

City Council Regular Meeting Session Transcript

– 08/22/2019

Title: City of Austin

Channel: 6 - COAUS

Recorded On: 8/22/2019 6:00:00 AM

Original Air Date: 8/22/2019

Transcript Generated by SnapStream

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[10:02:23 AM]

Their players or moments of -- prayers or moments of reflection. It is a way to celebrate the diversity in our city and we begin aligned for the greater need. Today we are happy to have with us Claire Vogel camargot, and she is with the Austin poetry society. Please come up. Thank you very much for joining us today.

>> Thank you very much, mayor. I'm going to be reading a poem that I wrote called "It's a dance." And let me just give you a little introductory comment to it. It's written in a Japanese form called a hibun, which prose, free flow of speech, which includes a haiku, a three line verse. It can include the crux or

[10:03:25 AM]

the major point of the poem and at this poem it occurs at the end. Sometimes there can be more than one haiku. In this case it's at the end and I'll repeat it as I'm reading. In this one the world of peace, it won the contest of the world poetry society in Austin of last year and I thought it was fitting approximate for this occasion. The title is "It's a dance." There are things you may think, but just don't say in any relationship, parent-child, friendship, work, marriage, politics, or across cultures. We all learn at different rates the invisible lines that Demar indicate what is acceptable and unacceptable. Which words, hurt feelings, create distance or make arguments escalate to a face slap, impasse, firing,

[10:04:29 AM]

divorce. I've become keenly aware of clear and fuzzy lines of place and time for tone and topic, advance and retreat that when the other is upset or with fear they cannot hear. That agreement or compromise can be an uneasy feat. Blades of peace balancing on facts or feeling. Thank you.

>> Thank you very much.

[Applause].

>> Kitchen: Mayor --

>> Pool: I wanted to know if we could get a copy of your poem, if you could --

[10:05:30 AM]

give a copy to the city clerk? It really was beautiful. Thank you.

>> Thank you.

>> Thank you very much. Wonderful way to start.

>> Mayor Adler: It is 10:04 and we're going to call to order this council meeting on August 22nd, Thursday, 2019. We're in the city council chambers here in Austin. We have a full dais. Let's take a look at the changes and corrections we have today. Items 3, 5 and 9 should be noted that they were recommended by the wastewater commission zero and 1. August 14th, 2019. Items 7, 8 and 29 are going to be proposed to September 19th. Item and 11 and 12 should be

[10:06:31 AM]

noted that on August 13th recommended by the advisory committee on a 7-0-4 vote with four commissioners absent, [listing names]. Item 13 and 16 on August 12th, 2019, recommended by the electric utility commission on a 9-0 vote with commissioners Collier, Brown and Tuttle off the dais. Item number 57 is going to be postponed indefinitely. Item number 113, colleagues, should be noted that there is a blank in that resolution. It should be 44 pennies and -- 44.31 pennies. That item 113 is going to be pulled because it requires a roll call vote. The items that are going to be pulled are items 15 and 24 by councilmember Flannigan. Item 33 is going to be pulled until this afternoon because it needs to be

[10:07:31 AM]

considered with item 102. Item number 69 pulled by councilmember Harper-Madison. Item 113 and 115 are pulled for discussion. We have some speakers that have signed up to speak on the agenda. 29 was pulled for speakers, but it is being postponed. Do any of the speakers that signed up with 29 want to speak today hearing that it's being postponed? That would be Eric Standridge and Tracy Woody? We'll leave that on consent because item 29 is being postponed until September 19th. That stays on the consent agenda. No items were pulled for

[10:08:32 AM]

speaker. Mr. Pena is here to speak on some items. Do you want to come on down, sir?

>> Good morning, mayor, councilmembers, city manager and the public. My name is Gustavo Gus Pena. I am president of veterans for progress. We were formed in 2015 because of the atrocities against us veterans not getting the health care that we need. Anyway, item number 19 and 22 is related. It's colony park. Number 119 having to do with interlocal agreement with the health care district. Colony park I have family members over there also. It has been -- I'm going to say it, neglected, the N word, neglected. So we're staunchly and fiercely supporting item number 19 and 22 to help out the people in colony park. They deserve better. They need these services expeditiously. And I'm here to support them also.

[10:09:37 AM]

Item number 36 having to do with life works. They've been here many years and work with families and the homeless youth. Please help them as much as you can. This is a worthy -- I've been working with them for the last 32 years. Off and on and sending them clients. But they need help and hopefully you will pass this -- this rca so they can get more funding. I want to say this, I forgot to do it last time. Vanessa sighlous is the

[indiscernible] Of the me lienium entertainment center. This center, she's outstanding. Vanessa does a lot for community. Should be valued by the county, state, federal governments and she does an outstanding job to the people. It's just not an entertainment center. It's where folks come together and energize each other and work with each other on issues also, not just weddings or birthdays or whatever. You are top-notch in my

[10:10:39 AM]

bible. Number 66 having to do with stint cultural center for the first annual Austin veterans art festival. Ladies and gentlemen, you know I'm a Vietnam veteran, six years I was in the United States Marine Corps. Two in reserve. But a lot of the things that are brought by for the veterans is very helpful, very helpful. So we support you on this item number 66. It does prevent suicide. There's some sort of coalition between the arts and the veterans and right now, piet is at its worst -- PTSD is at its worst for the veterans. Help the veterans out. I'm proud to be a response four veterans for progress and what funding we can find and help them with and also counseling. Natasha, I want to tell you something, I'm proud of you. Just remember that. You done good and you token do good and nobody better with you because uncle Gus will be here.

[10:11:40 AM]

And my wife, I love you too.

[Laughter]. Anyway, a little bit of humor, mayor. Come on, laugh, mayor. Thank you very much.

[Buzzer sounds]

[Applause].

>> Mayor Adler: All right, colleagues, our consent agenda today are items 1 through 79 and 113 to 115. I'm showing items 7 and 8 being postponed to September 19th. I'm showing item 15 being pulled and 24 being pulled. 29 being postponed until September 19th. 33 being pulled to be discussed with item 102. Item number 57 being postponed indefinitely. Item number is 65 councilmember alter I think is nominating deona Griffith

[10:12:41 AM]

to the human rights commission. That's a late add, but that will be part of the consent motion. Item number 69 pulled by councilmember harper-madison. 113 and 115 will be pulled so that we can do the - take the roll call vote. We have a script to follow for that. Item number 25, is the lawyer here to read in the settlement number for that numb item?

>> Yes. I'm with the amount of the -- the amount of the settlement is \$105,000. >>

>> Mayor Adler: \$105,000 on number five 25. That stays on the consent agenda. Okay. We have anybody else to speak on a consent item that I didn't mention. That brings us to the dais.

[10:13:42 AM]

Is there a motion to approve the consent agenda. Councilmember harper-madison makes the motion, seconded by councilmember alter. Discussion on the dais?

>> Casar: Mayor, I'd like to be shown as voting no on item 44, which is the increase in towing fees and that's an increase from 150 to 185. In the fee, but then after looking into it there are already fees that are already a part of that. It's already pretty expensive, \$265 to \$300 if you couldn't pick up your car immediately that day. And so I'm just fine with being marked voting no, but if there are a couple of other advocacy that have the same concerns then I would pull it. So I'll leave it at that. My last issue is to raise the fee for booting recently with the expressive reasoning being that we wanted to incentivize booting over towing and we might be undoing that by continuing to increase

[10:14:42 AM]

towing fees.

>> Mayor Adler: Okay. Further discussion on the dais. Councilmember Flannigan.

>> Flannigan: So I want to be shown voting no on 37, which is a program with aid that only seems to be available to aid students. As I commonly vote no on those. Item 78, which is the annexation item for pflugerville aid, as we discussed on Tuesday, still voting no. And on item 38 this, a partnership agreement with Williamson county. Williamson county is paying to install a right turn lane on a city street and part of this agreement was the city and the county partnering financially to get these projects done and I think it's a great example of the types of works counties and cities can do together.

>> Mayor Adler: And thank you to the Williamson county commissioner Cynthia long for having identified that opportunity for us. Further discussion on the consent agenda? Yes, mayor pro tem.

>> Garza: Rather than vote no on 37, I would just like to provide some direction that our public health reach

[10:15:44 AM]

out to del valle, whatever other -- and the other school districts within the city of Austin city limits to see if we can provide these kinds of opportunities for those students as well.

>> Mayor Adler: Okay. Anything else on the consent? Yes, councilmember tovo.

>> Tovo: A couple of things. I share councilmember Casar's concerns about private towing and would be happy to either postpone it or pull it for a discussion today for some of the same reasons that I had concerns about raising the booting fee. So councilmember Casar, what do you think is the best plan here?

>> Casar: Maybe we just pull it. Folks can think about it. Staff can look at it. We can either swiftly approve it or disapprove of it.

>> Mayor Adler: Which number are we pulling?

>> Tovo: 34.

>> Mayor Adler: 34 pulled by councilmember Casar and councilmember tovo.

>> Tovo: And I wanted to just make a few comments about 67. This is the contract labor item that our task force,

[10:16:46 AM]

our work group worked on and I would appreciate the four colleagues that worked on that, councilmember Flannigan, councilmember Casar and councilmember kitchen. But I also want to look

back back and thank councilmember Martinez and councilmember Laura Morrison because this work really began quite awhile ago when those two leaders were on the council. And this has been a long time discussion and I'm really so pleased that we were able to come together and make these recommendations to council, which is really going to shift the practice of outsourcing jobs that are really regular needs here at the city. So throughout the city we have primarily custodial contracts and security contracts that are staffed sometimes by city employees and often by contract employees. And in looking at it our group really came to a pretty fast consensus, I would characterize it as, that the costs were

[10:17:46 AM]

really -- we were doing this as a city, we have continued to do this as a city for a variety of reasons, but primarily for economic ones. And the ones who really bear the impact of that are the employees who are hired as contract employees rather than as city staff because where we're saving money are really largely in their benefits package that we're not responsible for paying if they're outsourced employees. So I appreciate very much the city staff and the departmental staff who worked to provide us with information and feedback. I believe we have accommodated some of their concerns and questions and clarification, and that it's a stronger resolution today as a result of that. I really appreciate very much the staff and our council offices who worked on this, beginning with my own staff. I had an intern in my office that did a lot of the research and another who worked tirelessly in making

[10:18:46 AM]

sure that she provided us with best practices as well as communicated with our other staff, but really across the hall, Marty buyer in councilmember Flannigan's office, Jason a in councilmember kitchen's, and Brandon in councilmember Casar's have worked very closely in making sure that we were really apprised and informed about best practices across the country, but had the information that we needed and kept the process moving. So thanks again. I think this is a very good step. It's not making these changes today, but it is instituting as a general philosophy that we want to move forward as a city with that value embedded into our contracts. So when those contracts come forward to us we expect that kind of analysis and whenever possible we expect those jobs to become city jobs. So I'm really proud of the action that I hope we're about to take to pass this today and look forward to seeing it implemented and in

[10:19:46 AM]

our future.

>> Mayor Adler: It's been moved and seconded the consent agenda? Any further discussion?
Councilmember pool.

>> Pool: On item 34 -- I'm sorry, 37. This is the one where aid to provide training opportunities and internships to high school age residents of the city. That's the one that we're pulling for staff to look at other districts around. Not pulling it, but the comments have been around that. Sew I would like to go ahead and just open it up to all of the independent school districts that are in our jurisdiction for them all to look at it. I have had conversations with pflugerville ISD, for example, over the last three budget years to see if there were things that we could partner with them, even if it was an exchange of programmatic funds, but open up our facilities to pflugerville ISD. And I think that that effort in the broader array of the

[10:20:47 AM]

various school districts, public school districts that are in the city of Austin is probably more to the point so we don't pick a few and not all of them. I will point to the reasons why we have been partnering financially with aid, and as far as I can remember the conversation from previous councils before this one was impaneled, it had a lot to do with recapture and the fact that aid was really having difficulty being able to meet its budget given the very heavy tax recapture burden that they bear under the state imposed school finance law. And that wasn't necessarily the case with the other -- the other public school districts in our area, but I think it would be useful to go ahead and look at all of them instead of just a small subset or a subset. And also I would like to have some metric in whatever the assistance is to reflect what percentage of the school district happens to

[10:21:47 AM]

be in the city of Austin environs so that we can also have that as one lens to look through how much funding, if we go a funding. I'm not saying we have to go with strictly funding. There could be other operations or programs that we could open to the other school districts as a start. Okay? Thanks.

>> Mayor Adler: Thank you. We're ready to take a vote? Councilmember alter.

>> Alter: Thank you. I wanted to make comments on two items on consent. First I wanted to highlight the work in item 58, the new language access contract that we're approveing today. This provides for hundreds of languages across three different mediums over the phone, by conferencing and by on-site in person translations. I want to thank the staff for the work they've done to reform the way we're doing to provide language interpretations in our city.

[10:22:47 AM]

It's exciting to see the growing number of cultures that are increasingly part of our community and it is our duty as the city of Austin to help all communities, especially some of our most vulnerable, like the refugee community, so navigate our services, programs and departments in the languages that they are most comfortable speaking. So thank you for that. I also wanted to comment briefly on item 70, which is an ifc that I brought forward with co-sponsors kitchen, Ellis, Renteria and pool. Helping seniors age in place and stay in their homes is one of the best ways to avoid housing displacement and help folks retain dignity in their golden years. Item 70 acts on the anti-displacement task force and the right to remain reports that highlighted the currently available opportunities for seniors to reduce their property tax burdens have been potentially underutilized by folks in danger of housing displacement. My resolution directs the city manager to identify ways to increase seniors awareness about existing opportunities to reduce their property tax burden,

[10:23:48 AM]

such as tax deferrals, homestead, senior and disabled exemptions. It it asks the city manager to work with the commission on seniors to create a pilot program that would allow seniors to volunteer to offset their property tax burden and to report on the feasibility of increasing the senior property tax exemption in the future. This resolution will identify ways to make it easier to age in place and avoid housing displacement and I want to thank the commission on seniors for advancing these ideas. Thank you.

>> Mayor Adler: Ready to take a vote. Councilmember kitchen.

>> Kitchen: Two quick things. Item 34 was pulled on towing fees. I would like to ask for when it would be expected to be taken up. I know there are folks who would like to speak on it and would like to know if we can take it up before or after lunch.

>> Mayor Adler: If we can take it up before lunch if we can.

[10:24:48 AM]

Unless there's a time to have it differently. I think we should try to get through as much as as much this morning as we can because we're going to start at 1:00 with budget hearing and we have 45 people signed up to speak on that. But we can certainly take it up last among the things that we're doing this morning.

>> Kitchen: I think the interest was, I'll double-check, but I think the interest was sooner.

>> Mayor Adler: Okay.

>> Kitchen: And then I would just echo on item 70, I want to thank the senior commission for the work that they've done in the past and will do to help us with this resolution that really -- they've really been

very pro pitch all the way from the age friendly action plan to the advice they've given us in the past in terms of looking at ways to reduce tax burden on seniors.

>> Mayor Adler: Okay. Further discussion on the consent agenda? Councilmember Casar.

>> Casar: Mayor, since there wasn't much discussion of this at work session and I don't think it's a pending or urgent item, we can just postpone the towing fee item

[10:25:48 AM]

if people are going to be sorting the issue out on the dais and it's going to take us some time. But I would leave that up to others. I think it may save us time if people actually had time between here and September to think about it.

>> Mayor Adler: Let's consider postponement when we pull it back.

>> Casar: I think if we're pulling in, to talk about a postponement.

>> Tovo: I completely concur. I think we will be sorting it out. I think there are -- I think this impacts students, our college students significantly. So I'd like an opportunity for them to be a little bit more back in town before we pull this up. So postponing sounds good to me.

>> Mayor Adler: Okay. We've pulled that item. We'll come back to it. Yes, councilmember pool.

>> Pool: I'd like to help work on that with councilmembers tovo and Casar. It does feel very predatory.

>> Mayor Adler: We've pulled that item. We'll come back too it. Anything else on the consent agenda?

>> Kitchen: One other thing, I'm sorry. Item number 69, I should be

[10:26:49 AM]

listed as a co-sponsor on that.

>> Mayor Adler: Okay. Anything else on the consent agenda? Councilmember Casar.

>> Casar: Mayor, on the testing equipment we're purchasing from APD, my understanding is that there is -- these don't have to do with manor and th-- with marijuana and thc testing? Can I get a head's you will. We'll be handling that in judicial committee. I want to make sure that's clear to everybody.

>> Mayor Adler: The chief raised his thumb up and confirmed for you. Anything else on the consent agenda? Those in favor of the consent agenda please raise your hand? Those opposed? It's unanimous on the dais with the comments obviously read into the record. That's the consent agenda. Let's consider some things now. I'm going to start with items -- if you all could exit quietly, please, we'd appreciate it because we're going to continue to try to work up here. Let's pull up 113 and 115 to get through those.

[10:27:49 AM]

>> Kitchen: Mayor, do we need to vote on postponement for 34?

>> Mayor Adler: We could do that in case people needed to come. That's a good idea. Item number 34, we'll pull that up. Councilmember Casar, did you want to bring a motion to postpone? Councilmember Casar moves to postpone this to September 19th. Is there any discussion? Councilmember Flannigan. Seconded by councilmember tovo. Councilmember Flannigan, do you want to address it?

>> Flannigan: Can y'all please exit quietly.

>> Mayor Adler: If everyone could please be quiet. Thank you.

>> Flannigan: Is this the same issue we discussed -- I feel like this is from before, right?

>> Kitchen: It's different.

>> Flannigan: Is this the the not the one we did the last time.

>> Kitchen: The other was booting fees. This is towing.

>> Casar: We increased booting fees to Russo towing and for the public safety tows we increased the fee because we need to get cars off the road quickly.

[10:28:49 AM]

But this is a third item that has to do with private towing, not for a public safety purpose, but you've parked in the CVS parking lot while you're trying to get coffee at spider house.

>> Flannigan: I feel like we have talked about the private towing fees before.

>> Casar: People showed up and talked about the private towing fees during the item, asking for their fees to match the public safety tows.

>> Kitchen: And we asked staff to consider that.

>> Casar: Correct.

>> Mayor Adler: Any further discussion on the motion to postpone to September 19th. All those in favor please raise your hand? Those opposed? It's unanimous on the dais, the matter is postponed to September 19th. Let's now pick up items number 113 and 115. These will be a roll call vote. We're now going to take up items 113 and 115 related to the maximum proposed property tax rate for council to consider. The date that the council

[10:29:50 AM]

will adopt the tax rate and the setting is of the dates for the public hearing on proposed tax rate. First we'll take up item 113. This is a resolution to adopt a maximum proposed property tax rate that council will consider for fiscal year 2019-2020. And second to set the date that the council will adopt the physical 2019-2020 property tax rate. So under state law a vote on the motion to adopt a maximum proposed tax rate that the council could will consider requires a roll call vote. The maximum that the city can adopt and stay within the rollback rates set by state law is 44.31 cents per 100-dollar valuation. If we go above that rate citizens can petition the court to ask -- courts to ask that the city's tax rate be rolled back to the rollback rate.

[10:30:53 AM]

Is there -- the number we'll fill here is 40.31. Is there a motion to adopt the resolution setting the proposed maximum tax rate at that level? 44.31. Councilmember pool makes the motion. Is it there a second to that? Councilmember Casar seconds it. Any discussion? We have a motion to adopt the maximum proposed tax rate of 44.31 cents per \$100 of valuation for council to consider adopting during the fiscal year 2019-2020 tax rate adoption in September. Will the city clerk call the roll as required by state law so that each councilmember's vote is recorded. >>

>> Mayor Adler:?

>> Yes.

>> Mayor pro tem Garza.

>> Yes.

>> Councilmember harper-madison.

>> Yes.

>> Councilmember tovo.

>> Aye.

>> Councilmember Flannigan.

>> Yes.

>> Councilmember kitchen.

>> Yes.

[10:31:54 AM]

>> Councilmember pool.

>> Yes.

>> Councilmember Casar.

>> Yes.

>> Councilmember alter.

>> Yes.

>> Councilmember Ellis.

>> Yes.

>> Councilmember Renteria.

>> Yes.

>> It passes. >>

>> Mayor Adler: The vote is unanimous setting the maximum tax rate. This resolution we also need to include the date that the council will adopt the fiscal year 2019-2020 property tax rate. The proposed time, date and location is at 2:00 P.M. On September 25th, 2019, city hall, 301 west second street, one, Texas. I'll entertain a motion to set the time, date and location as proposed to adopt the fiscal year 2019-2020 property tax rate. Is there a motion to approve? Councilmember Ellis makes the motion. Councilmember Casar seconds. Is there a discussion? Let's take a vote. This does not need to be roll call. Those in favor please raise your hands?

[10:32:56 AM]

Those opposed? It's unanimous on the dais. That date is set. That gets us now to item number 115. By state law since we adopted a proposed maximum tax rate that is above the effective rate or the rate that would generate the same amount of revenue in fiscal year 2019-2020 as in the prior year from properties taxed in both years net of certain state mandated adjustments, we must now set two public hearings on the tax rate. Council will ultimately adopt for fiscal year 2019-2020. Staff recommends settings the hearings on September 13th at 1:00 P.M. And on September meant at 4:00 P.M. -- 19th at 4:00 P.M. At Austin city hall, 301 west second street. Is there a motion to set the public hearings on the proposed tax rate for fiscal year 2019-2020. Mayor pro tem makes the motion. Councilmember pool seconds.

