter accident in the marine Corps. So I'm on the bus and I love to meet good people. I love to talk. My wife says she won't go with me because I talk too much. But the issue is this that's how you get to know the people. That's how we got him elected the first time, Adler over Martinez. The issue is this, I'm

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hoping and praying because we've seen moms out there who are homeless and I cry. Every darn day I cry and I pray. The issue is this. It is very problematic, it is dangerous. It still is dangerous out there. You need to talk to the administration people out there, the ones in charge of the arch. There are just three people left because they didn't want their names on television, they fear reprisals, retaliation. Needs to be removed. Natasha, councilmember Natasha, councilmember Paige, you're in combat now. We need your help. And I know you are sensitive to what's going on, and thank you, councilmember kitchen, you've been a state rep and sometimes I'm tough on y'all, but I cry. I can't do it. I have a lot of friends over there. We need to do a more better concerted effort to help out the homeless and not categorize them, criticize them or label them. Some of them want to be homeless. Go ahead and laugh, Renteria. It's not funny, it's not funny. Nobody wants to be homeless. [Buzzer sounds] They need the help out there to improve the situation. Thank you very much. >> Mayor Adler: Thank you. Is Mr. Potter here, Steven potter? No. Okay, thank you. Those are all the speakers we have. We're back up to the dais. Councilmember tovo. >> Tovo: Mayor, I just wanted to say thank you. The revised services being voted on today as part of this contract has been the product of lots of conversations in the community and these have involved our city staff and social service providers and housing providers, but importantly they've also involved more than 100 individuals who are experiencing homelessness, who provided and provided feedback as stakeholders in this process. And so I think we've -- we have much more work to do and I think so much of our discussion has highlighted that, but we're taking a very good step forward today in reshaping how services are delivered at the arch. And again as I said on

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Tuesday, thank you to our partner friends for their commitment to continuing to work with all of these other partners with ending homelessness in Austin. >> Mayor Adler: Thank you. Thank you for your leadership and work on this issue. The other thing this highlights that I think is real important is the need for us to actually provide more housing. As we increase the services at the arch, we're decreasing the number of beds, we have to have a place for people to go. That's going to take a significant investment

in the community toward permanent supportive housing and so we're all going to be hearing more and more about that as we're confronted with those choices and as we decide how to spend the 250-million-dollar bond and the other revenue sources that hopefully present themselves. Okay. Let's take a vote on item 28. Those in favor raise your hands? Those opposed? It's unanimous on the dais with councilmember Flannigan off. I think that gets us to item number 38: This was pulled by speakers, but before we do, councilmember tovo, do you want to lay it out? >> Tovo:, and I guess I'll wait until the speakers before I move passage of it, but I just wanted to thank the mayor for his collaboration on this item and so many of you have been involved in these discussions through the years. Thursday in essence really reiterating -- this is in essence really reiterating our continuing support with collaboration with aid. We have passed many resolutions as council supporting that collaboration and supporting that collaboration. The resolution itself indicates some of that work that has come before any of us took office, but has also continued with our leadership here on the council. So from the joint subcommittee to the city council to aid to other

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bodies that have met, there's been a lot of support for this collaboration. Now at a time when aid is really facing some hard choices because of budget constraints it's more important than ever that our staff continue and prioritize that work, that planning work that they're going to continue to engage in with aid to see if campuses will be facing changes, but we are working together to make sure that that -- might become sites of community benefits from housing to other kinds of community benefits that could be located there. So I look forward to continuing to support this work and again, thank you to the community members who have participated in this, some of you for more than a decade. >> Mayor Adler: Okay. Let's go ahead and hear from the folks who have signed up to speak on this. I think that includes Mr. Mr. Pena. >> Mayor, again, I apologize for taking so much time, but this is very important for us. I taught at the school district. I taught at Austin community schools, Austin community college, Austin community schools, when we had thousands of people that were learning esl English, a second language, to become temporary -- rather, permanent residents and then establish -- rather, become citizens. This is a good item on the agenda, but I will tell you this: All of you already know, east Austin has become high income rent if you can find affordable rent. It's not affordable there. Anyway, affordable housing, and a lot of people are moving out because of the high rents and they can't afford it. And guess what? The schools are low attended with the loss of students. So anyway, I now Zavala is

[10:52:38 AM]

one of the schools that are targeted to be closed because there's not enough students there. So I'm going to leave it at y'all's discretion as to see what you can do about that, but we're losing a lot of -- probably closures of schools and we need to keep them open for educating our kids. And they live right in the community. They're bussed in. I'll leave it at that. As a former teacher, I find the good and the bad, but it's right now bad for the low income people that have to move out and, you know, it's not

good for the kids. They're mobile, they've got to move, it traumatizes them. Thank you very much for allowing me to speak. And this is a good item on the agenda. Thank you. >> Mayor Adler: Mr. Hirsch? >> Mayor and members of the council, my earliest personal experience in repurposing public land was watching my hometown convert my high school into condominiums 40 years ago. The land and the new apartments were then placed back on the tax rolls when more affluent families with children left my hometown and moved to the suburbs. Item 38 looks at a critical assessment of both city and school district properties, and as the school district contemplates possible closing of a number of facilities looking at how those buildings might be repurposed can be an economic way of creating either affordable housing or more expensive housing that creates tax revenue to go back to how to further underwrite affordable housing. So we can see this is an opportunity given what's going to happen from the task force recommendations in aid, and I'm glad to see that the city council is going to be continuing to plan with the school district. One thing I would remind the council is that on April 20th, 2000, the city council passed the smart

[10:54:39 AM]

housing policy, and as part of that was a continuing assessment of surplus city land for use of affordable housing. So hopefully that vision that was established at the turn of the century remains with the current council and that you will consider the language of that resolution along with what you're about to approve today. Thank you very much. >> Mayor Adler: Okay, thank you. All right. That gets us up to the dais on this item number 38. >> Tovo: I'll move approval, mayor. >> Mayor Adler: Councilmember tovo moves approval. Is there a second to this? Councilmember Casar seconds it. Further discussion on the dais? Again, I want to thank councilmember tovo for your work in this area and for the body of work that the council has done on this. I think this one is particularly timely for us to bring forward. This is directed mostly at aid -- it's directed at aid properties. Aid right now is facing really rapid growth, enrollment in several schools, but enrollment at several schools has continued to decline, and obviously the loss of thousands of students has really presented the district with some tough choices that it's going to make. At the same time the school board is dealing with those really tough choices. Our city is grappling with real significant challenges like affordable housing and finding places for parks and public facilities to meet really needs. So one thought is that these two sets of challenges might intersect and conceivably would provide some good answers for the community. So the resolution that is before us now I think really prioritizes that collaborative work with aid so that we can see in those

[10:56:42 AM]

areas where we're -- where there might be an ability to repurpose all our part of some aid locations. If that's going to happen, then what might the alternate uses be, especially in areas that are seeing gentrification. We might be able to get housing. In areas we see displacement we might be able to get housing. What we might be able to do for options for workforce development or open space or childcare or other critical needs. So I understand that the community conversation is ongoing with

respect to aid. It's unclear what they would decide to do, but I think the hope of this resolution is just to know -- letting the district know what possibilities might exist in case those are useful data points for the district to have. What's absolutely clear, I think, is that the tough decisions for aid are made even more difficult by the state's broken school finance system. I'm really encouraged by what we're seeing at the state legislature, it would help with that, that would certainly help our district, but we're going to do everything we can to be adding useful information to that conversation that the district is going to have to engage in. Councilmember Renteria. If if >> Renteria: And I also would like to say that we shouldn't be selling the school building itself. I hope that they would keep it and maybe lease it out to non-profits while -- there is going to be more children and especially in my district, my neighborhood, I know we're facing we're going to close about three schools, but the new generation that is moving in there are starting to have children

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. People are strolling down and with their dog and little stroller, instead of children, but now you're starting to see a lot more children. And they are going to grow up and they are going to have to have a school building. So I hope like we repurpose the Austin ISD, thank god they sell the old Austin high school. It got repurposed and now it will be the east side memorial school. And those are the kind of visions that we should keep in our head that they are going to be a new generation of children in the inner core city. And just because now the older generation is still here, but there are going to be new generations here with children so we need to make sure that we keep these buildings because they are going to be needed in the future. >> Mayor Adler: Item number 38 has been moved and seconded. Any discussion? >> Casar: I know we're going to be facing immediate decisions this the short term especially as the school district makes hard choices in the short term, but also for us to be thinking longer term, but if there's longer-term enrollment issues, if we could target affordable housing that has family-sized units, we could help prevent future decisions. I know we have some short-term urgency, but I hope we take the longer view. >> Mayor Adler: Councilmember Kitchen. >> Kitchen: Thank you all and to the sponsors for bringing this. I'm looking forward to as a city working collaboratively with aid. It's particularly important askers have said and -- as others have said as we think about what's going on in our neighborhoods and I think councilmember Renteria

[11:00:53 AM]

mentioned this too, as we think about what's going on in our neighborhoods, it's important the kind of planning that the city does that we align with aid and vice versa so we're all thinking of the future of our areas of town because it's really important to as much as possible have schools within neighborhoods. And so I look forward to continuing the work with aid. >> Mayor Adler: Anything else? >> Tovo: Since our conversation has turned a bit to planning and the role we play, I welcome our continued conversation on that front. We have the educational impact statement which helps us kind of assess what some of our zoning changes -- how our zoning changes may impact school enrollment positively or

negatively and I think we need to look at that tool. There have been calls for some time about maybe recalibrating that and lowering the threshold so we use those more frequently and that is something I would definitely support. I remember trustee Snyder was a big advocate of changing those thresholds and that's not something we were able to do before his passing, but I think it is long past time for us to make that change. But I think it is also incumbent on us to sometimes then push back when we have opportunities of leverage, when we have developers who are coming and asking for zoning change as we do every council meeting. If they are saying they are doing one and two-bedroom instead of two and three-bedrooms in an area with under enrolled schools we have to push back and be ready to say no sometimes. I would say I think some of those hard decisions fall in our council chambers. We need to continue to make those with an eye toward the larger planning goal. >> Mayor Adler: Those in favor place raise your hand. Those opposed? Unanimous on the dais with councilmember Flannigan off.

[11:02:54 AM]

I think we could also take up number 45, which is an item from one of our committees. It came from the housing and planning committee, item number 45. Mr. Casar, do you want to lay this out? >> Casar: I'll lay it out and allow councilmember Renteria to make the motion. The housing committee voted to increase the capture of -- homestead preservation district a from 10% to 20%. In the past we thought we were going to have multiple homestead preservation districts, however, the governor vetoed legislation that would more easily enable that. And so given the rapid displacement of -- that continues to occur in homestead preservation a, the committee chose to increase that increment which will help us fund, I hope by leveraging other dollars, well over 1,000 units of housing for low-income people and low-income families in what has -- includes some of the fastest gentrifying and gentrified parts of our city, as some have noted in the country. Councilmember Renteria has been a real leader in this area and this is just a WRAY to set aside more funds for that need. Actually this year we have multiple low-income housing developments including public housing that have applied to utilize the funds that we've accumulated over the course of the last few years. >> Mayor Adler: Is there a motion to approve this item number 45? Councilmember Renteria makes that motion. Is there a second? Councilmember Casar seconds that motion. Further discussion? Those in favor please raise your hands. Those opposed? Unanimous on the dais with councilmember Flannigan off. Councilmember Renteria. >> Renteria: I really want to thank the council.

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This is an item that we have been working for years. Our stat representative, Eddie Rodriguez, passed this legislation for the homestead preservation district about 13 years now, and it took us a little bit close to ten years to even pass it here at the city council. It was needed back in -- back then and there was a lot of opportunity because we saw that the gentrification was coming into our district and there was -- and instead of, you know, turning our back and continue fighting and fighting and we kept on losing and losing, that we should just go ahead and embrace it and take advantage of the added value

that was coming into our neighborhood and use those funds to reinvest it back into making sure that the low-income renters that lived in our neighborhoods were able to have an opportunity to stay there. And that's exactly what this fund is going to be able to do. We're going to be able to invest it into the Guadalupe neighborhood, sitting on three vacant lots there where we have an opportunity to create seven affordable workforce housing with three transitional housing that we're going to be able to help the community there. So I really want to thank the community and the council for passing this. Thk you.

>> Mayor Adler: Thank you. Yes, councilmember alter. >> Alter: I just wanted to thank councilmember Renteria for his leadership on this and to recognize that we as a council trying to address housing issues in the state of Texas need to leverage all of the tools that we

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have available, and this is one that we have been constrained in other ways but for this particular district we have an portunity to increase the amount of funds and do so in a way that still preserves our fiscal maneuverability, our fiscal flexibility as we discussed in the housing committee. So I just want to recognize this is one of the few ways that we have to pursue our housing goals within the confines of state law. >> Mayor Adler: I think we voted on this already so we took care of number 45. Council, I think that's all the things we can take up now. We can recess, go into executive session, which is what we're just about to do. We would be back out here at noon for citizens communication, and then take a recess again until 2:00 when we will take up zoning. No public hearings today. So the city council will now go into closed session to take up just one item. Pursuant to 551.071 of the government code, council is going to discuss legal matters related to item 79, which is Austin country club versus the city of Austin. Without objection, we'll now go into executive session. [Executive session]

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[12:08:24 PM]

>> Mayor Adler: All right. It is 12:08. We are out of closed session, where we have recessed in the middle of a conversation so that we can come out and join the folks here that are present for citizen communication. In closed session we continue to discuss legal matters related to item 79. And it's 12:08. Yes, manager. >> Mayor and councilmembers, the citizens that came to speak on the animal services center, I know a number of you had signed up. We have our interim director here from hr. We have rod crane from -- to take notes, because we are going through a search process for a new director. I just wanted to make sure that people were aware that we will be listening and taking good notes as you bring forward your comments this afternoon. Thank you. >> Mayor Adler: Let's go ahead and bring some

folks up. First is Melissa little, and kelsea Barlow will be on deck. >> Thank y'all. Good afternoon. My name is Melissa little, volunteer at Austin animal center. Since may 2016, I've been a part of volunteers, advocates, and residents who have been advocating for improved policies and conditions for dogs, cats, volunteers, and staff at aac and in our community. On behalf of our group I want to thank interim assistance city manager Sarah Hensley for working with us on several issues we brought to the city council's attention. We also want to welcome Kimberly Mcneely as our animal services director. We look forward to working with you and in the near future on issues that we will be presenting today. As the city manager begins the process for recruiting and hiring the next animal services director, we request the following. Animal services needs a better performance measure that addresses issues other than just live outcomes. Performance measures should include quality of life for pets

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both at the shelter and in the community, animal protection spay and neuter and diversity and shelter management and volunteers. The animal services donations fund should be used to fund pilot programs that have performance measures. And the pilots should be evaluated to determine whether or not they have been successful. In recruiting along-term director for animal services, the selection process should consider the following criteria. The next animal services director should demonstrate a commitment to maintaining a high live outcome rate for cats without putting so many friendly cats out on the streets without a caretaker. The next animal services director should ensure that all healthy adopted pets leaving Austin animal center spayed or neutered to restore the policy of a spay and neuter on second impoundment. The next animal services director should promote and expand the diversity of the volunteer corps and upper-level management. Diversity should include race, ethnicity, gender, and neighborhood residence. The next animal services director should ensure kennel breaks at least one. I know the dogs would like at least two is what we're going for. I know the dogs would at least like one. The animal services director should establish a process for seeking and respecting volunteer, staff, community input and setting a budget and performance measures for the animal services donation fund. The animal services director should establish a strong screening process for potential adopters. I thank you very much for your time and for listening. >> Mayor Adler: Thank you. Kelsea Barlow. After Ms. Barlow, then adette quintana. Is adette quintana here? Okay. You'll come up to this podium here. Go ahead, please.

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>> My name is kelsea Barlow. I live in district 5. I'm here today to ask the city manager and council to consider performance measures in addition to live outcomes for animal services and to recruit a new animal services director who supports having performance measures in addition to live outcome to measure success. We would like performance measures to measure quality of life of both cats and dogs, not only for cats and dogs in the shelter, but in the community as well. Pilot projects using donation funds should be established that promote cat rescue. This is especially needed for cats, as the current

cat program, shelter, neuter, return, is considered successful because cats have a high live outcome rate. However, many friendly cats are returned to the street without a caretaker, which should not be considered a successful outcome. The next animal services director should demonstrate a commitment to maintaining a high live outcome for cats without putting so many friendly cats on the street without a caretaker. Many Austin residents are confused when they find a friendly cat with a clipped ear who appears to be homeless. They are often told to leave the cat alone. These are friendly previously owned indoor cats that cannot fend for themselves outside. Until recently citizens were not even informed that the stray cat or kitten they brought to the center would be returned to the street if they did not meet certain criteria. Cats not returned are those with a microchip or ID, kittens under three months old, declawed or injured cats. Thousands of cats and kittens have been returned to the streets during the last eight years. This includes young kittens under six months old. We do support trap, neuter, release for feral cats. For feral cats, that's the right thing to do and we're glad our community supports that. However, clipping the ear of a friendly adoptable kitten or cat, spaying and neutering,

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implanting them with an unregistered microchip and putting them back on the street causes confusion for the general public. We hope we can have an animal services director who will reevaluate and assess the process and support performance measures to show progress in reducing the number of cats and kittens returned to the street without a caretaker. Thank you for considering this request. >> Mayor Adler: Thank you. And then after Ms. Quintana talks, Nicole Clark. Is Nicole Clark here? Why don't you come down. >> Hi. Thank you. I run a small rescue in the Austin area and I have stood in front of council many times over the years asking for a priority on spay and neuter in our community. I believe the change of director is prime opportunity to make commonsense decisions regarding spay/neuter, among other policies that place priority on our community's pets. Turning off the spigot is the only way to decrease population. Spay and neuter must be top priority. I came across a postcard the Austin animal center first sent out years ago. It says you can prevent a death sentence, spay or neuter your pet. At the bottom it says did you know one unaltered pet could equal thousands of homeless animals? This is important to remember and to keep on the forefront. Specifically, Austin animal center must take action to reverse the trend of returning dogs to owners intact. The number of intact dogs that were returned in 2018 to owners was 1,134, up from 1,122 in 2017. In 2019, we have already returned to owner 95 intact dogs. The implication this has on our pet overpopulation problem is huge. Austin animal center has not been required reclaimers to pay deposits when they reclaim intact pets.

