

# City Council Regular Meeting Session Transcript – 06/20/2019

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[10:12:56 AM]

>> Mayor Adler: All right. I think we have a quorum. I think we can start moving this thing, getting us going. We're going to begin before we start our meeting with an invocation. Everyone please rise. Pastor Anthony raybourne is here from Austin central seventh-day adventist church. Do we have him -- her? No? Pastor raybourne? What we're going to do here is we're just going to take a moment here just in silent thought to transition from where we were to this place, if we could just give a moment or two. All right. Everybody be seated. Before we begin the meeting, Mr. Flannigan, is there something that you wanted to say to the room?

>> Flannigan: Yes. And I think my staff is about to come out. But for the very first time, my council staff is going to be having a transition of choice. And my senior policy director, Taylor Smith, has decided to take a job elsewhere, and I couldn't be prouder and excited for his future, and scared and nervous about the future of my office with him. He joined my office right after I got elected, coming over from another council office, and brought experience and talent to the district 6 office that did not exist there prior to my having this seat. And all of the amazing work and accomplishments and value that we've provided to district 6 is in direct relationship to the hard work of Taylor Smith.

[10:15:04 AM]

And I want to award him this morning with the distinguished service award from the city of Austin for his affable, kind nature, deep policy acumen, and unwavering commitment to serving others during his tenure as my policy director for district 6. So please give Taylor a round of

[cheers and applause]

>> Mayor Adler: We're fortunate today to be able to recognize a birthday of a colleague on the dais. This is councilmember tovo's birthday.

>> Whoo!

[Applause]

>> Mayor Adler: Keeping with time-honored tradition, we'll sing her happy birthday. I would remind everybody to turn off their microphones except for Jimmy.

[Laughter]

>> Mayor Adler: Jimmy, if you would start us singing happy birthday. >>

[Singing "Happy birthday"]

[applause]

>> Mayor Adler: All right. Yes?

>> Tovo: I don't know if it was an unexpected birthday present, I have a random phone at my dais seat, so if anyone lost one and you can describe the pop socket on the back, I'm going to return it to you.

[10:17:08 AM]

And thanks for the happy birthday wishes.

>> Mayor Adler: Okay. All right. Clear, I'm looking at the changes and corrections today for the agenda. Should be noted that item number 78 is not in district 9, it's in district 1. Item number 9 is withdrawn and replaced with an addenda item. Items 122 and 123 are not in district 1, they're in district 9. 130 and the in district 4, it's in district 3. Items 143, 146, and 147 have now valid petitions filed in opposition to the zoning requests. Item number 152 is in district 5, not 7. And item number 157 at its 2:00 P.M. Time-certain, that item will be withdrawn. Item number 184 has added councilmember tovo as a sponsor. Colleagues, as we -- I want to also -- as we look at the consent agenda, consent agenda today are items 64 through 69, item 78, item 87, 89, 177, 178, and 179, 184, and 185. Those are our consent items. With regard to those consent items, number 64 has been pulled by councilmember tovo, 67 has been pulled by councilmember alter, 78 has been pulled by councilmember alter, 87 has been pulled by councilmember alter, and 89 also pulled by councilmember alter. 177 to 179 have been pulled by speakers.

[10:19:10 AM]

So as we look at the agenda that we have today, items 184 and 185 will not be also pulled; we're going to handle those -- we won't vote on those items until after dinner. We may take testimony or conversation before that but we won't vote until after dinner so if there are people to testify on those after dinner, we'll call them. I would point out to the folks right now that we have 60 people signed up for one of those two items, so we have a lot of folks to speak on that. This afternoon we're going to be doing the three shelter pieces, so they're also pulled, 177, 178, and 179 all pulled. We're going to try and take those up and vote on those this afternoon. This morning -- so the item number 98 obviously has

been withdrawn and replaced. So best as I can tell, the items that are remaining on the consent agenda are items 65, 66, 68, and 69.

>> Kitchen: Mayor, I had pulled 69.

>> Mayor Adler: 69. Okay. That's the pitch and putt, councilmember kitchen. Okay. So, continuing on, item 64, 68, 78, 85, 110, 113, 114, 122, 123, 125, 127, 129, 132, 135, 138, 139, 142, 143, 144, 146, 151, 153, 154, 155, 156, 157, 158, 161, 162, 163, 169, 172, 173, 174, 179, 184, 185, and 191.

[10:21:20 AM]

So there's a lot of late backup. We have no consent speakers. The consent agenda, as I'm looking at it now, is item 65, 66, and 68. Is there a motion to approve those items? Councilmember alter.

>> Alter: I wanted to pull 68 because I want it to be only a one-year extension.

>> Mayor Adler: Councilmember alter is pulling item number 168.

>> Alter: Not 168, 68.

>> Mayor Adler: 68, I'm sorry.

>> Alter: I just want to change the term on the contract.

>> Mayor Adler: Okay. So we're pulling 68.

>> Tovo: And I have a question about that one.

>> Mayor Adler: Okay. 68 has been pulled. So our consent agenda is item 65 is there a motion to approve those two items? Councilmember harper-madison makes the motion. Councilmember Flannigan seconds it. Discussion? Those in favor of those two items, please raise your hand. Those opposed? Those two items pass. So now we have the consent pulled items, but we also have speakers we said we would take this morning on the manana issue. So let's go ahead and take the speakers on those items. Manana items -- I mean, I'm sorry, the lake Austin items are items 87 and 89, are those two items. Let's go ahead and take the speakers that are signed up for those two items. We'll begin with Diana Johnson. Is Diana Johnson here? Is sherry Miller here? Sherry Miller?

[10:23:20 AM]

You have five minutes, Ms. Johnson.

>> Thank you.

>> Mayor Adler: Ms. Upshaw is on deck.

>> My name is Diana Johnson. I live on ski shores terrace. I bought my house in 1997 with the intent of living in it for the rest of my life. The appraised value has doubled in the last five years and quadrupled since I bought the house. My house is not a mansion. I resent being characterized as a multimillionaire living in a mansion on the lake and not paying property taxes. My taxes are assessed at over \$30,000 a year. The city will -- this new city tax will add another \$8,000 here year to my tax bill. I currently pay aid, ACC, county taxes, county health care, and esd number 4. We have no fire protection because there are virtually no fire hydrants. My house burned down in 1985. I watched the house next-door to me burn to the ground in 1998, with the firemen on my roof just trying to save my house as the fire on the house that was burning could not be extinguished. We have no garbage pickup. I pay \$40 a month for that. We have no wastewater service. I have a septic that has to be inspected twice annually for the city at \$300 a year, plus maintenance. A new pump just cost me \$725. I have virtually no police we do of the sheriff, but it's very much delayed, as was noted in the front page of the statesman today. I have no water. I pay for new pumps, a filtration system, the maintenance of that system, now I have to fight zebra mussels. The cost of that is in the thousands of dollars per year. I find it egregious that we were informed of this decision less than two weeks ago, in the paper, and it was divisive and inflammatory as if we were stealing from the poor.

[10:25:25 AM]

We were incorporated to the city -- into the city in 1991 to protect the watershed. There were no houses or anything there at that point. In the mid-1990s, the city had the ability to annex, as opposed to incorporate land. When they did that, it was stipulated that the city had to provide at least three city services or the residents would not be required to pay city taxes. Instead of burdening us with more costs for absolutely zero added services, change the law so that we would be on the same plane as those annexed. It is grossly unfair that there are two standards. In 1986, the -- there was a lawsuit when my house burned down, and the judge at that time determined that it was constitutional for us not to pay taxes -- not constitutional, it was right that we did not pay taxes, that we should be considered the same as any annexed property. It was strictly semantics. We were incorporated after 1940-something, they were annexed. There's no difference. We should not be discriminated against. Additionally, I looked at the constitution, and it said in section 14 there are supposed to be three separate readings of this. And I'm lead to believe that these are currently -- they are done concurrent, three readings in one day. The constitution specifically says three separate days. We have not had anytime to prepare any defense, to talk to any of you, as I found out as a meeting Monday with councilwoman alter, she didn't even know about it until it was on the front page of the Austin american-statesman. Don't tax me out of my home. Make it a fair, equal playing change the law. Thank you for your time.

[Applause]

>> Mayor Adler: We'll continue to call the speakers. I'm calling up 87 and 89 at the same time so you have one chance to speak on both items.

[10:27:30 AM]

Is Karen Upshaw here? What about Jim Upshaw? What about Tammy tolis? Eleanor Powell? Jennifer Powell? Joan altobeli? What about Judy Harward? Why don't you come on up. Is Steven potter here? Come on up. Is Steven potter here?

>> I am, sir but [off mic] --

>> Mayor Adler: I'm sorry?

>> [Off mic]

>> Mayor Adler: So you don't want to speak. Okay. Is Beverly Eric here? Iric? What about Catherine Lindsay? What about teddy terhoun? What about Jane Morgan? You'll be up next. Go ahead. You have three minutes.

>> I just want to ask if sherry Miller, whose name you called earlier, is -- I do know she's

>> Mayor Adler: She donated time to the last speaker.

>> Okay. Good morning. Thank you for allowing me to speak to you today. Because of the many things I have seen and read in the media that have been somewhat misleading, I am speaking on behalf of the senior citizens that are affected by this action. There are many of us who are caught up in this tax increase. I will illustrate the problem by informing you of our particular situation. My husband and I have lived at our present address on pierce road for 28 years in a 3,000-square-foot home.

[10:29:36 AM]

We worked very hard for years in the public sector and are now living on social security and teachers retirement. We have arranged our finances to be able to pay the county taxes, but we're blindsided by the news that city taxes are now required. We knew that because we received minimal services in our neighborhood, we were getting some deduction, but the upcoming 8 to \$9,000 increase was a shock. Being on a fixed income means we cannot afford this increase. I know there are many others in this same boat. Please pardon the lake reference. I have been told that this is a done deal. I am hopeful that this is not the case. But if it is, I am asking you to consider the position that the seniors are in. Is there not some way of approaching the problem, such as gradual increase, a grandfather clause, or a senior or long-time resident exception? This sudden repeal of a longstanding city ordinance is very distressing. I doubt that there are many citizens of the city who would tolerate such an extraordinary tax increase without complaint, especially in light of the fact that there are no changes in the minimal services. Please consider the circumstances I have described, as the residents on a fixed income are very vulnerable in this tax situation. Again, I thank you for this opportunity to speak on behalf of those most at risk.

[10:31:41 AM]

[Applause]

>> Mayor Adler: Next speaker, sir, why don't you come on up. And while you're coming up, is Jay Morgan here?

>> That's me.

>> Mayor Adler: Okay. And then Aletha Houston? Why don't you -- you'll be the next speaker. Go ahead, sir. You have three minutes.

>> I thank the -- thanks to the city council for your service to our city. We all love living here and appreciate your hard work, even in an unpopular thing as this. Most of us living at lake Austin want to pay taxes. I think you'll find most of us do pay a significant amount of taxes that go up two to three thousand dollars a year. I pay approximately \$35,000 a year, so this is not about not wishing to pay taxes. I do. Taxing without representation and/or at least discussion with tax holders and citizens is not what Austin is about. It's been said that this is not about what's fair to taxpayers, it's about what the law is, but taxing without representation or services for that tax is not only unfair, it's wrong, no matter if that taxpayer lives with us on lake Austin or downtown or wherever. This item means that those of us affected not only will pay taxes without services, it actually represents a double tax. This tax, plus us having to pay for Ouren septic system, repairs, water, pumps, trash pickup, and the like. This past year that bill to me personally was about \$14,000 to do all that. It's true that the water and the sewer comes not from this tax but from people who pay their water bills; however, we don't have the opportunity to even hook up to those water and septic to start with, which means we have limited fire, no hydrant, no water pressure. On my street, as mentioned, two houses have burned to the ground. There was a dock on the other side that burned about a month ago with four fire trucks there. There was just no water. So place yourself in our situation.

[10:33:43 AM]

You have a significant investment in your home with no possibility of putting the fire out if it starts. So my opinion is the 86 amendment to this, to not have us pay taxes, was not a legalistic decision, it was one based on fairness, which is what Austin is all about. So I'd like to humbly request the council not rush to judgment on this, but discuss it with the stakeholders and voters. Do a study, see if these services can be provided, then make a decision. This way, the decision had been made not just legalistically, but based on what's right and fair. Thank you for your time.

[Applause]

>> Mayor Adler: Thank you. Why don't you come on up, introduce yourself, please.

>> Thank you. My name's Aletha Houston. I'm a professor of child development from university of Texas and also I'm here representing the success by six coalition, which is a group of a number of organizations in the city that serve children and families. I'm speaking for item 89, which directs the city manager to provide options to use city property taxes for three important city needs, one of which is early child care

and education. First, I want to thank you all for your past support of the children in our community. This council has been wonderful and the city has been wonderful in providing continuity child care and other services for children. Nevertheless, the need is a lot greater than the resources that are available, especially for people who want quality, affordable child care. Low income families -- now, low income means if you're a single parent with two kids, that's about \$3,500 a month before they deduct everything. You have to pay your rent, et cetera. Quality child care costs 800 to a thousand dollars a month. That's for one child. You probably might need to double that if you have two. Even if you could afford it, there are a lot of child care deserts in the city where there just isn't anything available to put your child in even with in this county, fewer than half of the children in the county reach kindergarten without the necessary school -- skills to succeed in school, and that number is even lower for children from low income families.

[10:36:05 AM]

When they start behind, unfortunately, they stay behind, often, so it's very important that they get the kind of start they need. I've spent my career doing research and reading research on the impacts of early childhood education programs. We know they're effective. We know they work to not only help children enter school with the skills they need, but to have the continuing successes in school and life that we hope for all our children to have. Again, not just academic skills but non-cognitive skills. In fact, I think that's really why these programs work so well. The popular term "Grit," but you can fill in whatever you like. So these programs are effective and we really need them for our children. Finally, the return on investment, as I think you've probably heard, on early childhood, is very high. The earlier you invest, the better return you get on that investment. We all know the city is facing budget issues, and we realize that, but our children are critically important to all of our future, and I ask you, please, to continue to invest thank you very much.

>> Mayor Adler: Thank you very much.

[Applause]

>> Mayor Adler: Is Brooke Freeland here? Not to speak? Okay. Thank you. Madison Russell? No? No speaking? Diana Johnson?

>> I already spoke.

>> Mayor Adler: Already spoke. Okay. I think those are all the speakers we have, then, on each one of these items. Still some on 87?

>> Yeah. I signed up --

>> Mayor Adler: Why don't you come on down.

[10:38:06 AM]

>> Thank you. Hello. My name is tod meincke. I do not live on the lake, I live in an adjacent neighborhood, just so you have the Westlake drive. I just want to talk about failed annexation attempts by the city of Austin for other homes in the area, and because we suffer -- even though I'm a full tax-paying resident, we suffer the same lack of services that the other homeowners affected by this would currently -- would then endure. In 1986, the ordinance was -- the 1986 ordinance prevent find the city of Austin from collecting taxes due to the lack of city services. And those city services, predominantly, I think we can agree, was a lack of fire protection. In 2007, the city of Austin, in arbitration, in an effort to annex additional properties in the etj, those properties are also in my neighborhood. As I said, we pay full city taxes but there are a number of other properties in our homeowners association in our neighborhood that do not, and they were subject to annexation. The arbitrator rejected the city of Austin's annexation plan because both police and fire services available from the city of Austin would not -- would be out of compliance with section 43.056 of the local government code. Arbitrator then gave the city of Austin six months to submit a revised annexation plan. After reviewing that annexation plan, the arbitrator again rejected it because, quote, the fire protection fails to provide the proposed annexation area with the left of fire and emergency medical services that is comparable to the level of services available to other parts of the municipality, with topography, land use, and population density similar to those reasonably contemplated or protected in the area -- excuse me -- projected in the area, end quote.

[10:40:07 AM]

Now, one of the items listed by the city council to say that they are in compliance with the city services is that there is an aid agreement, but it's supposed to be automatic aid and first responder agreement. There's an important distinction between the two. If it includes the language of first responder agreement, that means the city of Austin is acknowledging that the first responders for fire protection services comes from the Westlake fire department, and as such, they'd be responsible for compensating the Westlake fire department for those services. So they are currently out of compliance. Now, if the city of Austin was to attempt to do further annexations, they would lose on the same grounds that they've lost before. So if we look at what's happening with these homeowners on the lake, if they were not part of the city of Austin, currently, and they were being -- if there was an attempt to annex them, they would lose on the same grounds of not providing --

[buzzer sounding]

-- Adequate fire services protections.

>> Mayor Adler: You can finish your thought.

>> So all I'm saying is, the -- the criteria for attempting to start having these homeowners on the lake pay for city taxes, if they had not been in the city of Austin right now, there would be no way the city of Austin would be able to annex them. So why is it fair to just say that you're providing city services, even though you are not, based on the arbitrator's decision.

>> Mayor Adler: Thank you. What was your name, sir?



>> Todd meincke.

>> Mayor Adler: Is Adam Goldman here? You'll be up next. Is John Larson here? No? You'll have three minutes when go ahead, Mr. Trent.

>> Hi. Thank you for the opportunity to speak in support of item 89, with focus to provide options regarding -- for the use of city property taxes to fund child care and early childhood education.

[10:42:16 AM]

My name is Thomas trend and I was an educator, now I'm a mental health policy fellow at united Way for greater Austin. As the success by six initiatives consist of a group, United Way has -- we are grateful for council members, city manager cronk and mayor Adler for your commitment in our youngest citizens and helping all our children to get the start they need -- the start they need to grow and succeed. In our work, we've identified the need for early childhood education and child care. It is important to point out that the groundwork has been made, that is done to allocate for potential increase of funds in early childhood efficiently. There's a comprehensive and strategic plan in place, backed by community wide leaders and these strategies are research-based in best practices with metrics to place and track progress with unified goals, goals that align with the city's strategic direction of 2023 plan, as well as the Austin area master workforce plan. So we are grateful that child care and early childhood education are included in item 89 because we know that investment in the youngest citizens of our city will result in successful individuals, as well as significant economic benefits for our whole community. We understand that it's going to be a difficult decision to make as far as funding goes for our city and the supports and services our city requires, but we also know that funding cuts often disproportionately hurt those living in low income households. So please consider your youngest citizens and Austin's future and vote favorably for item 89.

[10:44:22 AM]

Thank you very much.

>> Mayor Adler: Thank you. Mr. Goldman, you want to come down? Is Deanne breedlow here? You'll be up next. Mr. Goldman.

>> Thank you. Mayors, councilmembers, thank you for your service. Y'all don't get enough thanks. People like me have some issues that we're going to voice today and so before I even start, thank you for your service. I'm here to talk about a few things on items -- and I apologized, my name is Adam Goldman. I'm here representing the Austin property rights alliance. These are landowners who have come together in the last 11 days, very quickly, because this item has been brought up without any conversation with any stakeholders. I'd like to touch on, and I don't know if I'm going to be able to get to all of it, so I'll just touch on a few items at a high one is the process. This has been 11 days. This was brought up in Austin american-statesman, not a stakeholder. Not a single one of you had a single

meeting with anyone affected by this, but yet you did, you, your staff, or someone with the city, spoke with the statesman for days or weeks, because that was one heck of a lengthy article last weekend, days in which you spoke with the statesman, and you laid out fact after fact, source after source, without a single meeting with a stakeholder. Members of the council learned about this through the statesman, that you'd be voting on it today. Five days later, six days later, the same reporter reported that each one of you, based on conversations with you or conversations with your staff, each one of you would be voting to support this item. Not a single meeting with a stakeholder. Now, I do commend councilmember Casar who held a town hall meeting -- I mean a town hall call, councilmember alter for having two town hall meetings on this issue.

[10:46:23 AM]

It is greatly appreciated when you do give us a chance. Both of you did hear, for you all to know, they did hear about the you heard about people whose homes have burned to the ground because A.F.D. Did not have fire hydrants nearby, that water services were not there. I'm not talking about the water services to drink, I'm talking about the water services to make sure our homes don't burn to the ground. We're not talking about services such as parks and libraries. We're talking about making sure our homes don't burn to the ground. Many of you talk about open, transparent, honesty, and yet this process has been 11 days in which you've spoken with the statesman many times, and many of you have not spoken with the stakeholders. Our request that you pause and not vote on this today. Have conversations. The fact is, is, this has not been thoroughly discussed. Some of you are hiding behind the law department's argument that this -- that not doing this violates the constitution. I disagree. The fact remains that the tex tax code, chapter 11 --

[buzzer sounding]

--

>> May I finish --

>> Mayor Adler: You can finish your thought.

>> Thank you, sir -- lists many tax exemptions. You claim this as a tax exemption, and yet you say it's a constitutional violation. If it is, then it's been a constitutional violation for 128 years. We urge you to please pause, have conversations, and then vote on this thank you for your time. Thank you for your service.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is Deanne here? Why don't you come on down. My notes indicate this this is our last speaker.

>> Hi. I want to thank you all for giving us time to share our opinions and concerns about this repeal. I want to thank councilmembers alter and Casar for your phone call and your town meetings.

[10:48:23 AM]

There are three points I'd like to make. The first one is regarding the roll-out of this issue, that it was very -- our people were very unfairly represented by using words "Mansion" and all those types of words. We are hard-working people also. We pay taxes that are in the five figures, and this is not something I normally would share, but many of us on our street volunteer our personal time to helping home community first which services homeless people. We have neighbors who were president of a homeless organization to house the homeless. They had homeless people in their house until they could find a place to live. We work with children in the community, we read to them, we take care of them in many different ways, we don't put our names on buildings or go advertise that, but I just wanted that to be clear, that we definitely care about our neighbors and the community. My second point is that we were unfairly represented or not represented at all because of the points that my previous neighbors have made. We didn't know about this until it was rolled out in the newspaper and the media and we were not prepared so even understand the issue. There are many issues out there that are still not clear. The full purpose and the limited purpose. The contour lines that seem to be the new boundary, those are not surveyed. Some people's properties are partly in those lines, partly out. There's just too many issues that are not understood to move forward with earnest representation for us. And my last comment is a very personal one. I believe it was councilmember Flannigan that you mentioned on the news that we are recipients of the four services that, if I understand it correctly, this is part of full purpose, that we receive EMS, fire, libraries, and parkland.

[10:50:24 AM]

And I want to address libraries and parkland because everyone has access to those if they pay taxes or not. When it comes to EMS and fire, on December 25th in 2011, my family had a 911 call, and because of confusion between the city and the county, the appropriate ambulance was not sent out, and my son was in cardiac arrest and he did not survive. The city's own threshold is that within the city, EMS should respond within 10 minutes. Outside of the city, the response time should be 12 minutes. Ours was 14 minutes. And I'm not going to fault anyone. Everyone did their job, the EMS people and the firefighters are wonderful people, but the city is not managing that very well.

[Buzzer sounding] And it resulted in a death, and it's resulted in burned-down homes, and I think there's a lot of work to be done and a lot of clarity needed before any of us can move forward. So thank you for allowing me this time, and I hope you'll delay the vote.

>> Flannigan: Mayor?

>> Mayor Adler: Mr. Flannigan?

>> Flannigan: Ma'am, if you would just get in contact with my office about your experience, my family has a similar story. My parents lived in River Place back in 2005 and my father passed away suddenly,

and my mom was on the news about how long it took for an ambulance to get to river place. So I want to know more about that, what -- the way that we expect that to work is the city actually operates all the ambulances across all of Travis county, so there shouldn't be a conflict for 911 sending an ambulance because it is one and then the other piece of that, of course, is that whether or not you're in the city or not, you should be paying either emergency service district tax or city of Austin tax, and these properties have been paying neither, and so that's one of the conflicts we're trying to address today.

>> Mayor Adler: Okay. Continuing on, I think those are all the speakers. Anyone else signed up that I didn't call?

[10:52:25 AM]

Okay. We're back up now to the dais. Mr. Casar, do you want to make a motion?

>> Casar: Yes. I'll move passage of both, mayor.

>> Mayor Adler: Councilmember Casar moves passage of items 87 and 89. Is there a second? Councilmember harper-madison seconds those. Discussion? Mr. Casar.

>> Casar: Mayor, thank you, and thank you to everybody who came out today. I just want to thank everyone that was on the phone, that was able to express their concerns and their thoughts. I think that what is so important today is that this isn't about demonizing anyone but it's about fixing a status quo that has been -- that has been broken for a long time. And as Mr. Goldman mentioned, it is my view that not only was the 1986 ordinance unconstitutional, but we've been in an unconstitutional situation for decades. There's been some question about time. After clarifying with the appraisal district, it seems like the intent of the appraisal district is that if this ordinance is repealed, this would impact our 2021 budget, so there would be time for folks to adjust, and the fact of the matter is, there's been a long time that people in this city have -- in the jurisdiction, have been participating in the system by contributing their share of city property taxes, and we just want that to be even and just for everyone. There's been a question about taxation without representation, and this issue is actually the opposite. There has been representation, but there has not been city tax. People in the full purpose jurisdiction can run for city council. They vote in city bond elections and we altogether benefit from those infrastructure investments. So there has been that level of representation, but not the equal taxation that not only is required by the constitution, but I think required for people to -- for this system to be equitable and to be right.

[10:54:29 AM]

There was some question about fire service or ems service, and I'm happy if there are more questions for us to call up ems or fire or whomever to walk through that. But, again, we have all sorts of parts of this city that don't have the adequate level of ems response or fire response that we would want. We have people from all parts of the city come forward and talk about how they don't get the services that

it is that they want or need, and that's part of being a city together, is that we work to address those issues and the most urgent issues. While it was said that everybody has access to parks, in fact I have a part of my district we've been fighting for years just for one of the lowest income parts of this entire city that have always been paying their city property taxes that has the highest number of young kids, but doesn't have a park and kids can't get to a park, yet they continue to pay that property tax and our debate as a community is how to address where fire is taking too long to get somewhere, how to address having a park for kids that don't have a park, that's part of us all participating in this community together. I know that this has been an important part of the I look forward to more discussion on the dais. I do want to recognize the really important work that we hope -- we hope to be able to provide everyone with good services in the city. Currently, it's been taxpayers across the city that pay for the fire and pay for the police that go to this part of the city. This would end that subsidy and potentially create the opportunity for us to fund other good things that support our entire community, like early childhood education, like the mental health and homeless services we so badly need. I think we will be better off when we all participate in an equal and uniform tax system so I hope that council today will vote to fix a status quo that has been broken for too many decades now.

[10:56:31 AM]

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: I'd like to divide the question between the two items.

>> Mayor Adler: Okay. We'll do that councilmember alter.

>> Alter: Thank you. Thank you to everyone who came down and for the dozens of folks who came to my meetings on Monday. I appreciate the opportunity to speak with many of you. As in every decision we make, I think it's important that we're mindful that real people are impact by the change and that we are asking, in this case, for folks to make dramatic changes to their financial obligations. I want to start by asking some questions of staff, and, you know, before I do, I want to underscore that I know that many of my colleagues have constituents who also do not get adequate levels of service for public safety and for other services that the city provides, and in asking these questions, I in no way mean to minimize those situations. But I do want to ask some questions relevant for the situation at hand. I have not had an opportunity to speak with everyone. We've had hundreds of calls since we've been fielding since the vast majority of impacted households are in my district. So I do want to ask some questions of staff. I would like to start with the public safety staff, if I might. So with repeal of this -- will the repeal of this ordinance change whether and how public safety services are provided, and can our public safety staff speak to how we currently provide services to the various areas of impacted properties? And I believe we have folks from fire, police, and ems here.

>> Good morning, mayor and then council, Brian Mann, chief of police. Will the decision today change the protocols for the Austin police department? It will not. The way this jurisdiction is aligned right now, by the numbers we've looked at, I believe there are 333 residences that lie in the primary jurisdiction of the Austin police department that we currently provide services to and that we will continue to provide services to, based upon any action that might take place today.

[10:58:44 AM]

>> Good morning. I'm chief of staff, fire department. I have the same comments as chief manly, Lee, we have Westlake being another area so ours doesn't change with repeal always the fact that other jurisdictions respond to 911 calls, which I believe causes some to believe they're not served by our departments, can you speak to how our agreements work?

>> Probably more so for fire. For police, what we do, if we get a high priority call and all of our units are tied up at that time, we will send an ra over to Travis county to see if they have deputies that are closer and available, so that they're not waiting a lengthier time for an Austin police response. So if it's within our primary jurisdiction and we do not have resources in that moment for a high priority call, we will send an ra over so there could potentially be a response by a Travis county deputy that was initiated by A.P.D. Due to a resource issue. >>

>> For our dispatching, all transporting goes to the same for ems and fire. And based on gps location of the apparatus, the closest apparatus regardless of the emblem on the side would if it's a medical call, it may be one or two fire apparatus and that might be all from esd9, which is west lake. For a fire, that's going to require a larger number of units to respond and west lake doesn't have the full compliment. So whether it was in west lake specific territory or in this territory, the closest fire units would respond and that may be a great number of AFD apparatus.

>> Alter: And we have at least three esds that are also overlapping with these properties, 10, 9 and 4.

>> Right. And that would hold true for all of those. All of those are part of the same auto-aid agreement.

[11:00:45 AM]

>> Alter: Do we have similar situations of mutual aid from other jurisdictions in other areas of the city for properties that are on the tax rolls.

>> Repeat that one more time.

>> Alter: Do we have similar situations of mutual aid agreements that other properties that are on our tax rolls would experience as well?

>> So for mutual aid, any agency can reach out to us and say we would like your assistance in X, Y or Z. In auto-aide, the request don't have to occur. It's already there.

>> Alter: But there are other city property tax owners who would be benefiting from the auto-aide or the mutual aid outside of these areas? These are not the only properties being serviced this way.

>> We have areas in southwest Austin where we rely on 11 to assist on those calls. I believe the answer is correct, but I need to look into it more thoroughly to give you accurate information.

>> We would operate similarly in the northwest corridor. If we had resources tied up we would send to Williamson county for potential backup.

>> Alter: Thank you very much. I have some questions for legal now, if I might. Thank you. Is there someone from the law department? Thank you. Can the law department briefly describe the nexus between taxing properties and full purpose jurisdiction and the services funded by property tax revenue such as police, fire and ems?

>> The state constitution does not require -- excuse me. Let's see. The state law doesn't link the authority to tax to the level of services that the city provides to these properties.

>> Alter: Okay. What are the legal statutes that constrain or allow us to tax these properties without providing certain services?

>> We have the state constitution which requires equal and uniform taxation in the full-purpose jurisdiction. And we also have the state tax code that requires the chief appraiser to add any property that's within the corporate city limits.

[11:02:50 AM]

>> Alter: Thank you. We've been told that properties shouldn't be double taxed for emergency service districts and yet people are showing us on their tax bills, showing us their tax bills and shows show esd assessment over all their property, yet they are on the list of being taxed.

>> We would this might be an error on the part of tcad. But the es Ds should collect tax only on the property in that jurisdiction.

>> Tovo: Mayor, can I ask the councilmember to repeat her question? I didn't quite capture it all.

>> Alter: One of the challenges we've been having the last 11 days or so is that the properties are sometimes fully in the full purpose, sometimes half in the full purpose, sometimes it's three-quarters in the full purpose and the other part in the limited purpose. So this taxation only takes place on the full-purpose portion, but there's a question of how much they are being assessed on their taxes for the esd payments and what that has been based on, whether that has been based on the full amount of their property or not. And in trouble-shooting some of these calls, we are finding some situations that don't make a whole lot of sense, and so my question here was that I want to make sure that we understand that folks shouldn't be double taxed, that if they are being taxed, say, 50% full purpose and 50% limited purpose, they would pay 50% esd, they shouldn't continue to get a bill for 100% esd because that would be

>> Tovo: So your question was -- okay. The original question was about the esd.

>> Alter: Establishing they shouldn't be in that situation and if they are we need to trouble shoot with tcad to get things corrected, but it's very parcel specific because the original charter in 1891 was about a contour line and it doesn't match any property lines.

[11:04:57 AM]

So every single parcel has a different allocation and we're trying to understand the logic underlying how these parcels were divided.

>> Tovo: Thank you. Thanks for spaining the context of your question.

>> Casar: If I could add something on this point.

>> Sure.

>> Casar: And I want to concur with that. I think it's really important, it's something we hammered out on the call the best we could that we would only be bringing on to the rolls that part of the property that is within full purpose. The 1986 ordinance that we're voting on as the first item contemplates that. If you look at the ordinance, it points out some properties are 90% in, 98% in, 55% in, 14% in. Each property is is laid out. And so we would not -- and I want to reassure folks that we would not bring into full purpose anything that is limited purpose. So it's that limited portions of the property pay esd and it's not the intention to ever overlap either of those.

>> Alter: But if you will effectively be served the same for your property regardless which is a matter of how you are paying for it. I had a question also about the elections, which is just that we are getting some confusion about the representation part. And is my understanding properties in this area have an option to decide whether they want to vote in local elections or not if their property is split. So some of - a lot of the questions we've been getting on that we go look it up and it says they can vote in district 10, in bonds, but some are saying they haven't been able to do that. So if they wanted to make sure that they have that opportunity, who is it that they need to speak?

>> I believe it's the voter registrar's office for Travis county they would need to reach out to and we have a contact there that we have notified if the council decides to repeal this ordinance that they can contact and clarify their voting status in the city.

[11:07:02 AM]

>> Alter: Okay. Thank you. So libraries and other services that have come into question, so people have been calling and telling us that they called the library yesterday, they've been told they can't get a library card for free. I've been offered assurance from staff they will work with the library department to make sure they incorporate this update into the records so impacted properties are listed as eligible to get free library cards. I would ask the city manager to update my office as that work progresses because that should not be happening if this interpretation is correct. These examples of some of these just kind of underscore how complicated this situation is. I think we have tried, you know, I just want my colleagues to understand that this is not as simple as it sounds at some level and there are real people who are affected and there's still a lot of work to be done for some of the basic services that shouldn't be difficult -- some shouldn't be difficult to deliver and others we need to work more on. There is one other area I wanted to touch on which is that many constituents have asked how they can pay taxes but



not receive water and wastewater services. Based on what I understand, we have at least 1500 properties outside the lake Austin area that are in the full-purpose city limits that pay property tax and are not connected to the city's wastewater system that they are on septic. And another 300 full-purpose locations receive retail center wastewater service from a provider other than Austin water. Is that correct?

>> That's correct, councilmember. Greg, Austin water. You are right, we have approximately 1500 properties on septic tanks paying property taxes and 300 wastewater service providers other than Austin water retail inside the city limits.

>> Alter: Okay. I tried to explain that we have other properties that do this, but can you please briefly articulate why property taxes and the provision of water and wastewater are not connected and explain how we fund the provision of water and wastewater services and whether property taxes fund those services?

[11:09:13 AM]

>> The provision of our drinking water services and our wastewater services are 100% funded through our own user rates and fees. We don't receive any property taxes for those services. It's all kind of based on the business of providing water and wastewater rates and service.

>> Alter: Okay. Thank you. I'm going to let other people -- I have other comments, but I'll let other people.

>> Mayor Adler: Thank you. I know a lot of people that are impacted by this that live in this area, friends, and I want to begin with the nature of the discussion that has occurred, that some of the speakers have spoken to. This has nothing to do, this action has nothing to do with the people that are involved. Some of the most giving and self-less people, fill fill philanthropists we have in this city are impacted by this. That's not the issue. It is a hard issue and I hear the speakers here today talk about the frustration and not having the services at the level that they expect or would want. I hear the -- we had a representative here today, not the only one that's on a fixed income out in that area, and people talking about abrupt change. For me this issue became one I first started thinking about, frankly, when the city was sued about a year ago by somebody who was in this area, also receiving similar level of services, and the lawsuit went to court and the claim was that they were being treated unequally relative to their neighbors who were not paying taxes and were in the same service situation. I think that what that presents to the city is a forced choice.

[11:11:18 AM]

Because I think we have to treat people similarly and equally. So we either adopt a policy that says if someone is not getting all the services, then they don't pay city or we adopt the policy that says there's a certain -- we're going to pay taxes if someone is in the city for the services they do receive but I don't

think we can be on both sides of the issue. I think it's that case that really put that issue forefront for us. I think it would be imprudent for the city to adopt a policy that said that you don't pay city taxes unless you are receiving all of the services that the city provides. There are other properties in the city that don't get all the services that provide and even the people receiving the services receive those services to different levels and different degrees depending on where they are or how they are situated. I don't think that policy works from an urban or municipal place. We're all real lucky to be able to live in this city, for lots of reasons. And there are benefits that we all get from being in this city. A lot of the benefits have to do with the general economic state of this city. The opportunities that living in this city give to us and to our children and to our families. It is the opportunity to be able to live in a city that has a library like the one we have downtown and a park system throughout the city, the trails that we have, the urban paths, the bicycle network that we have in this city. We're lucky to live in a city that has the economic development place that we have in this city and the opportunities associated with that, and that comes from the investments that this community makes in those areas in order to be able to develop that and keep that -- keep that strong.

[11:13:33 AM]

We all use the roads in the city and that's true even on roads that are not next to our homes, but are roads within a network that helps drive our experiences in this city. You know, I disagree with the state legislature with some of the annexation rulings that the legislature has made because I think that it doesn't take into account the fact that folks that may not be practically annexed are still benefiting from these same kinds of things and I think they should be contributing as well because I think that's what communities do. That's what we need to do. I am concerned about the change for people because it's change. Nothing is going to happen immediate. We know that the taxes that anyone would pay that would be an increase in that part of the property, about a 20% increase for that part of the property that is in the city will not have to be paid until 2021. So there's a transition period to be able to get from here to there. And I would urge everybody who is not in this city that's not getting services to the level that they believe they should to -- to push for services, because there are people in this city that are doing that in their areas. The decision to add five new fire stations in the city that we just went through is in part a response to this council recognizing that we need additional services in areas in the city to respond to response times. Everybody in this city should be part of that discussion and part of that -- that debate. For me, it comes down to that lawsuit.

[11:15:36 AM]

That person said it's not fair I pay city taxes when the person next to me is not and I'm receiving the same level of services, that's right. For me we should either let everyone in that situation not pay taxes or let everyone in that situation pay for taxes, and I think that it is fair because of the abundant level of services everyone in this city is reaching, the abundant benefit of being able to live in this community everyone is receiving. The ability to be able to travel around the country and around the world and you

get asked where you are from and the answer is Austin, Texas, means something. This is a hard one and it is serious because it does involve real people, but this is something that I'm going to support. Further discussion on the dais?

>> Harper-Madison: If I may, I appreciate the nuance here and everybody present and talk through this situation. You might have noticed that these homes have been referred to as the 1928 homes. I find that interesting. I find that interesting because in 1928, the city officially defined city limits to include properties that don't pay taxes. What I also find interesting -- excuse me -- is that the argument here generally is about equity or lack thereof. But speaking of equity, what the city also did in 1928 was officially write segregation into our first comprehensive plan. Black Austinites for decades because of their race were discriminated against and didn't have access to equitable systems but were still forced to pay taxes.

[11:17:41 AM]

And that's something that I don't want anybody to miss the relevance of that. I think right now we have a brilliant opportunity to realign our city's understanding of equity by ensuring that this additional revenue from property owners who have been lucky, frankly, for a century will benefit communities and residents who have not been so lucky. I think this is a prime moment in our city to put equity into action and I welcome my colleagues and constituents to join. Thank you.

[Applause]

>> Mayor Adler: Further discussion on the dais? Before we take a vote. Councilmember Alter.

>> Alter: Again I want to thank folks who came out today. One of the things that we've done which has been mentioned is set the stage for five new fire stations, one of those in the Davenport area which will serve a lot of these homes and I look forward to that being opened. I wanted to ask the city manager to work with my office to help us best determine what possible options we have to provide enhanced services with respect to public safety services as our first priority in that investigation, and also to ask the city manager's office to work with TCAD so that folks can get some straight answers when they call about their properties and trying to address things. And so that our departments who get to distinguish whether folks get a library card, et cetera, really have an appropriate list that they are working from. Okay. So then I want to just kind of comment, this is a difficult situation and I've been trying to spend in the limited amount of time I've had reading a lot of the history, reading a lot of the background, and at the end of the day where I've come to is that I took an oath to defend the constitution and it is my understanding that we are legally obligated to repeal this ordinance.

[11:19:55 AM]

I know many of you have raised concerns about how it can be legal for the city to tax your properties without providing certain services. The unfortunate reality is that many parts of our city pay property

taxes without getting as many services or services at the level that they should and they also experience long response times for public safety issues. Most of the neighbors impacted with whom I've spoken have legitimate concerns about safety and I think the rest of us ought to be very worried about the implications for wildfire more generally. I know many of you here today are unhappy with the way this item has been rolled out and you are not unhappy with the idea of paying taxes per se and that you are already paying quite a lot of taxes. I share those concerns and my commitment to you as your representative is to work as hard as I can to make sure you have services and to make sure we do everything we can to reduce your public safety risks and to mitigate against the wildfire please know that my door is open and my staff are available on any issue you may have that you want to make me aware of, and I encourage you not to let this shut the door between communication and how I can best represent you.

>> Mayor Adler: Are we ready to take a vote? Councilmember Casar.

>> Casar: Multiple city councils have tried to address this issue in the past and have not, and I just appreciate be part of a group that even though it's a difficult discussion are willing to take this on and address something that's just been wrong for many

>> Mayor Adler: Let's take a vote. We're going to divide the question. First on item number 187 -- is it 187? 87. I keep doing that. First on 87. Those in favor raise your hands. It's unanimous on the dais. Let's now vote on item 189.

[11:21:56 AM]

Further discussion on 189.

>> 89.

>> Mayor Adler: On 89. Mr. Flannigan.

>> Flannigan: I'm going to vote no on 89 because I think there's unanswered questions about where these funds should be expended especially with relationship to tax caps and some of the fire hydrant issues. But also recognize that this doesn't go out and spend the money, it just asks the I'll vote no on that.

>> Mayor Adler: My vote on this is only in favor because it doesn't earmark the money and I would like to hear the options. I assume we're also going to be hearing lots of other options and constraints as we go through this year's budget process. Further discussion of this item? Councilmember alter.

>> Alter: I'm going to concur with the mayor on that because I don't think this earmarks it. Happy to get the information back, but I'm very uncomfortable with the notion we would be earmarking taxpayer money. I share the desire to invest in each of these areas, but I think that's a budget decision we have to make in the context of everything else and any future council can just undo this so I would rather we decide that we are going to prioritize these items as part of the budget.

>> Mayor Adler: Let's take a vote. Those in favor of item 89 please raise your hand. Those opposed? Mr. Flannigan voting no, the others I.e., passes 10-1.

-- Aye. Let's go ahead and take up the pitch and putt item, item number 69 as people leave the room, if they could do it quietly. Is there a motion to approve item number 69?

[11:24:00 AM]

This is the pitch and putt contract as recommended by staff. Councilmember Flannigan makes the motion, councilmember Renteria seconds. As I understand it I wasn't here, but I think we took already public testimony and have closed public testimony, which then just gets us to this item as postponed earlier for discussion and vote on the dais. Discussion on the dais? Councilmember kitchen.

>> Kitchen: I have a substitute motion, and my substitute motion is to direct the staff to go back and rebid -- take the next steps to -- to -- to rebid the contract.

>> Mayor Adler: Okay.

>> Kitchen: Can I speak to that now?

>> Mayor Adler: Help me understand. If there's a no vote on the motion that's in front of us, doesn't that do the same thing?

>> Kitchen: I would like to take a vote and I'm making a substitute motion.

>> Mayor Adler: Okay. It makes it more complicated because we have to present and discussion and amend each of the motions.

>> Kitchen: That's okay. I think it's a critical item and I think we need to -- may I spoke to why I'm bringing it?

>> Mayor Adler: So we have a -- okay. I'm going to say no to the substitute motion because it is identical to a no vote on the matter. In other words, the same effect happens with a no vote, but I can be overridden by a vote of council on the issue. I don't think a substitute is in order when it doesn't do anything other than equal a no vote. I think it's wrong

>> Kitchen: May I speak to that?

>> Mayor Adler: Yes, and you can vote to change me and certainly the dais can overrule me on that.

>> Kitchen: Mayor, I think that's unfair.

[11:26:01 AM]

I think that in our previous meeting we did take a -- we did this, and I believe there was a substitute motion. I think that it is unfair to not allow us to vote on a substitute motion, and so I don't -- you have discretion. I don't think that's the appropriate discretion to exercise in this circumstance. I think the public is entitled to a vote on the substitute motion.

>> Tovo: As a suspected, I would like to speak to my second of councilmember

>> Mayor Adler: There's no second to it yet, but we can talk about the question -- there's a motion to make a substitute which is to create --

>> Tovo: I understand and there was a second to the

>> Mayor Adler: Only a second if the motion is recognized and it's not. Now, as council you can overrule me on that, but I think it's a bad policy for us to let substitute motions that don't do anything other than put into effect what is a no vote. That would be a motion anyone could bring on anything we do every time we do it.

>> Tovo: Mayor, if I may speak to the second that wasn't recognized.

>> Mayor Adler: Because there's no second. What you can do is speak to the question whether the ruling of the chair -- I will take councilmember kitchen's request to overrule the chair's parliamentary decision and we can discuss that then we'll vote on that issue. And you can speak to that if

>> Tovo: Sure. So I don't see these as direct opposites. Number one, I would back up and say I'm not sure we've ever had this conversation about a substitute motion and so if this is going to be a new process, I would suggest that we roll it out not on this particular issue, but that we sort of set that as a standard and be attentive to it going forward so that we're treating all substitute motions fairly.

[11:28:01 AM]

I mean we have had shifts in how we treat substitute motions. For a while they weren't allowed at all. Now that they are allowed, again appropriately, I think that this one is being subjected to a higher level of scrutiny than, as I -- scrutiny, as are typically and I don't see these direct opposite. To vote against the main motion on the table is to approve a particular bidder for this particular contract. A voting against that one, in my opinion, is a vote of no confidence for that particular bidder. The motion that councilmember kitchen brought forward is to reopen the bidding process. It may have the same effect, but it's not the same intent and I don't think it gives the same message. I don't see them as opposite actions, I see them as different actions.

>> Mayor Adler: I understand. Further discussion on the parliamentary rule?

>> Flannigan: We did substitute on the last item and it was difference between postponement and I think that's how it's different. I'm supporting the mayor on this.

>> Mayor Adler: This is how I've always treated substitute motions over the last five years. There's nothing different or special here. Councilmember kitchen.

>> Kitchen: Thank you, councilmember tovo. I think it's important to note this is not the same motion and that's why I just vehemently disagree with not allowing a vote. I mean, we're all accountable for what we are doing. I mean, I don't see why we can't have a vote on it. It is not the same action. It is not the same to say that we want to rebid versus moving forward. Those are fundamentally different actions. The timing is different on them. To say that they are the same is not accurate.

>> Mayor Adler: Okay. Let's take a vote. Those in favor of allowing a substitute -- those in favor of overruling the chair, please indicate by raising your hand.

[11:30:09 AM]

-- Hand. Kitchen, tovo and pool. Those that would affirm the chair please raise your hand. Those abstaining? Councilmember alter abstains. The other uphold the chair. We're going to continue on. Is there a motion? We already have a motion. It's been moved and the question is do we affirm the contract -- do we affirm the contract.

>> Kitchen: I have some

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Okay, I have some comments to make. First off, the reason I made my motion that was not recognized was that, as I said before, I do not think -- I think this is really a huge decision to be made for our community, and to make that decision without full information, we did not even evaluate one of the entities and we did not consider them based on a technicality, which was not signing. And I think that that is wrong as a way to proceed. So I would also like to make some comments about what we have before us with regard to the -- the -- what we're being asked to approve and we'll want to ask that information be brought back to us related to that. So I'll speak to those in a minute. Let someone else speak first.

>> Mayor Adler: Does anybody else want to speak on this issue? Mr. Flannigan.

>> Flannigan: We had conversation about this at the last council meeting, but I think reasonable people can disagree on this. The process is strict for government for a reason and there have been plenty of bidders on a lot of rfps and a lot of responses that have been rejected because of lack of signature.

[11:32:20 AM]

It is the process of the city and I'm comfortable overruling that procurement process in this case. And I understand councilmember kitchen, our disagreement on this topic and I just think it's a reasonable disagreement.

>> Mayor Adler: Okay. Further discussion? Councilmember kitchen.

>> Kitchen: Does anybody else want to go first?

>> Mayor Adler: Mayor pro tem.

>> Garza: Can staff -- I don't know if you have this information, but is there a number or an estimate of other bids that have been rejected because of the same issue we're seeing here?

>> Mayor pro tem, councilmembers, mayor, city manager, James score borrow, purchasing office. In the discussion at the last council meeting, same question came up, and we in anticipation of the question previously looked back at fiscal year-18 and noted six instances when the offer was found to be nonresponsive because the offerer did not sign their offer and therefore bind themselves to the contents.

>> Garza: And in those cases was the outcome the recommended bidder from staff? Because those people didn't sign, they were -- they were --

>> Staff determined them to be nonresponsive and set them aside. That is the consistent process the city has applied for years.

>> Garza: Thanks.

>> Mayor Adler: Councilmember Casar.

>> Casar: Mr. Scarborough, hi, there's a lot of us.

>> Sorry.

>> Casar: When folks spoke during the last council meeting, they brought up the affordability of the course, the dog friendliness of the course, the ability to sometimes byob, to have larger, more informal groups of golf. What I brought up was that we would want these elements to exist regardless of the operator.

[11:34:25 AM]

Is it something you intended to or able to to ensure those things remain regardless of how we -- how it is that we vote?

>> Councilmember, as you recall from the previous council meeting, there were a number of comments about the elements of the park that are endearing to the public and endearing to those that go to the events there, that bring their children and so forth. We were all present for that, understand that. And I've discussed this directly with pard subsequent to that meeting, they value these things as well and seek to have them addressed and clarified in the resulting contract. So these are things that will be discussed and in the resulting contract.

>> Casar: Especiallyly the affordability of so close to downtown is really important and something we should be watching in a contract. That sometimes may mean the level of improvement may not be the



highest but its affordability is something everybody values regardless how this vote goes for staff to ensure.

>> I believe the management of pard, at least they've communicated to me they are on the same page. Councilmember pool.

>> Pool: So to that point, do we know what the charges will be if this contract is awarded to the recommended bidder? How much are they going to charge?

>> I'm going to ask for my colleagues --

>> Pool: Sure. Take your time.

>> Directly related to the solicitation itself.

>> Pool: Thanks.

>> Am I on? Purchasing office. The concept proposal are not publicly available. Obviously the contract is not yet negotiated so based on the feedback we received from council, that could be taken into account in the final contract.

>> Pool: Do we have any elements of the contract that speak to continuing the affordability, essentially the amount of money that is now being charged to the players?

[11:36:35 AM]

To the golfers?

>> The scope of work in this instance stated what the city was currently receiving as far as it and we required they at least meet that. So since that was public I can let you know it's at least what that stated. It wouldn't be any, like, less than what we're currently getting, but I can't speak to what was in the actual response.

>> Pool: When you say at least what the city is getting, do you mean the total amount of money or per pay entry fee that's charged? I'm speaking to the amount the current vendor gives the city as far as the concession part, which is I think 18%. As far as the greens fee, we stated the dire was to keep this in line with the current affordability of the park.

>> Pool: The desire the keep it in line with the current affordability of the park.

>> Correct.

>> Pool: I'd like to kind of have a little bit of a conversation here with the city manager and maybe this would be helpful to councilmember kitchen. I don't -- because there's going to be some negotiation, I suppose, at this point, I think that at the very minimum we should be talking about entry fees, greens fees that do not vary in any significant way from what is currently being charged. And in fact I think that that should be a guideline. So if -- is that something that we can send direction to our staff with regard to negotiation?

>> Councilmember, certain that's the direction, and again both from the conversation we had before on the dais and then today, these are things that will be taken into account as negotiations proceed to develop that contract.

>> Pool: Because what I'm worried about frankly is a group that hasn't been invested for 70 years coming in and taking this -- this sort of unpolished gem of a location just south of the river and monetizing it for personal gain.

[11:38:43 AM]

I'll flat out say that. Because it isn't what has been happening under the kinsers in the past for the past seven years. In fact, their investment has gone a long way to put their heart and soul into this location. And if we're going to lose the kinsers's heart and soul in something that they, frankly, created, then I think it is incumbent upon us as a city to say we don't reject what the kinsers reeight at butler pitch and putt, in fact we value it. So to that end we want to ensure that if we are in fact going to give the reins to an unknown entity in this instance, we don't know because we can't look and see what other types of pitch and putts they may have been in charge of and run in the past, we don't have any experience, I don't think, to be able to look at that, to be able to calculator to assess, we don't want to see major changes on at this site because that wasn't what the concession was about. Concession was to continue what was going on there. And frankly Kinser bid would have been considered if not for one missing signature and I can't step away from that clear fact. I am pleased to know that the city processes are changing so that hopefully with them being computerized and electronic forms that a missing signature won't ever happen again even in the few six instances where that has happened. I don't think that it rises, frankly, to the level of having been disregarded. I've said it publicly, I've said it privately, I've said it repeatedly, I think there should be a level of staff oversight on concessions and contracts that are just that important.

[11:40:48 AM]

That's just a level of simple standard legal of due diligence that a municipality owes to its residents. So I won't say that again because I've already said it plenty of times, except to say that I am glad we are changing that procedure and I hope to get an update on how that works in the future and make sure that we don't find ourselves inadvertently in this really, really different situation ever again.

[Applause]

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

>> Tovo: So I think one thing that's not always apparent to the public about a situation like this is that, as you said, the contract -- the proposals are confidential, and so the parks board, others who have given -- who have weighed in on it aren't really familiar with the details of the -- the details of the proposal, and I think that's a huge challenge here. It's very typical for our council to step back from negotiating and

executing a contract to just negotiating it and I would ask we do the same here. So given that we don't know what the revenue sharing offer is in this proposal, we don't have clarity about the green fees, I'll name some other things that we don't have clarity about that may be you can speak to, I'm not sure if these are also considered to be confidential elements of the proposal, but I think again and again the hundreds and hundreds of people that have written, the people that came down and spoke, relatively small number of people who came last time to speak to pitch and putt, what they talked about loving about pitch and putt is, you know, the way it's relatively low key in a city that is dynamically changing, pitch and putt has remained a vibrant place, but it's not overly commercial, it doesn't feel commercial, it feels like old Austin to many people and that's what they enjoy and appreciate about it.

[11:42:59 AM]

And as a councilmember, it's important to me to see that place remain. Of course, have enhancements as the Kinser family has done and any operator I would hope would continue to do, but not to have suddenly lots of new concessions on it or other major changes there. So those are elements that I think are important. Again, I think we have a fiscal responsibility to make sure that the revenue sharing is appropriate, but also to make sure that it's going to continue to be an accessible place to play golf because that's really our mission. So I'm going to amend -- I'm going to make an amendment that we authorize today the staff to negotiate but to come back for execution of that contract so that we have an opportunity to review it. And again, this is very typical, I've supported lots of -- lots of similar members on the dais when others have suggested that and would ask you consider that, colleagues, as a friendly amendment to your motion, councilmember Flannigan, that we negotiate today but not authorize the execution of.

>> Mayor Adler: If you want to accept that amendment, otherwise I'll go to Casar.

>> Flannigan: I don't accept it.

>> Mayor Adler: Councilmember Casar. Councilmember kitchen.

>> Flannigan: I believe I was next to speak after councilmember tovo.

>> Mayor Adler: I believe that's what I said.

>> Flannigan: Councilmember pool, you said some pretty incendiary stuff there. I think we have to be really careful, the folks who bid for city contracts, these processes exist for a reason. Because when we allow politics to inject itself into procurement it creates misappropriation of funds.

[11:45:02 AM]

That's not a commentary on the folks running the butler pitch and putt, it's the reason we have government procurement. I have been a steadfast fighter for following the rules on procurement and I have for the two and a half rules I've been on this dais, and there have been times where I have lost that

vote, there have been times where I have been persuasive on that vote, there have been times where contractors who represent disadvantaged communities have come to the microphone and we have denied their requests to consider them and left contracts with large corporations. We have seen have seen elected officials, former and current, from other levels of government, come and lobby this council for other procurements in the past. The folks who spoke who won this bid, and when I watched the parks board meeting, are also austinites. They also live in this community. And I don't believe that 70 years thinking back to what the city of Austin was like and who got access to contracting and who got access to government process in the 40s is evidence that -- is evidence alone that it should continue. There were definitely folks that were not given access to the city of Austin in the 40s. And I think that there's a reason that we have these processes in place. In this particular case the bidder was already given an open contract in 2014 by using a political process. I spoke to the vendor themselves in February and implore them to take this process seriously and to put their best foot forward, and for lack of a signature, I just candidate abide. I just can't abide by setting a precedent that says if you don't think you can win the bid, leave off something inconsequential and then get 100 people to email the council. That's the message we're sending. Whether or not that's what occurred that's the message we're sending and I think that's why it's really important that we not start going down a road that sends a message to other vendors in this community about how to manipulate the council.

[11:47:11 AM]

So I implore mfi colleagues to follow the process here and to award this process.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I have some things to say after councilmember tovo makes her motion, which which I'm going to second. Councilmember Flannigan, there are a couple of things you said that I just have to address. And I appreciate your passion and respect your right to bring up your concerns, but I don't want them left out there, so that's why I'm responding. I don't think it's fair to suggest, and I'm not sure if you meant this the way it sounded to me, but I don't think it's fair to suggest that the butler pitch and putt folks did not think they could win so deliberately did not put a signature on so that they could manipulate the council. So I just don't want that sitting out there. The second thing is, I'll just speak to myself, this is not about politics. To my mind this is about a situation that is not black and white about the rules. This is about us using the discretion that we are charged with as -- I believe from my perfect that we are charged with as a council. The staff has already identified a flaw in our process and are -- they're fixing it. And it has to do with the double-check on the signature. So I think it's appropriate for the council to exercise our discretion. So those are just two things I wanted to speak to. So. I have a question to ask before we make the motion, and this is of staff.

[11:49:11 AM]

And it goes to some of our earlier conversations. And that has to do with -- we have to ensure that we're getting the outcome that a number of us have been saying we want. And I believe that in order to do that we have a responsibility to just move forward with negotiation and not execution. So one of my questions is it's unclear to me in looking at the Q and a responses to what extent the park is protected from privatization? This is a park. So the Q and a responses are vague from the way I was reading them and I wasn't sure -- they didn't really tell me -- I mean, they do say that there's flexibility that the vendor has to control pricing as well as reservation of the park for public events. And specifically mentions maximizing revenues. So this is a question for our staff. So my question same not seeing language that prohibits or prevents or puts some parameters around using this as a live music venue or even a private event center. So that's language that I would want to see and that's one reason that I would want to see the item coming back to us after negotiation because I don't see another route to ensuring that we are protecting this park from privatization and commercialization.

>> Sure. I'm with the parks and recreation department. To answer the question, I believe the key to that is we have to approve not only the affordable fee components, but also programming, calendar of events that happens quarterly. And so at that point if the success of the pecan grove group decided to have a concert we would have to approve those events prior to being scheduled.

[11:51:23 AM]

And as well with the fees and the affordable component. So I think all of those things would be worked out in the contract itself and if this was approved we're going into that contract phase, in order to set standards that would associate whether it's large events or small events. In the response we provided currently today they have special events, whether it be corporate outings or birthday parties or similar events at butler pitch and putt today. That would exist with the new contract as well.