[10:33:56 AM]

Is there any discussion? Let's take a vote. Those in favor please raise your hand? Those opposed? It's unanimous on the dais. Those dates are set. All right. That takes care of 113 and 115. Councilmember Flannigan -- by the way, just to note, housekeeping matters, at 1:00 when we come back from lunch, hopefully at 1:00, we're going to call item number 86, which is the budget, and we will immediately start taking testimony on that. That is item number 86. We have at this point somewhere in the mid 40s much people that have signed up to speak. 47 people have signed up to speak. We're going to start taking testimony consistent with our normal rules for public testimony, which means that the first 20 people will

[10:34:57 AM]

Speak for three minutes. People signed after that will subpoena for a minute. We will run for -- will speak for a minute. We will run for whoever it is that speaks. At 5:00 I'm going to ask if there are people who have signed up and are present here that have yet to speak will get their names or have them go down to the clerk to sign up. We will break at 5:30 as per our custom for music and proclamations. When we come back I will call people that signed up at 5:00 that were here and present ready to speak that may not have been called between 5:00 and 5:30. They will go first. And then we will go to our regular agenda after those people have spoken. And then at the end of that time the game plan unless we've otherwise adjourned will be to call the people that had signed up for, but have yet to speak on budget. That would include people that come this evening to sign up. We're doing it that way because this is our kind of

[10:35:58 AM]

intended afternoon really to speak and we have another day where we're going to have a budget testimony opportunity in the evening and our rules allow for people to come for either of those and speak. That said, let's go ahead and call up some of the items that we have. Councilmember Flannigan, item number 15.

>> Flannigan: Yes. So we discussed this on Tuesday. I heard pretty clearly that day that at the very least it's a shared facility between the Faulk -- the Faulk is a shared facility between the history center and any other possible uses. So I posted on the message board last night and I hoped that everyone looked at that. I've hand it had out on the dais that just leaves that analysis open. Since the decision we're making today is just about construction manager at risk and we can get that analysis through staff later.

>> Mayor Adler: So let's take the motion and then your amendment if we can.

[10:36:59 AM]

We can do it that way. Councilmember tovo, do you want to make the base motion?

>> Tovo: I would like to move approval.

>> Mayor Adler: Councilmember tovo makes the motion S there a second to the base motion?

Councilmember Flannigan makes the second. Mr. Flannigan has moved an amendment that has been passed out in this item. Is there any further discussion on the amendment? We need a second.

Councilmember Flannigan. Councilmember Casar seconds. Any further discussion on the amendment? Councilmember pool.

>> Pool: If we could get recommendations from the staff about the Faulk and the expectations from the voters when they voted on those bonds in 2018 to be sure that if -- in November of 2018 to be sure that if we amend this item the way that Mr. Flannigan is requesting that we do not at all violate what the covenant with the voters is.

>> Mayor Adler: Okay.

[10:38:01 AM]

Further discussion on the dais? Councilmember tovo.

>> Tovo: Yeah. I would actually like to put the exhibit up on that showing the materials that we had prepared about the bonds.

>> Kitchen: Mayor? May I ask a question?

>> Mayor Adler: What's the question?

>> Kitchen: I was just going to confirm what councilmember Flannigan said that this doesn't impact the bond, it doesn't impact how the dollars are spent?

>> Mayor Adler: I think that's what councilmember tovo is doing here, she's posting, putting up something.

>> Kitchen: You I thought the item was not about spending the money, just about the contract. I'm happy to hear the information, but I want to be clear that we're not voting on how the bond money was used.

>> Mayor Adler: Okay.

>> Tovo: So this is the information that was an attachment the day we voted on it and it says pretty

[10:39:05 AM]

clearly that the funding was available for -- I'm paraphrasing here, for branch libraries, and now I'm quoting, as well as funding for the first phase of the conversion of Faulk central library for archival use by the Austin history center. I think to me that states our commitment pretty clearly was to convert the Faulk center for the purposes identified here as the Austin history center, not for potential joint use facility. Those are conversations that could have been had, they weren't. This was a long time commitment and I think we should honor T and frankly, I think that's what we told the voters we were going to do.

>> Mayor Adler: Thank you. Further discussion? Councilmember Flannigan.

>> Flannigan: I appreciate that, councilmember tovo. As the memo states that staff sent late yesterday, the 14.5 million from the bond is only the first phase. The estimated cost to renovate the entire facility is more than 58 million. So we can completely comply

[10:40:07 AM]

with the contract with the voters and the bond covenants because the bond only covered a portion of the building. And even the language says first phase. So I think the first phase is not the whole building, as what staff has laid out in their memo.

>> Mayor Adler: Further discussion on this item?

>> Kitchen:.

>> Kitchen: I want so say I remain committed to the purpose of the bond and for the use of the Faulk library for archival purposes, but I really want to ask the question about whether there's the potential for -- if there's room. If there is room in that property for some other city staff or some other use that -- if that room -- if that use is compatible and doesn't take away from what is needed for archival use, then I think it's a question we should be asking.

>> Mayor Adler: Further discussion? Councilmember Casar and then councilmember tovo.

>> Casar: And here I don't think that we are

[10:41:07 AM]

insinuating using the library bonds for a courthouse or other use. What I'm interested in is getting information about how much we're potentially going to be paying in lease payments for things like the dac and whether or not we can take that out to do actual improvements because we've constantly heard these last four and a half years that we want to get out of leases and into city buildings.

>> Mayor Adler: Further discussion? Councilmember tovo.

>> Tovo: Yeah, I don't think we should conflate the information in the memo to suggest that it was contemplated that there would be other uses in the Faulk central library. It is absolutely true and I read the memo and completely understand that we didn't pass bonds for sufficient funds to do the entire project. But I think the way we have discussed the purpose of the Faulk library in the future has been very consistently about using it for the archival center and they've -- and they've talked about the entire building. So what we do in an interim basis is one thing and as we talked about the other day,

[10:42:07 AM]

we know the innovation, the innovation program department is over there and they do focus groups over there including people who experience homelessness and other projects. We are making use of that space right now for other purposes, but the long time intent and again the commitment that I believe we made to the community is that that it would be used by the Austin history center.

>> Mayor Adler: My recollection is the same as councilmember tovo's. I'm going to vote against the amendment. Further discussion? Let's take a vote on the amendment. Those in favor of the amendment please raise your hand? It is harper-madison, Flannigan, kitchen, Casar, the mayor pro tem, councilmember Ellis. Those opposed raise your hand?

[10:43:07 AM]

It's four. And councilmember alter abstains. So a 6-4-1 vote, the amendment passes. Further discussion on the main motion? Those in favor of the motion please raise your hand. Those opposed? It's unanimous on the dais. That item passes. Okay. Let's call up Rainey street, item number 24. Does someone want to make the base motion. Councilmember tovo makes a motion. Is there a second to this item 24? Mayor pro tem seconds. Is there a discussion? Councilmember Flannigan?

>> Flannigan: As we discussed on Tuesday, I don't think this is a good practice to be segregating funds in this Kay way, so I'll be voting no.

>> Mayor Adler: We have some people signed up to speak. Should we hear them? Let's do that. Item number 24, Paul Saldana. Is Mr. Saldana here?

[10:44:07 AM]

You have time donated by Steven awersawn. Is he here? Do you want to give those to the clerk, she will hand those out for you. Mr. Saldana, with your donated time you have five minutes.

>> Thank you. Good morning and councilmembers. My name is Paul. I'm actually speaking as a member of hispanic advocates business leaders of Austin, abla. Some of our members who are here back on may 23rd when you adopted a resolution having to do with the palm district master plan. And one of the operative parts of that resolution talked about over the course of many years we've had fragmented planting and that we now have an opportunity to create meaningful, comprehensive and potentially healing plans that right some of the wrongs of the past that have resulted in stranded cultural resources, impaired mobility and divided communities. A lot of us were also here back in 2013 when we worked in partnership with then councilmember Mike Martinez, our only Latino

[10:45:07 AM]

councilmember at this at that time, to bring forward a resolution that talked about creating the Rainey street historic district fund. And that was followed by a unanimous vote on November 4 of 2014 that adopted the ordinance that created that resolution. I have a video clip of some of the conversation that took place by the councilmembers. I've provided you all copies of the transcripts. So I'll play a little portion of that.

>> And councilmember Morrison would like to make some comments.

>> Thank you. I had a chance to talk with staff during the break and there was a little clarity for me about what we were actually doing, what I wondered is this talks about \$600,000 to seed this fund. Are we going to -- once we have approved this, are we going to see the funds every year funneled into this new fund?

>> [Indiscernible]. Yes, councilmember. We structured this fund as

[10:46:08 AM]

directed in the original resolution on the vre fund. The initial of hundred thousand is based on the conservative projections of what we see coming in. Receiving the fund on a go forward basis as though funds are collected, they will be brought back to council as part of our -- and the budget process and part of the adopting in this case the capital budget for this fund.

>> Great. And I guess the only thing I'm going to ask is with the bre fund we found that it had sort of gotten ahead of itself. In this past year we were able to tap it for something else. I thought it would be helpful for council to keep an eye and know what they're doing that it doesn't get buried in all of the budget work that we do. So I wanted to ask if staff would be able to plan on sending a memo to council every year during the budget process just to give us an update on what the funds is

[10:47:09 AM]

looking like right now and what the expected expenditures are or expected revenues are so if we do need to have that conversation at least it won't -- it won't just go unnoticed.

>> Certainly.

-- I think it's our eye on the forecasting process. It's a perfect opportunity to do that and lay out where we see the funds that have been collected and how they're going into the fund.

>> Okay. Great.

>> Councilmember Martinez?

>> I appreciate the comment. What I have anticipate is not just getting projections back from staff before budget but also having the public conversation with the advisory board, some of the friends of the mac and some of those advocates in the Rainey street area to look at the fiscal year. And if we do have projects on the ground that benefit from that. If with he don't, obviously it goes back to the general fund or gets reallocated as staff needs to go through the budget process. So I appreciate that.

[10:48:19 AM]

[Indiscernible].

>> I think that's good. So my point to reiterate what council asked and what the staff was instructed to do. There would be a memo that would be generated annually with expected revenues collected. It would be part of the annual forecasting process, lay out where funds were collected. There would be public conversations with stakeholders. The information would be transparent and available and actually identify how much funding would be available for the next fiscal year. And if there were no projects identified then it would go back to the general fund. And all of this was passed by unanimous consent. And as we all know in the last six years there's been a tremendous amount of projects. Further on in the tape and in the transcript you will see that there was a conversation about how much money the fairmont hotel was supposed to generate. Staff had indicated it would be 1.4, but I believe mayor pro tem Cole said that the man Chester developer dated it would be somewhere along the lines of \$3.5 million. That was just one project. And six years ago we had identified at least 10 to 15 projects that were either

[10:49:20 AM]

underway or would be underway and again, that's one of the reasons why this was supposed to be updated on an annual basis. I know with the exception of councilmember tovo who was the only councilmember at the time on the council.

[Buzzer sounds] I know I've talked to each of you about what's the status of these funds. Thank you. I'd be happy to answer any questions that you have. Thank you.

>> Mayor Adler: Thanks. We have an additional speaker, Sandra Leon. Ms. DeLeon you have three minutes.

>> Good morning, thank you. Mayor Adler, councilmembers and city manager cronk. You know, obviously when asked for your support for item 24, I watched the council work session video from Tuesday and I have some comments regarding the item. I think Mr. Saldana did a

[10:50:23 AM]

beautiful job of sort of capturing the essence of what Mike Martinez had intended. It was very much about the preservation of the mexican-american community as well as for future mobility infrastructure. So I'm going to talk a little bit about the peak hour traffic. So when the zoning change occurred in 2005 there's no mobility assessment, there's no mobility plan for the increased traffic. So as a result we have all of our intersections failing at peak hour times. And this is every week. So if we're to talk about equity in terms of funds for project based needs, it's important to remember that we transitioned a single-family neighborhood to CBD with no significant

[10:51:26 AM]

funds aimed at planning a including a master plan, or memorializing the mexican-american community. In the 10 years since the first bar opened, the historic district has had no sidewalk improvements except for patches in front of 70 rainy, hotel van zandt and the Camden, which have only recently occurred. As one councilmember stated on Tuesday, we shut just do the things that need -- we should just do the things that need to get done. I agree. Unfortunately history has shown that we have not done the things that need to get done in Rainey, even after directives to staff from this and previous councils. There's no reason to believe that it will be different in the future. So I don't have time to go into the entire big red dog study, but based on projections through trip

[10:52:28 AM]

generation with identified projects for the future, about \$13.4 million was projected from developer fees. So in closing, infrastructure has not kept up with Rainey and the current usage. The fund was intended to honor the mexican-american families displaced and help balance out and rectify the negative impacts of growth. Martinez intended the fund to be in perpetuity, but it was not captured in the resolution that was planned in 2013. We ask for your support.

>> Mayor Adler: Thank you. Those are all the speakers that we had. We're back up to the dais. Further discussion on the dais? Councilmember pool.

[10:53:28 AM]

>> Pool: Yeah. I support the initiative that the councilmember tovo has made the motion on. I think we owe a debt of service to folks in Rainey street. That area of town has been really the focus of a lot of economic development to the detriment, as it turns out, of folks who end up living there and those, frankly, who were forced to leave. So thanks, Mr. Saldana, for coming today to speak to this as well as the other speakers. Thank you.

>> Mayor Adler: Is staff here to speak about the prioritization of these projects? Here's my question. It's really clear that we need sidewalks in the Rainey area. There are a lot of people that gather -- there are not a lot of people that used to live in that neighborhood, but as we look around the city in areas that need sidewalks, this is happen

[10:54:28 AM]

area that needs sidewalks. I don't understand why we don't have sidewalks there unless the answer is that as much as we need sidewalks there are areas that need sidewalks more. And I'd like to know that. My general sense on this resolution is that we ought to be putting sidewalks where they are -- where they are most needed. It's hard to believe that we would have areas that need it more than this, but if we have areas in our city that need sidewalks more than this, then my goodness, we should put sidewalks -- we should put sidewalks there. So just like other conversations we've had earlier about extending tifs and other kind of things, I think as a council we should be putting our money where the greatest need is in the city. Can you talk about the need,

[10:55:29 AM]

relative need priorities, how we do that and is this project, is this area up at the top of the list or not? And if not, why not?

>> Thank you, mayor. Richard Mendoza, public works director. You're absolutely right, we do identify some missing sidewalks within the area of the Rainey street district and this was updated in the 2016 sidewalk master plan. I'm certain as everyone is aware the 2016 bond funded 37 and a half million for sidewalks, but the actual high and very high need for sidewalks throughout the city was more on the order of around two to \$250 million. So we went through of course a very deliberate exercise in evaluating the high and very high priority sidewalks throughout the city from the

[10:56:29 AM]

viewpoint of course of equity across council districts. And one of the challenges that we have encountered in this area is because of the high amount of development for which the developers would be responsible for improving the sidewalk network. Where we would construct sidewalks, many times those would have to be deconstructed and reconstructed for the developer's plan for the property. We are working on some current projects for that -- that will encompass this area. We current recently completed some sidewalk emergency repairs along Rainey street and we're also kicking off a wayfinding project which will improve pedestrian experience for the area as well as some alley reconstructions needed for the area.

[10:57:31 AM]

So we definitely recognize that this is a high priority area, but balancing this area with the needs of the entire city and also with the challenge of the intense redevelopment for which those developers would be reconstructing or constructing sidewalk improvements, we have to figure that into the program going forward.

>> Mayor Adler: Okay. Further discussion on the dais? Mayor pro tem.

>> Garza: I don't think this is a question for you, Mr. Mendoza, but the fund is not just for sidewalks. Can somebody from staff -- maybe it is for you, Mr. Mendoza, sorry. It's my understanding the intent was for improvements, but that doesn't just include sidewalks, is that right?

>> That's correct. We do have three projects identified currently which sidewalks are a part certainly, but there's also

[10:58:32 AM]

some alleyways within this area that are in need of significant reinvestment, as well as we have a comprehensive wayfinding master plan that we're moving forward right now with the procurement. We've already completed the design, which will benefit not only pedestrian, but bicycle and parking as well for the area. So you are correct, councilmember, the funds and the planned improvements are to include sidewalks, but they go further than that.

>> Garza: And what -- has the funds in this on -- the

-6z hundred thousand gets talked a lot about, but what does that fund, the -6z hundred thousand?

-- 600,000.

>> So about two on or three years ago we did complete a project on Rainey street in the alley. We also completed some restriping and some parking

[10:59:33 AM]

improvements for this area. But we do still have a couple of projects on the program that are slated for future implementation.

>> Garza: Do you want to add something?

>> Good morning, Elaine hart, chief financial officer. The original ordinance as passed and signed allowed for the monies to be used for affordable housing, the relocation of some houses and for historic preservation of the Rainey street district. It did not allow the funds to be used for infrastructure improvements, it was limited. So the 600,000 was primarily used for the -- well, what has been spent was used for moving those houses, not for infrastructure.

>> Garza: So any additional funds could be used for things like historic preservation?

>> Yes.

>> Garza: Did the scenario exist -- I hope not, but I want to make sure I'm understanding the effects of this. Let's -- you know, I've

[11:00:35 AM]

heard -- well, there isn't that much -- many funds in here to begin with. Could the scenario exist that there's improvements needed but there's not enough in the fund?

>> I believe that's going to be the case, yes.

>> Garza: And so in that case, would that mean that we would have set up this fund, but they would still have to go back, I guess, to the general fund to help with any -- not the general, whichever fund it would be to help with the improvements needed.

>> Or bond funds, as Richard was saying, we have bond programs in some case that will cover some of the sidewalk master plan, but not the entire thing. So we would have multiple bond programs that would cover accomplishing an overall master plan.

>> Garza: Okay. Thanks.

>> Mayor?

>> Mayor Adler: Councilmember Casar, then councilmember Renteria.

>> Casar: While the funds in the past were used to move some of those homes and preserve them, I think over

[11:01:35 AM]

with gndc and with the community, are we saying if we were to set aside this batch of funds, that the projects that would be funded would likely be sidewalks, alleyways and wayfinding? Is that --

>> The way this ordinance is written to create this new fund, it is written such that it could be used for any municipal purpose. So it's not as restrictive as the original fund.

>> Casar: But looking here at the planned city investments in the Rainey street historic district, alleyways, wayfinding, parking meters; is that right?

>> That's correct. And we already had plans to use some of the Austin transportation department funding as well as bond funds to do these projects, so disfight the fact that we had -- disfight the fact we had a fund where money was set aside, there were continued investments in this area from the funding source that didn't get back

[11:02:36 AM]

into that fund and set aside for that purpose.

>> Casar: I just think my concern is setting aside, again, a special fund on parking, alleyways, sidewalks, and while obviously there's a need for sidewalks on Rainey street, I know there are places all across the city that had residents living on them for decades that haven't had sidewalks near bus stops. Obviously, as the mayor said, those are high needs. If this isn't for a really specific equity-driven purpose setting the money aside in this area, seems like it could potentially undermine the equity of those infrastructure improvements.

>> Mayor Adler: Councilmember Renteria.

>> Renteria: My bigger concern about this is that, you know, Rainey is just like part of the saltillo area where there's a lot of infrastructure need. I mean, those streets are

[11:03:38 AM]

horrible there. I drive through there every morning coming to work, coming to the office here. And it's in dire condition. But there's so much construction going on through this whole area, I mean all the streets in east Austin probably in the next ten years are going to have to be repaved. How much they are

digging up the streets all over the place. You know, the sidewalks are just being torn up, the streets, we just paved the streets ten years ago, including in front of my house and all of comal, and to Cesar Chavez, and the streets have been dug up over and over and over again, you know, and I can feel it because I ride a bicycle and it's as bumpy as can be. And, you know, this is what some of the things that we're experiencing, and if it takes decades, I mean

[11:04:39 AM]

we're not talking about, you know, overnight or over one year. It takes multiple years, and we're having to put up with all this new construction that's coming in. And Rainey is one of the biggest problems right now because there's still probably about ten more projects that are coming up in that area. And it's going to be dug up over and over and over again. And, you know, I really feel sorry for the people around there because we're having to put up with all this construction and the tearing up of our streets and the rough rides. Rebecca Bain was another one we lived with it six months before they came back and repaved. I have to tell you that some of these contractors that are out there doing these repairs and supposed to be repairing the street back to the standards that where it was supposed to be having and they are not doing that job. And that's the horrible part about it is that I don't

[11:05:40 AM]

know who does the inspections out there, but they are doing a pretty sorry job on it. And that's -- that's the frustration that I have is to see that our streets getting torn up and these contractors are coming out there and supposed to leave it like the way it was before and they are not doing a good job. And some of our city staff is also not doing a good job when they are going out there and increasing the pipe sizes and putting in new drainage, they are not redoing the job the right way. And I hope that, you know, we could have a lot of this frustration where people are coming and calling and asking for special funds so they can fix up our infrastructure. If we do the job the right way, I think a lot of the conversations that we're having here, you know, we wouldn't be having it. So, you know, I really

[11:06:40 AM]

hesitate about setting up this special fund because I know that we are going to be investing a lot of money in that area. And I know we're collecting a lot of tax money from this area. You know, we're -- and I'm just going to leave it there because I don't want to extend any longer than we have to.