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My asks are is that the animal services director spay and neuter all healthy, adoptable pets leaving the Austin animal center and restore the policy of spay/neuter on second impoundment. I'm asking that we go back to requiring deposits on unaltered animals leaving Austin animal center and a report be posted online as part of a monthly data indicator on how many adopters and reclaims have sent in proof of

spay/neuter. A vital part of this is someone actually follow up to ensure the animals are being spayed and neutered. The current person can't keep up. Without this followup, these contracts are worthless. I ask that the spay/neuter part of the fund be used for spay/neuter strictly. If management values spay/neuter, there are ways to achieve it. We are here as a community to help. Spay/neuter should not be a contentious issue in an animal loving community such as Austin. Spay/neuter is the only solution for pet overpopulation. Thank you. >> Mayor Adler: Okay. The next speaker up after Ms. Clark will be Michael Fossum. Is Mr. Fossum here? No? What about Jane Rubenstein? Is Jane here? Yes? Okay. You'll be up next. Go ahead, please. >> Thank you. My name is Nicole Clark and I'm a resident of Austin and Travis county. I've been here since 2008 and I've lived on the east side the whole time that I've been here. And it's pretty far east where I live. I've been involved in the animal community in various forms since that time. I'm here to raise an important issue with regard to animal services. In the search for a new animal services director, we request is that you look for and consider candidates who have a balanced

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focus on both the humans and animals who make up our Austin and Travis county community. We need a strong director, but also one who is mindful of the diversity needed in animal services. And this can have a huge -- and how this can have a huge impact on the sustained success of Austin's no-kill initiative. Diversity in the volunteer corps can build stronger relationships between the shelter, the animal protection officers, and the community. Having a diverse upper management can help establish and maintain trust with underrepresented segments of our community. A diverse upper management can help us to grow leaders from the ground up and reestablish Austin's reputation as a national leader in animal sheltering. However, diversity can be hard to implement. And how do we gauge it in the first place? And how do we sustain it? We suggest doing so with engagement and inclusion. Community forums and pilot programs are just a few of the ways that we can get started. Setting performance measures for the diversity of upper management and volunteers can help keep no-kill going in a way that can foster a balanced quality of life for both the staff and animals. Thank you. Have a great day. >> Mayor Adler: Thank you. Ms. Rubenstein. And then pat valls-trelles. Go ahead. >> Hi, my name is Jane Rubenstein. I live in district 9 and I'm here to talk about ensuring that dogs get at least one daily walk. I've been a volunteer since October of 2017 and walk at least 20 dogs a day when I can. A few members of our group met with interim assistant city manager Sarah Hensley in June. And at that meeting, she agreed to fund a pilot program using donation funds to contract dog-walkers to ensure that all dogs would get at least one kennel break a day. Although a decision was made to pay for dog-walkers out of the

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general fund, instead of the donations fund, and to hire part-time temporary employees instead of full-time contracted dog-walkers, we were pleased that there are now two paid part-time dog walkers there.

However, due to the fact that the shelter is now more crowded than ever, we are still unable to get every dog out of the kennel for a break every day. We would like to see the next animal services director ensure that all dogs at Austin animal center get at least one kennel break, preferably two, every day. We would like to reopen the conversation about using the donations fund to ensure that every dog is out of their kennel one time a day. We believe that walking dogs can prevent dogs' behavior from deteriorating due to boredom, stress, and frustration. As a dog walker when you see a dog hasn't been out for 72 hours you can see their frustration and their misbehavior inside the kennel. This can only happen with positive -- improving the dog's behavior and getting them out of the shelter can only happen with positive interactions and out of kennel time. Anywhere between 30 and 100 dogs at the Austin animal center are not being taken out of their kennels on a daily basis. We believe the next animal services director should assign one staff member the responsibility of ensuring that all dogs get out. We should -- would like to see the performance measure in the budget for the number of dogs not getting kennel breaks and would like to see a target of having that number go down to zero for eligible dogs. Thank you again for your time. >> Mayor Adler: Thank you. Pat, come on up. And then Ted Gault. Is Ted Gault there? You'll be up next. >> Thank you, mayor, and mayor pro tem, and councilmembers. My name is Pat Valls-Trelles, and I live in district 9. I, too, would like to thank interim assistant city manager Sarah Hensley for working with our group of volunteers,

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community members, and animal advocates. I too would like to welcome interim animal services director Kimberly McNeely to this new assignment. I know we're going to have a lot of good working relationships with her. We look forward to it. I would like to propose that the animal services donations fund be used to fund pilot projects and that the pilot projects be divided into four areas. Number 1, shelter services for dogs and cats. Number 2, animal protection and community services for people needing assistance with dogs and cats and other pets. Number 3, spay/neuter. And number 4, diversity and equity. Each area of pilot projects should have performance indicators and an evaluation process at the end of the pilot. Depending on success, the pilot should either be continued with the donations fund, moved into the general fund or discontinued. I want to give one example of a pilot project I would like to propose, and that is a loan fund for people who need assistance with payment of their pet deposits. We know that housing is a serious problem in Austin. A lot of people are having to move and pet deposits are making it very hard for people to keep their pets. Having a loan fund would help people who otherwise would have to relinquish their pets. And by creating it as a loan fund instead of a grant, people would be responsible for paying back into the fund, thereby making it more sustainable and lasting us a longer time. If they pay in full, the pet deposit would then be returned to the person. And if they stop paying, the landlord still has the money, because we used it from the loan

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fund. And we end up losing the money but it's worth trying to do it this way. In recruiting the next animal services director, please consider someone who would be open to using the donations fund for pilot projects, to having performance indicators for these pilots, having an evaluation at the end of the pilot to decide what to do with it, and having both performance indicators and an evaluation process. We think that we could meet the needs of this community if we work together to use the donations fund to do very creative and Progressive things. Austin was a no-kill leader in 2010, 2011 when we first passed the no-kill plan. But now we are achieving no kill through methods that aren't the best. And using the donations fund for pilots I think would help with that. >> Mayor Adler: Thank you. >> Thank you. >> Mayor Adler: Ted gault and then Joanne molinyawe. >> Mayor Adler -- >> Mayor Adler: Hang on one second. Is Joanne molinyawe -- okay. Go ahead, sir. Sorry. >> Mayor Adler, fellow councilmembers, thank you for your time. I live in district 7. I'm here to discuss a global issue, but it's also an Austin issue. Graffiti has plagued our city for a long time here. It's at epidemic levels right now. I've been in contact with Sarah Hensley, which is part of the graffiti task force, and I've talked to detective Brian Robinson is, who also is in charge of that. We have two people that handle eradication for the city right here, two groups, and one detective. This is -- I mean, I don't have to tell you how much graffiti plagues each one of your districts right now. I have George over here who's been part of the task force. He documents many of the graffiti issues going around the

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town right now. It's about eradication and prevention, education and enforcement. I tried to get ahold of brine Brian Manley to discuss the enforcement side. I was only able to talk to his assistant. This affects all of us from a personal point of view. I drive down the roads, I see a graffiti tag. It's offensive, it's degrading to our city, it affects our tourism. It affects every part of life in Austin. It's good to know we have a task force being developed right now with Sarah. I've been dealing with Sammy. I've been dealing with transportation, with Lauren. And getting a good group together. I speak as a voice from the community right now. I have Floyd who's a business owner right here who has a semi that's either been tagged by the four locos, constantly getting businesses that are being defaced right here with no effort as far as from, you know, just a way for them to communicate. The 311 system is a great system. I'd like to utilize that to have quick, easy and direct conversations for removal and to talk about prevention with working with our partners like Lowe's, Home Depot, and so on to find ways to prevent them from actually obtaining the cans. Now, I understand that this is an issue of art versus vandalism. The stuff I'm talking about is vandalism. I respect art and I want to give an outlet for the art and the programs that go on for that. But I also want to enforce and have a direct impact with these vandals. There's a bunch of stuff on social media that glamorizes this stuff and they take pride in destroying and bombing as much as they possibly can in our city right now. So I know it affects every one of you and I'm here as a voice from the community to see what I

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can do as an event producer to utilize my experience to come here to help you guys out to make this city a better city. Right now we have a major event with south by southwest coming. It's a disgrace right now to see the condition of our city. I can walk right out and -- you know. So I would appreciate maybe another meeting, obviously three minutes isn't enough. But I would like to sit down with all of you guys and create a project plan and, you know, create something. >> Mayor Adler: Thank you, sir. >> Thank you. >> Mayor Adler: And then the last speaker after Ms. Molinyawe will be Ofelia zapata. Is Ms. Zapata here? You'll be up next. Go ahead. >> Hello. First I wanted to say I emailed Ms. Harper-madison and Ms. Ellis before election time and you guys were very responsive and kind. Thank you and it's great to see you here today. I am Joanne molinyawe and I'm a volunteer at the Austin animal center, here to request your help in facilitating a better screg process for potential adopters. We would appreciate it if the animal services director would allow volunteers the opportunity to work with frontline staff to come up with creative ideas on improving the adoption screening process currently used by animal services. If traditional background checks on adopters are considered too costly, a group of staff and respectful volunteers could be asked to come up with alternate ideas together. Through this great collaboration we would gain a sense of confidence that we have done everything possible to ensure the best quality of life for our animals once they leave our shelter. Thank you. >> Mayor Adler: Thank you very much. And then our last speaker. >> Good afternoon, mayor, mayor pro tem, and councilmembers. My name is Ofelia zapata. I am here wearing my hat as ptsa

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president and vice president at east side memorial, and international high school. We are a school at 1012 Arthur styles road. We have enrollment of about 510 students and 89% who are on free and reduced lunch. And I'm here because of an issue with cap metro terminating bus routes number 4 and 17 that would drop off our students on-campus. May 31st, the last day of school last year was when I was notified@I that this was happening the next day, June 1st, of those bus routes being terminated. I am just appalled at the level of not fast response from cap metro that this has disrupted the education of our students. Students are now left a mile away from the campus in a very horrific intersection of shady lane, airport, and balm road. Our students' after-school program -- first, in the summer, were not able to participate in band camp, sports camp, anything because there was no access to our campus. It has disrupted parent involvement, volunteers coming to our school, and participation from mentors and our internship programs. Our kids cannot get in time. My grandson personally had to walk two miles to get to his internship program the first semester. The second semester he has withdrawn because it was too complicated for my daughter to get off work to take him and then her job being at stake. It has affected our residents around our school who are now confined to their homes because they used to be able to go across the street, take the bus, go to their doctor appointments, whatever they needed independently. Now they are confined.

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Again, the education should be the priority in reviewing of any bus cuts. There is absolutely no -- I mean, there was absolutely no reason why the slow response to our issue has been addressed. Cap metro came to our pta meeting. Our coaches, our parents, our students shared this disruption and barrier. And yet no change. I'm here because I wanted to bring it more to all of you to help us get our bus routes restored. Public transportation should support and make priority access to public education. [Buzzer sounding] >> Thank you. And you do have a handout that Mr. Morris has provided regarding the issues, ridership I understand is important as well. But education should supersede ridership. Thank you. >> Mayor Adler: Thank you. Andrew. >> Just again, out of appreciation for the folks that came to speak about the animal services director selection, I know that many of you have documentation that you brought forward, if you can just make sure the clerk has that, that will be incorporated into the feedback we're getting on the search itself. So I just appreciate that. I also want to take the opportunity to thank Leanne, interim director for a number of years. She is moving on to best friends, but really appreciate her leadership and serving in that role. >> Mayor Adler: Okay. Those are all the speakers that we have. We're now going to go back into closed session to continue conversations on item number 79 pursuant to 551.071. It is 12:34. And I anticipate that we will be back out here at 2:00, or as close to that as we can get.

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We're moving to executive session.

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>> Mayor Adler: Let's go ahead and gear this back up. It is January 31, 2019. We are out of executive session. While we were in executive session we discussed legal matters related to item 79. We have a quorum present. Am I understanding -- and my understanding is we have no one signed up for any of these items, so it would be possible for us to take all of them on consent. There's the historic one. I think

that the consent default be the recommendation of staff and the historic land commission which were both the same recommendation, which was to declare it historic. Why don't you walk us through the agenda and then council -- we'll discuss how they want to proceed. >> Thank you, mayor and council. Greg Guernsey. I'm the director of planning and zoning department. I'll go through our 2:00 zoning ordinance and covenant items where the hearings are closed. First item I would offer for consent approval on second and third reading, item 5, c14-01-0046.903. That is for consent approval on second and third reading. Item 51, case c14-2018-0062, this is ready for consent approval on second and third reading. Moving on to the 2:00 items where the public hearings are open and possible action. Item 52, c14-2018-0102, staff is requesting a postponement of this item to your March 7th agenda. Item 53, case npa-2017- 0016.03, staff is requesting a postponement of this item to your February 21 agenda.

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Item 54, c14-2017-0138, staff is requesting a postponement of this item to your February 21 agenda. Item 55, case c14-2017-0066, this is ready for consent approval on first reading only. Item 56, c14-2017-0100, this is ready for consent approval on first reading only. Item number 57, c14-2018- 0117, this is ready for consent approval on all three readings. Item number 58, c14-2018- 0125, this is ready for consent approval on all three readings. Item number 59, c14-2018- 0004, this is ready for consent approval on first reading only. Item number 60, case c14-2018-0116, this is ready for consent approval on all three readings. Item number 61, case c14-2018-0090, this is ready for consent approval on all three readings. Item number 62, case c14h-2018-0103, we could take this for consent approval on first reading. If you were to take the landmark commission's recommendation. There's no planning commission recommendation on this item. Item number 63, case c814-2012-0152.02, this is ready for consent approval on first reading only. Item number 64, case

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c14-2018-0106, this is ready for consent approval on all three readings. Item number 65, case c14-2018-0098, this is ready for consent approval on all three readings. Item number 66, case npa-2018-0024.01, this is an applicant postponement to February 7. That's item number 66. Item 67, case c14-2018-0001, this is, again, an applicant postponement for this case to your February 7 agenda. Item number 68, case npa-2016-0005.04. Staff is requesting an indefinite postponement. If this item were to come back, we would need to notify joint property owners and post it in the -- adjacent properties. Case 69, c14h-2017-0055. Staff is requesting indefinite postponement of this item as well. Item number 70, case c14-2018-0099, the applicant has withdrawn this rezoning request and no action is required. Item number 70. Item 71, case c14-2018-0132. This is ready for consent approval on all three readings. Item number 72, case c14-2018-0115, staff is requesting postponement to your February 21 meeting. Item number 73, case c14-2018-0119. This is ready for consent approval on all three readings. Item number 74, case c14-2018-0127. This is ready for consent

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approval on all three readings, and I believe councilmember kitchen would like to make a few remarks. >> Kitchen: Should I do that now, mayor? Okay. >> Let me continue. Item 75, npa-2018-0016.03. Staff is requesting postponement of this item to your March 28 agenda. Item number 76, case c14-2018-0093, staff is requesting postponement to your March 28 agenda. Mayor, on item number 61, I just want to note there was an additional conditional overlay that would limit the property a total of 17 units, agreeable by the applicant and the neighborhood. And item number 63 is for consent approval on all three readings, not just first reading. >> Mayor Adler: Okay. First let's get a motion. Is there a motion to approve the consent agenda? Councilmember kitchen makes it, councilmember pool seconds it. Discussion? Councilmember kitchen. >> Kitchen: I wanted to just make a quick comment on item number 74. This is a tract that's located in an area that floods that's near the upper onion creek area. That's an area that the city has taken some action with flood buyouts. So I have a suggestion for our staff. It's not direction, it's just suggestion for our staff. At the point where it becomes appropriate to have discussion about storm water detention, I think it would be helpful to just talk with the neighbors as well as going through the regular process with the applicant in discussing the best approach for storm water

[2:15:55 PM]

detention. And I mention that simply because I understand that the applicant has -- is thinking in terms of not participating in the rsmp and is thinking in terms of storm water detention on site, which is something that the neighbors are also interested in. But we all understand that our watershed department has not yet gone through their process so they may -- whatever recommendation they consider appropriate will happen at the time that's appropriate in the process. And they may determine that that's not the best for protecting on floods, and I recognize that. I just think communication might be helpful if they determine that it is not the best approach so that the neighbors can understand what is recommendation is with regard to the best approach. >> Thank you, councilmember. I'll convey that message to our watershed department. >> Mayor Adler: Any further discussion on the consent agenda? Do you want to look to your right? Any further discussion. Those in favor raise your hand. >> And that includes closing the public hearing where appropriate. >> Mayor Adler: Yes, it it does. Those in favor please raise your hand. The consent agenda is passed unanimously. >> That concludes zoning for today. >> Mayor Adler: Thank you. Good job. Council, that gets us just to two items that are left. It's the Y and oak hill matters and it is the sexual assault issue. Is anybody here that would like to speak on either of these issues now? I think everybody is probably waiting until 4:00. Council, we can certainly discuss these issues now if anybody wanted to discuss them or lay anything out at this point. Because if we're not going to discuss it and no one is here to talk about it, what we would do is take a recess until 4:00.

[2:17:58 PM]

We'll come back at 3:30 so we can lay stuff out and maybe talk about it ahead of time, get a little jump. Will people do that or will we be looking at each other at 3:30? Let's be here at 3:45 and then we'll see if people actually come early and are willing to speak. >> [Inaudible] >> Mayor Adler: We're back here at 3:45. We are in recess. It is 2:18. [Recess]

[3:51:53 PM]

>> Mayor Adler: All right. Looks like we have a quorum. It's January 31st, 2019. It is 3:51. We said that we would keep this open through at least 4:00 for people to speak on these two issues. And we have two, we have the Y at oak hill and we have the sexual assault issue. We have four items that relate to the Y at oak hill, items 30, 31, 32 and 34. Some people have signed up on 31. I would suggest we pull those together and give people a chance to speak on them. If there are people here, I would say we should get in and speak about them. Is there a really high level introduction staff can give us for items 30, 31, 32 and 34? Pretty high level real quick. >> Yes, mayor, Robert spillar, director of transportation for the city of Austin. Today staff brings before you three items related specifically to the txdot oak hill project. The project will reconstruct portions of the highway in southwest Austin. This is state funded non-tollway project. The project is within our jurisdiction and as such the city of Austin is required by state law to participate financially in the project. We're required to participate at 10% of the cost of right-of-way acquisition and reimbursible utilities. Txdot has estimated this cost at \$3,314,301. Austin transportation shows the 2016 mobility bond funding to meet this

[3:53:54 PM]

requirement. The 2016 included three million for the replacement of old bee cave bridge. This is incorporated as part of the parkway project to funds from the named 2016 mobility bond may be used for funding our commitment on the right-of-way and reimbursible utilities. Very quickly, item 30 authorizes the city manager to negotiate the necessary agreements with txdot for city participation. Item 31 declares the intent of the city to reimburse itself from proceeds of a general obligation bond to be issued as part of the 2016 mobility bond program. And item 32 amends the 2018- 2018-2019 capital budget by the Austin transportation department so we can carry out council's direction. Michaelly can speak to item 34. Mike versenet. >> Mike versenet, assistant director of watershed protection. Item number 34 is a very high level memorandum of understanding that would be executed between the city of Austin and Texas department of transportation Austin district. Basically it represents memorialization of a relationship that we've been developing with them probably for at least five years, moving on to a more collaborative footing in terms of both storm water and environmental protection on major txdot roadways. >> And that is our conclusion. We're happy to answer questions as we may be asked. >> Mayor Adler: Thank you. We have some people who have signed up to speak in public testimony. Let's

call them. I'm going to call all four of these items up at the same time. And let's begin with with Rebecca bray, if she's here. On deck is going to be Bobby lavinski. >> That was quick.