>> Kitchen: So the language is what I want to see and that's why I'd like to see it come back. So the other issue, some of which have already been raised, that there's no mention in the rfp of that I think are necessary to address, to protect and preserve the pitch and putt and to specifically the values that we've all been talking about related to affordability and public access. And those relate to the group size limits of any kind. The community is very concerned that there would be restrictions placed on that. So I would want to see language that says there's no group size limits of any kind. Second is specific tee times, if any. Another unnecessary restriction that there's been concerns raised about. A guarantee of public access regardless of purchases and that goes to the affordability. Currently there's no purchase requirements. Someone has already spoken to the fact, I believe it's councilmember pool, spoke to the fact of no higher fees than we are seeing right now, so we can maintain affordability. Then finally care of greens and the fairways. Around I think councilmember tovo may have mentioned some other items. So I wanted to get those out on the table. And also point out -- I think this may have been pointed out already, but I wanted to reemphasize that the current management does not require proof of purchase or passes for access to the park, but the rfp does allow for that.

[11:53:34 AM]

The rfp allows the steward to deny or limit access, so I'm concerned about that.

>> Mayor Adler: Okay. Let me get the motion and we'll come back to you. I recognize councilmember tovo for an amendment.

>> Tovo: As I indicated, I'd like to amend this, the motion on the floor so if it passes the contract would come back to us so the language would become negotiate but not execute. And again this is extremely normal.

>> Mayor Adler: To negotiate and come back before execution. Is there a second to that?  
Councilmember kitchen seconds that. Is there any discussion?

>> Renteria: Mayor, I can't support that. I mean, it's just -- to me that feels like I'm the one that if we don't agree with it, then what are we going to do, throw the whole contract out and rebid it again? That's what -- I feel like that's what's happening. But I want to have a question with Mr. Scarborough. When you're signing that contract is there any warning that it has to be signed or -- is it so easy that you can just forget to sign it?

>> Councilmember, there are a number of instructions both on the page where the signature occurs and on the cover page of the solicitation itself that point out that the offer needs to be signed.

>> Renteria: Okay. And that's what the whole concern of mine is. There's warning on a paper that has to be signed and for someone to say that they overlooked it, that means that they didn't even bother reading the contract. And if they didn't -- they said that there was no notice on there, I just can't understand what this whole discussion is. We have a contract, a bidder that signed the contract, abide by everything, and they won the bid.

[11:55:35 AM]

And here we're having a discussion about redoing the bid, throwing it out, and knowing well that even my board member in the parks board said that, you know, she felt bad, but it was a requirement that they signed that contract. Either that or we're going to get sued. So I'm not going to be wasting my taxpayer money on trying to rebid this whole thing and I just don't feel comfortable at all about supporting any kind of resolution where it's going to bring it back to us.

>> Flannigan: Councilmember kitchen, you read off a long list of requirements, but was that direction?

>> Kitchen: I read it off as reasons for me supporting this motion.

>> Flannigan: All right. I just wanted to be clear with staff that I don't think we were adopting that as direction. I would love to see it and go through it and all that

>> Kitchen: If we lose the vote on the negotiate and execute then I will come back and attempt to make it as direction.

>> Flannigan: If that's going to be where we end up, then I would like to be able to review it. At least one of two of those things I might have a disagreement with, that's all.

>> Kitchen: Okay.

>> Mayor Adler: Further discussion on the amendment? Those in favor of the amendment please raise your hand? Pool, tovo, kitchen and those opposed? It's the balance of the dais. Further discussion on the motion in front of us? I want to say -- I want to quickly explain how I'm going to vote. There's an admitted violation of the procedures here, and to me the violation is pretty black and white. So the question isn't whether or not there's been a violation. To me the request is kind of in the nature of a pardon. Someone is coming in and saying I violated or I committed a crime and I'm asking for a pardon.

[11:57:39 AM]

I think the council has the ability to grant a pardon if it wants to. This is really hard because just like with a pardon, there's an underlying violation that you don't want to sanction, you don't want to set a precedent to allow. And I think the rule that we have in the city is real important, just like the laws we have, the people want to get a pardon for are real partner. But the council has the discretion to do it and I think if you ever grant pardons, it should be in really rare situations. And I think that's the question, whether the equities on this and this situation fall one way or the other, and it's really close to me on that analysis. To me this is much like the procurement issue that we had at the airport with Threadgill's, when I voted to award the contract to Threadgill's. I lost that vote. I lost that vote to a council that was saying no, follow the process. I understood that decision by the council then. And I would certainly understand a majority voting today to approve the contract that's being offered. They're difficult. You know, when I was voting to -- in favor of Threadgill's, the people who won that contract were some new entrepreneurs in town, African-American entrepreneurs in town that were seeking new and additional opportunities in the city. You know, I wanted them to get the contract too. So I recognize how the majority acted in that instance and I would certainly understand the majority acting that way. But for me in this instance I'm not going to vote for -- probably not for additional directions or suggestions or anything, but I would probably vote against the contract consistent with what I had done before. Further discussion. Councilmember tovo.

>> Tovo: --

>> Councilmember kitchen.

[11:59:40 AM]

>> Kitchen: I just wanted to speak to direction. Again, we're now at the point where we're talking about moving forward, and that's fine. I respect people's perspectives on that. But I think we are all in agreement that there are certain things that we want to get out of this contract, and I'm hoping we're in agreement that the things that I mentioned that are not specific in the contract contract, that giving

direction to our staff to -- as part of the negotiation and execution process that they include these items. So I'd like to repeat them as direction. And councilmember Flannigan, I understand you may have some concerns about some, so I'll go through them again. So the direction is, and these are things that are not mentioned in the rfp, but they go to -- they go to the operations of the pitch and putt from an affordability standpoint and from, you know, the things that we've said that are of value, the public access and affordability. So first, -- and I'm just going to read these slowly so we can capture them. And I apologize I don't have it on a written document. But first, no group size limits of any kind. So we need to speak to the group size limits. That is -- we're hearing from the community that would be an unnecessary restriction. Second is specific tee times, if any. That's another concern about that being an unnecessary restriction. A guarantee of public access regardless of purchase. The fee structure, the specific pricing or define the pricing increases should be affordable and should be akin to what we have right now. The next one is specific guidelines for greens and fairway care. And then the last item to clarify is the the parameters and restrictions on uses for live music venues or private event I understand the response from our staff that there's a process for addressing that, bring that those limitation -- but I think that those limitations need to be included in the contract.

[12:02:04 PM]

>> Mayor Adler: So councilmember kitchen moves to add those directions. We're now discussing those directions. Is there a second to those directions?

>> Tovo: I'll second that. Councilmember Casar?

>> Casar: Councilmember kitchen, I'm open to being supportive of this. I want to just get clarification because I think I know what you mean, but I want to make sure I get it. When I mean group size limits you mean that the group size limits should be similar to as they exist now because I'm sure if a group of 10,000 people show up they can't be let on the course. I'm not saying that's what you said. When you say no group size limits of any kind, you mean the group size limits should be similar to how it's handled -- how it is handled.

>> Kitchen: Yes, I would agree with that.

>> Casar: And when you say --

>> Kitchen: I would say the same. Pardon?

>> [Inaudible].

>> Tovo: That one gave me pause too because I think you mean for golf play rather than for the event as a venue.

>> Kitchen: Right.

So>> Tovo: So maybe that clarification is important for golf play.

>> Casar: And I think when you mean no specific tee times, I think you mean that people should be able to walk up and play. Again, you don't mean that somebody can just play whenever it is that you want



because obviously there's some order to how it's currently run, but I think what you mean is that it should be flexible and walk up and more formalized than it is now.

>> Kitchen: Yes.

>> Casar: And when you mean that price increases akin to -- I think your wording was akin to what it is now, I'm sure it hasn't always been nine dollars. I'm sure there has been some level of price change over time and that the staff is going to negotiate hard for affordability, but that doesn't mean that the price is never going to change because I'm sure the price has changed in the last 10 years.

[12:04:12 PM]

>> Tovo: Are those something that we get to approve through the fee schedule each year?

>> Councilmember, we do not approve these fees through the fee schedule. It is not a parks and recreation fee. It is a contract that we approve through the process of annual approval. We do -- of course, we do review all those fees.

>> Kitchen: May I speak to it?

>> Mayor Adler: Is there a way to build into the price change some ability to be able to have some measure of discretion to make sure that the contractually works? My concern is coming up with something that puts us in a position where we set it up where the contract can't work.

>> Casar: Right. As people need to get paid more, if something breaks, but I think the emphasis on affordability and trying to keep it affordable the way that it has been I think is a direction and I just want to make sure that that's clear because that's something I can vote for. I just don't want to constrain us to where folks can't get paid decently or can't get paid? I don't want it to be a 25-dollar course next week? And I think that's the intention.

>> In response to that, councilmember, the living wage has changed in the city of Austin and would be part of this procurement in this process. So the living wage has changed and been adopted, that wasn't the case in 2014. So I think the expectation to charge the exact fees or a dollar more would a somewhat depend on being able to pay your employees more as the rest of our contracts would require.

>> Tovo: Mayor, can I speak to that for a second? I think that was my point. I think leaving it very vague with the assumption that if we set some expectations with regard to course fees that people aren't going to be paid fairly. I mean, as you pointed out, we've now put policies in place to make sure that anyone working at a city facility or through a contractor is getting paid, that we know what the floor is for that wage.

[12:06:21 PM]

So I think that that doesn't -- I think that just puts it back on us to come up with some language about fees. I don't exactly know what that language is. I appreciate that it needs to increase a bit over time, but I don't want to leave it to the full discretion of the contract. Any ideas? I mean, what would be a reasonable increase? We spoke about this yesterday, tripling a fee in my opinion is not reasonable.

>> And I would total agree with that. I can speak that the evaluation team looked at this proposal and determined that it was well within reason for affordable fees and parks would be committed to continue to do that because I think at any point in time council could revoke this contract. So if we were out of line -- we're going to review those fees on an annual basis and any increase that they proposed would have to be approved even from the establishment of the fees when the new contract starts.

>> Tovo: Well, councilmember, could you add into your direction something like allowing for -- keep the fees as close as possible to where they are currently, allowing for minimal increases over time, something like that. Something that captures minimal increases over time.

>> Kitchen: And I would add that accounting for the need to pay employees.

>> Mayor Adler: Or broken equipment or --

>> Kitchen: Those kinds of

>> Casar: The idea is we're erring on the side of affordability, as the staff tries to make difficult decisions did how much to improve it or how nice to make it. Those are real decisions and I think the idea is that we want this to be potentially just a cheaper place to play golf and that means it may be a less fancy place to play golf, but I'm fine with that, I'm fine supporting that. That we're erring on the side of affordability in the negotiation.

>> Kitchen: Okay. I'd like to attempt to make that a little clearer.

[12:08:22 PM]

So what we're talking about is keep the fees as close as possible as current, allowing minimal increases which allow for labor cost and maintenance with the goal of keeping this as an affordable place to play -- keeping this as an affordable place.

>> Pool: Mayor, affordable to the players, to the people who come to the greens.

>> Kitchen: Affordable place for the players.

>> Mayor Adler: My understanding is consistent with everything that the staff said earlier and that's how I hear the direction. Anything else? Yes, councilmember tovo?

>> Tovo: I don't have anything else to add to this list, but I wanted to make a couple of comments and underscore a couple of things that councilmember kitchen said. This is a significant decision about an iconic place within the park system, within the city of Austin's properties, and I think it will result in some pretty significant change. And as I indicated in the last meeting, and we'll do so again today, I think

that this is a decision best made with all the information as councilmember kitchen said, we didn't have an opportunity to even see how that proposal would have and.

>> Flannigan: I also want to echo what councilmember kitchen said. I certainly hope you weren't suggesting that it was an intentional a error. I certainly think that errors occur. And mayor, thank you for you recognizing that we always have the discretion to make a different decision when contracts come to us at council. And I can think of several really key times where the council went with a recommendation other than what the staff had recommended.

[12:10:27 PM]

One was with a codenext consultants, and I'm pretty sure the council did the same with the colony park consultants. And though I can't think of one off the top of my head, we always have the discretion of restarting an rfp process. And we have that discretion here today. I know you made the analogy of a pardon. Obviously an error is a pretty different situation and again, I think erring on the side of having full information when we're making a change of this significance is important. So thank you, though, councilmember kitchen, assuming that this contract may go forward, I appreciate the direction that you're adding in. I think it's important to make sure that whoever operates this course will do so and embed within that contract the values that I hear community members speaking to with regard to pitch and putt.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: I was going to let it go, but then it was said a second time. I was not saying anything about what the kinsers may or may not have done. I would have no way to know that. But it sends a message to other vendors on other procurements that we have seen try to be clever, we'll say, and I don't want to be sending a message that here's a new tool for other vendors on other procurements to use to try and just mess up the process.

>> Tovo: Thank you for clarifying that.

>> Mayor Adler: I understand too that with respect to the direction that the direction can be interpreted in a way that's not consistent with the rfp that was issued. We don't see any conflicts here doing that, but it's not an attempt to get the rfp redone. Anything else on this before we -- councilmember kitchen?

>> Kitchen: Yes. I mean, the items that we're speaking to, many of which are silent in the rfp, so this is this direction, the purpose of this direction is to ensure the kind of clarity for the different items that we want to make sure that we're protecting.

[12:12:33 PM]

>> Mayor Adler: Councilmember pool.

>> Pool: I appreciate the additional direction. Thank you to councilmember tovo and councilmember kitchen. And I support that additional direction. I will continue to vote no on extending the contract.

>> Mayor Adler: Those in favor -- ready to take a vote?

>> Kitchen: Wait. Of what?

>> Mayor Adler: Does anybody have any objection to the direction? Councilmember Flannigan, you want to to speak to it, take a vote on it?

>> Flannigan: I'm generally uncomfortable with rewriting rfps from the dais. I don't have a specific objection to the way things have worked out, I'm just not comfortable with this as a process.

>> Mayor Adler: Does anybody want the direction reread? Okay. Let's take a vote. Those in favor of the direction, please raise your hand? Those opposed? It's me and Jimmy. Mr. Flannigan and harper-madison abstains. Directions added. Let's take a vote. Those in favor of awarding the contract as staff directs, please raise your hands? It is Flannigan, alter, Paige Ellis, Greg Casar, Pio, harper-madison and mayor pro tem. Those opposed please raise your hand? It's the balance of the dais. The contract is awarded. Let's dispense with that item. All right. It is 12:13. There are a couple of people here that councilmember alter you said are officials with aid that are here to speak on item 13?

>> Alter: Yes, Jacob reach is here from aisd and Jane boss well from

[indiscernible].

>> Mayor Adler: Do you want to speak on item 13? We're not going to call it up, but you can speak before we do citizens communication.

>> Alter: I would just note for my colleagues that I passed out an amendment which I'm hoping addresses --

[12:14:37 PM]

>> Mayor Adler: We're not going to discuss it now. We're just going to hear from the speakers.

>> Good morning,.

>> Mayor Adler:, councilmembers and city manager cronk. I'm the chief of staff for the Austin independent school district and on behalf of Austin ISD we want to thank councilmember alter and other councilmembers for considering providing an avenue for schools to put limited advertisements on their campuses. This allowance provides a revenue-generating mechanism for schools that can be used to make improvements at the campuses and increase access for students. I ask that council approve this item and also approve the amendment provided by councilmember alter to increase the campus ability to raise funds. In addition, I would ask that the council consider another amendment to section 2-a of that ordinance that prohibits electronic signs and advertisements to make clear that a campus marquee is not included in that provision. While I understand that city staff believe that this provision would not apply to a marquee, I would ask that that language still be added to ensure that we're protecting

campus marquees across Austin. Campuses are not provided funds for marquees and must rely on private donations in order to build those signs. The signs not only serve as an identification for the school, but it's also a way for the campus to share information with their communities. For some campuses, the news and announcements on an electronic marquee or the major avenue for outreach to their parents and families. To accomplish fund-raising, these campuses will typically approve placing a logo of the business or organization who provided the money to build these signs. By making clear that a logo on a marquee is allowed we can ensure that campuses continue to have that valuable tool. So please either add language to 2-a to make it clear that it does not prohibit an electronic marquee from hosting a sponsorship or add a new line making the provision for sponsorship on a marquee. And thank you so much for considering this today.

>> Mayor Adler: Thank you.

[12:16:39 PM]

Yes, mayor pro tem?

>> Garza: Sir, sir? I absolutely support, will be supporting this, but I'd be curious -- and I would love if the board of trustees can create some kind of equitable policy because what happens a lot in these instances is there are schools that can raise a lot of money through their pta and it almost makes the inequities worse at some of the schools where I've seen schools in my district -- you don't see as many signs on the fence because there are not as many parents that are realtors or lawyers or own a business or an active and engaged community as in other parts of town. In fact, I've seen inequities in the materials used to make the sign. Some are the cheapest material because that's what they could get a sponsor to support and some will have a really thick -- so I've thought about this and also going to speak at one of the board meetings wherever y'all discuss this to have some kind of equitable policy on how that money is used. And I don't want to start another bad school finance situation, but I think it's important that our schools think about the inequities that happen sometimes where some ptas have \$50,000 in their bank and some have 10. I just encourage you to have that discussion.

>> Thank you, mayor pro tem.

>> Mayor Adler: Okay. Yes, Mr. Flannigan.

>> Flannigan: I really want to support what the mayor pro tem said and include other school districts in that conversation because I certainly see that even within schools in my own district I see schools that have more resources and less resources and somehow the schools with more resources are also the ones that have a fence line on a busy street. So it is exacerbating almost by chance at times those inequities. So I would love to be a part of figuring that out.

>> Thank you.

>> Mayor Adler: Thank you. Go ahead.

[12:18:47 PM]

>> Councilmembers and mayor, thank you for the time and thank you, councilmember alter, for making this a priority for recognizing the need for a policy for recognizing this. I am Lynn Boswell, president of the Austin council of ptas. I'm here speaking as a parent. Happily pt As do not make in the customer so we cannot been able to take an official vote on this, but I am a parent who has experienced for 10 years involved with the Austin council of ptas, and we have 112 ptas in every corner of the district. I spend time with parents, principals, teachers on campuses throughout the district offering support, guidance, help. This is a very powerful tool. We are in support of this ordinance that schools are able to do this. We absolutely recognize that there are deep inequities in ptas and what different campuses do. A huge part of our work as a a council is to address some of those. Just is a you know, we have a grant program that we are now offering grants to ptas with bigger ideas an income. We have started a resource fair to create some equity of information among ptas and one of the things we have discussed if this ordinance passes is to create a resource gate toolkit in English and Spanish to make it easier for stools schools to start a program like this if they don't already have one. And I support the amendment for allowing larger schools because I think for some schools a single large sign with multiple businesses with provide more opportunity than a bunch of small signs with individual names. I think the flexibility with the amendment offers more. I also want to say this goes beyond fund-raising. That having a show of support for businesses does many, many things in a community and for a campus. It does raise money for a school to do important things they might not otherwise be able to do. The other thing it does is it connects the business and the campus.

[12:20:48 PM]

It creates relationships that bring business leaders and business owners into the classroom to share what they know. And it really encourages families to patronize businesses in those I've seen this in a program that I began at kealing when my children were there that started introducing businesses through a business supported program to the campus community. Many families who came from outside the neighborhood started meeting at coffee shops, getting their cars washed in the neighborhood. Visitinglocal stores. So it's really about more than just fund-raising and I think it's a very powerful tool that we have to support. I think the final benefit to this is that when we show support for schools, people realize the schools are valuable and worth choosing and we would like to see this happen in those neighborhood campuses and we will work to support it. Thank you.

>> Tovo: I just want to say quickly, thank you for your email this morning and describing the toolkit. I think that sounds like a very valuable resource for other schools. And I also just wanted to say I think that in your role your organization can continue to also support some of the partnerships that some schools are doing right now where a school like breaker woods, -- breaker woods, which I'm familiar with, and Blackshear,, so that the resources of the one community could be shared with the other. So at book fair time, for example, there was also an opportunity to purchase books that that librarian had

suggested that the one school campus is directly offering financial support for another one. I don't know if there are other examples within aid where that's taking place, but there are --

>> There are many.

>> Tovo: The more that the AT&Ts can do that by -- that the ptas can do that with partnering other schools the more we can do to getting more resources into places that we need

>> Absolutely. Thank you. We're happy to work with any of you guys with any ideas that you have to do that.

[12:22:52 PM]

>> Garza: Are those types of programs, they're voluntary, right?

>> They're voluntary and we created our grant program this past year to have a systemized way for schools to contribute to that. And we're hoping that more schools will put money into that so we can share. We've given grants this year to several campuses. We paid for band instruments for Travis, for field trips at Campbell for several different projects under this new program. And it was a pilot this year that seems to be working and we're hoping we can expand it and the more schools give the more we'll be able to do with it.

>> Garza: I think those are great programs. I'm hoping for even more -- more of a requirement of if you're going to raise extra money that there be some kind of equity policy. So I'll be talking to trustees about that, but thank you for being here.

>> Okay. And feel free to reach out to us too.

>> Mayor Adler: All right. We're 22 minutes shy of citizens communication?

>> Kitchen: I have a very quick question for aid. He had mentioned the marquee marquees. Can you give me an idea of how large those marquees are?

>> The actual size of the marquees vary depending on the campus.

>> Kitchen: Okay.

>> But the sponsorship that would be added to the marquee is typically smaller, it's much smaller than the original -- I believe there's two foot by four foot that the sponsorship language mentioned. It's typically about a foot wide size sponsorship that will be located above or below a marquee. But the marquee itself obviously its main purpose and first purpose is for identification of the school and for sharing news and announcements for the school.

>> Kitchen: Okay. I'd just like to know the size of the marquee and what they range from. You don't have to tell me right now. If you don't know if you could get that and just email us.

>> We can, yes.

>> Kitchen: Thank you.

>> Mayor Adler: All right. Let's go to citizens communication. The first speaker is McKinley Gibson.

[12:24:58 PM]

Is McKinley here? What about SHAWN Howard? What about Susana Almanza. And I'm sorry, I skipped over your name, but you still get to speak first. Is Scott Ellison here? You will be on deck. Go ahead.

>> Good afternoon, mayor and city councilmembers. I'm Susana Almanza with poder and president of the Montopolis neighborhood plan contact team. Oh, I need the clicker. Sorry. The east Riverside corridor master plan was adopted in 2010 and design regulations were adopted in 2013 by the Austin city council. The corridor extends from I-35 to SH 71, includes the east Riverside, Oltorf and Montopolis neighborhood plan areas. In 2010 the east Riverside drive was described as commercial center to economically and socially diverse group of residents living in proximity to the roadway. And a gateway to downtown. Since this data was reviewed from 2010, the year the master plan was adopted, to 2017, the year the most recent census data is available. In an effort to isolate the changes to areas within and directly adjacent to the corridor, census block group boundaries, the lowest geographic group available in the American community survey data was used. The Latino share of the population declined from 64% in 2010 to a minus 56% in 2017. Blocks three, four, 10 and 16 all experiences proportionate decrease in Latino population from 25 to minus 56%. Block groups two, six, 11, 11 and 19 account for growth of the Latino population.

[12:27:04 PM]

These neighborhoods consist of market-based affordable units such as connection apartments, paradise oak apartments and river crossing townhomes. Latino family households decreased from 59% in 2010 to 53% in 2017. Block group 16 and block group five attributed to the family household decreases. Block group three, which is the location of the Oracle campus, experienced significant proportionate growth of the white population. The white population relative to the rest of the corridor increased 183%. The white population in block group 16 also experienced significant proportionate growth by 490%. Growth in the east Riverside corridor has largely been the result of the in migration of educated young adult and higher income whites who live alone or who live with other unrelated individuals. This population is also likelier to be renters than homeowners. Latinos have maintained the greatest share of the population in the corridor since 2000. It is important to note that demographic trends at the time of the master plan adoption suggested that the population growth in the corridor would primarily originate from the growth in the Latino population and that white and Asian populations would be a source of growth due to migration into the corridor. The findings suggest that growth of the --

[buzzer sounds]



-- East Riverside corridor is primarily the result of white in-migration. We must identify policy changes that will improve the quality of life for current and vulnerable residents.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Is -- come on up, sir. While you're coming up, is ramesses II setepenre here?

[12:29:08 PM]

You will be up next. Go ahead, sir.

>> I'm here to voice concerns regarding the culture at AFD's academy. I was a member of cadet class 126, the same class as Devon coney. I didn't know him personally, but I was the last person to speak to him. We introduced ourselves on the first morning of the academy and I remember his handshake and the confidence in his voice. He instantly made me be prouder to be part of that select group. I had no idea that in the next 15 minutes he would collapse in the drill tower and be pronounced deceased the following day. In the months after his passing, I observed the inner workings of PDF's academy and what I found most difficult about the program was the culture. Despite the loss of one of our own, there was a lack of interest in understanding the situation and preventing something like it from happening again. I know it may seem easy to stand here and criticize, but actually this is quite difficult because in the moment before Devon collapsed, the person who was probably least interested at AFD in understanding the situation was myself.

[Buzzer sounds] To this day what I feel most alarmed about when it comes to his death were my own thoughts when I saw him struggling. We were descending the tower, his pace began to slow and my first thought was he should have come to academy more prepared. What an utterly unacceptable way to react. My first thought should have been for the well-being of my classmate whose confidence had inspired me just moments ago. Unfortunately the only thing unique about the way I think as a firefighter is that I'm standing here being honest about it. There is a tendency in the fire service to react to even the slightest hint of weakness with isolation and I get it. The work we do is difficult and failure can have catastrophic consequences. So sometimes I think it's easier to deal with weakness by oversimplifying it or attributing it to a single person. But in the case of my class we underwent months of testing. There was a physical ability test, blood work, chest ekg and we had a family night devoted to hydration protocols and weighs ins and procedures to ensure the safety of cadets and somehow it took only 15 minutes to circumvent all of that and send two cadets to the hospital, one who would never return.

[12:31:28 PM]

When KXAN investigated these issues, AFD responded that its policies, procedures, processes and documentation can all been vetted and I agree that their policies are good. The problem isn't the

policies, the problem is the culture that is interpreting and acting upon those policies. It's a hyper masculine, macho culture in which I was next week is the one-year anniversary of Devon's passing and in addition to any tributes celebrating his life I think AFD needs to open itself up to greater scrutiny. What is needs to take seriously are the words over the drill field and that we as cadets are required to yell out hundreds of times, deeds, not words. Thank you.

>> Mayor Adler: Thank you.

>> Flannigan: Mayor, I want to thank you, sir, for am coulding down and speaking to the council. It cannot be easy to do that when you are coming from that type of tight knit culture. It's very courageous to come speak out and I want to thank you for that.

[Applause].

>> Mayor Adler: Ramesses II setepenre.

>> Hi, my name is ramesses II setepenre and I used to work here as contract security for about seven months. And I full-time hours, no benefits, no health care. You paid me poverty wages and you knowingly defrauded me out of my own wages and you just sent me this check of the money that you defrauded 13 months later. This money was supposed to have been made April of 2018. This says may 2019. And why now? Because I already told about this to your security manager, last year, and she told me that this is how the contract company makes money. I was told I was going to get this paid this amount of money after getting paid for the job.

[12:33:28 PM]

I got paid a different amount of money and then my manager says we no longer pay that amount. That's when I told the security manager Bernadette and she said that's how they make money. So she knew about this and she blamed the council. So you knew about about this because your management knew about this and they blamed you. So, you know, your prime motive is to maximize your profits. That's why you hire the contracts so you can slash benefits and health care and why not medal in fraud too because you're already paying people poverty wages. You're exploiting the already socioeconomically disadvantaged and minorities because you know nobody else would be complicit with your power wages. I see the rainbow flag out there, but where is the equality. Of this places the most -- like your commemorating the gays and yet not paying us any benefits or health care and then sending money 13 months later from the money that you defrauded. Is that what you call equality and equality? This is the most hemophobic and seen know phobic place I've worked at. The questions have harassed me, they have sat at my desk and harassed me. They have fabricated lies to get me in trouble, sabotage my positions. And your employees are so it pathetic they complained about my classical music? No, I'm not buying T I think your employees are just xeno phobic and homophobic. Your employees pick on the contractors because they know we have no rights. We have absolutely no rights. You can use us, abuse us, defraud us. Just fire us like that and call us unprofessional. Your management called me unprofessional. You knowingly defrauded me and you're calling me unprofessional. That's not how professionalism works. You're putting yourself at risk by defrauding your own security.

[12:35:33 PM]

You're offering your city manager housing allowance, but then you're turning around and paying people poverty wages so that they can become homeless. My own district four has 28.4% in poverty. On 24.8% in poverty as of 2018.

[Buzzer sounds]

>> Mayor Adler: Finish up your thought.

>> Honestly, I think somebody should resign because you condoned it. This check is 13 months too old. No. This is not right.

>> Mayor Adler: Thank you for coming down today. Scott Ellison? Sorry? Silver white mountain? Why don't you come down. On deck is penny Adrian. You will be up next.

>> No time for pleasantries. I didn't make it in time to speak at the public safety committee meeting so I'm going to address this issue here today. This speech is for the two officers and police cruiser number 4453 whom I encountered at sixth and Chicon at 12:20 P.M. Just last month. First, every time I say you it is meant for the two officers in 4453 and only them on the date and time specified above. Remember, the operative word is you. You. When I saw you stopped at the red light at sixth and Chicon you didn't have your siren on, you didn't look like you were on an emergency call and you didn't say so either. I then informed you that the sidewalk was blocked by vehicles just ahead. You I think in order me. I then said do your job and fix it. You then became discombobulated. Since you didn't take action and you therefore endangered my life I am now going to embarrass you the two officers in 4453.

[12:37:34 PM]

You are public servants, not just giving tickets and visiting sick children in the hospital. Your job entails thinking out of the box. Police are trying to chase criminals, but when you came across a little old lady with attitude who told you how to do your job, you didn't know how to handle it because when the light turned green, you the two officers in 4453 ran away -- I mean drove away. I had to solve a precrime. I'm sure a few of your co-officers will pick on you, especially if you're rookies, officers in 4453. I don't have the rights to this music. Don't panic. This is just cowboys and Indians and I'm the horse.

[♪Music♪].

>> My son --

[ music ].

[12:39:34 PM]

[Buzzer sounds]

>> Mayor Adler: Thank you.

>> You think I'm not an old lady, this is just an illusion.

>> Mayor Adler: Thank you. Next speaker. And while you're coming down, is Sandra DeLeon here? You will be up next. Ms. Adrian, go ahead.

>> Hello, I'm penny Adrian and my neighbor Ahmad is here with me to provide moral support because I'm extremely nervous. And the reason I'm so nervous is because I really want you to care about what I'm going to propose today and I'd love it if you could mention it to downtown cluster of churches. And in order to agenda item number 98 today, I think it's extremely important that we all remember that when it comes to public health and safety, our homeless neighbors are also members of the public and they're health and safety is at greatest risk largely because of us because we don't railroad them our neighbors and members of the public and they're literally dying out there. They are dying slowly in front of our eyes. We step over people that are dying. The new Salvation Army shelter sounds great. It sounds \$12.2 million to operate and will provide beds for only 212 people who can stay there for only 90 I'm glad it's there. It's better than nothing. But when you come down to Trinity center on Monday and Wednesday mornings, and I recommend that you do, your homeless centers will tell you that it is cruel to expect someone who is traumatized my domestic violence, recovering from a mental break down or trying to heal from the trauma of incarceration, to hit the ground running, jump through hoops of bureaucracy and land permanent housing within 90 days, it's ridiculous in many cases to respect that.

[12:41:54 PM]

Your sisters at the Salvation Army live in error of finding an exit date on your beds which means their time at the shelter is up and they will be forced to return to the streets. 90 days is not enough time for our most vulnerable centers to find housing. That's why I'm trying to persuade the downtown cluster of churches to let our homeless sisters sleep in their sanctuaries at night. 28% of homeless women report being raped in the past 12 months and half of them have been raped at least twice. It is clearly immoral for large, beautiful houses of god to sit empty every night while homeless women sleep on the street or submit to unwanted sex for protection. Many churches claim they can't let our homeless sisters sleep in the sang swears because of the cost of additional staff and liability insurance. It's like Jesus, love thy number as long as your insured. But if non-profits were set up to operate within the churches and the city could commit to helping to fund these non-profits --

[buzzer sounds]

-- The churches could shelter ones of women every single night year-round for only about half a million dollars a year until those women are stable enough to access services or lucky enough to get into permanent housing.

>> Mayor Adler: Thank you very much. Councilmember kitchen. Ms. Aid try an?

>> I wanted to O --

>> Kitchen: I realize you were nervous, but you did a great job. I want to say thank you very much. I know the mayor has a resolution that's coming up later this evening with a whole range of ideas. I think he's got language in his resolution that would encompass the idea that you gave us, so I just want to say thank you.

[12:43:57 PM]

>> Thank you so much. Thank you.

>> Mayor Adler: Thank you. Is quantiel fliland here? What about Susan Reda? You will be up next. Go ahead.

>> Thank you for the opportunity to come before you today. My name is Sandra Deleon, I'm president of the Rainey neighborhood association. I'm here to talk to you today about three of the five possible solutions to help create sustainable growth in the Rainey neighborhood. In the last two years we have seen the number of site applications that are either permitted or in the permitting process moved from two to 12. And have seen where the up zoning from CBD in 2005 has affected residents nearly 15 years later. The first solution is to adopt a comprehensive mobility plan. The district does not have a neighborhood master plan but because of land use and transportation planning are so uniquely tied together, we have the opportunity to create an innovative and inspiring comprehensive mobility plan that can inform visions about land use using data from the study. Residents understand mobility uniquely in the neighborhood and ask for a formal communication collaborative process modeled after the neighborhood planning process. Additionally a resolution like item 175 creating a special revenue fund for mobility improvements could positively impact the quality of life and safety for residents, mac patrons and visitors alike. The second is to prioritize eight to one. Base entitlements in the Rainey subdistrict are currently eight to one and they exist for a reason.

[12:45:59 PM]

One of them being the neighborhood's relative isolation from downtown. Considering also the three borders of waller creek, lady bird lake and I-35, as well as a limited number of streets in the neighborhood, connectivity is poor. Poor connectivity in an area zoned CBD is not sustainable. As such, base entitlements should be prioritized over density and the granting of density should be more carefully analyzed apart from substantial compliance with urban design guidelines and meeting gatekeeper requirements. Current code is creating one of the densest parts of downtown in an area with least connectivity. Add to this a lack of resources for improvements and we've created a public safety issue and the pedestrian hit and run accident that occurred on June 9th on Rainey street is a testament to this. The last solution is to amend code relating to the downtown density bonus program in the Rainey district. It's one of the most powerful tools we have to compel builders to build in a way

that compels our shared city values. Unfortunately current code allows applicants to write a fee-in-lieu check that is very often distributed outside of the district and allocated entirely to affordable housing because it can be approved administratively and quickly.

[Buzzer sounds] This was not the intent of the program. While it's beneficial for bonus area to be achieved through affordable housing, the code rewrite should stipulate that the other half be achieved but Rainey specific benefits like mobility improvements that the area so desperately needs. Thank you.

>> Mayor Adler: Thank you. Okay. Quantiel, why don't you come on up. Ms. Reda?

>> My name is Susan and I'm speaking to you as a former Austin animal center volunteer, a member of the board of final frontier rescue project and a resident of district 8.

[12:48:05 PM]

I made this decision to speak today because of Austin animal center's management's choice to kill a dog named tucker. That decision to kill tucker was made when there were safe options available despite the pleas by my rescue, his former owner and a petition signed by over 2,000 people. This killing is one of many examples of the Austin animal center's abandonment of the value that every life matters. Tucker had been considered adoptable despite his issues of guarding his space and his history of minor bites. In fact, in March aac did a social media post looking for a foster or adopter for tucker. Over the next two months tucker had a few volunteer handlers but no one on the staff at aac, including the behavior team, handled him. Tucker's main volunteer advocate arranged a behavior evaluation and training for him, but before that could happen and despite the concerns of the volunteers, aac's management sent tucker to a foster home. As predicted, he bit again and this time after setting him up for failure, management decided to kill tucker. While tucker was serving his quarantine, one of our most experienced fosters, another former aac volunteer, asked to foster tucker, but aac chose to kill him. Tucker's first owner saw a social media post about him and she had no idea he was in danger and she asked to take him back, but aac chose to kill him. After killing tucker, aac killed three more dogs the next week, two of whom like tucker, had confirmed rescue commitment. Aac has now killed as many dogs for behavior in the first half of 2019 as in all of 2017 and 2018. Final frontier rescue projects involvement with these dogs and aac's lack of cooperation are a long story and I only have three minutes. Every email and phone call we made to the city manager's office, the mayor's office and city officials went unanswered. We can only surmise by your lack of responsiveness to our pleas that you don't care and you're not listening.

[12:50:09 PM]

We have long advocated for aac to build behavior modification capacity and to address dogs' behavior needs rather than adopting them out untreated. Even if you think you are reaffirming Austin's commitment to no kill with the resolution to set a standard of 95% for the live release rate, you are undermining no kill by failing to provide oversight of this taxpayer funded department. The spike in

killings for behavior is a visible sign of the retreat from no kill, and today an email was sent that four dogs have gone missing and/or stolen from AAC, two from as far back as June 13th. Austin animal center needs an intervention and they need it now. To this end final frontier rescue project has retained the services of legal counsel. Brenda Collier is here today should anyone want to meet with her.

[Buzzer sounds] Our fight is not over and this is not finished. Thank you.

>> Mayor Adler: Thank you.

[Applause]. Is anybody else signed up to speak at citizens communication that I did not call? Did you sign up to speak? Did you sign up to speak on citizens --

>> [Inaudible].

>> Mayor Adler: No, I don't think that you signed up. You can check with the you can check with the check and see if you signed up for citizen communication. Did you sign up?

>> [Inaudible - no mic].

>> Mayor Adler: That's all we're talking about. Council, before we break to go to executive session, we can let some people go by handling some things that are real quick. Items 106 and 107 are eminent domain matters. Is it okay if we take a vote with respect to items 106 and 107 being non-consent condemnation items the city of Austin authorizes the use of the power of eminent domain to acquire the properties set forth in the agenda and resolutions for the meeting for the public uses described there in.

[12:52:12 PM]

Councilmember Tovo makes the councilmember Renteria second it. Any discussion? Those in favor of these two items, 106 and 107, please raise your hand. Those opposed? It passes unanimously. We also have a list of things set for public hearing and consideration. One of those, 113 we're not going to consider now because there are amendments. We also have a speaker that signed up on item number 110. But we can consider the other items, 108, 109, 111, 114 and 115. Is there a motion to close the public hearings and approve those items? Councilmember Flannigan makes the motion? Is there a second? Councilmember Renteria seconds it. Any discussion? Those in favor -- yes.

>> Harper-Madison: Sorry, mayor, I heard from one of the constituents that wanted to be present for the discussion around 114 and I think she just stepped out. So I wouldn't like to do anything. I might need to give her a

>> Mayor Adler: Let's hold off on 114. It's 108 to 115, except for those listed. That's a motion to close the public hearing and pass them. Those in favor raise your hand? Those opposed? It's unanimous on the dais with councilmember Casar gone. With that, council is now going to go into closed session to take up two items, pursuant to 551.074 we'll discuss personnel matters related to item 121, the employment disputes and evaluation of the city manager. And pursuant to 551.071, we're going to

discuss 113, relative to sign regulations. Without objection, it is 12:53. And we will go into executive session. When we come out of executive session --

[♪music♪].

[12:54:32 PM]

>> Alter: For item 64 and 67, I think those would be relatively quick when we come back.

>> Mayor Adler: We'll take a look and see if there are some things we can --

>> Alter: I'm sorry, 68 and 67.

>> Mayor Adler: Okay.

>> Alter: Just whenever we get to them.

>> Mayor Adler: We just have a few of those items to pick up, and at 2 o'clock we'll do the consent item on zoning and we'll see how many of those things are going to take us for a while. With that, it is 12:54 and we'll go into executive session.

[Executive session]

[3:17:46 PM]

[♪Music♪]

[3:34:10 PM]

>> Mayor Adler: All right, we're back. It is 3:31. We are out of executive session. In executive session we considered item 121 and item 113. Before we go any further, council, it's that time of year when we draw for new places on the dais so we get to sit next and meet new people. Do you want to take us through the drawing process? So for the -- so we're drawing for new positions so we change positions on the dais and change positions in the work session room. How are redoing it? What's number 1 -- before you call out any numbers yet, so number 1 is going to be where Leslie is right now.

[Laughter].

>> 6.

>> Mayor Adler: Moving to six.



>> [Inaudible - no mic].

>> Mayor Adler: Delia, where did you go to?

>> [Inaudible - no mic].

>> 9.

[Inaudible].

>> Mayor Adler: Natasha, what number did you get?

>> Harper-madison: Number 10.

>> Seven.

>> Mayor Adler: Ann kitchen is number 7.

[3:36:11 PM]

[Laughter]

>> [Inaudible - no mic].

>> Mayor Adler: Pio is number 1. Five. Two. Alison is four. And Jimmy Flannigan eight. Always on the left side. For the record, when we did the public hearings this morning, we closed the hearings and approved all those items with the exception of items 110, 113, 114. As I said, that means that 112, we closed the public hearing and that passed. Okay. Let's go ahead -- let's take 113. I had some language, if it's okay. So I would now entertain a motion to keep the public hearing open and postpone item 113 to August 22nd, 2019, and direct the city manager to propose an ordinance that provides limited allowances for off-premise non-electric advertising that's based on design and locational standards and furthers the city's interests in protecting safety and visual esthetics.

[3:38:12 PM]

>> So move.

>> Mayor Adler: Councilmember kitchen makes that motion. Councilmember Flannigan seconds that. Any discussion? Those in favor please raise your hand? Those opposed? It's unanimous on the dais and that's what will happen to 113. Let's take care of the consent agenda on zoning. Oh, there are people here -- was anyone here that signed up on 113 that wants to speak now instead of when you see what's going to happen on the 22nd? Do you want to speak now instead of then? Because there's going to be some proposal probably that comes back at that time. I'll give you a choice you can either speak now or come on down.

>> Hello, good afternoon, council. My name is Kevin Richardson. I am a board member of the east community ymca. As an entrepreneur here in Austin, and I went to many stakeholder meetings to learn more about opportunities for small businesses, to advertise with cap metro and aid. At the time of discussion at these meetings it focused on digital signs and that is what would make the most sense for myself and the business owners I know. Digital ads cost much less than traditional advertising and you can change or update your ad with digital with a single click. I'd love to see the council give cap metro and local advertisers access to this technology. Thank you for your time, council, and your consideration.

>> Mayor Adler: Thank you. Anyone else want to speak on 113 now, giving up their chance to speak on it later when it comes back in August?

[3:40:18 PM]

>> Good afternoon, councilmembers. My name is Josh pellzer, draft 3. I wanted to speak on this item for a moment. Over the last couple of decades Austin's grown into one of the world's most ardent hubs for digital technology. Apple, Google, Facebook and other companies have made this city their second home. New start-ups are born here nearly everyday and that's kind of what makes this discussion topic a little bit strange. I saw through the stakeholder process and I heard cap metro as well as the school district begging for permission to install something as simple as digital signs on their property. I heard people concerned that giving public agencies access to digital advertising would be unfair because the private sector is banned from using them. Well, this all seems a little bit strange and a little bit ridiculous. This is Austin, it's 2019. We live in a digital society now, and none of this technology should really be I just ask that council consider giving everyone, public and private, the right to utilize this digital advertising. And that's about all I have. Thank you.

>> Mayor Adler: Thank you very much. Anyone else want to speak? For everybody else who came here, especially those that came here this morning, I want to apologize that the council is not going to move forward on this item now, but I think that as the council moves forward, we'll move forward in a better and I apologize for the inconvenience. Everyone appreciates your commitment in coming down. On our council meetings there might be an opportunity to have people speak in this instance, but we have so many things with so many speakers it looks like we're going to be here really late so we're probably going to just use the available time we have for things that will potentially keep us here very, very late.

[3:42:22 PM]

So thank you. Why don't you come up and take us through the consent agenda of zoning.

>> Mayor and council, I'm Jerry rusthoven with the planning and zoning department. We have 49 zoning cases on your agenda today. For your information that's three short of the record of 52.

[Laughter]. With that we'll get started, item 122 is case npa-2019- npa-2019-0012.01. Item 123 c-14-2019-0046. This is also ready for consent on second and third reading. Item 124 is ready for consent

approval on second and third reading. For those cases which the public hearing is open, first we have item 125, offered for consent approval. Items 126 and 127 are discussion. We have speakers. Item 1 case, case npa 2019-0026.01, this case is ready for consent approval on all 3dings. Item 129, case c-14-2019-0012, this case is is offered for consent approval on all 3dings. Items 130 and 131 have speakers so they will be for discussion. Items 132 and one 33, I believe the council has set those for a time certain of 6:00 P.M. At that time there will be a discussion, the own of the property is requesting a postponement on these cases so I don't know if you want to take that up now or wait until six P.M. To do that.

>> Mayor Adler: We'll pull those for right now.

>> Item 134 is case npa-2019-0020-02. This case is offered for consent approval on all three readings. Related case is item 135, c-14--2019-0025. This is ready for approval on all three readings. Mayor, on both these cases there is showing been five speakers.

[3:44:24 PM]

We have spoken four were signed up in favor, one was signed up neutral. We've spoken to all five of them and they do not wish to speak so that is why I'm they're for consent item number 36, this case is ready for consent approval on all three readings. Related case item 137, these cases, mayor, are ready for approval on all three readings. We do have a single speaker, Mario connote. However he has -- Cantu. He has signed up in favor. I don't know if he wishes to speak or not.

>> Mayor Adler: Does that speaker still wish to speak on this? Is Mr. Cantu here? It's okay if it proceeds? Thank you.

>> So 136 and 137 will be consent approval on all three readings. Item 138, staff is requesting a postponement to August 8th. Related case, item 139, staff is requesting a postponement to August 8th August 8th. Item 140, staff is requesting a postponement to August 8th. Likewise on item 141, also a staff requested postponement to August 8th. Case 142 is npa 2019-005.01. We have one speaker on this case, Ms. Susana Almanza. However, we have two related cases, item 143, which are offered for consent approval on all three readings. And item 144,, Ms. Almanza has also signed up for both of those cases, however she does not wish to speak. I've talked with her. She only wishes to speak on item 142.

>> Mayor Adler: Can 143 and 144 move forward without 142 because that's just the Flum issue.

>> It is the Flum issue. She wishes to speak to the Flum, but does not wish to speak to the zoning cases and said she is fine if they do on consent.

[3:46:29 PM]

Item 145, this case is ready for consent approval on all three readings. Item 46 we have a postponement request from the owner's agent for the property as well as the montopolis neighborhood plan contact team. They are requesting a postponement of this case to either August 8th or August 22nd.

>> Casar: I'd like to pull that one for us to discuss.

>> Mayor Adler: 146 is pulled.

>> That gets us to 147, case npa-2016-0005.04, staff is requesting indefinite postponement of this item. Related item 148 also an indefinite postponement request by the staff. Item 149, this case is ready for consent approval on all three readings. Item 150, staff is requesting a postponement to your August 8th agenda.

>> Mayor Adler: That was item 150?

>> Yes.

>> Item 151, this case is ready for consent approval on all three readings. I'd like to be specific that is for the mf 3 zoning. Item number 52, this case is a discussion case. Item 153, this case is ready for consent approval on all three readings. Item number number 154, this is ready for consent approval on all three readings. Item number 155 also ready for consent approval on all three readings. Item 156, this case is ready for consent approval on all three readings. Item 157 has been withdrawn by the staff due to the passage of house bill 2496. No action is required.

[3:48:30 PM]

Item 1158 is ready for consent approval on all three readings with the addition of a conditional overlay restricting the height to 55 feet.

>> Harper-madison: Mr. Mayor, I would like for this to remain on the consent agenda, but I would like to make a comment about 158. Should I do that now or when he's done?

>> Mayor Adler: When he's done I will give you a chance to do that.

>> So that one is ready for all three radioedings with the additional condition of 55 feet. Item 159, staff is requesting a postponement of this one to the August 8th August 8th, 2019. 160, staff is also requesting a postponement to August 8th. Item 161, this is ready for consent approval. Item 162, this case is ready for consent approval on first reading only. Item 163, this case is ready for consent approval on all third readings. 164, staff is requesting a postponement of this one to August 8th. Item 165, this is an indefinite postponement request by the applicant. Item 166, is also an indefinite postponement request by the applicant. Item number 167, staff is requesting a postponement of this one to August 8th. 168, case staff is also requesting a postponement of this one to August 8th. Item 169, this case is offered for consent approval on all 3D readings.

-- Three readings. Number 170 is a postponement by the applicant. And also 171, the applicant is also requesting a postponement of this case to August 8th.

>> Mayor Adler: Okay. So as I look at this, make sure I understood, the consent agenda here will run from 122 up to 171 and ones that I have being pulled are 126, 127, 130, 131, 132, 133, 142, 146, 152, 153.

[3:50:59 PM]

>> I think 153 is ready for consent on all three readings.

>> Mayor Adler: What about 152?

>> It is discussion.

>> Mayor Adler: Okay. And what was the number that you had pulled? R councilmember was it 158?

>> Yes.

>> Mayor Adler: Again, the one I see being pulled on the consent agenda are items 126, 127, 130, 131, 132, 133, 142, 146, 152 and 158. Is that correct? Is there a motion to approve the consent agenda? Councilmember pool makes the motion. Seconded by councilmember harper-madison and to close the public hearings where before we take a vote, any comments? Councilmember -- in fact, you didn't want to pull 158, you just wanted to discuss it. So I had that wrong. Why don't you discuss 158 and that would be the time to do that. We'll put 158 back on the consent agenda.

>> Harper-madison: Thank you.

>> Mayor Adler: I'll get to you in a second.

>> Harper-madison: What was that?

>> Mayor Adler: Go ahead.

>> Harper-madison: What I wanted to point out is this is a bit of an oddity. As I understand it, the developer made it to the end of the site planning process on this case before anyone realized that they didn't have the zoning that they needed, including city and when they began to seek the rezoning, the developer reached out to the neighborhood and the two sides mutually agreed on a number of conditional overlays. Since the project was already so far along, this is my understanding -- since the project was already so far along in the planning process, the co's limit height, unit count and floor area ratio on this one and are largely symbolic and accommodate what's already may in the blueprints.

[3:53:02 PM]

If there were a conventional case I would say I have more Hernandez about the cos that would otherwise inhibit more affordable housing that we've all said over and over and over and over again how much we need it and how much that's what we want. So I want to make certain that we don't unintentionally undermine developers efforts to build affordable housing. They need all the help they can get, including the zoning and us being able to huddle together the resources we have to accommodate the efforts towards building affordable housing. For too long the will of the few have blocked the needs of the many, so for the sake of the many and where our city is headed we need to

make decisions that reflects -- that reflect what our city needs. I hope the new land development code draft we get in the fall will help put us on the right course, and that was my commentary on 158. Thank you.

>> Mayor Adler: Thank you. Further comments on the consent agenda? Councilmember Renteria?

>> Renteria: I want to be shown abstaining on item 156.

>> Mayor Adler: Okay. The record will reflect councilmember pool?

>> Pool: Thanks, mayor. I wanted to thank everybody in the community and the Austin school district and all their representatives and our staff for getting us to the point on item 153, which is the Lucy Reid prekindergarten elementary school change with the clinic for medically fragile and I look forward to seeing the rosdale school move forward in its new location in allandale with this innovative project. Thank you to everybody.

>> Mayor Adler: Thank you. Any further discussion? Councilmember tovo.

>> Tovo: Sorry, what was the recommendation on 156?

>> It was ready for consent on all three readings.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: I want to be shown voting no on 123 and the projects are great, but this is another case where we are unnecessarily complicating the zoning with conditional overlays that are not actually changing what you can build on that site because compatibility primarily is already limiting what you can get there.

[3:55:12 PM]

So the height and the F.A.R. And the unit count restrictions are unnecessary.

>> Mayor Adler: Okay. Yes, councilmember tovo.

>> Tovo: Sorry. 157.

>> 157 has been withdrawn by the staff due to passage of house bill 2496.

>> Mayor Adler: It was withdrawn.

>> Tovo: All right, thanks. Let me just make a on statement that I think that's extremely as I understand, it had gone through the landmark commission and just recently went through the planning commission and so had some back and forth with staff about what other options we have before us, but I think this is -- this is certainly the first and I hope the last situation where we don't have an option of considering the rezoning on this significant site because that power has been taken away from us by the state legislature.

>> Mayor Adler: Councilmember alter.

>> Alter: I wanted to clarify what you had said for 125. You said consent, but I wasn't sure on how many reads.

>> It's a restrict so it does not require multiple readings.

>> Alter: Thank you.

>> Mayor Adler: Okay. Let's take a vote on the consent agenda. Those in favor please raise your hand? Those opposed? It passes unanimously. Thank you. Okay. Let's go ahead and take speakers -- I'm sorry?

>> Alter: Would it be possible to do 67 quickly if nobody has anything beyond the direction for ar?

>> Mayor Adler: Does anybody have anything beyond the direction? Let's go ahead -- this is item number 67?

>> Alter: Yes. I'd like to move passage of item 67 with the direction that I passed out, which is the same direction that I posted on the message board. This direction has been reviewed by staff and is within the scope of the rfp. And just very briefly, I'll explain what the direction does, but I read it the other day.

[3:57:16 PM]

The direction ensures that we're adhering to the intent of the zero waste goal of 90% diversion by 2040 and maintaining our commitment to true zero waste, ie, no incineration. The scope of work in the rfp includes benchmarking for comparable cities, but did not originally include economic and fiscal insights, which we've added here. The direction directs arr to identify ways to work with other city departments and ensures the updated plan that complements the upcoming update on to the Austin community climate plan, and I've directed the plan to explore how arr should best approach its facilities such as whether arr should add additional dropoff or transfer facilities and whether arr facilities of all types should be considered to be city owned. The one addition that I had from what I read in work session, which was posted on the message board, is a clause addressing the financial destination of diverted materials.

>> Mayor Adler: Okay. There's been a motion for approval of item 67 with direction. So there a second to that? Councilmember pool seconds that. Any discussion? Yes, councilmember tovo.

>> Tovo: Yes, I wanted to highlight the bullet that councilmember alter mentioned. Thank you, councilmember alter, for including that amendment of mine about the -- about being very clear on where our diverted materials are going. This is a question that community members have asked us as we talked about what has changed in the time since we passed the zero waste plan. That's certainly one element of it. The changing market for recyclables. So we believe that the community deserves transparency and we need to have transparency around where our recyclables are going so that we can make the best choices about how to proceed forward.

>> Mayor Adler: Okay. It's been moved and seconded. Ready to take a vote? Those in favor of item 67 with the direction, raise your hand. Those opposed? It's unanimous on the -- abstaining or voting against? Mr. Flannigan votes no, the other voting aye.

[3:59:17 PM]

This item passes. It that's item 67. Let's go ahead and take up items -- the shelter items, 147 will you 149 as we said we would this -- one 77 through 179. Do you want to make a motion?

>> Kitchen: I move passage of all three items.

>> Mayor Adler: We'll consider all three at the same time. Is there a second to that? Councilmember Ellis seconds the motion. We have speakers to speak. Do you want to speak first or should I start recognizing people?

>> Kitchen: I don't want to speak first but I do have questions for staff?

>> Mayor Adler: Do you want to do that first?

>> Kitchen: Yeah, I think maybe -- the reason I want to take that first is because there was some additional backup provided both by our interim homeless strategy officer and by our real estate office. And I think that the backup that they posted today may respond to at least some of the questions. So I just would like to ask -- I think I have three questions for them.

>> Mayor

>> Mayor Adler: Go ahead.

>> Kitchen: My first question, having to do with the timeline, my understanding is best case scenario is about a 60-day acquisition timeline, then I'm also understanding that the accurate price the council -- the city might pay for something would be based on fair market value, as well as negotiations. So those are questions to you to confirm, and also if you could just briefly go over what the due diligence process is for acquisition.

>> Yes, mayor and council, Alex Gail, interim officer for office of real estate services. Our typical due diligence is what we typically want to have done is a third-party appraisal of the property, led in asbestos testing, environmental site assessment, as well as a property condition report.

[4:01:19 PM]

And so all four of those reports that we are having done on the property, we anticipate having those back by July 31st. If we can -- depending on how those come back, we would want to -- you know, if we need to renegotiate something, depending on the -- what those reports come back as, we would hope the landowner would agree to that and we would hopefully be able to close within 30 days of that, which would be basically by the end of August, within that time frame, between July 31st to the end of August, to close on that property. And so, yes, that is -- what we do is we have a third-party appraisal completed on that property, which, within the backup, we also talk about the difference between what



that third-party appraisal is compared to what the Travis county appraisal district's assessed value is and what those differences are, depending on the time of when we do it. We also, when our appraisal -- appraisal consultant goes -- actually is able to go into the property -- and see what upgrades are done to that property, to understand it, as well as when tcad assesses the value, there are some possible exemptions taken into consideration, then when a landowner has a financial motive to try and lower what that assessed value is, so that's what some of those differences are between what our fair market value may be, compared to what the tcad assessed value is.

>> Kitchen: Okay. Thank you. Is it accurate though state that as a city, we don't pay more than fair market value, and that's one reason we do appraisals?

>> Correct.

>> Kitchen: Okay.

>> So for every property we want to acquire, we have a third-party appraisal done to determine what that fair market value is, so we want to make sure we don't pay anything more than what is fair market value for the property.

[4:03:29 PM]

>> Kitchen: Okay. Thank you. I have two questions for our homeless strategy officer. And -- thank you. So -- and this is also information that is in backup. So, could you just speak to the process that you all went through -- and, you know, I don't know if that's you and real estate or whoever went through, that the staff went through for the process of searching for a property after we -- the council voted to initiate this process on January 31st? So could you just speak to the process you all went through for searching a property? Councilmember, Veronica Briseno, I'm interim homeless strategy officer. We did begin our process after passage of this resolution from it included not only working with individuals in our own office but also a team across the city, including individuals from our housing department, our health department, and our real estate office. In looking at properties, the resolution, as you'll recall, referred to looking at both city-owned land and properties that are on the market. We evaluated about 30 city-owned properties, as well as about 70 privately owned properties through this process. When we were vetting processes, we looked at the list of criteria that were outlined in that resolution, including not directly adjacent to a neighborhood, proximity to major corridors, access to public transportation, site and size acreage of the property, access to health care, access to case management and social service providers, and the current condition of the site, as well as any environmental considerations. So with that list of criteria, several -- the majority of the properties were eliminated, and that goes how we were able to move forward with this recommendation of the site that you're considering today.

>> Kitchen: Okay. Thank you. And then one last question, if you could speak to it with regard to -- and this is also in the backup, the community outreach process, and also, you know, we've talked about the fact that this is in the backup, that one of the the aspects of this item, of item 179, is to -- is to develop a legally binding restriction on the property.

[4:05:44 PM]

I'll speak to that more later because I do have some direction with regard to pursuing that legally binding restriction. But I know that you have in your backup some language about the process of community outreach, so could you speak to that?

>> Absolutely. We have been having discussions with our community engagement team here at the city of Austin in how we can work with not only the community at large, but also the immediate -- the neighbors in the vicinity, the residents in the vicinity, as well as business owners in the vicinity, and in addition to our stakeholders that are working in this area of homelessness. As we move forward with the item today, we will develop a plan so we will receive input so we as a city can be a good neighbor on this property. We want to take into account the concerns of the residents and business owners in the immediate area.

>> Kitchen: Okay. Thank you. I'll speak to my direction later, and that direction relates to the restrictions on the property -- the property and the process of working with the community to develop those restrictions. So thank you. That's all the questions I have right now.

>> Mayor Adler: So I'm going to call the people to speak, consistent with the way that I do that, there are some people that are speaking in favor of this, some people speaking against this. The first 20 people that get a chance to speak speak for three minutes. People past 20 get one minute to speak. I'm going to generally rotate between people speaking for and some against. Again, the first 20 people will speak for three minutes, after that it's one minute. I'm calling speakers on 177, 178, and 179, at the same time. The first speaker is going to be ray Collins. Is Mr. Collins here? And then on deck will be Ellis Peterson. Is Ellis Peterson here? You'll be up at this podium.