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

>> Kitchen: I two points or questions, actually. One relates to -- what I'm hearing is that there's some concerns about streets and sidewalks and transportation kinds of items, and, you know, we are moving

forward with a transportation impact fee. And so I don't know if there's anyone here to speak to that. Would it be my understanding at least to some extent that will be another source of funding that will help, to the extent there's development in that area, we have an opportunity to use those funds to help the

[11:07:41 AM]

transportation items. So I just wanted to verify. I know there's limits. It has to be used for -- to assist with vehicular traffic, but some of it has to be done, that fee could help with it. Am I understanding correctly?

>> Yes, the answer is yes. Street impact fees if passed by council will have the on benefit of being able to be spent on infrastructure. You know, especially as we define the cross-sections of these streets in the future, they are complete streets with sidewalks, et cetera, so yes, that can be part of that street finance package in the future, yes.

>> Kitchen: And my understanding is that at the end of the day, I mean we're approving the next step, which is the assumptions about the geographic areas, but the transportation impact fee establishes a geographic area that those fees have to be used within?

>> Yes, ma'am, that's correct. It's nominally a five-mile

[11:08:44 AM]

radius from -- in defining the districts. The districts are pre-defined, yes.

>> Kitchen: So at the end of the day when we actually get to the point where we adopt that, there will be a geographic area that the Rainey street development can be used within, which is another way to say that development occurred -- that it's occurring within the Rainey street area can be used to make improvements in those areas.

>> That is correct.

>> Kitchen: Okay. My second question then is, I just want to confirm, I think I have an understanding from staff that there was a recommendation to at least defer action on this until we do budget adoption. I really hesitate to set up a -- a dedicated fund that if I heard -- if I heard Elaine hart correctly, the scope of it is actually beyond what was set up by

[11:09:46 AM]

previous council. So to do that now before we're, you know, before we're even in the budget process, I really hesitate about that. So -- did I understand that correctly, that this is beyond the original scope?

>> Yes, you did.

>> Kitchen: Okay. Thank you.

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

>> Tovo: Just a couple things. Number one, I believe there was an amendment from mayor pro tem Cole to add infrastructure, and so I think the intent was that it cover preservation -- preservation, planning and infrastructure. And it didn't get incorporated into the ordinance. I mean that's one of the things that happened to the ordinance. The other thing that happened is that, as I mentioned on Tuesday, it was intended, and I think Mr. Saldana presented part of the clip of the video that shows this and I talked about the transcript on Tuesday, it was intended to be in perpetuity. I think that was clear direction from council and staff didn't implement it. So I would just say, you

[11:10:46 AM]

know, we're going to take a lot of actions throughout the course of today and I -- it troubles to me to see -- to look back and see that there was clear direction and it didn't get implemented in the work that came after that. And so I just bring that to the city manager's attention that that's -- that's of significant concern. So, you know, the council took a pretty decisive action when they upzoned Rainey street. It had been, as you know, it was an historic mexican-american single-family neighborhood and was planned and was changed to central business district zoning. A huge increase in the level of density. And so that created, you know, two needs. One was -- and this was intended to serve those needs. We are -- I don't know why we're creating a new fund today. All the resolution asked was that the fund that had been created by previous resolution and ordinance get funded in the way that the

[11:11:47 AM]

council had committed to, so we didn't need a new fund, we're not creating a new fund. One exists, it should continue to be funded. In any case, the money that was intended to have flowed into that fund was intended to address the two critical needs that arose when that council rezoning had happened. One was to provide for a mechanism for providing infrastructure that was always intended, that is not a new purpose. Infrastructure including and especially about mobility and safe passage along that way. You know, we talk a lot and right now especially in the conversations about the land development code, we have sometimes heard concerns and questions from people. If you redevelop certain areas, if we rezone and that prompts redevelopment and the infrastructure can't support it, what's going to happen. Again and again I've heard people say, well, we'll upgrade the infrastructure. That was exactly the conversation going on about Rainey street. If it is upzoned for much higher levels of density, how will the city respond.

[11:12:48 AM]

This was supposed to be a mechanism for doing that. I understand there are other ways we can provide that infrastructure and this area desperately needs those infrastructure improvements, not just for the residents who live there, but really importantly for the hundreds and thousands of people who go down there on the weekend. In looking back at one of the articles from the statesman back in 2013 and then they updated it in 2018, there's an editorial entitled Rainey street, an accident waiting to happen. In 2011 they quote from an article, foot and vehicle traffic come complete for the limited space on Rainey street. The street scene is an accident waiting to happen. Since that editorial was published, in 2011, the activity has only intensified. You know, this has been a constant refrain about the need for safe passage. In June a woman was hit by a car at the 70th block on

[11:13:50 AM]

Rainey and described as having life-threatening issues. I appreciate this council's passage of the palm district master plan, I think that is intended to yield good mobility, innovative mobility strategies so people who are living, working and recreating along Rainey street can do so in safe ways and it is a situation that needs immediate attention. The other need created by the rezoning of Rainey is the one Mr. Saldana talked about and it was an express purpose to make sure we were setting up funding for projects that could recognize and celebrate the mexican-american heritage and honor the families that had been displaced. I think and I degree that some of that funding was intended to have gone to this fund could have helped fund projects like the next phase of the mac, perhaps making it unnecessary to go out for bond funding. We could have been using some of that funding. It was intended for

[11:14:52 AM]

preservation to include some of our work around palm school and palm park or the work that we hope to engage with the county around palm school. It is included within, it was included within the boundaries of this fund. I'm absolutely committed to making sure we identify resources to hit the -- to make changes that are much needed for mobility and infrastructure improvements in Rainey street as well as for those really important historic and cultural preservation projects. I have already identified some hotel occupancy tax that I think would be helpful for programming in the palm park area and I hope at palm school if -- if and when we can reach a good agreement with Travis county about how we might collaborate in that area. But I do -- the bigger implications here for me are of concern. One, that the council action didn't get implemented in

[11:15:52 AM]

the way it should. There was a commitment made to community members that wasn't honored. We have a chance to fix that. It seemed from Tuesday's work session as that's not going to be successful, but for all of you who have advocated for this issue, not just over the last couple months, but really for the last years that I can recall, my office has gotten questions about it. You know, I'm committed to continuing to work on this issue.

>> Mayor Adler: Councilmember alter.

>> Alter: Thank you. I think that sort of the testimony and the information that council over member tovo has brought forth there's value in us looking back in our history. I'm married to a historian and this is a really good example of that. I've seen problems with similar things with respect to zoning cases where we don't have the history and

[11:16:53 AM]

we don't know why we had all sorts of special agreements, and if you have to live with those later on, it wreaks a whole lot of havoc when you don't have the kind of information presented to us. That being said, I'm trying to understand some elements of what we're doing and I've got a couple of questions here. First, I would like to ask Mr. Spillar a question about why the development in the area are not already contributing to some of this when we have tias and other kinds of things that are in place, I understand we don't yet have the street impact fees, but in terms of the mobility infrastructure, it does seem to be stuff that is common in our tias and there's obviously a lot of building going on there. So what is wrong in our system that we are not providing that through those mechanisms?

>> Councilmember, Robert spillar, transportation department. We actually do require developments to make

[11:17:53 AM]

improvements. Much of the development is occurring rapidly and so some of those developments are able to contribute to fee in lieu opportunities, but one of the developments we are negotiating right now with -- although those negotiations aren't complete, is to extend Rainey -- not Rainey street, red river street to essentially the back door, the parking lot of the mac to give them an opportunity to have a second entrance. You know, as already been said, there have been some sidewalks developed, there's been some alley improvements, there's been a number of improvements. I think one of the chances is, quite frankly, I don't think anyone whether it be on council or staff envisioned how quickly Rainey street was going to grow over the last decade. And so, you know, we've been caught by surprise. That's the

only way to say it. And we have not been able to keep up with that development. We've also looked at a variety of different

[11:18:54 AM]

operational changes and trying not to impact the remaining resident or single-family residences in this transitionment we're aware there is a transportation issue. I don't think that we will be able to solve the issue by automobile improvements alone, that we need to look at other ways to get people in and out of the Rainey street district.

a study right now to evaluate many of the proposals that were brought up in the big Rodriguez dog analysis that were previously presented. Specifically council directed us to look at the %-@possibility of closing Rainey street to vehicular traffic during the peak periods and doing a pilot, so beer moving forward on that. I've asked staff to once those immediate questions are answered to extend that effort to verify what larger order of improvements might be needed, whether that be through project connect or other projects to bring people moving capacity in and out of Rainey street.

>> Alter: Thank you. So I had a couple other clarification questions on what we have before us, and I'm not sure if they are for Mr. Spillar or Ms. Hart or for Ms. Tovo. As I understand it in may as part of the larger omnibus

[11:21:18 AM]

resolution we had that included Rainey street and the palm andhe convention center, we asked the city manager to come back with a way to fund this fund. What came back to us is an ordinance. I don't know whether that initial -- I'd like to know if that initial request required an ordinance because we have the fund, we're just not funding it. Now we have before us a new ordinance that expands the scope of what can be funded, if I'm understanding correctly, but it also seems to sort of try to take away our freedom to decide to reallocate it. I would like you to speak on both of those, and then I want to know how if we implemented this now it would impact this year's budget. Because there are implications for this for this year's budget, and before we vote on this, I think we need to understand those elements. I really want to understand what we're doing today on those dimensions of it.

[11:22:19 AM]

>> Okay.

>> Alter: And I may be confused because I'm trying to make sense of it.

>> We have a current fund that 600,000 was set aside and some of the money was used to move the houses. This action today is asking to create a similarly named but brand-new fund for a different purpose, which is more open in the types of things that it can fund as long as it's within a municipal public purpose. The previous ordinance was, as signed, limited to affordable housing and the historic preservation or preservation of the history of the Rainey street district. So this is a separate action that would not affect the prior fund, in my mind, but unless tells me otherwise, this creates a brand-new fund.

>> Alter: At could you have used the fund on mobility improvements?

>> Not written and signed.

[11:23:20 AM]

>> Alter: But if it included the infrastructure point you could have.

>> I believe so.

>> Lela fireside for the law department. Councilmembers, the initial ordinance was a budget amendment, and while I understand that there were a number of different conversations about it, it was ultimately for a particular purpose. The remaining funds still exists and if council it's a this fund as identified in this ordinance that we've brought before you, pursuant to the request to create something that had more broad purpose, the other fund could theoretically be merged into this one as part of the budget adoption process, so you can end up with one fund that gives you the option of annually looking at how do we appropriate that money for a city purpose within this particular district. So that's what we tried to create here is almost like a

[11:24:20 AM]

grant fund into which council would put certain money annually as they look at their budget, and as you look at your budget and the city's budget, and then would annually look at how do we appropriate it for the particular purposes that we see that are needed at the particular time that you are to go the appropriation. That was the goal of this particular action that's before you today. And how it impacts our upcoming budget would be that you would look at the types of fees that you are putting into this fund, which we have tried to limit to the types that are rental payments and so that are available for flexible uses, and then give you that opportunity to consider where that money is going, but within this particular district.

>> Alter: So just before you answered the other part about the budget, is there already money in this fund

[11:25:20 AM]

that's not being spent? Or is it --

>> The prior fund, as I understand it, there is still some remaining money T creation of this fund there will not be money in it as it's created. It's like an empty bank account into which these particular sources of funds would be placed.

>> Alter: Okay. Thank you.

>> The current fund had 600,000 in it. We have spent 500,000 of it to move the houses. There's 100,000 left. In that fund that is not spent. And as I reviewed it doesn't look like there are any plans for that.

>> And councilmember, with regards to how it might affect our next budget that you are considering right now, the funds from many of those right-of-way fees flow into the Austin transportation fund and pay for not only the operations of the Austin transportation department but also the products we put out on the street, the signs, marking street improvements and

[11:26:21 AM]

other transportation elements that come out of it. I think the real issue is if you are looking forward from this date forward on fees that might be collected from those appropriate right-of-way fees that is correct is the priority of council and we would make those adjustments. The real concern I think is, as deputy city manager hart said yesterday, is any back funds. We have spent the funds collected from right-of-way on a variety of transportation projects as part of our normal course of business, believing that we had met the requirements of setting aside the 600,000 as directed in the original signed ordinance. If we need to go back and, you know, count funds that may have already been collected and used for transportation projects, I will be looking at needing to reduce my spending by about 300,000 in the upcoming budget to preserve a fund balance. As you know, we try to use

[11:27:21 AM]

as much of our fund as possible, but from a fiscal responsibility I need to try to preserve about 300,000 to \$400,000 at the end of each year to carry over. As you know, if we have an emergency towards the end of the year. So I would probably be obligated to take a look at our spending in this next year and reduce that spending.

>> Alter: So the fiscal implication would be only -- I mean because it seems like you would have already budgeted for the fees to be coming in from those developments since you know those are happening. I like to know that magnitude because it sounded like it would be bigger than the 300,000.

>> Right. So I have some fund balance that can be used to cover those fees, but I would have to still cut my balance -- or my budget going forward by 300,000, yes. You know, as directed or requested, we've been very lean this coming budget and so it does affect my ending

[11:28:22 AM]

balance.

>> Alter: Your general fund balance?

>> I do not get general funds. Those fees go into the Austin transportation fund. Many of them.

>> Alter: Thank you.

>> Mayor Adler: Do you want to speak?

>> Some of my original concerns and questions have already been addressed, but what I wanted to make certain we're doing is thinking through this in a fashion that's dressing equity issues. And so while I can appreciate that Rainey has lots of needs, I want to make sure there's an equal and equitable distribution of funds. I was looking at a staff report that says we've already spent approximately \$4.6 million on Rainey. If that's accurate, what I want to make certain we're doing is assessing the great need in order of priority. So if it's Rainey, so be it, but if it's another I want to make certain we're open to distribution that's equitable.

>> Yes, ma'am, we are

[11:29:24 AM]

absolutely try to look as equity I believe from operational issues. We follow where the greatest safety need is. So if there's a safety need, regardless where it is in the city, we do look at equity and make sure we're addressing the highest safety needs. They often are in those parts of town that have been financially neglected for years, so we interest absolutely do focus on that issue. You are right, there has been a number of dollars spent in the Rainey area. Many of those have a nexus back to a specific development occurring in Rainey so there was a direct relationship, but yes, we are absolutely looking at equitable distribution of funds that don't have that tie, if you will, to a specific location.

>> Mayor Adler: Mayor pro tem.

>> Garza: I feel like we need to take a step back, and I think we're

[11:30:24 AM]

unintentionally exaggerating this fund. The bulk of our sidewalk funding does not come from this fund citywide. And so my assumption is, and I'm sorry this is an example of questions I could have asked in the Q and a process, but this discussion has spurred this thinking. My assumption if you look at temporary use of right-of-way funds, license agreement payments from development projects in the entire city, my assumption would be this makes up a small percentage in this area. Is that right? Can anybody --

>> Councilmember, that is right. It goes into the transportation fund and then we make investments, both public works and Austin transportation also get transportation user fee funds and then also we seek bond funds. I'll defer to the public works director as to where those of the funding for sidewalks come from, but I do believe it is from bond funding. It's a separate issue.

[11:31:25 AM]

We do use fees for a variety -- you know, we put them into the transportation fund and then we build safety projects, signal projects, we build a variety of projects as program needs are identified.

>> Garza: That means this isn't -- you know, the statements of this is reprioritizing the sidewalk needs, it's not really. We have an entirely different primary fund that funds sidewalks throughout the city. In my mind, this does not reprioritize funding throughout the city. We have a different fund for that. This is a tiny percentage of these fees, and again, my assumption would be it's probably less than 15%, 10% of - for the entire city of these specific fees. I think, you know, in past times when we're setting up these kinds of things, staff has asked us to use wording that provides flexibility. And I think that this correction does do that. It provides that flexibility. I don't see this as -- the

[11:32:27 AM]

conversation seems to have emphasized sidewalks. I don't see this as bad. I know that folks in the -- that live in the Rainey area would prefer that, but to me this is creating -- you know, it was about historic preservation, creating a fund for things like, you know [inaudible] Hanging throughout Rainey through diez~y~seis and Cinco de mayo. Where other cities have a place that is not the case here in Austin. And so, you know, maybe it's little plaques in the sidewalks that are not in others. It's like identifying markers that we don't really have funds for. You know, it's the banners that are hung. There's discussions of the blue line, as we're thinking about cap metro and the blue line running through this area. As I've spoken to the hispanic area, I think it's

[11:33:28 AM]

a good idea we have this station here, but it's got to have our identity in it. Cap metro is not going to have the funding for that, so this I would say could have this grand, beautiful station whether it's rail or whatever, you know, things like that. And so I just feel like in reality this is not a lot of money. This does not change sidewalk priorities. The majority of our sidewalk funding comes from our bonds. I understand staff's pushback in that it does create possible additional work that we're having to separate this like that. I've also heard from people why can't we have a mac sign on ih-35? Why isn't there wayfinding? My staff has been working on that trying to possibly fund it out of my office budget, a sign on I-35 that shows where the mac is so people can visit it. So I would just ask us to

[11:34:30 AM]

really think this is not a lot of money and it's for creating a space -- in my mind this is what this was for and I don't know if this requires to set up a board or commission or where this money goes to, but it was about creating a space where hispanic communities used to live and they can come back to and we have these extra things, you know, nice things to show that some kind of pride and something about, you know, y'all know what I'm saying, cultural stuff. But that it is it.

>> Mayor Adler: The truth is -- it hasn't been presented to me that way. That makes sense to me as a cultural item. And I would support this if it limited it to that use. So that it was not being used as an around or something we were otherwise prioritizing in the budget. And if we were saying we've

[11:35:30 AM]

taken an area that has a really strong cultural tie and we're losing that and we want to be able to plan that, I would support that. If it was an alternate way to get funded for things that we are otherwise funding in the system, that's my issue with it. But not if it's just being used for these other things, I would support that. Councilmember tovo, then councilmember kitchen, then councilmember Casar.

>> Tovo: Mayor pro tem, Garza, I appreciate your articulation on that. With all due respect, the resolution was very clear on that. The discussions we've had have been very clear on it. Again, the fund was set up for preservation, affordable housing and infrastructure. It had three very different purposes and I also just described how important those different purposes were. But I appreciate mayor pro tem Garza, the examples you've raised and I know the

[11:36:30 AM]

Rainey business coalition has asked us, you know, this is a national register historic district. Signage would be helpful and this fund was always rooted in the Mexican-American history of that neighborhood. I just want to clarify a couple things because in staff's conversations it didn't -- I think there's been a couple misunderstandings. The resolution we passed asked for an accounting of all of the fees that would have been deposited had that original direction been implemented. It did not say go back and claw back those funds. I mean, it simply asked for the amount that had been -- that would have been deposited. And it also didn't request a new fund. It requested an ordinance really to clarify because we already have an ordinance that apparently there was some ambiguity around, really asked for an ordinance to clarify. I think this action before

[11:37:31 AM]

us is fine and I do think it might -- if it passes today, we might balk in the budget about merging those two funds. I'm not sure it makes sense to have two historic Rainey funds. I do believe it makes sense to fund it in the way that was anticipated, again, with the understanding that as we always do have an opportunity to look at those priorities during the budget process and make reallocations in and out of those funds.

>> Mayor Adler: Councilmember Kitchen.

>> Kitchen: You know, I hear what you all are saying. I don't have any concerns about -- I mean I think it's important to fund the kinds of things that are being requested, the cultural items, the infrastructure and that kind of thing is very important for this area and we need to fund it. I see that we have other mechanisms for funding. I see that we have \$100,000 still existing in the fund that haven't been spent. And I request why it hasn't been spent for the kinds of

[11:38:31 AM]

cultural items that councilmember -- that councilmember Garza of talked about. So I'm just really reluctant to -- and I pulled up the ordinance and when I read it, it talks about creating the Rainey street historical district special revenue fund and talks about putting all these funds in it, but it doesn't talk about what the purpose is. So I'm just reluctant to -- I'm not ready to support this. I can't support it today because I see other sources of funds that can address all of the things that are being talked about as needed. I agree that they are needed. There's -- there's dollars still in existing fund. So perhaps what we need to do is either pass it on first reading or postpone it to give some more time to clarify these things.

[11:39:33 AM]

But I'm not -- I'm not understanding why we haven't spent the 100,000, why they can't be spent on the kind of wayfinding councilmember Garza talked about or signage or other indicia of the cultural area. We've also talked about using H.O.T. Tax funds to address the cultural -- all the cultural needs for that area. We have transportation funds to address the transportation needs. I'm just not certain why we're doing this, and it sounds to me -- at least staff has said this is for purposes broader than the original purpose. I just have concerns about moving forward and I couldn't support it on all three readings at this point.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: Councilmember kitchen captured my thought. We should be talking about how much money there should be budgeted for culture and

[11:40:33 AM]

not creating a fund that has an open-ended or expanded purpose. We're not going to get those things because this doesn't say those things. If that's what we wanted to do, that's the action we should be taking and not creating a fund without a plan to do those things.