[3:55:55 PM]

I just walked in. Good evening, councilmembers, mayor, mayor pro tem. Thank you for letting me speak tonight on oak hill parkway and all the associated numbers of that project. I am a resident of southwest Austin district 8 and on a daily basis I use each of these intersections on 290. We all know that the oak hill Y project has been discussed in studies for years, if not decades. I am 100% supportive and grateful for all of the improvements that txdot has done. However, they do not adequately address the traffic issues that myself and my neighbors face on a daily basis. I'm asking you to support these agenda items that you have before you. This project is long overdue and it is a transportation project that will ease congestion and allow for better access and reliable transportation options. Some is have continued to say that this project is a boondoggle or not needed. Takes me more time to get through these three intersections than it does to get from Joe tanner to my office on south mopac. This project will allow myself and others more direct access and faster and reliable travel times. The proposed project has received a rod and it is now time to move forward with final design and construction. Txdot has worked diligently with all impacted residents, neighborhood and interested parties to ensure that this project is constructed to the highest possible environmental standards. The proposed roadway has also been significantly lowered, which allows for neighborhood access as well as lessens the visual impact. Txdot is being a good steward in listening to the concerns and needs of this community. And will continue to do so during the next phases of design as well as project construction. I'm imploring you to please listen and take into consideration what the residents who live in oak hill and the residents who use these intersections on a daily basis have to say. Thanks.

[3:57:55 PM]

>> Mayor Adler: Bobby levinski is up next. Is Kelly Davis here? Kelly Davis? >> I don't think she's made it back yet. >> Mayor Adler: That's okay. Bill bunch. Is bill here? What about Roy Whaley? What about Bruce Melton? You will be up next. Mr. Levinski, you're up. Those four items. >> Thank you, mayor and council. I'm Bobby levinski with the save our springs alliance. I want to take a step back and you've received a lot of communication from us lately. There's no intent to slow things down with this project. Thank generally everybody recognizes that the traffic in that area is actually pretty bad and we need to be building something and that's why we've been promoting the parkway concept for so long, a true parkway that doesn't involve continuous service lanes. When the toll funding was on the table and that was the only option, the parkway never really got its light of day. We never had the opportunity to truly study what could be done with less right-of-way, with less excavation, with less elevation. What was studied instead was a parkway that had actually at grade crossings and that's never what we've talked about. What we were talking about was removing the signalization from the main lanes so that we can get traffic music and we honestly believe a parkway could be done quicker and faster. The two items

before you tonight don't necessarily relate all the way to the design elements that we're talking about, but what we're hopeful is you as a body and as the voice and as the continuing council from the prior council that identified the true parkway as the preferred alternative for Austin, if you could just continue to have a voice and work with txdot to try to work with design elements that can improve the project, that can reduce the service lanes, that can remove the excavation. You're going to hear some numbers tonight that amounts, the excavation to

[3:59:56 PM]

an entire astrodome worth of excavated dirt in our recharge zone. This is exactly the area we don't want to be doing this. It's coming at you at the end of this process and they're saying it's the last opportunity for design conversations, but it really is we're now entering a design conversation and we don't need six main lanes of a service lane. Just like with mopac you don't have to have continuous service lanes. We don't have them in any other state in the United States. What txdot does with access roads is not proper planning. We need to you have a voice for us and help us continue this dialogue. Instead of just making it seem like txdot has the only authority because the city of Austin is a big player in the region and we need to use our voice. Thank you. >> Mayor Adler: Thank you. [Applause] Mr. [Inaudible]. You're up. And then after Mr. Melton is Paige Deshong here? You'll be up next. >> Good afternoon, Bruce Melton, civil engineer, been practicing in Austin 34 years. Been working on this project for 29 years or been involved with volunteer. Live in oak hill. Do we have my slides? I've been working with the environmental groups in town 29 years. There's nobody that says we don't need traffic improvements in oak hill. We all agree traffic is bad in oak hill. This is a shot from spectrum traffic, 8:02 this morning. Look how bad it is in other places around Austin. Oak hill, 290 and oak hill

[4:01:56 PM]

is the 54th most -- 64th most congested road in Texas according to state transportation institute. There are five other roadways in Austin that are -- have more congestion than oak hill. What we're asking for is improvements that do not harm oak hill, the community, the environment, and the aquifer. This is what we'll get over a mile of elevated high-speed expressway through the middle of oak hill. You can see the McDonald's and HEB. It's 30 feet tall, three stories tall. Bisecting our community. This is what it looks like at the bluff. That's the convict hill bluff. That's where the stone for the basement of the capitol came from. They were going to make it out of limestone, that didn't work out so well. It's an historical amenity. This is one of the trees is 288 protected trees, 114 that are protected, 137 are heritage, 37 are legacy. These will all be removed with this project. 2700 feet of Williamson creek immediately upstream of the Edwards aquifer will be channelized, 1500 feet will be compromised. An astro dome sized area of excavation, Bobby mentioned that. You can see the HEB. This is where they go 28 to 30 feet underground. In a geologic area that is adjacent to the aquifer. The important part, the Eis is based on a flawed need. The traffic in oak hill is bad, yeah, it's bad. But it has not grown for 30 years like campo has projected. They have overestimated

[4:03:56 PM]

since 1989 44 to 92% overestimated traffic growth. That is a lot of extra traffic that is not occurring that will never occur because our driving behaviors have changed. [Buzzer sounding] We're asking for postponement please so we can fully evaluate the conditions under the cis. Thank you. >> Mayor Adler: Thank you. Is Paige here? Why don't you come on up. Is Andrew Herod here? Go ahead. >> Hi, councilmembers and mayor, mayor pro tem. I also live in oak hill and I live in a little part of oak hill called valley view acres and it's just right up the hill from silver mine and 71, like half a mile up. And it is the hill country. It feels like the hill country so I wanted you to know what my neighborhood is like now and what it's going to be because I'm for a smaller plan in working with city council to do the plan they were talking about. You cannot -- even though it's valley view, it looks over 71, you can't see 71 because all you see are trees everywhere and hills. We have road runners on our street, ring-tailed cat, foxes. It is the hill country, it smells like the hill country, fresh air, the works. And once this comes into place, once this sea of concrete is in there, it's going to be, you know, years of noise pollution while they are building it, who knows what they are going to come up with. It is environmentally sense I have, we're on a hill and all of our water runs into the creek and aquifer. Years of noise pollution. Then once it's created, all of the extra air pollution, it's just going to really change this neighborhood from a quiet, peaceful place to live to another suburb in the sad shadow of a Houston

[4:06:00 PM]

style neighborhood. Of course I care about Barton springs and the city of Austin and our environmental quality as a whole. Thank you. >> Mayor Adler: Thank you. After Mr. Herod speaks, is Craig Naser here? You'll come up next. >> Hi there. Welcome. I want to thank the city of Austin for entering an M.O.U. With txdot for the highway290 in oak hill project that doctors possible environmental impact. Such a project is key to protect our aquifer and Williamson creek. As an informed citizen and Barton springs enthusiast, I strongly believe the current plan has way too much impervious cover. It does not deserve the character of this culturally significant area and I urge all of you to convene a negotiation with all interested parties. I may be too young to remember when Barton creek mall was built, but I heard there was a lot of damage to the aquifer then. Just two months ago we had a single well bore outside the recharge zone and we had the whole Barton springs pool cloud up with clouded water and I don't want that to happen again. Thank you all for listening. >> Mayor Adler: Thank you. After Craig speaks, we have Vicky poppin. >> Craig Naser, rhymes with razor. I'm here, Austin Sierra club, conservation committee. And I want to talk about 37° below zero in Chicago. Climate change. And this directly relates to climate change. Things are going to get a lot worse. The city has tried very hard to change our attitude. We haven't done enough. And the whole country is not doing enough. And so we have to adapt to climate change as well. And look at the climate change aspects of this project. We're talking about

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thousands of tons of concrete to build this -- concrete creates a tremendous amount of CO2 when it's made. Look at the extra traffic that txdot is hoping will be there, it might not even be there, but we're not going to ever get a growing city around an individual cars. It's not going to happen. I mean I look at this because I see many decisions, not just this one, but many decision where I don't think the city is being proactive enough on climate change. I go to the Austin symphony and I walk out of that beautiful theater and I see a beautiful city. And it's not going to stay that way if we don't think ahead. Because there's Barton springs right there. People talked about the issues with this. But I want you to think maybe a little bit on a larger level and understand that if we can do just a more modest project, how much carbon do you think 300 of these trees stores a year? Tons and tons. So please think about that aspect as you are doing it. I think the city needs to start thinking a lot more about that. Thank you very much. >> Mayor Adler: Thank you. [Applause] And then Richard Halpin. >> Good afternoon. >> Mayor Adler: I apologize for mispronouncing your name. >> I would like to talk about a serious issue I don't think anyone else has brought up. Climate change is bringing severe and sometimes apocalyptic weather to central Texas and this is a map of 500 year floods that have taken place in a seven-year period since 2010. Central Texas is really well represented here. With climate change we should expect more frequent

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and severe floodingvents than we've seen in the past and be designing highway projects with this in mind. Instead this highway project depresses the main lanes in an open tunnel dug deep in the Earth that opens up 50 yards from Williamson creek, a creek that's flooded numerous times in the past. The tone has 16 to 17 feet tall and runs over two miles. So once a vehicle is in the tunnel, occupants would be in great danger if the tunnel were to flood and they were to try to get out. Let's see. I'm not sure how to make this -- so this is a map of the project that you are looking right at the Y and Williamson creek, it's that little blue creek and the red arrow points to where the depression starts and runs under the Y there. The distance between the red arrow and the creek is, like, 50 yards. So you can imagine flooding would easily reach that distance. This is a terrible picture. I was in Houston during hurricane Harvey. Roads and highways became rivers and ultimately death traps. Of the 87 people killed, two-thirds died on flooded roadways. Not in their homes. This highway as it is designed is an invitation to disaster. Over two miles of 16-foot walls enclosing vehicles. If Williamson creek floods and pours into the gaping mouth of this tunnel, it's hard to guess how many might lose their lives. It's easy to think a flood would never happen here, but phenominal floods are happening with more frequency. I imagine every engineer that designed every roadway someone died on in Houston was confident his or her design would not flood to such an extent. What can you do?

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Ask txdot to change the design in this regard. I understand why the highway is depressed here. I live in the neighborhood that would most benefit from lower elevation of the highway. But I would not ask to place vehicle in a depressed tunnel dug out of the Earth feeling that it put so many people at risk in a flood. Thank you very much. >> Mayor Adler: Thank you. [Applause] Mr. Halpin and then is CARRA sepedes here? >> Yes. >> Mayor Adler: You'll be up next. Mr. Halpin. >> Hello, mayor and councilmembers. My name is Richard Halpin. I live in oak hill. I am profoundly concerned about the proposed txdot highway. It's an overbuild and you are being asked to support it with our money and this memorandum of understanding. For the last decade or so, I have seen the txdot waste tons of money and time handling this discussion. Ostensibly they've come up with the same design ten years now that they had ten years ago. Except this one is bigger and blightier. Txdot claims lots of meetings with oak hill residents, but our livable oak hill input is not included. They've always wanted to old design this road. The old designing will needlessly tear down the magnificent trees that give oak hill its name. And needlessly dig deep into our fragile recharge and contributing recharge Zones. Really the only nod to us that they have made is to take the oak hill parkway title our folks offered for the designs we paid for and created for txdot. Ignore them, ignore our design input and slap the parkway title on their eco

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and financially blighted old model design. Done badly I believe this overbuild poor design could cause irreparable damage to our aquifer. Water forward, I know you are sensitive to the critical need to protect our water, land and air resources. You manage growth with the density design work you've already done. Could this outdated design undermine your efforts by opening flood Gates to a tsunami of sprawl, increasing assaults on our fragile underground life line resources? Protect our life support system, slow down the txdot steam roller. Save a livable oak hill. Improve the memorandum of understanding, five can on do recommendations. One, put real teeth into this M.O.U. Make sure what txdot builds does not restore our water and air recharge as they tend to eliminate our historic trees. Direct our watershed and legal departments to be leaders and zealous guardians in the M.O.U. To protect our life line resources. Reaffirm council's prior resolution, councilmembers and mayor, that stated a preference for an at-grade P.A.C. Way concept. Three, pass resolution language that the city of Austin will continue negotiations with txdot, campo, the community and environmental groups over design of this project. Four, hold and strengthen the M.O.U., increase and build on the good protections in it so far and create a good insurance policy for the city of Austin and our community, and last, withhold the project funding. The support of the report -- [buzzer sounding] -- By save Barton creek association lawyers makes it clear there are significant problems with the environmental impact statement. >> Mayor Adler: Thank you. >> So the city of Austin has a right to demand accurate, honest information on which to base this decision and eliminate the need less liability. >> Mayor Adler: Thank you very much. >> And protect the community

[4:16:05 PM]

and our environment. Thank you, mayor. >> Mayor Adler: Angela Richter is on next. Would you like to speak? >> Yes, you called my name earlier. >> Mayor Adler: You are next. Angela Richter is coming up after you. >> Mr. Mayor, councilmembers, I am speaking to you as a resident of oak hill. I have lived between the forks of the Y, 290 and 71, for the last 25 years. And the large part of that we have been threatened by the prospect of a mega highway coming at us. Why is that a threat? Doesn't everybody want better transportation getting into Austin? Don't we you will want a better flow, get where we're going faster? We found out that behind this mega highway was the plan to build it as a toll road. A tolled highway. Which we were told whenever we protested that Texas law requires an equal number of free access lanes for every mile of present roadway that is converted to tolls. So the fact that this had to be tolled for a long time was held as the barrier that prevented txdot from reducing the size of the project. Sorry, we had to have 12 lanes. Three through lanes, three access lanes, that's just the law. Well, suddenly this wasn't so sudden because those of us who are vitally concerned had worked with the project for a long time. We have participated in public workshops, we have been through the environmental impact study

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process, and we were always told, well, it was probably going to have to be tolled so you have to follow those rules, but now suddenly it is going to be built without tolls. Oh, hooray. Why don't we get a little more realistic? Why don't we reduce the total spans of pavement? Seems to be so easy. We don't really need three lanes in each direction to move the local traffic on the frontage road. Whether we need three lanes in each direction to move the through traffic, that's for the traffic experts to decide. But we who live there would much prefer to get rid of an extra lane of traffic going each direction or better yet two lanes, but never mind, we'll work with the engineers or what needs to be done. And save this precious landscape. That's the essence of oak hill. The creek, yes, the bluffs which we're told are going to be pretty much eclipsed by the height of the elevation when it goes through, but at least the trees. We have trees, one tree is over 300 years old, certified by city arborists. There are other trees that are about 200 -- [buzzer sounding] -- Many over 100. And they deserve to live as we in oak hill deserve to live in a livable community. Please help us with that. >> Mayor Adler: Thank you. [Applause] Ms. Richter, you have donated time from Cynthia Wilcox. Is Ms. Wilcox here? You have five minutes, then after you Roy Whaley. >> Thank you. First, welcome new councilmembers. I think this is the first time I've spoken in front of you. Angela Richter, executive director of save Barton creek association. As you've probably gathered,

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we're very concerned about this project. Something that I heard on NPR the other day resonated with me. Last week at Thi year's world economic forum, David at ten borrow, the 93-year-old filmmaker behind

planet Earth and blue planet, was speaking to business interests and policy makers and really trying to convey the degree of environmental crisis that we face. He said we're now so numerous, so powerful and so all pervasive, the mechanisms we have for destruction are so wholesale and so frightening, we can actually exterminate whole ecosystems without noticing it. That's what we're facing with this project. Are we exterminating one, multiple? We really don't know. I think Austin prides itself as being an environmental city. We -- the mayor signed on to the mayor's climate agreement. And yet if you approve -- takes Italy approve this project through the agenda items, I don't feel like we're being true to that piece of who we are. So attenborrow talked about when he was working in the 1950s he wasn't aware of these environmental issues and they were operating as though they had blinders on. We now know what type of impacts this type of project would have and yet we're approving the same type of overbuilt project that would have been seen as state of the art in the 50s, 60s, 70s, 80s. Save Barton creek association is, of course, focused on environmental concerns, but we're also sensitive to neighborhood concerns. We've been meeting with neighbors. There are noise concerns, the changes to the character of their neighborhood are

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very valid. Just reiterate the project on the table, txdot is proposing a 12-lane highway in most places, it's four lanes right now, so that's 71 additional acres of impervious cover in the recharge and contributing zone. As other speakers have said, that's an amount of excavation, digging up rock from the recharge zone equivalent to filling up the entire astrodome from floor to ceiling or covering I-35 with a foot of rock from Austin to San Marcos. It's massive, and yet last month when Barton springs became cloudy, it was because a single well was drilled, as Andrew stated, within the contributing zone. Not even the recharge zone. So I understand that the city of Austin is in a tough place, that this isn't your project, but I would ask that you do what you can to negotiate with txdot and the community on something better. Just a couple other points since I have the time. Others have talked about the destruction of Williamson creek and the trees. Studies from your city have shown that water from that section of Williamson creek immediately next to the highway gets to Barton springs in as little as a day. No -- no amount -- while we greatly appreciate the effort that went into the M.O.U. And we respect the folks at watershed, no amount of best management practices, the types of things that are in that M.O.U., even if fully built out, are going to protect from this type of design. It's definitely worth stating, you know, we sent you guys a memo from our lawyer earlier. This is something that we felt we had to do and we're incurring great expense on sbcas side to have someone really look at txdot's Eis