[4:07:46 PM]

You have time donated by Sean Whelan. Is Sean Whelan here? When you come up, Mr. Peterson, you'll have five minutes. Mr. Collins, you have three you can go ahead.

>> May I have the slide, please? My name is ray Collins. This is -- the slide you're about to see is echo executive director Ann Howard's slide 8:14 council work session briefing. I bring it to your attention, councilmember Casar's remarks at the June 4th work session, to the effect the capacity of the proposed housing focus shelter on Ben white must balance facility funding and services funding. An imbalance of the two will not allow the shelter to operate within the naeh guidelines council has chosen. The proposed capacity is 50 to a hundred beds. My interest is that the number of people actually in residence be frequently evaluated and adjusted to the naeh guidelines, taking into account our present limitations on outflow and future improvement of same. I say to you that is -- this is essential for success as portrayed in the slide, and that the success of this Ben white facility is essential to model future facilities around Austin. Slide off, please. Finally, I want to identify myself as one of the supporters of a housing focus shelter who is interested in having the naeh guidelines codified in a restrictive covenant. I can see we're thinking along the same lines. Up to and including closure of the facility if the naeh

guidelines are not achieved. I'm going to be involved at some level in the restrictive covenant discussion, simply because I know some of the people involved, and if council chooses, I would appreciate being involved as chair of the contact team in the abutting area, to the south.

[4:10:01 PM]

Finally, I hope council will acknowledge, as I do, that city manager Cronk has accomplished an amazing feat. He's located a property literally a stone's throw from campers in the greenbelt, near people living under Ben White, a little under two miles from Austin's most successful nonprofit for finding housing, on a capmetro route, and near health care. All this while successfully executing council's direction that the property not be adjacent to a residential neighborhood. Thank you.

>> Mayor Adler: Thank you very much. Mr. Peterson. Is Stray -- is Mr. Astray here? You'll be up next. Go ahead, sir.

>> I'd like to address the restrictive covenant first. It's not clear how a restrictive covenant on the property would address the road right-of-way, as well as the railroad right-of-way directly adjacent, especially considering the ordinance that would take some of a.p.d.'s enforcement power with regard to public camping, it would reduce that power. So the neighborhood has some concerns about, you know, what the city is going to do to ensure that we don't see, you know, increased camps and attraction of, you know, homeless individuals who desire to be in the facility but cannot get in because the facility is at capacity. And what I mean by that is if we have 300 individuals that come with a desire of getting in the facility, but it can only house 100, where does the remaining 200 go? And I think it's reasonable to expect that some of that population ends up camping in the neighboring right-of-way. And that's a concern of the neighborhood. Fiscally there's a concern in terms of how these services are being provided.

[4:12:04 PM]

I looked at a cost of this facility over the next 40 years. At the \$8.6 million purchase price and the operating budget per the Austin monitor, and this is while not considering renovation costs, it's about \$101 million over a 40-year period. And my question is, is this the most efficient way to handle the situation? And just for the sake of discussion, I did a cost analysis on not a realistic alternative but I'm just trying to provide some context here. So I looked at what it would cost to house the same number of people in a luxury hotel. I looked at the W. Austin, and I found that it would cost about \$263 for a room with two queen-size beds. So in this analysis, I'm assuming that people are sharing beds, and again, I understand that that's not a perfect comparison, but I'm just trying to draw a parallel here. That cost over a 40-year period is \$96 million. That's five million dollars less for a luxury hotel. But this is not the most concerning aspect of this. The property in question originally sold for \$2.32 million in 2009. Ten years later, the city is preparing to buy it for \$8.6 million. That is a 270% property valuation, which is

extraordinary. I think it would be hard to find other examples of that in the city. Appraisal, I think, would help clarify some of the concerns about the price point of that facility.

[Buzzer sounding] But we would ideally like to see that appraisal here for review at council, for are all to make your decision before you actually vote on that.

[4:14:05 PM]

>> Mayor Adler: Thank you very much. That was your time.

>> That was five minutes?

>> Mayor Adler: The next speaker that we have is Melissa -- come on up, sir. After you is Melissa nezanzede. Is she here? You'll be up speaking after this speaker. Go ahead, sir. State your name, please.

>> Good afternoon, councilmembers.

>> Excuse me, that was three minutes.

>> Mayor Adler: You did have time that was donated. Come back up. If we didn't time you right, I apologize for that. So you have two more minutes.

>> Yes. Thank you.

>> Mayor Adler: Okay.

>> So additionally, when we look at the zoning of the property, it's a limited office zoning. Transitional housing is not an approved use in this zoning district. When the city originally zoned this property, they did not consider it a good location for a shelter. The statements that are made about the community outreach on this are disingenuous. Neither myself nor any of my neighbors nor anyone we're aware of who owns property within a mile of this location has spoken to city staff about this issue. Additionally, this item was put on the city agenda on Friday, a minimum of three business days prior to it being heard, which is the minimum required by the Texas open meetings act. We desire a good faith gesture on the part of the city to meet with us and to discuss our concerns in open forum, and maybe we can find a middle ground. This does not feel like a good faith effort to meet the community halfway. That's all I have to say.

>> Mayor Adler: Thank you.

[4:16:06 PM]

So Mr. Astray, come on up, then Melissa nezamzede will be up here. Introduce yourself. You have three minutes.

>> Good afternoon, councilmembers. I live 1.8 miles from the new transitional housing that's being proposed. I am just here to share that there are some of us in the community who are not for it, do not fear it, are happy to welcome a place of transition where people can find a new life and new way forward. I think there's a lot of confusion that people in the community have that this will become arch 2.0. Those of us who have read through the material so graciously provided by much of the council understand that's not the case. You can't walk in the front door here and get services. You need to be referred in, from what I understand. That makes a massive difference. No one has a need to camp out outside, waiting for that. I just -- there are many voices today very worried about this. Many people are going to say this was never zoned for this, this is too expensive. Well, Austin is a changing city with a growing homeless population. We see many of them under the bridges of Ben white. This is a great way, I think, to address it and there are people like myself, eager to stand up, commit, and you may even see volunteering there and bringing our skills. So thank you for your care in this selection.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is tanner serand here? You'll be up next. Go ahead, introduce yourself, you have three minutes.

>> Hi. I'm nails, resident of Southwood. I'm deeply disappointed in how this was handled, announced, and proposed. I'm concerned we were notified about this new Friday night and the voting for this takes place three days later, three business days later. Let me walk you through how irresponsible it has been on your part.

[4:18:07 PM]

It is troubling the councilmembers spoke with us in the neighborhood to understand any concerns and help us understand what services and plans the city has in place. It is the city's job to keep us safe and not only have you failed to communicate your plans in how you would be different, how this would be different than outside of the arch, you have failed to demonstrate this especially with the repeal of the ordinances relating to panhandling and camping. You have already failed to demonstrate your ability to keep the public safe near the current arch building. Believe me, I'm a volunteer there. I have to be escorted out of that building when I go and volunteer. Now there are these services coming to my area, and I am concerned about the safety of myself as a female. I have zero faith in your ability to keep this neighborhood safe. Since moving to the neighborhood two years ago, I've witnessed the homeless camping and the wandering increase. It is disappointing. There was a murder down the street from my house outside of the taco joint. There was a family member held at knife point. And there was a rape by a homeless man near manchaca, again, all near my house. In the previous meeting with Ann kitchen, someone on stage noted there were two different kinds of homeless people, those that were truly trying to get help, and believe me, I want to help those people, then those who are not seeking help and do not want to find a home. It is those people that I'm most concerned about. What are we doing to address those individuals? How are you going to address the safety of the constituents in that neighborhood with those people who are not seeking the help, who do not want to find a home and

who do not to, you know, be helped? What can you do? This proposed shelter does not solve for that, and it only perpetuates the issue and promotes public health concerns. Not only is it the concerns with drug addicts, alcoholics, but also with petty crime theft and harassment. That, when you look at the public statistics, is only going to increase by the amount of people that you're bringing into the neighborhood. Now, take a step back. There are four schools in that area. Would you send your kids to those schools?

[4:20:10 PM]

Would you bike and would you walk next to that and have someone harass you? Because I'm constantly harassed when I do that. I go to bike, there's a person harassing me when I want to lobby my bike up. Would you ask your family to walk that path and be harassed? What are you going to do to keep these people safe. Again, let's differentiate between the two different types, I want to help the individuals who want to be helped, and let's ensure there's a plan for that, but let's also ensure there's something being done to keep your constituents safe. That is your job as the city to do so.

[Buzzer sounding]

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: State your name for the record. You have three minutes.

>> Thank you. My name is Tanner Serand and I'll probably hit on a few of the same points Melissa did but I think it's important you'll hear them at least twice and I'm guessing you'll hear them a few more times. We bought our first house two years ago. We plan to be there a long time. We love our house and our neighborhood. What is going on under the overpass at Ben White and Manchaca and surrounding area is an outrage and complete failure on your part as city council. I drive past it every day and it gets worse every day. There was a homestead, a rape, my cousin was held at knife point to get a cup of coffee. These are a few examples. We attended a town hall by Ann Kitchen's office. Someone from her office noted the difference between the different types of homeless people. We don't need to bucket them some people are looking to get out and make a better we all want to support them. Some people have made a decision to live life differently and that is their prerogative. That said, you know, when I drive to work in the morning, at night, they are sitting there, under the overpass, drinking, doing drugs, doing illegal activities, sitting on couches. It's outrageous. They leave trash everywhere. So you can understand how infuriating it is for us, as residents, that you have the audacity to use taxpayer money to overpay for real estate in a residential area which will only have a hundred beds for broader city use.

[4:22:20 PM]

Simple math confirms the proposed shelter would make virtually no exact to the dozens, if not hundreds of people who have chosen to live on manchaca and surrounding areas. You do nothing. You start the session by singing happy birthday. You push this issue to the afternoon. You do a seat reassignment after making us sit here all day, just to be heard. You are tone deaf. I have no doubt that you've tied the police hands -- I have no doubt that you've tied the police hands on this issue, I have a hard time believing our protectors in blue have made the decision to ignore the behavior that is occurring in plain sight in our neighborhood.

[Applause] So the answer to this proposal is an emphatic no from our neighborhood, and at the very least, until you have effectively dealt with the absolutely ridiculous situation at Ben white, manchaca, and the surrounding areas.

[Cheers and applause]

>> Mayor Adler: Isan -- is andreis Ramos here? Andreis Ramos? Is tanner serand here?

>> That was me.

>> Mayor Adler: That was you, I'm sorry. Is -- Cleo here? You have time donated from Mary Mundy. Is she here? You've have three minutes when you speak.

>> Mayor Adler, councilmember kitchen, and the city council, thank you for letting me speak. My name is andreis Ramos. I live at 3604 Fleetwood drive, a stone's throw away from the proposed homeless shelter. I moved to Austin three years ago when governor Abbott appointed my friend and mentor to be commissioner of public education. He asked me to move down with him from Dallas to help run the public schools. I've been here ever since and south Lamar is now my neighborhood.

[4:24:22 PM]

Every day when I drive under Ben white, I wonder how some of those men and women, how those situations could have been different had they been fortified by the same quality of education that I'd received when I was a young man. I wonder in certain circumstances how we, as a society, have failed those men and women. I am speaking today in favor because I don't want to see our community fail them again. I haven't had the best track record with the homeless in my neighborhood. Someone broke through my backyard and by removing one of my fences, the planks to my fence, I've had my car broken into, I've had my bike stolen. But I want the shelter near my house not because I want these incidents to continue happening, I want it because studies show that if we provide these services to them, incidents like this will be curbed, not exacerbated. There are a lot of questions to be addressed about logistics. Beds. I think a lot of my neighbors and the folks that I've been talking to would appreciate serious consideration of a police substation. But I'm asking you guys to put this in our backyard. Because I want to show you guys, and I think the south Lamar neighborhood can show you guys, what our community is all about. Thank you.

>> Mayor Adler: Thank you. Before you speak, is Haley Neth here? Hallie Neth? You'll be at this podium. Go ahead and introduce yourself. You have three minutes.

>> My name is Cleo, I live in Barton view neighborhood. I'm a former juvenile probation officer and social worker, and I grew up in one of the poorest areas of south Dallas. My parents are immigrants from Mexico. My best friend was shot and killed in front of me when I was -- we had a homeless person, even with the limited means we had, we had a homeless person live with us.

[4:26:33 PM]

I've had a refugee family stay with us several times in the last ten years. They've lived in our house in Dallas we built and the house we had in Austin that we've just built. I've even slept on the floor when their home was flooded. We help the a homeless man get off the streets, who even took showers in our home and we ate lunch together, regularly. As a former probation officer and social worker, I care for social issues deeply. It was my profession. When it comes to my safety and the safety of my family, I will fiercely, I will fiercely choose that every single time. The city released this proposal location on Friday. That is not enough time. I am a full-time mom and I care for my disabled mother who has brain damage. That means I take her a shower and I feed her. In the midst of rushing around for my son, trying to learn more about this location, on a Friday night, and then I had to wait until Monday because it's a weekend, obviously. I'm trying to inform neighbors, businesses, schools, developers, organize a petition, which I have in front of me, have interviews with news stations so that other neighbors that are calling me can know what's going on. I don't want to be on camera. We don't want to do that. I just want to take care of my son. And I'm having to do these things because you, Ann kitchen, have not met with us. It is unreasonable and the city has put the cart before the horse. The city has zero experience in operating a housing first shelter and has not identified or selected a management company for such services. As such, the city cannot appropriately forecast the ongoing cost of operating the shelter, nor the scope of trouble that typically comes with the homeless shelter, especially one of that size. This proposal is in a residential neighborhood. Over 3,000 people live within a half way radius and over 25,000 people live within a mile radius.

[4:28:34 PM]

The proposed location is within walking distance, about a half mile, less if you cut through the parking lot, of an elementary this largely is an experiment. It is the first time the city is tackling this issue in this way. It should be expected that this will come with some unforeseen problems and that that's okay. And that's okay. It comes with the territory of dealing with this issue without much experience. The overall issues rears its head when you take numbers 1 and 2 listed above, together. It is the unforeseen problem, how these problems may affect the neighboring communities.

[Buzzer sounding] This is why originally a non-residential area was to be selected. Was that five minutes?

>> Mayor Adler: You had time donated, but was Mary Mundy here?



>> She was here earlier. We were all here earlier.

>> Mayor Adler: I'm sorry, she she needs to be here to speak.

>> If you don't mind, I have -- let me give you the count.

>> Mayor Adler: Why don't you come down to the clerk. You have two more minutes.

>> How much time do you need.

>> I just need one more minute. And you can have your minute back.

>> Mayor Adler: She's opting to speak now instead of that.

>> Okay. Thank you. A residential neighborhood selected within a quarter mile radius, there was 1391 people and 899 residences with half a mile radius, there is 6,995 people and 3,341 residents. Lastly, within one mile radius there are 23,020 people and 11,000 residences. Beyond being overly expensive, it's a parking lot. This parking lot has direct access to the adjacent parking lots. You can easily access the building from banister. I did it yesterday by car. To think there won't be spill over is wishful thinking and border line ignorance. We need to understand much of this is speculation, the timeline is speculation, the ongoing cost is a speculation and all resulting overspill effects are speculations.

[4:30:34 PM]

We can speculate all day but please understand for almost 7,000 people within a half mile radius or 23,000 people within a mile radius of the soon to be shelter, center, hub, as well as doesn't cut it. This again is why this location was originally set for a non-residential area.

[Applause] Now, I have 187 letters and comments. I made a petition on a Sunday night, 11:0. I have a five-year-old child. My husband has been taken care of my little boy, my works a full-time job as director. We tried to do all this in three days. We have almost 3,000 signatures in here, and I'll put it -- I want you guys to read them, commit to read this. I'm giving it to your clerk and I'm done.

>> Mayor Adler: Thank you. Is Christine Laguna here? Come on down. You'll be next. Go ahead. This is Haley.

>> Hello. Thank you for your time, mayor and city council. I do want to preface this. My husband probably doesn't want me saying this but my husband was homeless so I just want to put that out there first. My name is Halli, I'm a small businesswoman and mother in Southwood. I've been living in Austin since I attended university of Texas in 2006. My children and I live very close to this proposed shelter location, less than mile, and we oppose the site. I've lived in the city of Austin, I've watched our streets become littered with trash, human feces, crime, drug dealers. My children have witnessed things so graphic would make most people shudder. They have seen men expose their genitals, men defecate on the sidewalk while going to school, they've witnessed sex happening in broad daylight, bloody fights, assaults, drunk and high individuals passed out, men knocking on their windows at the stoplights, and intoxicated people dart dangerously in front of our car. And this is just every day.

[4:32:35 PM]

Our streets weren't like this when we moved here to start our family. I want you to actually walk under Ben white with a stroller, with my newborn, to shop, we'd shop without concerns of stepping on needles or being assaulted, or witnessing a violent crime, like the murder that has already been mention, and that happened between two homeless men on manchaca, also the violent rape that happened too. Also, as a sexual assault survivor, I'm scared, just plain so I'm speaking on behalf of my children, the future of Austin, and our most vulnerable in the we want them to be children, to ride their bikes, enjoy the park. By the way, my children are here and I had more children this morning and of course they couldn't stay all day, but my children are here. They want to play in their front yards without fear. We know our city is growing rapidly and the homeless population is increasing as well, but what I'm asking is to find another location for the shelter, a location not near our most vulnerable and defenseless, our children. A location not near four aid elementary schools or day cares, or without -- within walking distance, all these schools are, like, literally within walking distance. Or near the elderly who are in the blue collar neighborhoods that flank either side of this spot. Before we get more of the city's homeless and drug addicts in sought Austin, clean our streets first, don't let the drug addicts litter and camp and wreck havoc our once clean neighborhood. We were reassured by council this location would not be directly adjacent to existing residential neighborhoods. Otherwise, there would be need for a consent. We do not give consent. This location was officially revealed, as mentioned, Friday night, June 14th, and the council is to vote today? There's less than a week for residents and renters, families, schools, to be notified. I believe the proposed site should be far away from homes or schools and children, like it was previously stated to be. Please, don't experiment in south Austin.

[4:34:37 PM]

Our children matter too, and they also conserve a safe and clean neighborhood.

[Buzzer sounding] Having this shelter here, coupled with the changing ordinances to allow camping, will not be helpful in ending homelessness but it will invite more crime and assaults and theft and drug exposure to our children.

>> Mayor Adler: Thank you very thank you.

>> Thank you.

[Applause]

>> Mayor Adler: After Ms. Laguna speaks, is Johnny kuche here?

>> [Off mic]

>> Mayor Adler: Okay. What about Leanne starkly?

>> [Off mic]

>> Mayor Adler: Claudia kучea?

>> Yes.

>> Mayor Adler: Okay. You come on down, Claudia kучea, you'll be up next. Ms. Laguna.

>> Good afternoon. Thank you for the opportunity to speak in favor of the purchase of the building to develop a housing focus shelter. I'm the Chris Laguna, practice administrator over housing and services at integral care. For those not familiar with us, integral care has been working to support adults and children living with mental health issues, substance abuse issues, and intellectual and developmental issues over 50 years. For over 20 of those years we've been working in homeless services. We believe that housing is a health care intervention. Housing is the foundation for recovery from homelessness, from mental health issues and from substance use disorder. It's hard to expect anybody to recover if they don't have a safe and stable place to be. We have teams of over 100 people that are working out in the community every single day, working to connect individuals living on the streets to support services and help that they need. We're also helping over 500 people that are in housing, maintain their housing throughout our community. Integral care supports the purchase of the building to create a housing focus shelter and we applaud the city for its leadership in making effective solutions to end homelessness a priority.

[4:36:46 PM]

As we know, shelter can be an important step on the path from moving an individual from homelessness to housing. As I mentioned, it's critical for individuals to have a safe and stable place to wait for their housing. But we know that shelter alone is not sufficient. Connection to services and connection to permanent housing are essential in other words to make a positive long-term impact. Providing shelter linked to housing with supports addresses the humanitarian I says crew of homelessness, while also impacting cost across many publicly supported systems by reducing first responder times, emergency room visits, hospitalizations, crisis services and incarceration. We look to work with the city of Austin to strengthen how we address the needs of individuals experiencing homelessness. We are committed to helping individuals move from homelessness to house, so they may again their recovery journey from mental health illness, addiction, other chronic together we can make our community stronger.

>> Mayor Adler: Thank you very much. Is Michael crow here? Michael crow? You'll be at the next podium in just a moment.

>> I'm Claudia kучea. I'm a victim of the junkies and drug addicts and alcoholics that live under the bridge. Ms. Kitchen, as you are aware, I've spoken with you when I was attacked. I was rescued by four police cars. They threatened to kill me. When the police arrived, they wouldn't arrest anybody because the other homeless people said I was mistaken when I identified who it was. However, I was forced to produce an id so they could find out where I lived. Ms. Kitchen called me. I went down to speak with the chief of police. They told me the city council has a hands-off policy. How about that? And I believe them because the police have told me over and over again, don't arrest them.

[4:38:46 PM]

Two weeks ago, after that experience, I had a man show me his penis. I pulled over, had my husband pull over, and we -- we followed and called the police, and when the police got there, they had to call down to the police station to find out if he could be arrested. Hey, there's a woman here, she's really angry. She wants him arrested. What are we supposed to do? The next day that man, that pervert was under the bridge, a half a mile from where I live. You know, you talk about -- you want to spend \$8.6 million for a hundred beds, you can't even do anything -- you think I believe you're going to make our community safe? I don't believe you. I've experienced it. These people know where I live. Every day I have to go through these junkies and alcoholics to go to the grocery store. My husband has asked me, please, please don't shop or walk. I was coming from my dentist office on Ben white, I got stopped at a stoplight. A woman on a bench, who was obviously delusional and ill, and these are the kind of people I have a great heart for, started screaming at me to get off her street corner and she came after I had to call 911. The 911 operator said tell her to back leave. You know, that does not work with somebody who's not all there, who's hearing voices. Those are the kind of people you leave in our neighborhood, that nobody wants to arrest them. They say, well, the judges let them go and city council says don't be mean to those people, we can't afford to pay the fines, well, they shoot up in front of me, expose themselves. It's not fair that we have to live that way. I built my home, I moved here a year ago, and I have to go there every single day. I'm scared. The police did an assessment of my house to make sure that I was safe because those people are on that street corner. I have a convertible and I'm afraid to drive it because I'm afraid what they'll do to me. They come they're aggressive, they panhandle, beat on your windows, kick your cars, and if you don't give them money you hear language which I'm sure we're not allowed to use in this we go through that.

[4:40:50 PM]

You guys don't do that. You guys don't have to tolerate, there's a man with a couch under I stopped and asked him, his name is Jerry. I said why do you live under the bridge like that? It's not healthy? He said I'm an alcoholic. I have a house down the street but my wife put me out but I don't want to quit drinking or give up my problems. I'm not for this, you can't even take care of the people who are already there and you bring more people in. 8.6 million is the amount of money --

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is Lee Ann Starkey here? Is Lee Ann Starkey here? No? Not Lee Ann Starkey. What about Kim vonzermellon, come on down. You'll be speaking after Mr. Crow. Mr. Cross-examination you have three minutes.

>> Thank you for your time and consideration in this matter. I want to start by telling you, I was actually homeless ten and a half years ago, waiting on my disability because I went blind. Me and my now ex-wife. I received no help from the city, no help from the state in getting off the street. I got help from a church. About a month ago I was assaulted on Manchaca and Ben White while I was on a bus by one of the people getting off at Sunrise Church. You are mistaking in thinking that you can warehouse 50 to 100 people overnight and then let them out at 5:00, 6 o'clock in the morning to basically just camp all day, drink, and do hard drugs in the neighborhood. It would be more useful and ultimately more successful to help the homeless community if you would limit the number to maybe 20, 25 people and target the homeless who want the help. The working homeless. The people like me who are temporarily or peripherally homeless because of situations beyond our control, not to be wasting all the resources on the junkies and drunks who do not want to get off the streets. And that is the issue.

[4:42:51 PM]

You are proposing a process, and this facility will ultimately fail in three years you're going to move the arch from downtown to out there so you can develop hotels and high-end shopping to promote tourism.

[Applause]

>> [Off mic]

>> And, you know, I'm trying to be calm about this, especially after being disabled and assaulted because I was disabled, which, by the way, is a federal hate crime, but this is Texas; what do you expect? The thing is, is that you need to concentrate on helping the people who want the help, who need your resources to get off of the streets because they do not want to live like this, not wasting your money on the people who are just going to sit there, do drugs all day at the bus stops, use hard drugs, harass people at the bus stops. When I'm waiting on the bus, I constantly am told, you need to move on, go on to the next stop. This is my intersection. I'm just trying to catch the bus to go to work, or come home from work. And you know what? I'm going to cut my time here because I know there's a lot of other people that want to speak, and I just want to thank you for letting me rant a little bit about this, and hopefully this will have some impact on your decision to actually help the homeless who want the help and not waste everybody's tax dollars and resources on the junkies and drunks who do not want the help. Thank you.

>> Mayor Adler: Thank you very much. Is Carl Pearson here? Carl Pearson? Mr. Pearson, I think you have some time donated to you, Ingrid Morton. Is Jean Wilkins here? You'll have seven minutes when you come up. Go ahead.

>> My name is Kim. I'm a teacher and I advocate and work down under the bridge with the homeless. Thank you for being here and for hearing us today. I'm here to protest the idea of the facility at the corner of Ben White and Banister. I've lived in Austin my whole life.

[4:44:53 PM]

I've never seen anything like what's happening in Austin. Our homeless need help, no doubt. The last three years have been tough. The homeless crisis threatens to destroy our beautiful city. It is a total cry for help. We can do better than a hundred-bed facility that rotates its residents to god only knows where every six months. We need to really slow down and do this right. Please don't experiment on our working class neighborhood. The downtown arch gives us great reason to be nervous. We already are having problems, and it feels like you're deciding without our input, and it makes it worse.

[Cheers and applause] We have trash everywhere. I counted 25 stolen shopping carts yesterday one a one-mile radius. The manager at Randall's told me he's lost \$30,000 in revenue doing -- due to shopping cart theft. Council seems not to realize that we are a neighborhood.

[Cheers and applause] We thought you weren't going to put it near a neighborhood. We're a neighborhood. I can tell from my time here that the council moves at a very fast pace. No doubt, you have a lot to do. I live four blocks from the posted site. I've worked on my house for ten years. I was hoping to encourage the council to slow down and look with a vision, to steward our beautiful city forward. The homeless need our help, and the taxpayers need to be heard. We hate the trash, the filth, the crime. Let's protect this beautiful city.

[4:46:57 PM]

As step one, to a larger vision, I would like to propose that the city spend the 8 million on some state-of-the-art, legal campsites around the perimeter of the city, with showers, and bathrooms.

>> Mayor Adler: It's really hard to hear -- it's really hard to hear what she's saying. Out of respect for her, if people could just let her talk and let the other speakers talk, I think that would be best. Please. Thank you. Go ahead.

>> I propose that they would have bathrooms, showering facilities, covered camping, a police presence, a laundromat, three bus passes to and from. Churches from all over the city would pour out and help. We can do better for more people now. Get a vision, for permanent housing, with on-site services down the line. Do not despise small beginnings. Let's not go the way of L.A. Or

[buzzer sounding] May I have a little extra time since you had to stop me?

>> Mayor Adler: Yes. I'll let you --

>> Please let's not go.

>> Mayor Adler: Complete your

>> Let's not go the way of Seattle. Let's protect our laws, do our laws, look for long-term solution. We could have 10,000 people here in the next ten years. Respectfully, we are Austin. We can be the envy of the nation.

>> Mayor Adler: Thank you so much.

>> Slow down.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> Mayor Adler: Mr. Pearson? You have seven minutes.

>> Good afternoon. My name is Carl Pearson. I live at 3204 cupid drive in the Barton view neighborhood. I've been there a little over 20 I'd also like to thank councilmember kitchen, she came to our neighborhood just before Easter with some members from A.P.D. And some of the homeless community represents and we had a very nice little talk at the -- at a nursing home in our neighborhood. I am in favor of this proposition.

[4:48:59 PM]

I think a lot of the problem that's going on is due to fear. There's fear that it will bring more homeless people here. I used to joke that every homeless guy in the neighborhood lives behind my house because I back up to the fast track. A lot of them are not in the woods, they're in the overpass. I fear a fire might start one day. The woods behind my house are about the most dangerous in Austin as far as fire. A.P.D. Has shown us, if a fire starts back there, we might as well kiss our neighborhood goodbye. So though it is very unsightly, I would much rather the homeless people not be in the woods. I don't also think that building this project here will add significantly to the number of homeless people that are in south Austin, and there are -- there are quite a few. We've already got a community -- there's a foundation resources building right next-door, it's an apartment building for at-risk folks and folks that have mental issues and whatnot. There's lifeworks right up the street. There's circle -- lone star circle of care is on banister right across the street. These people along this highway, they're already there. Just because we have another hundred beds is not going to make a huge influx of these folks. And as far as it becoming another arch, that's just not going to happen. It's not going to be like the arch. Can't just stay there all day long waiting for a bed. So I don't really see what the problem is going to be with having this. Sure, it costs some money. We bought, for 85, about 20 years ago, we could sell for five or six now. Pricing, housing goes up. That's the way it is in Austin. Things are going crazy with prices. I don't want to take up the whole seven minutes, I just want to say that I and many of my neighbors are in support of this proposition, and also I know many of the neighbors in Southwood, which, by the way, is not exactly directly adjacent, it is true, there -- you can get through a driveway through banister. I would easily consider you guys building some fencing on the back end of this property if this does go through.

[4:51:04 PM]

It's not easy to get to the railroad tracks, even if you are on the railroad tracks, Ben white is way up there, it's not easy to climb up there. I just drove it the other day. You're not going to have people

milling about like zombies. It's not right. Anyway, I thank you for your time and I do hope this proposition succeeds.

>> Mayor Adler: Okay. Thank you.

[Applause]

>> Mayor Adler: Is Ann here? Why don't you come on up. Then I had Chris Harris speaking next. Just walked out, on the telephone. Is -- is -- is Josiah Stevenson here? Josiah Stevenson? You'll be up next. You're the last speaker against this, to speak for three minutes, then other speakers will speak for a minute after that. You're the 10th speaker. Why don't you go ahead.

>> Thank you. My name is Ann, a native south austinite, taxpayer, mother. I live in district 5. There's been little thought and transparency given to the impact this facility will have on the surrounding neighborhoods by mayor Adler and this council. My understanding is that this proposed facility is not intended for the type of homeless person strewn along Ben white, who is visibly suffering from mental health and addiction issues. We already have several foundation communities properties in district 5 that provide a transitional housing services you're describing for the Ben white property and we still have a growing homeless population along Ben white. We do not need another facility like this in the area. What we need is for our mayor and our council to act now on the homeless living and dying along Ben white. I've seen limp bodies removed by paramedics from over the overpass at Ben white and Manchaca. I've said two homeless people engaging in anal intercourse.

[4:53:05 PM]

My twins also saw these things. They're three. Ben white has become a human waste land, it's terrible what is happening to the homeless people there. Do something about that and not with another arch shelter because it's very visible, arch is not working, and be transparent and connect with your constituents on this issue. Do not pay now and plan later. Thank you.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> Mayor Adler: Mr. Stevenson, you want to come up? And then after Mr. Stevenson is Patricia Raybourne here? You'll be up next. Go ahead. Then Chris Harris. Someone needs to go get him if he's going to speak. Go ahead.

>> Thank you, mayor and council.

>> Mayor Adler: You have three you have three minutes.

>> I'm Josiah Stevenson. I live in district 9. I'm speaking for myself today. I'm here to support this resolution and this shelter. It's clear, looking around the city, that we are not right now doing enough to address the homelessness epidemic that is affecting so many people in our city, both people experiencing homelessness in our city and others. It's unfortunate that when we proposed even something that is not -- might not be a comprehensive solution or might not be -- when we propose one



step in the right direction, or one thing to tackle part of the problem, that we get distracted by the idea that maybe this doesn't solve everything in one fell swoop. This is one of many things that we need -- we need, more shelter space is one of many things that we need, in a variety of parts of the city, in a variety of neighborhoods, in a variety of residential neighborhoods, including my own.

[4:55:17 PM]

And -- yeah, we need more shelters, more investment, and we need to turn away from some of the things that we've been trying to do on this issue that don't work, like criminalization of harmless activities. I know that's a topic for later. But we need to stop wasting resources on things like that and start spending resources on housing people and offering services. Thank you.

>> Mayor Adler: Thank you. Go ahead. You have one minute, Mr. Harris, you want to come down? You're the last speaker to have three minutes on this side. You have one minute.

>> Oh, one minute?

>> Mayor Adler: That's correct.

>> Hello. I'm Patricia raybourne. I live 3114 south congress. Councilmember kitchen, would you please look at me? And pay attention to what I'm saying? Because you represent me. I would appreciate that. Very greatly. As everyone here, we very much want to take care of our homeless community and resolve this issue. I differ in the approach that we are proceeding with. First of all, it's not economical to do this you're talking about 8.6 million to purchase the property that's zoned light office. You can't do the use there. So let me see, the land use development code, which you should have looked at before you even started this, 25.2.6b 45, for transitional housing, is not allowable at that site. Again, 25.2.491, transitional --

[buzzer sounding]

-- Is not allowable at that site as well.

>> Mayor Adler: Thank you. You can finish your thought.

>> My thought is, we can do a much better process here, from great examples on how to take care of our homeless communities. Community first is a beautiful example.

[4:57:18 PM]

[Cheers and applause] It's underbuilt. You can take the 8.6 million --

>> Mayor Adler: Thank you.

>> And we can really take care of our homeless there.

>> Mayor Adler: Thank you very much.

>> Please consider that thank you.

>> Mayor Adler: Mr. Harris, you have three minutes. On deck is Eddie Salazar. Is he here? You'll be up at this podium.

>> My name is Chris Harris. I'm in district 1. Thank you, mayor and city council for this opportunity. I want to speak in favor of this item. It's never the right time. It's never the right place. It's never the right cost. It's never exactly right, the way to deal with people experiencing extreme poverty and homelessness in our community. That's not a reason not to act. We have to act. Shelter, through every single part of the city, is a vital necessity moving forward in order to deal with the growing issue of homelessness, which I a -- is a by-product of inequality. We have to take actions like this. I want to thank you, councilmember kitchen, for your bravery in sponsoring this item and putting this forward. These are the types of things that we need in each and every one of your districts, and so I implore you to move forward with this item and to continue to build shelter throughout this community, as a first step to helping folks get off the street and into our communities as working members that we can all live with and -- and we can't arrest our way out of this problem, we can't move people out of the city. These are people. They will be here. They are part of our community. Thank you for recognizing that.

>> Mayor Adler: Thank you.

[Applause] Is Eddie -- is shay petrachek here? What about Connor McLaughlin? You'll be up at this podium. Go ahead. You have one minute.

>> Thank you. My name is Eddie Salazar, and I'm a big believer in helping those in need.

[4:59:22 PM]

However, as many have mentioned, this proposed homeless shelter is not meant to be established in the middle of a residential area. What's worse, we're all taken completely by surprise, with what the city plans to do and where it plans to do it. We don't know if the city will truly keep our neighborhood safe. You can't guarantee that the homeless will be at the shelter and not shooting up drugs, urinating on sidewalks, throwing beer bottles on our front lawns, all of which I have experienced myself. You can't guarantee that the homeless will stay at the shelters and then go away peacefully when their time is up. The only thing that I know is that -- I know as a guarantee is what I see and hear today. Not tomorrow. And today, some of the solutions the city has found, like the one on 6th street, for example, have only please reconsider where you place the homeless shelter as it will affect thousands and thousands of families within half a mile radius. Thank you.

[Applause].

>> Mayor Adler: Is Carmen Hernandez here? Why don't you come on down. Sir, introduce yourself. You have one minute.

>> I'm Connor McLaughlin. Our homes, our schools, our safety, I feel that kitchen is asleep at the wheel. She's trying to yet again institutionalize the homeless. The homeless aren't helpless. These are people just like us. A lot of Americans are facing homelessness. They're only a paycheck away of losing their homes. Institutionalizing people and treating them like cattle and recycling them through the system and having the taxpayers pay for a failing system yet again is only setting the homeless up for failure. I think that community first has an initiative that works.

[5:01:28 PM]

It's spiritually based, it's community driven, there's a mentorship. These people aren't being thrown by the way side like Austin city hall has been doing for decades.

[Buzzer sounds] I'm assuming y'all have heard of mass Maslow's hierarchy of needs. You're not addressing those by opening up another failing arc.

>> Mayor Adler: Thank you very much. Was [indiscernible] Here? Why don't you come down. You have one minute.

>> Thank you, mayor and councilmembers. I'm a lifelong south austinite voting citizen in district 3 and a mother to four kids who graduated or still attending aid schools. I'm sorry. I currently have a six-year-old at Galindo.

[Crying]. Which is half a mile from this site. Our campus is in direct path from the proposed site to south first heading to downtown. It will continue to be a shortcut used by many people on foot. Most of neighbors disagree with the tolerance I have for the empathy for the homeless in our areas and the shelter in our area, and also the one that shares a property line with the elementary. I oppose the aggressive panhandling at businesses I I'm at the Galindo campus frequently because I volunteer with my kids.

[Buzzer sounds] We see a lot of what has been given as examples and I tolerate that. I choose that, but my children should not. I cannot ask my children to tolerate this while they're at school.

>> Mayor Adler: Thank you very much. Is Jeff hedges here? Sir. Go ahead. You have one minute.

>> Thank you, mayor and council.

[5:03:29 PM]

My name is Johnnie cochura. I live on Clawson road. You've heard from a lot of people and I have a lot of the same things, but I'll try not to repeat some of those. Even though we all care about the homeless problem, we care about the homeless people, we also care about our community. At this proposed location for this building there are three elementary schools within, I don't know, half a our neighborhoods are very close by. We have a lot of people that live in the area and we're worried about

safety. If you saw the amount of crime theft, bicycles, everything going down the road, people getting their cars broken into, all of these things don't get reported because the police say you're fighting an uphill battle. We'll do what we can, but we can't promise you anything. In my opinion there's got to be a better way. This way is not too slow. You buy this building for eight million, have you to repurpose it.

[Buzzer sounds] You have the cost of there is a better way. I encourage you to think outside the box instead of this. It will take years for this to be effective and only for a small number of beds.

>> Mayor Adler: Thank you. After Mr. Hodges speaks we'll have Sabrina Oburg come up. Are you here? Come up to this podium. Go ahead, sir, you have one

>> My name is Jeff Hodges. I've not had the opportunity to speak here, but I have watched my uncle Brian Rogers speak here many times. I live three blocks from the proposed shelter. My son goes to the nearby elementary. We find syringes. We fight it everyday. I've met with councilmember Kitchen, sergeant Townsend and 19 other members from our community. The situation is so dire that we no longer ride our bikes to school. I'm here to ask you to please take a step back and look at what you are about to do to our neighborhood.

[5:05:30 PM]

Sunrise church is a perfect example of how magnetic their services are of attracting huge numbers of transients and addicts. If you the council don't reconsider this decision, you will be responsible for ruining my home, my son's safety and the same goes for my neighbors. As tax paying citizens of this great city we have the right to have a say in what changes take place in our neighborhood and the affect that on our safety, our family and the value of our properties. There are better locations. Thank you.

>> Mayor Adler: Thank you. Is Simon Cowen here? Come on down. Go ahead. You have one minute. Introduce yourself, please.

>> My message is for Ann Kitchen and I want to request that you investigate my last eviction at 1301 West Ben White, which is totally I guess legal, involving the casino. You can't have section 8 near that scan know nights and I want to tell you why you can't have this shelter over there. Last year there were three fires in my main block. Electrical. We don't have enough power to power up that hill as Perry it would you 10 years -- told you 10 years ago when I was working the elections there. We don't have enough power. As far as the homeless I'm a great recession survivor. My homeless number is five years, 11 months, native born, born and raised. My daughter just came home last month. Her number is six years, four months. I think we need to have an assessment of the children and the bodies being dumped in Montopolis po. We're seeing them and there is blood everywhere. As a missionary for agape atx soco, if you put the.

[Buzzer sounds]

-- Shelter in, put it wholeheartedly. But I say put it at DPS. We trump the city and state. DPS is the perfect location for it. Thank you.

>> Mayor Adler: Thank you.

[5:07:32 PM]

Is robin Dexter here? You will be at this podium.

>> [Inaudible - no mic].

>> Mayor Adler: You will be up next. One minute.

>> My name is Simmon Cowen, I'm from district 3 and a native austinite. Not a lot with this plan aligns with your plan to end homelessness. It noted that the emergency shelter should be smaller than the current size of the arch community shelter and distributed throughout the city. The new proposed location does not achieve that basic directive. Your original plan also noted that emergency shelters should not be located next to schools, yet it's less than a quarter mile from an elementary and my son's preschool. Most importantly the research shows and the action plan notes the success and importance of housing subsidies and vouchers to support rapid rehousing and permanent supportive housing to reduce homelessness. This proposed \$10 million between the property renovation management does nothing to address that issue. In fact, there are many initial steps prior to the emergency shelters this process has completely skipped. If they have been added we haven't been notified because we haven't been involved in this process. Last year for one week you had the housing authority waitlist with over 20,000 people expected to sign up. Where is the help for those people already on the

[buzzer sounds] How can the \$10 million go to support them? I urge you to meet these prerequisites before you put any housing shelter and more taxpayer dollars into hard cash outlays into this principal.

>> Mayor Adler: Thank you. Is mark lemoncott ready.

>> Robin Dexter is ready.

>> You will be up in one moment. Is mark here? You will be down at this podium. You have one minute.

>> Yes, sir. The plan for a 50 or 100 people shelter is like putting a band-aid on a shark bite, letting the meat rot and get magazine gots. If you go to a hospital from a shark bite they do amputation. We need to amputation of homelessness in Austin.

[5:09:41 PM]

I have a picture of it. What we need is a large property fenced on each side. Put some cement out and big metal buildings, have open showers and portable potties -- portable potties all along the back. Have them along the back where there's an alley where the trucks can come and empty the portable potties. We have tent city. We can have an area for records.

[Buzzer sounds] This is the hardest thing. When people are homeless they don't have anywhere to keep their records. Okay?

>> Mayor Adler: Ms. Dexter, thank you very much.

>> Can you find a place that has like 14 acres, not 1.6 acres. Not for 100 people, but for at least for a thousand people.

[Applause]. This picture right here I have can be done for two months.

>> Mayor Adler: Thank you.

>> And we can have the homeless with a roof over their head in two months. Hire people from the area.

>> Mayor Adler: Ms. Dexter, thank you very thank you. Let me give somebody else a chance.

[Overlapping speakers].

>> Anybody want a copy of

>> Mayor Adler: Is Ann Cleary here.

>> I already spoke.

>> Mayor Adler: Mario is he here? What about clem Hollings worth?

>> My name is mark and we've heard from a lot of residents but my office is actually in this office park where this is being located. You can -- you keep talking about it as a 1.6-acre tract, but really it's part of a three-office park. There's three offices there, my office is in one of those offices. We share a driveway.

[5:11:42 PM]

I'm going to be parking in the same parking lot. This is not some separate facility. I've already lost potential sub-tenant that was going to pay me four thousand dollars a month because of the fact that this was announced. We were negotiating it, we were about to lease, and it went away. That's -- it's frustrating to see. I live in district 8, but I work in district 5. It's frustrating to me as a business owner and as someone who has invested in it, when you talk about restrictive covenants, we have one, it's called zoning. And this particular property is zoned office. That's why I --

[buzzer sounds]

-- Put my office there. And now it's going to be a residential facility of unknown quality and quantity. So thank you.

[Applause].

>> Mayor Adler: Thank you. Is Emily steinbaugher here? No?

>> I'm here.

>> Mayor Adler: You will be at this podium. Go ahead, sir. You have one minute.

>> How you doing. My name is clem. I'm homeless, living right across the street from the arch. We have no water and no way to use the restroom. You know as sex offenders -- we don't want to register as a sex offender. I'm not a sex offender. So how hard is it to put a restroom and to put a water fountain so we can save our tax dollars. People are dehydrated. We have a whole mountain of water in the arch this that they don't give people. We don't have water. People are dying because we have a heat advisory. Whoa don't have no auditor water. They've got a whole mountain of water in the arch they will not give nobody. We need water and restrooms downtown. That's all we need, water and restrooms and people that's going to walk around and show people that we have resources. People don't know resources if you don't tell them.

[5:13:42 PM]

You have to tell people that there are resource. That's all I've got to say. Support.

[Applause].

>> Tovo: Mayor? Sir, I think it's Mr. Clemens, is that right? I wanted you to know that on the August 7th agenda my thanks to some of the feedback that we've gotten and some of the ideas we've gotten, my office has prepared an item for consideration on the first meeting in August to move forward with an initiative to get water fountains downtown.

>> It's so hard to use the restroom. I was like where am I going to go to use the restroom? I have to go right now, this morning. There's a parking lot. The arch won't let me in because they profiled me because a guy chased me with a lock. We have nowhere to use the restroom. That's why there's feces. That's unsanitary. You have kids walking in poop and pee in the alley. We need water to hydrate us, not to waste and put it down the drain and have poop smelling like that in the alley. Have people to volunteer to clean our city. What about people to clean the city? I clean everyday in front of the arch, that's why there's not trash in the street.

>> God bless wall. Y'all.

>> Mayor Adler: Is Mr. Cantu here? Mario Cantu? Go ahead.

>> My name is Emily steinbaugher, I live on Morgan lane about 200 yards from the proposed location. I just heard about this two days ago so I haven't had time to prepare. I got off work today and came down this morning at 10:00 A.M. I don't have anything formal to say other than I'm a single female. I can no longer jog in my own neighborhood. I don't feel safe. I'm heckled every time I go to Randall's to the gas station. And this proposed location I think will just exacerbate the problem. I keep asking myself when is the city going to step in and do something about this, help me feel safe in my own home, my own neighborhood.

[5:15:44 PM]

And I think this will do the exact opposite. I'm a taxpayer, I'm following the rules. I would just ask you to reconsider and ask you to put yourselves some my if this was your own backyard, if this was your own home and own family how would you vote? I think you know the answer and I would ask you to act on your conscience and make the right decision. Thank you.

[Applause].

>> Mayor Adler: By my records I have Mr. Cantu as the last speaker signed up to speak. If you signed up to speak and I didn't call on you, come on down to the clerk. Mr. Cantu, you have one minute.

>> Thank you. I'm glad I'm actually the last speaker to speak because I was able to hear a lot of the stories that are impacting the city of Austin. What really stuck out to me is that -- how individuals are being treated. We talk about as far as councilmembers, about mobility a lot, buses -- using buses, riding bikes. But some of the stories that I just heard just awhile ago, people can't do that. They can't ride their backs, they can't stroll their kids in areas to go to the grocery store, to Randall's. They can't do it in their neighborhood. People are almost getting raped, getting stabbed, drug abuse, on and on and on. And I think, you know, there's one aspect of this. We have one two three four five six -- six females on city council. And when I heard a lot about what some of the females that live in this -- in these residential areas is very important to me because I see what some of the things that are happening to them --

[buzzer sounds]

-- As individuals. And I ask you to please recognize that. And number two, also one big missing link is the children. Think about what children see when they're riding in these vehicles and they see these individuals doing it. Is it okay with you or is it okay with them? Neither. So please do something. Thank you.

[Applause].

[5:17:48 PM]

>> Mayor Adler: That's all the speakers we have. We're back up to the dais. Councilmember kitchen.

>> Kitchen: There's a number of things that I'd like to speak to, so basically that fall into two categories.

>> Mayor Adler: Go ahead.

>> Kitchen: First off, I do want to -- I do want to thank everyone that came down today and I want to speak to one thing that I believe that everyone is saying, whether you're for a shelter or not. I hear everyone talking about the concerns that we all have for the south Austin area, and it's not just in south Austin, but in other parts of the city now. We are way past time to really come to grips with the issues in our community around homelessness. We have concerns about people having a place to live and be clean and safe. We have concerns ourselves in our neighborhoods about feeling safe. These are all very, very real and I appreciate. I really appreciate the urgency and the passion with which you are speaking to us and I hear that. We have got to take action. So one thing I want to talk about is I'm looking forward to the discussion in a little bit this evening that we will have about camping. Much of what you're talking



about is the just horrific situation that we're seeing in terms of people living under bridges and in greenbelts with no place to go to the bathroom, no place to be clean, no place to store their items. And all the things that you all are experiencing from your public safety concerns, concerns about addiction, concerns about other things that are going on in the streets.

[5:19:50 PM]

So we have to address that. We have two items coming up to us in the evening that I look forward with my colleagues on that will take head on the issue of camping. So we need to make changes to the camping ordinance that we have right now. It's obviously, obviously not working. So I thank the mayor for the item he's brought you up and we'll have more conversations about that and that one speaks to much of the recommendations that you all have made about coming to grips with the issues around camping. We also have an ordinance that councilmember Casar has brought forward and others that comes to grips with the fact that our current camping ordinance, by criminalizing people that are not committing crimes doesn't address the problem either. So I want to speak to that because I recognize and I understand and I support the concerns you are raising and I think you will see this council take action on those. I want to talk to you about the shelter right now and about the direction that I have passed out on the dais related to the legal restrictions. A couple of things I need to say. I think people are concerned -- this is what I'm hearing. People are concerned that a housing focused shelter will make the problem worse and I understand that concern. I think there are things that we must do to make sure that doesn't happen, and I think we can, and I think we must because letting the situation stay the way it is, just letting people continue to live in a place where they're not safe or healthy is not humane for them, it is not progress.

[5:21:52 PM]

So the house --

>> Hey, hey, please.

>> Kitchen: I understand that you don't trust the city because you haven't seen any change.

>> [Inaudible - no mic].

>> Kitchen: Shall I go ahead? Okay. So let me say a couple of things. A housing focused shelter is not a camp. It's not a camp under an overpass. It is not what the arch has been in the past, and I want to say -- I want to thank the people at the arch that are working on improvements there. It is not that. It is not a sunrise drop-in center and I want to thank the folks at sunrise that do the work that they can do. What this is is a place for people to live.

>> [Inaudible - no mic].

>> Kitchen: No, that is not correct.

>> [Inaudible - no mic].

>> Mayor Adler: If you want to stay you have to listen to people talk. You've had a chance to speak. It is now time for people to speak from the dais. Go ahead.

>> Kitchen: So the information I'd like to share is that a housing focused shelter is a place that is secure, welcoming place for people to live while they're being connected to services. It's not a drop-in center. It's not a place where people come and go. It's not a place where people stay for a certain amount of time and then they're back out on the streets. That's not what a housing focused shelter is. It is a place where people are referred by case managers that have assessed them and say that they're are ready to come to this place, they get services to help them find more permanent housing. They go on from this place to more permanent housing off the street. The services are geared to allowing self-sufficiency and meeting daily needs. Like I said before, it's not a drop-in center.

[5:23:56 PM]

Individuals that are not staying at the center are not allowed to gather outside. People do not knock on the door and ask for services. People are referred by agencies. There's no drop-in services, there's no intake location. But I think it's important that all of those things are captured in a legally binding instrument, and so I'd like to call my colleagues' attention to the direction that I've passed out. And the direction is that -- I'll read it for folks. Is that staff shall bring back for council approval an enforceable legal instrument which applies the restrictions necessary to the property and its operation for achieving the purposes of providing housing-focused shelter and services according to best practices and of being a good neighbor. Through consultation with the national alliance to end homelessness and public input which our homeless strategy officer spoke to earlier and public input over the next 60 days at least. The legal instrument shall establish terms of populational safety and effectiveness, including but

not limited to: First, not exceeding 100 beds at the center. Second, prohibition of drop-ins. Third, provision of day services only being available to individuals who are actually living at the center. Fourth, prohibition on camping around the facility. That means enforcing no trespassing. Fifth, additional measures that secure the property. For example, there's been some discussion of potential for fencing. The last one is any other measures necessary for best practice operations. And so I would ask my colleagues to support adding that direction to this item.

[5:26:00 PM]

>> Mayor Adler: Is there any further discussion on the dais are O this item? We've called up item -- these three things.

>> [Inaudible - no mic].

>> Mayor Adler: Hey, hey. This is not an opportunity for back and forth. You've had a chance to speak. We're now deliberating on the dais. That's how this works. And you're more than welcome to stay and watch. If you want to stay and watch. If you don't want to stay and watch, you don't have to to. Further discussion from the dais? Mr. Flannigan?

>> Flannigan: [Inaudible].

>> Mayor Adler: Do we have his mic on on the corner? Planned okay.

>> Flannigan:.. This issue is not new in the last month or six months or even six years and my colleagues, especially councilmember tovo, who have been on the council for a number of years have done a lot of work to try and address the multiple facets of this challenge. The item that is coming up later even references a long list of resolutions from this council, prior councils and the councils before 10-1 to try to work on homelessness. Obviously there's still a problem. Because of the things that we've tried to do as a city, we have failed to build new facilities. And a lot of folks referenced community first. And what I think we may have forgotten is there were attempts to build community first within the city of Austin. And this same reaction occurred. So this is not going to be the only thing we have to do. This will not be the only part of town that has to do it. Every part of town has to do its part next week.

[5:28:03 PM]

I'm meeting with churches in my district to talk about doing on-site housing on their properties in district 6. We're all going to do our part to address this issue. And when you look at communities across the nation you will find that there is not one way to do this, that there's not one solution, but what you also find is that the cities that have the biggest problem are the ones who lacked courage in this moment. And I want to thank councilmember kitchen for her courage to be first as we look at a new way to address homelessness in this community. And I am looking forward to supporting this.

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Thank you, mayor. I also want to thank Ann kitchen. You know, in my district we have mhm. It's a place where they intake people with mentally challenged problems, and help them become productive citizens. We have a facility just built. We just went and took a there will be over 100 people there that will be able to be housed there. And yes, it's -- I would say it's less than 100 yards away from an elementary school there. And the people have the same concerns and mention the same things that y'all were mentioning here. But this place, it's designed where it is safe, it's helping people to get back on their feet. This is not one of those kind of shelters like the arc. No. The Salvation Army has a policy and there are just too many of them down there, but their policy is always to put them on the street first thing in the morning and bring them back in in the afternoon and that's why you see so many people hanging out there. And that's what our challenge is.

[5:30:03 PM]

We need to distribute this. I have a methadone center right in my neighborhood. With intake people, young people that are addicted to drugs. And there are a few that hang out there. Out in the street. It's been going on now for at least 20 years. It's a big major problem that we're facing here. You know, we're trying to address these homeless people. You know, these people are not from -- the ones we're going to help out are not the ones that are out there hanging out underneath the bridge. And that's -- there's a lot of homeless --

>> Mayor Adler: Hey, please.

>> Renteria: There are a lot of homeless people out there. I have friends that are homeless living underneath the bridge. I talk to them daily, daily. And I never had any problem with them. You know? Yes, we're not going to be able to take all of them off because there are over 2,000 people. We're just trying to help as many people as we can. It's going to take time and all we ask you is for your understanding. That, you know, -- I deal with them. I have people that break into my -- stole my bikes. You know, they're just all over the place. This is not a unique situation. And if we need to build all these centers and all over the city just like my colleague Flannigan said, that's a big need throughout the city because you're never going to solve that problem and always going to have to deal with these people that are living under the breath. And let me tell you, -- under the bridge. And let me tell you, that's state property. We cannot go underneath that bridge and tell the people to move out of there. That is state property. And if you want something done under the bridge, I would recommend you go and talk to your state representative.

>> Mayor Adler: So I would say that the kinds of concerns that are raised by the neighbors, these are not the first time I've heard these concerns.

[5:32:09 PM]

You know, I probably, all of us have gotten thousands of emails from people around the city raising the same kind of concerns. I've had countless number of people come to my office to express these very same concerns. And I've also gone around the city, joined neighbors and walked through camps, walked through neighborhoods, spoken with folks who are experiencing homelessness both with and without neighbors. The reports of bloody syringes and people exposing themselves to children, people sleeping or blocking streets, and it's not something which is just in this particular neighborhood, although under packsaddle at Ben white it's a considerable problem. It's also not just under I-35 and at slaughter. It is also not just downtown. It is all over the city. And all over the city people are coming in and saying the status quo, whatever it is that you're doing now is not working. You have to do something else. Usually that's a company by saying it stopped studying this thing and actually start doing something. We don't have to study it anymore because we've already studied this so many times. We know what the answers are, we know what the folks tell us, what the experts tell us to do, and the only question for us is whether or not we have the political will to put the resources against it and the political and community will to actually take -- to take the steps. I cannot participate any longer in not acting. I cannot participate any longer in not setting up the structure and the system, the fundamentally do something to change the status quo in this city because the status quo on this issue is killing us.

[5:34:19 PM]

I am proud to be part of a city council that has recognized this. We just went through a strategic planning process in the city and goodness knows there are lots of things that a lot of people want all over this city. We want more parks, we want better transportation, we want -- the list goes on and on and on. But the number one thing this council said is the highest priority for us to deal with is the challenge we have with homelessness in our city. The number one priority. It's about time, and manager, thank you for coming on board and identifying this and saying we need one person in this city that wakes up every morning and close to sleep every night, and this is the only thing that they think this is their job. Thank you for pulling back the process for selecting that person so as to elevate it, make it an executive level position and paying more money for that. And now that the application period is over, I hope you fill that position post haste. And I'm encouraged with the indications that we have real good applicants for that position. I'm proud to be part of a council and a community that passed the largest housing bond in the history of the city at a quarter of a billion dollars, part of which is to equally fund doing stuff that is real in this city. Putting with that the \$30 million we're going to be able to harvest from the waller creek tif as we kept room in the park funding so that we could actually earmark money to be spent on homelessness. I'm happy to be part of a city that put eight and a half million dollars in the last budget towards homelessness priorities, moving it from other priorities of the city to this area. I'm proud to be part of a city that has become to actually take steps. What we're told from the experts is unfortunately there's not one step we can do that makes this work.

[5:36:20 PM]

That it's a continuum. There's a series of things that have to happen for this to be able to work. What we have to do is we have to be able to find people that are homeless and move them into a shelter that acts as a triage shelter so they can be assessed to determine what it is that they need. If they need mental health support, do they need a job? Do -- what kind of doctor do they need? What kind of employment? What do they need? And they need a home. So how do we get them in a home? How does a city do that like ours? What we know is that if we don't do these things, if we don't build out the continuum. If we are willing to accept the status quo that that is the recipe for us ending up like Los Angeles and Seattle and Portland and Oregon. And I refuse to sit by and maintain the status quo and not act, and leave us on that path where we end up like those other cities. I want to also compliment councilmember kitchen because it is a brave thing to do to stand up and say we're going to take a piece of that continuum, we're going to put some of the hardest pieces, the shelter, we'll put that somewhere in your district, which also happens to be in my district too. And leak at each other on the dais and I think we have to make the commitment that every one of us is going to stand up and act in the example of councilmember kitchen because we're going to locate this kind of thing all over the city because we have to locate it all over the city because we can't let any one of these places get too big because the experts tell us if we do that it's

not going to work. Sorry one of us up here are going to -- so every one of us up here are going to have it done on the dais to get done what needs to get done in this city.