>> Mayor Adler: Councilmember Casar, then councilmember alter.

>> Casar: I agree with the mayor and what the mayor pro tem said. If this fund is truly meant to create this sort of place that the mayor pro tem laid out, then I would be interested in having that be required and that be what it really says and does, just what I saw from the staff memo and heard from the staff is that it would be going to sidewalks, alleyways, parking meters and wayfinding. I understand there's other things listed out, but when asking staff what other projects would you put this money to, that's what they said. I understand it would be

[11:41:35 AM]

reprioritizing other money, but it would go to a higher need as determined by our own prioritization. I recognize the real pedestrian risk folks face on Rainey. I agree that's a real thing. I don't want to and I don't want all ten of us to go through districts and the memorial benches we've dedicated in each of our own communities. We don't need to do that. The point was if there's a fund that says we need to build more sidewalks and crosswalks where people are most likely to die, I would put money in regardless whether it was coming to my district or not. I'm supportive of a fund if people want to move more of our money away from expanding roadways to putting more money into sidewalks, count me as a co-sponsor. But I don't think that's what this is. I'm happy to create a fund for sidewalks where folks are most likely to get hurt, and separately if there is a fund to address the

[11:42:36 AM]

important Mexican and Latino culture of this area, I'm happy to do that too, I just don't think this currently as laid out does either one.

>> Mayor Adler: Councilmember kitchen. I'm sorry, councilmember alter. Thank you.

>> Alter: I think we already have a fund for the sidewalks in that respect, as I understand it, we have bond funding for that. Mr. Spillar, let me ask my budget question a different way. How much money would we be anticipating this year in fees going into this fund? Because the historical data ranges from about 100,000 to 675, and the last two years have been under 200,000. And there's lots of million dollar numbers being thrown out and there's -- what do you anticipate the next couple years would be the annual amount from the types of fees cited that would be going into this fund?

>> Councilmember, off the top of my head I can't

[11:43:38 AM]

answer that. I can get you the answer. It's kind of a lumpy answer depending when the fees are collected and when permits are taken out. So I cannot give you an answer right now. I can certainly ask my staff to do an estimate, but I can't right now.

>> Alter: I understand it's an estimate and so if we're creating a fund and it's going to be \$100,000 a year, I'm a whole lot more comfortable with moving forward than I am if it's suddenly going to be a million dollars a year time after -- time after time at a time when we're also going to have the street impact fees. So I'm not going to be able to vote yes or no until I have that information. If we can get it later today, that's fine, otherwise

>> Councilmember, if I can add one piece of information. I know the estimates that were discussed previously back when the ordinance was being thought of, I know that the fairmont was being anticipated, I know the actual value of those

[11:44:39 AM]

permits has been lower than what the original estimates were so, again, that that just speaks to the difficulty -- in trying to project what the annual amounts would be.

>> Alter: Okay. Thank you.

>> Mayor Adler: Do we want to table this? And handle other things this morning and come back to this later?

>> Kitchen: I was next.

>> Mayor Adler: Councilmember kitchen next and then councilmember --

>> Kitchen: I would like to propose if acceptable to the author that perhaps what we should do is -- if it's acceptable I'll make the motion or you can. I would suggest that we postpone this to give ourselves time to work on the language and focus on kinds-questions that have been raised. Would that be workable for you?

>> Tovo: You know, I'm willing -- it looked like another colleague, councilmember Ellis, had her hand up and I'd be interested in hearing from her. I think one challenge here

[11:45:39 AM]

is that what is on our agenda doesn't reflect what we asked to be on the agenda. And, you know, at no point was there a clarification -- at no point did anyone come back to clarify what we -- what should to be there. It doesn't reference the pack district resolution or any of the intended purposes. I think we have a conflation here of -- it's my understanding some of the fees we're collecting can't be used for historic and cultural preservation. Though some can. I think now we're talking about using all of this fund for this purpose and I'm not sure that can happen with some of the fees we are collecting. So we are -- I think this is broad enough that it allows us to move forward today but if there's reluctance to do so without more clarification I'm certainly happy to provide that. But let me be clear that all of the things we're talking about today were absolutely the intent of the palm district master plan and articulated in the course of those conversations as well

[11:46:39 AM]

as the resolution.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: I think it has been an enlightening discussion because everyone is interpreting what this fund is supposed to be do or to be a new fund. I definitely going into this didn't think that it was doing what the mayor pro tem laid out. I think that sounds like a fantastic idea, but in my reading of this I didn't think that it accomplished those goals. We love Rainey street. Rainey street has changed a lot since 2013, so we are being presented with a different decision. We want to be, you know, committal to the intent of previous councils, but things have changed in the past six years. And I am prepared just to lay out -- I was not going to support this. I still plan not to. I'm okay with postponing it so we can have those answers, but I think that there's a really, really interesting discussion around are we just talking about roads and sidewalks or are we talking about cultural preservation of an

[11:47:40 AM]

area that's been gentrified? We all care about public safety. Everybody wants to make sure people are safe on their sidewalks and that we can travel around through the streets safely so I don't think anyone's intent here is to neglect any part of town, whether it's in our district or not. If we're moving towards postponement I'm okay with that because I think we have pretty big questions to answer still on this.

>> Mayor Adler: Do you want to postpone this?

>> Tovo: Yeah I'm going to go ahead and move to postpone it with the understanding it may just be necessary to come back with a completely separate item that better reflects the original intent.

>> Mayor Adler: Any objection to postponing this to September 19? Hearing none this matter is postponed. Thank you. That's item 24. Item 33 we're going to take later this afternoon or this evening when we call up item number 102. We have -- it is 11:48. We have some items I think we can take care of that

[11:48:41 AM]

will go real quickly here. We have item number 80 and 81 are eminent domain matters. With respect to items 80 and 81 being nonconsent condemnation items, is there a motion to the effect that the city council of Austin authorizes using and power of eminent domain to acquire the properties set forth and described in the agenda for the current meeting for the public uses described therein. I know a motion. Councilmember alter makes the motion. Is there a second? Mayor pro tem seconds. Any discussion? Those in favor of 81 please raise your hand. Those opposed. It's unanimous on the dais. We can also consider 84 and 85, two public hearings. No one has signed up to speak on these items 84 and

[11:49:46 AM]

85. Were they action or just setting public hearings? So I'm going to open the hearing on item number 84 and 85. Anyone here to speak on them? There are not. Are we to take action on this or just close the public hearing?

>> Neighborhood housing and community development. There is a resolution for both of those items for consideration.

>> Mayor Adler: Is there a motion to approve items 84 and 85 and close the public hearings? Mayor pro tem makes the motion. Councilmember alter seconds. Any discussion? Those in favor please raise your hand. Those opposed. That's unanimous on the dais and 84 and 85 are done. Think we can take care of the Austin housing finance corporation while you're up at the dais?

>> Sure.

>> Mayor Adler: Let's try

[11:50:47 AM]

that. So we're going to recess the city council meeting here at 11:50.

[See separate transcript for Austin Housing Finance Corporation meeting]

I'm now going to reconvene the Austin city council meeting at 11:53. Continues to be August 22. We're still in the city council chambers. I think the other two items we can take up at this point are number 69 --

>> Alter: 87.

>> Mayor Adler: 87 we can do as well. Item number 69 was pulled by councilmember harper-madison dealing with the task force on gun violence.

>> Harper-madison: Yes. While I can appreciate the sentiment and intention behind the item, I do have some questions and concerns. I'll wait a moment. I think maybe more questions than concerns -- well, no, equal measure. Something I'd like to preface the conversation with is by saying one of my earliest and most traumatic memories was one of gun

[11:54:55 AM]

violence, and so this is a situation where I want to make certain that as a municipality we're paying the closest possible attention to the issue. But given my opportunity to really speak candidly with some members of my community and constituents, something I hear often is, why do we have so many commissions? Why do we have so many task forces? Why do we so frequently hire consultants? And, you know, these are questions generally speaking I can answer. But this one is one I really am having a hard time being able to answer for my constituents I that it doesn't -- I realize this is, you know -- as it reads, this is a task force that would have a life cycle of six months and upon conclusion of their report

there would be a dissolution of the task force after six months and I can appreciate that, you know, sort of

[11:55:55 AM]

short-term temporary nature of the task force. I just have questions about efficacy here. I also have questions about whether or not there are task forces that already are in existence that could do what it is that we're directing this task force to do. Additionally, I just want to make certain that we don't put ourselves in a position to where we create a task force that can't produce actionable items. So those are my questions, generally. I'm not certain who to direct them to, but those are my concerns and/or concerns -- questions and/or concerns about the item.

>> Mayor Adler: Councilmember alter.

>> Alter: I'd be happy to answer those but I don't think we will finish the item before noon. Obviously okay, I have answered. I would not have put forth a task force, andsy appreciate my colleague's questions, but it's going to take more than the five minutes --

>> Mayor Adler: To be able to respond to her questions?

>> Alter: To be able to

[11:56:56 AM]

respond and address.

>> Mayor Adler: Okay. Let's hold off on 87. Mr. Flannigan.

>> Flannigan: I had similar questions to councilmember harper-madison, so just --

>> Mayor Adler: Hold on to that. Let's see if we can take care of them. We're going to hold that. What about item 87, land use assumptions, roadway capacity plan? Councilmember alter.

>> Alter: I would like to move passage of 87 once we complete the --

>> Mayor Adler: There's a motion to approve 87. Is there a second.

>> Kitchen: I'd like to second.

>> Mayor Adler: Councilmember kitchen seconds that. Is there anybody in the public that would like to testify? We have no one signed up. I see no one testifying. We could take a vote unless you want to speak.

>> I want to remind to you close the public hearing first.

>> Mayor Adler: Okay. Is there a motion to approve -- we have a motion. Does the motion also include closing public hearing?

>> Alter: Yes, I kind of said that but --

>> Mayor Adler: Okay. So the --

>> Alter: We'll keep it in there for clarity.

>> Mayor Adler: Motion to approve item 87 and close the public hearing. Those in favor please raise your hand.

[11:57:57 AM]

Those opposed. It's unanimous on the dais, and 87 is --

>> Kitchen: Mayor, I'd like to make a two second comment.

>> Mayor Adler: Go ahead.

>> Kitchen: I really look forward to us reaching this benchmark with the transportation impact fees. I think we're on the road to much more effectively and efficiently making sure that our development that's occurring contributes to the cost of our road infrastructure and so I really appreciate all the work staff has done on this and I think this is an important benchmark moving forward and I look forward to when the -- when the final information comes to us and we can adopt a transportation impact fee.

>> Thank you, councilmember.

>> Alter: Mayor, I wanted to also add to that.

>> Mayor Adler: Yes, go ahead.

>> Alter: So in mobility committee chaired by councilmember kitchen, we have talked about this process for the street interact fees multiple times and I, too, just want to say that I think it's really important that we're moving

[11:58:59 AM]

in this direction of capturing the impacts of development on our transportation system and finding new ways that we're legally allowed to do so we can address the kinds of concerns raised in the prior discussion of Rainey street right from the get-go. I look forward to the next stage of this process, and I hope that we can move speedily towards that and so that our transportation department can benefit from similar types of fees that are water and wastewater system has that councilmember tovo was involved in when -- with previous councils making happen that has allowed our water utility to defease its debt and get into much more financially stable position and reduce rates for our customers.

>> Thank you.

>> Mayor Adler: Thank you. Let's see if we can take care of item 1 invention the shotgun issue, hb3167, I'm

[12:00:02 PM]

sorry. Is there a motion to approve this item number 117? This is to bring in us compliance with state law. Councilmember Ellis makes that motion. Is there a second to that motion?

>> Alter: I'd appreciate it if we could take that up after lunch. I still have things I'm working out on that.

>> Mayor Adler: Sounds good. We'll do it -- could be well after dinner, depending on how much people come up in budget but then we'll hold then on number 117. 83 is going to take too long. 86 is the one we have coming up. And it is noon. So I think we have done everything that we can do. Again, when we come back after lunch hopefully at 1:00 we'll take people that want to speak on item 86. We'll take folks however long they're here. First 20 get three minutes. After that it's one minute. At 5:00 I'm going to ask who is present here and signed up. They'll go to the clerk, give the clerk their name, we'll stop at 5:30. If anybody is signed up for

[12:01:03 PM]

that that was not called when we come back from dinner we'll start with them. After we've heard from them we're gonna finish our budget -- our agenda and assuming we weren't able to take care of those in the afternoon we'll have to be here at dinner to do that. If we've taken all of the speakers on the budget and we have handled all of the agenda we will be adjourning our meeting prior to dinner and not coming back. But assuming that we do come back, people can certainly come here to sign up to speak on the budget and if they come up and sign up to speak then we will hear them for however long the council decides to go. That's gonna be our process. At this point then we're now going to move here at 12:01 into citizen communication. Citizen communication today, the first person signed up to speak was Royce hall. He was supposed to speak remotely from the carver library. He has not yet come to the library so we're going to

[12:02:03 PM]

move forward. We'll check back with Mr. Hall. The next two speakers had an indication that Ms. Petralli might not be here. Let me call her name nonetheless. Elaine petralli, is she here? What about Angela Benavides Garza? Why don't you come on down. While she is coming down, is Wendy Murphy here? You're going to be next. You have three minutes, Ms. Garza.

>> Thank you. I have -- let me pass these out to you.

>> Mayor Adler: Give them to the clerk. She'll hand them out for you.

>> Thank you.

>> First I want to thank all

[12:03:04 PM]

of you for what you do. You do a tremendous amount of work for our city and working in the neighborhoods I totally get it. What I'm passing out to you is called a copy of the heart of Austin ordinance that I'm proposing. You actually approved a resolution about a couple of years ago to protect actionable neighbors from predatory flipping and predatory wholesaling but it never went into an functional ordinance. What we've done, actually collected information from several people that might help to go ahead and ground some emergency solutions from predatory wholesaling. I've met with Maya Cramer of the appraisal district several times and we've done work together to help people from the increasing property taxes. She did confirm there is no protections from predatory wholesaling and predatory flipping out there. There's about ten items there that were -- that I'm proposing -- and I cannot

[12:04:05 PM]

take responsibility for this. This is coming from several people. Several people have given their input out there. There's so many people that we've collaborated with, talked with, meetings with. What can we do to simplify this process? We just know every single day people are being taken advantage of on predatory patrol sailing and predatory flipping. I'm giving an example we have made condensation efforts to attend rep Eddie Rodriguez's meetings. My dad is sitting with him. He works for cap stone title sew understands what's going on out there. These are the kind of pamphlets going out to people as well in our area. In different cities. So we're asking that you consider some of these emergency solutions. Some did confirm -- elected officials as well. So it is important that we actually consider these solutions being grounded so wenchies lose other families. We have families afraid of

[12:05:06 PM]

these property taxes increase. Mr. Hardy is the one who made the suggestion about grounding maybe a bond from the community, for the community with different solutions there as well so that we can actually assist actual neighbors with catching -- with a onetime grandfather property taxes with actual commitments and agreements. Thank you so much.

>> Mayor Adler: Thank you.

>> Garza: May I comment, mayor?

>> Mayor Adler: Yes.

>> Garza: Thank you for bringing this. I had been the lead sponsors on the families not flippers solution. Part of that was staff creating some kind of public information to let families know that, you know, you can sell your house at the market value. Don't -- not to be fooled by the quick turnover that offer you a very low -- to that -- I think staff is still working on is that website and my staff can get with you and show you where it is. Even on that website I've been meaning to get with staff and ask -- there seems to be more discussion about

[12:06:07 PM]

ways people can apply for the homestead exemption. There's not the information you're getting at.

>> I think it's a wonderful opportunity, thank you for that, wonderful opportunity for you to put your photo and seal of approval saying, listen, call this number, 211, 311 and we will let you know other solutions. People are afraid, don't know what to ask and have no idea what's going on to them. They have no idea.

>> Garza: In fact I reached out to state legislatures to see if they would carry a bill that would require disclosure that said you know the market value, you have the right to look at the market value of your home because they're not being -- these flippers are not giving market value.

>> Exactly, exactly.

>> Kitchen: So thank you for --

>> Garza: For bringing this up.

>> Thank you so much, Delia. Love y'all. Thank you.

>> Mayor Adler: Thank you. Is Ms. Murphy here. Why don't you come on down. Is dolly Ensey here? She's not here today? Okay.

[12:07:09 PM]

Is Bryan Christian here today? Mr. Christian? Okay. What about kelsea bar low here? You'll be up next.

>> Good afternoon, my name is Wendy Murphy, I live in district 4. Since the passage of the no kill in 2010 the performance of Austin animal services has been judged almost exclusively by one measure, live outcomes. I propose a key performance measure be added to the budget, 95% of all pets leaving the Austin animal center will be sterilized. Why is spay/neuter so important? Because it is the common

sense answer to the pet overpopulation crisis and because it would eliminate or reduce the Austin animal center's reliance on questionable practices currently being used. Number 1, free adoptions. Number 2, closed intake. Flub -- number 3, putting cats and kittens on the street without a known

[12:08:12 PM]

caregiver, dangerous and potentially dangerous for the animals. An animal given away for free is much likely to be abandoned or used as bait in organized dog fights. Closed intake is frustrating, unfair and harmful to animals and humans alike. The snr cat program is flat-out cruel. We should be active in promoting spay/neuter which would eliminate the need for these practices and yet there's no policy in place right now that establishes serialization of dogs and cats as a priority. Spay/neuter clinic is consistently unable to accommodate everyone who shows up. Free appointment vouchers are given away but require one to three months wait. Such a long waiting period invites unwanted litters. We should have a minimum seven day waiting period. I propose a -- number of parties sterilized within seven days of receiving a

[12:09:13 PM]

voucher at the spay/neuter clinic. As part of a proactive spay/neuter agenda we should reinstate the policy that required a spay/neuter policy on reclaims and adoptions. We should appropriate enough funding to maintain our no-kill numbers ethically and responsibly and with more regard for the long-term welfare of the animals we are supposed to be protecting. One of our current presidential candidates Castro recently announced a proposal for animals he would work toward if elected. One prominent feature of his proposal is this, quote, we would end the practice of euthanizing healthy domestic dogs and cats in shelters. Instead we'd invest in a national program to spay and neuter animals. He didn't say, hey, I know what the answer is let's give all the animals away for free. When I bring up the spay/neuter topic among members of the Austin community and ask their opinion the phrase I most commonly hear is, hmm, seems

[12:10:15 PM]

like a no-brainer. Yep it sure does to me. Thank you for letting me speak today.

>> Mayor Adler: Thank you. Is Abraham Roseman here? No no what about Nicole Clark? You'll be up next. Go ahead, Barlow. Go ahead.

>> My name is -- I live in district 5. Speaking on behalf myself, five volunteers and two Travis county residents. We respectfully request that when you vote on the city budget in September 1 of the key performance measures in the animal services budget be revised to remove cats that go through the

shelter neuter return program from life outcomes and instead count these cats' outcomes as unknown. We also request that the animal services donations

[12:11:17 PM]

fund be used to establish pilot programs that promote cat rescue programs so fewer cats go through snr unnecessarily. The current cat program shelter-neuter return is considered successful because it results in high live outcome rate for cats but returning a cat to the street without a caretaker should not be considered a successful outcome. Many of these cats are friendly. Previously owned possibly indoor only cats who cannot fend for themselves outside. Thousands of kittens and cats have been returned to the streets during the last eight years. In fact more than 5200 cats have gone through snr since October 2013. More than 900 of these cats were under six months of age and more than 400 were as young as three months old. This proposed change and the definition of live outcomes would hopefully provide an incentive for Austin animal services to move away from

[12:12:18 PM]

returning cats to the street because these accounts cats can no longer be counted as successful outcomes. This is important because a cat that leaves the center through the snr program may not survive after being put back on the street. The Austin animal shelter is known as the largest no kill shelter in the nation. Looks good on paper and so does the high percentage of living wage outcomes it has. But they are so focused on the quantity of live outcomes it has lost sight of the quality of life of the animals it is funded to serve and protect. Shelter staff came from all over the country to model their own shelter replacements after Austin's. Therefore, Austin has an obligation not only to do better for the sake of the animals here but for the entire nation. Austin must improve its program so it and other shelters can be as successful and as humane as possible. Let us do the right thing and emphasize quality of life as much as quantity of life. It is important to note we

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support this for feral cats. Thank you for considering this request.

>> Mayor Adler: Thank you.

>> Hello. Good afternoon, you guys. My name is Nicole Clark and I reside in precinct 1 in unincorporated area of east Travis county. I've been here since 2008. And since that time I've been involved in the Austin animal community in various ways, but the majority of that time I worked with a local trainer and learned a ton about dogs and use that knowledge to help a lot of the dogs that were adopted out of the Austin animal center and I'm here today to ask when you vote on the city budget in September that a

add a key performance measure in the animal services budget that addresses the issue of dogs at the shelter getting out of their kennels at least once each day. I feel like this is something that you -- some of you have probably heard before. This is nothing new.