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to see if the proems that we thought were there were there. And thus far, you know, we've got that confirmation that our lawyer also believes that problems very early in the Eis process with the purpose and needs statement are there and have repercussions all the way through. And so Carol mentioned that, you know, this project was designed as a toll road, and projects that would have been much less

environmentally damaging like the parkway were thrown out because it was a toll road project. It's not adequate that just because txdot was a certain amount through their project that that significant change didn't result -- [buzzer sounding] -- In a change. Okay. Just really fast, frankly, I'm okay with you guys approving the M.O.U., but not if it means that you are approving the project and approving the funding for the project. Thank you. >> Mayor Adler: Thank you very much. Steve beers. [Applause] Mr. Beers, do you want to come on down? Is Robert tobiansky here? Robert tobiansky? Okay. What about Clark Hancock? Why don't you come on down. Mr. Beers, you have three minutes. >> I don't know if this board can be seen from any camera angle. I apologize for that. But I guess mainly I want to talk to you all. The -- I'd like to address some misconceptions and then talk about the current situation and then talk about where we go from here. First off, it's important to

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note that the highway that is in question here is elevated for over a mile. That if you want to know what it looks like, what it will look like, think of Ben white in town. That's exactly the same design. It's 30-foot above grade, six feet -- six lanes in the air, flanked by a further six lanes of frontage road. So they are just continuing the same design that is in this other area of town through here. As you've heard, one reason that we believe that they've never backed off of that was this long interlude where tolling required that a reconstruction of an existing roadway had to have an equivalent number of free lanes. So the frontage road lanes were going to be the free lanes. So we really thought when it was finally rebooted as a nontolled project, due to citizen activism, what some called obstructionism, you know, we got some concessions. We got it nontolled. We also got a lower of height at the Y interchange one level. They excavated down. Now, I've heard you, mayor, and other people at campo say there's a tradeoff between elevation and excavation. That is the misconception I would like to address. You have 1.1-mile of elevation, 30-foot above grade, but then you have a further 2.65 miles of excavated. So at no point do they recycle the old road. They instead, they have an entirely new roadway with the very most expensive type of construction, elevated or excavated. And so all the citizen alternative has said consistently is build out

[4:28:13 PM]

the -- using the existing roadway at ground level, widen it. And instead of having 290 over all the side streets, have the side street bridges go over 290. It's the difference between a half billion dollar project and a 100 million-dollar project. It's the difference between a couple of years of construction and perhaps as many as eight. And then you've also heard about the devastating environmental consequences. [Buzzer sounding] I'd love it if somebody could donate a little time. If not, thank you. >> Mayor Adler: Thank you. [Applause] Is -- Roy Whaley, you will be up after this speaker. >> Hi everybody, how are you all doing tonight? >> Mayor Adler: You have time donated from Mike kenoti. Is Mike here? >> I didn't realize that. Could I donate to Steve and have him come back and finish? >> Mayor Adler: No. >> My apologies on that. Clark Hancock, president of save Barton creek association. Very happy to be

here tonight to talk to you about this very important issue. As you all consider the memo of understanding, on the changes to oak hill, the save Barton creek association would like to commend the mayor and city staff for the work they did on the M.O.U. That is now including language that makes Austin an active partner in this project. From this we are encouraged that the city understand y'all's responsibility as an active project participant. And will act upon the legal, political and moral imperative that this ensures, to ensure, first, txdot meets requirements under Nepa for rigorous and unbiased future projections.

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The design options are evaluated based on minimizing impervious cover, protecting the integrity of the Edwards formation, and conserving the character of this culturally significant area including the preservation of the numerous heritage trees found within the limits of construction. That the selected contractor has proven experience complying with Austin's environmental regulations and are committed to proactively protecting sensitive areas. And finally, that city staff will actively monitor all construction activities to not just determine violations or respond to complaints, but to identify issues that can be addressed before any damage occurs. As we face the challenge of balancing human activity with the need to minimize harmful effects on the natural spaces that make Austin such a special place, we need to remember that flexible, forward-thinking planning means not destroying public resources in the service of speculation. With this in mind, we expect to see further activity by council regarding this matter to ensure that staff has a clear mandate and the necessary resources to ensure disaster is avoided. These things would include postponing any action on the M.O.U. Until council has obtained clarification and correction of possible flaws in the environmental impact statement process. Convene a negotiation with txdot and all interested parties to investigate issues related to design criteria assumptions before execution of the agreement for contribution of the right-of-way funds. And to direct the city manager to provide a detailed projection on funding and staffing requirements to fulfill the activities identified in the M.O.U.S appendix, specifically item 10. Many of us remember when

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highway290 at Ben white was being constructed and the waters that flowed at Barton springs looked like chocolate milk. That happened for years. Recently we were reminded of this when that single, small well bore outside the recharge zone caused the waters to cloud and the springs once again to close. This project in oak hill is within the recharge zone. It spans one of the most sensitive areas of the Barton springs Edwards aquifer and we must learn from history and do whatever we can to avoid mistakes of the past. Once the damage is done, it is really too late for effective remediation. Such is only necessary when there has been failure. It is time once again for Austin to prove that we walk the walk and not just talk the talk of environmental stewardship. We're not talking about delaying this project. We're talking about spending the time now investing in the time now so that this project will not be delayed once we get into construction. That we will not have the same problems we saw with the mopac work that took

numerous years, the same problems we're now seeing in the mopac expansion where a cave was just discovered at lacrosse boulevard. This is the same area. And unless we actually do the due diligence in our studies, in our planning, we are damning ourselves to those same mistakes of the past. Thank you. [Applause] >> Mayor Adler: Thank you. Mr. Haley, do you want to come on up? >> Thank you. >> Mayor Adler: Roy, you have three minutes. >> Howdy, y'all. My name is ray Whaley. I am the conservation chair for the Austin regional group of the Sierra club and I'm pleased to be here as the team takes the field on opening day for a new

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season. And a couple of new folks on the team, welcome. Good to see you, councilmember harper-madison. I always have to look and make sure I get it in the right order. And also you, councilmember Ellis. I am not here today to speak against the M.O.U. I did sign up neutral. I do think it's wonderful that we have an opportunity to work with txdot. If we can work productively. And I'm not sure that this memorandum of understanding gives us all the leverage we need to work productively. And progressively. And this is a Progressive council. And I think we need to take a Progressive look at transit, period. As you have been. We are talking about different ways to move traffic in the city limits of Austin. Let's look at ways that are going to be different. The future is coming. We can't stop that, but it will be different the way we move traffic into the city also. So why are we building this behemoth that has been described in horror show terminology. When that changes we will have an outdated infrastructure and potentially, highly potentially a damaged environment. We have worked decades, generations to protect Barton springs. And I heard Andrew speak earlier about he didn't -- he may not have been here to remember when Barton creek square mall was built. I know there are people on the dais that weren't here to remember that either. And so the seriousness this goes beyond stoplights, brake lights in front of

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you. Yeah, I hate traffic too. Everyone does. But outdated modes of transportation, building infrastructure for that is not the solution. Also the letter from the attorney, Mr. Jeffrey appel from Utah, number one, his bullet is flawed purpose and need for the project. You should have all received this. I don't know if you had an opportunity to review it sense you just got it -- since you just got it last night. Second, the impact of this flaw on reasonable alternatives, and there are reasonable alternatives. Third, the impact of this flaw on the review of impacts of this project. [Buzzer sounding] Two others, issues with the current Eis and R.O.D. For the oak hill parkway, and last the conclusion is it should be redone. >> Mayor Adler: Thank you, sir. >> So rather than do -- to say we're going to to do this now -- >> Mayor Adler: Mr. Whaley. >> -- Postpone it. You don't have to do this now. On behalf of Sierra club. >> Mayor Adler: Thank you. Is Robert tobiansky here? Do you want to come on down? And Vicky Goodwin is on deck. Sir. >> Thank you very much. Good evening, honorable mayor Adler and esteemed city councilmembers. Congratulations to the new members. I'm Robert tobiansky, past president of aviar

hoh, oak hill association of neighborhoods and co-chair of the transportation committee. We the aviar residents, neighbors, businesses and commuters of oak hill strongly support the oak hill parkway project. We're deeply concerned about further delays and asking for your approval to vote on

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the M.O.U. And the R.O.D. For city of Austin to contribute to this crucial project. We agree with some of the opposing views and we would love to see this on a smaller scale. We would like to see this on a one level parkway, however, we also need to truths the numerous professionals -- trust the numerous professionals after working many years on possible designs, these are what the professionals determined would work best. The project has been approved by the state of Texas, Eis environmental study was cleared and the campo board passed it unanimously. Some statistics from txdot and the Eis environment study include the no-build option will increase noise levels, traffic and travel times. Austin commuters spend about 52 million hours in traffic last year, translates to 48 hours per each commuter in crawling or stand still traffic. There will be an additional 25 to 35-minute delay by 2040. The bicycle and pedestrian paths will be built alongside the project which is why bc and doesn't have anything to do with txdot. The bill will further protect Williamson creek as it's currently full of trash, concrete chunks and electrical conduit and erosion. The oak hill Y is one of the most congested areas in Texas. Other facts are in 1956, president Eisenhower created the interstate and defense highway system. There were many trees and obstacles that needed to be cleared for this essential progress that tremendously improved travel through the United States and beyond. Txdot would plant and replace many additional trees for our children, their children, generating future heritage trees. Before U.S. 290 and U.S. 71 were built, there were practically no ordinance to

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protect water quality, rivers, streams, the aquifer or Barton creek. Noise, water quality, et cetera, would be utilized. Opposing views state we're rushing into this project and it's been in development for about 30 years. We knees to trust the appointed officials, engineers, city officials, professionals -- [buzzer sounding] -- And the agencies who protect our environment, water and family. We strongly support this. Thank you very much for your time, your service and your consideration. >> Mayor Adler: Thank you. Vicky Goodwin. Representative Goodwin. Thank you for what you are doing up the street. >> You're welcome. Good afternoon, mayor, city councilmembers. M Vicky Goodwin, representative for house district 47. I am here today to urge you to vote in favor of items 30, 31, 32 and 34 on your agenda. The oak hill parkway is a project that will allevia traffic congestion at the Y in oak hill. Having lived in southwest Austin for over 25 years, I've seen the tremendous growth in the area and have been involved in many road projects for the last 12 years. I have been a realtor for 15 years and have seen, again, the tremendous growth in that area and the traffic congestion. I am here today to represent the people in that district who would like to zeroed improvements. We can -- when it comes to road and transportation issues, we can't continue to delay needed projects thinking there may be a more perfect

solution. It's Tim this project now. Along with the city of Austin, I plan to stay connected with txdot in order to ensure the highest

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level of environmental and storm water controls are implemented to minimize environmental impact. I've met with txdot and oak hill residents recently in order for the residents to request enhancements, and txdot is willing to keep the lines of communication open and to investigate the feasibility of the requested enhancements. I believe all parties can work together to make this project an improvement for drivers, bikers, pedestrians, while ensuring minimal impact to the environment. Thank you for your consideration. >> Mayor Adler: Thank you. Is Dick Kellerman here? Thank you. James Shisler? You are going to be on deck. Why don't you get ready. You have three minutes. >> Thank you, Dick Kellerman, with the Barton Creek Association. I wasn't planning to speak tonight, but my bus wasn't running early and got through traffic and got me here a little while ago. When I came through the lobby, Linda grabbed me and took me over and signed me up. Now I guess I have to think about something to say. It won't be much. Back in the day when we really worried about sprawl in Austin and we had campaigns like sprawl costs us all and that kind of thing, we were pushing for sprawl to go east. We had a desired development zone to the east, even though that's black land prairie, we understood that the hill country was much more dangerous. I looked at a map recently that showed the spots of sprawl around Austin. It's not east, it's all west. The hill country is a great magnet and that's where it's all going. And mostly it's going through this pinch point in

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oak hill. And a few years ago txdot spent a few million dollars and they made some arrangements there so that the traffic moves a little better, and there are pinch points all over the city and all over the state. This one isn't unusual, but they made a small modification as the commuting pressure increased. That's what we need to do again. There's no need to make a 22nd century intersection when all we want to do is move some traffic through. And it doesn't have to go through at 50 miles per hour. It can go through at a modest pace just like they all do, Mopac and I-35. There is going to be a big intersection if it's built. Richard Halpin always could give the turn of a phrase, says it will cause a tsunami of sprawl. Warning, we live downstream. I read in the paper that Turkey wants to build a dam on the Euphrates before it goes into Iraq. Big problem. That's probably the one millionth problem that humanity has had between upstream and downstream. Well, we're downstream. We have three or four streams that fill our aquifer and these streams are going to be a mess if the hill country really booms out the way it wants to. And this txdot design intersection is -- [buzzer sounds] Encouraging that. Thank you very much. >> Mayor Adler: Thank you. Mr. Shisler. Is Ann Coleman here? Ann Coleman? You will be up next.

[4:46:21 PM]

Mr. Shisler? >> Mayor Adler and councilmembers, thank you for your time. I'm here to speak on behalf of approving items 30, 31, 32 and 34. I wear many hats in the city, both for the city on boards and commissions and the civic community volunteering my time. And I've been on the board of Ohan for about a decade as president, vice-president. I've been involved with this project for the last eight years. This version of it since it started over again, they started out with five alternatives and they narrowed it down to one, and Ohan set up a committee to work with txdot and ctrma on getting that -- something that everybody would be happy with. And I think we've gotten to that point where everybody is happy with the design. I think it will improve mobility greatly in the oak hill area. I forgot to mention I've lived in southwest Austin for over 20 years. And right now there's no water quality control on either 71 or 290, so this will greatly enhance the water quality in that area. And the other point I'd like to make is that the only public hearings that the city holds where you're sworn to tell the truth is the board of adjustments, so a lot of things you might hear today are people's opinions, and don't necessarily have to be the truth, but for instance, the recharge zone starts at William cannon and going east, so only a couple hundred feet of this project are in the recharge zone and over 95% of it are in the contributing zone, but everybody says oh, this project is in the recharge zone, but it's little things like that that people say to

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make things seem worse than they are. But I think that the citizens of oak hill through Ohan and other meetings of the last few years have come up with a viable solution to improve the Y. Thank you for your time. >> Mayor Adler: Thank you. Is Ann Coleman -- why don't you come on up. What about Ryan roshert here? You will be up next. Ms. Coleman. >> Mayor and council, thank you. My name is Ann Coleman. I've been a resident of oak hill since 1987. We own property on highway 290 and I've lived in oak hill as I said for a very long time and have watched this project evolve from a straight-up highway project to participating as a firm with the green mobility challenge that ctrma sponsored along with txdot. And many, if not most, if not all in some form or fashion of those strategies from environmental stewardship, water quality, bio filtration Swales, new tree plantings, have been implemented in the plans you see before you now. I've seen oak hill change radically. When we first moved out there we had a small business on a four-lane highway and immediately after grand opening got a notification that we were going through condemnation for the first phase of 290. It was devastating. We moved across the highway. The highway went in, it took a long time. We adjusted to the new traffic flows even for our business, but we survived it. But then what happened is the highway stopped and became a parking lot. So I am an active member of the oak hill neighborhood. I participate in the process. The plan is ready to go. We need to get our cars out of the parking lot that is now known as the intersection of oak hill. It's time to make a neighborhood again. I'd like to be able to travel on the access roads throughout my neighborhood without having to get on the

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highway and stop at those intersections right now. I think it's so important to realize that dripping springs, lakeway and the neighborhood and communities beyond are traveling through that intersection and we can't stop them. They're not going away. They're not moving elsewhere. I would like for them to be able to get downtown and enjoy everything that is downtown Austin the same way I do, but I'd rather not it be in a parking lot fashion. So I urge you, we're ready to go. We've got money available. A lot of these improvements are going through just the things that we want environmentally to make this happen. Please vote for it. Thank you. >> Mayor Adler: Thank you. Last speaker, Ryan roshert. >> Thank you. I will be brief. I know that folks in oak hill and myself included have been looking forward to a streamlining of the Y for quite a long time, but I think we would do well to try to limit the amount of new concrete that's going in and the excavation. As much as you guys have the ability to limit that, I think you should pursue that. I think the folks around the Y and oak hill would appreciate it. And I wanted to say that a part of my childhood was really being able to cross easily across the Y on foot or such. And I hope that will be available to the children that live in the area in the future as well. >> Mayor Adler: Thank you very much. Council, that brings us to the -- that brings us to the dais. Is there a motion to approve these items, 30, 31, 32 and 34? Councilmember Renteria makes the motion. Is there a second to that motion? Does anyone want to second it? Councilmember Ellis. Discussion on the dais? Councilmember kitchen. >> Kitchen: I have a number of things, but I'll just start with item 30 and

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then defer to others. So with item 30, this is the item that relates to the -- I might need the staff to come up for a moment, but because there's a number of items here, I want to first make sure it's clear which ones we're talking about before I stake my comments on this one. So this one is the item that relates to the use of our funds for certain improvements. And so could you just briefly state what these are and the additional improvements we think that we can get from using this Funding this way? >> Yes, ma'am. Robert spillar, director of transportation. I can tell you that the district engineer for txdot, Terri Mccoy, is also here in the room, so if you have specific questions he would be the appropriate to answer. As you know, councilmember, the city originally through the 2016 bond had funds to replace old bee cave road bridge. It's a low water bridge that is very narrow and substandard, and in need of replacement by the fact that it's a low water bridge now, it is certainly in the floodplain and a problem when it floods. That facility serves probably over 200 homes. Those homes have other access points, of course, but this is an important bridge for those homes and businesses in that area. That was the original project contemplated by the city. It was added to the 2016 bond you'll remember when we were unsure if txdot was going to carry through with an oak hill parkway or an oak hill Y replacement. After that bond passed, then of course txdot did complete the Eis and is now ready to construct. I believe there are a number of things that we get, councilmember, that we would not have with just replacing the old bee cave bridge. Of course, we get the

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replacement of the William cannon intersection and the 71290 intersection, that's sort of the definition of the project. We also get a restored creek, is my understanding, with national vegetation and benching to protect the environment of that watershed. Begin, we have Michaelly here from watershed -- Mike Kelly here from watershed if you have more questions. A trail throughout the creek that provides access to that area. We have connectivity to the local businesses. And the streets that are sort of remnants of the neighborhood streets in that area will be connected into the frontage roads in a much safer condition as well. And then we get the full grade separation of the Y that is there now. So essentially the through trips that have to go through two significant signals will be able to move through there without stopping. >> Kitchen: And there are a number of other things there, I know. But basically with the movement of these funds, in addition to what txdot is paying for with regard to the bridge, we're going to get some additional environmental and watershed protections as well as some safety. >> Yes, ma'am. The city's project was defined very narrowly as just the bridge. >> Kitchen: Okay. Thank you. Well, I have some direction that I would like to read into the record. And this is -- I'm also concerned as we go forward with this project with regard to transit considerations. So I wanted to make some direction to you all as you work on this project. So basically this is a part of the city where there are potential transit riders, if we can provide sufficient transit service, so I want to make sure that transit takes full advantage of the improvements. I also know that the city manages the signals in the corridor so I want to be

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sure that our city staff engages with cap metro through our transit working group to help txdot minimize delays to transit during construction, making sure that cap metro has up to date construction phasing information and that signals are timed to help transit movements. I'd also like the city staff to also work with cap metro to try and find park and ride opportunities, preferably west of the Y, for a future western transit facility, and I expect that you would work with our councilmember Ellis as well as representative Goodwin in thinking about park and ride facilities for their area. I also know, for example, that ACC has the pinnacle campus and cap metro may be rethinking about how to operate that area. So there might be some reuse opportunities of existing parking facilities. There's also some churches that might be able to partner. And as you know, I'm on the cap metro board. I will also be asking our cap metro staff to work with you on those kinds of things. >> Yes, councilmember, it thank you. In fact, I've recently been informed that as a matter of fact some of that coordination has already started and txdot has been involved with that along with ctrma to look for park and ride opportunities for capital metro. As you said, preferably west of where the construction will go to assist people during the construction. And then I know we'll be excited to help make sure cap metro has realtime information about construction delays so they can avoid it or make plans to deal with that. >> Kitchen: Okay, thank you. >> Yes, ma'am. >> Kitchen: Those are my comments. >> Mayor Adler: Thank you. Councilmember tovo, do you have questions? >> Tovo: I have a question for director spillar: Mr. Spillar, it's my understanding that cost participation is required. Can you speak to that, please?