[5:38:29 PM]

But by god, we have to do it. We have to actually show the resolve to get this done. And when they're in the shelter we have to provide the resources necessary to provide the home exit strategy to when somebody goes in that shelter they get the assessment and that they get the wraparound services that they need and they get moved into permanent supportive housing you know, we were successful whether we focused on the veterans population. We did this as a small almost pilot program and we got to the place in this community focusing on homeless veterans on the street, by putting in places for them along that continuum so that they could get into homes. And many of those veterans, many of those veterans are now back out in our community participating in the community outside of this system, but they are only doing that because we provided the opportunity and the pathway for them to be able to get out of the situation that they were in. We have to put the money and the resources and the political will where our words are and -- commitment where our words are because we know that from the experience with the city if we focus on a problem we can in fact deal with it. This is a city that last year got half of the children in our city that were on our streets off the streets. In a pilot program that we now need to expand. This is going to be hard for us to do because the legislature just capped our revenue and they capped our revenue and if we keep our existing budget, we're \$58 million upside down in three years. And in the face of that budget, which says we're going to have to cut existing programs and things were existing in that budget, we're going to have to rally above that and say not only are we going to do that, but we're also going to make room to deal with this, our number one priority.

[5:40:32 PM]

But we have set this as our number one priority. There are other things that we're going to be considering the rest of this evening on this issue. They all go together. We have ordinances out on our street that we know are not working. We have ordinances on the street that issued 18,000 tickets between 2014 and 2016, and clearly it did nothing to effectively manage this problem. Our law enforcement people interpret it differently, brought the number of tickets down between 2016 and 2018 and still it's not the answer. That's not the answer. The other resolution we have tonight is asking the manager to come back here quick, in August, with telling us okay, if we're going to tell people you can't camp there, where can they camp? And how do we do that in a way that protects the rest of our city? I look forward to us being able to consider those other resolutions, but even those resolutions are not enough. We hear that councilmember tovo is bringing another set of resolution to us in August when we come back. This has to be our focus, this has to be the ball we don't take our eyes off of. This is the moment and the time to do that. We have a gift in this city right now and the gift that we have in this city is that we have a community that is generally united and wanting to deal with this problem. We

have not gotten to the place in this community where we demonize the people who are homeless. As soon as we treat this as another political battle where we each choose sides on this issue and demonize the people on the other side of the issue and demonize the people who are homeless, we know again what that gets us because all you have to do again is look at Los Angeles and San Francisco and Seattle and Portland today and that's what you see. We are not there yet. We can't let that worm turn, but I will tell you if we just maintain the status quo and try to get by on what we're doing now, that will be the very next thing that happens in our community.

[5:42:45 PM]

We have to act. I understand the fears, I hear the fears. And manager, I will say to you that if we have any hope of being able to develop in this city the resources we need and people need to look back at this location and say okay, it did not develop the way we feared it might because if it develops that way, there won't be another one. And this one will get shut down and we have to do better than that. Which means the entire city's eyes are on this project on this location, on what we're doing to help with the shelter, the Salvation Army, the entire eyes are on what we're doing here and we have to make it work if we're going to expect to fill out the continuum that we need. I hear the neighborhood, I hear the fears. I know them. I have walked that area on packsaddle and Ben White with people in the neighborhood. We have to do the job. We have to treat it as the priority. We are all in this together. It's going to touch all of us. I appreciate this I'm going to vote for it. Further discussion on the dais? Councilmember Casar.

>> Casar: I don't think I have much to add after the comments from a variety of folks from the dais except to add that we hear from so many people on this issue, we hear from our neighbors, I hear from those experiencing homelessness, I hear from my constituents, not just from this before, but from across the city we need to do something. And that folks need somewhere to go. And there is no perfect place for people to go. There is no silver bullet addressing homelessness and ending homelessness is hard, treating addiction is hard, addressing mental health issues is hard.

[5:44:48 PM]

All of these things. None of these things are easy. But we need places for folks to go. And I appreciate councilmember Kitchen and the city staff and everyone here working together to find this important place. And I'm going to vote yes on this project and look forward to the conversation about how we get more and more places through the housing bond that should be permanent supportive housing, shelter, navigation centers in every part of the city, including in my own district. And I think that that's the spirit here on the dais, so that's why I know this is hard. What we heard today is what I hear on the phone, what we hear talking to people, what I hear in my district and it's because of that urgency that we hear, that we're acting on this and I think committed to acting moving forward. So thanks again, councilmember Kitchen, and to everyone working on this.

>> Mayor Adler: We have a motion on the dais. Further comment? Councilmember Tovo.

>> Tovo: Very briefly. I also just want to thank councilmember kitchen for her advocacy on this issue, and this is a very hard discussion and we have some other hard ones ahead of us. I want to acknowledge the concerns of those of you who came and shared them today and to let you know that we are -- I think everyone across this dais are also very concerned about the situation outside the arch, the situation in the underpasses in your neighborhood, and as the mayor mentioned, in several -- multiple other areas across our city. This has really reached the level of a crisis here in Austin, so we -- I don't want to discount the incidents that you've described and to let you know that we are also concerned about them. As I mentioned, councilmember kitchen has been a fierce advocate for more resources to make sure that those areas are safe. And as a council and as -- I would say this to the city manager, we have needs like that throughout our city and you're hearing some of those described today.

[5:46:56 PM]

So I also want to emphasize, though, that these are the need for housing, the need for services are great. And our community, our private partners and our community need to be -- to need to assist with this. You understand from the mayor's discussion some of the budget constraints that we're up against and this is a community-wide crisis. So you know, there are multiple ways in which we can all join hands and work together to end homelessness in this community. And, you know, from helping to support the salvation Army and ending their fund-raising goals so that their shelter, which is beautiful and new, can be fully operational. They don't yet have the funding to do that, to assisting with some of the other organizations. I encourage everyone who cares about this issue and is passionate about it to help us with these efforts. But please understand we hear you on these concerns.

>> Garza: I want to thank all the speakers for coming and sharing your very real concerns. We face such immense challenges on this council. The mayor touched on this, but being married to a councilmember, my husband gets to have exciting conversations about these issues and we were talking about all the ways our country has failed, the most vulnerable in our country. And it starts from the very top and it has fallen on cities to try to find the funding and the way to solve these issues. From our federal government not addressing health care for all. Many of those in our community that are facing homelessness challenges, it's a health care issue. And our federal government hasn't addressed that. Our state government hasn't expanded medicaid just because. And that could have helped so many people and possibly kept so many people out of a situation that they're in.

[5:49:02 PM]

We haven't addressed mental health at any level the way that we should. So all these ways that we have failed has fallen on cities to address. And to top it off, our state has hamstrung the way that we can bring in revenue, first saying it was a property tax relief and then admitting that it wasn't, it wasn't really about property tax relief, it was purely political. And so now as -- it's fallen on cities to address these extremely challenging things. I appreciate those of you who came and told very emotional stories. I hear



you. I live about two miles from this location. I live about a mile and a half from the Salvation Army location on south congress. So I just hope we have another item coming up later and it's so hard to hear conversations and see children holding signs and just the tone while we absolutely hear you. We have to address this and we're trying and there's many times on this council -- you just have to make really tough decisions and just hope that you're doing the best thing for everyone, for the city. And I applaud councilmember kitchen for this. We're all going to face this. We all have, and we should, every single councilmember should have one of these in their district and it's going to be extremely hard for every single one of us. So I will support this and I hope that we can do -- I know that we can do everything-- we will do everything within our power to Mitt date your concerns.

-- Mitigate your concerns.

>> Mayor Adler: Further discussion on the dais?

[5:51:03 PM]

Yes, councilmember Ellis.

>> Ellis: I also want to say thanks for councilmember kitchen for leading the charge on this. And for allowing your co-sponsors in the original resolutions to take an active part in what this would turn out to be. This is just one part of the formula. A lot of the reasons that people are homeless and moving into Austin or southwest Austin as I've been able to see is because the services have been centralized in one location. I think that makes sense on level as far as a concentration of services strategy, but it is true that people all over Austin are experiencing homelessness. And we have been having a lot of conversations. I know you may not see them all on the dais because they're happening in our offices and our subquorums about trying to make sure that things are clean and trying to make sure people are connected with health care services. So we definitely take your words to heart. We know the things that your experiencing are extremely traumatic and our heart goes out to you for that and we are working extremely hard to try to solve these problems. And this particular shelter is just a part of the formula and we're going to keep working for you and keep advocating to make sure that homeless people are able to connect to services. But we do have a hard job ahead of us working on health care services, access to mental health care services and addiction treatments and those things are extremely hard as mayor pro tem was saying, for us as a city, to be able to tackle in a truly comprehensive way. But we know with our guidance that we've gotten from the national alliance to end homelessness that a shelter like this with these types of individuals is the best direction for us right now. So thank you.

>> Mayor Adler: Further discussion on the dais? The motion is to approve this item with the direction I assume if there's an issue with respect to any of these directions and the efficacy, bring that back to council. Is that okay? All right. Let's take a vote. Those in favor of these three items, raise your hand?

[5:53:04 PM]

Those opposed? It is unanimous and it it passes. All right, council --

[applause]. We're a little past 5:30. There's some items I want to see if we can take care of quickly and let people go home. Let me check on this. Item number 78 -- let me check. Do you still want to -- item number 78, I think, councilmember alter, are you okay with the new language that's been proposed?

>> Alter: Yes. I'll move item 78 with the new language.

>> Mayor Adler: Okay. Councilmember alter moves 78 with the new language. It's been seconded by councilmember pool. Anybody have any objection to the language being added to 78?

>> Tovo: Can somebody read it real quickly. I can't put my hands on a copy.

>> Mayor Adler: It's been moved and seconded. Those in favor please raise your hand? Those opposed? It's unanimous on the dais. Okay. Item number 114 was a public hearing. There were no speakers. I have no speakers signed up for that. It was pulled earlier so some people in the audience could be here when we passed is there a motion to approve item number 114? Councilmember harper-madison makes the motion. Is there a second? Seconded by -- I need a second. Seconded by councilmember Renteria. Thank you. Any discussion? To close the clearing? Open and close the hearing. No one signed up. Those in favor of passing this item, closing the public hearing, please raise your hand? Those opposed? It's unanimous on the dais. That item is taken care of. Councilmember tovo, do you still want to move forward and discuss item 64?

>> Tovo: I do.

>> Mayor Adler: We'll do that later tonight.

>> Tovo: We can probably do that later, mayor. Before we get too far behind it, I don't think we need to go back and reconsider it, but on item 98 '78, the language that we just amended, it says prior to any conveyance of exiting red river.

[5:55:14 PM]

I assume that was supposed to be existing. So I'll just make that

>> Mayor Adler: I think the Scribner can make that change. Okay. 64 we still want to debate. Do we need to debate item number 68?

>> Alter: I just wanted to move it instead of having the multiple year extensions, just moving the item with one possible year of extension.

>> Mayor Adler: Is staff okay with that? Okay. 68 has been moved to just one year.

>> Alter: 68.

>> Mayor Adler: 68 with a one year extension. Is there a second to that? Councilmember pool seconds that. Any discussion?

>> Tovo: I had wanted to ask some questions about it, but I'll let it go if the majority of the council wants to just vote on it. Let me just say I read the memo. It didn't seem to jibe with the discussion we had at city council to for the city manager's ability to enter into a agreement. Then suddenly there was a request for proposal. I don't understand how that all happened. It's not clear to me. I'm simply going to vote against it and let it pass. But thank you for making the change to have it be one year.

>> Mayor Adler: Okay. It's been moved and seconded. Those in favor please raise your hand? Those opposed? Councilmembers Flannigan and tovo voting no. The others voting aye. That item passes. Item number 110, we had one speaker speaking on it. Clem hollingsworth, do you want to speak on that? Is he here? Is there a motion to open and close item number 110? Mr. Flannigan makes the motion, seconded by councilmember Casar. Any discussion? All those in favor please raise your hand? Those opposed? It's unanimous on the dais. I think those were the items that we could take care of quickly. So it is 556 -- what? Do you want to try 64?

>> Tovo: We can try. I'll lay out what's going to be my motion on it and we can see if it requires discussion.

[5:57:18 PM]

>> Mayor Adler: Okay. Let's hold off on that.

>> Tovo: I'm happy to do it before dinner. My guess is it may require some discussion.

>> Mayor Adler: Okay. So in that case again it's 6:00. I'll just move then to music, if it's okay then. We'll just pick it up. So it is 5:57 -- yes?

>> Alter: I was wondering if you could cite which items we have left because we've had 197 items and I just want to make sure

>> Mayor Adler: 64 is left, 126, 127, 130, 131, 132, 133, 142, 146, 152 and 184 and 185. Okay? With that, it is now 5:58. We're going to bring a little music into this place. And hopefully get back here as close to 7:00 as we can.

>> Tovo: Mayor? It's my understanding there may be a zoning case that's now ready to go on consent? Is that --

>> Mayor Adler: Is there one?

>> Kitchen: I think so.

>> Mayor Adler: Which one.

>> Item number 152. The case was recommended by the planning commission. The staff is the only person that had an issue with it and we've worked it out with the applicant so we can offer it for consent approval on all three readings.

>> Mayor Adler: There's no one signed to speak up. Is there a motion to close the public hearing and approve on all three readings? Councilmember Kitchen makes the motion. Is there a second? Councilmember Pool seconds. Any discussion? Those in favor of this item 152, please raise your hand? Those opposed? Mr. Flannigan votes no, the others voting aye. It passes.

[6:00:04 PM]

>> Mayor Adler: Vote stands as announced. Here at 5:59 we're going to stay in recess and try to get back as close to 7:00 as we can. Let's listen to some music.

[6:07:32 PM]

>> Mayor Adler: Sound would be good. All right. You know, when we have council meetings like the one we just had that really stretch everybody's ability to be able to participate in a public process like this, it's not always easy. In fact it's often hard. It becomes then one of the reasons why the city of Austin, which is the live music capital of the world, makes sure that we stop every city council meeting to bring a little music into this place, because, frankly, it helps the work get done, it helps the works get done better and it's kind of who we are. So we are really, really fortunate tonight to have Rochelle Terrell with us. Rochelle is the essence of what comes to mind when you hear the phrase southern soul. Terrell's music possesses an intriguing dichotomy of sweet sounding harmonies laid over a sultry mesmerizing beats, as her voice soothes, her lyrics describe a place that may be familiar to many but rest assured her music is one of a kind. In 2008, Terrell was featured vocalist lyricist on the hip hop world trade project, with her friends Element 7d and Babo Blakes. She's also performed at South by Southwest. Please welcome to our version of Carnegie Hall, Rochelle Terrell.

[ Applause ]

>> Thank you.

[ 🎵 Music 🎵 ]

[6:12:51 PM]

>> Thank you.

[ Applause ]

>> Mayor Adler: So if somebody is watching this right now and -- or watching this later and they want to find you, do you have a website?

>> I do. You can find me on photocopy.com, Rochelle Terrell, also you can find me on [indiscernible], Rochelle Terrell.

>> Mayor Adler: If somebody wants to get some of your music, what's the best way to do that?

>> Right now, it's free, actually. You can hear it all day and night for free on sound cloud.

>> Mayor Adler: If anybody wants to come see you, do you have any gigs in the area coming up?

>> Every Wednesday we do a jam session at this venue called Dezen Street, located on 12th and Chicon, there's a lot of great musicians there you can find myself and both Mr. Dmac.

>> Mayor Adler: Great. Thank you so much. Say thank you.

[ Applause ] I have a proclamation, be it known that whereas the city of Austin, Texas, is blessed with many creative musicians whose talent extends to virtually every musical genre and whereas our music scene thrives because Austin audiences support good music produced by legends, our local favorites, and newcomers alike, and whereas we are pleased to showcase and support our local artists, now, therefore, I, Steve Adler, mayor of the live music capitol, do hereby proclaim June 20, 2019, as Rochelle Terrell day in Austin, Texas. Thank you so much.

[ Applause ]

[6:15:47 PM]

>> Mayor Adler: Let's bring up the consul-general. This one, this one is a sad one. A happy one, too, because we get to declare a day, but sad in that it's related to us losing our consul-general to Ireland, who is being called back home. You know, consul-general Farrell has made Austin his home in so many ways. Not only consul-general in doing the great work of the office, which you have done so extraordinarily well, but you have been at countless other Austin events. You've integrated yourself into our community. You very much an Austin soul to you, and you have become a real part of who we are. One of the first international trips that I was honored to be able to take as mayor of the city was to go to Ireland, and the consul-general not only set up that trip but then traveled back to Ireland to show me around and help us see just how many similarities there were between Austin and Ireland, Austin and Dublin, Austin and Limerick. But together you and your husband Ralph are kind of -- you are part of our family in very real ways, and that's why it's sad to see you go. But your contribution and impact in this city will always be remembered, and it's only fitting that together with my colleague on the council, Jimmy Flannigan, and the others, that we issue this proclaiming.

[6:18:02 PM]

Be it known that was Adrian Farrell aim to Austin in 2015 as the first consul-general of the newly established consul-general of Ireland which provides services to Arkansas, Colorado, Kansas, Louisiana,

New Mexico, Oklahoma, but especially in Texas, and whereas in his time here he has worked tirelessly to promote the strong economic and diplomatic ties between Ireland and the southern central United States and to deepen the strong historical bonds of friendship between our nations, and whereas he willingly opened the doors of the Irish consulate for many social events for the local Irish-American community, including Blooms Day, St. Patrick's Day and the 2016 centenary of the Easter Rising a new tradition has begun in conjuncture with the Mexican consulate, a large festive Christmas organization and with his husband Ralph became an integral part of the LGBTQ community in Austin. Whereas Adrian leaves a strong legacy of friendship and goodwill, he will be missed as he moves on to the next chapter in his career, and so we wish him success on the road ahead. Now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, together with my colleagues on the council do hereby proclaim June 20 of the year 2019 as Consul-General Adrian Farrell Day in Austin, Texas. Congratulations.

[ Applause ] As a special thing, I get to give out proclamations, but I also get to give out keys to the city as mayor, and I don't do that very often, but I want to present you with a key to Austin, Texas.

[6:20:03 PM]

>> Thank you so much.

[ Applause ]

>> Well, ladies and gentlemen, good evening. It's such a pleasure to be here. Thank you, Mayor Adler, to members of the city council, and to members of the Irish American communities here this evening. I'm really humbled and honored for this recognition, which I receive as Consul-General of Ireland. Now, I arrived here four years ago to open up the consulate, I stood at that podium and I'm pleased to see how hugely relations have changed between Ireland and Austin since. Four years on from the opening of the consulate -- we're a small company, about 4.7 million people. Ireland is the ninth largest investment in Texas, and Irish investment here in central Texas and in Austin has never been higher. As the Mayor said, both Austin and Ireland continue to grow as global hubs for tech, innovation, creativity and research. Our consulate was upgraded thanks to all the great things happening here, has been doubled, our trade and economic team, our staffing has been quadrupled there and our people-to-people relations have never been better as well. We just have to look at the thriving sports and social clubs here in Austin where sports like hurling and Gaelic are played here in the city in a little different climate obviously to Ireland but they're still played and enjoyed greatly by Irish and Austinites alike. Ireland's friendship with Austin isn't just built on trade, it's built on shared values, and we're both societies here that are open to new ideas, to new people, in fact in Ireland about one in five people living in Ireland today weren't actually born there. We welcome diversity. We both promote equality and recognize the talent of our great artists and musicians and value those people as well, just like I don't know if she's here here like that beautiful performance by Rochelle Terrell.

[6:22:07 PM]

I don't know if she's still here but if she was it was amazing. I'm just the public face of the consulate but I have many, many friends to thank for everything we've achieved together over the last few years. As I said at the start of a wonderful Irish and Irish-American community and there in Mayor Steve Adler who has given me and my team complete support and assistance from the start of my time here. As he said to welcome his business trip abroad to hosting many meetings with government ministers, mayors and other elected representatives, many Irish business people and artists. Huge thank you to Mayor Steve Adler for their friendship and sort. I've received huge support from city council on so much levels on so much initiative whether promoting Ireland or the European Union in my capacity as the European Union representative here in central Texas or with some of the great Irish-Mexican events that we've organized together. Sad day today as well because our Mexican colleague just finished his post in Austin today as well, but a special thanks to all members of city council, especially members Flannigan, Renteria, Alter, and of course member Tovo who opened the Irish consulate four years ago, seems like yesterday, it really does. I'm not sure if he's here today but a special word of thanks to city manager and new dad, Spencer Cronk and countless officials like Barbera Shack who work for the city and whose assistance I can never repay. The establishment of the consulate in 2015 is the very latest chapter in the relationship between Ireland and Austin that dates way back to the 18th century there's so much more potential ahead. My successor, Claire, she starts in late August. She's looking forward to deepening this engagement and with a specific focus on deepening the engagement between Austin and Limerick, Ireland's third city on the west coast.

[6:24:08 PM]

Part of what my job -- what makes my career and job as diplomat so exciting is that we never really know where we're going to be going next. I'm going to back to Dublin in July, I'll be there for some time but I don't know where I'm going to be sent to after that. Please rest assured wherever I'm posted next I will in addition to proudly representing my own country, my own people and its citizens, I will also be an ambassador for Austin too. It's been an amazing privilege, and an honor to represent Ireland and the European Union here in Austin. And may I thank you, Mayor Adler, city council members and you, the people of Austin for your friendship and support and making me and my husband so very, very welcome here. Just before I finish I think I broke the teleprompter, I will finish off as we do in Gaelic, [speaking non-English language] It's a hundred thousand thanks to y'all and a very sad and strong goodbye to y'all and I should say be Texan, [speaking foreign language] Y'all, okay? I really look forward to coming back in the future but I want to thank you all for everything. Thank you and good evening.

[ Applause ]

[6:26:55 PM]

>> Mayor Adler: Fast Track Cities Day. There's a lot of people here because this is pretty cutting-edge stuff here. We have another proclamation that is going to be accepted by Stephanie Hayden. She's the director

of Austin public health. This is a proclamation be it known that whereas as part of the city of Austin's commitment to improving the lives of those living with and affected by HIV and preventing new HIV transformation, Austin and Travis county signed the Paris declaration one year ago, committing to become a fast track city ending global AIDS epidemic by 2030. Whereas significant advancements in the prevention, diagnose cyst and treatment of hiv/aids means ending the AIDS endemic in the Austin area is within our reach. And whereas the Texas 2017 HIV surveillance report shows that in Travis county there were 8,139 people living with HIV, 221 new HIV diagnoses, 77 AIDS diagnoses, and an estimated 1400 people unaware of their status. And whereas meaningfully addressing the historical and ongoing HIV disparities in Austin and Travis county will require a wide range of organizations and community members, as well as a deep commitment to action that advances equity in our community, now, therefore, I, Steve Adler, mayor of the city of Austin, itself, Texas, together with my colleagues on the council do hereby proclaim June 20 of the year 2019 as fast track cities day in Austin, Texas.

[6:29:29 PM]

[ Applause ]

>> Good evening. Thank you so much for joining us. This is such a remarkable I would like to personally thank mayor Adler for his leadership. He has been such a force for us, and we're so excited. I would like to also acknowledge city manager cronk, acm shorter, the Austin public health staff, and our community partners that are with us today, and the ones that couldn't make it, because we really cannot do this work together. It takes all of us to pull together to be able to do this work. It's been a year, and we are really excited because we have several things to we have renamed the formerly known sexually transmitted disease clinic. We now are calling it the Austin public health sexual health clinic. We are embracing inclusion and really wanting to have language that is free from stigma. We have circulated a guide on decig stigmatizing language for use by partners and community members. Our community members that are participating in fast track cities day successfully advocated for St. David's hospital to opt -- to adopt an output-out testing for HIV in its emergency departments. Two of our fast track city partners, AIDS services of Austin and David Powell clinic, have active programs to link newly diagnosed individuals with HIV to care within 72 hours or less. This initiative is so important because it reduces the time for people in the community to not be on medication.

[6:31:32 PM]

The goal is, is that we want to rapidly connect persons to anti-retro viral treatment, thus far approving the chances of maintaining viral suppression. There's still much work that needs to be done, and we are moving full speed ahead. But one thing we could really use from our community is we are going to send out a survey, and we would really, really like your thoughts for you to share comments and your guidance as we start to move forward and make additional steps to end this AIDS our community collectively can work together to ensure that we end this AIDS epidemic and improve the overall quality



of life for our -- all members of Austin and Travis county. I thank you again for your time and your support. Thank you.

[ Applause ] .

[6:33:37 PM]

[ Applause ]

>> Garza:all right. Good afternoon. I'm mayor pro tem Delia Garza, really excited about our next recognition. We have students here from the milestones science engineering and math stem academy. For many of you who may not be familiar with district 2, we face many challenges but have such amazing resilient families. We are majority hispanic district. We are over 70% hispanic, and sometimes our schools face challenges because, you know, when you have working families who are busy just trying to, you know, provide for their families, it's sometimes hard to provide support for their children where in other parts of town you see that more, you see the ability to -- of families to be able to support their children.

[6:35:56 PM]

So I'm really excited about this amazing recognition. I actually caught wind of this on Twitter and thought I have to invite them down to city hall and be recognized because it's such an amazing achievement. Be it known that whereasmn stem academy operated by the Texas stem coalition in partnership with aid communities and schools and you teach institutes provides authentic stem experiences for students and where is six milestones sixth grade students engaged in a scientific research project titled a comparative study of soil moisture oozing the map -- the scientists could say that better I'm sure -- protocol, where they investigated soil moisture capacity and possible connections in flooding in the dove spring community and whereas their research project was presented at the globe -- the globe learning and observations to benefit the environment, student research symposium in new Mexico and won the award for best research process where they effectively communicated their research question, methodology, data collection, and analysis to a group of reviewers composed of national scientists and teachers. Now I, Delia Garza on behalf mayor Adler hereby proclaim June 20 as Mendez stem academy day. Congratulations.

[ Applause ]

>> My name is Joanna rally, the proud principal at Mendez academy. I'm so proud to be able to introduce two of our kiddos today, two of 615. Our kids are being introduced to things that they've never been introduced to before, and as you can see, they are grasping those ideas and taking wind and just flying with it.

[6:38:00 PM]

I can't wait to see what the next year brings. This was just our first inception year for the stem academy. Our kids are very bright and I'm so proud they're being recognized today. Globe is an international competition, and we prepared our students to know that this was our first year there and you are here to learn about everything that's going on, and so we tried to prepare them that they probably wouldn't win, and they surprised us and they won the middle school award. And so it brought back tons of accolades and we're so proud of them. The judges could not speak high enough about them. So I've got Haley and Adrian with me today, two of the six that went to competition. After winning our award they let us know that we are not just allowed to bring one team next year, we can bring as many as we want to. I can't wait to see who else gets to join us next year. Thank you for concur time and I appreciate the accolades you're giving us today.

[ Applause ]

[6:40:09 PM]

>> Flannigan:hi, everybody. My name is Jimmy Flannigan, councilmember for district 6. June is pride month. It's pride month all across the country. Although in Austin we celebrate pride in the fall, with the parade and the festival. So today I have the honor of reading a proclamation for a community within a community, the lgbtq community is broad and diverse and incredibly intersectional. And so today we're going to honor one part of the lgbtq community that is going to be celebrating its days in July. So be it known that whereas the rainbow alliance of the deaf, rad, is a 51c3 nonprofit organization established in 1977, formed to establish and maintain a community of deaf lgbt residents, their mission is to encourage and promote the educational, economical and social welfare, to foster fellowship, to defend our rights, and advance the interests of the deaf lgbt residents concerning social justice and to build up an organization in which all worthy members may participate in the discussion of practical problems and solutions related to their social welfare, and whereas rad will be hosting its 26th conference at the doubletree Hilton in Austin from July 16-21, 2019, it is the largest conference of its kind, roughly 100 to 150 people are projected to participate in this exciting educational and cultural conference, and whereas the theme of this year's conference is unity, love, peace, the conference will provide a forum to do the important work of educating the public on lgbtq deaf, hard of hearing, deafblind and community allies, therefore, I, Jimmy Flannigan, city council member for district 6 on behalf of mayor Adler and entire city council do hereby proclaim July 16-21, 2019 as rainbow alliance of the deaf days in Austin, Texas.

[6:42:44 PM]

[ Applause ]

>> Hi, everyone. I guess I don't need this. I'm here with Roy Jones, my name is Melvin Beeman, and we are thrilled to have the rad board select Austin as the city to host this conference. It was because of the expanding and large deaf population that resides here in Austin, Texas. It's one of the largest in the country, so we are excited to -- and thrilled to be hosting this conference. Thank you.

>> Good evening, Austin, Texas. I'm going to put this back, protect your ears. My name is Natasha harper-madison, the proud city council representative for district 1, and this evening I get to present a proclamation for item 38, our minority mental health proclamation.

[6:44:48 PM]

Before I begin to read the proclamation, however, I'd like to take some time to thank the African-American advisory commission -- African-American resource advisory commission for their hard work for promoting mental health and awareness in our community. Black Americans and many other nonwhite communities suffer disproportionately when it comes to mental health care and treatment. Item 38 on today's agenda, which was recommended did I the commission and passed with full council support provides mental and physical health care outreach and services within the Austin African-American community and other communities throughout the city. It is good to know that we are corresponding awareness and activism with concrete policy achievements. I'm grateful that the African-American resource advisory commission is working within our local government to raise the quality of life, not just for African-Americans, but the entire Austin community. So this evening I'm joined by Fabian wood -- there you are -- and I'm really proud to be able to read this proclamation. So be it known that whereas mental health is essential to health every individual and family within a community must understand that mental health is an essential part of overall health and whereas it is essential to eliminate disparities in mental health by promoting well-being for all, regardless of race, ethnicity, sexual orientation, bless you, gender identity, language, place of residence, or age and ensure equity of access, excuse me, delivery of services and improvement of outcomes, and whereas the mental health system must inform individuals with mental illness providers and public policy with quality, accessible, and accountable information and, whereas, the D. Wood foundation, a nonprofit organization named after deandread. Wood a single mother who committed suicide at the age of 38 has a mission to advocate the importance of mlk by creating a culture of support through fellowship and activism.

[6:47:19 PM]

The untimely death of Ms. Deandra wood spurred an impetus for positive change regarding how mental health is addressed among minority communities in Austin. Now, therefore, I, Natasha harper-madison, alongside our mayor, Steve Adler, and my colleagues do hereby proclaim July 2019 as minority mental health month. And, again, this is Fabian wood beside me after I hand this off I'd like to offer you the opportunity to say a few words if you'd like.

[ Applause ] All right. Thank you, everybody, for copying out here and being a part of all the proclamations going out tonight. This is my first personal experience being a part of this kind of room and this kind of energy, and it's amazing to see all the work being acknowledged by the community. So kudos to everybody who received proclamations today and who will. I'm going to be brief. I want to personally thank Neil wetstone and Lauren hartnet for their help and time with making this happen. I want to thank all of the members of the D. Wood foundation and all of our supporters of the yna fellow fellowship for their effort in creating cultural support and continuing to be the leaders in advocating for minority mental health and I want to especially thank the city of Austin for emphasizing and acknowledging the importance of mental health in minority communities. The D. Wood foundation is a bridge that connects, motivates and engages those in need of mental help with the help they need. Deandra wood stood for many things, which was my mother. One thing she valued the most was the importance of leaving your footprint on the world by making an impact.

[6:49:24 PM]

This is her footprint. Thank you all. Much love.

[ Applause ]

>> Tovo:good evening. I'm councilmember Kathie tovo, represent city council district 9 and tonight I have the honor of recognizing Larry Elsner, who many of you know has been a leader this our community, both here at city hall serving on our early childhood education committee for many years, as well as executive director of open door. And so we thank you and we're so happy that you came down here today so we could recognize you for your work. In one interview, Larry Elsner described the importance of early childhood education generally but also of the work of open door, and he said, and I quote "I believe that high quality early childhood education is the greatest anti-poverty program there is. This is a social justice issue, and early education is an effective way of bridging the gap between the haves and the have nots." I think that really -- we so appreciate the work that you've done in that area. Again, both at open door, as well as enhancing the work that our city is doing in terms of policy related to early childhood education. And so I would like to present the following proclamation. Be it known that whereas Larry Elsner is revered early childhood advocate and early childhood councilmember dedicated to high quality education for all, including children from Austin's most vulnerable families and whereas Larry Elsner served with vision for the entire early childhood community as the executive director of open door preschools since February 2002, and he is retiring on June 30, 2019, whereas Larry Elsner served as a valued member and leader of the early childhood council for ten years, including a chair -- a term as chair from 2009 to 2019, providing an understanding of the community and the needs of children and families.

[6:52:02 PM]

And whereas we are pleased to acknowledge Larry Elsner for his contributions to the early childhood community, and for his profound commitment to improving access to high quality early childhood education for all children and families in Austin, now, therefore, I, Kathie Tovo, on behalf of Steve Adler, mayor of the city of Austin, Texas, hereby proclaim June 20, 2019, as Larry Elsner day in Austin, Texas.

[ Applause ] Congratulations we wish you the very best in your retirement, and I'd like to invite you to say a few words.

>> Thank you. First of all, I want to clarify one thing. My last day is June 28, not June 30. I so appreciate this amazing honor. Thanks to councilmember Kathie Tovo and the early childhood council for making this happen. Open door preschools as a cherished Austin institution long before I arrived on the scene, and it will continue to be for many more years to come. I've had the privilege to help lead open door for the past 17 years and to serve on the early childhood council for quite a number of years. I didn't realize it was quite that many. I've learned that impact comes at many different helping to shape the lives of young children and their families and helping to shape policies in our community through consistent advocacy go hand in hand. The city council takes the genuine needs of our children and families very seriously. It is no coincidence these issues have moved to the forefront while we have a predominantly female city council. I thank Kathie Tovo and Delia Garza for leading that charge but we know these issues are not gender they affect every person in Austin. I thank the open door board, many of whom are here, for being stalwart support to me for these many years.

[6:54:04 PM]

I thank my family and friends for tolerating my work schedule, my obsessions, and the decision to enter such a poorly paid field. And finally I thank the open door staff, to like their counterparts across the community, are my heroes. The people on the front lines who make magic every day and enable the Austin community to prosper. Thank you.

[ Applause ]

>> Renteria: good afternoon, I'm councilmember Pio Renteria, and I represent district 3. I have the privilege and honor to recognize one of our small business owners. I have this proclamation.

[6:56:04 PM]

Be it known that whereas

[indiscernible] Was orphaned at a young age by her mother who passed away only a couple months after Lon was born and lost her father and he bravely fought during the Vietnam war and whereas Lon do courageously migrated to the United States on her own, where she faced many years of work exportation but after much determination, hard work and braver in 2001 she founded the nails by Tina is a loan, serving the residents of Austin over 18 years and provided a series of services, including

eyebrow maintenance, nails, and face masks and whereas -- whereas even with the challenge of running a business, Lon, a single mother, has been driven in her work by a conviction -- of transforming her son's life and providing him with an education that will lead him on to a greater path and whereas as the east Austin community have faced countless challenges in terms of homelessness and gentrification, Lon do became a respected member of the community who has remained steadfast in maintaining a kind and caring heart and always working to share her service to all diverse background of Austin. Now, therefore, I, councilmember Renteria, on behalf of mayor Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim on June 20, 2019, as Lon Tina do day. Thank you, teen narcotics for all your service and hard work you have done in evenings.

[ Applause ]

[6:58:06 PM]

>> Good evening, everybody. Hi, my name is Michael don. I'm very happy to be here today participating in the recognition of my mom's hard work throughout her life. Not only my mom but my dad has been working tirelessly since arriving in America. As long as I can remember they've been working seven days a week all year long which to them is a virtue. My parents emphasize that it takes hard work to be successful in business and that education and good manners are one of the most valuable assets. I truly appreciate to have two loving parents who have sacrificed so much so I can have a good education. Thank you.

[ Applause ] Now introducing Angelica.

>> Howdy, everybody. My name is Angelica and I'll be translating this letter. My name is Lon do. It's a great honor for had he to receive the proclamation. I would like to take this opportunity to sincerely thank America, my adopted country, and Austin, the community that has nurtured and supported me since my immigration from Vietnam in 1991. I also thank Mr. Pio Renteria for giving me this proclamation. Last but not least I would like to thank Angelica for not [indiscernible] Me for this recognition. Thanks, Tina. Upon arriving in the U.S. I had first worked as a babysitter for a few months, then moving on to work for a window blind company for several years. During this time, I had always wanted to learn a trade that would eventually give me the chance to open my own business some day. I had been holding down two jobs and saving enough until I had enough to strike out on my own. I have been mostly working 70 hours a week since my teenage years and rarely taking any vacations. I firmly believe that hard work is will only road to success and the harder I work the luckier I get. With my limited English I knew I would have to try at least two times harder, yet may achieve perhaps only half of those who get a good education.

[7:00:06 PM]

And I am still content and happy with that. I am really thankful for the fact that my business has been doing very well. I would like to thank all my customers who have come to my nail salon for the services. Many of them have kept returning to my store for years. I show my sincere appreciation in valuing my customers by offering them my top-notch services. Thank you for listening to my story. Have a great day.

[Applause].

>> Renteria: If somebody wanted to come to her place of business, where would that be at?

>> You can find Tina on pleasant valley. Nails by Tina on pleasant valley.

[Applause].

[7:32:46 PM]

>> Mayor Adler: All right, colleagues. This is what we have in front of us. We have an Austin energy item that I think will have -- there's no sperst it will be just us on the dais. But it looks like it could be involved. So I'm going to pull that up last. We have five zoning cases and 184, 185, which is the homeless stuff. So this is what I'm going to do, given that we have most of the people here waiting on the homeless stuff, I will call up 184 and 185 first.

[Applause]. I'm going to call those things up together. In exchange for that don't feel compelled to take the full amount of time available to you.

[Laughter]. We have -- I'm going to call up 184 and 185 together for speakers so that they just -- you come up and you can speak on one or both of those issues.

>> Casar: Mayor? Before we pick those up, I would want the mayor pro tem to be here because I thought --

>> Mayor Adler: She's here.

>> Casar: I could be wrong and maybe you've talked to some of your constituents, but I thought we were going to try to take up the mobile home stuff immediately after dinner and then these. I'm a sponsor of initiating the mobile home stuff and sponsor of initiating 184 you were on 184. So I just wanted to check because I think we had talked about something at work session and I don't know if something has changed.

>> Garza: Yeah. I thought the mobile home was going to come first before the homeless ordinances.

>> Casar: I think that's what we communicated on Tuesday. I know there's more people here on the homeless ordinances. It's obviously very important. But I think on Tuesday we told the folks from the mobile home communities we were going to take them up after dinner.

>> Mayor Adler: Well, I wasn't here on Tuesday for the work session. If that's the will of the council to take up the zoning matters first, does anybody else want to chime in?

[7:34:50 PM]

No? All right. I mean, I have five zoning case to take up on the mobile home issue. What you said publicly is that we would do all five of those before we started with the homeless issues.

>> Casar: No. I think we said we were going to do the district 1 and district 3 one.

>> Garza: Yeah, the district 2 Andrea ones first.

>> Mayor Adler: Which ones were those first?

>> Garza: 132, 133 and Pio -- I don't know his items.

>> Tovo: Mayor, if I may, if we're going to take up the zoning it may be kind of -- we may be most efficient if we just continue with zoning and wrap it up if the other couple won't take too terribly long just because once we're talking about zoning it's a little bit easier just to keep on that subject rather than switch back and forth among topics.

>> Mayor Adler: Is it the will of the council to do it that way? Let's do the zoning cases first then. Apparently the representation was made on Tuesday that we -- the council would bring those up first. So we'll accommodate that. Let's bring up the zoning cases then. 126, 127, 131, -- the five basically, right? So call up first 126 and 127.

>> Thank you, mayor and council. I'm joy Hardin with the planning and zoning department. Item 126, npa 2019-0029-21, the mobile home park located at 2700 east highway 290 service, which is the Coronado hills plan area. The accompanying case is case c-14- located at the same address on highway 290. The npa request is from higher use single-family density.

[7:36:54 PM]

There's a lot of density on this site. The site includes mobile homes and recreational vehicles to the west adds north of the property are town home residence conedum residences and to the south and southeast are a variety of commercial uses. When the St. John's Coronado hills combined neighborhood plan was created in 2011, 2012 the site was one -- this site was one of the contested rezonings. City staff had recommended that the property be rezoned to mh-np. The plumb changed to match the mobile homes and the base zoning districts remain unchanged with only the np designation added. Staff recommendation is to approve the requested rezoning of mp-np and the requested Flum change. Planning commission supports the request, however the contact team does not and there is a valid petition of 36.21%. As you know, the cases were initiated by this body, adopted by the resolution on August 23rd, 2018. Thank you.

>> Mayor Adler: Okay. So in this case does the staff want to speak to the recommendation beyond what you just said or is that sufficient? Okay. We have folks that are signed up then to speak. The staff is the



applicant in this. I'm going to call the people that have signed up. I'm going to call people signed up for both 126 and 127 both. The folks opposed have a valid petition. How many no votes are there that would be necessary to stop this? Is it three?

>> Nine to pass.

>> Mayor Adler: So if there are three no votes this does not pass.

[7:38:56 PM]

Okay. Let's call up Theresa Rell. Is Theresa here? Is it Adele lossburg here? Why don't you come up and stand next to this podium. Is Meredith Morningstar here? I'm going to move you up to a podium when one of these folks move away. Less begin with Theresa. You have three minutes.

>> It's Theresa real, vice-president of the old town homeowners association. You have a resolution opposing these changes which is a valid petition. We're 183 unit condo homeowner's association on 24 acres. We're a very diverse neighborhood. Our boundaries are little buttermilk branch and little walnut creek and 290 where this property is. I've got some pictures here. This is what you see from 290. This was originally the Patton restaurant back in it's pretty much abandoned now, but this is street view. Next. The original -- the development was motel restaurant and a camp site, rv park. In 1951 or 2. You can do the next picture. It was changed to a mobile home park in 1962. This is the mobile home court with some of the mobile homes and campers behind it. Most of them have been there 40 to 50 years. Next picture. Next picture. This is a camper, you can see they've added on a little room with some duct taped in window. Next picture. This is pretty much the standard of what you see in the mobile homes in this next picture. This is the nicest thing in here. It's hard to find the mobile home, they've added on so much that -- and most of the add-ons to these mobile homes that have been here have never had a building permit pulled and building inspection has said that it's such a mess there's not much they can do about it.

[7:41:07 PM]

Next picture. This is another one. A lot of them had roofs added on and extra rooms. Next picture. This one you've got a tan trailer and then there's a whole two rooms added on to the end of it. Next, please. And this is a condition of a lot of the trailers in here, the roofs are falling down. A life of a mobile home is 30 years usually. These were 40 to 50 years old and are dilapidated, next picture. And this is just another rv that's been in there since it was converted from an rv park to a mobile home park in '62. Next. I think that's it, right? I was involved with the neighborhood planning process. We invested four years of work with the city council. We came to city council three times because you kept continuing us because of late nights, but we finally had the plan approved in 2012. We developed the future land use based on a request of working with the city. We wanted commercial buffer on 290. We wanted high density affordable housing --

[buzzer sounds] Okay. Sorry.

>> Mayor Adler: You can finish your thought.

>> Okay.

>> Mayor Adler: Within a couple of seconds.

>> Currently there's no playground, nothing in walking distance. We have problems with the kids have no place to play so they jump our fences, jump into our pools. We have unsupervised kid and it's a lot of liability. They're good residents, they're working people, but in most cases they don't have any credit history or any way to better. We think Austin can do better than having substandard housing for these people.

>> Mayor Adler: Thank you. Is Meredith Morningstar here? You will be at this podium.

[7:43:11 PM]

Is -- I think you're the last speaker signed up on this issue. Go ahead. You have three minutes.

>> My name is Adele lipsburg, the owner of old town condominiums. I don't want you to think I'm against affordable I think a lot of people have been gentrified out of their neighborhoods, especially in east Austin. And I think the city of Austin needs to pay more attention to affordable housing and -- but it needs to be safe and it needs to be comfortable. And this mobile home park is not. I'm also in favor of your mobile home zoning because I think mobile homes are part of what makes Austin weird. There used to be mobile homes by Riverside drive behind the shady grove that made Austin weird. I also had almost bought a tiny house and my tiny house was in a mobile home park off of Davis lane. It was a beautiful place. It was actually for sale and some developers were probably going to buy it, but the people who lived there put their money together and bought it. That one is still there. It's in a nice location, it's safe. They have nice people -- not that they don't have nice people in the mobile home park, they do, I've some of them, however that mobile home park is not like those other ones. It's a slum basically. I believe the owner of that mobile home park is exploiting people who don't have any money, making them live in these substandard houses. And I really hate to see the city perpetuate that. There's lots of places where you can put mobile homes and I think somebody in the planning department ought to go out and look for some places. That would be nice for mobile homes because that is a nice alternative for some people. Let's see... I actually lived in affordable housing one time. We moved up to Redmond, Washington, Bellevue, Washington, and I lived in affordable -- apartments, they were condos that had been converted.

[7:45:12 PM]

And half of them were subsidized housing. I didn't know that when I moved in. And it was beautiful. Half a mile from Bill Gates' house over there. And that's the kind of affordable housing that Seattle can be

proud of. Why are you always dissing Seattle? I've never seen anybody sleeping under a bridge there. I think y'all ought to ask them what they're doing with their homeless and it might be better than what we had in mind. Anyway, this is a slum and I would encourage you, beg you not to approve this. There's plenty of places you can put mobile homes in I'm in favor of that. But this one is -- it's on 2290. It's really never going to be a good neighborhood. There's no roads there, there's just dirt. And we can take care of our homeless people and our people who can't afford other houses by really paying some attention and having some good affordable housing. So the place I lived in Austin was a place Seattle could be proud of.

[Buzzer sounds] But I think if you pass this ordinance you will have a place that Austin should be ashamed of. Thank you.

>> Mayor Adler: Thank you.

>> Pool: Mayor, could I ask a quick question of this just a really quick question over here?

>> Who said that.

>> Pool: Hi, thanks. I was just curious do you know whether those mobile homes are owned individually or are they owned by the -- by a landlord who owns the land that they're on?

>> I don't believe that they're owned by the landlord, but I think some of them are rented by whoever owns them. And I think it's all -- there's --

>> Pool: Okay. Thank you.

>> Mayor Adler: Ms. Morningstar you have three minutes.

>> Good evening, could you, I'm Meredith Morningstar, I'm secretary of the contact I've lived in this neighborhood for almost 20 years. I worked on the neighborhood plan for the four years that we did that, pretty much four years.

[7:47:14 PM]

And as Theresa said, we were looking for buffers for light and noise pollution into our small neighborhood because of our boundaries being 183 and 290. And ram Ron road. I basically -- I don't want to repeat what the previous speakers have said. I agree with what they have we do have a neighborhood it was approved and we believe that that's the best thing for our neighborhood. We've worked long and hard on it. We also when this issue came up, we had meetings throughout the neighborhood. We had votes. And the overwhelming majority was to not change the zoning. I agree also. I do want to reiterate or add into what has been said in that this mobile home park the street are narrow. It's going to be hard for emergency services to get in there heaven forbid anything happen. And it is run down. I think if you want to have mobile home designations, I think there needs to be some kind of regulation or oversight on it because as I recently learned, if these people were to get displaced, existing mobile home parks won't take a mobile home that is, what, more than 13 years old? These people are going to -- these mobile homes are going to fall down soon. You saw the pictures. There's no

-- I feel like they are being taken advantage of as far as their conditions. I am not against mobile home parks. I am not against the people who live in this. I've been up in there. I've met some of these people. They're nice, hard working and I feel like they are being taken advantage of.

[7:49:22 PM]

That's basically it. Thank you.

>> Mayor Adler: Thank you. I think those are all the speakers that we had. Let me refresh the screen. Those are all the speakers. We're up to the dais. Is there a motion? Councilmember Casar.

>> Casar: I'll move passage.

>> Mayor Adler: Councilmember moves passage of items 126 and 127. Is there a second to that? Councilmember harper-madison seconds that. Any discussion on the dais?

>> Casar: Mayor, very briefly I would like to thank the folks who came in, spoke here today. This is part of a bigger initiative, started by the council last August when we found out that there were hundreds of mobile homes across this city that had been zoned for something and so while there may have been individual cases where people were trying to plan their neighborhoods, the overall impact was that they were trying to help 833 homes not turn into office buildings or single-family subdivisions so that these hard working families that are in these neighborhoods get an opportunity to stay. And so while I respect the concerns and actually agree with the concerns, there are actually organizers here, people who work to make sure that people in mobile homes don't get taken advantage of. Some of them are here and that's part of a city funded and supported effort to make sure that we take care of people in these mobile homes. But in talking to folks in those mobile homes in my own district and across the city, they don't want their houses to turn into office buildings and so this is an opportunity for us to right that wrong and keep these 833 affordable options in the city, in part here in St. John, Coronado hills, which is an area that councilmember harper-madison and I share, and across the city.

>> Mayor Adler: Further discussion on this? Let's take a vote. Those in favor of items 126 and 127, closing the public hearing --

>> Casar: On all three readings.

>> Mayor Adler: On all three readings, please raise your hands.

[7:51:24 PM]

Those opposed? It's unanimous on the city those items are approved. Let's call up then the next items. It's I think number 130 and 131.

>> Joy Hardin, planning and development department, item 130 is Knapp 2019-0021.01, Jenson's mobile home park. The property is located at 3201 Burleson road within the Riverside oltorf defined neighborhood planning area. The accompanied rezoning case is item 131, c-14--2019-0026, located at 3201 Burleson road. The neighborhood plan amendment requests from single-family to higher density single-family land use and the rezoning request is from sf-3-np to mh-np. The currents site is several land uses, a small mobile home park with six to eight mobile homes, a few recreation Al vehicles and a vehicle that contains a hair salon. North and east of the subject property are portions of the country club creek greenbelt. South of the property are sf-3 zoned tracts with single-family homes. And across Burleson road to the west is an undeveloped tract. Staff recommendation is to approve the requested rezoning of mh-np and the requested Flum change of higher density single-family single-family. The roc planning contact team voted eight to support, nine to oppose, three abstained and two no responses. The planning commission and staff support these requested changes. And today we received a petition that was calculated at 19.77%. More information could make this petition valid. Thank you.

>> Mayor Adler: Okay. We have speakers signed up to speak on 30 and 31. Is Michael coolner here? Do you want to come down? You have time donated from guchan kupta.

[7:53:30 PM]

And is Allen Carey here?

>> He was here since 2:00 P.M., but I had to leave. So I would appreciate if you guys would --

>> Mayor Adler: You have five minutes.

>> Okay. I see how the response of the neighborhood and the concerned affected citizens was pretty much neglected on that last vote right there. And I'd like to say a couple of things. The -- this blanket approach at rezoning, down-zoning I'd call it, to kind of accommodate what the city's plans are as far as covering up the blemish that was the cactus rose and the thrasher lane incident. I was going to say some things that I had prepared. This rezoning effort is creating a dispute between residents, neighborhoods and the owner by unnecessarily down zoning a non-compliant, but existing property. Our zip code, 78741, is already the highest density zip code in the city of Austin. This particular property was annexed in 1969 and the park is in the middle of an established single-family neighborhood. The park evolved from using a single-family house on a large lot and parking trailers upon it. Today it's still a single-family lot surrounded by an established will single and multi-family properties. The fallacy of mobile home parks as being an affordable solution in this case needs to be reconsidered. Many affected residents are seniors and are unable to attend here this evening so I'm speaking on their behalf. Many are October gentlemen mayorians and plus. So I'm here, we have a vp signed by those -- a valid petition signed by those residents, and I represent all of the affected stakeholders whom we spoke to yesterday. I went around the neighborhood and knocked on every door within a half mile of the place and spoke to everyone that would talk to me.

[7:55:37 PM]

One thing interesting is that the owner is not here. The owner does not seem to have a stake in this and it seems that the city has kind of taken hostage his rights to own and use his property as he wishes. So he think that that is kind of a hostile possession of his ability to redevelop, his ability to use this property how he wishes. I'm not here -- I don't know him. I'm not here to defend him, but I am here to defend his right as a taxpayer and a property owner to use his property to his desires. I think that's significant that he's not here. The city has gone around the independent owner and chosen a path they see fit. Downsizing -- I'll call it down zoning to mobile home is not the solution to affordable housing in this case. It's hard to believe that in the name of boosting the city's affordable housing stocks, the city will overlook substandard housing conditions, and they have. There's no regulation that there appears to be. I just heard on the last case, their scenario was very much like ours where people are living in shacks basically. There are trailers that are cut into duplexes and tri plexes. So it's not -- it's substandard. It's completely substandard. There's no one monitoring the living conditions there, there's nobody checking in on these people. They're all basically on their own and they're there not by choice, but because they have so few other living options. This is on a north-south corridor. South pleasant valley goes over, cuts over on oltorf to Burleson. There's plans of continuing pleasant valley south, which would directly butt up against this particular parcel. The mobile home -- let me see here. The mobile home park does not serve the greater community as a whole due to density limitations it only serves a small number of families in relation to the lot size.

[7:57:47 PM]

This specific park, due to its substandard living conditions and lack of regulation, only rents to individuals with few other options. There's less than -- this is less than a two-acre parcel with a max of I think standards say that the max of 15 units per acre, so that would max this out at less than 30 units. There's like 12 or 15 there. I'm not certain of the number. So that would allow a max of maybe 30 homes. I think we can do better than to put 30 on a two-acre lot, only put 30 homes. I think there's a better solution to that. This subject property also has non-compliant mobile home, single-family and commercial uses. So either way there will be displacement. Whichever way it comes down you can't zone all three of those together in the same lot.

[Buzzer sounds] Do I have some more time?

>> Mayor Adler: No. You can finish your thought. So anyways, I -- okay. There is not -- my understanding is there is an existing tenant relocation ordinance, is there not? I read about that. Okay. So the protections that are provided by that, why could not that encompass the possible displacement of individuals rather than downzoning to a backwards zoning. Give the individuals that live there, if there's an owner, a better use, which I think there is --

>> Mayor Adler: Thank you.

>> Why not give those residents that protection without having to do an unnecessary lateral step or backward step --

>> Mayor Adler:

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

>> I was supposed to get nine minutes there. I had three minutes for myself, three minutes for gonga and three minutes for David Allen.

>> Mayor Adler: There was only one person here and you get two minutes for speakers that are donating time. So you had three minutes, plus two minutes.

[7:59:48 PM]

That was the five I told you at the beginning.

>> Well, thank you.

>> Mayor Adler: Sure.

>> Mayor Adler: Sure. I'm trying to see, I think that was the only speaker that we had, so that puts us back you want the dais. Is there a motion? Councilmember Casar.

>> Casar: I move passage.

>> Mayor Adler: Move passage of items 30 and 31, closing the public hearing, seconded by councilmember Renteria. Is there discussion on the dais?

>> Casar: Mayor, the only thing I'll add is that, again, we appreciate folks coming and speaking, but I disagree that by passing these, we are overriding neighbors, overwhelmingly of all the folks I've talked to in mobile home communities, oftentimes, because they have so few other options, they are -- they want the opportunity to be able to stay and to not just have somebody potentially say, well, we'll pay you some under the relocation ordinance but you have to go, because so few folks have a place to go. And by adding all this extra mobile home zoning we're creating more opportunity for people to have more places they can go.

>> Mayor Adler: Okay. Any further discussion? Let's take a vote. Those in favor of this item, please raise your hand. Those opposed? It's unanimous on the dais, this passes as well. Next item, please.

>> Mayor, Jerry rusthoven, planning and zoning, a couple more cases, this is the south congress plan, the property located 6111 south congress avenue. This is a requested change, city initiated change, change to the map from mixed use, the Flum, to higher density single-family. It is recommended by staff. It was forwarded from the planning commission without recommendation. Case 33, the south congress mobile home park, the property is currently joined -- the property is mhmp. The case was recommended by staff and forwarded from the planning commission without their recommendation, an agent representing the owner of the property has requested to postpone both of these cases till August 22, the owner has requested to file a petition on this zoning case, item 133.

[8:02:03 PM]

>> Mayor Adler: Okay. Let's take up the motion to postpone first. Does the applicant want to make the argument -- the property owner want to make the argument for the postponement?

>> Hello, mayor and council, I'm here representing the property owner, Roger Maynard. Our argument for postponement, and I do have some slides on it if you'd like to get into more detail, but the argument we have for postponement is that we have begun working with the residents and we think that due to some of the specific characteristics of this mobile home park, namely that the portion that's up for rezoning down to mobile home from gr-mu is a small portion of a much larger park and its location on future core transit corridor and imagine Austin corridor and the future Orange line makes it a place where we think we could negotiate an agreement with the residents where the residents aren't displaced because we have so much space in the back of the park, potentially. We could lock in some affordability requirements, we could potentially offer residents an apartment in the project at the front of the park at the time it is developed. To be clear, there is not a project now. We are here having this conversation only because of the city initiation. So we think there are some opportunities on this site and we would like more time to continue to work with the residents and see if we can come back to you with an agreement like that. We have also agreed, and I have a letter that I distributed, I think, to most offices, although I don't know if everyone has received it, that during the time between now and that -- and that next date, we would not submit any new applications, we would not submit, we don't have a site plan we're working on and we would not raise rents or displace any residents without cause or anything like that, we just want the time to continue some negotiations.

[8:04:06 PM]

>> Mayor Adler: So does that list include maintaining the status quo in all respects, all material respects?

>> Yes.

>> Mayor Adler: Okay. How's that enforceable?

>> Well, that's a difficult thing to enforce, as far as I know. We have a letter signed by the property owner, who's here. I don't -- I'm open to ideas you have other than writing a letter and signing it and making that assurance to you.

>> Mayor Adler: Okay.

>> Casar: Mayor?

>> Mayor Adler: Discussion on the postponement? Yes, councilmember Casar.

>> Casar: Is it true or not true, I've heard but haven't had a chance to hear from y'all, did you file anything on this

>> A subdivision application.



>> Casar: What's the reason for

>> To have an alternate route if these negotiations are not ultimately successful, potential route toward retaining the entitlements that we have today.

>> Casar: And so retaining the entitlements that you have today would mean building something that's not a mobile home park where residents currently recite.

>> Potentially.

>> Casar: Which would mean displacement of those existing home residents.

>> Potentially.

>> Casar: I would just like to hear before we vote from the residents who are here, their thoughts about that.

>> Mayor Adler: You were cut off. Did you want to say something?

>> I just wanted to say that I think what's important about this conversation and about that subdivision application is that this initiation has happened, obviously, by the city. Again, the property owner has had these entitlements to gr-mu he has today, he worked with the city through the neighborhood planning process. At that time, along with all the other things that happened, at that time he has had a potential future project in mind that is gr-mu, or something like that. He's obviously not been in a he's had these entitlements since 2005 and he hasn't redeveloped the site, but he is interested in retaining those, those entitlements, and so, you know, again, the idea is not -- is not intentionally to build a project to displace the current residents but to keep all options on the table, including a valid petition and including these negotiations to try to retain that future possibility.

[8:06:16 PM]

>> Mayor?

>> Mayor Adler: Still questions? Yes, mayor pro tem.

>> Garza: When was that subdivision filed?

>> It was filed yesterday.

>> Garza: And so, mayor, I would prefer we vote on the postponement. I will not support a postponement. I'm disappointed in what has happened between yesterday and today and discussions that seem to be happening in good faith, and then a subdivision was filed yesterday, as well as a valid petition. So I would prefer we vote on that postponement and then -- I hope my colleagues will support not postponing and going forward with the case, and then hearing from -- they have agreed to consolidate to about three, those four, the mobile home zoning, to hear from them and -- on wanting to all be zoned mobile home.

>> Mayor Adler: Okay. And we will definitely vote on the question to postpone first. Councilmember pool?

>> Pool: I was just wondering if there was an interest if we move forward, if we move forward just on first reading, so that we could allow this to develop and see what the state of the tenants might be, the folks who live there, and if there are any -- if there's any movement, positive movement in that direction. So just put that out there, that perhaps if we do move forward, that it would only be on first reading.

>> Mayor Adler: Okay. Mayor pro tem?

>> Garza: My office has considered that, but nothing takes anything off the table if we do what we -- what -- if we rezone this mobile home, which was in line with the policy that started all of this, they can continue to negotiate with the residents and bring back a zoning case that is what the applicant is asking for. But nothing stops the negotiation and nothing takes anything off the table. There's still the opportunity to have those negotiations.