[12:14:23 PM]

And unfortunately it's something that is still not being focused on. Walks one-on-one are something dogs need to help ensure not only physical and mental health as well as nourishment but serves as a more sustainable option for getting dogs adopted out of the shelter and into a home for good. Not coming back into that shelter system. I request that a key performance measure be used to set the minimum standard for daily walks one per day per healthy dog but not stop it there, not stop at the minimum, go above and beyond that. The city is filled with community members that are able and willing to walk dogs and some of the ways that we can expand our volunteer pool would be to involve local running and walking groups, maybe work with Travis county and A.P.D. To allow community members to fulfill community service hours by walking dogs, involve students in upper level grades at high

[12:15:23 PM]

schools, maybe ACC as well as UT, do popups on the campuses to get them signed up for training programs to be a volunteer to walk dogs and ask local businesses to participate in programs that will offer discounts at their businesses or offer rewards to volunteers. You could get local artists involved and they could create items that people could get as a volunteer unique to them. You could even involve local senior groups through the ymca and they could have dogs that are tagged in similar ways than they already are at the shelter where these dogs are okay for running groups, these are okay for senior groups, et cetera. As the largest city to practice no kill we have the opportunity to set a standard for what a quality shelter looks like and we have the opportunity to set benchmark standards as well that serve no kill in the most ethical and humane ways. Thank you.

>> Mayor Adler: Thank you very much. Last speaker that we have signed up here today is

[12:16:29 PM]

Chioma Okoro. Is Ms. Okoro here? Those are all the speakers we have. Colleagues, it's 12:16. Do we want to try to come back by 1:00. We have no executive session. Those items are off. At 12:16 this meeting is recessed until 1:00. Let's see if we can start promptly. We will be starting with speakers on the budget item number 86.

[12:59:58 PM]

[City council is in recess until 1:00 P.M.]

[1:01:56 PM]

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>> Mayor Adler: We have a quorum present. It is 1:00. Let's go ahead and start the city council meeting here. Let's begin. Ed, do you want to lay out for us the recommended budget?

>> Sure. Thank you, mayor. And good afternoon, mayor pro tem and members of the council. I'd also like to recognize and welcome and thank all the community members for being here to speak today at this public hearing. Just to get the ball rolling on the public hearing I did want to take a moment to provide a high level overview of the budget. It's a budget that I am personally very proud to have been a part of developing. It's a budget that entails input and guidance from literally hundreds of people, city staff, city management, mayor and council, board and commission members, community members, lots of participation went into crafting the budget that we have laid out for you and the community to consider today. Some of the things I'm really proud about though is the way that I think it

[1:02:56 PM]

reflects not only city council's priorities, but also the community priorities. Specific to homelessness, when you look at this budget you're seeing a budget that is truly an historic investment of almost \$63 million for our homeless population. It's a budget that includes additional funding for permanent supportive housing units. Additional funding for our pay for success program, funding for that program to serve the homeless. Additional dollars for displacement prevention to keep people in their homes to begin with. More money for case managers and substance abuse programs. And it doesn't stop there. It is also a budget that invests heavily in our affordable housing crisis with \$42 million of planned spending from the 2014 housing bond and another historic 14.4-million-dollar transfer to the city's housing trust fund, which is another source of providing improved housing affordability for our

[1:03:56 PM]

residents. Public safety is always a huge priority and it's a budget that continues to invest there consistent with council priorities, pertaining to opening up new fire stations. We have the planned opening of the Morris crossing fire station in del valle included in this budget as well as an additional 30

officers consistent with the police department staffing plan and additional resources in the office of police oversight to help ensure that we are administering justice in this city as fairly and equitably as we can. In all of that, you know, a common theme amongst our conversations with council has been that portion of the general fund budget that gets allocated to public safety. In this budget before you we continue to see that percentage come down. While at the same time investing in public safety we've seen the overall portion of the general fund allocated to our public safety departments continue to come down since 10-1 came on board in 2016. I'm also very proud of the

[1:04:57 PM]

work we did with the various equity commissions, the various commissions that comprise the joint inclusion commission. And as a result of that effort you're seeing investments throughout the city's budgets on a variety of programs and services that really will improve the equity of services to our whole community. These include increase funding for mental health services, additional funding for workforce development programs, enhanced parks programming for seniors and people people with disabilities. Finally I'll close out by saying I think it's also a fiscally responsible budget. It's a budget where we've proposed at the maximum tax rate so that we can best position ourselves for what we know are going to be difficult financial times ahead under a three and a half percent revenue cap. Putting the budget at the maximum tax rate goes a long way to beginning to address those challenges. It doesn't completely get us through, but it certainly goes a long way. But I think it's also a fiscally responsible budget for our citizens and the

[1:05:57 PM]

taxes and fees that they pay. At the same time we're going to the maximum tax rate this year. You will see a budget where none of our enterprise departments are proposing rate increases. So across our enterprise rates you're seeing all the rates being held flat so that collectively when we look at that typical ratepayer and how much their bill is going to go up from one year to the next, we're projecting a defined two and a half percent combined increase in that tax bill. We propose enhancements that are right in line with what the council said your priorities are for the budget. So again, very proud to have been a part of this budget. Thank you to all the staff and councilmembers and community members and commission members that took time to participate in the progress leading us to this point today. So I'd be happy to answer any questions before we turn it over to the public hearing.

[1:06:59 PM]

>> Mayor Adler: Ed, thank you. All right. Let's begin the speakers. As we have been letting the public know, we're going to do this the way that we normally do speakers for public hearing. The first 20 will

speakers for three minutes. The speakers after that speak for one minute. We're going to continue to take speakers until we're done or until 5:00, at which point anybody who is here and signed up and hasn't had a chance to speak will give their names to the clerk, we'll continue taking speakers then until 5:30 and then after those dinner those people who signed up we'll call Afghanistan dinner first. Then we'll go into our regular agenda and at the end of that then we'll take other people who may have come to sign up to speak on

[1:07:59 PM]

the budget. If we finish with budget and all our council action this afternoon, then we'll be adjourning the meeting. And before dinner. All right. Let's go ahead and start speakers. Is Stewart Hirsch here? Will you come down? While you're coming down is Laurie petty here? You will be the next speaker to be coming up. Mr. Hirsch, you have three minutes.

>> Thank you, mayor and members of the council, stu from district 2. James Baldwin in 1952 writes one thing out of one thing only, one zone experience. If I'm reading the draft city budget correctly, there is no requirement that permits for 13,500 market rate housing units and 6,000 income restricted housing units be issued in order that the 135,000 market rate housing unit and 60,000 income restricted housing unit goals be built over a

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10 year period as described in the council adopted strategic housing blueprint. There is no requirement for fast track reviews and inspections for income restricted housing free of charge has occurred when smart housing was first adopted back in 2000. This is probably appropriate since the code changes needed to achieve these housing affordability goals will be considered on first reading in December 2019 and additional readings as we approach the 20th anniversary of smart housing in 2020. Based on my experience as both a city staffer for more than 30 years and a pro Bono consultant since 2008, I find it difficult to achieve 10-year goals or five-year goals unless you start with achieving 10% or 20% of the respective goals in its first year of implementation. So I am here today to say I'm okay with council adopting the draft budget in

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its current form as long as you keep in mind that the goals of the strategic housing blueprint and the five-year consolidated plan can only be achieved through the amendments to the land development code that you will consider later this year and early next year. I want to commend the staff for its outstanding work in preparing this budget given the constraints of the code as it's written now it seems

to have appropriate metrics, and I know that when you consider the code amendments at the end of this calendar year and early next year you will consider changing the metrics to reflect what we can now achieve that our current code doesn't allow us. So again, kudos to the staff. Please adopt the budget as recommended and then revisit the issue after you adopt the code changes next year. Thank you very much.

>> Mayor Adler: Okay. The next speaker is Jonathan levy. Is Jonathan here?

[1:11:00 PM]

Come' down. You will be the next speaker.

>> Good afternoon, mayor and councilmembers. My name is Laura petty and I'm on staff at American gateways. Governor I begin I want to say thank you to the city to prioritizing immigrant legal services. We strongly support the city manager's position for funding allocation towards immigrant legal services. American gateways is a local non-profit. We've been around for over 30 years and we serve Austin and 23 surrounding counties and our mission is to champion the dignity and human rights of low income immigrants through exceptional legal services, education and advocacy. We have the privilege of up holding core American values, including the rule of law, fairness and sanctity of families for the immigrant community. Last year we empowered over 10,000 immigrants through community education like know your rights presentations, pro se assistance, large scale is it citizenship and DACA clinics and legal representation. We currently have a contract through the city to provide

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legal services to city of Austin residents. And my colleague, Jonathan levy will provide more detail on this. This funding is critical for us to meet the high demand for citizens of Austin and Travis county. We do support all three recommendations of the city manager for immigrant legal services, including legal assistance, education regarding eligible benefits, citizenship clinics and the addition of an employee within the equity office to focus on solutions to issues being faced by the immigrant community. We deeply appreciate the current budget allocation of 315,000 for immigrant legal services, but we would like clarification to know if that's ongoing funding or if it also includes new funding. And finally, we are very grateful to the city for making immigrant legal services a priority and making Austin a welcoming place for immigrants. Our immigrant families, friends and neighbors. If there's no questions I would like to give the rest of my time to my colleague, Jonathan levy.

>> I'll just clarify for the

[1:13:02 PM]

audience that this was an ongoing commitment from the current proposed budget.

>> Garza: Unfortunate willly you can't -- unfortunately you can't donate time if you've spoken. Then will be Mr. Levy.

>> I'm a colleague of Laura petty and a staffer at American gateways. Through our contract with the city I provided funding to provide immigration legal services to Austin residents. Through that funding I provide legal consultations and where appropriate and desired provide full representation to the clients. The cases that are chosen for the initial legal consultation are selected under a universal representation model. That is we pick them randomly without triaging the cases based on what looks like it might be interesting to me personally or looks like it might be a winner or might be challenging. The advantages of this is people who would otherwise

[1:14:03 PM]

have a difficult time getting representation because the basic facts about their case do not know needly apparent to the eye what relief is deeper under the facts, they now can get relief. Of the consultations that we provide, over 80% of the individuals that we bring in for consultations have legitimate grounds for relief and we take their case. And this does include people who -- where relief is not obvious at first glance and it takes that consultation to find the additional facts and find out what they may be available for. Currently we have just over 100 individuals that have open cases funded through the city program. These cases include the full realm of humanitarian relief. About one-third of the cases are people in removable proceedings, that is people on for whom the government is seeking to depart them back to their home countries. The other two-thirds are made up of a wide variety of case types including family based petitions, adjustment

[1:15:03 PM]

of status, renewal of status, naturalization, that is citizenship, and assistance to victims of crime, domestic violence and human trafficking. For example, one of our clients who was a victim of human trafficking is Myrna. That's not her real name. She was brought to the United States as a victim of human trafficking over 10 years ago and she has since been living in Austin for over a decade and now has her two daughters here with her as well, both grown up, but one of them has a disability and they all live together in Austin. Mir in a was granted a T Visa because she cooperated with law enforcement authorities in the trafficking case and because of that Visa she is now eligible to apply for a green card and through the city funding we were able to take on her case to fly for a green card before her period of eligibility expired. So now bending cases for not only Myrna, but also her two daughters. A year ago we were able to

[1:16:04 PM]

assist about 25% of the people who walked in for services. Today it's about 15 to 20%. The reason for that is the number of people seeking services has significantly increased. In about 85% of those seeking our services are from Austin or Travis county.

(Beep). We very much -- is that the time up or is that a warning?

>> Garza: That's your time, sir. Thank you. Mr. Pena and then Pete Winstead and corby Castro.

>> Good afternoon, again, mayor pro tem, councilmembers, city manager. Federal irs academy, I was an irs investigator, here's my proof. Also I went through the sheriff's academy, class of 93. One of the things I want to talk about is the homeless issue. Back in Bruce tod's administration that's where everything started and then we started doing some transitional housing transitioning people. I don't see that here.

[1:17:05 PM]

I hope I won't see failures of won't be able to be housed and make it. We still have 2,240 homeless veterans here in Austin, Texas. We counted it. We have a count. We have a count. And I have documentation, but I'm not going to give it to y'all until my veterans say it's okay. We need the homeless issue-- that's not true. It's more homeless than that. And it's not being met by the city of Austin. What we need is housing for the homeless, wraparound services so they can reach self-sufficiency. Not just put them in a place and expect them to thrive. It's not going to work like that. It's not going to happen. Services for the poor, wraparound services. House the homeless veterans. That's very easy if you do it, but with wraparound services. I'm going to leave it like that because I think I've been very redundant. You can't just place a person in a house or apartment without the wraparound services. A society's worth is measured by its treatment of

[1:18:07 PM]

the less unfortunate. A society's worth is measured by the treatment of the less fortunate. Remember that. One of the things also that I want to mention is one percent raise for the APD was not enough. I have been in law enforcement -- that's why I showed you my former badge with the irs. Anyway, APD deserves better, ems deserves better, fire department deserves better. Our community deserves better. Mr. Winstead is a good friend of mine. He can tell you about homelessness, about a person that he knows about already. We have homeless people out there and it ain't getting done. And not enough housing for the affordable housing. This place is too expensive, except for y'all. I don't -- I can't qualify. I've been homeless when I was helping Mr. Adler run for office, he had 49% of the votes, Martinez had 50. You have to have 51%. We veterans got him elected in there so please, remember our veterans! Remember our veterans who fought in wars.

[1:19:09 PM]

I did! Three fours. But I'm going to tell you this much, it ain't making the grade here, it ain't making the grade here as far as housing the homeless veterans. And I want housing for my single women with children that are homeless. Not getting there. And it starts with the arch and the Salvation Army. Kathie knows about it when I was homeless with my wife. You went to my hotel when I was first helping you out with your first opportunity to help you out. Please, house the homeless.

>> Garza: After Mr. Winstead, corby Castro and [indiscernible].

>> Good afternoon, council and manager. Let me first say I second everything that my friend said. Well said, Gus. Let me say that homeless has been much topic of conversation this summer. Witness what happened yesterday at the daa's forum. And thank you for participating in that. That was a big sacrifice and I think you get some sense of where the public is. The questions come up and we don't have easy answers. What is the role of first

[1:20:11 PM]

responders in dealing with homeless. As difficult and necessary as these discussions have been, the fact remains that public safety is the most critical function of government. We have 2200 homeless people, we have 846,000 other citizens that worry about public safety. The proposed budget reflects that while also other priorities, such as homeless, and I thank you for that very, very important. My comment is please support the manager's recommendation for 30 new police officers, 38 firefighters, 12 paramedics, additional funding for the Austin fire department, wildlife prevention program and the office of police oversight. Our police chief Brian Manley says that growth is the number one public safety challenge for us as we move forward. What does that mean? Just look at the data and the performance measures. The data tells us that part one index crimes were up last year and response times are slower for the eighth consecutive year. And for the city that values community policing the time

[1:21:12 PM]

officers have to build relationships and trust the neighborhoods they serve is below even the minimum recommended national standards. The project is worse this year. I think you will recall when the matrix group came in and testified at a council work session it said that Austin's uncommitted time was the worst they had seen in the nation and all of their studies. We often hear how often is one of the nation's safest major cities. But how safe are we? According to the FBI, Austin was the second safest city in -- major city in 2014. Fourth safest in 2015, fifth safest in 2016 and again in 2017. Again, the data tells us our community is becoming less safe. That's why your commitment to adding new fire stations and multi-year police staffing plan is so important. We cannot afford or ignore the warning signs that we're

falling further and further behind. Again, please support the proposed public safety budget. Thank you for all you do. Appreciate it.

[1:22:12 PM]

[Applause].

>> Alter: Mayor? Thank you, Mr. Winstead. I just wanted to clarify something that I think you said with the city manager. You mentioned there was increased funding for wildfires. My understanding is there was no staffing beyond the wildfire amounts. Is there funding in the budget as it currently stands?

>> Not as it currently stands.

>> I just listened to Mike levy on fire control in the suburbs, so thank you.

>> Mayor Adler: It's good to see you. I also had a chance to go through those numbers. You're right, we moved to number four in violent crime in this city a couple of years ago. We maintained that position. So last year and this year both four and it's good to see that we're closer to number one than we are to number five. Mr. Jastro.

>> Good afternoon mayor and council and manager. I'm corby jastro, President-Elect of the

[1:23:13 PM]

greater Austin crime commission and a resident of district 10. Everyone wants the same thing, a safe city. That's why we urge you to support the proposed public safety budget, especially the multi-year police staffing plan. It's a good start. Three staffing studies since 2012 has said we need even more. The reality is today the Austin police department is hundreds of officers short of the minimum needed for effective community policing. And that's taking current vacancies into account. Just because positions are vacant doesn't mean they're not needed. The department fills those patrols gaps using overtime. The Austin police department has had recruiting and retention challenges in the past and we have caught up. The multi-year staffing plan is about building capacity to improve community policing, lower response times and reduce crime. If we're serious about community policing that means officers needed the

[1:24:13 PM]

time to get to know the people in places where they patrol. You can't do that when your workload is overwhelming and you're going from call to call to call. We can't say to support community policing without providing the resources to do it effectively. Whether it's police oversight, staffing or the public

safety impacts of homelessness, the greater Austin crime commission will continue to be a constructive seclusion oriented partner with all of you. Because we also need to work on the Austin police retirement system, infrastructure projects and other emerging health and safety issues. As my good friend Pete said, we thank each of you for your commitment to public safety and your supporting the manager's proposed budget. Thank you.

>> Mayor Adler: Thank you, sir. And mayor, thank you for your time this morning.

>> Mayor Adler: Thank you. Cole? And you have donated from Kerry Roberts. Kerry was here so you have five minutes.

[1:25:15 PM]

The next speaker will be Erica Galindo. Go ahead sir, you have five minutes.

>> Good afternoon, mayor, manager and council. My name is Cole and I am currently a sophomore studying business at the university of Texas and a resident of district 9. I want to start off by thanking the city manager and his staff for including 30 new officers in its proposed fiscal year '20 budget. Even though police staffing is still below what's suggested, these officers are an important step in the right direction. Increasing authorized force strength is crucial as our city's population continues to grow and more calls for service are received. Even with these 30 new officers baked into the budget, the city manager's office still projects a decrease in police community engagement time from 27% to 24%, which is Stillwell below the city's minimum target of 35%.

[1:26:17 PM]

Community education. Is one of the -- community engagement is one of the most important functions that our department has with creating trust with those that they protect. If it starts to fall, the perception of our police department will only worsen. Speaking as a UT student, adequate police staffing is extremely important in the areas surrounding campus. Each year you have over 10,000 new students coming to UT, many of whom have never lived in any kind of dense urban setting. And when talking to prospective new students, one of the primary questions that students and parents have when deciding to go to college and UT is perceived safety. Having more officers in the surrounding area would help to alleviate some of these concerns and put both students and parents' minds at ease when helping them decide where they want to go to college, which is hopefully UT. Mayor and council, I strongly encourage you to approve these new positions in the police department in the final budget.

[1:27:19 PM]

A few people are asking you to forego the positions and instead allocate the funds to different projects such as homeless and mental health first response. While I believe these are two extremely important causes for the city and very laudable in their -- as they are, mental health and homeless services are not a zero sum choice between adequate police staffing and instead I think they go hand in hand. And wrapping up, I want to praise city manager Cronk for including the 30 officers in his proposed budget. Although I liked to see the city implement the matrix staffing plan, I understand the pressures the city is under especially with the 3.5% revenue cap looming in fiscal year 21. Council, I do not envy the almost impossible decisions you will have to make, but I strongly encourage you to approve these 30 new positions. Thank you and have a new day.

>> Mayor Adler: Is Aaron here. And you have time donated

[1:28:21 PM]

from Nicholas Hudson? Are you here? Yes, great. You have five minutes. Go ahead. You have three minutes.

>> Good afternoon, mayor and councilmembers. My name is Erica Galindo and I'm the organizing manager for the [indiscernible] For equity. We are an Austin-based abortion fund that provides direct financial assistance to people seeking abortion care in the central and southern regions of Texas. I am here to speak in support of the abortion access budget amendment, which is \$150,000 proposed as funds to be granted through Austin public health to help with supportive and low-cost services for people trying to access abortion care. We receive over 6,000 calls to our hotline per year from people who cannot afford to pay for their abortion care. If you're wondering why so many people call us that is because average coverage bans at the state and federal level force people seeking abortion in Texas to

[1:29:21 PM]

pay hundreds of dollars out of pocket for their procedures alone. For low-income Texans who also struggle to pay for transportation, childcare and lodging, this sometimes means choosing between their health care or other basic needs like rent, diapers or putting food on the table for their families. When people struggle to obtain the resources they need to get to the clinic, it can delay their appointment or push safe abortion care out of reach altogether. Today we're here to say that Austinites deserve equitable timely access to abortion care no matter their income. We regularly partner with support organizations like Fund Texas Choice and the Bridge Collective here in Austin who support our mutual clients in navigating multiple compounding barriers that without the support of these organizations can make it impossible for our clients to get to their appointments. We often hear from Austinites like Angela who is a single mother of a 10-month-old baby and a two-year-old daughter. Angela has epilepsy and

[1:30:24 PM]

cleans houses when she can, but reliable transportation and childcare are ongoing challenges in her life that affect her ability to hold a steady job. At the time she reached out to us she was behind on her bills and extremely concerned about all the expenses piling up. She had to worry that she might lose her apartment. In a city that values equitable health care access, including the right to an abortion, austinites seeking abortion should feel welcome, supported and cared for every step of the way. The city of Austin has an opportunity to set a new standard for creative and equitable solutions for our communities at a time when state lawmakers and local governments like

[indiscernible] City city councils have turned their backs on people like Angela again and again. We want to say thank you to mayor pro tem Garza, councilmembers Casar and

[1:31:24 PM]

Ellis, we hope you will be on the right side of history and approve this in the budget. Thank you for your time.