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>> Yes, councilmember. Let me find the exact requirement here. Hang on a second. Yes, our participation is required by state law as the municipality because it's not a tolled facility, we're required to participate at 10% of right-of-way and reimbursible utilities. Reimbursible utilities are those that are within the rate of way that have an easement and so we need to help relocate those. There may be additional utilities that are there by permit so that they have not been paying a use fee of the right-of-way. That that would require a separate arrangement by the utilities to move themselves, but yes, it is required by law. If you will give me a second I'll find the actual citation for you. >> Tovo: I think I may have it, but thank you. I wanted to make sure we had an opportunity to talk about that here. >> Thank you. >> Tovo: And mayor, I do have a one line direction to provide for item 34 now if there is time to lay that out. >> Mayor Adler: Please. >> Tovo: This would direct the staff as follows: The Austin city council directs the city manager to continue to negotiate with txdot and other regional transportation bodies such as the capital area metropolitan planning organization or campo, along with environmental or community stakeholders, on the design issues that have been raised by the community. >> Mayor Adler: Thank you. I support those directions both from councilmembers kitchen and tovo. I would point out that I am real appreciative and I think the city is as well, the community for the work that Angela Richter and sass Barton creek association did to make this as good as it could possibly be. I think the entry of this mou, which is nothing that we can require, but is voluntary on the part of

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txdot is something that is a real significant step forward for our city and for our in that it memorial eyes a lot of the kinds of construction and mitigation and considerations that we do here in our city but txdot would never recognize. In some years they've done some of these things, but not all of these things and never can a commitment further. And this mou they're entering into now just doesn't concern this project, it becomes an umbrella agreement and then with each success active project there would be a separate Aidan active that gets -- addendum that gets added to it for that particular project. I'm real encouraged and real hopeful that once Austin and this region and I want to thank the district attorney Terri Mccoy for participating in this because his willingness to do this was critical. But my hope is when txdot sees this happen in this way, it's something that then they start doing in other districts around the state, not only ours, but specifically allowing the city to participate in a design process to identify ways to minimum impact to trees and sensitive recharge areas and caves. The commitment to work with the city's design, build and maintain water quality controls that reflect current city of Austin standards is part of this agreement and that also is new. Enhanced standards for vegetation in the creek. Increased tree protection measures. During construction, giving the city of Austin the ability either itself or

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through designee to have independent oversight over the construction and the operation on site. The city working with -- txdot saying that it would work with the city to install and maintain state of art erosion controls, limitations on the use of heavy equipment in the creek, independent on-site monitoring during construction. This kind of agreement should as it continues to get enhanced apply to all future highway projects if there are any in these kinds of contributing or recharge Zones. Potential collaboration on future projects for the acquisition of land for additional water quality protection, making the mitigation properties part of the project base so that it's available for funding in our cost participation might be counted towards those kinds of elements. I think it's also real encouraging that the work that's been done with the rma not only with respect to park and rides, but the ctrma board watching this now has directed it's staff to execute a similar mou with the city of Austin, and I think that will be coming back to the council as well. Those things happened in part because of our staff, because of the state, but also because of some of the stakeholders that testified here today applying pressure and getting those things included. We live in a region sometimes projects are going to be a regional determination, not always a city of Austin determination. In this case I think it's the regional needs that are driving this project. It's a project that's going to happen and I think that what's happened here will make this the best possible project. I want to thank everybody that was involved in that.

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Yes, councilmember Ellis. >> Ellis: I would like to take a minute to say a few words about the project. I appreciate the opinions and concerns of residents of district 8, whether they support or oppose these items. It's a very complex issue regarding capacity that we need to look at, especially through the design process. But I have a great amount of appreciation for the environmental community and the continued ongoing efforts to ensure the highest levels of environmental protection. It's a very difficult area of town to try to find the perfect solution, but I think that these agreements allow us to stay at the stable in a collaborative process, especially regarding environmental protection. And it helps us in partnering on this bridge project to address other mobility concerns as we look at how to spend our bond money. And I think that the improvement of response times for public safety is something that I've heard many times in the community and I look forward to being able to address that concern as well. I just want to say thank you to everyone for the hard work that's gone into this. >> Mayor Adler: Further discussion? Councilmember alter and then councilmember pool. >> Alter: Thank you. I just want to -- thank you. I want to also thank the advocates who have improved this progress over decades. One of the things that concerned me was the enforcement mechanisms for the mou. And in talking with staff, the watershed staff in particular, and trying to understand what was before us, it became apparent that we have our mou, we have the appendix that deals with oak hill, but then there's also a contract which we're not party to which in essence enshrines that appendix with respect to oak hill. And it's my understanding that most of the mechanisms that are discussed about what they will do in oak

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hill are now incorporated into the contract with the contractor or will be. And so there's an extra level of protection there that comes via the contract because the contractor will be held responsible for whether or not they carry out those particular steps. Perhaps Mr. -- From watershed, whoever the appropriate staff person would be, to confirm that there are those kinds of safeguards in the contract, which is not something we're voting on today, but does affect the enforcement of what we're looking at.

>> Good evening, mayor, council. Mike Kelly, manager of the watershed development department. The way you characterize it is correct. This is a summary of the items that staff has worked, city of Austin staff has worked with txdot staff to implement into the technical specifications and the contract documents that will be going through the request for proposal process through txdot. >> Alter: Thank you. So I just want to say that I appreciate that collaboration from txdot and their willingness to enshrine some of these things that are very much of a concern to us in the contract. And I don't know that this needs to be formal direction because I think this is what our staff would do anyway, but just to be very link lent as that -- vigilant as that contract goes forward and there are things that need to be invoked, we are vigilant about taking advantage of those different opportunities. So thank you. I also want to add that I concur with the direction that councilmember tovo and councilmember kitchen put forward. >> Pool: Thanks. I wanted to make some comments, having heard from residents and advocates and been briefed by staff. And reading and researching on my own about the project at the Y at oak hill, I just want to tap into the strong

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and deeply rooted environmental principles that give structure to my beliefs. Bruce Melton made a point that the oak hill Y intersection is the fifth most congested in Austin. It's not the first, it's not the second, it's not the third. If building ourselves out of congestion, and that's an argument we hear a lot about I-35, justifiably so, if building ourselves out of congestion doesn't work, then why does building ourselves out of congestion work in oak hill? Becky Halpin's point about a flood funnel effect should be an alarm. Austin has multiple flood prone sections of road. Depressing a section of 290 as shown in the project schematics would add a new one and one with significant collateral dangers. Third point, there's no guarantee that this expansion will improve traffic into the future. I do appreciate staff's reports that txdot is more accommodating to the city. That's been remarked upon numerous times today and I join in being pleasantly surprised. So this section, item continue, that was also referred to, I think it was Clarke Hancock, item 10, in the mou appendix, is worth emphasizing for the public. So I just want to read it so everybody knows it is that we're talking about here. This is in the mou appendix item 10. Txdot has agreed to allow city of Austin staff to provide observations and input about performance of environmental controls during the construction phase. Similar to the role of the Barton springs/edward's aquifer conservation district during construction of sh 45 southwest, city staff can provide additional monitoring information and recommendations for adaptive management to the txdot

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environmental staff and the cepp to ensure that best management practices are achieving the environmental protection goals. City of Austin staff will be on call 24/7 during construction to respond to requests for assistance. I think this is really important, particularly in light of the cave that was uncovered just last week or maybe it was earlier this week at lacrosse and mopac. So again, I'm really glad atd and watershed are actively participating and have a seat at the table with txdot. But I remain deeply concerned. I cannot in good conscience vote for this funding or this plan. This one vote won't change the outcome on the dais, I know that, but neither will I be Chris it in negative environmental conditions and still agreeing to fund them. Angela Richter notes that the city is in a tough position and you heard through some additional questioning that the city of Austin is required to be a financial participant. So we're in a tough position and I think everybody gets that. My vote here today reflects my disappointment. The road design could have been less visual impairment it Willy damaging. In fact, that's -- environmentally damaging. In fact, that's how it started. But that's not what txdot is doing. The city should press for addition improvements and perhaps make some additional headway during design and I'm really glad we're going to have a seat at that table, that's imperative. And I do hope that staff takes good advantage of that access. Overall I can't support this massive concrete behemoth that will be built. Thank you. [Applause]. >> Mayor Adler: Thank you. Any further discussion on the dais? Councilmember kitchen. >> Kitchen: I spoke earlier to item 30 so I'm

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going to speak to item 34. I want to thank our staff and txdot for working together to pull this mou together. I also want to thank our mayor for his leadership in helping us get the best possible agreement that we can. And I support the direction from councilmember tovo and the remarks of the mayor and my colleagues. From my perspective this is not an approval O a project, but rather a vehicle for staff to be at the table and to ensure our values and our priorities for environmental protections. I share the concerns about about -- actually, it's much stronger than that. If it was up to me I would never build something like that in the oak hill parkway area. I think it is not Progressive, it doesn't reflect where we want to go for transit. And I am horrified about what it's going to look like. But that is not what we have in front of us unfortunately unfortunately. And I do think that the mou does have a lot of value for us since we -- it allows us to be at the table to help ensure that our values and our priorities for environmental protections, that that's something that we can be strong advocates for in working with txdot to to ensure I think as others said our highest level of watershed protections and to continue as much as we possibly can to protect the environment and avoid harm to the aquifer. So I respect what all of my colleagues have said and agree with what all of them have said, and from my perspective feel that I will need to vote for this and so will be supporting item 34 as well as the other items.

[5:14:39 PM]

>> Mayor Adler: Okay. Thank you. There's been a motion and a second to approve these four items. Mr. Casar, did you want to say something in. >> Casar: Yes. I realize that there are real local needs here and

there are regional needs at play as well, but ultimately I think that as a city and as a state we have to start recognizing what studies and experience are increasingly showing what is that major highway expansion is not solution to congestion. What major highway expansion ultimately does is induces more demand, induces more sprawl. We end up with longer vehicle miles traveled and it ends up not helping folks as much as is so often projected. But I concur with the comments of councilmember kitchen that really ultimately regardless of the vote that we take here this is -- this is going to sort of be built regardless of city council's vote. And so that's why I appreciate the work that the mayor and the councilmembers on campo have done, the work that the staff has done with txdot. The expertise that councilmember Ellis has in this area to collaborate and participate in the project to make it better. So I do appreciate that. And I hope to work with txdot along with my colleagues at the city. We need to use our existing corridors and owe corridors and existing right-of-way to move more people in the limited space that we've got without thinking that major highway expansion is really going to be the solution to these issues. So I recognize that we are in that tough spot, but for me, we really need to get to a place that we recognize that major highway expansion on top of the environmental -- really important local environmental concerns that are brought up just as a sustainability issue and a transportation issue are just not the way that we need to keep going. >> Mayor Adler: Okay. Let's take a vote.

[5:16:39 PM]

Those in favor please raise your hands? Councilmember Garza, tovo, harper-madison, kitchen, Ellis, Renteria, me. Those opposed, pool and Casar. Voting no is -- not here is Flannigan. So 8-2-1, those four items pass. Thank you. All right. Council, it is 5:17. At 5:30 we take a break for music and for proclamations and we have a significant number of folks that have signed up to speak on this. In the 10-minutes that we have left do we want to -- councilmember alter, do you want to lay it out and explain this? And let people know what draft we're taking a look at? >> Alter: I'm happy to make a motion. I probably would like to make my remarks right after dinner or right after we break, but I can just -- >> Mayor Adler: You don't have to make your remarks, that's fine. >> Aer: So I would like to move the resolution number 77. I've passed out what is labeled at the top a version 3. The only difference between version 3 and version 2 from earlier today is the addition of additional news organization on the second page and to whereas clauses. But it's otherwise the same as version 2. >> Mayor Adler: Okay. Councilmember Casar seconds this item. Do we want to hear from any speakers in the 10 minutes that we have or do you guys want to take a recess now? Let's go ahead and get started. We can get three people -- >> Alter: Maybe we can see if someone has a child or --

[5:18:43 PM]

>> Mayor Adler: Someones that to leave. Does someone have an emergency or have a child and need to be able on speak and then leave? Do you? Come on up. Introduce yourself, please. It's my intent to call marina Connor and Erica Elliott next. >> Good evening, mayor Adler, mayor pro tem and city councilmembers. Congratulations to those of you new on the council. Happy new year. My name is Erica

Elliott and I live in district 8. I am here with survivor justice project in support of agenda item 77. 15 years ago I was the victim of sexual assault by my then employer. This crime happened in another city. I never reported it. I was scared because he was a powerful, connected predator. The life I had worked so hard for fell apart short L.I. After this happened. I didn't talk about it because I was terrified. I had a nervous break down. Not reporting it after it happened led him continuing his dreadful behavior and I learned later he raped another woman under his employment. Finally, I had the courage to open a criminal investigation against him when the me too movement became our powerful source of change for women and men subjected to abuse of power and destructive behavior. As a city we need to provide support and belief for any person coming forward,

[5:20:43 PM]

reporting their assault. They should be supported and believed. I am here in support of item 77 on today's agenda to open an independent third-party evaluation of the Austin police department and how they have handled rape cases or not handled them as it were. The statistics speak for themselves. And the courage it takes for a person to come forward isn't something that's measured because when victims are assaulted, their voice and courage are taken away. So what I ask tonight from our city council is to fully support this item to open an independent third-party evaluation and show how Austin can be a leader in supporting victims of rape and sexual assault. If we don't believe survivors and sweep their courage and stories under the rug, we abandon our sense of humanity to support them, heal them and help them move forward. I would also like to add that we should provide resources for our survivors in our community with city funds in the form of mental health support. [Buzzer sounds] This is crucial for any victim to know they are supported. Again, thank you for your time, councilmembers, Alison Alter, Ann Kitcher, Greg Casar, mayor pro tem Delia Garza and mayor Adler for sponsoring this item. Let's show our country once again how we are a leader in changing how we operate in our civil discourse. Thank you.ause]. >> Mayor Adler: We'll hear from marina Connor.

[5:22:46 PM]

You have three minutes. >> Councilmembers, mayor Adler, in September 2016 at the age of 19, I stood on this very spot and told my story publicly for the first time. While I knew then that the DNA lab had been shut down and my rape kit sat on the shelves with thousands of others with absolutely no timeline as to when it would be tested, I didn't realize then that I was advocating, nor did I know how these processes worked. I just knew that city council had power and I needed to ask you to use it. Here I am almost three years later asking you to use that power again because yet another part of my story, my life, is in need of city reform. I learned for the first time a few months ago that my case was exceptionally cleared. I didn't learn this from APD or the DA. I learned this being part of a news story with newsium pro publickia. The case I told you three years back with the details that I cannot bear to tell you again today, begging you for the funds to test the DNA so we could move forward in the judicial process, that case was exceptionally cleared. And while I cooperated at every point, the Austin police

department exceptionally cleared it and reported it to you as a cleared case. I'm asking you to pass this resolution to help myself and the thousands survivors of Austin get full transparency into a process that is not giving us justice doesn't feel like a big ask. For a third-party to audit a case from the 911 call to the date people stopped working on it because exceptional clearance was stamped on it doesn't feel like a big ask. It feels like the first step towards justice. I know survivors that have never been contacted by their detectives, who never got the results from their rape kits. I know survivors who were told their tortures sounded

[5:24:48 PM]

consensual. I know survivors whose rapists were only interviewed once even when other evidence showed he was lying. I know survivors whose detectives investigated the wrong location. More importantly I don't know a single survivor whose case made it into a courtroom. I don't know a single survivor who trusted their detective. And I don't know a single survivor that would say the Austin police department or the DA helps them find justice or healing in any way. Passing this resolution will give survivors across Austin hope that the people who are supposed to protect us want to do better and want to do the right thing because right now for us it feels like we live in a city of disbelief and a city that doesn't care. Thank you. >> Mayor Adler: Thank you. Is Julie niche? Julie? Yes. >> This will be our last speaker before we break. >> Like Marina, I have already shared my story in front of this council before, so I'm not going to go into too much detail. But when your home, the place you should feel the safest, is broken into, you are violated and -- and you are violated, you expect a certain level of concern from the police that respond to this crime. I did not receive this. You should be treated with this level of compassion and told by the person charged with finding the perpetrator that they have some interest in bringing the perpetrator to justice. This was not my experience. Tonight this council has an opportunity to make changes in the system that has let so very, very many women in this city down. Tonight you can make changes that ensure that when these violent horrific crimes happen and when women do report them that they won't

[5:26:49 PM]

have the added trauma that myself and so very many other women in this city have lived with. Trauma caused by a system that has failed women. And made them regret reporting altogether. You can ensure that going forward women will have a different experience in this city. You have an opportunity to change a very important conversation. This is not a conversation that happens in public nor one on social media. It will be a conversation between two women. One has just been assaulted and she is seeking the help of another woman who she knows has also been assaulted. You can change that conversation from I'm sorry, but don't call the police. Even if they believe you, they're not going to do anything to help you. It's just going to make it harder. That's hard to hear and it's hard to say, but it's the truth in this city. If you can change that conversation. You can change the lives of women in our city. We must reform the system from start to finish so that women will see rapists brought to justice and will

choose to seek justice when these violent, horrific crimes happen to them. Tonight you can say we believe women deserve justice. You can take the first steps in fixing this system, and I hope that you will. Thank you. [Applause]. >> Mayor Adler: Thank you. Emily leblanc. >> Good evening. I'm a licensed professional

[5:28:49 PM]

counselor and an advocate who has worked with more than a thousand survivors over the span of two decades. But I can't recall even one survivor whose case made it all the way through the system or who felt like the way their case ended constituted justice, not one. The CDC estimates that the average lifetime cost of sexual assault is \$122,000 per victim and two in five women in Texas are survivors of sexual assault. With our current population that means that sexual assault will cost the women of Austin \$58 billion in their lifetime. And that's just taking into account lost wages, health consequences and criminal justice costs, without ever assigning value and taking into account pain and suffering. I'm also speaking to you as a woman who like most women in this chamber take so many actions everyday to protect myself from rape that I don't even realize that I'm doing it. Today alone I locked my doors the second I got in my car, I ended a phone call before I got out, I carried my keys in my hand ready to use as a weapon. I parked under a light. I crossed the street when a stranger approached. I checked the elevator before I got in. I shared my location with girlfriends because I knew I would be downtown after dark. I'm not taking a ride share because I'm alone tonight. I avoided closed stairwells. I let my friends know when I was going to the restroom. I'll have a male friend or multiple female friends walk to to my car later tonight. I'll call my husband and let him know I'm on my way and I won't roll down my windows. This list could go on and on and every woman in this chamber has their own version of it: And when women in Austin are raped and do report it, they tell us they do so to protect other women. The survivors sharing the most painful parts of their lives with us tonight are doing so in the hopes of inspiring change and making it better for the next survivor. That is the best part of Austin. We care about each other, we take care of each other. We're willing to have really difficult conversations, and we all do our part.