>> Mayor Adler: Would you Tracy that last point?

>> Sure. That is absolutely true. There's nothing stopping us from coming at any future time, obviously, to request a rezoning.

[8:08:19 PM]

I think that why -- the reason that it would be, in my opinion, in everyone's interest to negotiate this now is because we are all at the table, as a result of the city-initiated change. If this property is rezoned back to mobile home -- I'm sorry, not back to, it was originally single-family, the whole site was originally single-family, a portion of it was zoned to mobile home in 2005, this front portion, in 2005, if the front portion is zoned to mobile home now, it will continue as a mobile home with the tenant protections that are in place today, that are the same under gr-mu as they are under mh because there anus existing mobile home park there, and no -- no protections would be locked in, potentially, until the time that the property owner comes forward with a project, and therefore, with a rezoning. What I'm talking about here is the ability to potentially negotiate protections for those folks, things like long-term leases and rent control, that would start now, not necessarily start at the time that a new project is coming and a rezoning is being put in place. It is in our interest to keep that potential zoning and keep that potential project and also to provide things for the folks that live there today between now and when that project actually happens.

>> Mayor Adler: Further questions? Okay. Thank you. Let's go to the next speaker.

>> I've got a quick question.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: So is mobile home an acceptable use for the current zoning or was it just something

>> It is, I believe legal, non-conforming.

>> Ellis: Okay. So it's just not conforming. I was just curious because it seems like maybe the owner is having a housing product that is accessible to people right now, and if they wanted to do something with it in the future, like vertical mixed use, that's still in line with what we as a city are trying to do on corridors trying to -- trying to do on corridors like this. They're still trying to do something that's a vertical mixed use with locked-in affordability.

[8:10:23 PM]

So I just think that's interesting.

>> Thank you.

>> Ellis: Thank you.

>> Mayor Adler: Yes, councilmember pool.

>> Pool: I just wanted to -- Ms. Bojo, in line with what councilmember Ellis is asking, if it were to go vmu in the front, then the people -- is it true that some of the tenants that are currently in mobile homes would then be able to live in those -- in those units?

>> Yes. The proposal that we've -- that we have sort of started with, that we've been talking about, would be -- and this is broad strokes, this is -- there are many details to figure out, which is why we're asking for some more time, but the sort of general idea that we've talked about would be at the time that a project is ready to redevelop on that front portion, those folks that are living in the -- I'm not looking at my notes, I think it's 13 rv's and four mobile homes, or -- and maybe one single-family house - - I'm sorry, I can give you those numbers for sure, but whatever it is, that number of people could potentially be moved to the back of the site. Now, that would have to be figured out, whether that's something that happens through some attrition, because, you know, there are folks that stay -- that have been at the mobile home park for a long time, there are also lots that have turned over. It could be something where it's a longer game. Again, we don't have a project right now so we could have time to do something like that, through that path. But the concept would be that the homes that are in the front could be moved to the back while the project is under construction, and then when that project is done, we would commit to a deeper level of affordability in that vmu project than is currently required by the vmu ordinance. So I think what I understand is that these mobile home sites currently are around 40% or 50% mfi, so we would reflect that in the affordable units in the building, then we would give those folks first chance at those units. Now, some folks may want them, some folks may not, they don't have to move into them, but they would have a first chance at those units if they would like. And of course those units would be locked in at those affordability levels for 40 years, assuming it's a rental, like it's a rental today.

[8:12:30 PM]

That's kind of the big picture of what we've been talking about. We've had some conversations with folks. I think I can accurately say some folks are interested in pursuing that idea. Other folks have been talking about maybe, like, boyouts and compensation, that's also obviously on the table, at the time that a project happens. We just would like -- we would like some time to try to work through some of these details, if we come back to you in August and we can't work out the details, obviously you can zone it to mobile home at that time if that seems like the best path. But with a little bit more time, I feel like there's a real opportunity, not only to benefit some of the residents with some locked-in protections that they don't have today, but also to do that without having to -- to not meet some of the city's goals that we've set along these corridors, even as recently, you know, as the last few months, as far as density, both transit supportive density and market rate transit supported density.

>> Thank you.

>> Mayor Adler: Thank you. Does anybody else want to speak on the question of the inpatient -- the question of the postponement? For or against the postponement?

>> Hi, guys. You have a long day already and a lot going on ahead of you.

>> Mayor Adler: It is. Introduce yourself. You have three minutes.

>> My name is Ben Googins. How are you? Ms. Garza, nice to meet you. Hi, Billy. Good to see you -- Jimmy, I'm sorry, I called you Billy. Jimmy. I'm very fortunate to have been an Austin area for 13 or 14 years, I've been a business owner. I've known folks on the city council, personally. My ex partner, who has also lived in town for the same number of years, is a resident of the mobile home and I'm a resident of the mobile home. I'm going to show you all something you haven't seen before. It's a map of the 16 homes that are on the discussion tonight. There are 16. Okay?

[8:14:31 PM]

Of the 16, two are unoccupied. Two people don't want to talk about it. So now you're down to 12. I respectfully present to you a letter with eight homes requesting suspension until August 22nd. Eight out of 12, that's eight out of 12, I'm asking, why? They're right, this is -- it's a unique opportunity. Nobody asked for it. The initiative is probably -- it's great for 18 out of 19, it may be perfect. We at the front, in this park, that is the 16 homes, this is what we're talking about, we may have the opportunity now, not only to support ourselves but the people up at the top of the park. As other parks, some of these units are not going to move. They're not going to make it. As other parks, some of these people have been there for 16 years, 20 years, they have nowhere else to go. By going by mobile home right away, I feel like we're only going to get the same protections that the rest of the park has, and frankly, that's not very much. We might get a six-month notice that our contract is being terminated, and that's it. We have zero rent control, as everybody knows. We would be responsible for moving all of our stuff, and just like other mobile homes, there's little houses, there's just stuff. Right? I don't know if the owner is willing -- is worth negotiating with. I don't know the person. I don't know anything about it. We just learned about this when I went to the commission meeting -- commissioner's meeting three weeks ago. With all due respect, I contacted mayor pro tem with Garza's office and didn't hear anything back until

yesterday. That's unfortunate. With all due respect, the planning -- the neighborhood contact team never came and spoke to us. I only heard about that once I was at the commission. With all due respect, I've been holding meetings in front of my house for eight months. With all due respect, there are 16 homes that are going to be affected by this, four are not interested or not occupied, eight of those 12 people are asking for two months to find out, is this worth it?

[8:16:39 PM]

We can come back on August 22nd and I can say, you know what, y'all? Not worth it. Please, give us those six months. But beyond that, I don't think we need to rush.

[Buzzer sounding] Please give us the six months and I'm going to give y'all this map and letter tonight.

>> Mayor Adler: Thank you.

>> Thank you guys.

>> Mayor Adler: Anyone else to speak on the postponement issue? On the postponement. Come on down. >> .So the question right now is whether or not to postpone to August 22nd, and then if it doesn't get postponed, then we'll discuss the merits.

>> Can I speak? I ask that you don't -- I ask that you don't postpone it, that you vote today.

>> Mayor Adler: Okay. What's your name, please? Ma'am? I want you to state your name for

>> Okay. I guess I speak. Sorry.

>> Mayor Adler: That's okay.

>> My name is Rosie Munoz, around I'm a proud rv owner at 6111 south congress. I'm nestled in a beautiful 80 by 80 lot, with large oak trees that are over 200 years old. I am grateful that the city of Austin has initiated the proposed zoning change to reflect its existing use as mobile home and rv park. The park presently has two different zonings.

[8:18:39 PM]

The back part of the park is already properly zoned nhnp. The front part of the park, about 1.7 acres, is in question and has 14 rv's and seven mobile homes and the manager's home. This is the area that is directly impacted if not given the proper zoning today to reflect its current use. Without the mn-hp zoning, we could legally be displaced with a 60-day notice with no place to relocate our home within the should the owner decide to develop on the property, however, with the mh np zone, the owner would then be bound legally to give tenants 180 days' notice, that's six months, that they intend to apply for a zoning change and, hence, go through the proper application process for rezoning, including the city planning and zoning department, planning commission, and city council. This is our saving grace. These

180 days is what we need to absorb the news, to think through our options, to discuss with our families, and search for a new home. As the city seeks affordable housing, keep in mind that our mobile home park is 100% affordable to us. A number far more appealing than 10-20% that other complexes may have. Two development plans on the 1.7 acres, we will be displaced. There is no place to relocate us in the back of the property. Please vote today and preserve our vibrant, existing, and affordable community.

[8:20:40 PM]

Thank you.

>> Mayor Adler: Thank you very much. Thank you. Come on up.

[Applause]

>> My name is [indiscernible], I'm with Basta, we're supporting the tenants of the mobile home park and we're asking on behalf of all of us, asking on behalf of all the tenants not to postpone the vote on the items because the residents in Congress Mobile Home Park deserve to negotiate from a place they have more power, zoned as mobile home, not -- not being threatened by the owner to leave at any point. If they will negotiate with the mobile home zoning, they'll have more power to do it, more chance they will get a fair chance to negotiate with better conditions, and this is definitely going to help them -- going to help us all make sure they're not being displaced against their will. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Thank you very much. Does anybody else want to speak on the question of postponement before we come back up to the dais? All right. You all can go ahead and sit down, unless - someone else -- I'm just getting -- thank you. Mr. Cantu, do you want to speak to us?

>> Good evening, council. My name is Mario Cantu, I'm chair of the south congress contact team. You might have seen our backup inside the -- in regards to our support for the resolution in zoning. At that time, that's what we had on the table. We did some research, we went back and forth and looked at the matrix to see what would be the best, and this is what we understood would be the best part for that. We didn't have anything else on the table at that time, so that's what we stuck with. As you know, and as I've mentioned here many times before, as a contact team, we support real, affordable housing.

[8:22:44 PM]

You know, at the 40%, 50% mfi is very vital to us and to the city, and this is the only way that we can retain that. But now things have kind of changed and we have two elements on the table. The one element is what you just saw right now, and the other element to this is going to be -- being proposed

by a developer that's working with the landowner, also working with some of the individuals that live there that want to negotiate, either some type of relocation or some type of on-site possible renting or condos there in the future. So as a contact team, what I can offer right now is that I think it's going to be up to you as the city council to figure out what needs to be sorted out. You've got two big elements on the table. It's going to be a little at the end of the day, what I would highly suggest, that if a movement is going to be made for the developer and individuals to be working together with negotiations, that there's going to be a lot of guarantees coming down the pike, and that the logistics and everything is sorted out correctly and very thoroughly. That's going to be the most important thing, and I highly recommend if that's going to happen, that's what needs to take so that's going to be my suggestion.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Anyone else speaking on the postponement? You said that the property owner was here? Would you introduce yourself for the record?

>> Roger Maynard.

>> Mayor Adler: I don't know how the rest of the council is going to vote on this, but here's my question. I just want -- my sense is, is that I would be inclined to postpone this or do first reading, it doesn't make any difference to me, because I think from where I sit, I think that the property -- the tenants out there may have the greatest leverage now that they're going to have, and then if there was a way for us to end up with permanent locked affordability in this situation, that would be something that I'd want to support.

[8:24:57 PM]

I am concerned about whether or not you would take steps in the meantime to try and substantively change the status quo as it exists right now with anything that might impact the relative bargaining position or entitlement position involved, your representative said you wouldn't do that before this came back on August 22nd, if that's what the council decides to do. If that's true, I want to hear it from you.

>> It is true because, actually, I wouldn't even be here, we'd still be running a mobile home park, if you guys hadn't come to say you're going to change my zone that I've had for 13 years. I don't have any intention of doing anything right now, but I also want to preserve my rights in the zoning that's on there, and I agree with you, they've been -- we've been talking to the homeowners because they do --

>> Mayor Adler: We can talk about the merits in just a second, I just want to hear, is it true that if this gets postponed --

>> It is true. I won't do anything with the property until --

>> Mayor Adler: Won't do anything to change number I Nies

-- woodanything to change's anybody's entitlements on the position. If the council comes back, as you're negotiating with those folks, I would hope and suggest you wouldn't be threatening anybody, that they could lose their place on the property. Second, you would know that at least I would intend, and I would think if this does get postponed, that a unanimous or near unanimous council is going to zone it -- I mean mobile home as a default scenario, and I would be looking for, for me, guarantees of permanent and locked affordability on that property so that -- that's what I would be looking for as part of any deal. So any deal that you cut not only would have to create a buy-in by the people in the mobile home park, but would have to have the buy-in of people on the dais, and I just wanted you to know that's where I would be coming from in the event that this got postponed and you had that opportunity.

[8:27:11 PM]

>> Like I said, we wouldn't change anything.

>> Mayor Adler: Okay. Anybody else have questions? Thank you for coming.

>> Thank you.

>> Mayor Adler: We're now up to the dais for conversation. Mayor pro tem.

>> Garza: I have questions for staff. If this is postponed, could the applicant, regardless of what was said now, file a site plan that would compromise our ability, if negotiations break down, that would compromise our ability to go through with the mh zoning?

>> It would not compromise your ability to move forward with the zoning. It might compromise the -- it may allow the developer to pursue that will use that would not normally be allowed in mh zoning.

>> Garza: So there -- so that's what I'm concerned about, is a postponement or a first reading could provide time for a site plan to be filed -- I'm not quite understanding what the subdivision filing is.

>> Yeah. Obviously, the subdivision was filed with the intention of trying to protect some entitlement. The decision about whether it did protect an entitlement or not is a decision that I can't get into right now here, it's a decision that's made by something we call the 245 committee, the dsd department is responsible for, so if a developer tries to claim some sort of grandfathering, that claim would be taken to the committee and it's a group decision, so I can't say today whether that subdivision granted an entitlement or not. I can tell you, though, that when you have a zoning case or you have a pending zoning or you have an existing use or an existing permit for a certain use and the zoning has changed after the permit is filed or after the use is established, it becomes a legal non-conforming use, as opposed to a non-permitted use.

>> Garza: And so if this were to be -- if the postponement is denied and it is all -- goes on all three readings, the council could reinstate, if that would give -- the owner has said they have no plans to change anything anytime soon.

[8:29:25 PM]



Those negotiations could continue. And if a acceptable, you know, deal was made, the council could initiate a different kind of zoning; is that right?

>> The council could always initiate a zoning case, yes.

>> Garza: Okay. So, again, I'm opposed to a postponement, and I think it -- I really don't see a difference in the leverage, frankly. I just -- there were discussions that happened yesterday about promising not to file anything and give us time to negotiate, and then in the last 24 hours, not only was a valid petition filed but a subdivision was filed. And so I'm just concerned about any promises made before us today, and there's always the opportunity to come back and do what they have -- what they are -- what the applicant is asking to do.

>> Mayor Adler: So here's my concern, just to lay it out, because I understand what you're saying, and their ability to be able to ignore the letter and say they're doing something and fire their representative and the representative coming back and then saying, hey, that's what they told me and what could I say, and I'm no longer their representative anymore, is not enough. And I would like to ask a legal opinion. Chapter 245 asks for certain things to be grandfathered. Among those things that are not grandfathered are zoning rights. So I don't think that in this case the zoning, whether we gave zoning or not, would entitle them to those uses under chapter 245, grandfathered status. What they would be entitled is just a claim that any landowner would have in any situation, where they -- where property was downzoned, they could bring a taking argument now, except that you can't make a takings argument on a downzoning case. I mean, the law says unless there's detrimental reliance, and at this point by doing what we're doing, there could be no detrimental reliance with a valid investment-backed expectation, after 30 days when he's back up to the podium and we've expressed a desire to be able to move.

[8:31:37 PM]

So if you could speak to that for a second, if I'm way off base here, let me know, because if that's true, then I think that they can't really do anything in those 30 days. I think the most likely scenario happening otherwise is that we do multi -- we do mobile home, and then nothing happens, and the issue will come up a year from now, two years from now, four years from now. I don't know who's here now, I don't know what the status is now. So I don't know at that point in time whether there would, in fact, be locked-in stuff, but if we could -- if there is no real substantial risk, and if we could, in fact, get stuff locked in now because we've precipitated it and he's already in the action, that seems to me consistent with where I come from, saying I'm going to grabbed the locked-in entitlement, but tell me if I'm way off base in my initial premise.

>> You are not way off base. As a general rule, the 245 protections of chapter 245 of the local government code do not apply to basic zoning. As with any 245 determination, it is the team dsd and it is a nuanced and site-specific decision, but I think as a general rule, you're not off base.

>> Mayor Adler: Okay. Further conversation? Mr. Flannigan.

>> Flannigan: So I'm going to vote against postponement, and what the mayor pro tem said about future rezonings, maybe it's something the city would consider partnering with the property owner. I would consider that to be true on all of the mobile home cases that we're moving forward in this kind of action that we're taking broadly. To the mayor's point, though, we can't guarantee the actions of a future council, but I'm comfortable moving forward in this way, and I think that whatever community benefits there are from rezonings would apply in the future, too.

[8:33:40 PM]

>> Mayor Adler: Mr. Casar.

>> Casar: And I'm appreciative and comforted that our interpretation is that even if we postpone, we can keep people from being displaced, but the filing of the subdivision makes me fear that the other side, as was admitted, may not think the same thing. As was said, they think that they might try to retain the right to have this kind of development which would displace people. And so I think that's why we don't postpone, we do what it is we said we were going to do back in August, today, and the tenants and many of the residents who were there, save an exception, came and said that they are willing to negotiate and they can still negotiate, but now negotiate on more equal terms, rather than having things filed which we've heard from folks is worrisome. So we can give them that level of -- of being able to feel like they don't have a hammer hanging over their head while they're negotiating.

>> Mayor Adler: Further councilmember pool.

>> Pool: Mayor, I thought that your comments were really important and thought -- and I do think that you are actually offering or suggesting that the continued negotiations would provide greater certainty for the people who live there now than if we were to move forward. So I would be supportive of the -- should someone make the motion to postpone, I didn't know if you were prepared to do that, but I would -- I would be supportive of that. I would second that motion.

>> Mayor Adler: I'll make the motion to postpone so that we can have the vote, seconded by councilmember pool, and I'm making -- I understand what you're saying, and, you know, only hindsight will know. I just think that if I close my eyes and think what's the best chance that these folks will actually be living on that property in four years or five years or ten years or 15 years, I think we're deciding that action here, and I think the best way to ensure that they're there is for us to act now while we have that opportunity, and I'm just scared that with a desire otherwise, we're actually not going to be achieving result.

[8:35:55 PM]

But if the postponement fails, I'll be voting for the mh zoning.

>> Casar: I hear that the in the gray area, I cast my lot with the larger group of people that live there, on that is true fate.

>> Mayor Adler: I understand. Any further discussion? Those in favor of postponing, please raise your hand. Councilmember pool and myself, and councilmember Ellis. Those opposed to the motion to postpone? And councilmember alter, how are you voting? Against. The others voting against. The motion to postpone does not pass. That gets us then to the merits of the zoning request itself. I'll give the applicant the opportunity to speak on the zoning request if the applicant -- I mean the property owner, if the property owner wants to speak on it. >> Hello, mayor and council. I think I kind of gave a summary already so I'm going to go fairly quickly through the slides since y'all have a long agenda but please let me know if you have in I questions. We're here for 6111 south congress avenue. Here, you can see a map with the boundary of the entire mobile home outlined in -- the portion we're talking about here today is the yellow portion that fronts south congress, obviously the entire boundary is the mobile home park as it is today. This park is in district 2. It's about a third of a mile south of stassney. The entire park is 8.4 acres and the portion we're talking about rezoning today is about 1.76. Here you can see a little closer that that front portion -- here are the numbers. I believe it's 13 rv's, four mobile homes and the single-family home that the property manager lives in. Here we have the zoning map. So I think I already mentioned this was rezoned to the neighborhood planning process in 2005.

[8:38:00 PM]

It had been sf-3, the entire 8.4 acres had been sf-3 before in the neighborhood planning process. This is what was determined. This is what it looks like now. If you look at the Flum at large, basically all of south congress was designated as mixed use on the future land use map. The site has incredible transit service. We have an 801 rapid route, we have a frequent local route and we have even a night owl route, all within a quarter of a mile. You can see that it is on a future core transit corridor, again just about a third of a mile south of the core transit corridor that is south congress down to slaughter lane. I'm sorry, stassney is what I meant to say. Here we have the project connect map showing the Orange line and the future high capacity rapid transit. And here we have an imagine Austin showing it's on the imagine Austin corridor map. All of that again is to say that this is a place where we have planned over the years, some of that planning happened a long time ago, some of that planning has happened recently, but overall we have decided this is the place we want to put our density, both affordable density and market rate density, and that -- for that reason, I think we don't have to choose on this site. I think because of the the configuration of the site, there is a potential solution here that meets all of those goals, including the goals of this initiation, anti-displacement and affordable housing, that actually locks in the affordable housing, potentially even producing more affordable housing while supporting the transit goals of the city. Here is a summary of the site. And this is the overall site so there are 60 -- I believe 60 mobile homes total, on 8.4 abbey. The land is leased via the month to month leases and the homes are owned by folks that you're hearing from. Again, I think the mfi is 30 to 50% today.

[8:40:00 PM]

The current resident protections, as I understand it, apply the same way today as it's zoned gr-mu as they would do if it were future -- if it were to be zoned to mh. I believe the tenant relocation ordinance applies to mobile home park use or zoning, so I don't think that this -- these protections change. What does change, as I alluded to quickly earlier, is that we have an opportunity here to lock in some things right now. We have an opportunity to not just rely on market affordability of a mobile home park, but actually lock in affordable units, lock them in for a term. You know, we're at the table to negotiate lower levels than the vmu ordinance would normally require. You know, I really do think that things like long-term term leases than month to month and rent control are the kinds of things we could potentially come to agreement with. If we can't come to agreement, then we're still able to zone to mobile home. These are the kinds of things we talked about. I think these are very similar, these top three things, the resident protection things are the same kinds of things you saw on the petition that was emailed to y'all, so we are generally on the same page. It's really just about kind of getting through the details. But if we rezone to a mobile home tonight, those negotiations end for the time being. At a future date, certainly the property owner could come forward and ask for rezoning, there could be some negotiation, but that negotiation is not going to happen anytime soon because as you heard, he does not have a project that he's working on right now. So here's that postponement agreement, sort of laid out here. No changes to the status quo. And then the goal would be to come back to you on August 22nd with some stability and some potential protections that we would record in a covenant on the land so they would follow that land into the future if things were to change. So we are requesting postponement. As I think we've discussed, first reading would also get us there.

[8:42:02 PM]

It wouldn't close the door, if you only approve it on first reading, we would certainly continue to have the conversations with folks and see if we can work toward a solution that works for everybody. Thank you all for your time and let me know if you have any questions.

>> Mayor Adler: Okay.

>> Renteria: , I'd like to ask staff a question.

>> Mayor Adler: Go ahead.

>> Renteria: What does first reading get you anyway?

>> One-third of the way there.

[Laughter] It just means the council is vested, they'll come back for a second and third reading at a date in the future. Usually we leave that up to the applicant, but in this case since the city is the applicant, I would guess we would bring it back whenever the council directs us to.

>> Renteria: So whenever you have a first reading, can they submit a site plan or --

>> Yes.

>> Renteria: They can.

>> Yes.

>> Renteria: Thank you.

>> Mayor Adler: Okay. We have some people that have signed up to speak on the merits. I can either keep us on the dais or I can have them speak. People want to speak first. Yes, councilmember alter.

>> Alter: I have a question for staff. So as I understand it, unless we rezone the property on all three readings or -- then the tenants would have -- sorry -- only if we rezone the property on all three readings, the tenants would have relocation rights, anti-displacement rights that could be enforced by the city? Is that correct?

>> I believe so, but I'd actually have to defer that question to the neighborhood housing community development department they're the ones that were in that program.

>> Alter: Okay. Is anyone there from that?

>> I don't see anybody in the room.

>> Alter: Okay.

>> Mayor Adler: Okay. Councilmember pool.

>> Pool: I also want to know if -- if we don't postpone along the lines of protections and leverage, is it the only thing that the tenants at this point would get if we move on all three readings, is just six-month notice?

[8:44:04 PM]

Is that correct?

>> I'm not sure. I guess that would get to the tenant relocation ordinance, which I'm not familiar with, plus whatever is in their leases. I do know that to be a mobile home park, by definition, it means that the people -- they may own real property, they may own the mobile home or the rv, but the landlord owns the lots. They're not individually owned lots. So there's always a tenant-landlord relationship in a mobile home park.

>> Pool: Yeah. Mayor, it does seem to me that we're losing some leverage with this -- with this path that we're on. I saw Ms. Bojo come up. Maybe she could answer my question, as far as the leverage for the city, and I realize you are not -- you know, you're not an agent for the city, you're representing the other side, but you have the unique position to be in the negotiations. And is it true that the only -- the only real game that the tenants have at this point is if we move forward on this with three readings, a six-month notice?

>> So --

>> Pool: I'm happy to be

>> No, I have the tenant relocation notice here, or I'm sorry, ordinance here, and I'm not an expert in this organs, but my read of -- this owners, but my read of it is that a mobile home park use or zoning -- you know, a mobile home park, whatever the zoning is, is subject to this ordinance and that means that they get 270 days' notice, if a site plan is filed or a change of use permit is submitted. So my understanding is that the city protections are -- again, if anyone can correct me if I'm wrong, but that is my read of this ordinance. So that is why my feeling is that if they are zoned mobile home right now, this is still the protection that they have, but we have an opportunity here to increase those protections even before a project is on the table.

>> Pool: That was my feeling as well. Thank you.

>> Mayor Adler: My sense, councilmember pool, is -- I mean, you and I agreed on that, but my sense is we lost that vote.

[8:46:04 PM]

>> Pool: I just wanted to maybe shine a little bit of additional light on what we may be leaving behind, but I agree, we lost that vote.

>> Mayor Adler: So having lost that vote, I'm going to the zoning change now, yes, to a mobile home because while I think it's the second best way to treat tonight's action, I think that we should begin with the beginning. You is a you the property and there's a public interest in our city in having these kinds of places and facilities available.

>> Pool: And I don't disagree at all with any of that. It really was the tenants that are living there that I was most concerned about.

>> Mayor Adler: We have some people to speak from the public. Do we want to go to them? Mayor pro tem.

>> Garza: Sure. I appreciate the desire to shine a light for us, but with all due respect, why would the applicant be arguing for a position that gives the people asking for the opposite leverage? I mean, it's pretty obvious that those who are wanting the leverage are saying just zone it nm. The organization representing the residents said this gives them the leverage. But I'm ready to hear from the speakers.

>> Mayor Adler: Okay. We have people to speak on this from the public. Is Jennifer Salazar here? Do you want to speak to us?

>> Hello, everyone. My name is Jennifer Salazar. I'm actually a -- I live in the north Lamar mobile home park that has already been sold for mobile homes and I am very grateful to Mr. Greg Casar for bringing this issue to the front of the house here. And what I wanted to say is that we have now been zoned for just mobile homes, and I know that at least for myself and the community there, there's members that have lived there for over 30 this has been the place that they call home, and they definitely do not have the resources or the space to move elsewhere, and I believe that this is the same situation that the

residents from congress are in, as well as I don't understand why there's so many things happening for them tonight, move forward with the zoning.

[8:48:26 PM]

I think that if nothing is going to change and if the owner doesn't have a plan to, like, change it into anything else, why not move on with the zoning for mobile homes and give the members of that community some -- what would you say, some peace of mind that nothing is going to happen to them, that they're not going to have like a place -- they don't have to think of where else to go, this is a place they call home, they can stay there, and I think they deserve that chance to stay there and keep calling it home, just as well as, like, the north Lamar members, and we're going to stay there, and if people think that the place can be bettered or right now it's not at its best, I think they should have the opportunity to try to make their community better, but I don't think they should be brought down and be told that they have to move out of there tomorrow or whatever it may be. Like if they've been there for so many years, they should have the right to stay there. And I don't think that the owner or the lawyers right now can be trusted, just by what is happening or what happened yesterday. I don't think that their plans to come up with a plan for the members of the congress, Lamar mobile home place, is going to go well. So I think the zoning is very important for them now, and if it already happened for my community, I would be so happy for them to be able to stay there and continue to call it home.

>> Mayor Adler: Okay.

>> Thank you.

>> Mayor Adler: Caroline velardy.

>> Hello. My name is Carolina velardy I want to mention two points. There's no room to relocate rv's or mobile homes to the back because 99% -- the park is 99% full. In addition to that, in case residents are interested in negotiating, we can start negotiating tomorrow with mobile home zoning. There's no connection between our zoning and our ability to negotiate. That being said, as I said, I'm here to -- representing my family and the congress mobile home park tenants association.

[8:50:28 PM]

I would like to ask the council to vote for rezoning to mobile home. My parents have lived in lot 16 for 26 years. My sisters and I were born and raised in this park. We live in the front part of the park, but the council is voting on today, understand is the area most affected by your decision. I believe rezoning to mobile home will provide my parents more security because it protects them and my community from the owner wanting to proceed with any project without our input. My parents love their community because it's secure, peaceful, friendly, affordable, and convenient. My parents who are 66 and 76 years old, are comfortable at congress mobile home because they are familiar with their surroundings, short travel time to work, nearby medical services, shopping centers and transportation, all of which are of

low gas expense. When I was a child, my father would ask his supervisor permission to pick us up from school because there was nobody else who could. On some occasions, his supervisor would get mad and he told my father once, "I don't care about your family. They are not my concern." The proximity to school allowed my parents, who are hard-working individuals, dedicated to their job and family, to take off at least one worry off their shoulders as they knew that they could walk home safely. Just like my parents, in congress mobile home park, there are many working class families who are unable to pick up the children from school because their employment does not allow them to and are relying on the proximity to school that allows their kids to walk safely back home. If forced to relocate our community, all working class families will sadly lose access to our basic needs, education, employment, medical services, and our peace of mind. We live happily here. It is our home and we want to continue calling it our home. Therefore, on behalf of the tenants association, I ask you to rezone the front part of congress mobile home to mobile home as it should have always been.

[8:52:29 PM]

Our future lies in your hands. Thank you.

[Applause]

>> Mayor Adler: Linda grant?

>> My name is Linda grant. I live at congress mobile home park, lot 6, and I support rezoning the park to mobile home. I fear that my neighbors could lose their homes. Some have been there over 30 years, and it would be very hard for them to relocate. I am also concerned for myself. I love the park. It's home. Kids can play here and parents don't have to worry about their kids. We have privacy here, and it's just quiet here. Everybody gets along. This is why I would like to stay here and to keep the park as it is, and I'm asking you today to vote for mobile home zoning.

>> Mayor Adler: Thank you very much.

[Applause]

>> Mayor Adler: I'm going to call up some of the other speakers now. Sabrina. Is Sabrina here? What about Mario Cantu? Mr. Cantu, do you want to speak again? While Mr. Cantu is coming down, is Roger Maynard here? Roger Maynard? You would -- why don't you come on down if you want to speak, you're fine. Is Jacob abroobitz here? Okay. Mr. Cantu, go ahead.

>> Thank you. Mario Cantu, chair of the south congress contact team. I'm glad I was able to hear everybody speak on both sides, both ends. I think the only thing I can sum up right now, I think it's really important that we're looking at two things happening.

[8:54:36 PM]



We're looking at individuals that have a very good income, mfi affordable housing and they want to just live where they're at. We have some others that maybe want to make things better for where they live. But at the end of the day, I think this is what needs to happen. There needs to be engagement with the community that lives there, the individuals, the residents, and the property owner. I believe that those two need to engage and have somewhat of a conversation. That's important. The reason why I say that is because both individuals have been dedicated to each other, I think, for a very long time. University tenants that paid him to live there, and vice versa, so there's commitments on both ways, and I believe that if those two engage with the residents and the owner, there could be some very good and powerful information coming from each other, and I think things can work really well with them in the future. Thank you.

>> Mayor Adler: Thank you. Those are all the speakers we have. Is there a motion to approve these items, 132, 133? Mayor pro tem makes the motion. Is there a second? Councilmember Casar seconds. Any further discussion?

>> Garza: A all three readings?

>> Mayor Adler: All three readings, closing the public hearing. Any further discussion? Let's take a vote. Those in favor, please raise your hand. Those opposed? It is unanimous on the dais with councilmember pool off the dais. Let's go to the next one.

>> The next item is 1423, snap 201-9005, an amendment to the montopolis neighborhood plan, change if single-family to higher density single-family. The planning commission did vote to deny this change. This was a city initiated change that went along with two other mobile home zoning cases that you already approved back earlier this evening, those being items 143 and 144, and with that I'm available for any questions.

[8:56:42 PM]

>> Mayor Adler: Okay. Is the property owner here? Is there such a thing in this case?

>> There is. Susana a Almanza I believe is the only person to speak.

>> Mayor Adler: Is there anyone else here that wants to speak on 142? Anyone that wants to speak on 142? Is there a motion on the dais? Councilmember Casar.

>> Casar: I'll move to make the Flum change to mobile home.

>> Mayor Adler: I'm sorry?

>> Casar: I move to make the Flum change to mobile home as the item --

>> Mayor Adler: The motion is to approve the -- approve the Flum change. Is there a second to that motion? Councilmember Renteria seconds that motion. Any discussion?

>> It's to move the Flum to higher density single-family.

>> Mayor Adler: To approve the change, not remain the same.

>> It's change to higher density single-family.

>> Casar: So there was opposition to making it mobile home.

>> In the montopolis, the contact team was opposed to the Flum change but they supported the zonings y'all already approved. This is the Flum change to match the zoning.

>> Mayor Adler: It's been moved and seconded. Discussion? Councilmember alter.

>> Alter: So can you tell me what the planning commission said about the Flum and whether changing the Flum is necessary?

>> Legally it's not required. It's similar to discussion we had two Thursdays ago, twin liquors. But in order to -- since the city directed us to initiate the mobile home zoning cases, in this particular Flum, higher density single-family is the category you would use for mobile home but there is no requirement that the Flum match the zoning, as we discussed last council meeting.

[8:58:43 PM]

The planning commission voted to deny the request. They heard from the representatives of the montopolis plan contact team.

>> Alter: Are you able to -- since they were not able to stay, are you able to share a little bit about what the argument was?

>> I think the argument was, when they did their neighborhood plan, they thought this area was appropriate for single-family. They're sympathetic to the mobile home issue we've been discussing here tonight but they felt they wanted to keep what they decided with the neighborhood plan, which single-family, even though it's a mobile home mobile home park today.

>> Mayor Adler: Moved and seconded. Further discussion? Let's take a vote. Those in favor of the change please raise your hand. Those opposed? Any abstaining? Councilmember alter abstains, others voting aye. Councilmember pool off the the change is made. Public hearing is closed.

>> Last one is item 146 --

>> Mayor Adler: That was all three readings.

>> 146, c14-2019-0007 more the property located at 7307, 7311, 7403 east Riverside drive. Existing zoning is erc proposed zoning is mobile home zoning. This is a city-initiated case. Staff recommending approval and the planning commission forwarded it without a recommendation. The applicant on this case is also requesting postponement of this case, as is the montopolis neighborhood plan contact team, to your August 8, or 22 agenda. Both the owners' agent and montopolis plan contact team have both said the eighth or 22nd is the preferred postponement date.

>> Mayor Adler: Okay. Let's have a discussion on the postponement issue. Does anyone want to address the postponement? Come on up.

>> Good evening, mayor, council, Amanda with Drenner group here this evening on behalf of the owner of the comfort mobile home park.

[9:00:53 PM]

We respectfully ask for postponement to August 8 to allow for additional time to continue working with the residents. At this point we have met with and achieved support of over 80% of the residents to create a new mobile home which would allow for relocation of the existing residents, either their existing homes or purchasing new homes if the homes are not able to transfer. So we would, again, respectfully request additional time. We do have property under contract that's within 2 miles of the existing mobile home park and have support of the Montopolis neighborhood plan contact team to have these additional conversations, as well as the tenants that we've been working with. I'm happy to answer any questions on the postponement or discuss more.

>> Mayor Adler: You've submitted from the owner saying you're not going to do anything to change the status quo materially in any way.

>> Yes, sir, the owner is here and can speak to that, we would not submit any additional applications on the property until after the hearing at city council nor make any material changes to what's on the ground today.

>> Mayor Adler: Okay. In this case unlike the other one everybody wants it, so -- so it appears.

>> Casar: Mayor.

>> Mayor Adler: No?

>> Casar: No.

[ Laughter ] I think this is the same as the last situation. If we want to hear the merits I have great respect for you and Mr. Drenner and Ms. Bojo but I think we're in the same situation. I can explain why - you.

>> Mayor Adler: Tell me if it was represented to us unlike the last one, the neighborhood association, contact team are supporting nine postponement.

>> Casar: My understanding is the contact members don't live here. My office contacted some of those individuals and we asked them what the conversation was like and what they relayed back to my office, which may be different than what they related to you, they were told you're gonna have to leave, and so would you like to leave with some sort of negotiated package.

[9:02:59 PM]

Again, I think that if that's what the understanding from some of those people was it doesn't seem to me to be the kind of negotiation that I think possibly could happen if this was mobile home zoned, and then negotiation could continue. I'm not -- I didn't talk to every single person there so I'm just representing back to you what was trend my office from multiple people. That may have been a misunderstanding or what have you but in the end I think the same principle applies, that the -- that there's still can be negotiations and I hope your client still will negotiate with the residents and us voting this mobile home doesn't take any of that negotiating ability. I understand you might disagree with that but my hope is you still engage in negotiations in good faith but without anybody being worried about they might have to take a deal because they might have to leave.

>> We do have several members of the community here you'll see are signed up against this rezoning that are requesting postponement tonight as well as property management that can speak more towards that postponement request on behalf of several of the community members.

>> Mayor Adler: Let's ask that question. Is there anybody here from -- other than the applicant that would like to speak on the issue of whether or not a postponement should be granted?

>> Good evening, my name is

[ saying name ], and I along with my husband, angel, are the on-site managers at comfort mobile home park. And we have had, I can say, two meetings with the tenants there at the park, and have presented to them a proposal of the oppositions of the -- of what the owner has proposed to them, to relocate comfort mobile home park. They are want to go relocate to Shaw lane, which is off of Burleson road, and the tenants that I have spoken to and, like Amanda said, it's about 80 percent of them, they have said that they would like to see comfort park moved to Shaw lane, so they would like -- they would like for you to postpone from rezoning and let the owner work with the tenants on the relocation.

[9:05:38 PM]

Being there at comfort mobile home park for -- I've lived there for more than 24 years. I've been management with artesia for going on four years. Where we reside as it is now, all the new development, all the new hotels, 71 being as bad as it is, Riverside, the traffic is bad, it's not going to get any better, and there have been, I can say -- a lot of our tenants that have been in accidents there in the entrance of comfort mobile home park because they want to cross Riverside drive. So that is why we would -- I would like -- we would like to -- for you to postpone the rezoning and --

>> Mayor Adler: Thank you.

>> -- Work with us.

>> Mayor Adler: What was your name, please?

>> [ Saying name ]

>> Mayor Adler: Thank you, ma'am. Does anybody else want to speak on the question of the postponement or not? Anyone else? That then brings us to the dais.

>> Renteria: Mayor.

>> Mayor Adler: Yes.

>> Renteria: Can I -- I would like to ask, is there anybody else from the comfort mobile home in the audience? Can they raise their hands or. . . Thank you.

>> [Off mic]

>> Councilmember, there are a few more that are still out that have children or were out for capacity reasons. He's waving at you.

>> Mayor Adler: I'd move to postpone this matter until August 8. Is there a second? Councilmember pool seconds that. Any discussion on the motion to postpone?

>> Harper-madison: Yes.

>> Mayor Adler: Councilmember harper-madison -- councilmember Casar.

>> Casar: You know, I think that this is a difficult situation just like the last one.

[9:07:40 PM]

In this case I, again, would hope no matter how this goes those negotiations continue so we can get the best outcome for the residents. Again, I think we would be on the strongest ground by having the mobile home zoning and then be able to negotiate whether you want to stay there or go somewhere else. And so, you know, from the conversations my office had with people asking them honestly what options they were presented, what was relayed to my office was the options presented were not as equal as I would have liked.

>> Mayor Adler: Okay. I understand the chambers are capacity. I don't know if there's someone who would like to speak to this item but is not in the chamber and is listening to it out there. But if anybody outside of the chamber right now couldn't get in for capacity reasons and wants to speak to this issue, I would urge them to come now and we'll figure out a way to get them into this room.

>> Harper-madison: That was gonna be my question, mayor Adler. I think this one, unlike some of the others, is slightly more nuanced, and I would -- at the risk of applying any pressure to anyone, I'd really like to hear from a resident. I really appreciate the last speaker, but given her capacity, you know, as a manager, I'd like to hear from somebody whose exclusive capacity is a resident of the mobile home park, if that's at all possible.

>> Mayor Adler: Okay. Do you want to introduce yourself?

>> My name is [ saying name ]. I've been living here for

[indiscernible] Years. I want to move because I have four kids. The traffic is bad for my kids to play outside. They cannot play. Traffic is crazy. When we try to turn to Riverside we can't. A block away or something something is always happening.

[9:09:42 PM]

So for us it's better to move out to a different place that the manager is offering a safer place for because there's no playground, there's nothing in there.

>> Mayor Adler: Okay.

>> And I have four under the age of 18.

>> Mayor Adler: Thank you. Actually were there other people outside trying to get in or no? Thank you. We're okay? Further discussion?

>> Renteria: Mayor.

>> Mayor Adler: Yes.

>> Renteria: This is a very difficult one because of what they're offering is also a new area where it's further away from the congested area. Riverside is getting to that point where it's very dangerous road and that's the only access in and out they have there. And they're also offering, if the mobile home is still, that they're willing to pay -- to buy them a new one from 20 to 25,000, depending on their size of mobile home that they have and they're willing to freeze their rent if they're renting there for a whole year. So this is totally -- a little different than what we have been dealing with with the other mobile homes because, you know, I really -- my struggle right now is, you know, the bargaining and what they're offering right now is very great. And I'm afraid that, you know, we might lose that if we don't postpone it. I would like to have it pass on just first reading if it's possible. I know we're not making a site plan but the next meeting that we have we can always just pass it immediately with mh and what they have to offer, you know, I -- I would hate to lose that.

[9:11:48 PM]

So that's my position right now. I'm very concerned because of what happened on the previous, where they submitted a site plan to -- I think this just might be a little different than that. But what are they entitled Jerry, can you come up here? This is a transit area, isn't it?

>> Yes, east Riverside corridor plan.

>> Renteria: They're entitled to 60 feet right now. Is that correct?

>> I'd have to go back and look at the specifics for this tract but generally speaking they'd be entitled to probably about 60 feet, allowed for mixed uses.

>> Renteria: Anything else would be a bonus where they would have to build affordable housing.

>> Correct, yes.

>> Renteria: That's the whole thing that's concerning me, is that if they would do it, I don't think they would decide to limit it at 60 feet. I think they wanted to work with their tenants because just the benefits that they have, just being in the Riverside corridor, it's a high transit area, so I would like to -- if I can get a second, I don't know if I can, but pass it on -- pass it on first reading and have it come back.

>> Mayor Adler: Okay. I have no problem withdrawing the motion to postpone and changing it instead to a pass on first reading only. Whether that won or lost. Does anybody have any objection to substituting out those two?

>> Pool: I was your second and I'd be happy to move my second to councilmember Renteria's motion.

>> Mayor Adler: That's fine. So what's in front of us now without objection is passing on first reading only. That doesn't pass we'll consider then passing on all three readings. It's like voting first on the motion to postpone. Councilmember Casar.

>> Casar: Mayor, while I'm still most comfortable moving with all three I could support on first reading with a couple questions for the applicant -- for the -- what are you?

[9:13:58 PM]

Because, again, I'm not saying this is because of fault of your own or anybody else's but because I had information when talking to folks on that petition with their phone numbers that they felt that they were -- weren't given all of the options mobile home zoning, not mobile home zoning, all of those different options, would you work with the independent folks that were working with the folks on south congress to make sure that there are some people with tenant representation experience to be able to sort of explain that piece to the tenants as well as you guys negotiate if we only go on first reading?

>> Yes, sir. One of the options that we have said in our package is coming up with a representative for the tenants that we would work with them so that everybody is on the same page before we come back.

>> Casar: And how upset are we allowed to be with you if you don't follow the letter that you sent us about the site plan?

>> Very, very. I have to see you all very often.

>> Mayor Adler: Is there a practical difference if it's postponed or approved on first reading?

>> No, sir.

>> Mayor Adler: Jerry, do you see a practical difference between those two things?

>> No, I do not. I'd ask you give us direction of what day you'd like us to bring it back.

>> Mayor Adler: I think August 8 was the date they were prepared to bring it back to us on.

>> Yes, sir.

>> Mayor Adler: Is the property owner here?

>> Yes, sir.

>> Mayor Adler: Sir, I would like a confirmation, as your agent, my understanding is that if we vote to approve this only on first reading so as to keep it alive for August 8, that you're not going to do anything to change the status quo position either entitlements on the property or the relative bargaining position of any of the tenants on the property, you'll maintain the status quo until the council had a chance to act on that.

>> That's correct.

>> Mayor Adler: Okay. Thank you. Thank you. Any further discussion? The motion in front of us is to close the public hearing and approve on first let's take a vote.

[9:16:00 PM]

Those in favor please raise your hand. Those opposed. It's unanimously approved. First reading only.

>> Casar: Mayor.

>> Mayor Adler: Public hearing closed. Yes.

>> Casar: I would like either the public hearing to be open or for us to be able to ask questions of a significant number of people when they come back.

>> Mayor Adler: That would let's keep the public hearing open because we don't know what the deal is. Is that okay? Without objection the public hearing is left open. First reading only. That gets us through all the zoning cases. Thank you. Let's move now to the homelessness issues. 184 and 185. I think the thing to do here on these is to stay on the dais and let's lay out what 184 is, what 185 is, let's let councilmembers lay out what the amendments are, not at length but just briefly enough to let the members of the public know the amendments that are gonna be put in play. And then we'll turn to what will be significant conversation. We have a little over 200 citizens signed up to speak. By our rules the first 20 basically more or less, ten on yes, ten no, 20 total will speak for three minutes. And then after those first 20 or so it will be one minute each. We have a couple people that have signed up in that first 20 as being neutral so I'll probably call two or three of those so they get to speak as well, I might actually call 23 people in that regard. Let's do that. Let's lay out 184 and 185. Because we're going to call the speakers at the same time on both of those. 184 was a motion I brought, real appreciative of the sponsor that's joint quite frankly, given the nature of what 184 is this, really could have been authored by anybody on the council because it really just sought to capture what everybody was saying on the dais.

[9:18:25 PM]



There is another item, the 185, that speaks to no camp no lie camping witnesses. This is the companion to that that says if we act in -- act in that regard, that we're also going to not only address -- we're not going to just address where people camp, sit or lie but take a look at where we camp. The resolution sets up immediate action. Manager and the new strategy officer coming immediately back to council in August to lay out consideration of ideas such as proposing reasonable time and place opportunities and limitations on camping, sitting, and lying. It also asks the staff to come back with noncriminal remedies or tools related to time and place limitations on camping, sitting and lying. Maybe there are things we can do similar to what we did with the sobriety center or things that we did relative to students, kids and curfew hour when we did away with those but still maintain the ability to get people to a better place than the one that they were found in. It also asked the manager to provide possible options for parking areas across the city that would allow for people to sleep in their cars. Right now a lot of homeless folks -- folks experiencing homelessness in the city, mothers and their children are sleeping in cars at the end of dead end streets, not a very safe thing to do, but to take a look at options we might have to provide safer places, places where there's more interventions with social service workers so we can get people into shelters or into supportive housing and off the street.

[9:20:26 PM]

Also looking at options for storage lockers, that kind of thing, providing for periodic updates. It goes on to talk about also, in addition to those things back in August, also taking a look at -- looking at all the plans and resolutions and the overall work that's being done in the city. So it's basically the charge of the -- of your strategy officer and then there's a paragraph that talks about trying to identify opportunities for shelters and/or camping areas, permanent or temporary shelters, all over the city, all ten districts that we talked about earlier when we took the action on the 174, 5, 6, 7 issues. Then it goes on to list a lot of other things, ideas that we would like you and your folks to take a look at, not intended to be an exhaustive list at all. But would be the kinds of things that we would want to take a look at. I guess what we're saying is, is that we have a very unique time in the city right now where we have a community will to actually recognize this as the highest priority challenge our city has, to take a look at this and recognize that no one element of this fixes this or helps this or secures this that, we have to be working across a whole wide range of options, and that we've done a lot of planning, we need to act and we're expecting things to happen now that we have an immediate challenge and need to move forward. That, generally speaking, is what 184 was intended to be. Anyone want to just daylight amendments they want to bring to 184 and then we'll turn to 185?

[9:22:32 PM]

Councilmember kitchen, go ahead.

>> Kitchen: I passed out a amendment, and this relates to -- I think it's your first be it resolved. As you said, the purpose of the first be it resolved is to analyze and recommend additional options for helping people who are living unsheltered, including the potential of that first bullet to -- considering ideas to propose reasonable time and place opportunities and limitations from camping, sitting, and lying. So I have language that adds a specific circumstance that I think is necessary to include in the consideration of ideas. And that -- that goes to the testimony that we heard earlier today. We heard from a lot of people in south Austin that are particularly concerned about activities that are dangerous for others under -- for themselves and others under the bridge at Manchaca and Ben White. I think it's absolutely critical that we demonstrate the interest in, in what we can do about that area. Basically we've got to do something about what's happening with camping in that particular area. So all I'm asking is that we put language specifically here so that we can let the people know who expressed their concerns earlier in the day and the people in those neighborhoods that I work with all the time, that we are going to have the conversation about what is going on in that area. So the language that I'm talking about, it says "Including prohibiting a person camping in a public --" this is for consideration -- "To consider including prohibiting a person camping in a public area underneath a highway overpass that is a median or concrete barrier designed to divide motor vehicle traffic in the same or opposite direction."

[9:24:53 PM]

The bottom line there is what is happening in that particular area is you have folks camping on the median in between lanes of traffic on narrow medians and that is just not -- that's just not a good place for anyone to be camping. There's also -- it's also next to the new transit center, so there are buses, large, big buses going right by where people are camping. Every 10 or 15 minutes. So I just think that that's an untenable situation and as part of identifying safe places where people can be, we should be specific that this is not a place that's safe for people to be.

>> Mayor Adler: Okay. Councilmember Tovo, I think you had also an amendment to 184?

>> Tovo: Yes. First of all, thank you, mayor, for accepting our amendments and incorporating them in, which included identifying some of the other resolutions but also the resolution -- or the amendment that Councilmember Kitchen and I came up with that indicated -- changed the language from identify places people can sleep to being very specific, please come back with options for at least ten, one in each council district.

>> Renteria: Excuse me. I don't have your copy -- your amendment. Did you pass them out?

>> Tovo: I did and for some reason we had 20 copies. I'm not clear on what happened to it. But right now I'm speaking about the amendments that we had provided to the mayor that he incorporated within the draft he distributed so, Councilmember Kitchen and I had worked on the passage on page 4 -- or worked on the idea that got incorporated into page 4 to have ten locations, one in each council district, but the important piece of that, mayor -- or another important piece of it was that it was intended to have a sunset provision in a year, and that didn't get reflected in your version.

[9:26:59 PM]

So one of my amendments, I guess, unless you want to just incorporate that into yours, would be to add a sunset provision within a year. And the intent here is that, you know, I don't -- I doubt any of us regard camping as an ideal housing solution. You know, these are -- this is intended to be an immediate response to an immediate crisis but not a permanent solution to persons experiencing homelessness camping in these locations. So the one-year time period is intended to really motivate us as a community to make possible a more permanent housing solution at the end of that year. Councilmember Kitchen, are you -- do you want to add to that piece at all?

>> Kitchen: No. I think you -- I agree. I absolutely support and agree with what you're saying.

>> Tovo: So our first amendment would be to kind of put that piece back into the mayor's. I had a couple other small things, mayor, on yours that we had a chance to talk about. And the amendment sheet that I handed out adds a whereas clause that talks about the funding that was made available in 2013 for capital renovations at the arch. Some of those renovations have been used, but about 200,000 roughly remains. Over the years intervening it's been discussed that that could help fund some changes on what is not really -- on the area that is outside the arch now but in the parking area. And so then the second piece of that would be to -- my second amendment would add a specific request that we look -- that we ask the city manager to look toward climate controlled storage lockers as well, but also to look at that first floor space that is adjacent to the alley for potential for storage.

[9:29:06 PM]

Right now there are lockers, but also some of the proposals that have been contractor I'm sorry I'm making this very long but the basic idea there have been multiple conversations about using that money allocated to really revamp that space, to improve the lockers, to increase the storage space but also provide a low barrier place for people who want to be out of the sun in that area during the day but not necessarily in the building to spend time. So that is the substance -- my second amendment. On the page I distributed you see one about the money, one about storage, and then there are a couple tweaks to the mayor's, including getting back in there that sunset provision and also just a clarifying -- a couple other small points within.

>> Mayor Adler: Councilmember Tovo, we're going to have probably at least two or three hours in that period of time if you could come up with the words on the claw on the deal that would be helpful. I just didn't have a chance to do that. And I hand it off to other --

>> Tovo: I think I had it in the original so we'll go back to the original we handed to your office and retrieve that.

>> Mayor Adler: There are some other changes I made to that as well so maybe we can take a look and talk to each other during the break. There were two other amendments you and I talked about that I just handed out on the dais, asked the city manager not just to create a plan but build on the worker

being done by others as well as by the city and I also had an amendment in response to what we heard from citizen communications today, where someone spoke about making use of third-party facilities. There was a request about buildings of faith, churches, and the like, and I handed out an amendment that takes that idea and also asks the staff to take a look at that as well. All right. I think those were all the amendments on 184. Councilmember Casar, do you want to address and lay out 185 and then folks can suggest amendments to that?

[9:31:13 PM]

>> Casar: Thank you for buying time.

>> Mayor Adler: I kept going until you stopped.

[ Laughter ]

>> Casar: So first of all, I want to thank everybody for coming out tonight and look forward to hearing your testimony. I want to thank my cosponsors, Delia, Natasha harper-madison, and Pio for being on this. I know you're all proud to be on it but it is also not easy to be on it so I appreciate that. Mayor, I appreciate the enactments you've offered last session and your steady hand as we've dealt with this. What is laid out before us are amending the three ordinances targeting homelessness, camping, no sit, no lie, and solicitation. There have been -- I'm not going to try to retread this ground too much but there's been questions about whether or not these changes would allow dangerous behavior or unsafe before or would allow blocking -- unreasonable block of the use of public space and the answer to each of those is no. There have been questions about whether or not these changes would allow people to be aggressive and the answer to that, no existing laws already prohibit threatening and aggressive behavior, but just to add even extra clarity we've incorporated the mayor's suggestion from the last public hearing that, further it continues to ban aggressive confrontation so the solicitation ordinance no longer is targeting folks asking for money, people in need, but rather just banning anyone, whether they have money or not, from aggressive or threatening behavior. So this would maintain all of our protections on health and safety. It would maintain all of our protections as far as reasonable use of public space, while no longer making it a criminal act for you to sleep in your car, no longer making it a criminal act for you to ask for money at 7:30 P.M., no longer creating situations where we can't point to what somebody has done wrong but we're calling it a criminal act and then those folks who too often have warrants because they are poor wind up in our jails.

[9:33:22 PM]

In summary, it is just a -- one more step and one more piece of much broader work that has to be done. Obviously things like the shelter that we moved forward on councilmember kitchen's district on earlier today, the shelter we cut the you ribbon on before last council meeting in east Austin that austinities passed. I think this is an important piece of us moving from dealing with homelessness through the jails

and instead dealing with homelessness through housing and services while maintaining protections for health and safety, for everyone, especially considering homeless folks are oftentimes victims of violent crime much more often than those of us lucky enough to be housed. I appreciate the diligent work here moving forward. I think everyone on the dais is united in protecting people's health and safety and trying to protect the constitutional rights of every person because making exceptions to people's constitutional rights hurts all of us. And the last thing that I'll say is I know that there are folks that might disagree with me on this issue. I hear those disagreements. I understand them. I'll keep hearing them. But I want no matter what happens tonight for us to continue moving forward on that goal of addressing homelessness because I think we all are all united around that issue. I also posted -- had posted on the message board some direction moving forward. What I'm handing out is almost entirely identical to what was posted on the message board, essentially it asks because people have questions about how this will go for the police department to track if we make these changes tonight how often tickets are still handed out, how often people are arrested for the new ordinances that really only focus on health and safety, and to continue to work with the stakeholders on these issues as has been promised. If we make these changes, we want to see how they play if they aren't working as intended or as community members want we can always continue to refine that.

[9:35:28 PM]

So thank you, mayor.

>> Mayor Adler: Thank you. I handed out an amendment to 185 and I appreciate you've indicated that you'll take this and make it part of the base motion. Obviously we've been going back and forth with a lot of stakeholders and the language on 185 and I appreciate that it's significantly different now than when it was originally laid out for public comment just under a month ago. And that you are willing to take some of the suggestions came from my office, from other people on the dais, addressing some but certainly not all of the concerns that some of the other stakeholders that were involved in the conversation, like the downtown Austin alliance and the crime commission, recognizing they still have significant reservations that I'm sure we'll be talking about here. But the last change here that I've handed out, amendment 1, amendment 2, would change the request by chief Manley to the language relative to notice, and I appreciate that you've indicated you'll take those and make those part of the motion that you -- that you

>> Casar: Could I make sure I have a copy of one of those?

>> Mayor Adler: Go ahead.

>> Casar: Sorry, I thought it was two pages. But, yes, we'll incorporate this as base motion.

>> Mayor Adler: Sounds good.

>> Casar: Are there other amendments so when people testify they know --

>> Mayor Adler: No, no. Any other amendments to 185? Councilmember kitchen?

>> Kitchen: Potentially. The amendment that I laid out for 184 relating to the area under the highway overpass that has a median or concrete barrier, where the motor vehicle traffic is going in both directions, I've proposed it for 184, but if council doesn't feel it's appropriate in that one then I will ask for it to be considered in 185.

[9:37:33 PM]

>> Mayor Adler: Okay. Any other changes to the layout before we go to public speakers? Yes, councilmember alter.

>> Alter: I'm gonna want to hear from the chief. I can wait until after speakers but I think we should hear from the police chief at some point tonight.

>> Mayor Adler: We absolutely will. I thought we'd go to the public and he might be able to respond to questions or concerns or things that we've identified potentially after we've heard from the public speakers.

>> Alter: That's fine. I just didn't want us to get to the end of the public speakers and have anyone upset when I wanted to hear.

>> Mayor Adler: That's okay. The chief said he's in here for the long haul so he's with us. Help guide us through. With that then let's start listening to speakers on 184 and 185. Let's begin first with Pete Winstead. Is Allan -- is Mr. Winstead here, Pete here?

>> Off mic ]

>> Mayor Adler: No, no. Pete Winstead. Is Pete Winstead here? Okay. What about Corby Jastro? Is he here? I also want to make sure, I think we're at capacity in the building and the hall again, if there's anybody who hears their name called to speak, make sure that you work your way into here. We'll get to know the room. I want to make sure that no one who is here outside that's signing up to speak does not have the opportunity to be able to speak. What about Alvin Sanderson? Is Kimberly Levinson here? You'll be on deck if you want to come to the other podium.

>> Thank you, Mayor Adler and councilmembers for listening to me.