>> Mayor Adler: Thank you. Next speaker is Adam

[indiscernible].

>> Good morning -- good afternoon.

[Applause].

>> Mayor Adler: Get TD go ahead. You have five minutes.

>> Good afternoon, mayor pro tem Garza, councilmembers and city manager. I am the director of

[indiscernible], an organization that uses --

>> Mayor Adler: Hang on one second. Please.

>> I was standing here, sir.

>> Mayor Adler: I'm going to let you both stand there, but I need for you not to interact with one another.

>> Sorry, sir.

>> Legislative advocacy and the political process in order to protect and expand access to abortion care in Texas. I'm here to speak on behalf of our members in support of the budget amendment that would provide funding for practical and logistical

[1:32:24 PM]

support for abortion care and access. I want to thank you for your consideration today. Despite the fact that the majority of Americans and Texans support abortion access, the anti-abortion extremist in the Texas legislature have done their best to chip away at the right to abortion care. Texas has some of the most restrictive abortion laws in the nation and as a result access has become virtually impossible, especially for the most marginalized. Just in the past six years the number of clinics has been cut in half, necessitating many Texans to travel long distances, take days off work, find accommodations and childcare in order to access what is at a minimum two days of health care as required by the state of Texas. The majority of people who seek abortion care are working class, people of color and parents. And for those who live at the intersection of these identities, they experience these barriers the hardest. Those who don't have the resources to navigate these barriers forego care altogether. In response to the diminished right to abortion, pro choice Texas

[1:33:24 PM]

in collaboration with our abortion fund partners, the landfill it's fund, Texas equal access fund and west found launched a campaign in order to protect and expand the right to abortion in cities and localities across Texas. Over the past two years Austin has been at the forefront of supporting abortion access. In 2017 the city council passed the abortionist health care resolution. In 2018 the Austin city council passed Rosie's resolution. And today we are excited to testify on this budget initiative that would provide logistical support to those seeking abortion access. The right to an abortion is meaningless if it's not accessible. Austin is the fastest growing city in all the nation and it is imperative that we continue to grow. City council finds ways to ensure all health care, including abortion, is accessible to every resident. Especially those in districts 2 and 6 that are further out from the city center and resources. I personally live in district 6, represented by councilmember Flannigan, and as many of you know,

[1:34:26 PM]

district 6 encompasses both Travis and Williamson county. In Williamson county there are no abortion providers. And the people of district 6 deserve a city council that is committed to making sure that they have equitable access to the full range of reproductive health care. Thank you to mayor pro tem Garza and councilmembers Casar, pool and Ellis for bringing this important budget amendment. I urge you to all vote question yes in support of this measure and become the first city to protect access to abortion in this groundbreaking way. Thank y'all.

>> Mayor Adler: Thank you very much.

[Applause]. Is rose Roseann [indiscernible] Here? We tried to have a culture in this room when we have really big groups, we -- it's in honor of councilmember Houston. Rather than clapping after each one

because when we have speakers that could get up to 100 it will just add a lot of time. People snap their fingers or use their -- Ms. Houston's jazz hands. I think that will keep us moving, but then we all know

[1:35:27 PM]

the support that speakers might have. Is Roseann Maria porum here? You will be up next. Is Eleanor -- no, she is not here. Is Eleanor Grano here? Why don't you come down. And after you is Irma Garcia. She's not here. What about Courtney chambers. Why don't you come down? You will be next. You have three minutes.

>> Okay. Good afternoon, mayor and councilmembers. My name is Eleanor Grano. I'm a constituent from district 9 district 9 and I'm the community youth coordinator. I'm here to speak in support of the practical support for abortion access budget item. James due process is a statewide non-profit that ensures legal representation for teens navigating the -- sorry we are a non-profit that ensures legal representation for teens navigating parental involvement laws for abortion in Texas. We do this by connecting them to free legal counsel

[1:36:29 PM]

in the -- for the judicial buy pass cases that are held in front of a judge. We also support them finding childcare and transportation to their opponent with a judge to get to a clinic for the state mandated

[indiscernible] And help them get to a clinic on the day of their abortion. The teens who reach out to us on our hotline call us because they cannot involve a parent or legal guardian in their decision. Many of these teens' parents have been deported, detained or incarcerated or simply not in their lives. And the people that they're staying with do not have legal guardianship. Our former client, hk gray, said it best, when she said the majority of people who have abortions are not teens, yet we're disproportionately impacted by the financial and logistical barriers that as a result puts abortion out of reach for many of us. This needs to change. Funding for support is important for teens like our clients, hk gray, who deserve the right to access an abortion here in Texas. Thank you.

[1:37:29 PM]

>> Mayor Adler: Thank you very much. Is Nancy here? Nancy, why don't you come on down. Go ahead. Three minutes.

>> Good afternoon, mayor and councilmembers. My name is Courtney chambers and I'm the Texas advocacy director for whole woman's health line. We're a non-profit abortion provider and advocacy organization located at 4100 Duval road. I personally live in district 9 and I am here to speak in support

of the budget item for practical support funds for abortion access. Everyday at the clinic we see patients that have encountered barriers getting to their appointments. Getting time off of work, finding childcare, finding reliable transportation. And these struggles are compounded by the fact that there is a state mandated medically unnecessary 24 hour waiting period that requires most patients to come for two separate appointments. We often hear of patients delaying their appointments because they could not afford to take work off for two days in a row or they had car trouble or they couldn't find childcare. About 60% of our patients are already parents and many

[1:38:29 PM]

have had to arrange two full days of childcare. Most of our patients are low income and almost 40% of the patients we see at the Austin clinic receive some type of financial assistance. About half of the patients we see at the clinic live in the city of Austin and the other half are coming from the surrounding cities. Although we will not receive any of these funds directly, we will see what a huge relief this could be to so many of our patients. Having an unplanned pregnancy can be stressful enough as it is, but the Texas legislature has made accessing abortion care even more stressful. By helping with childcare or transportation, the city through these funds could take something off the already full plate of our patients and let them focus on their health and doing what's right for their family. I want to thank you for your support in this issue. In the face of years of attacks and our ability to provide care, we are doing everything we can to keep our doors open to ensure that all Texans have access to safe abortion care. And your support for our communities is truly

[1:39:30 PM]

appreciated. And I specifically want to thank mayor pro tem Garza and the councilmembers Casar, pool and Ellis for all your leadership on this effort. Thank you.

>> Mayor Adler: Nancy.

>> Good afternoon, are mayor and councilmembers. It's a pleasure to be back in this capacity. It's good to see all of you again. My name is Nancy Cardenas Pena. I'm the state director for the national Latina institute for reproductive health, but I'm also here as councilmember Garza's appointee for

[indiscernible]. My work is often to analyze and understand areas in Texas that struggle with access to abortion care just because there may be a clinic or a right to have an abortion doesn't mean that that abortion is guaranteed. In areas that I predominantly work in like the Rio grande valley, most of the decisions that are

[1:40:31 PM]

around getting medical procedures such as an abortion reside around someone's ability to get transportation, someone's ability to get childcare. Is it going to be paying for a very common medical procedure such as an abortion or is it going to be paying a light bill. And those are the issues we struggle with the most. We struggle a lot with immigration and what that means in the context of going to get an abortion. And sometimes that's also a deciding factor. So in my capacity the commission for women we did pass language during our last meeting that unanimously supported in support to include this budget amendment for practical abortion support. So we did pass that as a full commission for the commission for women. In regards to sb 22 and that that means for the city, we've often gotten a lot of questions about if this legislation is passed what does that mean for us and what can we potentially do?

[1:41:33 PM]

And if sb 22 the funding doesn't now contracts with abortion providers, but with practical support like transportation, food, lodging, childcare, all of the different things that you need in order to get a very basic medical procedure and a very now long indicated processes towards getting a medical procedure, those would not be directly corelated with sb 22 and the language in the budget that we're hoping that you all pass. So if you have any questions, please let me know. Thank you.

>> Mayor Adler: Thank you very much. Next speaker is Selena Shea. Is she here? What about Sarah Lopez? Come on down. What about Emma Robinson? Why don't you come down too. She's not here. I keep thinking you're waving. No, you're doing good.

[1:42:33 PM]

You're doing good. Is Kathie Mitchell here? You will be up next. Kathie has some donated time from Olivia Ott. Is Olivia Ott here? Okay. Go ahead. You have three minutes.

>> Okay. Good afternoon mayor and councilmembers. My name is Sarah Lopez and I'm a constituent of district 9. I'm here today on behalf of fund Texas choice. I am the program coordinator and my role involves making the necessary travel arrangements for our clients, coordinating with funds and clinics and checking in with folks throughout their trips. Fund Texas choice is a spiritual support fund that helps Texans get to their abortion appointments by providing assistance with transportation and Mr. Lodging, the assistance we offer ranges from money or ride shares and bus tickets or one or more nights in a hotel near the clinic. We also work closely with

[1:43:34 PM]

abortion funds and clinics to ensure that the people we serve have all the compassionate support that they deserve throughout their trips. I am here to speak in favor of the practical support for abortion

access budget item. On average we fund about 425 trips per year so far in 2019 we have provided travel assistance to 23 people traveling either to or from Austin. 16 of whom were already parents or guardians. We have helped a client in Austin who as a single mother experiencing homelessness and just needed a place to stay as she recovered. We have also helped folks who live in Austin, but had to travel to another state or another city to obtain it because access here is restricted. Additionally we have helped folks who have had to travel to Austin because there are no abortion clinics in the city or town they live in. Everyone we serve has their own story and their own experiences and we are just a small part of helping them get back to their daily lives. When people struggle to obtain the practical support they need to get to a clinic, it can delay their appointment or push safe

[1:44:35 PM]

abortion care out of reach entirely. On average our callers have to travel 700 miles round trip to reach one of the few remaining clinics in Texas many times this means taking times off work or school, finding last minute childcare and making sure they have their funding secured for the procedure and other travel related costs like food or medication. Texas has some of the most restrictive and medically unnecessary laws in the country when it comes to abortion. But I'm grateful for the leadership of mayor pro tem Garza, councilmember Garza, councilmember pool and councilmember Ellis in supporting the vision, compassion and expertise of lilith fund. By providing the support for childcare, lodging and support for austinites seeking an abortion, this proposal fights back the need to fight against the restrictive laws and focus on meeting the tangible needs of people's lives. This collaboration is especially important now because our reproductive rights are constantly under

[1:45:37 PM]

attack. This proposal which would provide the much needed support is a monumental step towards fostering a community that strives to make abortion more accessible and affordable. Thank you.

>> Mayor Adler: Thank you very much. After Ms. Mitchell speaks, Monica Guzman. Is she here? Okay. There you are. Why don't you come down to the podium. You have five minutes.

>> Hi, I'm Kathie Mitchell with just liberty. Today you have an opportunity to take concrete steps to do something that everyone agrees needs to be done. You can relieve police of duties for which they are ill equipped and move those duties to ems. This is a national conversation. There is not a police agency or an officer anywhere in the country who doesn't believe that police are being asked to do things that they are ill equipped to do. And we need to find systemic ways to change how we allocate that resource. I'm here today to ask that you fund the mental health

[1:46:40 PM]

crisis intervention reforms that will improve the experience of mentally ill people in crisis and free up police time to address the public safety issues presented by neighborhoods. Grassroots leadership, just liberty and the Austin justice coalition has given you a detailed proposal. The proposal based in large part on recommendations that came out of a first response audit followed by a report by meadows issued in may is well thought out and others that are coming after me will speak to it. In fact, these ideas have been in the pipeline for so long that we were surprised that no systemic change to our mental health crisis intervention was incorporated into this budget structure. Given in a the money is not in there we feel obliged to identify ways to pay for increased mental health clinical staff and needed increases at ems. So I want to talk about paying for it by not funding the proposed 30 new officers at this time. Now, normally I would come loaded for bear to talk

[1:47:41 PM]

about why Austin is still a safe city and why the kind of crime statistics that you just heard were off base. I'm a little surprised that we're still having that conversation and I promise you I will be back with a one-pager that will take on all of that. For now, though, I actually want to take on something else. If you both fund changes to the mental health first response system that migrate a significant number of these calls to ems and you weight to consider new police officers in the next budget cycle, you will actually free up officer time to do officer duties right now today in this year, there will be more officers to do more of the things that the safety commission presumably wants them doing. And you will be making the right fiscal choice. In July of this year the

[1:48:41 PM]

police pension system audit report was publicly released and it is no overstatement to say that the police pension fund is in serious trouble. You probably already know this. Many aspects of this audit lead us to believe that the long-term outlook will get worse before it gets better. By this time next year, not right now, but by next year, the city must address the pension fund problem by either increasing the city's contribution for each officer, increasing the officer's contribution, changing benefits, or some combination of all of these, which is what every city who has gotten into this problem has had to do. That's just what's coming. As of this moment the figures you've been given for the annual cost of new officers actually understate that cost. Because of the changes that

[1:49:41 PM]

must be negotiated in the coming months. Here is just some by the

numbers: Sworn personnel currently cost 166.6 million, plus about 35.5 million for our contribution to the pension fund, which is at 21.313% of payroll. That totals about 202 million. That covers 1,834 officers. The pension contribution required to meet minimum state law requirements, and we could do better, is 53.2 million from the city or 31.965%. The new amount required that you all will be having to address by next budget cycle is \$17.7 million. That is to protect the promises we've already made to our existing staff. I think there's no argument

[1:50:42 PM]

that aall want to do that. If we add 30 new staff people that annual hole that has to be filled increases to 18 million. That may not seem like a lot, but as you know in the budget cycle three million dollars is not pocket change. The bigger the hole, the tougher the negotiation in the coming year.

[Buzzer sounds]

>> Mayor Adler: You may finish your thought?

>> Can I conclude?

>> Mayor Adler: Finish your thought.

>> A pension fund is not social security. Adding new workers to it does not help. It actually throws kindling on the fire. What we need to do now is give ourselves some time. We need to penned the 30, rethink the staffing plan, negotiate the changes that are needed and come back next time to talk about police staffing.

>> Mayor Adler: Thank you.

>> Kitchen: Mayor, may I ask a quick question? I want to thank you for your participation last year and

[1:51:43 PM]

ongoing on the mental health crisis intervention process. You had mentioned that -- you mention the the three groups I believe that have given a proposal. You probably don't have that document with you.

>> I do.

>> Kitchen: Can you pass that out to us. >>

>> Absolutely. Ditched that would be great.

>> I'll give it to the clerk.

>> Kitchen: Thank you very much.

>> Mayor Adler: Is servina here? Go ahead.

>> Good afternoon, I'm Monica Guzman, district 4 resident. Thank you for the opportunity to speak this afternoon. Thank you for making identifying homelessness as the top priority indicator. The increased budgets is critical for addressing this ongoing crisis. I also want to speak in support of councilmember Casar's safety budget proposal. Funding for six additional community health paramedics and funding for bridge to safety or the safe alliance. Sadly for district 4,

[1:52:43 PM]

domestic violence is a, if not the, violent crime with the greatest occurrence. As a domestic violence survivor, I know what it is to feel isolated and trapped with nowhere to go. As you work through the proposed budget, you must do so with an equity lens. Ensure you address needs versus wants. You made the right decision to identify homelessness as the top priority. I ask you to invest in other vulnerable communities in Austin's eastern crescent as another priority. Address the need for pedestrian safety with pedestrian hybrid beacons and crosswalks, work with the school district for school zone locations, signage and enforcement. Address traffic calming with medians, roundabouts and speed cushions. Work with capital metro for improved mobility and transportation. Circulators in the rundberg area. We've been asking for more than four years. Circulators in the dove springs community. In my work I've been asking for that for more than two years. There are many other needs

[1:53:44 PM]

that I don't even have listed and not prepared to do off the cuff, but I've sang this song for the past three years. You need to do the right thing for your constituents, especially those who cannot be here. They don't have the time, they don't have the means. Do the right thing. Thank you. >>

>> Mayor Adler: Thank you. The next speaker and the last of our first group of speakers is Chris Harris. You have time donated from Mary Elizabeth. Is she here? Mr. Harris, you will have seven minutes.

>> Hello, city council, thank you for this opportunity to hear the community. My name is Selena. I'm president of the ems union. I think as we heard from the last two speakers and many speakers before and yesterday, the biggest concerns in Austin right now

[1:54:44 PM]

are homelessness. Other issues that have been identified are substance abuse disorder, mental health disorders and mental health crisis. These are not disorders that are specific to Austin, but this country. The city has one resource that touches and can affect all of these things. And that is an outstanding ems agency. When it comes to folks experiencing homelessness, ems along with APD has the most contact with these folks on a daily basis, compared to any other city employee. On one hand, we are seeing an

increase in calls. On the other hand our community health fair medics are meeting folks where they are in the community using the knowledge from the calls that we run. They are providing immediate needs as well as connecting folks to long-term resources to help them out of homelessness. Furthermore, due to the ordinances that have decriminalized homelessness, more people have been staying in place, making it much easier for our community health paramedics to connect to them and to provide continual services. So now is a really good time

[1:55:44 PM]

to make a big impact when it comes to helping folks out of homelessness. For mental health issues and substance use disorders we also recognize that these things play into homelessness, but they also play into people who are housed. When it comes to substance use disorder, community health paramedics have specialized programs that focus on harm reduction and treatment that actually works. As medics we also have training to recognize and work with mental health crisis and mental health disorders. Furthermore, if we look at mental health from a health perspective as this community has advocated for, then we will have very different outcomes for folks that are in crisis mode. And especially before they get into crisis mode. There are strong recommendations from the meadows foundations and we support them and we also support an increase in our community health paramedics who do so much work when it comes to mental health disorders as well as homelessness. On a response level, it's been 17 years since we added

[1:56:45 PM]

a full-time ambulance downtown. I think that in the past 17 years we all know that this city has exploded and we also know that adding an ambulance can be very expensive, but we are going to have to do something so that we continue to see the same level of excellent service in this city. Right now I'm telling you that we do need more ems with more folks experiencing homelessness being visible and as our population has grown. We really are seeing all of our ambulances being pulled into the core of the city. We need to take immediate steps to ensure that Austin continues to have the same level of service. While recognizing the financial constraints, I'm asking for an increase in our community health paramedics. There's a cost effective way to reduce our call volume and also address some of our most pressing issues in the city. Thanks.

>> Mayor Adler: Thank you. Mr. Harris, you have seven minutes.

[1:57:45 PM]

Why don't you go ahead.

>> Great. Thank you, mayor, city council, for the opportunity to address you today about the city budget. Firstly I do want to respond a little bit to some of the concerns that have been raised about crime in the community. So if Luke at the 2018 crime statistics from APD, violent crime was down yet again and virtually every form of violent crime is at or near lows over at least -- going back at least 20 years to 1999. This remains a very, very safe city. So I want to make that clear. And I think that fear mongering about crime is something that we as Americans done traditionally very well. And it's the reason that we lead the world in incarceration rate. It's the reason that even today a majority of Americans believe that crime is going up, even though crime is at its lowest levels going back at least 40 years nationally. So it is important that we

[1:58:47 PM]

keep this context in mind when we talk about public safety locally and where our dollars go. Our community as well as many communities across our state and country have overrelied on police and prisons to meet the needs of our community. Many of those needs are public health needs. Many of those needs do not need police response. And to reiterate Kathie Mitchell's point, we have an opportunity in our community this year to reform one of our fundamental services to ensure that it meets the needs of our community in the best way possible, and that is through a mental health first responder program. By reforming our system, we can assure that people are receiving the type of service they need from the type of service provider they need, and we can free up police resources to do other things. But I'm going to talk to you

[1:59:48 PM]

a little about the police resource and the practical reasons why the investment in 30 new officers doesn't make any sense. It's primarily based on one around the current open positions. I'm having technical difficulties. I will pass that around to your offices after my comments today. There are currently, according to the budget office, 102 open sworn positions in the APD. They have over the past five cadet classes, they have a capacity at the academy of 78 students. They've had an attrition rate at the academy over the last five classes of about 31%. Many that out of a class of 78, they are graduating on average 54 students actually to the force. So with 102 current vacancies, plus planned retirements, we're in the

[2:00:48 PM]

neighborhood of 125 vacancies that they will need to fill over the next year. There is a class going on now as well as a smaller modified class. Out of which if we look at the traditional attrition rates, we can expect around 50 to 51 students to come out of. Which still puts us at a significant number of vacancies,

around 75 or so vacancies. Then they would have another class at the beginning of next year, which again would start at their capacity, assuming that they can meet recruitment goals, which is a big assumption. And so again assuming a 31% attrition rate, that would be another 54 students that come out of that. We would still be looking in the neighborhood of 20 vacancies. And that's assuming. The last class that they just completed had a 50% attrition rate. So in some ways 31% might be -- might be generous.