[5:30:50 PM]

A start to finish evaluation of the handling of sexual assault will send a message to survivors that the city hears them, sees them and that we will all do whatever it takes no matter how difficult the conversation or how painful the result to figure out why justice has been so hard to come by in recent years and to make Austin safe for everyone. Councilmember alter, thank you for your leadership and for collaborating with survivors, advocates, officers and experts to develop a transformational resolution. To the co-sponsors and hopefully to this whole council, thank you for being willing to break ground and lead on issues that disproportionately impact one group of citizens, in this case to the tune of \$58 billion. To the advocates, nurses, detectives and lawyers are doing your very best to serve survivors with the resources that you have, thank you for your persistence. When we all work with survivors' needs

and best interests as our north star we all move in the right direction. Thank you. [Applause]. >> Mayor Adler: Thank you. So we're about to take a break. Before we do I want to say first that I also appreciate councilmember alter's leadership in this and the work that I know that others on this dais have done. This is a very serious and sensitive and important topic that we're going to discuss tonight. And I know from having conversations with many of the stakeholders here and others as well as being with the sex crime unit with the police department as well as speaking with folks in the da's office that I really think we have reached a moment where there's a real opportunity for us to move forward in a way that will really bring this issue to

[5:32:52 PM]

bear and improve where we are and find the greatest measure of justice. I also want to say that I'm aware that there are a lot of people that want to speak tonight, not only on the issue that is germane to and brought up by this resolution, but also on other issues and concerns that relate to our police department. I would say that we want to hear those kinds of things as well, but not tonight. They're not germane to the resolution that we have. And I think that it is important on this sensitive topic with speakers that are courageous to speak on the floor that we give these folks their day without different concerns being part of the conversation that we have tonight. And I am going to try to do my best as chair to make sure that we are focused on the resolution that we have. That said, it is 5:34. We're going to take a break and I would anticipate that we would be back here as close to 6:30 as we can, but it might be a little bit after that. With that, we're recessed, thank you.

[5:41:15 PM]

>> Mayor Adler: All right. Are we ready? Are we ready? You guys set? All right. If I could have your attention for just a second, folks in the back. I think that the Austin city council is the only city council that I'm aware of in the country that regularly stops all of its city council meetings to bring music into the chamber. It is fitting for the live music capitol of the world that we do that. It's part of who we are. It's part of our DNA. And quite frankly, on an evening when we're Ora -- or a day that we're discussing issues that are hard to talk about and are sensitive issues that bring down a lot of people -- and if the folks over there, if you're going to talk if you could move on out of th room. It's on those kinds of days, it's probably that much more important that we bring a little music into this place and impress it into the walls because I would imagine that an hour from now or an hour and a half from now wire all going to be relying on that being in this space. So it is an absolute gift when local folks will come and bring that -- bring that into our space. I want to introduce and welcome not to Carnegie

[5:43:16 PM]

call, but the next best thing, city council chambers, Scott Collins. [Applause]. >> Thank you very much. >> Mayor Adler: So Scott Collins is a singer, song writer, who brings a blend of indy folk and americana to our chamber. He has had the privilege of gracing some of the most famous stages of live music -- stages in the live music capitol, including kutx 98.9's Austin music minute, performing at the station's notable studio 1a, and showcasing at south by southwest in both 2015 and 2017. He has worked closely with grammy nominated producer Chris frenchie Smith, and it was his single marigold that was chosen for placement in a series of NASCAR commercials. Scott Collins has no set boundaries for his next installment, but promises it will tell stories of life and love and the road well traveled. Please join me again in welcoming Scott Collins. [Applause]. >> Thank you. Thank you so much. [♪Music♪] [Music]

[5:47:16 PM]

[Applause]. >> Thank you y'all very much. Cheers. This is a great honor and for coming out. >> That was great, thank you. If somebody that was in this room or watching us on the TV wants to find you, do you have like a website, a Facebook page? >> Yes, sir. Scottcollinsproject.com. >> Mayor Adler: Okay. And if somebody wanted to get some of your music, is there a way for them to do that? >> Google. >> Mayor Adler: Google? All right. [Laughter]. >> I think it's just me and a lawyer. We're the only two Scott Collins. >> Mayor Adler: There's an obvious choice there. That makes that one easy. And then -- it's like a joke, there was a lawyer and a musician. It's me and you. If someone wanted to come see you play, where is your next gig in town that people could find? >> My next gig in town is actually for a charity event. I am focusing on new songs and booking a tour possibly up to Canada or I may just go to Canada. I'm playing in San Marcos on the third after a shoot a music video this Saturday. So I've been focusing on a the music video and studio stuff and then I'll start booking more Austin gigs in March, south-by. >> Mayor Adler: Sounds good. I have a proclamation to read. 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 supports local parents, newcomers alike. And whereas we are pleased to showcase and support our local artists, now therefore I, Steve Adler, mayor of the

[5:49:17 PM]

live music capitol, do hereby proclaim January 31st of the year 2019 as Scott Collins day in Austin, Texas. Thank you so much. [Applause]. [Applause]. >> Tovo: Good evening, I'm councilmember Kathie tovo. I represent council district 9 and I have the pleasure of presenting a proclamation for a really exciting program that Austin resource recovery in collaboration with lots of different partners launched last year. You know, we have a wonderful student population here at the university of Texas and at the end of every semester and especially in July, many of them move apartments, and sometimes leave behind lots of household materials. And so over the years there had been a recognition of that issue that lots of the items that were being left outside apartment complexes could be used by others and

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if they were left there too long were becoming garbage and going to our landfills. And sometimes presenting some safety hazards for people walking along that area or trying to drive by. So as you might imagine as a councilmember who represents this district, I heard a lot about it from a variety of people. So it was especially exciting to hear the solution that Austin resource recovery came up with. And I want to especially credit Maddie Morgan, who I understand as a UT student, had some ideas about how to make what is a challenge and a problem into a really creative solution. And so thank you, Maddie for your work on this especially. [Applause]. So the pilot program involved 70 volunteers who provided more than 300 service hours. They collected, they had several dropoff locations for UT students where UT students could bring usable items. They were able to collect everything from non-perishable food to electronics and cleaning supplies. Some of the more unusual items that were collected included a ping pong table, a Santa suit, a Kate spade purse, and lots of other interesting things. Some of these items went directly to austinites who needed them and to non-profits. Some of them were sold. Some of the items were able to be sold and the profits from the sale of these reused materials totaled about \$136,000. In total at the dropoff stations and at the small scale demonstrations more than 124,000 pounds or 62 tons of material were collected. It was an extraordinary success. Special thanks really to all of the organizations who collaborated on this. This was led by our Austin resource recovery, but was really done in collaboration with many organizations, including goodwill, the Salvation Army, arms of hope, Austin creative reuse, the central Texas food bank,

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street youth ministry, joscó partners. Alliance for recycling, the Austin apartment association and the university of Texas office of sustainability. So on behalf of mayor Adler and the entire city council it's my privilege to present the following proclamation: Whereas in the summer of 2018 Austin resource recovery staff collaborated with other community agencies on several pilots in west campus to address the accumulation of discarded items during move in and moveout periods with the intent of diverting these items from our landfills. Whereas these pilot programs yielded incredibly successful outcomes, such as the diversion of 129 pounds of material from the landfill and \$18,500 in cost savings. Additionally the profits generated from the sale of these reused materials can now fund two entry level employees at a reuse organization and provide 23 hours of employee training. And whereas Austin resource recovery's ingenuity, innovative spirit and strong commitment to the promotion of sustainability in the west campus area is admirable and worthy of councilmember Renteria day, now I Kathie Tovo on behalf of mayor Adler on behalf of the city of Austin, proclaim January 31st, 2019, as Austin remove and reuse day in Austin, Texas. Congratulations to everyone involved. [Applause]. >> Hi, everyone. So thank you to councilmember Tovo for your support on this exciting initiative. As she outlined, remove and reuse was a series of pilot initiatives in west campus. We -- the main event took place from July 27th to August 1st and we had over 766 dropoffs during that five and a half day period. 70 community volunteers gave

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their time so were 300 service hours provided. And it was a very successful event. So successful in fact that we will be repeating something in 2019 and you can stay tuned on moveout.atx.org for more information on that. And thank you to all of these amazing partners behind me as well as those that weren't able to make it. Traffic was very harsh this evening. So if you could give everyone back here a round of applause. [Applause]. This was truly a community effort, and these results @could not have been achieved without everyone that was involved. So yeah, thank you. [Applause] . [Applause]

[5:57:22 PM]

>> Mayor Adler: All right. So let's bring all of the creative aassadors out. Why don't you all come on down here. Why don't you come and talk to us about the program so everybody knows what's happening here. >> Sure. My name is Stephanie. I'm the music programs coordinator for the city of Austin music and entertainment division. It is my pleasure to introduce to you the 2019 creative ambassador grant recipients for the city of Austin. This group of ten artists were across multiple disciplines, film, music, visual art, dance, are all headed to multiple destinations across the world to represent the city of Austin. So this is our 2019 group. I'm happy to introduce them to you. >> Mayor Adler: Thank you. And we talked about music earlier and we talked about that kind of creative spirit being in our DNA, and it's just wonderful to have you all represent this city and and -- and this culture so well. We have certificates of recognition for each of the winners. In visual arts, it was Anna Lese gratavich. Is she here? No? We'll get that to here. Is -- in theater, it's the hidden room theater. [Cheers and applause] >> Mayor Adler: In dance, we have the -- Andrea Ariel dance company. >> Here. Thank you. [Applause] >> Mayor Adler: In film, we have capital city black film festival, and P. J. Ravval.

[5:59:31 PM]

[Applause] >> Mayor Adler: In music, we have kid Jones to start with. [Cheers and applause] >> Mayor Adler: We have montopolis. >> We can do a better job... [Applause] >> Mayor Adler: Okay. Thank you. Congratulations. We have Greg Gonzalez and grupo [indiscernible] [Applause] >> Thank you. >> Mayor Adler: Thank you. We have atlas mayor. [Applause] >> Thank you. >> Thank you. >> Mayor Adler: We have -- in multidisciplinary, we have Usha akela. [Applause] >> Mayor Adler: I got a couple of these out before I had an opportunity to take a picture. >> I'll take one with you. >> Mayor Adler: Let's do that -- >> Thank you. >> Thank you so much. >> Mayor Adler: Thank you. It's good to see you. >> You too.

[6:02:14 PM]

>> Mayor Adler: Let's take one as a group. Okay?

[6:04:58 PM]

>> Mayor Adler: So we have some certificates of appreciation for some of the members of the U.S. Hispanic contractors association. Honorees here in Austin. You want to tell the video feed who it is that we have here? Not by name, but describe who's -- the kinds of things that are being honored? >> Absolutely. 4:00, mayor. >> -- >> Absolutely. Thank you, mayor. Thank you for this opportunity. I think when you drive in Austin, you can't help but see a construction site. That construction site is not just a physical landmark, but it is completely full with folks that are building the dreams of the folks that live in this city. From the homes that you live in, from the roads that you drive, to the hospitals that you take your families to get well, the churches that you go when you worship, to this very building where our leaders gather and make great decisions that affect us all in ways that we can't -- that's in the future, really. So the folks that are going to be recognized today by our mayor are folks that have given their lives and literally their souls to our industry, to the folks that work in our industry, and we are truly grateful that the mayor, our city of Austin, has taken time to recognize them. Thankou, mayor. >> Mayor Adler: Absolutely. And everybody knows we have a city where we see a lot of construction and a lot of changes that are happening. These are the folks that help build our city. The first certificate of appreciation for an honoree, adriantez with Ferguson enterprises. [Applause] >> Thank you so much. I appreciate it. >> Mayor Adler: Thank you. We also have gaylol bouser, also

[6:06:59 PM]

with Ferguson enterprises. Are you going to take them all? >> All take them all. >> Mayor Adler: All right. For Rene Garcia -- we also have Joseph Patrick of kobota. [Applause] >> Mayor Adler: He's checking to make sure one of us didn't close our eyes. Jesse candelas, masonry product international. Laura Mejia, Home Depot. >> I'm the mother. >> Mayor Adler: Are you? >> She's at school. >> Mayor Adler: Sorry we missed her. >> I will tell her. Thank you. >> Thank you, sir. >> Mayor Adler: Also, from home Depot we have Patricia Williams. [Applause] >> Thank you. >> Mayor Adler: And Cory Whitacre, also from Home Depot. [Applause] >> Thank you.

[6:09:00 PM]

>> Mayor Adler: And Ruben torres, brennananxt, fastener industry. >> He's in traffic. Building something else. Thank you, mayor. >> Mayor Adler: Okay. Thank you. >> Thank you so very much. >> Mayor Adler:

Thank you for the work you guys do let's take one of the group. >> Mayor Adler: All right. This is for our Austin story day. I'm going to read the

[6:11:01 PM]

proclamation and then maybe Ted Eubanks, downtown Austin alliance, can speak to it. Albeit known that whereas the rich history of Austin is threatened with being overlooked and forgotten in a city, and the parks department and formada, inc. Have developed Austin story to give importance to these Austin histories, and whereas the Austin story is in the earliest stages of bringing these important histories to the attention of the public, both residents and visitors, and whereas on January 17th of 2019 the Texas historical commission awarded our Austin story the award of excellence in preserving history which is the state's highest award in preservation planning, now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, together with my colleagues on the council, councilmember tovo and councilmember pool, do hereby proclaim January 31st of the year 2019 as our Austin story day. And let's applaud that. [Applause] >> Mayor Adler: And Ted Eubanks, you want to tell us a little bit about it? >> Thanks, mayor. First of all, thanks to the mayor and thanks to the city council members, especially councilmembers pool and tovo, and especially Nicki in councilmember tovo's staff. She was great help to us. I also want to thank all those people who participated in this effort. There are literally hundreds of people from all over Austin that shared their stories with us. It was said that a great city may be seen as the construction of words as well as stone.

[6:13:04 PM]

Our Austin story is narrative base planning at its best. Austin is repeat with plans, virtually all of them focused on physical elements of the city, streets, buildings, parks, Lakes, et cetera, but rather than being about the body or flesh, the sinu of a city, our Austin story is about its soul. In the next few months we'll begin to implement the plan. This spring we'll unveil the first interpretive panel about the visit of Booker T. Washi 107 years ago. And this summer we will hold an event which commemorates the 400th anniversary of African Americans coming to the eastern United States to Jamestown. This quadricentennial is being held all over the electricity, then we'll talk about the first African American who came in July of 1839 to Austin. People need to be oriented, and our Austin story, we believe, is the beginning of roots that help all members of our society. All members, feel oriented to who we are and where we are. So we thank you very much for us to celebrate this proclamation. Thank you. >> Mayor Adler: Great. [Applause] >> Mayor Adler: Let's take a picture over here. >> Yes.