[9:39:35 PM]

I spoke with you about a year ago over this. I lived in the life experiences of being homeless. I'm 64 years old. And it's hard for me because of my health, because getting in that sun and walking and all that, it takes a lot to get around. For a number of years I've worked at a food pantry. I pass out food, and I'm thankful that I can do that for the people that don't have food. Even though I'm homeless it's not about me. Almost died because I was hiding during -- I got a camping ticket and I hid because the police officer told me to hide. Well, there's a lot of people out there that hide. And they get themselves

in situations that cause them to die. There's people that died behind these ordinances. One of them is named Suzie. Suzie is a 50ish woman, she has a young daughter, and she was living in the

[indiscernible] Park area. She was living in a tunnel. Suzie on may 5, Suzie died because she was trying to sleep in a tunnel. And the torrential flood comes through there and took her down, took her down to west Mary. Suzie didn't have to die. She was a good person. She surely didn't have to die because of a camping ordinance. Or to hide. Just to get a biological function such as sleeping. Another person that died behind that was named Sarah. Sarah in October of last year was brutally murdered.

[9:41:39 PM]

Her face was sliced up, and she was just trying to get in a situation to where she could sleep and feel safe. A lot of people out there want to be in light. The light is safety. There's a lot of things that happen to homeless people out there that are never reported. A lot of people are off the whatever their reasons is, it doesn't make it a reason to where they have to die because of it. And it's really just a horrible thing that goes on. Another person that died, his name was doc. He died may eighth. He was taken away down the shoal creek and landed up into town lake because he was trying to bathe. He was put in the situation to where he didn't have any facility to go take a badge, they had already closed.

[ Buzzer sounding ]

>> Mayor Adler: Do you want to go ahead and finish your thought, sir, since your time is up?

>> Okay. Another person was Steve -- Mike Mayes, on may three he was hit by a car. All these people were up in age, up in their 50s, and I'm 64. And it's hard to get around. It's hard to take notice of everything that goes onto where -- they wind up dying.

>> Mayor Adler: Mr. Sanderson, thank you very much for coming down and being with us.

>> Thank you for listening to me.

[ Applause ]

>> Mayor Adler: Okay. Now, my suggestion -- my suggestion to the group, to bring back councilmember Houston, we have over three hours of speakers even if they speak for one minute speech it's gonna take us -- it adds half an hour, 45 minutes to applaud after every speaker speaks. So what Ms. Houston had was kind of like jazz hands, and that enables us to move forward but also let's everybody give them a chance to say I really like what that person said but that will enable us to keep people moving to the podium.

[9:43:52 PM]

Is Cole coda here? You'll be at this podium. You'll speaker next. You have three minutes.

>> Hello, mayor Adler Kimberly Levinson, vice president of the downtown Austin neighborhood association. And I would like to say that it's tragic, the list of names that he just read, the people who just died from not having a safe place to camp. We agree with that completely. But we also feel that until you actually have safe places identified we don't understand why you're changing the ordinance. It would seem to us to be a little more prudent that you would have the city manager come back with safe places identified before you change the ordinance. We, however, strongly support more permanent housing for the homeless. Ms. Kitchen, I would love to say to you that I think that wonderful that you're stepping out to be the first person. We totally agree that every district should have a shelter in it. And the fact that you've been willing to stand up and be the first one, my heart goes out. Absolutely. I have a lot of respect for you for that because it can't be easy.

>> Kitchen: Thank you.

>> But in the meantime, I really do believe that we are going to have some very ill-effects from changing ordinance brothers we have new ones put in their place that protect people, and that make people feel safe walking around downtown Austin. There's been a number of incidents lately that have been pretty serious, and some -- many of them against the homeless, which is a serious issue. I am really concerned we're going to see more of that, that you're going to have some of our more unsavory drunks returning around sixth street that -- running around sixth street that take some of their rage out on homeless people and I'd really love to ask you to please make sure that you have more police to protect them. And in the meantime I would encourage you all to do everything you can to get more money for shelters. That's all.

>> Mayor Adler: Thank you.

[9:45:57 PM]

Can we have reverend Michael Floyd, is reverend Floyd no? Yes? Okay. You come down to the podium. You'll be next. Go ahead, Mr. Cona.

>> Good evening, mayor and council. My name is Cole Cuna, currently a sophomore studying business at the university of Texas. I wanted to start off by saying that I think y'all are doing great work here trying to address the issue of homelessness in Austin as it is such a prevalent issue felt by so many. I want to say that I fully support the changes that have been made to the solicitation ordinance, but I have significant concerns regarding the proposed changes to the camping ordinance. With the current camping ordinance in place, there's already a great general feeling of uneasiness and anxiety around west campus. For example, I lived in what was called the Calloway house last year, cat catty-corner to university Baptist semiconductor at that church occasionally there would be camps set up out there and on these occasions people would call me from chipotle from on campus, about a five-minute walk away, to have me help walk them back to their residence. This kind of speaks to the general feeling of uneasiness that already exists. Furthermore, I think that it is important that city manager cronk is allowed to come back with his proposed carve-outs for where camping will still be outlawed before these ordinance changes take effect. The reason I say this is because the proposed eight-week period that would be allowed for him to come back with his areas, that occurs during both new student



orientation and the beginning of the school year. At these times you have a very vulnerable new student population of incoming freshmen having to not only adapt to a new urban environment but also living on their own.

[9:48:01 PM]

Many of these students come from towns where there are more cows than people or where they live in the suburb of a suburn and having to adapt to this new environment while also having to live on their own go to college classes is a huge burden placed upon them. To wrap it all up I know this issue is incredibly nuanced and complicated and, again, I want to express my appreciation to y'all for handling this complexity so well. With that being said I think it's very important that city manager cronk be able to come back with his suggestion brothers these ordinance changes have taken thank you.

>> Mayor Adler: Thank you. Is Eileen Portner here? Why don't you -- Eileen Portner, why don't you come down here. Reverend.

>> Mayor, councilmembers, my name is Michael Floyd. I'm a leader of Austin interfaith and a member of all saints episcopal church and here on behalf of the clergy of Austin interfaith. We'd first of all like to express appreciation to y'all for your efforts to decriminalize homelessness in our city. We believe changes to current law being proposed tonight are a significant first step toward appropriate and humane treatment of those who are without housing. Austin interfaith clergy and leaders have long expressed concern about precarious conditions faced by people experiencing homelessness and about their treatment. During the elections last fall at our accountability sessions, we called on the mayor and city council candidates to address the negative impacts of these ordinances, that criminalize many of the everyday activities that people experiencing homelessness need to do to get by. Passing the proposals tonight moves us towards achieving that goal. Most of Austin interfaith churches have ministries that both serve and are affected by folks experiencing homelessness. Reverend Alford of the university united methodist church recently shared a stare in a statesman article.

[9:50:06 PM]

In order to avoid getting yet another ticket, Adam camped down in the creek bed out of sight, hiding. That night he was awakened by rain and sound of rushing water. The creek had risen incredibly fast and Adam was barely able to scramble out of moving waters. All of his longings were it is incidents as these that compel us to seek compelling -- we recognize we need to go beyond criminalization toward a holistic and compassionate response to homelessness in Austin. Austin interfaith electronics forward to working closely with city staff and council to encourage specific ways to ensure needed housing and support services for the most vulnerable among us. We firmly believe every person in our community should be treated with dig any and no family force today's sleep on the streets in dangerous conditions. Thank you.

[ Applause ]

>> Mayor Adler: Okay. Thank you. Is Lauren Sabowski here? Okay. Go ahead, please.

>> Good evening, mayor, mayor pro tem, and council. My name is Eileen McPhillips Portner, I'm the president of the downtown Austin neighborhood association. I'm also a practicing psychotherapist who spent a great deal of time working and volunteering with the homeless. Dana recently conducted a survey. Our survey of over 300 downtown residents, including many Dana members, indicated that approximately 50% of the residents listed homelessness as the most important issue affecting the quality of life downtown. Additionally, approximately over 75% were opposed to mending the ordinances. We asked them why they were in favor or opposed, and their responses included a range of diverse concerns and perspectives with a strong focus on safety concerns.

[9:52:16 PM]

Dana believes that the real solution to chronic homelessness in Austin is to provide adequate housing and shelter. And a myriad of social services to all who need them. We recognize this is a generational challenge and not a quick fix. We recognize the council's intent and action to take these steps to help our neighbors who must seek refuge outdoors and in public spaces. Nevertheless we share the concerns of many downtown residents that the proposed amendments of long standing ordinances enacted to protect our citizens and public spaces have taken place without a meaningful, robust discussion involving all stakeholders who have information and intent to solve these problems. We believe the solutions to the complex problems of homelessness will require a longer period of planning and input from thought leaders, government, and business. We believe it's important that we revisit our ordinances periodically and discuss and build consensus to modify them as appropriate, incorporating input and data. It's clear from the results of our survey that consensus on these ordinances has not been achieved. We urge council to preserve the dignity of all residents, help those in urgent need improve their quality of life day to day, with a focus on placing them in long-term housing. To bring the full resources and creativity of our community to bear in doing so and to communicate repeatedly to the public the scale of this challenge and our commitment to meeting and I really do hear tonight how committed you are. I'm really happy about that. We'll be publishing the survey response for public review with privacy redactions. We will include a summary page from the Dana board. The Dana board truly appreciates the work that you've been doing and the complexity of this task. Councilmember Tovo, your office has been working on a time for us to get together for a meeting. I'm really looking forward to our meeting so we can share our vision and commitment to work toward a vibrant, safe, downtown where all residents who live here day and night can feel safe and secure exploring our city, where families can feel safe, last thing, where families can feel safe strolling at night and those in most urgent need are assured the dignity of a safe haven, safe and secure home.

[9:54:40 PM]

>> Mayor Adler: Thank you.

>> Thank you for the opportunity to speak.

>> Mayor Adler: Thank you. Is Kim [ saying name ] Here? Why don't you come on down. You have three minutes. Go ahead.

>> Hi. I understand that the sentiment to --

>> Mayor Adler: State your name, please.

>> Sorry.

>> Mayor Adler: That's okay.

>> Lauren sabowski. I understand all the sentiment to oppose item 185 has grown out of a claim of the desire to protect one's children. Parents who send their kids to college in Austin probably come from an affluent area that does not encounter homeless people in their daily lives. It's understandable that this shock to the comfort bubble of an economically stable life is alarming. Unfamiliarity brings fear and fear encourages unfamiliarity. Therefore, the people who decide the homeless population is a threat based on stereotypes never interact with them to disprove these stereotypes. The homeless population is vilified and then ignored. I would encourage the people who are so fearful of this vulnerable population to actually strike a conversation with them. Instead of driving their the ordinances currently in place in Austin are not only inhumane in nature but enforce the idea that homeless people require policing. They perpetuate the fallacy in a any homeless person is a [indiscernible] To society. This is not the case and I can argue it from a personal basis. My mother with a homeless for a portion of her childhood, her mother a single mom working three jobs to support five kids but it was not enough. A common misconception about the homeless population is that they are lazy. My grandmother worked three jobs. They were still less. Do you know how hard it is to obtain a job when you don't have permanent address or reliable transportation? Those are some of the first questions asked. The whole system is against you. Despite these obstacles my grandmother persevered because unlike those in Austin my mom and her family were not criminalized, they were able to camp, sit, lie and solace Tate, do what they had to do to survive.

[9:56:43 PM]

They did not want to. They had to. Homelessness isn't about leisure. It is about survival. My mom's family survived in this way and were able to move into someone's basement. My mom shared a room with her mom and the five boys shared a room. I know I said earlier my grandmother had five children, had he took in another child despite her economic position because he had nowhere to go. These are the people you are criminalizing. People who have more hypothetically anti in their little finger than the ris of us combined. Must mother's story is one of success, the rare American dream. She got a college education and I will too. I don't know if I would be here today able to use my privilege to testify before you. I've been told my mom was the exception, not the reality. I've been told that most people who are homeless are alcoholics or addicts without families. I know this is not the case and I can also tell you that

if it was I would not care. The homeless population lives their lives criminalize. Imagine being so disregarded by society people don't even look at you and then being fined for where you sleep. And I don't care in one argument against --

[ buzzer sounding ] The homeless population is that of a [indiscernible] It should not matter if someone is an addict. That does not dismantle the humanity of a people. You should care about your humans because you, too, are

>> Mayor Adler: Thank you very much.

[ Applause ] Kevin foster available? Really, if we can do this, I promise you, I've been here before,.

[ Laughter ] In another three hours people are gonna wish we had done this. It's really -- it's kind of a neat thing to feel.

[ Laughter ] Is Kevin foster in the room? Is Kevin foster in the room? Come on down. You have three minutes.

>> I'm an advocate for the homeless and I work with the homeless down under the bridge.

[9:58:47 PM]

The council and some have asked the police not to arrest our homeless because they are homeless. They say we can't arrest our way out of this. I understand that. For years we've used our prison system as a holding tank for homeless law-breakers and the mentally ill without providing any services, and expensive revolving door which causes the homeless don't go deeper into homelessness and joblessness. I learned that Rhode Island is doing just the opposite and are delivering many from the despair of homelessness, addiction, alcoholism, and mental illness. They enforce their laws and provide on-site services to those who are incarcerated and have experienced success. When someone breaks the laws, they arrest, evaluate, and treat each person according to their right now we're turning a blind eye to what some of our homeless are doing, they were enormous to sleep, throw their trash, their addicts, mentally ill, et cetera. We need a place, and Austin compassion clinic/jail, to offer consequences and rehabilitation. I would like to propose strict laws that would enable us to keep our beautiful city clean like no camping in the city. However, I'm proposing we must first provide legal campsites for them to go. I'm proposing the city provide some state-of-the-art campsites around the periphery of this city with showers, bathrooms, covered campsites, police presence, and perhaps even a laundromat, free bus passes to and from, special services in the winter. I would also like to propose a citywide initiative that businesses and private citizens would allow the homeless to throw any trash they gather away, in their trash receptacles.

[10:00:53 PM]

We all want a clean city. Another strict law like in littering should link a \$500 fine to most citizens. The homeless may have to do some community service to clean up our city. These are the laws that I love. No camping, no littering. This is the city I love. Keep our Louis the same. Be soft until we get these resources in place. I'm a teacher. I start every year out with strict rules, and then I apply grace as we move and we grow through the year. L.A. Has relaxed their laws for the homeless and it's not working. Never let go of good rules, but make it possible to actually follow the rules. We live in a free country. You can set -- you can speak --

[buzzer sounding]

-- But camping and littering should be punished.

>> Mayor Adler: Thank you very much.

>> Tovo: Mayor, may I ask -- you know, I think there's really a diversity of opinion within the room, and I would just ask that we -- that we treat each other's words with respect. I think it's really important to people's engagement with their city council and with their local government, that they feel comfortable coming down here and addressing the council, and so, you know, I would just ask that we all listen with respect, even when we don't agree.

>> Mayor Adler: Thank you. It's real important. It is now past 10 o'clock. Is there a motion to extend our meeting past 10 o'clock? Councilmember Flannigan makes the motion. Councilmember Ellis seconds that. Let's take a vote on the dais. Those am favor of extending, please raise your hand. Those opposed? Unanimous on the dais with councilmember alter off. We're going to continue on. Before Mr. Foster speaks, is Jordan Jensen here? No? What about Luke Richardson?

[10:02:53 PM]

>> I'm here [indiscernible].

>> Mayor Adler: That's fine. Thank you. Is Joel Mcnew here? Why don't you come on down to this other podium. Go ahead, Mr. Foster.

>> My name is Kevin Michael foster. I'm a former U.T. Student and a current faculty member at the university. Among Austin's challenges are, of course, affordability and homelessness. I appreciate the work of councilmember kitchen, Casar, tovo, and many others on the dais to support the stabilization of our most marginalized. I applaud housing first options, the expansion of social services and safety nets. I hope for the revision of ordinances that make it illegal to sleep, sit, lie down, or solicit while homeless. Let's think about this a moment. It should be known that our homeless ordinances are eerily similar to our most racist policies of the past. In the 1960s, when Texas was an exceedingly violent place and dangerous place for African Americans, Austin was less so. As a result, African Americans migrated in and joined the population that was already here. They came seeking safety, autonomy, opportunity. This is how we got Clarksville, Roberts hill, Gregory town, wheatsville, and a dozen our communities, each with an autonomous church and school. And then we messed up. Our response to the new black presence was to express fear, build a police officer, criminalize blacks, and control them. In June 1865

the mayor and city council met to deal with, quote, the fact that a large number of negroes turned loose by their owners are congregating in and about Austin, as also perhaps desperate white men, making it necessary to organize a police force to deal with them.

[10:04:58 PM]

And how did we put our new force council immediately passed an ordinance to deal with, quote, all able-bodied negroes who have abandoned the service of their employers for the purpose of idleness or who are found loitering or rambling about or idly wandering about the streets or other public thoroughfares. We no longer whip the idle or lease them to the lowest bidder as the ordinance called for then, but we saddle people with debts that make escaping homelessness less likely. And we do still disproportionately target black folk. When we criminalize sitting, sleep, lying down, we aren't policing evil-doers, we are protecting the privilege of those who don't want to be bothered with the existence of the wouldn't it be better to end homelessness instead of policing and simply shifting ordinance language around may not help either. When police retain discretion to subjectively label as aggressively confrontative, we haven't made things better, we've only given power to the implicit racial biases that have characterized policing for the extent of this city's history.

[Buzzer sounding] Reject ordinances that make it a crime to live while homeless, live the criminalization, jailing, and police state expansion in the past. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is Rachel manning here?

>> Yes.

>> Mayor Adler: Why don't you come on down to this podium. Ms. Mcnew, you have three minutes.

>> My name is Joelle Mcnew, we advocate for safety in and around the U.T. Austin campus. Tonight I actually have other people that have joined this event with us to give a voice for students and university of Texas alumni that care about the impact of these ordinances.

[10:06:59 PM]

And I'm asking you, Spencer cronk, to please give us a seat at the table. It's been almost five years that we've been coming. And the important part is, is that you all agree that it will take the community, the entire community. And so let me just talk about myself. So as a person who's experienced homelessness myself and the impact of what that means, I grew up with a homeless father who was addicted. He had situations that happened to him that then kind of spiraled him into a position where the addiction took over and mental illness and he died from this experience of being homeless. And with that, that impacts

your and it leaves a ripple effect. And what happens is, it also teaches you that you must be part of the community and you must be engaged and you must learn to see the big picture. And so I am here because part of that was, it was very important to me to have my children go to college. And so this has been an experience for my family and for my son, who's a first-generation college student. And it was very important to me that when his classmate was murdered, that I do something. And so I am asking you, as a citizen who cares and loves this community, who went out to skid row this week to understand the big picture, who walked those streets and engaged with those people to try and understand what they are doing, they have 36,000 homeless people there. And I'm so grateful for the relationships that we have created, and I'm grateful that officer Joseph has shared the experience and the reality of what you are about to do to this city without having the infrastructure. There's amazing programs for this shelter, and Ann kitchen, I beg you to please talk to them because they have amazing programs that have worked.

[10:09:08 PM]

They are things that they've done that have failed. It's incredible. There's so many things that they're doing right now that will impact the quality of life for everyone, but I need you to also, Spencer cronk, like Cole said, when you make this decision, students are coming back to west campus. They are coming back, they are moving into that area, and you all know the infrastructure is not safe and there needs to be improvements, and Kathie tovo --

[buzzer sounding]

-- I beg you to give the students a voice.

>> Mayor Adler: Thank you.

>> Please.

>> Mayor Adler: Thank you ve ry much. Is Cynthia here? You'll be at this other podium. Go ahead. You have three minutes. Introduce yourself, please.

>> I thought I had seven. There are two people who are donating to me. Am I wrong?

>> Mayor Adler: I have a list of speakers that -- ten were identified.

>> Okay. I'll try and get through this.

>> Mayor Adler: But tell me who the two people are that --

>> I actually -- I don't recall. I went up and asked the clerk who they were and she gave me names and I don't actually know.

>> Mayor Adler: There are two people donating time? Let's give you one minute, we'll treat those as one-minute speakers, that will give you five minutes.

>> That's all I need. Thank you. My name is Rachel Manning. I'm here with members of Undoing White Supremacy Austin. It's good to see you all tonight. As members of Undoing White Supremacy Austin we strongly support the changes to the ordinances related to camping, solicitation, and basic human activities, such as sitting in line in public spaces. However, we strongly oppose the addition of aggressive confrontation to the ordinance that deals with solicitation. These ordinances place the comfort of white and wealthy people above the survival of some of the most vulnerable members of our community.

[10:11:09 PM]

People of color disproportionately experience homelessness in Austin, and black people are more than nine times -- are nine times more likely to experience or to be cited under these ordinances. They funnel people already facing the danger and helplessness of being without a home into our jails and into debt. Ordinances that make it more difficult and dangerous to be homeless are not the answer. Instead of pursuing humane solutions to reduce the number of people experiencing homelessness, we have shifted the responsibility to the criminal justice system, which is both traumatic to people who are experiencing homelessness and more expensive for our entire community. The city of Austin has created this crisis. Instead of investing in affordable housing, we have chosen to invest in policing. We have put the interests of business owners over the lives of people experiencing homelessness. We have put into place increasingly punitive laws that attempt to push the homeless out of sight because we don't want to live with that discomfort. We don't want to feel the discomfort with people approach our cars asking for help or when we drive through the city and witness people living under the streets, living on the streets or under overpasses. This is how systemic racism works. Criminalizing people, especially people of color, in order to promote white people's comfort. Many of us have benefited from these policies, advancing our own comfort and business interest and have not taken steps to become aware and more involved. In this way, we are complicit. As members of Undoing White Supremacy Austin, we would like to take a moment to address the changes to the ordinance on solicitation that focus on aggressive confrontation. We are white people seeking to understand and undermine the impact of white supremacy on white bodies and white minds and how that translates into trauma on non-white bodies and minds. The text of this ordinance raises very serious concerns. We've all heard the rash of 911 calls made by very fearful white people in which black people are targeted for going about their everyday lives.

[10:13:17 PM]

The imagined harm to white people becomes real trauma to people of color there are already laws to address harassment, stalking, disorderly conduct and the other behaviors addressed in these -- in this ordinance. There's no reason to create a special set of homeless codes to set a different set -- a different legal standard for people who do not have access to what we already know that when we give more discretion to the police, the rights of citations rise and target people of color. We have to abolish these ordinances to abolish homelessness. It is the Minnesota model we can rather than continuing policies that advance gentrification and displace our communities, such as the trickle down of a few really not affordable units



here and there from developers in exchange for more luxury housing, let's build -- let's build homes and provide services for those currently without permanent shelter. Let's use the funds saved by diverting people from jail to provide mental health services and recovery services. Let's use Brackenridge, which is currently sitting empty to provide housing, medical assistance, and services to homeless people. If we want Austin to be a leader in equity, should it not be for those who have the least among us? How we decide to treat our fellow residents who need help is a clear expression of our values as a community. Thank you very much.

[Applause]

>> Mayor Adler: Thank you. Is David Johnson here? David Johnson? Go ahead. You have three minutes.

>> Thank you. My name is Cynthia Luango and the word "And" is going to play a big part of what I would like you to consider. I speak as a representative of two university of Texas students and residents. An Austin renter, a taxpayer, and state taxpayer. I would like to begin by addressing some of the disingenuous comments by social media that paint those of us who are asking for postponement of 185 as antihomeless.

[10:15:18 PM]

It cannot be further from the truth. I myself spend many hours in service of missions, community cafes and transitional housing in the Hewitt area. I'm a youth minister who teaches junior high and high school about social justice issues, including preferential treatment of the poor, life and dignity of the human person, and solidarity. Frankly, everyone I've spoken to asks for postponement has the needs and safety of the homeless in mind, as well as that of our students, and like a tweet from earlier this evening about an hour and a half ago, you said we need to have empathy and not fear, Mrs. Harper-Madison, and you liked it, Mr. Casar, and you are correct. We do this by considering the "And" in the situation, not the "Or." I recently learned from a visiting officer from Los Angeles experienced in law enforcement and assisting to transition skid row residents that amendments such as this allowing completely unfettered camping and sleeping, albeit unintentionally, encourages lawlessness in cities because there's no overarching plan, infrastructure, enforcement, and enhancements. Enhancements. It doesn't have to be all criminalology. He is far more knowledgeable than I to speak about the statistics regarding predatory behavior of drug pushers, gangs, pimps, and human traffickers to exploit the homeless. Oversight on Joseph was slated to speak and we ran late and I'm so sad you missed the opportunity to hear his experience. It's unfortunate. He loves the homeless. He has a heart for them as disempowered franchise citizens. I urge the council to bring him back to hear the things they do in Los Angeles, help those who get caught up in the criminal element that infiltrate homeless encampments. The homeless need protection and help, but city council needs to proceed responsibly, not reactionarily, pitting one group against another, and solutions.

[10:17:25 PM]

We ask that you slow the role, talk to agencies and these experts who have already made mistakes, have a plan that's for the homeless, and includes public safety needs of students, residents, and business owners because, quite frankly, they're going to provide the city with the funding that implements these comprehensive plans. Please be open-minded and look at all sides of this situation. Make sure you fully understand the immediate and long-term ramifications of any action. I ask that you postpone 185 until you have time to meet with these experts, those who have successfully and smartly budgeted programs designed specifically for cities and large universities in urban environments. Once those have been consulted, a structured multifaceted plan can be made taking into consideration everybody's desires in the room. Thank you.

>> Mayor Adler: Thank you. And you had time that had been donated by Carla George and Paul Garcia, and I gave you that additional time. Our next speaker --

>> Alter: Mayor? I just want to reiterate what councilmember Tovo said before, if we can try and be respectful of everyone who's speaking, it's really important that people feel that they have an opportunity to come and engage with us in a respectful environment.

>> Mayor Adler: Okay. So the speaker next is Casey Vandervort here?

>> No, no, David Johnson.

>> Mayor Adler: No, I got you. You're going to speak next, and after you speak, I want to know if Casey Vandervort is here. Is she here? No? What about Jackie Burger? Is Jackie Burger here? What about Bill Bryson? Is Mr. Bryson here? You'll speak next. Go ahead, Mr. Johnson.

>> I believe I have time donated to me, mayor.

>> Mayor Adler: You do. Let me check and see here.

[10:19:28 PM]

Who are the people that donated you time? Do you know?

>> I know Shane donated two minutes and I know Clarence Waterford donated two minutes.

>> Mayor Adler: Okay. So we're donating one minute time so you're going to have five minutes.

>> Wonderful.

>> Mayor Adler: Clerk have the two names for Mr. Johnson? You have five minutes.

>> Thank you, everyone. So I'm glad to hear all these varying opinions but I'd like to first off address the fact that there's a failure to address homeless individuals, and instead address homelessness as this grand concept. Because the grand concept is very convenient and comfortable to address. Let's solve homelessness. But when you look at individuals, they are people. They are individuals who deserve dignity, respect. They have senses of integrity. They have rights. We've heard reference to the lineage, the genealogy of these ordinances, yes, modern-day racist depression, just broadened to classic

depression. A place to live is a staple, for survival, food, water, I think we all agree. Imagine if your safety, if your financial security was threatened because your stomach growled or because you felt thirsty. That's the equivalent of being at risk of citation for not having a place to live when we already know we don't have enough places with which to house them. So if there aren't enough beds for them to occupy, how can we cite them for not occupying beds that don't exist? I mean, I'm a software -- I was a software developer before I got in this world, I'm with grass roots leadership and advocates for justice, I know math pretty well, and that doesn't add up. But see, it's inconvenient. It's an inconvenient truth. But the only thing -- well, not the only, but the thing most inconvenient after facing an inconvenient truth, or the failure to face an inconvenient truth, rather, is dealing with the aftermath of it.

[10:21:34 PM]

See, Austin created this problem. Austin created this problem by failing to protect the interests of, provide for, and plan with the individuals who are most in need, while we were enjoying this wonderfully boundless expansion and growth and financial development period in which we are so proud. See, we weren't thinking as a city of those who need, we were thinking of those with greed. But understand that those who do not have, have equal rights to humanity, and actually deserve more service from the council in front of me than those who contribute to your campaigns. I have to call it out because I'm not here on my behalf. I do not suffer under the burden of homelessness. But I am here on behalf of those who may not feel comfortable coming in here, who may be too concerned about whether or not their belongings are going to be taken, who are wondering, what happens to me if I get too close to them? So you're going to hear from or you're already heard from, I'm sure, like Dana and daa, where they say, before we move too fast, let's make sure we have resources. See, I like to dissect bigot speak. So let's dissect it. When races -- when slavery was abolished, they didn't say, wait a minute, before we abolish slavery, we'll find out what we're going to do with uneducated negroes unprepared to live with white folks. They said let's abolish it. We just celebrated how Texas acknowledges that. Here we are again, saying before we do what's right, before we respect the humanity and human dignity of those most in need, our most vulnerable, one of our most vulnerable sectors of the community, let's figure out where we're going to put them.

[10:23:38 PM]

We want to congratulate individuals for deciding, hey. In my district, let's put a store house. We don't want to acknowledge that we wronged them to begin with by putting these oppressive policies in place. You'll hear from some that say we're focused on the safety of our community, when in fact if they were truly focused on the safety of their community they'd be focused on reckless use of E scooters and alcohol use on campus because that has resulted in far more violent deaths and far more sexual assaults than can ever be attributed to the homelessness on U.T. Campus. But, again, that's fear mongering. U.T. Police chief wrote the I saw it. It said, hey, we're really concerned about all these violent crimes. Really? If you were really concerned, the entire campus, entire student body would have rallied around the

cause and said to U.T., hey, shave a few million off the new stadium and invest in safety. Let's define safety. But safe is one of those trigger words for fear mongering. But the beauty of fear is that fear creates the opportunity for courage. There is no courage without fear. You are our leaders, our elected leaders. And one of the things about leaders is that leaders have the responsibility to lead forth where there has been no movement.

[Buzzer sounding] So I only ask that you seize this opportunity, in the face of fear, to step into courage and move us forth as a city rather than step back in disgrace. Thank you.

>> Mayor Adler: Thank you very much.

[Cheers and applause]

>> Mayor Adler: Hey. Hey, hey, hey, come on. So the next speaker -- I promise you, you're going to be wishing you had done this. We've barely scratched the surface on speakers. Is Marina Roberts here? Why don't you come on down. And Ms. Roberts, you have time donated from Julie Fleming and Matt Arnold. Are those both here?

[10:25:39 PM]

>> I don't know.

>> Mayor Adler: Are they here? Would you raise your hand? Julia Fleming? Matt Arnold? No? You'll have three minutes when you get called. Come on down to the clerk. Then the -- Mr. Bryson.

>> Yes, sir.

>> Mayor Adler: Go ahead. And Mr. Bryson, you had time that was donated, too, I think. You had time donated by Kathleen is Kathleen here? No? What about George Tucker? No? You'll have three minutes, sir.

>> Thank you. Good evening. My name is Bill Bryson and I have the misfortune of being the next speaker after the last one. I'm a resident of Judges Hill, across MLK from West Campus, very close to the U.T. Campus and I have two sons. My older son Chris lives in the University District in Seattle. My younger son is a student at U.T. and lives with me in Judges Hill. Over the six years that I've been visiting my older son in Seattle, I've watched his neighborhood deteriorate to the point where I now worry about his safety. This deterioration has occurred because the Seattle City Council has implemented the same well-intentioned but, in my opinion, misguided policies that this council is now considering. These policies have brought homeless people into Chris's neighborhood, many of whom are drug addicts and mentally ill, and who I have had very personal encounters with, as well as criminals who hide in plain sight in such communities, endangering both the people who live in the community and the homeless people in that community. This has been well-documented by local TV station in Seattle, in a documentary called Seattle's Dying. And if you haven't watched it, I urge that you do. We're not at that point in the University area of Austin, yet.

[10:27:40 PM]

But even with the existing restrictions on the homeless in Austin, people in my area, both students and non-students, have witnessed many crimes at the hands of homeless and the criminals who hide in the homeless population. These crimes include assault, sexual harassment, sexual assault, robbery, and my - and during my son's first year at U.T., the rape and murder of Haruga Wiser on the U.T. Campus. Repealing current restrictions on the activities of homeless people before we've had a chance to see what results from item 184 will, in my opinion, only make this situation worse. Earlier this evening, Mayor Adler spoke eloquently and at length, and in my view, correctly, that Austin does not want to become Seattle, San Francisco, or Portland. I completely agree with you, and I completely agree with the efforts that this council is making to create homeless shelters all over the city, including in my district 9. Austinites are compassionate, but we must also be wise and we need to temper our passion with that wisdom, care for the homeless, give them the help and resources that they need. Wisdom, however, tells us any such displays of compassion need to be part of a plan, add based on prior examples of success. We have examples of that success.

[Buzzer sounding] Skid row in L.A., Providence, Rhode Island, and Houston all stand as examples of that success. Wisdom tells us that the people of Austin should not be placed at greater risk as a result of a quick rush to compassion.

>> Mayor Adler: Thank you.

>> I thank you very much for your time and attention and hope you'll choose wisely.

[10:29:41 PM]

Thank you.

>> Mayor Adler: Is Memoranda Huff here?

>> Yes, I'm here.

>> Mayor Adler: Why don't you come on down. Ms. Roberts, you have four minutes.

>> All right. Marina Roberts, district 9, chair of the DSA housing committee. I personally knocked on hundreds of doors for this campaign and tonight I don't know where my brother is sleeping. We haven't seen each other in two years. He's been diagnosed with severe mental illness and after years in and out of psych wards and rehab facilities, one day he left my dad's apartment and did not come back. My mama asked folks at homeless camps all over the city looking for him, but when she found him, he wouldn't speak to her and we don't know why. For people like my brother, lacking shelter isn't a state of being, it's a daily struggle to survive. Texas summer without water or shade will kill you. Despite the unabashed fear mongering of our option, it is a statistical fact the homeless are likely to be victims of crime than perpetrators. Study from December documented over 1700 acts of violence, some of which were merely opportunistic while many others were vicious, targeted attacks, hate crimes, motivated by

rhetoric our opponents use now. Additionally, people with untreated mental illness are 16 times more likely to be killed by police, making up as many as half of fatal police shooting victims. To be homeless is live in the cross hairs of conflict. That is where my brother is sleeping tonight. I believe politics is about the allocation of harm. Y'all have elected to be in a position where it is your job to solve problems. With that privilege and responsibility comes the challenge of determining upon which cross beams of our societal structure to place the burdens that pay for progress. I have some difficulty following the logic that argues homeless people are the appropriate bearers of any load anythings to what they already carry. Especially considering we are talking about peace for our homeless neighbors at the mere cost of sharing public spaces with the other people to whom these spaces already belong.

[10:31:48 PM]

The entirety of our opposition strength is derived from fear mongering and dishonesty. Compassion and community, solidarity, vision, we are not here because we want to legalize assault, we are not here because we want a tent for every homeless neighbor, we want a home for every human being and we will not stop until we have made this vision real. When you vote tonight, think of the 40% of Americans who cannot afford a \$400 emergency. Not everyone has the insulation from catastrophe many of you enjoy. Think of the difference between pandering to people and leading them. Do you answer fear mongering with compliance or do you set the record straight and move forward? Think of my brother. His name is Logan. And he deserves to be safe as much as any other person does. Thank you.

[Applause]

>> Mayor Adler: Thank you. So the notebooks speaker is mark Littlefield. Is Mr. Littlefield here? You have three minutes. You also have three minutes. Go ahead.

>> Hello, everyone. My name is Emma huff. I graduated from U.T. Last month, and first I would like to thank all of you for your work. I commend you for your efforts to open new homeless shelters around Austin. I would like to share a few of my experiences in my time at U.T. My first year of school, my freshman year my classmate and best friend was murdered by a criminal transient man, less than a block from where I lived. This is where I would like to draw the distinction between homeless individuals and criminal transients. My second year at U.T. I was cat-called, groped, then followed down Guadalupe street by a known criminal transient, until a male U.T. Student stepped in and put an end to it.

[10:33:54 PM]

My third year at U.T. I was threatened, then followed from a bus stop in west campus and had to run into a business to seek safety. Finally, my last year at U.T., a fully naked known criminal transit man climbed the tree outside my bathroom window and attempted to gain access to my home while I was showering. I'd like to concede that homelessness is not and should never be criminal, and I would like to draw the distinction here between homelessness and criminality. But, this isn't about me. Or my

experiences. This is about the upcoming classes of students who live in the west campus area and who will live in the west campus area. These are students who are 17 and 18 years old, who have never been on their own before and are naive. This is about the next student who will be groped, followed, assaulted, possibly murdered in the west campus area. With this law enacted and without increased police presence in west campus, better lighting, better surveillance, I'm interested to know how would each of you suggest that a 17 or 18-year-old student living in the west campus area navigate that situation? I mean, I carry pepper spray and it wasn't enough to protect me from being sexually harassed, groped, anything like that. And, again, I would like to reiterate that I feel nothing but compassion for our homeless individuals and our homeless community, but I do believe that criminals and individuals with ill intent will prey on these communities and embed themselves in them, and that's what I'm afraid of. I'm afraid that another girl in my position will not make it out as luckily as I have and will not make it out just only being groped, only living with a lifelong trauma of being sexually harassed on the street. I'm afraid that someone's is going to I understand up like my best friend. That's my concern. And I invite each of you, any of you to meet me in west campus tonight when this ends and walk through west campus with me and see what it's really like out there for a five- to twenty-year-old college girl, trying to navigate the streets of west campus.

[10:35:56 PM]

Thank you all for your time.

>> Mayor Adler: Thank you.

[Applause] Up at this podium the next speaker will be Robert barns. It Robert barns here? Thank you. Mr. Littlefield.

>> Mayor and council, my name is mark Littlefield. I'm the board chair of echo. For those who may not know, echo is the lead agency from the housing and urban development from charge of homeless policy and ending homelessness in our community. It does a lot more than that. It's complicated, but ask me I'm here tonight to tell people on both sides who -- who are very passionate about this issue because they live and work downtown, they live and work at U.T., that there's good news. All of y'all seem to want a plan to end homelessness. The good news is, we have a plan. We have a plan that was endorsed by Austin city council, that was endorsed by Travis county commissioners court. What you saw earlier today, maybe you didn't if you got here late, but earlier today there was this council working on an item for a new shelter. It was difficult. It's expensive. But they made that commitment. You want these people up to the dais to understand the issue. I'm looking at every face up there, and this is every face that has been to meetings, that has participated in the homeless count. They've -- they have seen it. They have seen it at night. They have seen it when it's cold. They have seen it when it's scary. I'll also say that some of the people behind me, who -- I think I disagree with on this issue, on these ordinances, but the A.P.D. Downtown command and with daa, they've also been involved in crediting these plans to end homelessness.

[10:37:57 PM]

They've also been on the homeless councils, they also have great compassion. If we want to get rid of these ordinances all the way, not just amend them, we do it by ending homelessness. And that takes a commitment from our community, and it takes a financial commitment that scares some people, especially, now the legislature has hit us one more time with revenue caps, but there's still an opportunity for us to do that and to solve all these problems. We've come such a long way, just in the last six years since I've been on the board, and come even farther and faster, I think, because of 10-1 and because of this council and this community. We can do this. And we can do this together. It shouldn't matter who you are, how much money you make, the constitution should apply to you. You should be treated fairly. You should have a home, and we should end homelessness in Austin and we can do it.

>> Mayor Adler: Thank you. Next up will be Heidi Sloan. Is Heidi Sloan here? You have some time donated to you. Simon youngbloom, is he here? What about Jetta Felder?

>> I'm here.

>> Mayor Adler: You have four minutes when you speak. You have three minutes, sir.

>> Thank you, Maryland. My name is Bob barns. I've worked in the central business district for 15 years. I came here with my family in 2004 and I've seen good times and bad times, and this is kind of like a tale of two cities. We exist in probably the best economic times of our city, and yet we are dealing with a homeless issue that is the worst that we've ever seen. And I applaud the city council, your efforts, to change the ordinances.

[10:40:00 PM]

My issue here -- and if I could really define our city, as city, if I could say one adjective that I think defines all of us, it's a city of inclusiveness. We welcome everyone. We extend an open hand to our newcomers, to Katrina victims, to people who are coming from other countries. One of the things that I feel that we've missed here is that this is premature. I think we needed to act for -- far sooner in some of the things that I think are not being covered in issue or item number 185. I support 184, but I think we should delay 185 for additional let's think about this. The area of the city that's going to be most affected by these ordinances will be the central business district. And why is that? Because this is where the largest homeless population resides. In the downtown area, in the neighborhoods closest to downtown area. And the other issue here is that if we look at who really resides there, we have tens of thousands of people that work in the central business district, that live in the central business district, we have tens of thousands of tourists that visit the central business district, and we have hundreds and hundreds of businesses. And the biggest issue I have is that if we're an inclusive city, this process should have been inclusive. And many of us feel that we were left out of the process. We should be part of the process. We are going to be part of the solution. And I think that we need to step back and allow more time for the public to get the input. I think that we're making a mistake to approve this in one council



meeting, if we -- if this is the only dialogue we have before we pass this resolution, then I think we've done a disservice to the community and I think that as we walk away, there will be a lot of people who say that it was not democratic and we didn't allow everybody's voice to be heard.

[10:42:10 PM]

I know several councilmembers here personally. I respect all of you, especially Greg, who I've known, whose parents I've known for years. Natasha, you're a breath of fresh air. I welcome you to city council. Po, I've not that I know you for years. This is not any complaint about any councilmember, just an overall observation. I think we need to be more inclusive. Thank you.

>> Mayor Adler: Thank you. Moving to this podium will be Jolene Myers. Is Jolene Myers here? No? Yes? Okay. You'll come on up. And when you come up, you'll have three minutes. You have four minutes, Ms. Sloan.

>> My name is Heidi Sloan. I am a resident of district 1 and I'm incredibly much appreciate your leadership on this, councilmember. I'm also here representing

[indiscernible] Once again tonight. I realize in my seven years my job and my team's job, our work, our honor, our privilege, is to walk people home. In the literal sense, walking someone from an underpass, a campsite, a shelter, to their own house, with their own key, and their own bed, where they will probably not be able to sleep for the first few nights or weeks because they have become so accustomed to sleeping on the ground. But also and unexpectedly for me, we walk people home in the biggest sense. I have lost so many people I love at community first. I've literally fallen to my knees at the unexpected deaths of my friends and I've held hands over my dear ones' last breaths. I've watched and been honored to be home with these neighbors. I've also experienced the deepest anguish of my life, knowing that their deaths are so closely bound to the suffering they experienced on the streets.

[10:44:14 PM]

I know I'm not alone, and I know that's why we're here. Thank you, in particular, to Alvin for reminding us of this. I wanted to talk about this aspect of our work at community first tonight, not just to say that the experience of homelessness is cruel, though I deeply believe that, but to say what an honor it is every day to walk people home, to start with a sandwich or a bus pass or a dollar, and to move towards helping people relearn how to use their microwaves, alarm clocks, and move toward delivering an inordinate number of eulogies. But this begins with building trust, meeting people where they are, with a sandwich or water bottle, a chance meeting on the street, and I believe that this council also deeply desires to walk people home into housing and to community and to rest. But we have to begin by building trust. And we begin building trust by repealing these ordinances. Kicking someone while they're down is not an act of trust-building and this is what these ordinances have done, always and this is what they will continue to do until we rectify that. If we want any of the excellent work y'all have been doing

here to succeed, especially with haste, as I know that you do, we have to act now, tonight, to build trust, so that services will be utilized, so that amazing new shelters will be occupied, so that people will want to come home because I wouldn't live in the house of my abuser. And neither should anybody else have to. And that is the relationship that we have right now. I'm going to close in the wisdom of my friend Anthony who now lives at community first. He said, all in all, I'm against torment will people that are already enduring a lasting torment.

[10:46:23 PM]

We need so much trust-building. And we can do it, but we have to move forward now and pay the debts that we owe for how much we have taken from people for so long.

>> Mayor Adler: Thank you. Is holly Kirby here? Holly Kirby? Go ahead. You have three minutes.

>> Good evening. My name is Jo Ellen Myers, and I'm here tonight to ask the council to define safe and appropriate areas for camping before changing the ordinance. I listened earlier about the conditions under the Ben white bridge and how it seemed that, you know, you claim that was not acceptable to have that kind of environment that families had to pass through, and yet when you do change this ordinance, if you do, without having the plan for where they can go, where they should go, a safe and appropriate place for them, you're just setting up downtown Austin to look like that, to be like that. It is -- it's irresponsible to do that without having solutions and a plan. As you know, there are homeless people that refuse to go to the arch, to receive the services they need, because they don't want to go through that negative surroundings, unsafe conditions that they have to pass through. They can't even get to the resources because of what it looks like around there.

[10:48:26 PM]

And by -- if you adopt these new changes, I don't understand how you expect downtown businesses then to survive in that kind of environment. As it is written, without defining, you know, the camping and shelter areas that are so desperately needed, I'm saying that your work for the shelters, pushing forward on all the good that's been done tonight, it's wonderful, it's needed, it's long overdue, but by not working on 184, which has some potential for, you know, real solutions and putting 185 before that, it makes no sense. The ordinances right now, I mean, they allow our businesses to coexist in this large, homeless population downtown. While you come up with the plan and the solutions that you're suggesting in 184. I do want to say that the Austin police officers and downtown ambassadors do an impressive job during an impossible situation. I've seen firsthand how they, you know, are trying to treat the homeless with respect and compassion while still trying to get a safe environment for everyone downtown. So I just want to commend them on their hard work, and you as well, and to keep going, keep pushing forward for things that are going to make Austin, you know, the city that it was, the city it can be --

[buzzer sounding]

>> Thank you.

>> Mayor Adler: Thank you. Moving to this podium, is Catherine Lindsay here? Catherine Lindsay? Are you Catherine Lindsay? Okay. Take your time.

[10:50:26 PM]

Ms. Kirby, you have time donated by a couple people. Is Christian caballero here?

>> She had to leave. I don't need it.

>> Mayor Adler: You don't need it? Okay. You have three minutes. You are the last three-minute speaker for this proposition.

>> All right. Thanks. Good evening. My name is holly Kirby. I'm here representing grass roots leadership and the coalition and most important voice in this discussion tonight is those experiencing this every day, who are criminalized on the streets of Austin. I'm going to play a video, and thank you.

[Video playing]

[10:53:44 PM]

[Applause]

>> Mayor Adler: Is ray Collins here? Mr. Collins? You'll be up next. And Ms. Lindsay, you're our last three-minute speaker against these propositions. Go ahead.

>> I just want to say I don't want to be hissed at or told I'm a bigot or racist because I oppose 185. I purchased a condo downtown, a small, very small condo, about 15 years ago, then I purchased another one about three years later. I convinced several of my friends to purchase homes in 78701. I wanted to have people move -- this was way back before -- I think the shore was the only thing being built. And I wanted people to move downtown, I wanted more businesses downtown, more restaurants, more tourists, more everything. I love Austin. I went to U.T. In the '80s. We were very friendly to the homeless then. We knew pretty much all of them by name. I don't know if y'all were here in the '80s, but we knew our homeless people. We supported them. I'm a huge Democrat. My parents are Democrats. I vote straight ticket almost, so I don't want to be called a racist today.

[Laughter]

>> Mayor Adler: Hey hey, come on. Come on.

>> I just don't. But, y'all, I actually live downtown. And I'm walking the streets all the time with my neighbors or by myself, and I don't think any of y'all actually live downtown, downtown proper. I live a

few blocks from here, except maybe mayor Adler. But it is scary to be a woman at times on the streets by yourself. And I just don't think y'all know what it's like. My boyfriend and I were accosted. He ended up in a fist fight with a homeless person. I was told I was a bitch and devil because we didn't give them money. We didn't give them money because I only had credit cards at the time.

[10:55:44 PM]

And we were chased. It's not pleasant to be so frightened, and what I want to ask everyone today is just to hold on and vote for this after you get all the input from everybody, except council person tovo's suggestion that everybody come on up with a park in your district that you can allow camping to stop giving these tickets out. And I agree with that. I don't want those tickets to be given out. I want to support the people. I do support them. I support community first. I support many, many social programs with my tax dollars and just donating. But the people that fund all these programs are the people paying the taxes and the small business owners, and the large business we're not going to have people moving to our city, businesses will be shut down if y'all are allowing people just to sleep on second street in front of Joe's coffee shop, and not ticketing them or not coming up with a plan. So I agree with what council person tovo suggested earlier today, and only ticket these people if they're not going to the designated site to sleep. And we should not have sleeping everywhere all over the city. We just shouldn't. We're not going to have --

[buzzer sounding]

-- Tourists and tax dollars here to support all these programs that we need. Thank you for your time.

>> Mayor Adler: Thank you. You know, one of the real advantages, and I think it's significant, that we have right now compared to cities like Los Angeles and San Francisco and Seattle, is that the conversation that we're having in this room is unlike any of the conversations that are happening at any public meetings in those cities. We still have an opportunity to take advantage of the fact that there's a collective will to make this the highest priority and put resources against it and try to find solutions. That does not exist the same way in those cities.

[10:57:48 PM]

Battle lines have been drawn. We really need to take fullest advantage of that because we're in the unique position. I would urge everybody to really listen to the -- to the individual, learned experience truths that people are walking up to the podium with, because we need to figure out on both sides how we work with those truths and get to a really good place. So listen, everybody, and try the best to learn, recognizing that we come from very different places, our truths are very different, but if we can work with where people are coming from and what they're thinking, on both sides, we can actually hold onto what it is that is our attribute, which I believe is going to enable us to actually fix this. Mr. Collins, you're

up next, Mr. Collins, you're up next and after you is and yeah black. And -- Andrea black. You have time donated from . >> Does council recall the chaos that resulted after you repealed juvenile occur fees?

-- Curfews. That sound you hear is today we're not repealing a single thing. Repealing the curfew is what's going happen when you modify the homelessness ordinances. Every person and agency following chief Manley's June 6 testimony emphasized that the beach warrants issued for the majority of homeless people who do not show up for their class C misdemeanor court update do impact their ability to find housing. Most important there is the widely agreed upon fact arising from the June 6 testimony that housing first is the model to be pursued because it works.

[10:59:52 PM]

De facto our law enforcement officers are via class C misdemeanors. Then these people entered the criminal justice system and experienced not just?

[Buzzer sounding] Well, I'll put my slide up and I'll leave.

>> Mayor Adler: All right. Thank you, Mr. Collins. I'm sorry one minute goes so quickly.

[ Laughter ] Thank you. The next speaker -- after Ms. Black is going to be Ms. Ross.

>> She donated to me.

>> Mayor Adler: Thank you. What about Julia Von Alexander?

>> She left.

>> Mayor Adler: What about Jonathan Lowell? Do you want to speak? You don't have to.

[ Laughter ] But you're certainly welcome you have one minute.

>> I think I have three minutes.

>> Mayor Adler: Do you have both of those? Three minutes, glory my name is Andrea black, resident of I strongly support the proposed changes to ordinance as positive steps in the right direction to stop decriminalizing however I strongly oppose the addition of the aggressive clause in the solicitation ordinance. There are already laws as we've heard again and again, there are already laws in place to actually -- to actually address so many of the issues and some of the behavior people are talking about. I've got prepared remarks I want to say but I'm sitting with a sense of just ache in my stomach, teariness. Yes, I think we need to come together. It is wonder to have hear -- won to have hear with a consensus around people experiencing homelessness and actually work on this issue and yet the approaches are so incredibly different. And the analytic really feel like we're listening to so much fear amonger and listening to putting white comfort above the needs of all our residents and it is just -- I'm about to just -- I'm physically ill perfect this.

[11:02:04 PM]

And so I cannot even begin to tell you about the experiences of my -- that my neighbors across the street, I live on the east side and my neighbors across the street, four generations of an African-American family who lived in this community since the 1960s had to leave their home after the matriarch died because they could not afford to live in that home any longer. One of the family members had to seek services from the arch, right? And I also just -- and I reached out to many of you on May 8 because I saw city staff physically removing people from under the 183 underpass, right? In the midst of a storm. I was getting a text alert on my phone telling me to seek shelter at the very moment the city staff were physically removing people and then en masse throwing all their belongings on the sidewalk. And I saw a man standing there, hopeless, defeated with his mattress on a cart -- cart on a street. This is inexplicable behavior. Ms. Kitchen, I appreciated you reached out and promised to deal with this and look into the policies, also Greg Casar and I'm really looking forward to understanding what those policies are gonna be. I feel like I want to go back to what the previous speaker was talking about. This is a question of really building trust. We're on the same page, but where do we senator do we keep up the criminalization until we have homes? Or do we actually change the conversation and look at people who are experiencing homelessness as human beings. And actually treat them with respect it&trust and reach out with a different way. We are going to be moving towards solutions. We do not need to have criminalizing laws on the books that keep pushing them further and further away. I think I've said enough. Thank you.

>> Mayor Adler: Thank you.

[ Applause ] Mr. Lowell, you have one minute to speak. Is Sandra mulanari here?

[11:04:06 PM]

Pass? Thank you. Is Steven potter sneer do you want to speak? Okay. You have some time donated from Jennifer Campbell, Jennifer Campbell here, and you also have time donated donated from Steve Harrel. Is Steve here? I don't see Mr. Harrel so you'll have two minutes if you want to come up to this up one minute.

>> Jonathan Lowell, district 9. I just wanted to quickly say that what I keep hearing -- what this is about is trying to disentangle experiencing homelessness from criminality, that there should be no biological functions that need to be criminalized and most of what I hear from the other side is continuing to conflate the two. And so I just want to make sure that everyone here is catching that please because we have to make sure that just existing day to day, experiencing homelessness, is not a crime. That includes sleeping. That includes getting the resources you need to eat and whatever other basic needs you have. That's it. Thank you.

>> Mayor Adler: Thank you.

[ Applause ] All right. Those are -- after Mr. Potter speaks, the next speaker was will Hyatt. Is will Hyatt here?

>> I think he stepped out briefly.

>> Mayor Adler: If he comes back in he should let the clerk now. Is teddy terhoon here? Do you want to speak, Mr. Terhoon? Are you here? What about Carlotta Garcia? Is Carlotta Garcia here? I think a gentleman has walked in whose name I called. Why don't you come to this podium. Sir, you have two minutes.

>> Thank you, Mr. Mayor. My name is Steven potter. Homeless, homeless advocate, homeless as in I just spent last night on the street.

[11:06:07 PM]

I've heard a lot of concern about the downtown businesses and the effects that these amendments to the ordinances have. At present the downtown businesses love to complain about the homeless, and I get it. I really do. I'm a videographer. My musician friends are doing well. The downtown bars are doing well. I'm doing well. I don't want to see anybody strung out on k2 laying in front of Maggie may's anybody more than anyone else. Giving something a ticket for this does nothing to address that, solve that, does nothing to fix that. And I have to ask, how many of these downtown businesses actually pay all their workers a living wage?

[ Cheers and applause ] Now, living wage is a separate conversation for a separate battlefield but my point is this, these businesses are actively profiting by not paying their workers enough to put refuses over their heads, therefore, contributing to the very problem they are complaining about.

[ Applause ] Their ways are the old ways. As you've recognized, the old ways do not work. Let go of the old ways. You have made solving homelessness in Austin a top priority. I commend you for that. Take a step in that direction. Let go of the old ways. Work -- vote to accept these amendments. And work with the homeless to work on real solutions. Thank you.

[ Applause ]

>> Mayor Adler: Thank you. Mr. Hyatt you're going to speak and you'll have one minute when you start. Are you Mr. Hyatt or

[indiscernible]

>> Hyatt.

>> Mayor Adler: Unminute. Is teddy [indiscernible] Here? We said no. Carlotta Garcia here? No. What about tendera louie, why don't you come.

[11:08:07 PM]

You have time donated from Miriam Nazari. Is Ms. Nazari here? No? What about Robert San Susi. You'll have two minutes when you have a chance to speak. One minute, sir, go ahead.

>> Will Hyatt, open door ministry represent and hungry for god church home that works with orphaned kids out of foster care that are aged out. We need real answers. I'm here really mostly to represent house of homeless and how hth, homelessofhomeless.org is a good way to go about looking into this problem a little further and universal living wage, which you can bounce from that, this side into the other one or go there directly, universallivingwage.org is another way we're gonna have to go in order to solve this problem more long-term. I think it's a good start that we have with the shelter, and that ultimately Austin, Texas is going to take the lead in 2002, this council agreed to work their employees up to a universal living wage at that time and I think they have fallen short on that and that would be a good way to lead by example. Currently, the universal living wage would be \$18 an hour. Lastly, churches have to be more involved. I think the spirit of the law is equally as important or more important than the law itself so we need to really follow our hearts into working this, houseofhomeless.org, universallivingwage.org. Thank you.

>> Mayor Adler: Thank you very much. We're almost to only 100 speakers left. We're not quite there yet. Is Nate nav here? Okay. Go ahead. Ma'am, you have two minutes.

>> Me?

>> Mayor Adler: Yep.

>> Hi, I'm Tandra, Austin native, preschool teacher and city commissioner for the board of community people without homes are not a threat.

[11:10:12 PM]

Poverty that has been thrust into their lives is pure violence. If any councilperson believes that ticketing homeless folks is beneficial to helping humans better their lives than that city council person does not deserve their seat.

[ Applause ] Same goes for our mayor.

[ Cheers and applause ] We won't sit around and be complicit to this city's hatred for poor folks. As a black woman and one of the most segregated cities in the country with one of the most violent police forces in the state, I only feel empathy for our homeless neighbors. I know all too well the fear that cops cause on one's psych see and I can't imagine trying to hide from them in plain sight. As a homeowner I am disgusted by folks who have and still want more. As a socialist, I am sick and tired of those with privilege treating the rest of us like a problem while using cops to protect their

[ applause ] I urge our city council to repeal these violent ordinances fully and get one step closer to actually making Austin the Progressive hub it claims to you cannot be a city of artists if artists cannot afford to live here. Thank you.

[ Cheers and applause ]



>> Mayor Adler:

[Indiscernible] Here? Andrew Costigan? Yes? You have some time donated from Claudia Corum? Is Claudia here? Is Michael Lewis here? Michael Lewis? So you'll have three minutes. But first, sir, you have two minutes.

>> My name is Nate canof, 21 yielder undergraduate expenditure student. I've heard dozens if not hundreds of stories of violence, drunkenness, sexual assault and every single story the culprit is other students. I have never in my life been threatened by a homeless person. My girlfriend or her friends have never been threatened by a homeless person.

[11:12:16 PM]

I don't know a single classmate who has. Of course many people feel uncomfortable seeing a homeless person. It's uncomfortable to know that a fellow human being is going without a home while you do.

[ Cheers and applause ] I'm making good money on an internship right now. I've got a warm bed to go back to. Not everybody has that. Any personal distort or guilty may feel personally is nothing compared to the literal doses comfort of

--discomfort of sleeping on the street, living without a home. It would be profoundly selfish and shameful of me to get up here and say had a that did my personal discomfort is more important than the real material struggle of homeless brothers and sisters. My conscience demands that I ask you to make the humane decision, the kind decision, the right decision. Austin needs homes, not handcuffs. Thank you for your time.

[ Cheers and applause ]

>> Mayor Adler: Thank you. The next speaker is Ali alsie. Coming down. You have time donated from Ken chambers. Is Ken chambers here? Yes, and is Jeanine Garrett here? Yes. Okay. So you'll have three minutes when you come up. You have three minutes, sir.

>> Thank you. My name is Andrew, I'm an educator and a UT student, dsm member. In my view these ordinances, rules and enforcement practices are irrational and immoral because they don't address the roots of the problem. They exist because some people receive persons without home as a problem as opposed to people.

[11:14:16 PM]

They also exist so some can make money and other reasons that are ill conceived. These ordinances, rules and enforcement practices should be ended as they should never have existed. After they are repealed the money that was used towards enforcing them should go towards addressing the fact some don't have homes or places to stay in a manner that is sensible. The funds should be used to find people

homes and places to stay, addressing inequity at its root and centering people. I work in Austin. I don't live in Austin. I live in del valle. There are people without homes or places to stay in my area in southeastern Travis county and bastrop county for a lot of different reasons, including the fact that Austin and the surrounding area is an expensive place to live. Because they don't have homes they too could be affected by these ordinances if they are not repealed. Some people in my community talk and listen to people without homes and are friends with them. Some people in my community house people without homes or places to stay. I have done that, too. I've learned a lot from people without homes or places to stay. And become friends, too. I'm sure others here have had similar experiences. I imagine others have not. After we get rid of these ordinances and use the money that was used to enforce them from more sensible alternatives like housing, we can work together more first by talking more and listening more to people without homes or places to stay and learn from them how thank you.