[2:01:50 PM]

And so then they currently have planned, and again, this is all according to APD and budget requests, they have a secondary class planned to overlap with the class that they would start in February of next year that would start in June of next year. This is not something that they've done in the past and would require a heavy amount of coordination out at the academy in order to ensure that the classes are not overlapping in their use of the various facilities and resources. So it's very unlikely from our perspective that they would actually be able to pull this off, especially with another full recruitment class of 78, given the issues in recruitment. But if they were, that class is not expected to graduate until January of 2021. So they would not actually be filling all the vacant positions and the new positions you are considering now until 2021. So not until the next fiscal

[2:02:50 PM]

year would these positions actually be filled. So in essence it does not make sense to approve positions in this fiscal year that cannot be filled until the next fiscal year. This is a conversation really that we can have at that point as far as additional needs. However, while I don't believe that our community needs more police officers and especially given that we've been able to reduce things that they are responding to via freedom city policy, via homeless decriminalization. If you do want more police on the street next year, there is a way to ensure that and that is to approve the mental health first responder program. Because through that we'll actually be taking things that police are responding to today, we'll be giving them to people better equipped to respond to situations, thus freeing you 'police resources to respond to other things. And so again, by virtue of the simple fact that these

[2:03:52 PM]

positions cannot be filled and will not be filled in the next fiscal year, and you have an opportunity to create something that will better serve the needs of our community, and for those that care and would like more police resources in our city actually free up those resources, the only logical conclusion is to not approve the 30 police officer positions and instead approve a mental health first responder

program, allow our public health needs to be met with the public health response. And I thank you very much for the time.

>> Mayor Adler: Mr. Harris, congratulations on today's triple C announcement.

>> Thank you so much.

>> Mayor Adler: Announce the winner of the 2019 future of Texas award, C triple P. The next speaker that we have -- just going down on

[2:04:53 PM]

my computer. Excuse me. Is P.J. Wagner here? What about Mandy blot. Come on down. You have time donated from Lauren Ortell.

>> Kitchen: Mayor, you had called B.J., I believe. She is expected to be back by 2:30.

>> Mayor Adler: When she comes she needs to point that out. You will have three minutes, Ms. Blot. Is sue he mcman? Simon Powell Evans? What about piper Nelson?

[2:05:55 PM]

What about Emily martin? Emily martin? Gotcha. Go ahead.

>> Did you say three?

>> Mayor Adler: Three minutes.

>> May night is Mandy blot and I'm a clinical psychologist. There are -- many of which I believe will gather widespread uncontested support such as training the 911 call center staff on how to triage calls. Which is currently a gross -- obviously an essential step to bring our system up to a bare minimum standard. However, today I want to focus on one of the improvements that numerous grass-roots organizations are requesting, an improvement likely to receive more opposition. It's fairly well agreed that more mental health clinicians need to be hired, but there's some conflict about where those clinicians should be hired within our system. Hiring a wide variety of telehealth providers seems

[2:06:55 PM]

the obvious choice, however I ask that you give serious consideration to the possibility of hiring life clinician at ems. As a mental health provider, I'm well aware of the benefits of telehealth services and use them in my practice. They are convenient and cost effective. However, it's essential to recognize

that telehealth services are generally not used for mental health crises except in rural communities. If you do a quick Google search you will be hard pressed to find one rural community that use telehealth. While I could criteria best practice, I think it's fairly obvious if you take the time to consider what a true mental health emergency like,. A true emergency is a situation consider there's significant risk of serious bodily harm to the individual or others around him. For example, this would include a call from a man whose spouse is suffering from severe postpartum depression saying her baby would be better off without her and rummaging throughout

[2:07:57 PM]

the house to find lethal pills. A call from someone on the side of airport boulevard witnessing a person having a psychotic break screaming they have the power to run across the road without being hit by traffic. Emergency a police officer holding up a tablet to someone in such a state trying to get them to talk to a telehealth clinician. The individuals are in such a mentally disregulated they are going to be difficult to engage. Clearly these individuals are not in a position to wait an hour for a live cop to arrive at the scene. Time is of the essence. The difference between trying to engage such a person on a tablet or having them wait for emcot could be the difference between life and death. This is what we your grass roots organizations mean by first response. When we looking at calling emcot or bringing in a tablet, great for milder cases for the individual who thinks they are having a

[2:08:57 PM]

heart attack but is just having a panic attack and would benefit from counseling. If we need more providers to address those kinds of cases, I think expanding --

[buzzer sounding]

>> Can I fib issue up?

>> Mayor Adler: Finish your thought.

>> If we want to provide a safety net for people in a true mental health emergency, the individuals most likely to be involved in police use of force interactions and also most likely to be involuntarily hospitalized, we need a rapid first response system that can bring a live clinician to the scene.

>> Mayor Adler: Thank you. Emily martin. The next speaker Christina parker. Is Christina parker here? No? What about Paul Robbins? Paul, why don't you come on down. You'll be next. You have one minute.

>> Okay. Good afternoon and thank you, mayor and councilmembers. My name is Emily martin and I'm here to read testimony in support of the practical support budget item on behalf of the bridge collective. The bridge collective is a direct service organization that provides rides to and

[2:09:59 PM]

from abortion appointments in the central Texas area. They were not able to be here today because they are currently all volunteer led and run. This is the testimony of Paige, a volunteer from bridge collective. I've been a volunteer with bridge collective for a little over a year and counselor at one of our abortion clinics. I've had an abortion. It is a practical support organizations surrounding Austin and surrounding areas. The restrictions currently in place on abortion in Texas are unjust, burden some and disproportionate affect low-income folks and people and parents. The bridge collector offers free rides for anyone who needs transportation assistance. For many access to a car the unavailable. Many of us can't afford the gas money needed to make the drive.

[Buzzer sounding] This is one of the organizations that would greatly benefit in expanding their abilities to give more rides.

>> Mayor Adler: Thank you.

[2:11:00 PM]

>> Thank you.

>> Mayor Adler: After Mr. Robbins, it's going to be David cook. Is Mr. Cook here? Come on down, please.

>> How much time do I have?

>> Mayor Adler: One minute.

>> Council, in may, Austin energy had about \$8 million in surplus in the customer assistance program. That gives discounts to low-income customers. In the past the utility has tried to return the surplus to the ratepayer. I urge you to spend it on the purpose it was originally collected and intended for. I have reviewed the surplus in regards to cash flow with Austin energy increased the discounts for the first two tiers to 15% up from 10%, it would likely last several years. Under other reasonable assumptions, the surplus could last indefinitely. I am not asking for any new

[2:12:00 PM]

revenue. I am asking you to spend what is already there wisely. The budget is the best time to make this kind of decision --

[buzzer sounding]

-- Before the utility's annual bill adjustment.

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

>> Thank you, mayor, councilmembers, for the chance to speak today. David Cook, I've lived in Austin 35 years and Austin parks and green spaces are one of the things that make the city so special. I also want to thank the city manager correct me if I am wrong for allocating additional funding. I want to talk about the importance of Austin parks in cultivating what Rachel Carson described as a sense of wonder. So indestructible it would last throughout life as an unfailing anecdote. The alienation from the sources of the our strength.

[2:13:01 PM]

Your meaningful, strategic and increased investment in our parks can nurture this sense of wonder in children of all ages. Funding for homeless even encampment cleanup. Funding for our city's preserves that support critical habitat to hone their sense of wonder. Funding part after-school programming to help children understand --

[buzzer sounding]

-- These investments will help all citizens by their own sense of wonder if Austin parks.

>> Mayor Adler: Thank you very much. Is Joel Manzo here? No? What about Audrey Ashburn. No? What about Sophia Bastidas? What about Mae Herson? Come on down. While you are coming down, is Robert Martinez here?

[2:14:03 PM]

Robert Martinez? No? What about Andrea Hill? Why don't you come on down. You have one minute.

>> Mae Pearson, lifeguard at Barton Springs pool. I'm here to talk about compression pay for lifeguards specifically that work at Barton Springs pool. We do a lot of important work. We've had over 200 active drowning rescues this year alone. When the wage increase happened a few years ago, our compression pay was cut in an unfair manner. We are now paid 25 cents more than public pool guards. While we have specialized certifications that we get including emergency oxygen certifications, open water certifications, while dealing with a number of drowning and medical emergencies on a daily basis. What I believe to be fair is that we raise our compression pay back to a dollar, which I am -- represents the kind of work we do on a day-to-day basis,

[2:15:05 PM]

how we use our skills and the kind of dangers that we put ourselves through on the job.

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

>> Yes, my name is Andrea Hill. I'm a retired criminal defense attorney so I could speak on a lot of subjects but I'm here to support the lifeguards at Barton Springs. I have worked at the pool as a cashier the last three years and watched them in action. They are incredibly professional and amazing. They have the same training in a lot of aspects as EMTs and firefighters. If they are paid the same as a 16-year-old working at a public pool who doesn't see thousands of people a day like they do. I think they deserve a raise. And also no matter how long they've worked at Barton Springs, they are still classified as part-time seasonal employees. The only way they can become

[2:16:06 PM]

full-time employees is to take a job with another department. So you are losing highly skilled trained people because they can't be full-time employees. I think you ought to have a path for them after they've been at the pool for some amount of time to become full-time city employees with benefits.

[Buzzer sounding] They deserve that. And I thank you for that.

>> Mayor Adler: Thank you very much. Is Elana Thompson? Bobby Labinski? Chrissy O'Brien? Marie in a Huerta? And while Ms. Huerta is coming down, is Jorge here? You each have one minute. Take your time.

>> Good afternoon, my name

[2:17:07 PM]

is -- I'm an organizer with workers defense in 2018 and Grassroots United We Dream with your support and leadership we were able to pass the first freedom city policies in Texas. Since then they have been celebrated for their exact, but APD is failing to fully implement these policies. The last quarterly reports that APD provided showed that one-third of the arrests documented were actually a violation of the freedom city policy and widespread profiling in voluntary collaboration with ICE. ICE continues to put the community at risk for being deported. We now have an opportunity to hold APD accountable to our communities. APD is asking for 30 more officers which will only add fuel to the fire that is the Trump deportation machine in Texas. I propose that we inject APD's proposal to add 30 more officers and urge to allocate these resources to programs that protect the public in Austin --

[2:18:08 PM]

[buzzer sounding]

-- Like increasing mental health crisis response. I urge you to stand with our community. Thank you.

>> Mayor Adler: Thank you very much. After Mr. Lopez speaks is Elana here? She is coming. Is Brian on register here? You have one minute.

>> I'm going to translate for him.

>> Mayor Adler: We'll give you two minutes.

[Speaking in Spanish].

>> Good average, my name is more ray Lopez, a member of workers depeasant immigrant from Honduras who came to the United States trying to be free because of my sexuality. If I had stayed in Honduras, I would have been a dead gay man.

>> [Speaking in Spanish].

[2:19:10 PM]

>> Last summer I remember very well all of our efforts to make Austin the first city in Texas to be considered a freedom city.

>> [Speaking in Spanish].

>> And after much effort from the community we accomplished it.

>> [Speaking in Spanish].

>> But even though it's been a year, we still don't have a full victory.

>> [Speaking in Spanish].

>> The Austin police department continues to violate their own policies, policies which they created with a community to better protect the immigrant community.

>> [Speaking in Spanish] .

>> Policies that would help them be more efficient in their work because they would not be draining to much resources, instead they

[2:20:10 PM]

would not be arresting the community for insignificant things and putting them at risk for deportation.

>> [Speaking in Spanish].

>> Instead of giving APD 30 new officers, we should invest the money in resources that would directly help the community.

>> [Speaking in Spanish]

[Buzzer sounding]

>> I am here to ask to you not continue enabling APD's complicity and the oppression of immigrant communities while they continue to dismiss the needs of the community and fully execute the steps forward our community has laid out for them.

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

[2:21:11 PM]

Is [inaudible]? Come on down.

>> Hi, I'm Brian register. I live in Austin's annexation zone. I want to amplify two asks. First if a person is having a mental health crisis and a person not trained to deal with that crisis shows up with a gun, it stands to reason terrible things are going to happen. Please follow the guidance offered by just liberty and associated groups for shifting resources to what will help the sick rather than endanger the innocent. Second if one takes up residence in my home and I have them evicted, regardless whether they broke a window or invited through the state door. If my state were to demand, I would have to drive hundreds of miles, be confronted by lies, having the police go through my home showing pictures before evicting, it might be appropriate for my city to help knee overcome these burdens since my control over my body is at least as

[2:22:12 PM]

controllable of my house. We should help people access abortion care when unreasonable burden has been placed on that access.

>> Mayor Adler: Thank you very much. Is Albert Betz here? You will be up next. Go ahead.

>> All right. I'm from adapt, Texas. Among other groups. Two issues I want to talk to you primarily about and we care about all the other issues that were mentioned today, but our good sidewalk -- good usable sidewalk construction, we've talked about sidewalks on Riverside and pleasant valley for decades. They are still very dangerous. Cars still, you know, hit most of us. Even when we have the crosswalk. We need to have good sidewalks all over the city, not just in certain zip codes. We need to have dedicated bike paths. And also we need to put

[2:23:14 PM]

adequate amounts of money into affordable housing and use affordable housing bonds for affordable housing. Not for something else. We have creative ideas. We need to have deeply affordable, accessible, integrated housing throughout the hunt because my neighborhood --

[buzzer sounding]

-- Has become gentrified. Thank you.

>> Mayor Adler: Thank you very much. While Ms. Spence is coming up, is Keith Lofton here? Jennifer, will you be up next after Mr. Metz.

>> Good afternoon, my name

[2:24:15 PM]

is Albert metz. I'm also with adapt and I'm on the board of community now. It's been almost 30 years since we passed the Ada.

[2:25:23 PM]

[Translating] Now we have to worry about people trying to overturn it. And that's wrong.

>> Did you want to -- do you have sidewalks or do you want to talk about housing?

[Translating [. When I was looking I had to wait a long time to find a house. One property I ran into was what? I'm sorry. One problem I ran into. I would call landlords.

[Buzzer sounding] And ask them if it was

[2:26:25 PM]

accessible. And they would say yes, and it wasn't. Yeah, he would go all the way out and it wasn't. And that's wrong. Thank you.

>> Mayor Adler: Thank you very much. Thank you. The next speaker that will be up after you is Elana corelone. Is Christina parker here? You will have two minutes when you speak. Jennifer, go ahead.

>> My name is Jennifer Mcphail with adapt Texas and I wanted to touch on a question we had about the sidewalk budget in particular. Last year you had 40 million set aside to make sure that in addition to the corridors

[2:27:27 PM]

that were being planned for 2020, you are able to do -- I believe it was new construction. We recommend that something -- if you haven't already done that, I couldn't find it, it's not always easy to find all the budgeted sidewalk funds or the proposed sidewalk funds because they are no little pieces. So if you could clarify for us if there's actually another 40 million set aside so we can make some of the areas that we've talked about a little bit more passable while we're waiting for the corridors and all the big relief in 2020, that would be great. And then another thing that I wanted to talk about with affordable housing is I listened earlier today and I understand that you have homelessness prevention funds. And adapt has worked for many years to --

[buzzer sounding]

-- Get the government at all levels to recognize that people that are living in institutions because they are disabled are homeless. That is the biggest barrier to relocating people back into the community is

[2:28:27 PM]

finding a place to live that is accessible and affordable to somebody on a fixed income. People that receive SSI only get 750 a month. People that get ssdi get a little bit more, but you can't find a house for less than \$300,000 that -- they are very hard to find. There are a couple. But if you are looking for a place, you can wait years on a waiting list for a voucher and then wait even longer to find a place that will take that voucher.

>> Mayor Adler: Thank you.

>> So people are dying for the chance to live in the community literally.

>> Mayor Adler: Thank you.

>> And I sent written information as well and I'll send more to follow up, but answers to those questions would be great.

>> Mayor Adler: Thank you.

>> Did you have a question, councilmember?

>> Kitchen: No, I just wanted to ask you to finish your thought, but sounds like maybe you have.

>> I tried to go as quickly as possible. A little marathon. We'll follow up and please make yourselves available or your staff available and we can follow up in more

[2:29:29 PM]

detail. Thank you.

>> Kitchen: Okay.

>> Mayor Adler: Thank you. Before Ms. Cologne goes is B.J. Wagner here? You will be up next. Ms. For the mental health policy institute. Hpi completed a comprehensive review of first response systems in Austin and the few recommendations I'm going to discuss today are based on those. That system review. But they are also borne out of research and evidence demonstrating positive impact and outcomes when elements are implemented with high fidelity. Evidence from programs across Texas and the country show integrating clinical triage at the earliest point at 911 reduces public safety resources to address health care needs. But also there were several cases reviewed during our

[2:30:30 PM]

engagement which an officer was never informed the call he was answering a critical crisis was unfolding. This left the officers without the tools and information they needed and these calls resulted in tragic use of deadly force. Although it is unfair to say these two issues are causational, it's equally unfair to not provide the department with the tools it needs to address mental health crisis integrating health services while expecting modern policing outcomes. We recommend that the Austin police department in collaboration with name and integral care should develop an evidence based crisis call identification and management training for all call takers and dispatchers. Further the city of Austin should collaborate with integral care to place clinicians directly on the dispatch more as integrated component of 911 operations thus developing ability to divert calls. Secondly, the expanded mobile crisis outreach team,

[2:31:31 PM]

there is a large body of evidence supporting mobile telehealth as a workforce multiplier across the country in urban and rural areas. Making it possible to immediately connect people to crisis health services. Telehealth is, of course, not intended for instances of immediate risk to public safety or volatile critical and acute crisis calls.

[Buzzer sounding] The calls for service --

>> Mayor Adler: Thank you.

>> Do not fall in this range.

>> Mayor Adler: Thank you very much.

>> Kitchen: Mayor, I have a question.

>> Mayor Adler: Go ahead.

>> Kitchen: So could you please -- could I ask her to finish her thought on the mobile telehealth? Because I wanted to ask you -- I wanted to ask you for some examples of where that's been successful.

>> Absolutely. The majority of mental health crisis calls for service that APD is answering at over 10,000 calls a year do not fall into the range of volatile, critical or acute crisis calls. Without immediate care connections those folks continue a cycle of crisis

[2:32:33 PM]

in jail and hospital admissions exacerbating symptoms to a time where that risk of a volatile outcome is enhanced. Crisis services delivered through telehealth has proven successful in many areas across the country. Here in Texas we have one of the premier national examples in Houston where the Harris county sheriff's department is using iPads and specially trained deputies to provide crisis intervention which allows them to deliver immediate connection to a qualified health care professional rather than having a police officer how to determine how to deliver that care. In the city of Austin not only is it impossible to provide live staff for every crisis call that takes place, it's fiscally not sustainable. Telehealth has proven to be a workforce multiplier in Houston, Oregon, areas of Florida, Connecticut, Kentucky and Tennessee.

>> Kitchen: Okay. Mayor, I would like to -- first off I want to say

[2:33:33 PM]

thank you for participating and actually more than participating, helping conduct that assessment as part of our direction last year on the mental health first response. So I would like to take this opportunity to ask that we consider having a briefing on that report at a work session -- at a budget work session. So -- because I have a lot more questions and I think that the -- that our council may want to delve into those recommendations a bit more. So do we think that might be possible?

>> Mayor Adler: Yes.

>> Kitchen: Thank you.

>> Mayor Adler: The manager says yes.

>> Thank you.

>> Flannigan: I don't know that we want to have one council member setting here's on things so if we can do that through email, somebody to debate in public.

>> Kitchen: Let me explain in detail.

>> Flannigan: I don't think we should do that now.

>> Kitchen: I can explain

[2:34:35 PM]

my question.

>> Flannigan: Do you have to do it right now?

>> Kitchen: Yes.

>> Mayor Adler: The question was should we be defending the requests on the bulletin board rather than on the dais.

>> Kitchen: I don't think we need to defend the request, I think it's an appropriate request.

>> Mayor Adler: I think you've made that. I'll post that on the board and people can react to it.

>> Tovo: Mayor, we had a council policy if two members identify something for a -- for a briefing at a council work session that it gets added to the agenda. I'm happy to co-sponsor councilmember kitchen's request.

>> Mayor Adler: Are we okay with that as a policy? I mean I'm fine with that myself.

>> Flannigan: This is not a new theme just from councilmember kitchen, I've heard from other offices and it seemed logical to have that as part of the one of the items on you are upcoming work session.

>> Mayor Adler: So it will

[2:35:35 PM]

be brought up at an upcoming work session.

>> Kitchen: Okay.

>> Mayor Adler: All right. Ms. Colone you have two minutes.

>> Good afternoon, mayor and councilmembers. I'm a full spectrum birth companion or a doola. I'm also a single parent and a resident of Austin, Texas. I'm here to speak on the practical support for abortion access budget item. Specifically I'm here to advocate for the emotional support of a doola as an exceptional option for all who desire to have one. A doola or come companion is an informed nonmedical support person who provides continuous care before, during and after the process of an abortion in the form of information, advocacy physical and emotional support. I currently provide services at a full spectrum doola or

[2:36:36 PM]

companion during the process of pregnancy, loss, still birth, death and abortion. These are all vulnerable times and research has confirmed having a support person has a great effect on one person's physical and mental health. We provide support to people in Austin, Texas. We know prenatal outcomes -- can make a difference in those outcomes. As an organization we see a culturally and economically diverse variety of participants in our programs. We have Spanish speaking participants who migrated recently from Latin America, French and Portuguese speaking, and many of these participants have recently fled violence or persecution in home countries. We also have English speaking participants whose families have been in the US for generations and many have a higher probability of dying in childbirth. Not all of our participants are interested in continuing with pregnancies.