[6:15:25 PM]

[Recess]

[6:38:27 PM]

>> Mayor Adler: All right. We have a quorum. It is 6:38. Still it is January 31st. We're continuing in discussion on this item 77. We're taking comments from the public. Do you want to take some comments or you want to address it first? >> Maybe we could have a couple comments, then when we have a full dais, I can speak. >> Mayor Adler: We can do that is Hannah Sanko here? You have time donated from Martha pen coffs. Is Martha here? And Jennifer treat. Is Jennifer here? >> Jennifer is not here. >> Mayor Adler: Okay. So you'll have five minutes, Ms. Sanko, you can begin. >> Councilmembers, good evening and thank you for your time tonight. My name is Hannah sko. I had an opportunity to speak with you briefly during the November meeting in which I shared my email of concern that I had written chief Manley after the engagement on the soccer I'm here supporting the resolution as a survivor cleared by the Austin police department. I want to begin by stating how appreciative we are for your attention to this topic and progress that has been made so thank you to each of you. While I want to commend A.P.D. For their recent actions, it is with the understanding that we have a long way to go. I stand here not only as a survivor myself but I am here because I know that so many survivors cannot be. For some getting involved at this level is way too intense, way too vulnerable, or way too great of a risk as the repercussions are simply too much. I am here not trying to make A.P.D. Look bad, rather I am here because there's a lot of work to be done in the understanding and

[6:40:27 PM]

handling of sex crimes, not only in our city but throughout our nation as a would Austin has a real opportunity in front of us to take the lead, but only if we choose to do so. I am here not because I am angry, even though I have every right to be. Rather, I am here serving as a face, a voice, and a reminder that we have a journey ahead of us yet. And this issue is not simply about rape kit backlogs or exceptional clearances, rather it is about everything from start to finish, beginning to end. I am here hoping that you don't only see a survivor but more important, that you are reminded that there's a perpetrator that has not been held accountable for myself or 99% of us. I am a reminder that we were once victims to our perpetrators that insured they had the upper hand, either through force, through fear, through alcohol and drugs, or through knowing that she wouldn't be believed and he would not be challenged. I serve as a reminder that it is no longer about sex, rather it is about power, control, and a failing system. I've had to come to recognize that sexual assault survivors have not had a fighting chance at justice. Not in our current state of affairs, not with the current processes, and most importantly, not with some of the mindsets in our governmental agencies and city institutions. Because the statistical probability of seeing justice in a sexual assault case is less than one percent, it is almost as if the fate of the cases have been decided before they even entered the system. As 40% of women in Texas billboard sexually assaulted in their lifetime, the impact that sexual assault has on our community reaches far and wide. It touches every single one of our lives. Andor those who feel they're not impacted, I ask if you know

[6:42:29 PM]

without a doubt whether your spouse experienced anything similar before you met, if your child has a story that you may not know about from their high school years, or if something similar happened to your sibling only after you grew apart. For even my own family cannot answer yes to all these questions, whether they realize it or not. We need to shift away from the idea that victims aren't cooperating and focus more on how the system can do better to keep victims engaged. We need to be believed, stranger or not. Our rape kits need to be tested. Our witnesses need to be sought. And our investigations need to be thorough so that there is less need to prepare us for disappointment and more opportunity for resolution. Until we figure this out, rapists will go on raping without repercussion. This is an issue that is going to take time. It is going to take investment, and it is going to take commitment by our city, our local agencies, and our advocates to effect real change. It is going to be uncomfortable and it is going to challenge the status quo. However, it is necessary if we want to hold our perpetrators responsible for their actions. Every year we have thousands of survivors right here in Austin counting on us to figure this out. I ask, if not now, then when? Thank you. [Applause] >> Mayor Adler: Thank you. Next? >> Alter: Should I go ahead now? >> Mayor Adler: If you'd like, yeah. >> Alter: Yeah. Thank you. So I appreciate the opportunity to speak to my resolution. I made the motion earlier with a second from councilmember Casar, and I'm joined in this resolution by councilmember kitchen and mayor pro tem tovo and mayor Adler and hopefully the full dais

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will be in support. I want to start by saying that tonight we declare Austin, we have a problem, and then together we can take the next step toward doing right by sexual assault survivors. As a council, we have an opportunity together with chief Manley and city manager cronk to acknowledge openly, honestly, and with intention, that sexual assault is a violent crime. That sexual assault is too prevalent in our city. That sexual assault disproportionately hurts women. And most important, that this is the time to affirm that we, the leaders, have a responsibility and a desire to do more to promote healing and justice for survivors. The challenges we face, unfortunately, are shared by communities across the country. We, as leaders of our city, though, have a choice as to how we respond. With this resolution, I invite my colleagues to go the Austin way and lead a transformation that will help our city and others turn the corner towards justice. To transform our system is no small endeavor, and for us to truly succeed, we must all come to the table prepared to trust each other and unify behind a shared goal. This resolution calls for a thorough evaluation of how reported sexual assaults are investigated and processed, including why a number of reported cases do not proceed to prosecution within the criminal justice system. The proposed evaluation will look backward and forward and will be informed as every step by best practices. It puts the victim's well-being at the center of the approach. From the first few whereas

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clauses, this resolution also recognizes that we face systemic challenges and that we need to uplift the work of the sex crimes unit with the best resourcing, training, and support for the complicated tasks we demand of the dedicated people who choose to take on this work. The goal of the evaluation is to understand the deeper "Why" beyond the problems we are seeing with reported sexual assault cases in Austin. It also charts a roadmap forward that will result in improved outcomes within the criminal justice system, rebuild trust in the community, and transform us into leaders in this area. By looking at where we've been and where we want to be, we can make great strides in facilitating healing and justice for survivors, and we can be a model for countless other communities in how we address sexual assault. I look forward to the rest of the testimony and discussion on the dais. Thank you. >> Mayor Adler: Thank you. Let's continue with public testimony. Is Chris Kaiser here? Is Andrew Alison here? You'll be up next. >> Hi. My name is Chris Kaiser. I'm a district 1 resident and I'm also policy director for the Texas association against sexual assault, which is a statewide coalition of rape crisis centers, advocates and survivors, and we work to support survivors' interest in public policy. As someone who has spent the last ten years trying to examine the ways that legal and administrative systems work for survivors, or very often do not work for them, I'm here to support the resolution. But I also want to tell you why this resolution makes me extremely proud of my city and why I'm so thankful for the sponsors of the resolution, and in particular, councilmember alter. The problem of unclear and

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sometimes outright opaque data related to sexual assault case handling is not unique to Austin. Usually what we have, in general, is, on one hand, relatively straightforward figures on the number of reports and arrests and referrals to the district attorney for prosecution. And on the other hand, we have our court data, which provides an annual snapshot of the total number of adjudications and dismissals and docket sizes. But in between, at virtually every decision point by both police and prosecutors, there's no data at all. It's a void. And if we're interested in understanding things like why in Texas 91% of sexual assaults go unreported at all, and why so many sexual assaults that are reported, so many of those survivors are deemed to be uncooperative with investigations. And why so many cases that are referred to the district attorney are ultimately declined for prosecution, then we have to shine a light on those decision points along the way. The only way that ever happens anywhere in this country is for local leaders to recognize the issue and decide to prioritize it and demand action. That's what this resolution does and it's why I'm incredibly proud to call myself -- an austinite tonight. Finally, I want to point out there's absolutely no room in this work for defensiveness or ego. It's about doing better for survivors and promoting public health and public safety. So thank you sincerely. Thank you sincerely for doing this work. You're setting an amazing example for communities across the state and across the country. >> Mayor Adler: Thank you. [Applause] >> Mayor Adler: Adrian, why don't you come on up, and Amanda Lewis. Amanda Lewis. You'll be at the next podium. Go ahead, sir. You have three minutes. >> Thank you. I want to start by thanking councilmember alter for bringing this resolution. It's an important first step, and we appreciate it.

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We can't have transparency or -- we can't have justice or safety if we don't have transparency or accountability. We need an independent audit, from start to finish, from investigation through prosecution. And we may not like what we find. We may find that systems we've trusted have disappointed us, or failed survivors, but we need to know that. We need to know that if we are going to begin to fix this. Now is not the time for cycling the wagons. Now is the time for doing our jobs as community members or officials or allies. We can do incredible things if we are honest about our problems and sincere about solutions. There's no reason we can't lead on ensuring public safety and human dignity. That's why we formed this campaign. Thanks to the leadership of an inspiring group of women called "We believe atx" to advocate for transparency, accountability, and support in the systems that exist to serve survivors in Austin. We'll be there with you as we take these next steps so we can fix this together. Thank you. [Applause] >> Alter: Mayor? >> Mayor Adler: Yes, councilmember alter. >> Alter: It was bught to my attention that I misspoke. It was mayor pro tem Garza who is

[6:52:38 PM]

the co-sponsor. I'm getting used to that, so I apologize. >> Mayor Adler: I -- I would throw no stones because when I announced the vote on the last item, I think I also referred to our mayor pro tem without her title. We'll all get used to it. Let's continue on. Before we hear from Amanda Lewis, Anna, you'll be at the next podium. Go ahead. >> Hi. My name is Amanda Lewis and I'm the district 4 appointee to the Austin commission for women. I'm also a social worker, and I've been an advocate for sexual assault survivors with sexual assault survivors for many years. And I just -- I wanted to say the past three or so years on the Austin commission for women, we've been meeting with folks, survivors, professionals, about issues and our system response to sexual assault, and we have put forth resolutions and tried to find ways to support and address these system issues. And we have a lot of work to do, but we see the value and we see the effort, and I think that's important to highlight. But, yes, it's a lot of work. I also think that when we supported this resolution, we put forth our own resolution about this third-party, independent evaluation of sex crimes, we saw it as an opportunity to really get into the gaps and into the understanding of where we need to go, and what kind of services in our community need to be funded, how we can resource our departments, how we, as a city, can be honest about what's going on and actually do something transformative instead of kind of

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just covering up or dealing with issues as they come. So we see this to really understand what's going on in them and build solutions moving forward. I think when it comes to the larger movement against

sexual assault, the first part of that I think is speaking truth about what is real, being honest about what is real, bearing witness to others in their experiences, and getting things done and just doing what we need to do. And I think that that's the point where we're at. We know that things are broken and it's time to actually get to work. And as other has said, Austin has an opportunity to lead the country, and we believe, I think, and the commission for women, we believe that Austin can be the best place for women and girls, and we see this as a big first step. [Applause] >> Thank you, councilmembers. And thank you, councilmember alter, in particular, for championing this resolution. My name is Ana Rodriguez defratas. I am -- actually, this is my last month as a commissioner with the Austin commission for women. I'll be rolling off after four years of service. And it has been a tremendous honor to serve. Thank you, Pio Renteria for the appointment. And like Amanda just said, for the last three years, we've been as a body of citizens, focused on making recommendations to this body around sexual assault, in particular. And we've been really successful in partnership with you all to gain a lot of ground as problems surface. Have learned a lot and made recommendations that have been acted upon related to the rape

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kit backlog, related to the need for additional victim services counselors within A.P.D., related to training for trauma-informed therapy, to licensed therapists who could then serve survivors in exchange for that therapy and do so pro Bono. And what this resolution does that none of the others really could is allow us to take a step back. While I'm very proud of those accomplishments that we've made together, it is and it does feel like we're putting out fires one by one. And for a while, I thought that those fires were the problems themselves, and now I understand the issue to be much larger. And what this resolution allows us to do is take a step back and understand the problem holistically. There will still be small fires along the way, but I'm really confident that the information this resolution will yield through the investigation it calls for will help inform in a really transparent way where the source of that fire is. Right? I want to say, too, that this has been so hard. It's been so hard and your staff have worked so hard, countless hours wh survivors and with advocates. And I want us to be comfortable with it being hard. And you have been. And I thank you for that. But I do want to challenge ourselves to continue to be comfortable with the conflict. Because it is through that conflict that we arrive at a better outcome. And when we're seeking truth, when we're standing before you, whether this campaign or another, that in seeking truth and asking, it's not an act of violence to ask for truth in the numbers; it is not acrimonious to expect that

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he with understand the numbers the same way. [Buzzer sounding] I believe time was donated to me by Diana Limon Mercado. >> Mayor Adler: Is she here? >> Here spirit is here. May >> Her spirit is here. [Laughter]. >> Mayor Adler: You can finish real fast. >> It's just one more story. >> Mayor Adler: Go ahead, you have another two minutes. >> I won't take three minutes or two minutes. So the thing I want

to say is that we all get it wrong sometimes and that that's okay. And the story that I wanted to share and I don't even know how it will land, but 20 years ago when I was in my 20s, a friend of mine came to me and revealed that she had been sexually assaulted, she had been raped. And I was so mad at her, so mad. I was so mad because she in my mind decided to get drunk and high with a couple of thugs. And in that moment, in that response I condoned her rape. And I don't think like that anymore and I know that there are lots of people out there who do think like that and there's a fear that they'll end up a juries, there's a fear they will end up on public service. But I share that story even though it's really embarrassed because we are all capable of being better versions of ourselves, and it took people teaching me and confronting what I held to be beliefs and showing me that that was rooted in internalized sexism and patriarchy and that we don't have to move through the world in that way, that it wasn't her fault. So I call on to us have humility, to admit when we're work and to do just our best to move through this process. And thank you for your service. I think there's support for this. I love seeing your yellow

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bandanas there. And I'm just proud to be here with the survivors who have taught me so much. [Applause]. >> Renteria: Anna, I just want to say thank you for your service. You've been very valuable for us that you're there and that you're really going to be missed. And I hope if you could recommend somebody with caliber as a friend and energy. >> Thank you, sir. >> Mayor Adler: Thank you. Is hope Douty here? >> Thank you. >> [Inaudible - no mic]. >> Mayor Adler: Is Pamela Brubaker here? What about Kristin banal? >> She donated. I believe our whole group, mayor. I believe that's our whole group. >> Mayor Adler: Okay. I'm going to call some names here. Thank you very much. You can sit down then. Gus Pena, Mike Burnette. Chaz Moore. While Mr. Moore is coming down, is Julie Anna Gonzalez here. You will be up next. Mr. Moore. >> Got my bandana showing. I read an article today that suggested that y'all don't like testimonies all day, but you've got to deal with it. First I do want to say I wasn't here early. I do want to thank council woman kitchen for leading the way with the meadows contract. I think that is going to definitely be some great stuff for our community here in how we respond to mental health with the police department. Greetings to the new council women. I'm looking forward to working with you and possibly getting on your nerve throughout the year. And I'll just read a part

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from this article from the statesman regarding this issue. It ends by saying that survivors now confront a patchwork of system, some designed to resist them. It's my hope that the outside audit can pave wait for Austin Travis county to provide the survivor approach from start to finish. My promising is that you have the options approach in organ that allows women to file a report. Officers can submit information without criminal charges or press ahead with a full investigation. Such a system respects survivor's needs and prioritizes their healing. Austin needs to stand up for sexual assault survivors. That effort must start with the understanding of how we let them down. And also I just want to really shout out to

Ana and Amanda Louis and the whole survivor justice project for being the type of advocate and activists that many of us are not. Instead of getting angry and frustrated, they actually take the time out to educate people on such a serious issue so I want to thank them for allowing hhc to be ignorant and learning and taking baby steps in this process with them. I love this city. The city is very frustrating at times. I wish we had two more handfuls of black people. I wish we had -- I wish we could thwart gentrification in east Austin in district 1. I wish we had more jobs for people that look like me. I wish we had true affordable and low income housing. But I say that to say we've overcome a lot and I think Austin to, like Amanda said, to be an example city in how we treat these kind of cases. And I have all the confidence in you guys. And I'll leave with this, possibly with probably getting in trouble later, but councilmember alter, you are just a badass woman and I respect you so much. [Laughter]. And I just respect your leadership. >> Mayor Adler: Thank you.

[7:04:53 PM]

[Applause]. Is -- come on up Ms. Gonzalez. Is Ryan roshert here? What about Seneca Savoy. >> They left. >> Mayor Adler: What about Kathie Mitchell? Kathie, why don't you come on down. You have some time that's been donated from Scott buckie, is Scott still here? Yes, okay. So you will have five minutes, Kathie, when you come down. Ms. Gonzalez. >> Good evening, mayor, councilmembers. [Inaudible]. It's every person's dream that their neighbor becomes their councilmember and that has happened for me. My name is Julianna Gonzalez and I'm the senior director of sexual assault services at the safe alliance. As you probably know, safe alliance provides comprehensive integrated services for survivors of sexual assault, human trafficking, domestic abuse and child abuse. We also provide sane exams in Austin and Travis county and the surrounding areas, which means that we provide the health care and when survivors, office survivors want to report, we also provide the forensic exams in the aftermath of a sexual assault. We do that mostly on our safe alliance campus. Unlike most communities who do most of those exams in hospitals. So Austin is a very special community that way. At Eloise house, where we do the exams, we expect to see about 700 survivors this year. I am also like two in five women in Texas a sexual assault survivor. And I bring that up because I want to remind us that we often talk about talking to survivors or let's get out the survivors and see what they think, but every conversation we have there are survivors in the room. There are survivors on the

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dais, there are survivors in boardrooms, there are survivors everywhere. And every time that we handle a sexual assault case case, we're talking about a human experience. And we're talking about a person who has been violated in a very invasive and traumatic way. And an unjust way. The so every time we fail to respond to sexual assault as a community, we're participating in additional trauma and injustice. Safe alliance is proudly in support of this resolution. Since you already broke the seal and said badass I'm going to say that I wore my chigona necklace for you today. We have three requests as you railroad this resolution. First -- as you consider this resolution. First we want to make sure that the audit looks at the

entire system to every extent that's possible within your power. It should be comprehensive, it should look at every phase of the criminal justice system. As Anna so eloquently pointed out, we are tired of fighting fires. The audit should have clear recommendations that face the future. Among those recommendations we expect to see a mandate for regular public location of meaningful current community data by all the agencies involved in the system. I'll say no more on that because Chris Kaiser handled it. And third, we really want to make sure that whatever actions you take to enact this resolution are feasible, actionable and funded. We want to make sure that this is not just community dialogue, although that is important and we are grateful for it. But we are relying on you to pass something that can be implemented and that results in a timely audit. Thank you. [Applause].

[7:08:54 PM]

Chris Harris, you will be up next. You have time donated by Kathleen Johnson. Is Kathleen here? You will have effective minutes when you get called up. Ms. Mitchell you have five minutes. You can start. >> I don't believe I'll need it. The testimony has been amazing. I just want to add one perspective. I have been advocating for criminal justice reform for a very long time in this up to and often criminal justice reformers are somehow positioned as if we were in a different place from victims. And that's on purpose, frankly. In fact, I believe that if we get to the bottom of the problems in how we actually investigate violent crime we will both solve the crimes that you have heard such passionate testimony about today and you will avoid sending people to jail who actually didn't do it. That the kinds of close examinations of where our system goes wrong serve everyone and that the call that you've just heard for a true and deep look from the point of a person's first calling for help all the way to the end when that case is closed either exceptionally or not, that deep dive is going to help us not only understand how to better serve those victims who made those calls, but it's hopefully also going to help us avoid prosecuting the wrong people.