[ Applause ]

>> Mayor Adler: Thank you. Ali, go ahead.

>> Thank you. My name is Ali Elsie, I live in district 1. These ordinances must be changed, as they exist now they only serve to undermine homeless people's human anti. Humanity. These ordinances are cruel, push people out of public view and fundamentally do not help to solve homelessness.

[11:16:20 PM]

Policing will never be the solution or even a part of the solution. And number of citations issued year after year is staggering from 2015 to 2018, over 10,000 citations were issued for sitting or lying down, camping or panhandling in public. It's important to understand that despite all of these citations, homelessness is still at crisis in 2019. Policing has already proven itself not just to be an ineffective tool but moral horror and blithe that must end. I applaud councilmember Casar for welcoming a new shelter in her district but do I want to speak about the amendment they brought forward inspect my opinion -- in my opinion the amendment you suggested is deeply misguided. We would be caving to the demands of wealthy homeowners specifically in south Austin and these demands are antisocial.

[ Applause ] And they fundamentally ignore the most marginnized people in our society. The people who have voiced these concerns, the homeowners, cite safety as the issue again and again. People feel so comfortable using that word to describe protecting their property or protect themselves from uncomfortable interactions. But fail to understand how unsafe it is to be homeless in this city.

[ Applause ] What about homeless people's safety? By prohibiting people from seek refuse under overpasses we are making homeless people markedly less safe. Where are they going for shade it's 110 degrees outside. Where do they go for privacy, rest? You said it yourself, councilmember Casar, the overpass is close to a transit center which many homeless people undoubtedly need access to. We would be displacing many from the best option they have to keep themselves safe. Don't let the most fortunate people in the city prioritize their petty sense of safety when this amendment could mean that people die needlessly.

[11:18:24 PM]

If you've been listening you'd know these ordinances kill people.

[ Cheers and applause ] Many of my cameras talked about this more eloquently than I have, Heidi -- Ann apply come to find multiply I want to say these ordinances have to change. Thank you.

[ Applause ]

>> Mayor Adler: Is Elizabeth Gibson here? Come on down. You'll have one minute. Is Fred smit here? Fred smit? No? What about Jennifer Santos? No? What about Vanessa Farrell? No? What about masumi Shaw? What about Rick Russell? You have donated time from robin Johnston. Is robin here? She had to leave.

>> Mayor Adler: So you'll have one minute. You each have one minute.

>> Mayor Adler and council, my name is Elizabeth Gibson, and I'm a business owner downtown on second street. Now for 15 years. I'm also a resident and homeowner in district 9, and I do pay my employees a living wage and always have. I'm here today to ask you to designate and provide shelter before changing the ordinance. I've written all of you about the safety concerns I have and my personal experiences as well as my staff and colleagues. I do agree we have a homeless crisis. I support immediate shelter and provisions in item 184. We do need more resources for the homeless. I support no aggressive confrontation. I support designated areas for camping with access to bathrooms and showers. But I do not support camping on city property as the ordinance is written currently.

[11:20:29 PM]

I do not support registered sex offenders camping and living on city sidewalks and streets. We have all worked very hard for many years to make downtown safe and vibrant. Please take the time to plan and keep us all safe. Thank you.

>> Mayor Adler: Thank you. Is Julie Fitch here? Why don't you come on down. You'll have one minute. You have one minute, sir.

>> My name is Rick Russell, district 8, and I do not want to see any of the laws diluted or done away with because if we do the only people we're gonna handcuff are right threw -- up there on that wall, cops that put their tail on the line for us today. I wish the present that were here to hear the testimonies, every one of those were against the homeless folks and they were breaches against the public peace. Ms. Morgan, breaches against public peace are a violation of state law. You can look that up under woods versus state 1936 criminal court of appeals and if the city of Austin does not repeal or does not keep the current laws, then they are going to be encouraging the homeless folks to be in violation of state laws. We're not against being homeless because we discussed this this afternoon. But to dilute the tools that our law enforcement have to protect us is not right.

[Buzzer sounding] Thank you.

>> Mayor Adler: Thank you. Is Claudia cuchia here? What about Johnny cuchia? What about Alicia Wagle? She's outside? Tell mer to come back in. Is Jim Rigsby here? You have some time donated by Scott butke?

[11:22:32 PM]

Is Scott here? Yes, and is Kenneth Luo here? Yes? Got you, okay. Sorry, didn't see you in the you'll have three minutes, sir. You have one minute.

>> Good afternoon, good evening, Julie Fitch with downtown Austin alliance. I'm here tonight to ask you not to complete the adoption of item 185 until there's time to nail down some language that really addresses the issues that we're all trying to address. There ever been to be changes. We don't think the language is there yet. We think that there is some ambiguity. We don't believe APD will fully understand how to interpret and enforce whatever is passed. There just hasn't been enough time to get there. There are some intent language that is also ambiguous, and there's a lot of great work that we can build on, and item 184 certainly helps us go in that right direction. We're asking you not to adopt 185 as proposed tonight until you bring forward the solutions called for in item 184. Thank you so much.

>> Mayor Adler: Thank you, Ms. Fitch. Rigsby, why don't you come on up. You have time donated by Jasmine Patel. Is Jasmine here? What about Jennifer pumfrey?

>> She is here.

>> Garza: I think she's outside.

>> Mayor Adler: You can have two minutes until Jennifer comes in and gives you the third minute. Here she comes so you'll have three minutes when it happens. Jennifer you? You'll have three minutes. Sir, you have three minutes.

>> Thank you to the people that gave me time. I wrote this down so I can try to get it in two minutes. Hopefully. My name is Jim, pastor of St. Andrew's presbyterian church, we're just outside city limits so we receive a lot of the homeless population in our homeless ministry who are fleeing the Austin policies. We get a disproportionate amount of people who are aging, mentally ill, veterans with PTSD, survivors of sexual violence, and people suffering with addictions.

[11:24:45 PM]

I've done weddings for some of our guests. I've done one baptism, but I've done way too many funerals, and those happen on the outlying regions of town that are called the paupers' graveyard. I cannot begin to describe the look on the faces of Austin's throwaway people as they realize that they too will share that same dehumanizing and anonymous fate. I have been here most of the day and I've heard the fears of people who live in the neighborhoods, in the areas, and I understand that. But America needs to realize that trying to live in a bubble is not going to keep us safe. We already have more people in prison

than any other country. We sweep undocumented people under the rug. Mental illness and the people who don't have adequate shelter. What we've discovered at St. Andrews is if you treat people's problems that's what you're going to get.

[ Applause ] If you expect them to die out of your sight and mind, they become your greatest but we've also found that if you treat people as members of our human family, they can be some of our best neighbors. Austin, like our nation and like our world, stands at a cross-road, as we know a world defined by property rights that creates a living hell for those without property.

[ Applause ] And a world defined by human rights, that will be the closest thing to what Dr. King described at the beloved community and that is I think all of our hopes and vision for Austin. Thank you.

[ Applause ]

>> Mayor Adler: Thank you. Is meal baremko here?

[11:26:46 PM]

Why don't you come on down?

>> I think [ saying name ] Gave me another minute.

>> Mayor Adler: You only can get two people to donate you time.

>> Mayor Adler: You have three minutes.

>> Thank you, my name is Alicia, resident of district 9, I'm a proud member of the human rights commission and I wish I had had time to prepare really well versed statement about how criminalizing homelessness is a flagrant violation of human rights which I think we all know it is but I got back from Brazil, there for a family wedding, I used to live there so what's top of mind is a story from when I used to live in a city called Salvador in the northeast of Brazil that like the opposite of Austin is, like, 80% black, the rest of the population is very mixed, that is to say that I stick out like a sore thumb there. I spent a lot of time walking around the city because I didn't have a car and public transit is nothing to speak of and a lot of that time I had spent actually getting to know the homeless community, something more cultural there. I think here we're accustomed to tripping over people or walking to the other side of the street or averting our gaze whereas there I got to kind of share humanity with these people and I still remember one of the men who either thought he was a pilot or used to be a pilot before mental illness took hold and could no longer do that and another that knew I was from the states so he always wanted to talk to me about meal Jackson. The reason I say this I also remember the man that tried to rob me on one of the streets. You can't identify a homeless person but I don't think he was homeless. He looked like a very successful gringo robber that did pretty well for himself. He was trying to rob me and a homeless man actually left the streets and come and talked to this man and said you can't rob that gringa be I know her. I still don't remember if I had spoken with him or if he knew me for being a member of the community but I never thanked him for giving me the time to flee the situation so I'm hoping tonight can be a small thank you by trying to speak against the narrative that's been happening

in this country since of age of lynch mobs, valuing the fear of white woman above marginalized communities.

[11:28:58 PM]

You hear me speak a lot. I'm a survivor of sexual assault. Walking home tonight I'm not going to feel more safe knowing we funnel more prison people into the pipeline than if we addressed the root causes of sexual assault. I don't think we should drink et criminalize homelessness any more than frat guys because there's a whole lot more raping happening in from a tenorties than there is by homeless people statistically. So I feel for the victims of sexual assault in this room. I'm one of you. And it's really hard for me to talk about and there's a lot of emotion wrapped up, but, you know, criminalizing homelessness is not the answer to sexual assault. It's not the answer to solving homelessness. We all know we need to build more housing, need to resolve economic disparity of wealth in this city. That's about all I have to there are people that are much better qualified to talk about this than I am so thank you for listening. I appreciate it.

>> Mayor Adler: Thank you. Is Molly English here? Molly English? What about -- you're here? Okay. You have some time donated by max sifert. You'll have two minutes, Ms. English, when you're up.

>> I could maybe use a little more time if someone is willing, but I'm from district 8, name is Michael, I organize with circle C Democrats, with Austin dsa. You know, I want to talk a little bit. I'm a homeowner in district 8. But as a homeowner in district 8 who lives in circle C, one of the best neighborhoods in the city, we still have friends who have begged on go fund me for money when faced with a medical emergency. Any one in our neighborhood would worry about being homeless if they lost their ability to work. You know, anyone might not be able to come up with \$400 for an underneath district 8, not necessarily circle C. We've all seen videos of well to do black people shot by police in horrible circumstances.

[11:31:02 PM]

That's life in the big city now. This is what it means to sell your labor for necessities, you're at risk of starvation if you can no longer labor. We're all homeless in this situation because the system doesn't provide and it doesn't care that it doesn't provide. Because capital has no feelings. And if we want it to change we have to stop pretending that we are better off than our homeless neighbors and starting fighting the oligarchy together. What we cannot do is pay for some of us to enforce the very social structure that is keeping us all down. The more deprived we make the homeless the more scared we are of becoming homeless and the less we all fight for our rights and basic needs to housing, health care, education, and meaningful work in a sustainable environment. If the homeless are scary, but the guys in the suits who create the engines driving homelessness in every major city, 500,000 rough sleeping every night in America are not, then our whole politics is a delusion. Many people experiencing homelessness are full-time workers and students. The oligarchy is ter deciding it is increasingly militarized and if you

think they will protect you remember that people like you have to beg for money from friends to get basic health care. And the police won't help you solve that problem.

[Buzzer sounding] You'll just be on your own to suffer, ultimately hopeless before the power of capital.

>> Mayor Adler: Thank you.

>> Pumfrey, Paige Ellis, for standing with the workers.

>> Mayor Adler: Somebody donated you a minute and that was credited to your time. Is Molly Williams here? Why don't you come on down. This is speaker 152. Go ahead, I think you have two minutes.

>> Good evening, my name is Molly English. I'm a constituent of Kathie Tovo in district 9. Since April this year many members of the Austin DSA, including myself, have been to the homes of hundreds, if not thousands of Austin residents to discuss the repeal of these ordinances.

[11:33:05 PM]

The responses we received from your constituents were overwhelmingly supportive of the repeal. So we implore you, our elected councilmembers, to fully support it as well. Additionally we do not agree with the proposed amendments by councilmember Kitchen or Mayor Adler. Kitchen's ban on underpass camping will reduce access to life-saving shade and people will die in the Texas heat as a result. Adler's amendment changing solicitation to confrontation does not change the fact that assault and harassment are already illegal in the state of Texas. The amendment does little but pander to the very few that oppose this repeal. It sacrifices the integrity of our support for the most vulnerable population in order to appease the few among us that are lacking in compassion. The opposition posed tonight by downtown Austin alliance and others is nothing more than fear mongering and quite frankly it's a waste of all of our time. If we are to solve the problem of homelessness we are not going to do it by pushing our fellow Austinites out of site and away from the resources that they need. We will not do it by imposing a cowardly squeamishness, it is squeamishness, imposing that upon our neighbors experiencing misfortune and we will certainly not do it by continuing to authorize violence to keep these people out of our sights. We will begin to solve homelessness in Austin by repealing these three ordinances. That's the beginning. And ensuring that our homeless brothers and sisters have access to shelter, sustenance and health care. We will solve it by continuing to fight for housing, a human right for each and every one of us. Thank you for your time.

>> Mayor Adler: Thank you.

[ Cheers and applause ] Is Ryan Pollack here? Ryan Pollack? No? Come on down. You have time donated by Abigail Bailand.

[11:35:10 PM]

What about Gatlin Johnson. You'll have three minutes when you come up you have two minutes,.

>> Molly Williams and I live in district 5, I live in an area where the 290 manchaca homelessness issue is really kind of increasing as each day goes on and for a year I've been waiting, just -- and I've talked to these people, and I've been waiting to see, you know, who is going to come to clean up, who is going to come to -- you know, to help these people because what kind of a way of life is this? And the -- as the time goes on it's, like, is this the status quo in Austin now? Because this is so different from what, you know, I knew. I've been a part of Austin for a long time. I've lived in this community where I am now for quite a while, and things, as we all have said, are just getting worse. And so I called the state representative and her office said it's a local matter. I call local and councilmember Renteria says, oops, hands off for us it's a state matter. I called the state. They said it was a city I call the city, nothing we can do. The police come because there's a lot of crime in our area, and an increased amount of crime, and they come and say there's nothing they can do. The thing is it's, like, I have a compassionate heart for the people and the way they're living. As I said I've talked to them. Everyone in this room, everyone tonight has seen homelessness as a social ill, as a problem that can be solved and should be solved. But please understand that talking to some of these people, I don't -- not all. Some. They don't see it as a problem. They act like they don't see it as a problem. That is the way of life they're comfortable with. They don't want the responsibility of -- you know, that comes with a life that is exiting from homelessness. That's just how they operate, you know?

[11:37:11 PM]

They have a hierarchy there. They have, hey, I'm kind of a king pin or big shot in this homeless community, and -- was that two minutes?

>> Mayor Adler: Yes. Finish your thought. Real fast.

>> I guess what I'm trying to say is that the pooping and peeing and -- that, if we let this ordinance go through as written, we're not ready for it yet. If we let it go through as written that means homeless people are coming to Austin and we have camp sites all over publicly in Austin.

>> Mayor Adler: Thank you very much.

>> Just the one I have in my home.

>> Mayor Adler: Thank you.

>> And there's all kinds of --

>> Mayor Adler: You need to let some other people get a chance to speak too. Thank you. Mr. Pollack has three minutes to speak. And then after Mr. Pollack is Peter sheets here? Is Peter sheets here? No? What about Malcolm Yates? Why don't you come on down. You'll have one minute when you speak. Sir, you have three minutes.

>> Thank you, council. My name is Ryan Pollack, a member of the international brotherhood of electrical workers as well as committee on -- central labor council and Austin dsa. Fully to the lady who just spoke



complaining about the trash I also live in the area around manchaca but I'm in councilmember Pio's district. Do you see any trash cans around there? Do you see any porta Johns, bathroom facilities whatsoever? No, you don't. What you do expect these people to do? They don't have anywhere to go legally, even if they -- you know, where are you going to haul it to? Somebody is going to arrest them for that. If you don't provide people with these facilities, you have no room to complain. That has to happen.

[11:39:13 PM]

[ Applause ] As far as criminalizing this, APD was gonna fly out an officer from LAPD to lobby for them. The notoriously -- the paragon of justice, the LAPD.

[ Laughter ] Because they need to justify their jobs. And this is just one more thing. They get out -- they gave out over 18,000 citations in -- between 2014 and 2016 for no sit, no lie, no camping. It doesn't work. And it's -- their lobbying is transparent. We don't need them. They currently take up 41% of the city budget. That 41% instead of criminalizing this could be going preventative measures, actually getting people off the street, housing, treatment, mental health first responders that don't have guns, don't end up with people dead.

[ Cheers and applause ] I want us to have a city where everybody enjoys living here.

>> That's right.

>> Everybody. Not just people downtown. Not just the people with -- that have several students going to UT. Everybody. Thank you.

>> Mayor Adler: Thank you. Is Mandy blot here? Mandy blot? What about Jordan Stewart? You're here? Come on down. You'll have one minute. Introduce yourself and you have one minute, sir.

>> My name is Malcolm Yates 37 I'm a volunteer, I've been cleaning up parks in the east Riverside area for years. I would like you to see some of these camps that we've been cleaning up. Here's a camp that caught fire near our neighborhood.

[11:41:14 PM]

Here is one of the camps in our neighborhood. This is some of the stolen bicycles that they were dismantling. There is a lot of other things also out there. There's a flat screen TV. There's a golf cart that got stolen. Here's people selling crack. So this is over a period of years the number of events it took to clean out this one park. Please, it's really disheartening to volunteers who clean up these parks for council to consider allowing camping in parks. Please do not allow camping in parks.

[Buzzer sounding]

>> Mayor Adler: Thank you. Is Dion Joseph here? No? What about Greg Wilson? Is Greg Wilson here? What about mark Terry? Is mark Terry here? What about Matthew masiogi? All right. What about Andre Boudreaux? Okay. Then how about -- what about Jordan Stewart? That's you. What about Joshua Holland? Why don't you come on down. You'll have one minute, Mr. Holland. Mr. Stewart, go ahead, you have a minute.

>> Good evening, mayor, council. My name is Jordan Stewart, I live in district 9. Three blocks from UT, in fact. And I speak in favor of repealing these ordinances with of course concerns about the amendments. I am also speaking directly to the opposition of wealthy suburn nights some from hours weigh for students out for the summer who would speak in favor of decriminalization as well.

[11:43:25 PM]

It robs people of their basic dignity for simply trying to exist. We hear talk about families and tourists on homeless people. What about children and families who experience homelessness in this city, others who are on the verge of being forced into this. This is rooted in a legacy of white supremacy and Jim if you don't believe that than the skin color of everyone speaking in opposition is very similar to mine this they referenced Los Angeles Los Angeles, and finally Seattle is dying. That was funded by the protrump Sinclair broadcasting corporation. That's right. We don't need right wingers telling Austin what's best for us. Thank you.

>> Mayor Adler: Thank you very much.

[ Cheers and applause ] Is Anna defredes here? Anna defredes? Andtime donated from Jasmine Harrington. So you'll have two minutes.

>> Thank you, sir.

>> Mayor Adler: Go ahead. You have a minute.

>> Thank you, Josh from district 5. I would like to add to what the gentleman from echo said earlier. He said there's a plan to end homelessness and there is, Austin's action plan to end homelessness. If I'm not mistaken it was approved unanimously just last year by the city council. And at least two of its five goals are clearly being violated by these ordinances, which are providing outreach and addressing racial disparities. It's hard to provide outreach for a community actively being pushed into the dark through threats of fines and imprisonment and secondly considering that people of color make up a disproportionate number of those who are imprisoned and those homeless according to the city's own statistics, inprisonning the homeless further is only going to exasperate those disparities. I recommend the city follows its plan it passed in 2018 and I think one step to do that would be to approve a repeal of the ordinances. Thank you.

>> Mayor Adler: Thank you. Is Greg Wilson here?

[11:45:27 PM]

Greg Wilson? Speaker 205. No? What about mark Terry? Mark Terry? 223. I'm going to call this -- I think that's -- no? We're back up. What about marina Garrett? Why don't you come on down. You have time donated from Amanda Lewis. Is she here?

>> Yes, sir, she's in the back.

>> Mayor Adler: Thank you. You'll have two minutes then. Go ahead.

>> Thank you. My name is Anna defredes here in my capacity as a cofounder of the survivor justice project to support the decriminalization of homelessness and with exception I'm not in favor of the proposal to revise Austin's current code relating to prohibiting solicitation with aggressive confrontation prohibited, I think that language is weird and out of step with what we're trying to achieve here I think many of you know me as someone who is keenly interested in how our community responds to sexual assault, and I'm here because I'm deeply disturbed about the way the issue of sexual assault in particular and the safety of women and girls more generally is being used as justification to treat as criminal behavior things that people who are homeless must do to survive, whether it's sleeping, sitting down, asking for help. And so this is a narrative that is out there that I've heard that I'm responding I can't sit back and allow that narrative to prevail, especially not given our dark painful real and racist history of the mere fear of sexual assault being used as a weapon, a tool of oppression to criminalize black and brown people. And I know that that's really hard to hear, but it is the truth. It is the truth about our history. So I am in favor of decriminalizing homelessness to allow us to divert resources to the community, to adequately address homelessness and sexual assault and if we want to get real about sexual assault and homelessness, and I believe that we do, let's talk about the fact that it's actually our homeless brothers and sisters among those in the community at the greatest risk for sexual assault and get real about the fact that rape on campus among students, people who know each other and perhaps are even dating, is where our earnest energy should go.

[11:48:03 PM]

Thank you.

>> Mayor Adler: Thank you.

[ Applause ] Is Nicholas sawyer here? Why don't you come on down. You have time donated by Eliza McDonald. I want to point out to the room that there are 61 speakers left to speak. All of them are in favor of the resolution. I point that out just in case -- everybody is entitled to stake their time and speak if they want to. It's ten till midnight and we're still gonna debate this at the end so don't feel compelled to speak all 61 people, but certainly you are welcome to do that. Why don't you go ahead. You have, as I recall, two minutes.

>> Councilmembers, mayor Adler, my name is marina Garrett and I'm here today as a rape survivor, advocate with survivors justice project urging you to pass these items and no longer criminalize an already vulnerable population. I've advocating for the rights of survivors four years now and that

includes supporting this resolution. The following statistics are from a report by the national sexual violence resource center. Youth experiencing homelessness 61% of girls and 19% of boys report sexual abuse as the reason for leaving home. Of those adults experiencing homelessness 32% of women, 27% of men and 27% of transgendered persons report sexual victimization in the previous year. As a city working towards creating a safer place for survivors that must include the population of those experiencing homelessness. I also want to talk about the narrative circulating that passing this resolution would create more sexual violence. This could not be further from the truth. It seems to me people are choosing to criminalize an entire population. If one story of rape caused us to cast out an entire population we would criminalize CEOs, football players, professors, those living in north Austin, all the way to south Austin.

[11:50:03 PM]

It is harmful to spread the false narrative that a certain population is more inclined to rape. When you vote on these resolutions, I hope your only thoughts surrounding sexual assault and homelessness is to protect survivors and not create more harm. Thank you.

[ Cheers and applause ]

>> Mayor Adler: Next speaker that we'll call on up here will be Mike neckbar? Is Mike neckbar here? You have time donated from Rachel Tepper? Is she here? No? What about Christopher Stillwell? You'll have one minute. When I said we had 61 speakers that did not include donated time. I'm looking at it now it looks like we might have with donated time somewhere over two and a half hours of time still left to go. You have, as I recall, two minutes -- or was it three? Two minutes. Two minutes, sir.

>> Councilmembers, mayor, thank you for staying this late. I greatly appreciate your attention to this. My name is Nicholas sawyer, I'm a law student at the university of Texas and member of the public defense group which represents future public defenders. As a future public defender in Travis county, I don't want to make my career out of reducing the harm that is caused by these ordinances. Already at the expunges clinic at UT I've seen the impact further down the line after people have been arrested and jailed for these offenses on people's ability to get housing and their ability to secure jobs. Criminalization like these ordinances causes more a study by appeal Heaton from the university of Pennsylvania on Harris county and the impacts of pretrial detention showed that if someone was detained pretrial, which would happen if you were jailed for this offense you're more likely to have more offenses brought against you within that year.

[11:52:10 PM]

That means criminalization like these ordinances drives people deep near the system. Instead they should be met with services. Now I'm a UT student. I spend a lot of time on campus as a law student. And I haven't felt either afraid or concerned as a result of homeless folks coming up to me. These

ordinances are unconstitutional. The panhandling ordinance is unconstitutional under the first amendment and there's a federal court of appeals case on that. And the sit, standing, and camping ordinances are unconstitutional under United States versus Robinson, which makes it illegal for governments to criminalize status, and so these ordinances criminalize status. So I urge you to repeal these ordinances. Or in the alternative to accept the amendments from the [indiscernible] On handcuffs coalition. Thank you.

>> Mayor Adler: Thank you. You'll have one minute. Is tea howath here? Yes? You'll have one minute.

>> Good evening, council, Mike with the democratic socialists of America. We knocked on thousands of door for this issue. I have knocked on hundreds myself, talked to people in districts 3, district 5, district 6 and district 9. This is incredibly popular. We don't knock on doors of only democratic voters, we knock on every single door and pretty much everyone we talked to is in favor of this. They think it unfair that homeless people are criminalized. They understand the basic truth that, you know, giving someone a citation suspect going to help their situation and, you know, once they get out they're gonna be homeless again. And people want to see real solutions to this, and they don't want people to be unfairly criminalized so if there's any concern about how constituents feel just know this is incredibly popular. I was talking to a woman in the northwest part of district 9, and I was explaining that it would be cheaper and how there was cost savings with this and she cut me off and said this is about basic humanity and treating humans like humans.

[11:54:19 PM]

I think she made a really good point.

[Buzzer sounding]

>> Mayor Adler: Thank you.

>> I hope you'll do what the people want and repeal these.

>> Mayor Adler: Thank you. Thank you. Is Lauren ordel here? Go to the next name, sue Gabriel. Lauren ordil? Sue Gabriel? Brandy trindell? What's your name, ma'am? What's your name.

>> Mayor Adler: You have time donated from Andrew mckulca? Is he here? No? What about meg pasnic here?

>> Councilmembers, my name is [ saying name ] And I'm a dual degree student at UT interviews I conducted in 2017 showed Austin professionals from the medical librarian and law enforcement professions

[indiscernible] Interact with individuals experiencing homelessness. As a social worker I believe we should spend our resources training and building a holistic community based approach not criminalizing a condition unconstitutionally as criminal ordinance do's. As a law student I am outraged by the first amendment violations in the current ordinances, specifically targeting a population whose livelihood and safety is dependent on ability to ask for help. I can think of no compelling government interest

strong enough to warrant such wide sweeping bands. If safety is the alleged, it I ask whose safety is? I am a UT student and never felt threatened by individuals experiencing near and around campus. I would like these individuals to experience the same safety when exercising their rights.

>> Mayor Adler: Thank you. Next speaker is brandy Trimble. Is Randy Tribble here? What about Kate Graziani?

[11:56:22 PM]

What about enrica Martinez? What about Cameron Ramos? No? What about Liam dyer? He's here? Have him come back in. And let the clerk know. What about Kayla Hartman? Kayla Hartman?

>> [Off mic]

>> Mayor Adler: Okay. All right. Liam, why don't you come on down. You have one minute. Go ahead.

>> I'm sue Gabriel from district 3. Punishing conduct that is a universal and unavoidable part of human -- of being a human violates the eighth think on this before simply amending on ordinances. These ordinances are targeting people experiencing homelessness. As south by southwest and other events centered downtown, there are many people violating these ordinances with no police harassment, no citations and no arrests. Needlessly forcing homelessness -- needlessly forcing homeless people into the criminal justice system does nothing to prevent homelessness in the future. As a matter of fact, the city should see to it that the records be expunged for all people who have received citations and been arrested because of these ordinances. That would mean less policing.

[Buzzer sounding]

>> Mayor Adler: Thank you very much.

[ Applause ] I think Mike [indiscernible] 131 has already spoken. What's your name, please?

[11:58:22 PM]

>> Oh, Kayla Hartman, Liam dyer donated his time to me.

>> Mayor Adler: Hang on. What's your name?

>> Kayla Hartman?

>> Mayor Adler: Okay. And William dyer donated time? Is Mr. Dyer here? Great. You're gonna have two minutes. Is Liam dyer here?

>> Yeah.

>> Mayor Adler: That's --

>> Sorry about that.

>> Mayor Adler: I had William -- okay. So Liam dyer is donating time to you, so you have two minutes. Is mark Mccartney here? What about Brian register?

>> Yep.

>> Mayor Adler: Mr. Register? Did I -- okay, you'll be coming up. Go ahead, you have two minutes.

>> Thank you. Hi, my name is Kayla Hartman, I live in district 9 near the university. I'm one of the proverbial social workers. And I work with folks that have serious mental illness throughout Travis county. Many of which become homeless, and so I have a lot of the same -- I wouldn't say clients. I have the same interfaith as the kind of, I don't know what they -- they don't use caseload, as the police do. We see a lot of the same people. And I think what's really important here is that we have fundamentally different jobs. The police, no matter how kind they are to someone they're citing or someone they see every once in a while that they sometimes, like, have to arrest or cite, they -- it doesn't matter how kind they are. They have a fundamentally -- their job is not to protect or serve them. That is -- that's just not what they're there for. That's not what prisons are there for. And so it's not just that the city doesn't care about homeless people. It systematically funds the abuse of homeless people. We fund trauma in the lives of those who are already traumatized and after knocking on all these doors I can tell you that people don't want it. The people want affordable housing and permanent supportive housing.

[12:00:23 AM]

I'm telling you as someone on the front lines this city does not have enough beds to house people even temporarily, even with the new shelter. It is a nightmare to help someone get back on their feet following a stay in the hospital or coming out of an abusive household. Instuff income and lack of affordable housing are the leading causes of homelessness. We are in a housing crisis with a minimum wage of the punishment for this moral ethical catastrophe caused by the most powerful lands on the victims of the catastrophe. Criminalizing people for a lack of stable housing, lack of shelter has been found unconstitutional in the case of martin versus the city of it is the lease humane thing you can do. This must end today?

[Buzzer sounding] Thanks.

>> Mayor Adler: Thank you.

[ Applause ] So as I'm looking at my

>> Mayor Adler: As I'm looking at my list, speaker 131 has already had a chance to speak. 132 is Tessa howath, which was not here before. Lauren wartle was not. Sue Gabriel, some, was not. Brandy tribble, I called. Why don't you come on down. You had time donated from Matthew crabial. Is Matthew here? No? You'll have one minute. Go ahead, sir, introduce yourself, you have a minute.

>> I am Brian register. Given that it's biologically bobble not to sleep somewhere, sleeping outside, inside place is mandatory. The laws outlawing homelessness are an individual mandate for purchase of

shelter in the private marketplace. When such a mandate for health insurance was put into the affordable care act, a subsidy was added. It's irrational to demand everybody buy it. It does not make us safer, encourages dangerous one brave woman from U.T. Mentioned earlier.

[12:02:23 AM]

What happened in the past happened in spite of current policing and there's no reason to believe the same policing will have a different effect tomorrow. Many speakers have addressed Dallas worth but to outlaw homelessness is as we've heard lethal to the homeless. If you're comfort demands my death, you best get used to being uncomfortable because I have no intention of dying for your feelings of. The homeless love their lifts just like you and I and the city ordinance gives them to right to live at the expense of our comfort.

>> Mayor Adler: Thank you.

>> How much time do I have?

>> Mayor Adler: I think you had two minutes. At the other podium is Kate Graciani here? What about Enrique Ramirez Martinez? I'm looking at the numbers, those are the speakers 136, 137. Is Cameron Ramos here? Liam dyer donated his time. Kayla Hartman spoke already. 140. 141, mark McCartney.

>> He's not here.

>> Mayor Adler: Not here. Brian register we just heard from. Is Brian register here? We just heard from. Is Matt Arnold here? Matt Arnold? You want to come down and speak? Already spoke, tonight had is time.

>> I could use some donated time if spin wants.

>> Mayor Adler: Okay. Is Emily grace Clark here? No? What about Debra way Salinas? Debra way Salinas. What about Eric Goff, you're come on. Mr. Goff, you have donated time from Justin hillsmith. You'll have one minute. Go ahead. You have two minutes.

>> Okay. Well, let's see, my name is brandy tribble.

[12:04:25 AM]

I'm from district 1. I'm a street artist. I spent 11 years in foster homes and subsequent years homeless due to a lack of social services for individuals like myself. In 2012 I was homeless with my daughter, who was three at the time. I was incredibly disadvantaged as a poor person, but the way I look at it is it's a true testament really to my white privilege, which was the only sense of hope that I had at the time, which is a shame to admit. I have a brother. He is a black man. He is present homeless and battling addiction due to overall hopelessness and never-ending systemic racism and discrimination. He spent



most of his adult life unfairly targeted by the police. His character and existence have been criminalized. He spent countless years in jail, lacking resources to post bail or defend himself appropriately. While my brother and I come from the same economic and familial circumstances, my privilege -- pretty privilege sets us apart because I don't look like my brother, a black man, I'm continually granted opportunities, unerrand affection, and the proverb I can't believe get out of jail free card. I've never, ever been stopped by the police, Sans minor traffic violations. Because of white privilege, I was able to turn my life around. As I said before, I'm ashamed to admit it but it was my privilege that gave me hope, it was my privilege that gave me a job, my privilege that put a roof over am I head, it's wack but it's the truth. Hope and privilege was my only coping Menchaca to pull me out of destitution, that's a bad hope. I'd like to immediately end the criminalization of homelessness. I'd like you guys to rethink the angle on how you're taking it.

[12:06:28 AM]

If you want people to move out of these -- move from underneath these bridges, why don't you divert the traffic somewhere else so they don't cause safety issues for the people who need to live there.

>> Mayor Adler: Thank you very much. We're going to give other people a chance to talk.

>> How about --

>> Mayor Adler: We have to give some people a chance to talk, too. We have to give some other people a chance to talk as well. I think we've called Brian register already. I'm looking at person 143. And I'm looking at 144. I think Matt Arnold has had a chance. And then Emily grace Clark, I think we called and was not here. We called 147, which is Debra way Eric Goff is just about to speak. That gets us to Jacob Aronowitz. Is he here?

>> That's okay, I yielded.

>> Mayor Adler: Thank you. Ryan roshert, you want to speak? Come on down. Go ahead, Mr. Goff, you have a minute.

>> Hi. My name is Eric Goff. It's getting late. We're all getting tired. Imagine going home tonight and not being able to sleep because you don't know if someone is going to wake you up and kick you out of your bed. That's what we're talking about tonight. I'm with aura. We call it Austin for everyone. We usually focus on the everyone, but I want to focus on the four for a few seconds. Austin needs to be for people, and sending the police to arrest people for merely not having enough money to have a place to sleep and who are stressed out and not able to sleep because of that is the real criminal act. And I know you all know that, and I hope you all if I can say that fix that tonight. Thank you.

>> Mayor Adler: Thank you. Is lynnay Edwards here? You want to speak? Come on down. You have time donated from Glenn Washburn. You have two minutes. Go ahead, Mr. Roshert, you have a minute.

[12:08:30 AM]

>> Can I ask a real quick minute? I'm looking around the room and watching people peel away. I know for so many folks the whole point of them being here was they wanted to see the deliberation part so I'm -- procedurally, I'm not sure how we can encourage people, especially if every single other speaker -- trust me, I'm never the one to want to silence everyone, I want everybody to be able to express themselves and have their voice be heard, but if every single other speaker is going to speak positively toward the repeal of these ordinances and if it's even remotely interesting or a desire for you to want to stick around for the deliberation, I think we really should start thinking about a consolidated effort here. That's all.

>> Mayor Adler: I think it would be good. Everyone else signed up to speak on this is speaking in favor of it. And I hate to be a spoiler, but this is going to pass.

[Laughter] Go ahead. You have -- I think, Mr. Roshert, you had a minute.

>> Okay. So I too have high-minded ideals about the human rights of the homeless, which I will skip over and just say that I live in district 5 and I visited this new transit center every day since it's been open, and, Ann kitchen, I visited this transit center every day since it's been opened and I don't think that we need a specific carve-out for the people staying under the Ben white bridge. I think there's about four people, and it's not ideal, but I don't think we need to codify into law the ability to remove them. If we have a better spot in the area, they'll likely go there. Thank you.

>> Mayor Adler: Okay. Thank you. And is Amanda Cavazos Weems here and wishing to speak? You have time donated from two people. Pamela Brubaker, is she here?

[12:10:34 AM]

No? What about Tracy hennicky. Here? You have two minutes if you want to take it. I think you had two minutes. Go ahead.

>> Hello. My name is lynnay Edwards, I live in district 1. I'm a registered nurse. I volunteer at hope clinic, I'm a clinical nurse specialist graduate student at the university of Texas of Austin. I guess I'll skip over some of my numbers. Mention that our governor signed our spending bill, which includes \$900 million cut, to medicaid, which will really affect how we can serve our most vulnerable and underserved populations within our communities. And that point, I just want to know when are people frustrated with homeless presence downtown going to know those cuts to service are leading to problems today we're seeing on the streets. I have to say that I struggle with the opposition to this resolution by the police. It was Austin's own police officers that taught me about the history and treatment of ensuing criminalization of psychiatric patients when I attended Austin's 14-week citizen police academy in 2016 where, essentially, when the lunatic asylums were closed without support, those were never realized, so police were left to manage that population. Officers, I know so many of you came to your profession with a simple desire to do good and be of service to your communities, and as a health care worker, I consider it a privilege to work alongside people who share that desire. And I just wish that you would join me in starting to get angry that such a large portion of your job is managing symptoms of poverty.

It's the lack of funding, accessible health care and social services that have failed our vulnerable populations and the police can never fix that. Removing homeless from urban areas where they have the most access to health care, social resources, and the safety of visibility is only doing them harm.

[12:12:43 AM]

Criminalizing a homeless person for having enormous to go does nothing to address the root cause of poverty.

[Buzzer sounding] And as a health care worker, I see the effects of homelessness and untreated addiction and mental illness among the population, and I really hope that we can work together on addressing those. Thank you, city council.

[Applause]

>> Mayor Adler: I've now added people at the bottom of this list, some people that had signed up on 184 that had not signed up on 185. There might be people among that group that are in support of 184 that signed up for that are not showing for or against on 185, so I'm going to stop saying that everybody left to speak is in favor because I don't know that. And then I think you asked the question, councilmember harper-madison, whether there's anything procedurally that can happen. The council can decide how it wants speakers to speak at any time it wants to. The council sets the rules so the council set the rule that said the first 20 would have three minutes, then one minute thereafter. You know, at some level it becomes unfair to go late because people are missing, people have to leave. I mean, there's no way to make this a fair process for everybody when we get past midnight because either you're eliminating some people to speak or you're limiting people's ability to watch deliberation. But in answer to your question, the dais can treat speakers how -- could set the rules at its discretion, however it wants to. All right. Back to -- to where I think we are, is Dave Pinkham here?

>> I yield my time.

>> Mayor Adler: Thank you. Is Garrett here? Okay. What about Bob batland? Do you want to speak?

>> Yep.

>> Mayor Adler: Okay.

[12:14:44 AM]

You have time donated from Mary lieu batland. Lou batland. State your name.

>> Amanda Cavazos Weems. I'm a lifeguard. I'm going to cut this short. Sisters, brothers, siblings in struggle, this is why we organize. I really appreciate the council and the mayor for doing the right thing and supporting the most marginalized communities in our city. And the reason I got into this work was

because I was tired of worrying if my croaker worker who -- coworker living in the greenbelt was going to be okay after the storm. I got tired of wondering if my pregnant coworker would be okay when she couldn't take time to see the doctor and take care of her baby. We got together and we organized and we changed that about our lives. We fought for a living wage and we won. Because we joined our union. And we were teenagers and 20-somethings, and we helped change our city for the better. And I'm really proud to be a part of this process yet again. I'm glad that we found morale

--more allies to help us with paid sick days. I'm proud to be fighting for homes and not handcuffs now. It's a good thing that we're doing here and I really just cannot express enough gratitude for all of you here to sit late into the night with us as we bring about a better world. So thank you so much for your time.

>> Mayor Adler: Thank you.

[Applause] Is Debbie Russell here? Do you want to speak? Okay. Why don't you come on up to the podium. You have two minutes, Mr. Batland.

>> Mayor, council, my name is Bob batland.

[12:16:48 AM]

I wanted to wish Kathie tovo happy birthday but I missed it. Please pass both items. You are balancing compassion, public safety, and public health. With amended language, compassion is becoming an afterthought, but a little progress is better than none. I work with, laugh, cry with eat with and hug many chronically homeless individuals. I beg for donations. Some people give me pats on the back as someone who cares. I've also been yelled at by those I try to help, others who don't want me to help these folks, and rarely even by the police. Some random observations. Bathrooms are more important than citations. Dumpsters might help keep the city cleaner and might prevent someone's medications from being discarded as a camp is being destroyed. The one be it resolved statement that implied you might work with the homeless to try to understand their frustrations and aspirations is the most important. A. There seems to be hope that smart people with a bit more money can figure out how to solve other people's problems. It won't work. Substantial improvements to dignity will remain loose similar. As naive as it may sound, the beatles had it right. All you need is love. Unfortunately, love requires a total revamp of the city's mindset. Loving the homeless is messy, expensive, labor intensive, ongoing and hard to capture in a database. Love doesn't end when someone gets an apartment and appointment for services. Please do me a favor, and this is you and you. Rent a micro home for a couple nights at community first. Create something at the art studio or the forge, get an oil change or state inspection. Shop at the market, take in a movie, by a burger, work in the gardens, and feed a goat.

[12:18:49 AM]

Neighbors, staff, volunteers, go on a hunt. You'll see love, pride, maybe a bit of confrontation.

>> Mayor Adler: Thank you very much. Next speaker, David Bradley.

>> Debbie Russell, district 3. I want to first allude to somebody who recently passed who would definitely be here with us tonight fighting the fight, and in that spirit invite you all Sunday night, 6:00 to 9:00 P.M. To the celebration of the life of

[indiscernible], also who is looking out over us tonight as many might not know, Leslie planned on spending the rest of his life here when he got here in the late '90s, it was this quality of life ordinances that cinched it, staying here for the fight for that. We can't get ourselves off the national coalition of homelessness, cities in the U.S., without doing away with these ordinances. We can't rewrite no sit, no lie and rewrite the ordinance when they're inherently unconstitutional. When you create laws on top of laws, we already have to address these situations for specific targeted groups, it's discriminatory, we need to get rid of those and get off that list, houses not handcuffs. Thank you.

>> Mayor Adler: Thank you. S.

>> Mayor Adler: After Mr. Bradley speaks, is Jacob Jackson here? Is Erica here? What about Brennan griffin?

[12:20:50 AM]

Coleby duhahn? Jared, Brackenridge, do you want to speak? Go ahead, sir.

>> I just have a quick question which is to the dais. Why does the financing for echo's 250 housing unit plan that council, Travis county, and central health voted for include a 9 to 12% annual rate of increase for bank of America and Goldman sacks? Why is that? Can't we come up with better financing? Thank you.

>> Mayor Adler: Thank you. You have a minute.

>> I'll read super quick. Evening mayor and council, I'm coleby Duhan, here to speak in favor of item 185. I find myself this evening forced to call attention to the stark geographic divide of this item's the hard truth of the matter, the councilmembers not sponsoring 185 this evening hail from the most privileged areas of this city, areas that would benefit by the continued sweeping under the rug of an issue which those most privileged in our society systematically constructed and hold in place with a vice-like grip. We must confront this as a council and city. We must ensure the new shelter is pushed through. It's a start. I'm asking you to do better. There's no reason this proposal should not have had eleven sponsors this evening. There's no reason it should have taken us this long to write this egregious wrong. There's no reason councilmembers representing our city's most marginalized should have to shoulder this effort alone time and time again. You can correct this tonight with an 11-on vote with promise of engaging and fixing the failed policies that confront our city right where they're at.

[12:22:54 AM]

>> Mayor Adler: Thank you very much. Is Aaron star here? What about Janice Henderson? You have one minute, sir.

>> Good evening, council and mayor. I first want to say my name is Jared Brackenridge, huston-tillotson university student. I was going to take your advice, councilwoman Natasha harper-madison but I just had to say it. For those of these U.T. Students in here talking about how unsafe they feel, huston-tillotson university is the first institution of higher learning here in Austin and we're right there next to 35 so we have the same experience, but however, we don't have this experience that y'all are talking about, saying that you feel attacked when you walk past these homeless people. I don't believe that. However, I mean, you walk past them; right? If you don't feel safe, there's this rule, walk with another person. Call the police. But however, what I will say with all of this, I guess you could say is, I see it as an attack against people of color. As we know, they are the majority that's homeless. If you go past the arch, that's what you're going to see. I feel like this is an attack against people of color, I will say that.

[Buzzer sounding] There's nothing wrong with sleeping on the side of the sidewalk if that's where you are forced to sleep. Right? I'm going to leave you all, give you all time back.

>> Mayor Adler: Thank you, Mr. Brackenridge. Before Ms. Henderson speaks, I want to know if renjana is here. You have time donated from David Mcmichael. Is Mr. Mcmichael here? You'll have one minute. You have a minute.

>> Good evening. My name is Erin star and I live in district 1. I'm a member of atx resistance action, and a member of our group who was unable to be here tonight lives in south Austin and has befriended a number of the homeless people who live under the Ben white bridge. He has interviewed them about their concerns, and the one thing that they all feel causes them the most stress are the periodic sweeps that A.P.D. Does of the area, where they throw out their belongings and force them to disburse.

[12:25:12 AM]

While they say that there have been some police officers who have been kind and respectful, there are many that are not. One name that came up in every single interview as being a particularly cruel officer is officer Aaron Townsend. He was observed exiting his car, yelling and cursing at the homeless, kicking over shopping carts, taking away people's belongings and forcing them out from under the bridge. Something he particularly enjoys doing during the worst possible weather, thunderstorms and cold. As a resident of this city, I must insist that officer Townsend's employment be terminated without delay. Thank you.

[Cheers and applause]

>> Mayor Adler: Is Janice Henderson here? Janice Henderson? Are you Janice Henderson? I'm sorry, I had it wrong. You have one minute to speak.

>> Okay. Thank you.

>> Mayor Adler: Is renjana here? You don't need to speak? Thank you. What about Miriam firentino? You want to speak? Come on down.

>> Thank you. Dr. Janice Henderson, I work with people who experience issues such as what you've spoken about tonight. The experience of homelessness is often simply the station of other greater more pervasive needs but when you're homeless, the one need you have is the very need to just be. You have nowhere to just be. Who are these people who experience this? They're vets, they're people who are escaping domestic violence, they are formerly incarcerated who can't rent an apartment because of their records. They're my son. They are not committers of further crime, they are not committers of harassment, they are the folks I see who say to me, hi, mama, because they know me, and they know my son.

[12:27:20 AM]

They are the man who knows that I have a disability and offers to carry my groceries from the grocery story. They are the men who know because of my disability I have financial issues and has offered me a sandwich because he wanted to make sure I have food.

[Buzzer sounding] Please keep these people in mind. Don't criminalize them further.

>> Mayor Adler: Thank you. Is Emily garrick here? Thank you. What about Chris Harris? Mr. Harris, you have time donated from Margaret Halpin. What about Jillian Jacobs? You'll have three minutes, Mr. Harris. I think you had a minute. Go ahead.

>> Good evening or good morning, I'm not sure which. Mayor and council. I come here this evening --

>> Mayor Adler: What's your name?

>> Miriam ferrintino. I come here this evening wanting to offer empathy to you all as it is really late and to everyone else here who cares about this issue on both sides. I hear a lot of tiredness. I hear a lot of fear. And I hear a lot of desire to -- for well-being, for themselves, their family, and their communities. And in that spirit, I want to say happy birthday as well because my birthday was the same day, and it is the empathy with which I come this evening, and I come -- I know I could have given my time up, but I also come representing other folks who have been marginalized. And I want to continue to advocate for conversation. It's going to take all of us to be able to solve this issue. Thank you.

>> Mayor Adler: Thank you. Is Selena Stewart here? Do you want to speak? Come on down. Go ahead, Mr. Harris, you have three minutes.

>> Thank you, Mr. Mayor and council. I'll try to be brief.

[12:29:25 AM]

For too long we have relied on police and jails to handle our social and economic problems in our communities. Homelessness is one of the biggest, and one of the ways that we have most failed our community by, instead of using the resources that we put into policing, that we put into the courts, that

we put into the jail, using them there, instead of using them on solutions that would actually work to not only help people get out of homelessness but actually prevent it in the first place. And so I say to you that this is an opportunity, I want to thank you so much for your leadership on this issue, for doing the right thing as it relates to decriminalizing the most unavoidable behaviors of existence. We don't believe that these ordinance changes go far enough, and so to end the criminalization that will still be allowed under these ordinances, it will be necessary to continue to move people out of homelessness and to fix this problem. You are still going to have people that ultimately need to sleep in our streets right now, that ultimately need to lie down and sit, and will be criminalized, via the exceptions that remind in the ordinances that are put forward. In order to prevent that from going forward, we have to continue to put the resources toward actually fixing the problem. And I understand that we have a lot of disagreements with other folks in this room, but I do really believe that it's going to take this entire city, it's going to take every man, woman, and child, all of the resources that we can bear in order to fix this problem, and so I really do want to have an inclusive process that allows us to really do that so that we truly end criminalization of homelessness in all its forms, and we also dial back the use of policing, not only in this circumstance, but continuing to look for other opportunities where we are using police, prisons, jails, and courts in lieu of the social and economic problems that we have in our community, that we can address in other ways that are more humane, more cost-effective, and lead to less horrible outcomes on the back end for our communities.

[12:31:50 AM]

So, again, I want to thank you so much for your leadership, not just to the co-sponsors but to the other supporters of this ordinance, these changes, and really look forward to continue to of these conversations with you all and to address homelessness. Thank you so much for your time.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Selena Stewart? And before you start speaking, is Madeline detailic here? What about master Reyes? Do you want to speak? Okay. Come on down. You have time donated from Madeline Olson. Is Madeline Olson here?

>> I'm here.

>> Mayor Adler: Okay. You'll have two minutes when you come down. Go ahead. You have a minute.

>> Thank you, Mr. Mayor. I'm Selena Stewart of the obviously I am here for the repeals. I am here representing first Baptist church of Austin where I'm the first ever community care coordinator that they have, and we are working on a new mission to walk with our neighbors, experiencing homelessness, so I won't go on and on with statistics and reasons for the repeal, only more just offer all of us hope in this room that there's a church here that has come with a solution, and that is we are following the accompaniment model that literally will walk with people who are experiencing these challenges and celebrate their opportunities and walk with them through those challenges as they experience them.



We are breaking the traditional mold of the transactional services that we see around town and moving towards the relational, that has support for evidence-based --

[buzzer sounding]

-- Model that walks with people, literally, as they navigate these difficult systems, so thank you very much.

>> Mayor Adler: Thank you. Is Michael Willie here?

[12:33:52 AM]

What about Katie horseman? What about Angelica Cogliano? What about Gary Bowen's? Would you like to speak? Come on down. You have time donated by Nicholas Lamore. Is he here? You'll have two minutes, Mr. Bowens. Mr. Reyes, you go ahead. You have two minutes.

>> My name is Julian Reyes. I'm currently homeless, been long-term homeless. I have multiple degrees, probably most of you guys oath dais. I live in district 5, I stay outside sunrise, in that area, and I'm familiar with pastor mark at sunrise. Go ahead and play the video. We find you, the city council, in violation, the Austin police department in violation for reasons like this. This is actually video 2. Can we get video 1, please? There's a veteran that wanted to do a police complaint about the treatment by a police and how he was brutalized by the police, and here he is. Is there audio?

[Video playing]

>> Two years ago I got beat up by an officer. I was in a wheelchair

[indiscernible]

[12:35:53 AM]

>> You can pause it there and get ready for the next what he's complaining about is officer Kaiser body-slammed him while he was in a wheelchair and took at least six people's cameras and sequestered them and judge Coffey, he says, took a bribe to get that officer off any kind of charges and that he took a check. And so that's what that here's the other one. Here's the result of your homeless cleanups for camping down on Riverside. Just a couple weeks ago the two police officers pushed this man up the hill, left him in the rain with the cleanup crew there, this whole video is the man's struggle after the negligence of the city.

[Buzzer sounding] So you guys are causing -- last year you caused 146 people to die on our streets through the criminalization and negligence of the city. So we find you in violation and I want a full repeal and no amendments. And I do support more talk on it.

>> Mayor Adler: Thanks for coming down. Before Mr. Bowen speaks, I want to know if Caitlin Clune is here. What about Daniel Guzman? What about Maya Luna? What about Seneca Savoy? What about Jeff lafeet? Jeff lafeet? Mr. Lafeet? Seneca. Okay. Got you. You had time donated from two people, Michelle mulnar. Is she here? What about cassie philatrop? You ever two minutes.

>> My name is Gary Bowens, aka the movie trivia guy.

[12:37:55 AM]

I am homeless but I've had plenty of problems with the police department and they're the only ones that do bother me. The area where I sleep, not camp, because I'm from new York, I don't know anything about camping, I don't know about pitching no tent, I don't know anything about any of the factors of camping. The area that I sleep is very peaceful and I must say the people that are homeless in that area will come to the area where I'm at and they will lay their head down because they know they're in a safe spot. I had strict rules in THA area. I've also had a meeting with Greg Casar at that area, and the first question he asked me is, where can we put the homeless? Right next to the area where I sleep there's an empty Home Depot that's been empty for the last 10, 20 years. I said that would be a perfect place to put the Greg Casar, I want to commend you on the work that you're doing with that home Depot. He has entered a agreement with U.T. To build affordable housing in that area. I don't know if you're going to tear that building down or if you're going to build another building, but what I have a question is, is it going to be for affordable housing or is it going to be for the homeless? And if it's for the homeless, thank you for taking that suggestion that I gave you because that was the first question you asked me. Mayor Adler, may 14th I wrote a letter, I sent to you, police chief Brian Manley, and the Austin statesman about the police and their criminalizing of this --

[buzzer sounding]

-- Homeless situation. The homeless are the victims of this criminal act. The police are the ones that pursue that nature.

[12:40:02 AM]

>> Mayor Adler: Thank you for coming down and talking to us.

[Applause] Is Jeff lafeet in? Jeff lafeet here? What about Eva lafeet? What about Amanda woog?

>> Not here.

>> Mayor Adler: Okay. What about Timothy bray? Thank you. What about Jen Ramos? Do you want to speak? Come on down. You have two minutes.

>> I apologize for any part I play in prolonging what has already been a long process. This is something that's been very difficult to reign an attachment for me, both because of my personal story and because

the first time that I stood in front of this microphone was the night that you all took up the echo plan to end homelessness, and about half of the people there to testify chose instead to talk about this issue. This is something that's been a long time coming and has taken significant work, and I want all of us to realize that for some of these things, where we are actively doing harm, that it shouldn't, we -- the state of evidence and study are around the effects of homeless criminalization, were not a difficult knot to go through, all studies point in one direction, direct experience from cities across the country that have reduced homelessness. I realize the political opposition can be hard to overcome, people's fear can be hard to overcome. But ultimately, when doing harm, we have to stop. And I'm glad that we've chosen to stop tonight. I know that as Chris Harris said earlier, you know, there are many areas where we are using enforcement as a solution to social problems, and I hope this can be an example, like freedom cities was last year, of ways in which we can simply stop doing harm.

[12:42:11 AM]

It's hard to hear some of the things that people have said tonight, and I hope that we can put together the coalition and the force that ends the rhetoric that equates the experience I and so many others have lived through as being one of criminality, and ultimately prizes the discomfort of people who see me suffering over my suffering. Right?

[Buzzer sounding]

-- That was two. Sorry about that.

>> Mayor Adler: That's okay. Thank you.

[Applause]

>> Mayor Adler: Is Beatrice Reyes -- I think it's Amanda Beatrice Williams. What about Joey jitsing. Do you want to speak? Come on down. You have a minute.

>> Good evening, mayor, esteemed members of the Austin city council, I'm the president of the Austin young Democrats. I'm a resident of district 9, speaking in support of items 184 and 185 but my mother is a domestic violence survivor. In several occasions in my life we've been forced out of our home with nowhere to go. Had my mother not received support in order to eventually leave, we could have been on the streets. My family was lucky. Not all families are fortunate. The truth is, we don't know the stories of our homeless community but that doesn't make them our most vulnerable community any less worthy of compassion and understanding. I hold heavyweight of privilege that I can testify before you today. And I understand and the irony that those who are directly affected by this policy and decriminalization of their survival are unable to testify in their defense. That does not mean they are any less deserving of compassion or humanity. Council, when all is said and done, we will leave these chambers and go home to our families. We will find our beds and we will go on with the tribulations of our privilege, property taxes, finding late night dinner or laundry we put off. For many austinians they will be seeking a place to sleep and hope they will make it to do day.

[12:44:16 AM]

>> Mayor Adler: Thank you very much. Thank you. Samantha Meyer here? You want to speak? Come on down.

>> I always have to test the mic. Good morning, evening, whatever this is. Council and mayor Adler, my name is Joey. I am the president of the disability caucus for the Texas democratic party, and I am here to say that I, too, recently graduated from the citizens police academy which I really encourage all of my activist friends to do because they are very forthcoming with all of your what I'd like to say is that I realized, asking all of my questions, that they are looking to you all for leadership. They are following what you all put out there. Right? And so the thing is, they don't really have answers or solutions to the problems that they are asked to respond to, which happen to be people without resources and people without enough housing and people with criminal records so they can't find employment or they're passed over for housing because not enough is deeply affordable. So really, you know, we can't -- you have to give them some sort of answer. The answer is not more police, the answer is --

[buzzer sounding]

-- More housing and more resources, so consider that. Thank you.

[Applause]

>> Mayor Adler: Is Susan reed here? What about [indiscernible]? Go ahead. You have a minute.

>> Hi. I'm a mental health counselor and case worker and I work with homeless individuals in Austin and individuals with severe mental health illnesses.

>> Mayor Adler: What's your name?

>> Samantha Meyer.

>> Mayor Adler: Thank you.

>> I want to speak a bit to how these ordinances impact individuals that experience mental illness. So I want to start by saying a common feature of the mental illnesses that my clients experience is and pair not to my recollection I think we all know, that ice cold fear that everyone is out to get you.

[12:46:19 AM]

Advocates like myself do our best to repair this paranoia but it's hard to do when these individuals are criminalized for just sitting down. I mean, how can -- how easy is it to feel like everyone is out to get you when you could be given a citation or even ready for something so simple as trying to find a place to sleep outside, or asking your neighbors for a couple dollars to get something to eat. A citation never helped heal someone's mental illness and jail never helps heal someone's mental illness. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Is bill Bryce here? Okay. What about Brian Taylor? Okay. We'll hold. Go ahead.

>> My name is Susan reed and I live in district 6. I'm here to request your vote for item 184, which appropriately calls for a plan encompassing how to address problems with people who live in Austin but don't have a place to call home. We need to provide them services, we need to provide them homes. Much has been said over the past year, few years, about this entire situation, but this proposed resolution actually makes clear some steps that we can take to find some solutions to these problems. Proposal provides actions that can be taken in the interim while the plan is being developed and fully implemented to address the issues in item 185, which should be postponed to assure that there's opportunity for public input to prevent safety risks and unintended consequences. Please vote to postpone item 185 to give the city manager time to return the information to you that you need.

[Buzzer sounding]

>> Okay. Thank you.

>> Mayor Adler: Thank you V ery much.

>> Mayor?

>> Mayor Adler: Yes.

>> Casar: I just want to thank Ms. Reed for sticking this out, and as often occurs in these types of long debates, you win the prize.

[12:48:23 AM]

The only district 6 resident to speak all night so I just wanted to thank you for doing that.

>> Mayor Adler: Okay. Is Brian Taylor here? Is Christian caballerro here? No? Is indica Rodriguez here? No? Is Erica Galindo here? Is Josiah Stevenson here? Is there anyone that's signed up that I have not called? Would you go ahead and introduce yourself. You're our last speaker. You have one minute.

>> Who, me? Oh, I thought Kerry donated time to me.

>> Mayor Adler: Who did?

>> Kerry Roberts. I have at least two minutes. I've been here for eight hours.

>> Mayor Adler: If Kerry Roberts donated you time you have two minutes. Go ahead.

>> Hello. My name is [indiscernible], I live in district 4. I agree being homeless should not be a crime and I can understand how council is trying to resolve this issue by initiating Progressive policies. One definition of the word Progressive is favoring or advocating progress, change, improvement, or reform, as opposed to wishing to maintain things as they are. But, as with every -- anything, you can take Progressive to an extreme. You can take a good thing so far out there that at some point, you're going to

turn a corner and you're going to start going backwards. You're going to regress. So what we have then are regressive consequences of Progressive policies. We live in a city where our police department is severely understaffed. Police officers have basically been relegated to being call-takers. They go from call to call to call without the opportunity to interact with the community in a non-emergency situation.

[12:50:30 AM]

Our public safety officers have got to have the tools they need to keep all of our residents safe, including our homeless. Passing item 185 would result in the regressive consequence of limiting our police officers' scope of authority to exercise discretion when deal with the homeless, thus making it more of a challenge to keep all of Austin residents safe. As there hasn't been any formal community input that would have given our community an opportunity to voice our concerns, I urge council to pass item 184 and postpone any action until you can gather feedback from your constituents. Thank you very much.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Colleagues, those were all the speakers that we had signed up on 184 and 185. We're now going to consider each one of those in turn. We're going to begin with item number 184. It's my motion, I move passage of 184. What I've handed out is in version 3 in the upper right-hand corner, that's what was posted a day or two ago. I've lost tack of days at this point, but it was what was posted. There are three amendments that I've offered, one, two -- I mean one that's called just Adler amendment, one that's Adler amendment 2, and one that's Adler amendment 3. The first one is the amendment that speaks to the language this morning of the person that spoke at citizen communication about -- it amends the list at the end to also ask staff to take a look at the broader -- I'm sorry --

>> Pool: I was just going to check and see, do you need a second?

>> Mayor Adler: I do. Good point.

>> Pool: I'd be happy to --

>> Mayor Adler: Thank you, councilmember pool, for the second -- I was actually still making the motion, the base motion. The first amendment was what we had in the citizens communication.

[12:52:32 AM]

Second amendment is language that was suggested by one of my co-sponsors, so the manager is not creating everything new but building on earlier work done by the city or being done by others because I think that some of the downtown organizations are already working on some of these issues and we want to make sure we include that work. The next one is an amendment that says as we have discussed, and as councilmember coffee discussed, when we take a look at trying to put something around the city

in each of the districts, anything that's temporary would sunset after one year so as to make sure we're not putting something up that is inadvertently permanent and puts the pressure on us and keeps the pressure on the community to find more permanent solutions. I would make that my base motion. There's also the amendment that comes from councilmember tovo, that councilmember tovo handed out. There's an amendment 1 and an amendment 2. First one has a whereas clause. I would accept that as an amendment into the base motion, and also amendment number 2 that's -- gives additional information with respect to the locker question. That would be my base motion. It's been seconded by councilmember pool. You know, we -- and just to -- it's late and I think we've talked about these over the last several days, but what I would say is that there is an entire community, as we know, that recognizes this to be really our highest priority reflected in the work we're doing. All the work we're doing tonight with the ordinances, and we'll discuss those in a second, is just a piece of the larger issue. We have to address this as we know holistically. We are set up to do that, we have resources that are now in alignment. We have new staff coming in to help marshal that. We are poised to act in a holistic way that we have not before, and this is just another in a long line of work that was done by everybody on this dais.

[12:54:46 AM]

There's only several, four sponsors on this, by virtue of our rules, that just don't let us talk to one another, but I would say that this resolution incorporates the work of everybody on this dais over a period of time. So, that's the base motion. Amendments or discussion? Councilmember tovo.

>> Tovo: I just want to start with -- I know you accepted my amendments as part of the base motion, which I appreciate. I just want to emphasize that the second -- the second amendment really is intended not just to address storage, but to identify places where people can be during the day where they're not out on the streets. And so really better utilizing the area outside the arch. I don't know how to describe it because it's not a subterranean space but it is more or less down off -- anyway, I think the folks at at -- the folks understand the area I'm talking about even if it's not immediately visible to the public. To your other amendment, mayor, I just -- I am -- I thought the individual we had who spoke at citizens communications offered really compelling testimony. She's been in touch over the last several weeks with my staff. I think the idea she has really builds on the work that our churches already do with the cold weather shelter and with the program, I've now forgotten the name of, where families move among various churches and places of worship. My church is a participant in it so I'm very supportive of it. I would just say, though, I really want us, as we move forward, before we invest additional expenses or as we're investing additional expenses in new programs, I really want us to continue to see as a major opportunity here, we have as I've mentioned multiple times, but I'm going to do it because we have maybe some new people in the audience from this morning, we have a beautiful brand new shelter opening up that the Salvation Army, the family center that will open up very soon at Tannehill.

[12:57:02 AM]

They don't have the operational funds to operate that at full capacity, so we have an enormous need for shelter, we have a shelter opening, and they don't have the operational funds to operate that at full capacity. And though that is going to be geared toward families, it's going to allow for the shelter downtown, the Salvation Army shelter downtown to release the beds that they're currently using for women and children for more individuals. So it is -- it is an enormous opportunity, and again, I just -- I don't want us to -- to forget that opportunity as we continue to say we want to do this and we want to do this and we want to do this. We have a very cost-efficient way of adding shelter beds that I hope we will really prioritize as we continue to explore our new opportunities, including the one that you're making the amendment for. So I'm supportive of including it in the base motion with that caveat.

>> Mayor Adler: Thank you. Further discussion? Councilmember alter.

>> Alter: Thank you. I was pleased to be a co-sponsor on 184. I wanted to go back to something I mentioned, I think, four hours ago, which is that I wanted to hear from the chief. I'm particularly interested on the chief's comments on 185, but before we vote on 184, I did want to see if the chief wanted to make any comments on 184 before we proceed, if there concerns that you have about 184. I want to ask you about 185, too, but it may be more appropriate when we get to that but I wanted to give you an opportunity, if there were some things that concerned you about 184 or ideas that you had that you wanted incorporated to be able to express those.

>> Appreciate, that can be. Good morning, mayor, council. I would say at this time on 184 I don't think I have any comments. 185 if it's appropriate and you have questions that would probably be the time for me to speak. Thank you.

>> Alter: Thank you.

>> Mayor Adler: Okay. Councilmember kitchen.

>> Kitchen: You know, I appreciated the opportunity to cosponsor 184, and I do have some clarifying language that I would appreciate the opportunity to include, and I would really appreciate my colleagues supporting.

[12:59:19 AM]

So this -- and there's been some misunderstanding about what this amendment is, and so I'm going to combo into with -- I'll be fast but I want to go into a little bit more detail because a number of speakers have misunderstood. And I can understand that. It's hard to have everything in front of you so I just want to make it clear. Would you put up the overhead, please? So basically this impose in -- goes in the very first be it resolved and the first be it resolved is really important because that's the one that says we got to get to the heart of the matter, which is we've got to -- we have to find places that people can live. And so this one talks in terms of looking for identifying safe places that people can camp, that they can have parking areas, that there are storage lockers, bathrooms, showers and laundry facilities. That, from my perspective -- I think it's not -- and I don't think anyone thinks this, but it's really important that -- it's just not good enough, I don't think, for Austin to say it's okay for folks to live on the streets under overpasses and in the greenbelt. We can do better than that. So this section is all about thinking --



there's a list of points in here about ideas and thinking about what we should be doing in thinking about where people -- where it's safe for people to be and where it's not safe for people to be. So I'm only suggesting, and I put a second option out to make it clear I'm only suggesting, that we consider that there are areas that may not be safe for people and we're not doing anybody a favor by pretending that there's not -- not pretending but by not speaking to the fact that there may be dangerous areas.

[1:01:27 AM]

So I'm not talking about all areas under freeways. I'm simply -- and that's what this is designed -- I'm talking about medians, many of which were very narrow medians, which means narrow strips of pavement between traffic that's going fast under freeway intersections. Where you might have buses that are coming every 10 or 15 minutes. I'm talking about steep slopes that if people are staying on those steep slopes they're at risk for rolling into traffic. I just don't think we're doing anyone any favor to not think about those kinds of places. So my amendment only suggests that as we start to think about places -- the language that you have, mayor, says propose reasonable time and place opportunities and limitations on camping, sitting, and lying. I think it's really appropriate when we think about limitations that we focus on safety. And I'm talking about safety for people living on the streets, and I don't -- first off, I don't think that it's good enough to have people living on the streets, but we do -- we've acknowledged tonight that as fast as we can we need to get the resources so people have options. But as we're finding places for people to have options, I think it's incumbent on us and we have a responsibility to really think about places that are dangerous. So this is an area that I think is dangerous. I would like it to be considered as part of the discussion that is set out in 184. 184 does a lot of really good things. this is a very important part of it.

[1:03:29 AM]

So I just ask my colleagues to pass this amendment. I wish the mayor would accept this amendment. It's not -- it's not banning places under highways. It's not saying that this has to be the decision of everyone, but I really think it's very important to include. So I would like a vote on this one.

>> Mayor Adler: Okay. Councilmember kitchen handed out an amendment. It's her motion street v2 on 184. Is there a second to that amendment? Councilmember tovo seconds the amendment. I was uncomfortable, councilmember kitchen, taking this in part because I think it came in that first be it resolved clause. While I think it's really important for staff to take a look at the issues that are raised here, I think it's also important for them to raise -- to look at the issues raised in other places. And when I read this the way that it's written, to me it implies that that's a priority area versus other areas in other parts of the city that are the most keen pain points or areas of concern. So what I had said was I was uncomfortable putting it in the first section, but it's inspecting that I'd be more inclined to consider if it got moved to the resolved clause that goes from pages 5 to 7 because in that section a lot of us put in ideas, things that we wanted to make sure that the staff looked at and we were collectively saying that

anything that somebody put in there, majority of us or the people that wanted this to pass, that you remember saying we want this to be included in the things that we're looking at. So that was why I don't support putting it in the location as you -- that you've indicated, and you said you wanted it there, not any other place, and certainly you have a right to ask and the majority of the council could decide that.

[1:05:39 AM]

To necessity implies a priority for that area that I'd rather have the staff take a look at and figure out in that short window that is addressed by that first resolved clause what's the appropriate places to look at and move on.

>> Kitchen: Okay. I'd like to speak to that. The reason I would like to see it in the first one is because the first one is about taking quick action to identify, as I read, opportunities for where people can camp and limitations. And I think we need to move fast on that. This is not intended to be a priority. Nor is it intended to be the only place. I invite all of my colleagues and the public, too, to identify other places. Both as opportunities and limitations. I don't think that we should not mention one place just because others have not mentioned their places. It is -- there's nothing in this language that says this is a priority or that this is the only place that we should consider. And it doesn't make sense to me in the later part because -- because in the later part of 184 there's not the immediacy or the it's this first clause which is gonna help us make sure that we quickly identify places that are safe for people to be.

>> Mayor Adler: Further discussion on the amendment being offered? Mr. Flannigan. Then councilmember tovo.

>> Flannigan: So it's my understanding that the areas under highway overpasses are not -- they are governed more by txdot rules than the city rules, so no matter what we say in ordinance, txdot may still or could still or will still prohibit people from camping there. Now, enforcement is a different question, but I don't know that what we're doing is changing txdot's perspective on their property.

[1:07:45 AM]

>> Kitchen: Well, can I speak to that?

>> Mayor Adler: Go ahead.

>> Kitchen: I'm not aware of txdot saying yes or no to people being under the -- I mean, I'm not aware of them having any kind of policy at this point.

>> Flannigan: I mean, I thought that was kind of the whole deal with us signing that interlocal with them earlier this year and signing the contract for the cleanups and for all the good and bad of that process, that was what was driving it. In my understanding.

>> Kitchen: But that is not about camping. That's just about the responsibility for cleanups.

>> Mayor Adler: Councilmember tovo.

>> Tovo: Yeah, I support this specification, understanding that there are other areas that the city manager is going to look at. But, you know, the language specifically that the mayor has said, has put forward says puts forth reasonable times, opportunities, and limitations on camping. I think pointing out that we want a particular look at an area that we feel could pose safety concerns is reasonable. I mean, I feel about this the way I felt -- I guess it was just yesterday, though it feels like about three weeks ago we were talking about the Rainey pilot where someone was just hit and the need for immediacy. I can't in good conscience say that we believe as a council that those are safe places for people to sleep. There was someone killed in October 2017 sleeping underneath the I-35 overpass. I mean, these are unsafe places for people to sleep. And I think that that is an area that we should have the city manager's eyes on.

>> They're not safe --

>> Mayor Adler: Hey, hey, hang on, please. Excuse me. Excuse me.

[ Cheers and applause ] Excuse me. You're invited to watch the deliberations on the council. You're welcome to be here if you would like to be here.

[1:09:46 AM]

>> Tovo: And let me say I completely agree and that is one of the reasons why my office is so focused on issues related to homelessness, and we will continue to be as long as we're here in this place in city hall, we will continue to work, as I said this morning or maybe it was yesterday, you're absolutely right. We end homelessness with housing. And everyone on this dais is committed to that.

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

>> Ellis: I've got a couple thoughts. Because I know this area. I know it's a very precarious area. I've seen the gentleman that has a recliner on this median. I wonder how he keeps his but I think my concern comes from people are taking refuge in these locations because it's one of the safer spots and if we start disallowing people being under highway overpasses that's when they start moving into greenbelt we end up with some of the other issues that come with it. I know you're bringing this from a very good place and we were just able to move forward on our south Austin shelter thing that you have brought up but I just don't quite feel comfortable with it being placed in this part of it, even though I would be okay if the manager included this as awn-encompassing, it does seem kind of like a pointed callout.

>> Kitchen: Could I speak do that?

>> No let me get a chance to give other people a chance to speak. Some people haven't had a chance to speak at all yet. Other people to speak on this. Councilmember alter.

>> Alter: So when we were drafting this section, we were really trying to allow staff to have an opportunity to use knowledge and expertise to propose some of these places, and there were places that I wanted the camping to be limited and I decided that it was better to be clear that we were gonna

come back with opportunities for camping and limitations at large and that we weren't going to call out that we didn't want camping in X, Y and Z place or that we wanted to allow it in X, where did and Z place that, that really wasn't the lace for that to happen in this resolution.

[1:12:07 AM]

That being said if we wanted to put it in lower down and have it very specifically that would be fine. And I do agree that it should be one of the areas that we consider. Notify qualms with that at all. It was just there were a whole lot of other things that we didn't put in because we didn't want to prejudice what would come back to us in those -- in both the opportunities and limitations.

>> Mayor Adler: Further discussion on version two. Councilmember pool.

>> Pool: So, mayor, your thinking that -- not that what councilmember kitchen wants to do isn't appropriate, but rather where she wants it to be, you would rather it be in a different place in the larger document? So I'm wondering, because I think we all want everybody to be safe and sleeping on a median with cars driving by really close isn't necessarily -- wouldn't be where anybody would choose to sleep, I wouldn't guess, but is there -- where would you suggest this language go?

>> Mayor Adler: Yeah. And, you know, my sense is that in this section where we've put lots of different ideas that people brought forward to take a look at is the resolved clause that begins on page 5 and runs through page 7. I've heard discussion that says under the highways is both the safest place and the least safe place and I'm just concerned about giving a direction. Ed with other sponsors of this that were trying to put lots of stuff in that first paragraph, first resolved clause and I think what we were trying to do was to not put lots of things in there because we have a real expectation, manager, that we come back from the summer there's gonna -- with the new person that you're bringing on board that we're going to actually go back to the community with real things in August.

[1:14:17 AM]

So it was just trying to not to specify. So I would be okay and would support putting that language in that resolved clause that begins at page 5, goes to page 7, I'd take it exactly as written and put it as an additional paragraph in that section because I think it fits there better. That's what I would support. That was -- that's what I would support. Further discussion on the amendment? Councilmember kitchen.

>> Kitchen: That -- I can accept that, putting it in -- where did you say? On page 5.

>> Mayor Adler: Page 7, page right at the end of the list.

>> Kitchen: Okay. I wanted to clarify something though.

>> Mayor Adler: Okay.

>> Kitchen: I'm fine with putting it on page 7. I do want to clarify, it's not talking about all areas under overpasses. And that's what I wanted to respond to councilmember it's very narrow. There actually aren't very many places. I've looked under all the freeways, there's not very many places like this. So I absolutely agree that under freeways can be -- there's obvious reasons why people stay under freeways, because of the over-- because of the shelter. But there are plenty of places under freeways that are flat that are not on medians, that are not narrow, and that are not sloped. So it's actually a very narrow idea. So but I'm fine with it on I would ask the city manager if -- I think that many of these ideas on page 5 can be considered sooner rather than later, and I would ask the city manager to consider these as part of when we're talking about where there should be limitations.

[1:16:17 AM]

But I'm fine with putting it on page --

>> Mayor Adler: Is there any objection to putting it into the resolved clause that begins on page 5, runs through page 7? So it would go then at the end of that list? Hearing no objection --

>> Casar: Mayor, you can mark me as a no on it.

>> Mayor Adler: We'll mark councilmember Casar as a no on that but it has the votes otherwise. I would point out the last whereas clause in this motions shall -- that says that the ideas below, I was speaking really about that section, may or may not have the support of all those councilmembers -- the ideas may or may not have the support of all those sponsors or councilmembers who might vote affirmatively for this resolution, but there is at least one councilmember who would like each of the ideas vetted by the city manager through his homeless strategy office, recognizing that even if a particular idea is not recommended it may lead to a good idea that might not otherwise be identified or vetted. So with that and recognizing there's just one objection on the dais we're gonna go ahead, add that to that resolved clause. Any other discussion? We're now back to the main motion on 184. Any further discussion on 184? Councilmember tovo.

>> Tovo: So on page 4 out of 13, where you've incorporated the language councilmember kitchen and I suggested about providing options for ten locations, one in each council district, because it went into that expectation not the earlier section it doesn't have a report back date, and the intent really was if we're asking the manager to provide some suggestions about where that we get that information. So I'll just note that, that it has no time frame at the moment, and I think that's --

>> Mayor Adler: I think --

>> Tovo: Problematic.

>> Mayor Adler: We would like you to come back and outline that as quickly as you can. I didn't know how big a lift that was. Locations are going to be a tricky thing as we have already seen, but I think that clearly the overwhelming desire on this dais is to start identifying these and identifying things all over the city.

[1:18:27 AM]

I just didn't know what kind of date to put on it.

>> Tovo: My concern is that the earlier language that is tied to August talks about coming back with locations. But doesn't include the piece that we need locations. I mean, if we're going to identify areas where camping is legal I think it really needs to be in every area.

>> Mayor Adler: I think it does too.

>> Tovo: I'm saying I'm concerned what we'll get back in August is kind of a couple areas and not an equitable distribution.

>> Mayor Adler: And I wanted to allow the manager and the staff to come back and say we haven't been able to find a location yet in all ten districts because it's been eight weeks or ten weeks but we did find two opportunities that are prime for us to move on now. And I wanted the manager to be able to come back with those and not --

>> Tovo: Okay. We can take it up in August when we see what we have. You had drafted some language responding to my earlier point about sunset language but I don't think you've --

>> Mayor Adler: I thought that I -- did I not hand that out?

>> Tovo: Into the base motion?

>> Mayor Adler: Yeah I think it was the third amendment. Number 3.

>> Tovo: You may have and I may have missed it.

>> Mayor Adler: Number 3 adds temporary locations should sunset after one it was the separate independent amendment.

>> Tovo: Okay. I don't have that in front of me.

>> Mayor Adler: I'll give you another copy of it.

>> That is part of the base motion already?

>> Mayor Adler: Yes.

>> Tovo: Thank you.

>> Mayor Adler: Okay. We're back now to the main motion. Any further discussion?

>> Casar: Mayor.

>> Mayor Adler: Yes, Mr. Casar.

>> Casar: The law department has asked the direction that I think is germane to 185 that we consider it as part of 184 since it's not an ordinance and -- since the resolution speaks to continuing conversations and reporting that we have the continuing conversations from reporting.

>> Mayor Adler: Mr. Casar, is there any objection to including in 184 the direction as handed out by councilmember Casar?

[1:20:30 AM]

Councilmember alter?

>> Alter: I just wanted to ask the chief if there were concerns about the reporting requirements? I haven't had a chance to digest this at all so I don't really know what it means.

>> Certainly. In looking at the reporting requirements that are proposed here, we are very ready and able to provide most of the information that's described here in writing reports about the instances in which we used these ordinances such as date, time, location, gender, ethnicity. All of those are searchable fields in our report system. But the section that talks about the documented reason for the noticed citation, et cetera, that is not a searchable field. That would require hand searching each and every report and actually reading them to pull out the reason why we actually initiated that contact. The second half of it, where it talks about the documented reason for -- including arrests due to warrants associated with previous citations, the reasons in that would be the warrant, but in other circumstances we would have to go in and actually read all of those reports. That would be a bit of a difficulty. And then the other piece, which I was gonna speak to when 185 came up but this refers to it, it talks about the date and time the notice was provided. And giving notices is something that I was going to speak to in 185, because that is something that would be a little bit more difficult in the manner in which I've heard it proposed, such as written notices of the such. So if that's appropriate to discuss now, but since it's included here, I felt I better bring it up.

>> Casar: Can we take those and turn first notices and then the documented reason for the notice or citation?

>> Mayor Adler: Sure.

>> Casar: So in 185, the base motion that we moved at the beginning of this was not to have written notice. So we took the mayor's language to not have written notice but we just wanted to make sure that there was in the tracking every time we give one of these, to make sure that we also track that no notice was being given.

[1:22:40 AM]

>> Okay. If it was not referring to a written notice --

>> Casar: Correct. I think we just changed it to make sure people would have a reasonable --

>> Mayor Adler: It was the language that you've seen that you approved.

>> Okay.

>> Casar: Then the question is, can we get to what is it that is tracked on how you document the reason that you've stopped someone versus what you don't have?

>> So we obviously capture the reason for the stop but that would be in the officer's written report. And within our records management system, many fields are searchable. You can search names, dates of birth, ethnicities, race, genders, all that, but the reason for the interaction is something that would actually be in the written portion so it's not a searchable field so we would actually have to go in and have someone read each and every report to pull out the reason for that initial stop, was it a call for service, was it an officer-initiated contact, was it the result of being at a different incident at a nearby location, if that makes sense, it would require somebody going in and actually reading all the reports to cull that out.

>> Casar: Is there not a fix maybe by the second quarter we could make the way these are reported that would make this less intensive of tracking or work?

>> Again, this is not a field that would necessarily capture that in our current management records system. It's a limitation of the example maybe just for the sake of time I might propose that if we can leave -- maybe put a if possible or something and allow us time to see if there's a way we can approach that, understanding that it is something you would like to see, but understanding that there are limitations to our system and it would require potentially a lot of staff time that they would likely be using to do other types of reporting and crime analysis.

>> Casar: Let's do as feasible on the documented reason then.

>> Okay.

>> Alter: So I didn't --

[1:24:41 AM]

>> Mayor Adler: So on the second bullet point where it says "Documented reason for the notice," at the end of that it would say "As feasible."

>> Alter: Didn't you just say it doesn't give a notice so I don't know --

>> Mayor Adler: There's a requirement for notice, not a written notice. In other words, the language as you saw it on 18 said -- it took out the provision that required a peace officer to provide written notice, and it just added language that said it's an offense after having been notified by law enforcement officer that the conduct violates this section. Having been given a reasonable opportunity by a officer to correct the violating conduct, which is present practice right now any how.

>> Alter: Okay, I'm assuming that's okay.

>> Mayor Adler: This was the language, language that the chief approved. Do you want to confirm that?



>> Yes, mayor, as we discussed in light of 185 items that was the language. The one thing there -- it's wanting to capture the date and time the notice was given. We wouldn't have two different times on a report. The time the notice was given and then the time action was potentially taken if the person didn't comply. We wouldn't be able to differentiate between those two but we would absolutely be able to give the date and time of the incident.

>> Casar: Is there a way to track that the notice indeed is there a way for the officer to report that the notice was given that.

>> Well, the interaction would be reported on a body warrant camera so we would be able to go back and validate that the warning was in fact given, and we could make that a requirement to be, again, in the written report, but that wouldn't be part of that searchable field.

>> Casar: I think a question here, chief, is just that as folks get used to enforcing the ordinances in the new way, as -- if they get passed in a new way tonight, I understand at first maybe some folks may -- it might be useful for us to be able to pull up a report and see in which cases reasonable notice may still not be being given or people may not be tracking that they're giving that notice so that -- because of course it's so much work to have to go and check everybody's body cam, I think that's probably more work than having folks record that they've given the notice and for us to be able to scan those reports to make sure the notice was given.

[1:27:10 AM]

I think in part written notice was written into this to ensure that people were being given the notice because anecdotally we've heard that even though notice is currently required sometimes folks have said they haven't gotten it. Regardless of how often it is or isn't given, we thought written notice would be a good way to put belt and suspenders on that. I understand the complications with written notice so we thought a better thing to do was to make sure it's tracked that the notice was given and as you report these reports we can show instances that may not have happened which shows need for more training and for us to better comply with the ordinance.

>> Maybe what we would look at potentially is making sure that the officers document the time that they gave the notice and then the time action was taken and then if we needed to do a random audit periodically on a handful of these reports just to ensure that we were following the expectations that might be the more manageable way to approach this.

>> Casar: We would just ask folks right time the time you gave notice and time you took action --

>> Again, that would be part of the written non-searchable field but that's what we would be looking at.

>> Casar: Thank you.

>> Mayor Adler: It's possible, too, to have a checkoff. The question is making sure the notice was given so it might be something where there's not two different times but just an acknowledgment that a notice was given.

>> That might be more easily accomplished than doing it this dual recording in the written portion

>> Mayor Adler: Making sure the officer has to acknowledge, I gave the notice, that's what you want to track, as opposed to two different times.

>> Casar: The notice being given and about how much time folks have could be useful, I think in the end, this probably goes beyond what's in ordinance. This is really your own policing policy that we probably shouldn't be sorting out here. Am I sense that people have an interest -- if it's not other circumstances, people have a reasonable time to comply and that the notice is given, and the best that we can do that, I think that would serve to inform the community because there's been lots of questions on all sides about how this is going to go.

[1:29:14 AM]

The more we can answer those questions for people, I think the better for all of us, and then we may get to track us, just once we are able to answer those questions early. So I just urge for us to try to make that be as transparent as we can, especially at first, and then see how it goes.

>> Sounds good. Further comments on this before we vote in yes. Wait a second, are we okay with adding now with this change, the instruction? No objection. That's now added. Councilmember kitchen.

>> Kitchen: Just a question for councilmember Casar on his I think I understand what you mean but I just wanted to double-check. So the last bullet about the consulting with the stakeholders and working group and folks that are mentioned there, I assume this is designed to be helpful with some clarity because you speak in terms of in the development of policies, procedures, and practices, related to the ordinance changes? What's your thinking there?

>> Casar: Exactly. It's duplicative of some other things, asking people to talk once this happens, to figure out how it is -- what it is we learn from this change and how we do better.

>> Kitchen: Yeah. I know it might be helpful for the chief and for the community to have some discussion about how these -- how the ordinance may be interpreted in some ways, in some circumstances. The extent to which the -- I know that freedom cities and others have worked with the police department on other issues. So it could be helpful, I think, with regard to, you know, protocols or practices that the police department may adopt with regard to this. Is that what you're thinking?

[1:31:15 AM]

>> Casar: Yep.

>> Kitchen: Okay.

>> Mayor Adler: Okay. We're ready to vote. Those in favor of this item 184, please raise your hands. Those opposed? It's unanimous on the dais. Thank you. That gets us to 185. Councilmember Casar.

>> Casar: I'll move passage of 185 on all three readings.

>> Mayor Adler: Is there a second to passage of item 185? Councilmember harper-madison seconds. Discussion?

>> Casar: Just thanks to everyone who testified and who stayed here late. I want to thank [indiscernible] And Braden and Stephanie on my staff because handling this and mobile home protection and lake Austin tax issues all in one day, that would have been impossible without a lot of people's help. Thanks to the handcuffs leaders who works so relentlessly on this over I'm. You know who you are. And thanks to Jennifer in particular who reminded me of the importance of this issue at some critical times. If we care about safety and racial injustice decency, we can't look away from this issue. These are wrong, it's not just wrong, it's not working. We have laws criminalizing poverty but poverty still exists. We have all these people locked up, more folks locked up in this country than anywhere else, but we still feel insecure and we still have the incidents of violence that have been described today. You go to the jail or to the arch and it's overwhelmingly people of color and black folks in particular that we're locking up and not serving. So how, amongst so many well intentions, people, do we wind up in a society so plagued by homelessness and incarceration and racial injustices and violence, I think our failures come when we stop looking at people as people. We fail when we think of some people as our constituents and other people as problems. I'll admit that sometimes I want to look away from people suffering, too.

[1:33:16 AM]

It can be uncomfortable for me. But we can't look away. And I think that this vote and this conversation and the continuing work that we all are committed to doing, and that I'm proud to do with you all, is about looking at our neighbors, both housed and not housed as folks. They're good-hearted people here who have asked us to wait on this, that we wait until we have more shelter and more housing before changing these ordinances. But we can't continue perpetuating injustice simply because we haven't fixed everything yet. We've done a lot. We cut a ribbon on a shelter two weeks ago. We just voted to buy another shelter today. We passed the biggest house bond in Texas history, and there's still so much more to do. Being allowed to ask homeless people to move along or to go to jail can seem convenient, making people invisible can make the problem seem invisible, but it doesn't make the problem any better, doesn't make us any I know that changing these ordinances will be unpopular with some people. I'm not trying to downplay the challenges that we're going to face. But we can take on those challenges in a better way. We can house people, we can serve people, we can address the core issues, we can improve all of our safety rather than perpetuating instability and insecurity. We can safeguard the constitutional rights that protect all of us, rather than considering those rights as something to be worked around in specific cases, around specific people. We can all be a part of that solution, regardless of which side of this issue you testified on tonight. We can end homelessness, we can end mass incarceration, we can be a more racially just society. We can see people, all be safer for it, all better off

for it. I appreciate my colleagues' hard work on this. I know it hasn't been easy, and I just want us to live up to who we all want to be.

[Applause]

>> Mayor Adler: Councilmember Casar, I want to say thank you for your leadership on this in moving this forward, and the folks in the community that have worked on this.

[1:35:24 AM]

Quite frankly, I think that the attention on this issue has really galvanized and helped galvanize the community generally to actually -- if there was a way, to make it a greater priority, I think that this helped do that. I just think it's real important, though, to touch base on what we discussed two weeks ago with respect to what this was doing and what it was not doing, so as to make sure that people in the community talked about it. Your intent was to decriminalize being homeless but not to decriminalize public safety risks, threats, and public health hazards. Clearly, the ordinances that we had before did not do that. They made the homelessness, per se, a criminal offense in certain situations, and we were working to address that. I appreciate that you worked with the language to make it really clear, even though at some point you felt that it was being repetitive of laws that were already in place, but I think it was really important to make really clear to the community that there are three different buckets, there are the public safety risks, there are the public health hazards, and then there are the situations where someone is just homeless. The ordinances that that we're passing tonight are intended to preserve for the police officers the tools to address those first two, but that third one is something that we have to deal with as a city, and to be able to deal with it without criminalizing behavior, actually giving people good choices, is really the challenge that we have as a community. I appreciate the council's support and everyone's support in writing 184 because that really then focuses on that third bucket and says this is our challenge, we need to fix that, so I appreciate that work and the way that we have made very clear that nothing we're doing today is intended to in any way minimize, decriminalize, or not seek enforcement of actual public safety risks or public health hazards.

[1:37:56 AM]

But we have to do a better job of actually dealing with the real challenge that we have in the city. Councilmember alter.

>> Alter: Thank you. May I ask my questions of the chief now?

>> Mayor Adler: Yes.

>> Alter: Thank you. Chief, can you come down? So we had an opportunity to speak, I think it was yesterday. It's 1:40 A.M. So I'm not sure. And I think a couple of the concerns that we talked about may

have been addressed, but just broadly speaking, I wanted to hear from you about any concerns you have about the implementation of the ordinance as posed.

>> The ordinance as proposed, as I've had an opportunity to speak with a few of you on the council at your request, really are not about the public safety in the way of violence type incidents or those. What it really is, is calls that we currently get at the police department that we respond to, that, with the passage of these ordinances, although we'll still respond, we'll have limited opportunities to take action with the new thresholds of both hazardous and dangerous. So it's just making sure that there's an understanding that that's what will happen as a result of this, is calls that we currently respond to, and maybe address through the voluntary compliance and getting people to move along, we will no longer be able to if it doesn't hit that threshold, as well as instances where we get -- we respond to individuals that have put up a shelter or a structure that would be in violation of the current camping ordinance; however, with the revised ordinance, if someone were to set up a structure, whether it be in entertainment district, congress avenue, the drag or other parts of the city, if it was not blocking the passageway or hazardous or dangerous, we would not have the enforcement options to make them and then the other area with the camping changes that will be something that we're going to have to work through is individuals that set up camps like we saw in some of the slide presentations earlier this evening, if those camps are in, say, a greenbelt behind people's homes or something, and if that is not private property or hoa property where they can't potentially enforce criminal trespass, if it's city land, we might not have the opportunity to go in and take any type of an enforcement action in those circumstances.

[1:40:22 AM]

So these are calls that we get currently --

[applause]

-- So these are calls that we get currently and approach it in the way that we have under the current ordinances and this will be a fundamental change. And so just to make sure that that was understood, but again, this was not about the other issues that can be addressed through the other laws that we have on the books.

>> Alter: Thank you. Is there anything else you'd like to share about that ordinance?

>> I'm sorry?

>> Alter: Is there anything else that you'd like to share at this point?

>> It's probably been discussed by this point. I just wanted to make sure that it was understood that a lot of the things that we respond to, that we get called to or that we proactively handle, a lot of times as we talked about two weeks ago, through voluntary compliance, we will be limited in what we can do now.

>> Alter: Thank you.

[Applause]

>> Mayor Adler: So while you're up here, people have additional questions for the chief? I want to speak to some of the issues that you raised just real quickly. And I appreciate the sentiment, I appreciate the acknowledgment that we're still leaving the tools that exist for the public safety risk into the public health hazard. I think that the tool that's used right now in that third bucket, the tool you have to be able to make somebody move, is -- provides the community a false sense of security, even the community that's calling and asking for the work, because it just moves people somewhere else, and wherever they move, then you're going to get called in that place. And it sets up just a repeating cycle, and there's so much of your force's resources being spent on that, and to the degree someone gets a ticket or gets arrested, then it's -- other people's efforts get put on that.

[1:42:28 AM]

I think the goal here tonight is to, in essence, kind of remove that false sense of security and say we actually really deal with this, we actually have to give people a safer place to be if we don't want them to be in that greenbelt. And I would hope that we provide your force the tools to be able to go to someone and help them, to be able to say, hey, there's a -- another place you could be that is safer and better and has more facilities and has people to assist and case workers, and I think that's the place we're trying to get to in the community, to give your officers tools that will actually really be effective. I think that's the attempt, the desire.

>> And, mayor, I hope we get there. We've shown what we've done with the sobriety center, with curfews, we're willing to address these and I hope we get to the place where we have services for those in our community that need the services, I hope we're able to provide the resources.

>> Mayor Adler: Okay. I hope we do too, I think the examples you gave are good ones, the sobriety center, we have an intervention that lets people not enter into the criminal system, that your force is being able to implement the curfew issue. There was some concern that you wouldn't have the ability to go up to a child that's out late at night, if we took away the curfew, but you have the ability still to go up and say can I give you a ride back home. And I mean, so and we've determined that even without the crime, you're still able to be effective and your force is able to be effective, and we want to find that. And I also think with the reporting issue, to the degree that that's not true, to the degree that there are problems that are being created, come back to us and say there's an unintended consequence here.

[1:44:37 AM]

Bring that back to us if you see that. But it is clearly our responsibility now to give your force the tools to be able to come up with a more effective enforcement mechanism. And by enforcement mechanism, in that context, it's to better help people. Further conversation or questions? Councilmember tovo.

>> Tovo: Yeah, I wanted to ask, first of all, I want to say -- I would add host to the list of initiatives that you just mentioned, and, you know, it was a police officer who expressed to me as we sat around the table with many stakeholders, including the downtown Austin alliance and others, week after week, planning for the launch of host, who said, you know, that's not a comfortable position for them to be in, to be asking people, you know, when they've been called out to a business, to ask people to leave. It's not a comfortable position for them to be in when individuals turn to them and say, I have no place to go, you know, where would you like me to go. So this is clearly all of us involved in this conversation, from the officers to the individuals experiencing homelessness, to the many others, have been calling for, you know, safe places for people to go so that they're not on our streets, sleeping in our overpass -- underpasses, et cetera. I wanted to just -- I would be remiss if I didn't -- if I didn't relay that I did hear from Tara Doolittle, from the university of Texas as was referenced by one of our speakers earlier, the chief of police at U.T. Did reach out and send us a letter, and they were aware of and appreciated the -- some of the changes that had been made, but expressed that they do still have concerns because they -- these are tools that they use and they -- and they believe that they still need the tools that they currently have.

[1:46:37 AM]

They were, they said, very supportive of your offer to have guidance sessions with their police, and I just wanted you to comment on what those -- when those would be. As I understood what she summarized, there would be some conversations between A.P.D. And U.T. Pd about any changes we made to the ordinances.

>> U.T. Pd, we work very closely with the pds in our jurisdiction and if these ordinances pass here shortly, then we will make ourselves available to work with U.T. Pd as we discuss how these will roll out, how they will impact our operations.

>> Tovo: And so can we go back to the example that you were -- that you were offering, which had to do with it's not on private property, it was a greenbelt? I assume if there were -- if there was an imminent public safety -- what you sensed as an imminent public safety or health risk, you would have an opportunity to --

>> Correct, as the ordinance is written, if it was hazardous or dangerous we would have the opportunity. However, if it was an encampment where we didn't have those factors present, it was just a neighborhood and it wasn't on a property where somebody had ownership rights to issue criminal trespass type things, we would be limited 1.

>> Tovo: However, parkland, as I understand it, is outside that category.

>> Correct. I believe parkland has its own guidance. Parks have their own restrictions against camping.

>> Tovo: And I guess I would just look to our city attorney for confirmation of that.

>> That's correct.

>> Tovo: Okay. Thank you.

>> Mayor Adler: All right. Anything else before we take a vote? Councilmember kitchen?

>> Kitchen: I'd just like to divide the question.

>> Mayor Adler: How would you like the question divided?

>> Kitchen: I think we've got three parts. Right? To the ordinance?

>> Mayor Adler: Okay. We could do that.

[1:48:38 AM]

The first part on this is the camping provision. 9-4-11, the amendments to that. It is, as amended by what we had handed out as part of the base motion. Okay? Mr. Flannigan?

>> Flannigan: So before we start taking these votes, I just wanted to make a comment. You know, thank you, councilmember tovo, for clarifying the parks rules questions because that was going to be the question that I had. Those rules are not changing under this action today. I am prepared to vote for all three of these items, but I just want to note that we've been here before, in this moment. Prior difficult votes that this council has taken, following hours of difficult testimony, passionate, emotional, often met with rounds of applause or cheers or boos, or hisses. The rhetoric that gets laid out with these votes often does not match the reality of the work or reasons behind it, reasons that many of us have talked about for weeks in town hall meetings, to the media, and in our own words on our websites and our newsletters. Councilmembers do not debate every speaker that comes to the microphone, it would not be appropriate to do that, but often our silence is interpreted as acceptance of every word, both pro and con. That has happened before, and both sides of arguments pick and choose which versions of those rhetorics they decide to apply to every councilmember. But this council, more so than any, I believe, in this city's history, is ready to do the big thing and address this complex issue. As evidenced by a long list of resolutions prior to 10-1 that failed to result in significant action, often because of calls for going slower, or for more study, or for more analysis, but now, in just the last few years, we're starting to see a growing list of actual changes, investments, and now measurable improvements whose investments have been made specifically with youth and veterans experiencing homelessness.

[1:51:01 AM]

As the mayor said earlier today, I believe this city is united. Maybe unlike any other city in America, to end homelessness. And while in true Austin fashion, we will debate into the night about the right tactics or strategies, I believe we are also united that the time for action is now. Not just this action, or the action we took earlier tonight for a new housing first shelter, or the action we took in May approving a convention shelter which will donate more funds, or action last year to dedicate money into the city budget or other actions we've taken just in the last two and a half years. I want to provide public bathrooms, support private shelters, public housing, or funding mechanisms like pay for success,



but with tonight's vote, we should also remember that we are not ending homelessness, but I believe that day will come, in this city, and in this community. But only if we stick together as a community and we will get there together.

>> Mayor Adler: Thank you. Let's vote on these sections. First on the camping section. Those in favor of the camping section -- yes, councilmember alter?

>> Alter: I'd like to make a motion to just pass the camping session on first reading.

>> Mayor Adler: Okay. There's a motion to camping section is in front of us. There's an amendment to pass it on first reading only. Is there a second to the amendment to pass camping on first reading only? Councilmember tovo seconds that.

>> Pool: And, mayor?

>> Mayor Adler: Discussion on the amendment to pass on first reading only.

>> Pool: I just was noticing, if I could, the city attorney got auto frown on her face, so is there an issue, a legal issue

>> I'm just puzzled how we would do -- I think you're trying to take out part 1 of the ordinance because there's an effective day on the ordinance, so if you

[1:53:07 AM]

>> Mayor Adler: The scrivener would have to put an effective date on the bottom of each of them.

>> You'd have to bring it back.

>> Mayor Adler: Why? Because I'm passing it in pieces. Part 1 would have to come back --

>> Yeah.

>> Mayor Adler: -- If it passes only on first reading. In other words, we now have effectively three ordinances in front of us. Okay? First reading is in front of us. First reading only. Discussion on that?

>> Casar: It's your motion so --

>> Alter: Yeah. Thank you. So I want to thank councilmember Casar and his co-sponsors for bringing this item. I agree that we should decriminalize the simple behaviors of camping, sitting, lying and soliciting, and that our rules make it harder for people experiencing homelessness to obtain housing. I would like to thank chief Manley and our legal department for clarifying that actions that are threatening, hazardous or harmful are currently illegal and will continue to be illegal. I want to thank staff that camping in parks is prohibited and will continue to be prohibited. I've heard many concerns from the community and I'm hopeful that through various efforts, we have cleared up some misinformation and some misunderstanding. Many questions have been raised. Some of them are legitimate, some of them are not. I'm proud to be a co-sponsor of 184. I appreciate the broad strokes it takes to help us adequately address homelessness in Austin. I believe, though, that 184 will help us fill gaps that people

are concerned about and provide clarity on that third bucket that the mayor identified, but at this time I would really rather have 184 back, and those answers back before we fully pass this item. I would like to pass the camping on first reading and approve the other two parts because I think we've come a really long way in our conversation over how to help people who are experiencing homelessness, but allowing camping with no parameters is, in my mind, going to complicate the direction that we're moving in as a city to collectively see homelessness as a problem that we can solve together and help get folks to housing.

[1:55:38 AM]

I'm concerned also about what we're telling the police on various things in terms of direction, but for me, where I come down, I think we need to take steps in this direction, but I don't think we have it fully baked for the camping part. I appreciate the amendments that have been made since this was first raised, but I would like to be able to signal that I want to decriminalize but I'm not ready to move forward on the camping without some of the clarity that comes from the options that 184 provides.

>> Mayor Adler: Further discussion? Base motion is passing on all three readings. There's an amendment to change it to first reading only. Councilmember Casar.

>> Casar: Yeah, I -- I'm going to speak against this amendment with with -- recognizing everybody wants to get to the same place here. There's been, you know, a lot of conversation about taking more time. I'll only speak for myself, but, you know, four and a half years of being on this council and not doing this until today, getting this done today, frankly, to me, feels like a stain on my conscience to have gone four and a half years knowing that this was wrong. I was asked about this issue really early on in my time on council, and not having done something about it within my first week, I feel horrible about because it's something I just can't support anymore, and every week we go by that we leave these laws on the books, we know we're going to continue something that we all acknowledge here is wrong, and this would just be an effective postponement so that people can and will continue to be criminalized for things like the mere act of sleeping in their car over this summer. If it were a week like it was two weeks ago, I could stomach it, but for my own vote, I don't want this happening over the summer.

[1:57:46 AM]

There was just a news story about someone who, because of this conversation, that, you know, now has nowhere to go because she was sleeping in her car, after sleeping in her car peacefully, now has nowhere to go. Things we heard about today, I just can't -- the story of somebody going down to the bottom of the creek and potentially dying, I just -- I can't support this.

>> Mayor Adler: Councilmember councilmember tovo.

[ Applause ]

>> Mayor Adler: Councilmember tovo.

>> Tovo: Thanks. Yeah, I, too -- I seconded the motion, and also added the language to the mayor's resolution because I think -- I think a better approach in this case would be to have the city manager return in August with designated areas for people to camp. As you heard, we're not changing whether or not you can camp in parks. You still can't camp in parks. What this will allow that is not currently allowed is camping on sidewalks if you're not blocking entrance or blocking pedestrians. I don't think that's the best we can do. I think we are always balancing different uses of public space. And the better balance in my opinion of how we're allocating public space is to identify -- to do the hard work in the next month of identifying a place in every single council district where camping is legal and then have that be the resolution to the issue that we're all very aware of, where we have too few shelter beds, too little housing, and people getting ticketed for camping. I want to thank -- I'm in complete support on the other two measures for the reasons others have identified, and I want to thank the cosponsors for working and incorporating the feedback that the mayor and others have provided with regard to the solicitation ordinance.

[1:59:52 AM]

I think this is something that really is -- gets at the constitutional issues. And I also want to thank councilmember Flannigan for highlighting the work that we have done over the last several years. I think it's very -- we have a huge challenge, as I indicated earlier, we have really a crisis in this community, and it's -- when we have so much work ahead it's sometimes hard to stop and acknowledge the progress we've made, and I want to thank you for highlighting those initiatives. Many of which I led on. Those are -- this is important work to me, and it's going to continue to be important to me, but I'm not prepared to support the camping ordinance on anything other than a first reading this evening.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I do support decriminalizing. I do support this on first reading. I am concerned that we haven't finished the job because the bottom line is -- what's consistent for me is that we need places for people to live. And I think that what we've set up in 184 is we need to hold our feet to the fire and by August we need to come back and identify places in every district. I hope that all of you will be back supporting that because we haven't -- to my mind, I don't think -- I don't want to live in a city where it's okay for people to live under bridges and in green belts. I want to -- and I'm not suggesting that anybody here is thinking that. But we have not finished the job. And it is critical that we absolutely must identify places and quickly.

[2:01:54 AM]

And so I support decriminalizing. I feel it's most appropriate to pass this on first reading. And that's my reasoning for that.

>> Mayor Adler: Mayor pro tem.

>> Garza: I wasn't prepared for this amendment. I thought we were about to vote on it so I was tired so I wasn't going to say anything, but I have to push back against first reading only.

[ Applause ] I just feel that this thinking that using this as a tool to connect people to services, it was a tool that we should have never thought of should even be a tool.

[ Applause ] Through the criminal justice system. And we are making good progress. I think this council has done a lot. I think the host team, you know, was doing very Progressive things. We have to do what is within our control, what is -- you know, speaking to dish said this with the earlier item. We can't control that the federal government hasn't extended health care for all. We can't control that, you know, our state can -- constantly puts prohibitions on health care including hurting our ability to help organizations like planned parenthood fund necessary medical care. And so we have to do what is within our control, and this is within our control. And carving out -- I would disagree that there are no parameters about the camping. There are parameters set in there. It's about anything obstructing, anything that's a health and safety issue. And the sense of being entitled to not have to see things that we don't like --

[ applause ] Needs to stop. I drive by the manchaca and -- manchaca -- I forget the name of it now, it's late -- often and it is heart breaking, but I'm not entitled to not see that.

[2:04:09 AM]

When I see that it makes me want to solve these problems even more and figure out ways to help them.

[ Applause ] So I hope that we can do this on all three readings. I regret having -- I don't appreciate having to have split the question this way. There's been a lot of discussion. We've heard from our community. I have to say I'm so proud of the people that came out tonight to -- who admit that they have privilege and have come out to speak for the most vulnerable in our community. It makes me really proud to be an austinite.

[ Applause ]

>> Mayor Adler: I'm going to vote against the amendment. I want to vote against the amendment for three reasons. One reason is that I appreciate the work that was done in negotiating the language in this ordinance, and as part of those conversations I agreed that I would also push to get this done. The second reason I would support -- I'm going to vote against the amendment is because the ordinances that we have changed tonight, as we heard one of the speakers say, resulted in 18,000 tickets being issued collectively between 2014 and 2016. And it didn't work. The problem [indiscernible]

[ Applause ] We then changed the policy from 2016 to 2018. We tried applying that -- those ordinances differently, and we reduced the number of tickets substantially. That also did not work. And we have the challenge. I think that those ordinances are in part keeping us from actually dealing with the challenge that we have in this city because there's, again, a false sense of security with those ordinances.

[2:06:13 AM]

We shouldn't apply those ordinances because behavior that's not threatening and not creating a public health hazard or public safety risk, this isn't what we should be doing, and to participate in something that just moves people around gives us that false sense of security and we just -- that's not what we should be doing in this city. We should actually be fixing the problem, which gets then into the third issue, which goes to what councilmember Flannigan said, there will always be a reason not to act. We saw it this morning. You know, the way the people this morning had reasons why we shouldn't move forward without location, hadn't been studied enough, it costs too much money, there might be better places, we weren't ready to do the services yet. But you have to just start doing stuff.

[ Applause ] And we're talking about between now and August. I don't believe that between now and August we're going to be confronted with a significant challenge from these ordinances being changed the way that they are. And if we are, if that presents something that we haven't seen, then I think that's going to be really good data for us to have. But I think that everything we can do to keep the pressure on all of us to actually move forward in real ways in August I'm in favor of doing so that we actually act in August. The worst thing we could do would be to get through what we have done here the past week and not move in real ways in August. And I think this is the best way to ensure that we do. Further discussion on the amendment?

>> Renteria:mr. Renteria.I'm not gonna be able to splitting it up either. Growing up there in east Austin and all the gentrification that has been going on over there, you know, I seen my friends struggle, you know, as they're getting older their parents, you know -- I seen a person that -- a family that lived 40 years in one house that I thought they owned but then they got kicked out.

[2:08:30 AM]

And two of the young guys, young sons, had nowhere else to go. There was no place for them to do -- to move to. One had a severe drinking problem, had a demon that he couldn't, you know -- he just couldn't get any -- I mean, no matter how hard we tried to help him, he just could not get that demon off his back. And he -- as long as you left him alone, he slept there underneath the bridge, you know, I know a lot of these homeless people that are sleeping under the bridge right now, you know and I go and talk to them and I asked him, I said, "Do you want to come back and we'll help you try to find a shelter?" He said "No. I'm content living here in my old neighborhood. I don't want to go anywhere else. You know, I want to stay here. This is where my home was and I consider it -- this is my home." You know, and, you know, we helped a lot of the homeless people that were getting tickets for drinking out there in the park, which was totally unfair. It wasn't even -- you know, we had families that checkouts here to the auditorium shore with their wine bottles and listen to music, drinking, and they never got a ticket. But on the east side they were getting tickets just because they were drinking out there in the park enjoying the cool afternoon. That was totally unfair, you know, if we really want to fix the injustice that we have

to live through here in this segregated city when I was growing up here we need to take care of these problems. That's why I'm an advocate for affordable housing. We have over 800 units right now into little area there on east Austin around fourth and fifth and sixth street that we're building affordable housing for the ones that are really low-income, people are making 30% and under.

[2:10:39 AM]

You know, we have senior housing. And Rebecca Bain. They were getting tickets because Rebecca Bain did not allow people drinking on their grounds. They had to go to the park next door. And they were getting tickets and they were coming to us and saying, Pio, they said, you know, they're giving us these tickets, you know, just for drinking. We're not allowed to drink outside. We want to enjoy this nice park that we have. We live right next door and there's no signs out there saying you can't drink, but they were getting tickets anyway. You know, and they couldn't afford those tickets. I mean, the fines were extreme. You know? And that's why I'm supporting this, this resolution, and I can't support dividing it up.

>> Mayor Adler: Let's vote on the amendment to go from third reading -- all three readings to first reading. Those in favor of the amendment please raise your hand. Councilmember kitchen, councilmember tovo, councilmember alter. Those opposed to the amendment please raise your hand.

[ Cheers and applause ] It's the balance of the dais. Let's take a vote on the camping section, all three readings. Those in favor please raise your hand. Those opposed. Councilmember tovo voting no, councilmember alter voting no. The others voting aye. It passes.

[ Cheers and applause ] The next section we're going to vote on is the aggressive confrontation section. What? Next section we're going to vote on is the aggressive confrontation section. Anybody have objection for us doing the other two together? Let's vote on the last two together. So let's vote on the whole thing. Those in favor -- well, I can't --

[2:12:41 AM]

>> We divided the question.

>> Mayor Adler: There's a part four.

>> Garza: Part four is the -- the part four is just the effective date. I think if you just vote on the ordinance minus what you just voted on, which is part one, if you can vote for everything else altogether then we'll be finished with this item.

>> Mayor Adler: Okay. So let's vote on everything except part one. Those in favor of everything except part one please raise your hand. Those opposed. It's unanimous on the dais.

[ Applause ] So I think with that item none -- item 185 has passed, seven or more votes for all of it so it passes tonight. That gets us to the last thing on the council agenda, which is item number 64.

>> Tovo: I just wanted to say one quick thing before we move on.

>> Mayor Adler: Okay.

>> Tovo: You know, there are -- I think that we need everyone in this room --

>> Mayor Adler: Hey, guys, hey, hey. We're -- can you keep it down? We can get out of here too.

[ Laughter ] Thanks.

>> Tovo: I just wanted to -- I'll reiterate what I just said or repeat what I just said, we need everyone in this room, no matter what they came down to tell us about these ordinances, we need them to be partners in the solution and I don't think it -- I don't think it serves us well when we characterize each other, including those of us on the dais, in unfair ways. And I just want to say, you know, we had a motion that either I made or councilmember kitchen, I can't remember now who, for \$3 million in last year's budget and it wasn't supported by a majority of those on this dais. And so, you know, I hope that our commitment to overturning these ordinances will carry through to our commitment to funding. We've made funding a high priority, but it, in my opinion, needs to be an even higher priority.

[2:14:43 AM]

>> Mayor Adler: Okay. Item number 64. You pulled this one, councilmember tovo.

>> Tovo: I did and, again, apologies that it's coming up last in the evening. I'd like to make a motion. We talked about this the other day. I'll just talk about it extremely briefly. The first two years of the contract are 589,500. After that the cost goes down to 148,500. This would be an annual cost to serve as we understand from Tuesday's work session 15 community events, bringing the cost for each event to \$9,900. I don't think that's a good expenditure. I think it is a worthy goal to focus more community outreach on targeted populations, especially individuals who are living in multi-family properties and mobile home properties. I applaud Austin energy's interest in doing so, but this does not seem to be a cost effective strategy for doing that or even really a very targeted one. So I am going to vote that we disapprove this item surveyed that we direct the city manager to come back to us either in August or September, whatever is the more comfortable schedule period, with specific recommendations for spending an equivalent or less amount of money on the following: We've talked multiple times, I think we've even had a council resolution, looking at how we can get individuals who are in multi-family properties that are on 1 meter eligible for the cap program. They're currently not eligible for the program. The problem is that if those -- the problem is they need to be submeterred for customers to be able to be eligible. So the first -- so that's the background for the first suggestion. A program to incentive advice multi-family property owners and mobile home park owners with submeterred properties to work with Austin energy so that eligible customers can participate in the customer assistance program since they currently can't access cap due to the way their homes are metered.

[2:16:49 AM]

Perhaps councilmember Casar can talk more about the second one, but the second specific recommendation would be opportunities to work -- pursue opportunities to work with and provide funding potentially to community groups that are already interacting for other purposes or through other programs with individuals living in these -- in multi-family properties or mobile home properties and potentially combine energy efficiency along with those ongoing efforts. To identify and invest in the recommendations that we received from our low-income advisory task force. And, you know, an overall overarching goal would be for Austin energy to adopt a real data-driven approach to its outreach. There are some great examples that are somewhat analogous in New York. One of the things they have, they have a mobile van that goes around to areas where they're seeing lots of utility disconnections and they offer services designed to help prevent homelessness there in the neighborhoods through their van. There are a lot of innovative approaches in other places but I think a data-driven approach based on where we're seeing utility high rates of debt, high rates of disconnection would be a better way to target our focus rather than taking what I would regard as an overly --

>> Mayor Adler: Councilmember tovo, is there a motion?

>> Tovo: Yeah, there was a motion. This is all it. It was that we disapprove it with this following direction and I'm on my last one. That is it, the last one was -- we also talked on Tuesday about it being a mobile charging option in times of emergency. Again, I think we can deliver that severance if that's really a needed service, we can deliver that through the existing vans.

>> Mayor Adler: Is there a second to this motion? Councilmember pool seconds the motion. Discussion on the dais? Mr. Flannigan.

>> Flannigan: I wanted to thank councilmember tovo for looking into this as even more detailed than my office did, but seeing it as something we want to make a change.

[2:18:52 AM]

I'm not sure I agree with what we should come back and do finally, although I'm fine getting the information back from the manager on options. But I'm definitely going to support your action here.

>> Casar: I'm going to support the motion too.

>> Mayor Adler: Any further discussion? So we're voting no, and then staff comes back with something.

>> Tovo: With direction focused on community outreach to target populations. I've identified some particular ways I'd like to see them, some particular program ideas I'd like them to focus on with the understanding --

>> Mayor Adler: But they're not necessarily limited to those?



>> Tovo: No. As long as it's serving those overarching -- what I think are the most salient outcome objectives of the van.

>> Mayor Adler: All right. I'm going to vote no just because it's a \$200,000 expenditure and \$3.5 billion budget and I don't think this is the level we should be reaching to as the council.

>> Tovo: Mayor, it's an almost \$000,000 expenditure.

>> Mayor Adler: Over a five year period of time.

>> Tovo: It's 589,500 the first two years and 148,000 every year after that.

>> Mayor Adler: Correct. So we have two speakers to speak. Let's see if they're still I think one of them signed up not too long ago. James Casey. Do you want to speak? Jacob Aronowitz, do you want to speak? Not here. It's been moved and seconded. Any further discussion? Ready to take a vote. Those in favor of the -- of denying this motion, please -- denying this item 64 please raise your hand. It's -- those opposed. Those abstaining. I'm opposed, mayor pro tem is abstaining, others voting with councilmember tovo.

[2:20:56 AM]

Item number 64 is not -- is denied, is not passed. With that, it is 2:20 A.M. We've handled all of our items. It's now summer time.

[ Laughter ] We'll be back together as a group in August. We're adjourned.

[ Adjourned ]