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And we've done both of those things in this town. We have failed to serve victims and we have prosecuted the wrong people. I have been a passionate advocate with the Austin justice coalition since it emerged because I often believe that occurs on an interracially biased way. I'm hoping this investigation will help us delve into how we can address many of those kind of failings so that the outcomes that we all get are good for everybody. So I believe that this is a moment when we all stand together, we stand from different places, but we stand together for the same goal. So I'm so happy to be here and I'm so happy for this resolution, and I'm very happy for all the members who have supported it and worked so hard to hopefully pass it today. >> Mayor Adler: Thank you. [Applause]. After Chris Harris speaks, the next speaker will be Michelle mulnar. Is Michelle here? No? What about Rachel Zuniga? >> She's here. >> Mayor Adler: Here? >> Yeah, she's here. She's coming. >> Mayor Adler: All right. We'll go ahead and start. And Michelle will be up next. >> Thank you, mayor. Hi, my name is Chris Harris, I'm from district 1. And firstly I want to thank Amanda Louis, councilmember alter and the other co-

sponsors of this. I think it's really important work. I am here to say that I also think that the Austin police department is getting off very, very easy with this audit. They have since at least 2011 attempted to undertake an underhanded scheme to

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misclassify rape cases against the advice of their own nationally renowned sexual assault investigator that worked in the sex crimes unit. For two years she was bothered about why she wasn't exceptionally clearing cases and she told them that it was inappropriate. They forced her out of that position. Immediately upon her ouster the exceptional clearance rate jumps 50% for these cases. Upon revealing this, they then lie and say no, dps says that we're doing this correctly. Dps when asked sai no, we haven't actually looked into it. So then dps looked into it and they said no, actually y'all are incorrectly misclassifying these cases. And then to reveal the results of this dps audit they come out on new year's eve to try to bury the results. This is beyond a paperwork bureaucratic checklist with four or five boxes checked. This is a scheme to fool the community and fool you all about how well our police department, our criminal justice system handles sexual assault. Combined with other revelations, when the class action lawsuit filed last year about people in the sex crimes unit having a wall where they post pictures of women that they unilaterally decided had made up their stories as a trophy to cases debunked. A district attorney that is more concerned with win rates than pursuing accountability and justice in the courts even if it means they lose. It is clear that healing and justice for sexual assault survivors in our community

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and across this country cannot be achieved through the criminal justice system as we know it today. And I -- and I really, really hope and I have a lot of confidence in y'all that the result of this audit is not going to need to put more money into that system, into that broken system with people again who have repeatedly over the course of the last seven years deceived this community and you all about how well they were dealing with sexual assault. What we need is a new approach. What we need is funds dedicated to community spaces that allow folks to heal and address harm, and really to achieve accountability for these issues. So I urge you to pass this resolution tonight. I look forward to the outcome of this independent audit. I 100% cosign on the testimony, the powerful testimony we've heard from survivors and others tonight. And again, I implore you, when budget season comes around, to not be fooled to thinking that more money into the police department is going to help solve this issue, that it's going to address this problem, because it won't. You know, in 2016 the clearance rates were touted here in this body in an attempt to get you all to give them more money. Now that we know those clearance rates were a lie, I hope that you will take that money back. Thank you. [Applause]. >> Mayor Adler: Is [indiscernible] Watson here? Mr. Watson? Go ahead. >> I get really nervous speaking, but I read that you should speak the truth even if your voice shakes. I also read the article that said public comments don't matter to y'all. You come up here with your

[7:16:59 PM]

mind already made up, but as a survivor I cannot and will not hold my tongue. What I have to say is not new or profound. My assault was not clear-cut. I was a less than perfect victim. And I know how the system works so I did not report. It's absurd that in 2019 survivors and their allies have to convince anyone that oversight of sexual assault by someone other than associated parties is necessary. We very tankbly see how poorly -- tankbly see how poorly sexual assault has been handled by APD. If the sheer volume of backlogged rape kits aren't enough of an indication, the handling of the allegations against he who apparently must not be named should be enough of an indication. I implore you listen to survivors. Follow through investigations from beginning to end and investigate the people that are investigating because it's not being done correctly. When I am more scared to report than I am of it happening to myself or someone else, there is a problem. And the fact that this is up for debate or discussion is, frankly, disgusting. Thank you. >> Mayor Adler: Thank you. [Applause]. Mr. Watson, you have time donated to you by torren led here? You have five minutes, Mr. Watson. >> Five minutes? Must be my birthday. I'm very much a survivor here in the city of Austin, but also somebody guilty of some of the hurt. Not sexual assault, but assault nonetheless. So from my vantage point, I'm wondering, again like my colleague just said, why are we even discussing this? You guys are not discussing

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the intent APD comes with to the residential doors of individuals called for family violence. The statesman reads from July 2016 to June 2017 the assessment found APD investigated 1161 sexual assault complaints and made just 96 arrests. In that same period the Travis county district attorney's office, that great department, obtained eight guilty pleas and one guilty verdict for sexual assault. The disparities in that cause me constipation. Manley is back there operating a department that's full of liars, full of scoundrels and who we must not name has violently assaulted me during an arrest some years ago. But because there's no filing of those complaints, no effective filing of those complaints, it looks like he was able to continue perpetuating that behavior where for my family violence charge I had to do jail and had to do 52 weeks of a class. So why are we even considering this guy be brought back into the force? It's disgusting? I want to thank the councilmembers that have brought this to the forefront. Ms. Alter, you continue to do the work that we appreciate, especially from a district 10 representative. But we've also got a councilmember on the board that is new and she made a complaint of alleged assault and other things on me last November, so just like my colleague back here said, what are you going to do -- as she walks away because she's afraid of the hard conversations, but I've got

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at least three more minutes, Natasha. What are we going to do to make sure that there's transparency? Chris just told you we don't need another process. Another process where we'll see the mayor not care so much because he's so conflicted. We'll see the underhanded for-profit gangs like we saw with the soccer deal. Where do we bring all that we fought for in the middle of this conversation to make sure that you all will not lie to us, that you will stand for the women that have had the courage to come up here and speak tonight, that you will speak for the communities that are so terrified to come to a place that should be their sang aware to speak? When will you, Adler, put on a polo and gym shorts and walk the communities in which you operate? And learn that the time is now. We must act tonight. We must hear the complaints of so many and at least imagine that this is not anything newfound. How many years have sexual assaults, rape been ignored? But then reallow cable division to have us so concerned on R Kelly. How about we focus on APD and keep that same energy? And I know I'm close. One in three women have been victim in their lifetime. 321 American women are sexually assaulted I've year. So if your president is so angry at the immigrants, what's he got to say about that? 75% of the sexual assaults

[7:23:03 PM]

occur at home. This officer in question. 85% of sexual assaults the offender was not under the influence of drugs or alcohol. Again, are we assessing this officer? It's estimated that 54% of sexual assaults are not reported to the police, and that's half of way too many. Mayor Adler, that should make you turn when you get home to the W -- [buzzer sounds] That should make you turn. >> Mayor Adler: Thank you very much for your time. >> We need you to act and we just need you to care. I just needed you to hear that. >> Mayor Adler: Thank you. The next speaker we have is master Reyes? Is master Reyes here? Come on down. You have three minutes. >> Hey, guys, how's it going? Y'all having a good day? Everything good? Thank you for sponsoring, co-sponsoring this resolution. I hope it goes through. It's important that the victims of different kinds of assault, sexual assault and regular assault be heard in the city, and the people on the streets, the poor people in your community are also have been telling me as a reporter for years that we've had some problems in the community with reporting to APD, think get victimized, criminalized, especially the people experiencing homelessness, citizens experiencing homelessness that haven't actually been able to visit with you guys or you guys haven't been able to visit with us. And so what happens is you call APD, you call 911, 311, they call APD over and you may have a sexual assaulter

[7:25:03 PM]

that shows up in uniform. And that sexual assaulter is going to protect other sexual assaulters, so you get criminalized. I actually had a neighbor -- I don't know if it was a sexual assault, but she was abused by her boyfriend. And when she called the police she got arrested. And that was about eight years ago. So this type of thing has been inherent in APD and in the system that you guys oversee. And I hope the new city manager and the mayor and everyone else will extend this into investigating fully why rape kits were destroyed, even if wasn't perhaps because APD had evidence against them, including maybe chiefs

of police, I don't know who all -- the unnamed persons that we're not supposed to speak about. It's embarrassing that we hold our government employees to a lower standard of law than we would treat a poor person or any other person. You should be held to a higher standard. Your police should be held to three times the criminal ability of the law. You should set an example. I've talked to chief Manley before about setting leadership. Basically if you're a bad leader, all of you, you will bury what happened with the sexual assaults in APD and the executive staff and the yellow rose and the cocaine. You will bury that. And because that will keep it going on for another 20 years and we'll have that kind of thing, we'll have multiple [indiscernible]. But a good leader will take the problem and resolve it immediately. [No audio]. >> Mayor Adler: The other people were speaking to the resolution and I had talked at the break about the importance of keeping the

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debate focused on that. There were people here that were sharing real sensitive stories. What you're saying and the issues that you raise are important things for us to discuss. It's just not tonight in this forum on this issue. >> [Inaudible - no mic]. >> Mayor Adler: I understand. All right. Thank you, sir. All right. Those are all the discussions that we had in the public today. We are now back up to the dais. Councilmember alter, do you want to make a resolution? Actually, you've already made it and it's been seconded, so the resolution is already in. Discussion on the dais? >> Harper-madison, mayor, if I may, I wanted to point out that in 2016 I sat in the back of this room and I heard marina's testimony. And it gave me the courage to walk out of this room and face a demon and a trauma that had been following me around for 30 years. And my experience with that that -- and let's just say he was less than satisfied by how it went. My experience with that led me to know for certain that we needed effective, integrity-driven leaders to change policies that made people's lives liveable because the trauma that one experiences -- and I appreciate having had the opportunity to hear the tangible data because it follows you and it haunts you forever. So I knew in that moment when marina told her story so bravely that it was time for me to tell my own and telling my own lead me to lead. And so I just wanted to say to everyone who was brave enough to share their experiences with us this evening, thank you very

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much. And I offer you my absolute 100% commitment as a council person to get behind any and all policy change that will help us to effectively change the lives of survivors for the better. Thank you very much. [Applause]. >> Mayor Adler: Thank you. Further discussion on the dais? Mayor pro tem Garza. >> Garza: This is incredibly tough topic so I want to thank everybody who came to speak. I want to thank councilmember alter for your leadership on this and for asking me to be one of the co-sponsors. The survivors for telling their stories. I also want to comment on the mischaracterization of that news story that we don't listen to public comment. That's not what that news story said. In fact, some of the things that were said tonight, which I want to repeat, are there's no room for egos in this conversation. That we need to learn from things that we thought were right. And to be better. And also one of the speakers

talked about -- and I didn't realize this until reading an article about a jogger who was murdered when she was out jogging at night, and it told the story of women who -- many stories of women sexually assaulted or murdered while out jogging at night. And that's when I realized what a different reality women face. I don't jog at night anymore just from reading that story. Every time I go up and down the stairs in this building to the garage, I size up every male. I never realized until reading that story how that's a normal life for women in this world. I looked to see if something

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happens what I could do, how I could escape the situation. And now with a little girl, you know, all these -- I've seen things on the bus that, you know, of course I report it and I've called 911 before. So again, there's always room for improvement. This doesn't mean that we don't think that our police officers are doing everything that they believe they can do, that with the resources that they have, but these are institutional changes that need to happen and I'm proud to be part of a council that believes in these Progressive changes. >> Mayor Adler: Councilmember kitchen. [Applause]. >> Kitchen: I just want to add my voice to what my colleagues have said. I'm proud to be part of this council that is making this a priority with you, and I want to thank councilmember alter, my co-sponsors and actually everybody up on this dais because I know it's going to be unanimous. So -- but there's a few things I want to say. I want to say first off I do believe that we are a city that believes and cares, but we've got to align our justice system and our health care system with -- to reflect that belief. And we have to be the absolutely best system we can possibly be and we should be the best in the country. I want to thank all the dedicated people that work in this area, our victim service counselors, our detectives, APD, safe, ajc, the women's commission. And as others have said, I really, really especially want to thank you to everyone speaking out on

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this issue. I know it takes courage and I'm very -- I'm so very proud of all of you. I have some idea of what violence in our society does to women. From what I saw as a rape crisis counselor, I learned how our system and our society fails women especially. And thank you, Anna, for I think what you mentioned about what is pervasive in our society for many of us. So we have to reform this system from start to finish, and we need to start right here at home with the city of Austin and what we're doing in our own shop. This independent third-party review is a necessary step as we've all been saying. As we all work together to be the best for justice and healing, and as I said before, I want to thank councilmember alter and everyone on this dais. I want to repeat some of the things that people said. We have to also look to ensure that we have mental health services for survivors and I know that our city cares about that and offers mental health services. We need to do more. We need to also take immediate action in addition to this necessary step to make sure that APD has the resources they need to bring justice because while is not just about throwing money, and we certainly don't want to throw money at a system that's not the best, but we also need to recognize that it's important that we have the right resources. I also want

to take a minute to speak to working together to changing our laws so that women's safety is a priority in our state. I'm just appalled at some of the things that R. On the books in this state. Violence against women is never okay and our laws should always proactively work towards prevention and safety and too often they don't. So as I said before, I'm

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really very proud of all of you. Your voices, your passion, your anger, your experiences, that's what it takes to change, and it's allonges road and I'm very proud to be on it with you, and I will continue to work with all of you and with my colleagues to do every last thing that we can do. So thank you. >> Mayor Adler: Further statements? Councilmember Casar. >> Casar: Yeah, I also want to start my comments talking a little bit about the public testimony because marina's story that same night transformed you in so many ways, councilmember, and for me was just such a powerful moment. And I think it's really important to uplift how folks coming and sharing in this chamber when you don't have to because you've had your own experience and you don't owe us anything but the way that you can really change systems by what folks have done and advocated for in the last three years. Is so powerful and so important and I see this vote and the necessary work work that is to come after this evaluation as not having been possible, as not having been able to be here if it weren't for that consistent advocacy. And for marina, but for everyone else here's story over that time that changed the way that my staff worked on issues, it changed the way that I thought about all the survivors in my life. I think it's changed the way that people at the county and people here at the city think about the issue. People here have been working so hard on getting this done -- [applause].

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And councilmember alter's leadership has been really critical along with everyone on the dais. And I think that this vote and this evaluation is just such an opportunity for everyone -- for all of us to go through that transformation, for all of us to step up. And I believe and trust that from those in county government to those working here at the city, our department, our staff, working alongside you all, this is the only way that we can get there. And I really do want to highlight that. You brought up, Anna, this is necessarily difficult, and we have to get out of feeling like we've failed and instead step up to the transformation that people have asked of us. And that's our responsibility and I'm just so proud to work with a group of councilmembers who have made this sort of commitment and showed me along the way over the course of these years. So thank you all for your work. >> Mayor Adler: Further discussion on the dais? Councilmember Ellis. >> Ellis: I want to thank you all for coming. You probably have reached a lot of people livestreaming this at home that are trying to echo your sentiments and are proud that you are speaking up. And thank you to councilmember alter and the other councilmembers that are doing such good work I think this is important as our first full meeting as a full council for you to see that we are responsive and we hear you and we are going to fight to build the community that you all deserve. So thank you. [Applause]. >> Mayor Adler: Bottom line, I think that what I would say is that this

is actually pretty simple. We have far too many sexual assaults that are resulting in too few perpetrators being taken off our streets. And as a community we need to understand why that is so

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that we can do better. I want to thank councilmember alter for taking the lead on this, for those that participated as sponsors and the rest on the dais. You know, there's probably a thousand different reasons why that is happening. And we have to determine as many of those and all those as we can. You know, it -- there have been indications that there are things that we can be doing in our shop better, and where that's true we need to find out so that we can. Where we're doing things right, we need to identify those things so that we can continue doing them. I am thankful and appreciative and encouraged by the strength of victims that have come to this podium. Frankly, not just on this issue, but on the others as we as a council have gone down this path. And that makes me optimistic that we're going to be able to do this right. I am encouraged by the reaction of chief Manley and the da who sent a letter to me and Alison expressing her support for this resolution tonight as well. That also makes me optimistic that we're going to be able to do this right. This truly is I think a community that is focused on this to do the underlying and important and significant work because in our community regardless of what's happening in other communities and our

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community we should be protected from sexual assault. Anything else on the dais? Councilmember alter, do you want to close? >> Alter: Anyone else want to say anything in. So I've had a lot of difficult conversations over the last few months working on this resolution, and if you just bear with me, I know I spoke earlier. I want to say a couple more things. First, I want to thank everyone who came here today to support this resolution, to share your stories and your perspectives. Even if you did not speak, know that your voices are powerful and your stories are valid. To the survivors who are here or listening in, I applaud your strength, your perseverance in the face of unimaginable experiences. I want you to know that with this resolution we are coming together as a community to do better by you. I also want to acknowledge that this resolution is only a next step. It is not the end of our journey. And we will be judged not by this resolution, but by the actions that we take when we get the results back either at the interim or down the line. And we are counting on you, city manager, and you, chief Manley, to help us to enact those resolutions to the most effect. I'd like to thank the advocates and survivors who have invested so much of their time and energy into this resolution and into making the changes that undeniably must be made if we want to deliver healing and justice. I would like to thank my staff, Alva serrano, her last meeting as a council aide. Eye va brown. I would like to thank councilmembers car is a, mayor pro tem and mayor pro

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tem Garza. I would like to thank the purchasing and staff and law, I have had many conversations the last few months. County officials have also been very supportive of this effort. And last but not least I would like to thank chief Manley and the dedicated officers who work these cases. The vision behind this resolution is one that is collaborative, cooperative and unifying. It is one that gives us the information that we need in order to act effectively with limited resources. It envisions a city where we present -- we prevent sexual assault as much as possible. Where we fulfill our duties to the community we serve and where we deliver justice and healing to survivors. The words of tonight need to be followed by actions. I said that before, but it is worth repeating. Actions that will in turn inspire others to transform the larger system. As we heard tonight, the lived experience of survivors are heartbreaking and unimaginable. And unless you've gone through that experience, you cannot begin to wrap your head around the trauma that does not fade. And though I fortunately am one of the lucky ones who have not experienced this, I'm a woman, a friend and most importantly the mother of a teenaged girl and I know that I cannot always be there to protect her. I commit to you that I will be an unwavering ally, an advocate for justice for survivors of sexual assault, and I am dedicated to transforming the system that is currently failing us so that it does not fail survivors in the future. Thank you to each person who has shared their story with me privately and with us all here tonight. Together we will fight for the future we deserve and I'm proud of this council for what I think will be a unanimous vote in support of healing and justice and setting Austin out to be a leader in how we respond to

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sexual assault. Our first priority is obviously to stop it from happening, but the part that we control is the response down the line. So thank you all for supporting this. [Applause]. >> Mayor Adler: Let's go ahead and take a vote. Those in favor of the resolution please raise your hands? Those opposed? It is unanimous on the dais with councilmember Flannigan gone. It is 7:45. That is all of the business that we had. This meeting is adjourned.