[2:37:36 PM]

We respect, honor everyone's decision to terminate their pregnancy. We provide them with companions or doulas and check in with them and take care of them in the following weeks post-abortion.

[Buzzer sounding]

>> Mayor Adler: You can finish.

>> We firmly believe everyone deserves access to this care and if this budget item were approved, we would be able to increase access and outreach. Thank you very much.

>> Mayor Adler: Thank you. Is John Rooney here? Why don't you come on down. You have one minute. Is Kate Graziati here?

>> Yes.

>> Mayor Adler: Is Holly Kirby here? Okay, good. Ms. Graziati, two minutes, Mr. Rooney one minute.

>> Good afternoon, mayor and city council. John Rooney and today I'm here on behalf of Austin Parks Foundation. I would like to thank the city manager for including additional funding for our parks and parks department in the proposed city budget.

[2:38:37 PM]

I would like to share some needs that still exist and I'm hoping can be met through this process. Just briefly, we -- you know, the parks department is in dire need of additional funding when it comes to things like being able to properly staff our aquatic division and keep pools operational, help fund staffing to fill the capacity and the need that we have when it comes to out of school programming for

children. Provide safety lighting that ensures access across our city to parks. We need, desperately need funding to develop land management plans for preserves and parkland to let mitigate risk from wildfire and climate change. The department is the only in the city that I'm aware of that is addressing the need arising from homelessness that doesn't have any dedicated funding for doing so and they are currently diverting funding intended for general maintenance to that need.

[Buzzer sounding] I hope during the budget process you can help fill those needs. Thank you.

>> Mayor Adler: Thank you.

[2:39:37 PM]

Is mark Lee Dixon here? Why don't you come on down. You will be next. You will have a minute. Ms. Graziati, you have two minutes.

>> Mayor Adler, city councilmembers, Kate graziati with grass roots leadership. I'm also a member of the Travis county behavioral health and criminal justice advisory committee. And I'm here to ask you today to invest in our public health infrastructure. In order to adequately do that, we cannot continue to spend over 40% of the general fund on police. Especially because they are not equipped to handle public health issues such as homelessness, substance use and mental health disorders. This overreliance on police also results in too many people of color being unnecessarily subjected to a criminal justice system that continues to discriminate based on race and poverty and results in officer shootings. So I'm here to ask you that we do things differently here in Austin.

[2:40:37 PM]

Mental health crises happen multiple times every day. Yet we still lack adequately trained officers to respond. But cops are not health workers and although more training is a step in the right direction, it cannot guarantee the safety of individuals in crisis. For that reason many cities have moved away from police-led mental health first response. And I ask that Austin do the same. By creating a mental health first response system led by ems and clinical health workers, we can better respond to behavioral health needs in our community, prevent unnecessary arrests and shootings, and free up our public resources. Lastly, investing in public health means investing in reproductive health and I urge to approve the practical support for abortion access amendment.

>> Mayor Adler: Mr. Casar.

>> Casar: Thank you for your testimony. We've heard from folks within your coalition, head

[2:41:38 PM]

of the ems union and others about a few different ways to address the issues you've brought up largely centers on ems, but ems first responding to calls but community health paramedics addressing substance use issues and homelessness and mental health proactively. While I think these sometimes sound like different asks, there's got to be a way to think of that collectively. What I would like you to do is figure out a way this council can address those things together to sort of -- since so many of them would be housed within ems, I think there would be some efficiency for us figuring out how to make this one package and one budget amendment. If you could work on figuring that, I think that would be useful for us.

>> Yes, I think that's the vision is that it would be all connected and under ems.

>> Mayor Adler: Thank you very much. After Mr. Dixon speaks, is David Johnson here?

[2:42:38 PM]

Mr. Johnson, why don't you come on down. Mr. Dixon, you have a minute.

>> Thank you. My name is Markly Dixon. I'm a director with right to life of east Texas. I was the one who spearheaded the effort to outlaw abortion and declare it a sanctuary city for the unborn by ordinance. Been talking to many cities and I'm here today to talk on item number 86. What y'all are talking about doing in supporting abortion, every single one of you guys and girls here today, some of you are mothers and fathers, at what point do you realize that you are a mother, that you are a father? Was it the heart beat, was it the first time you saw a sonogram? This is human life we're talking about here. These are two lives that were saved from abortion.

[2:43:40 PM]

The women changed their minds and they needed help and we are helping them right now. We're helping them with transportation --

[buzzer sounding]

-- And food, clothing, et cetera. These are the heartbeats of those children.

[Sound effects]

>> Mayor Adler: Thank you.

>> I encourage you, please do not support the shedding of innocent blood. Abortion is murder.

>> Mayor Adler: Is David Johnson here?

>> Right here, sir.

>> Mayor Adler: After you speak it would be Shane Johnson. Is Shane Johnson here? You have time donated from Sara ramblot. So Shane you have two minutes, Mr. Johnson a minute.

>> Thank you, David Johnson, grass roots leadership and I won't take much of your time. Others have already been very clear and communicated quite accurately and effectively why we don't need to fund more positions in APD.

[2:44:40 PM]

Why we don't need to create an even longer backlog of positions that need to be filled and what we should do is support public health options such as the mental health first responder program through EMS. That's been done. I want to make sure that's heard. And I don't have in props so I will raise my hand and in my hand is nothing and that is truly what I as a man should be allowed to say with regard to women's reproductive rights. However --

[applause] I will say I support the right for any woman to change her mind, make her mind or leave her mind unmade. Since there are organizations such as the ones represented by the gentleman just at the podium to my right, that are there for those to change their minds or don't want to exercise their rights, great.

[Buzzer sounding] For those who do, please respect their rights and wishes as well and fund access, extended access to abortion in Austin. Thank you.

>> Mayor Adler: Thank you. Mr. Johnson, you have two minutes.

>> All right.

[2:45:40 PM]

Thank you for your time. Shane Johnson. I recently moved to district 3. I'm a volunteer with the Austin justice coalition and just want to reiterate some of the budget asks we previously made with other speakers and just lottery ticket and other coalition members. So in response to the 2018 city auditor's report and requests from various grass roots organizations, council funded a mental health policy institute process to identify the right steps for Austin. Right now I want to speak to humanize this issue, make sure people speak to how this is directly impacting people. And so these changes focus on providing a health based response to mental health crises that would reduce jail admissions and involuntary defense and forced incidents and this is in a lot of ways very much a use of force issue. It's time for city council to follow through on its commitments to our community and fund the meadows

[2:46:41 PM]

recommendations. These are recommendations that would have saved the lives of Maurice Desilva who was killed earlier by police, Marvin and Micah and I know community members are starting to sound like a broken record up here reiterating these names, but the fact of the matter is they shouldn't have died and with adequate reworking of in particular mental health first response, they would have lived and other folks in the future who are black and brown won't be killed unnecessarily. So I want to reiterate -- oh, Austin should be striving for zero deaths at the hands of those who are literally sent to help in mental health crises. I was just reading the article about Maurice Desilva and apparently he had a knife to his throat so they shot him to death. Does that make sense? Of course not. We strongly member as much mental health first response

[2:47:43 PM]

funding because far too many people have been killed by police who have mental health crisis. I'm always thankful when I realize that --

[buzzer sounding]

-- I thought about calling the police and didn't because if I had, I may have been killed in 2016. Thank you for your time.

>> Thank you.

>> Mayor, I don't know if this is a question for you or grass roots leadership, I just recently heard about this proposal. I think my staff met with advocates last week and then I was at a community meeting where Mr. Harris presented the proposal. I think it's very innovative and interesting and I'm curious to learn more about the implementation of a program like this. And my ask would be in the next couple of days or, you know, before we do our budget adoption, because as someone who has been on a unit and a 911 call, the way

[2:48:44 PM]

it's handled through dispatch and triaged is APD is usually -- and I was at a fire truck 150 years ago so things -- 15 years ago so things may have changed, but APD is usually sent in to clear the scene before ems can get there. So -- if there's any concern for the safety of someone to themselves or to the responding police officer or fire, APD is sent in to clear the scene in a way and I remember being many medical calls where we were staged. So I'm curious if you can -- if you guys can provide data on -- this program has been implemented in other cities and how they handled that logistical part like a dispatch triage and call triage.

>> That's a great question. I don't know all of those talking points off the top of my head, but I can say

[2:49:45 PM]

even in other cities in Texas, Dallas in particular, for mental health first response related calls and other medical calls, they have a trained clinician go with the police and I think in their car and they are on the scene there. So even just having somebody else who isn't a police member or police officer, excuse me, there provides that extra sort of accountability mechanism in which it dramatically reduces officers' pro tense time donated to use -- pro tense time donated to use force.

>> Mayor Adler: Thank you. Is anybody else signed up for the budget discussion today that I have not called? I think that's everybody that we have on our list. It's my intent at this point to go to the consent agenda. We're going to work through our agenda. If other people show up this afternoon, we're going to give them a chance to speak on the budget as we discussed earlier.

[2:50:47 PM]

A question has been raised. I said if we finished the agenda today before dinner, we would adjourn the meeting and not come back after dinner for the purpose of hearing additional people who might show up on the budget. It's been pointed out to me that we didn't really discuss that item in detail on Tuesday. So if someone wants to suggest that we do differently, if that's something we need to discuss up here, we certainly can. Otherwise I would end the meeting if we're done this afternoon at dinner if no one shows up. Okay? Let's go ahead and do the consent agenda. >>.

>> Garza: Are you saying even if we finish --

>> Mayor Adler: What I'm saying if we finish everything, we will be on call until 5:30 because we told people they can show up in the afternoon.

[2:51:48 PM]

But if we've done everything at 5:30 and there's no one else here and we've taken care of everything else, we would adjourn for the day. We would not come back after dinner.

>> Garza: Okay.

>> Mayor Adler: We didn't discuss that in particular, that option. There was a question asked about if someone showed up at 6:30 and we were hearing other business would they still get a chance to speak and I said they would when we were done doing that evening's work. We didn't discuss the specific situation as to whether or not we would come back after dinner for the sole purpose of inviting people to come down and speak. Because we didn't discuss that in particular and we hadn't addressed that

issue until I addressed it this morning, I just raise that issue in case the dais wanted to do something differently. We certainly can and we can make that decision as we go on during the day. Councilmember tovo.

>> Tovo: You know, and I had some concerns about that because we did talk a couple

[2:52:48 PM]

times in Tuesday's work session about how people would be ordered with regard to the budget conversations after dinner. And so I think that in light of the fact that we're having another evening budget session, I think it's okay, but we just should probably, you know, try to get some clarity on that the next time we're talking about things happening after dinner. I guess if we -- I would be interested to know from my colleagues if you know if people are coming this evening. I don't and I don't know if some of the people who have signed up who aren't here are planning on coming later, but I guess my hope is that they are listening to this conversation and understand, because it does look like we'll probably conclude by dinner at the a a -- at the rate we're going.

>> Mayor Adler: We could very well. Let's do the consent agenda.

[2:53:48 PM]

>> Consent agenda, items 94 and 95 are the two pleasant valley cases. Those are discussions. 97 postponed. Item 99, c14-2018-0150. We have an agreement between the applicant and the neighborhood. The applicant has amended the request and it is ready today for approval on second reading only with the following conditions. For the property located at 1804 west sixth street, mf-2 np following conditions applied. The access to Theresa avenue will be limited to ingress

[2:54:49 PM]

only and the vehicular access is prohibited, restricted to emergency/governmental services. With that, I can offer it for consent approval on second reading only and we'll bring it back for third in the future. Item 100 and 101, restrictive covenants, those discussion. Item 130, this is the milky -- 103, request for P to September 19 and I will be getting back to the related annexation item when we're done with consent. 103 --

>> Mayor Adler: I didn't understand that. What about --

>> On item number --

>> Mayor Adler: Is that on consent?

>> Yes, consent postponement.

>> Mayor Adler: And everything is in agreement.

>> Everybody is agreement. We'll pull up the annexation item from this morning and postpone that as well.

>> Mayor Adler: I understand.

>> Item 103, npa-2019-

[2:55:52 PM]

0014.01. A pinpoint request by the applicant. Item 104, indefinite postponement request by the applicant. 105 is a discussion case. Item 106, this case is ready for consent approval on all three readings. Item 107, c14-2019-0084, ready for consent approval on all three readings. Item number -- council, on item 106, we would like to take away the conditional overlay that prohibits medical office. Okay? Item number 108, this case npa-2018-005.01, requested for postponement by staff to October 3. 109, c14-2019- 0029.

[2:56:54 PM]

Requested for postponement. Item 110, this case is ready for consent approval on first reading only. Item 111, postponement request to October 3. 112, a postponement request by the neighborhood to September 16 and the applicant does not have any objection.

>> Kitchen: So may I --

>> Mayor Adler: Showing the the consent agenda is item 94 through 112. And the items that have been pulled are 94, 95, 96, 100, 101, and 105. Is that correct?

>> That's correct. And I just would like to state again on 106, Dalton lane, we're taking out the prohibition on medical offices.

>> Mayor Adler: Okay. Councilmember kitchen, did you have something?

>> Kitchen: No, he answered my question.

>> Mayor Adler: Okay. I don't know, do we have anybody signed up to speak on any of those items?

[2:57:54 PM]

On consent?

>> Garza: I move the consent agenda zoning, mayor.

>> Mayor Adler: Councilmember Garza moves the consent agenda. Second to that? Councilmember Flannigan seconds that. I have no speakers on that. Those in favor of the consent agenda please raise your hand. Those opposed? Unanimous on the dais with councilmembers alter and Casar off.

>> If we could quickly do item [inaudible]. For the full-purpose annexation of approximately 42 acres located four tenths of a mile. Staff recommends postponement of this item to your, let's see, September 19 agenda to go with the related zoning case.

>> Mayor Adler: Okay. Is there a motion to approve that?

[2:59:02 PM]

Mr.

>> Flannigan: Any began makes the motion. All in favor? Unanimous with councilmember alter off. I'm going to call a couple speakers on the budget that are here. First is Bobby levinski and Simon Powell Evans. Is. You have one minute.

>> Thank you, mayor. Bobby levinski with save our springs. I'm going to give a list of a couple of -- I'm going to give a list to the clerk of people who were here to speak earlier, brakes lifeguards who just missed their time, but here ready to speak too. I'm here to offer save our springs' support for the Barton springs lifeguards. They do a great job of protecting one of the most important assets in our community. They do a lot more than what that job title might describe. They're the first responders not only for life and safety, but also for habitat cleanup. They do sometimes dangerous work during the flood

[3:00:02 PM]

cleanup too. They're great partners for us. We do our best to work with them on outreach events that we have going on. We even hire some of the lifeguards to do some of our eco tours because they're such a great educational resource for us. And then finally with my last sentence I'm just going to switch gears and say I'd love to have a conversation with y'all about the water oversight committee and maybe establishing a fund to do source water protection. That is something that we used to do with water utility revenue. We do it with general funds now, but I think that with the budget constraints it's worth working at water utility again.

>> Good afternoon. My name is Simon Powell Evans. I'm a paramedic with austin-travis county ems. I work with the

[indiscernible] Health team. I want to tell you guys about this. My primary role is working with people experiencing homelessness, northside of the river, outside of

[3:01:04 PM]

downtown. I go out, engage with people on the street level, camps and town. I work independently. We do system navigation. We sign people up for medical insurance. We do a coordinated assessment for housing, get people into methadone and is a box zone treatment. We bring out a doctor, we do street med and medical visits with folks, get them into primary and specialty care, dental, vision, connected with the va, get their id ooze done. Wound care, clothing, food, water, vaccinations, whatever. Pretty much whatever they need out there. And we do it on site, where people live.

[Buzzer sounds] And we've found that the data is starting to show that once we've started to engage with people out there on the streets they're interactions with the E.R. And the ems service and 911 drops off very dramatically. And that's basically all I

[3:02:05 PM]

wanted to say today. Thank you for your time.

>> Tovo: Mayor? I just have a quick --

>> Ellis: Mayor, I just have a quick question for this speaker. Thank you so much for being here and thank you for the work that you do. Is there a specific.

>> Tovo: Budget that you had for us or support for what was in the proposed budget?

>> I'm remaining neutral for now. I'm not advocating for anything in particular. I'm just here informationally.

>> Tovo: Are great.

>> I'll leave everything up to y'all.

>> Tovo: Thank you again.

>> Casar: Mayor? Sorry, we keep dragging you back. , No I -- thank you for the work that y'all do. I've heard some really powerful stories about what you've been able to accomplish. I know you kind of gave an overview, but can you share with us a particular bit of work that you or a colleague in the program have done that have helped get somebody into housing and out of the issue that they have?

>> Yeah. Housing is always the hardest part, right? Getting people into permanent supportive housing takes time. And in the meantime

[3:03:06 PM]

sometimes up to two years people are going to be living on the streets and they need people out there advocating for them, supporting them and meeting their needs. I recently -- I can't give you too much information, but I can give you general information. I recently worked with a gentleman who had been in the prison system for about 25 years overall, spent most of his day old life there,-- adult life there, discharged from the street without any support system at all, no skills. Didn't understand the internet, cell phones, computers, anything else, because he was incarcerated and had to figure out everything he needed on his own. He lost his id, wasn't able to do any of that stuff, get anything done. Get health care. He was having issues with mental health and addiction. He's been connected with primary care. I've done regular wound care with him. We've had a doctor come out and visit him. He's had specialty care for infectious disease. We've gotten him into substance abuse disorder

[3:04:10 PM]

treatment. Working on his id right now. And I dropped him off on Friday of last week at a residential treatment facility where he's going to spend about 30 to 90 days, depending, and learning some new skills, getting kind of to grips with some of the more psychological aspects that led him to addiction and will get out of there and go to sober living and we'll continue to connect with him and do peer support support.

>> Casar: Thank you.

>> Mayor Adler: There are some additional speakers. Is elle Thompson here? Elle Thompson? This is the list I got for folks I think speaking to the lifeguard issue? Is Audrey Ashburn here? Why don't you check and see? Is Audrey Ashburn here. What about Sophia bastas or

[3:05:11 PM]

Joe Al is a.

>> Garza: Mayor, it would be good if anybody --

>> Mayor Adler: I think they're right outside the door.

>> Garza: If anybody else is waiting to speak on the budget if they could come inside.

>> Mayor Adler: That would be a good idea. I'm going to go back to zoning cases here in a second. Is elle Thompson here? Why don't you come on down. You have time donated from Chrissy owe Brian. Is Chrissy o'brien here. Is Audrey Ashburn here? Why don't you come down to this podium. You have two minutes. Ms. Ashburn, you will have one minute.

>> Hi, city council, mayor Adler. I am a lifeguard at Barton springs pool. I've been on coa payroll since April of 2017 and I think what a lot of people don't realize about the workers in Barton springs is that we don't work seasonally. We work year-round which comes with a handful of responsibilities that are unique to Barton springs. Some of the responsibilities are flood cleans, which

[3:06:12 PM]

requires lots of physical labor as one would imagine. I'm sure a lot of you have seen the videos of what the pool looks like after our floods and how long it takes to get it back to working order. Some of these conditions are really dangerous, debris, lightning, 50-foot trees floating by, flash flood water, removing the diving boards. We do it because we through and it's a real job, not just summer lifeguarding. We are only recognized by a 25-cent difference from the public pool guards. We have this job and we have a lot of really unique responsibilities responsibilities that aren't things that the public pool guards deal with. So 25 cents, if we can get paid a dollar an hour more that would help a lot for what we do and what we do for the pool that's so important to a lot of us and to a lot of people who live in Austin. I believe that's a fair -- I believe that's fair for whether we're serving 12,000 patrons a day, doing flood cleans or managing an

[3:07:14 PM]

edangerred species habitat.

>> Mayor Adler: Thank you very much.

>> Thanks.

>> Mayor Adler: The next speaker after you're done will be Sophia.

>> I would like to say that elle is donating time to me.

>> Mayor Adler: Elle? Who sorry.

>> Ellebasterda?

>> Mayor Adler: Why don't you let the clerk know. Do you have his name signed up? Okay. Go ahead. You have two minutes.

>> My name is Audrey Ashburn. I've been a city of Austin lifeguard for five years. Moving from public schools to Barton springs three years ago was shocking. It's the heart of our city. It's the convergence of building and nature. It isn't just drowning active rescues and rule enforcement. It's maintaining Austin's prize jewel. The work we do requires not only technical skill, manual labor and physical endurance, but it's working

[3:08:14 PM]

for the happiness of our city and the beauty of this gift that we have. Even with 10,000 patrons coming in and out, working on holidays, new year's, Christmas, with no higher pay, cleaning up floods in unfavorable, dangerous conditions, we still give this job our all for 25 cents more. The only thing that separates us is 25 cents. We are asking you today to make working for Barton springs, being an open water guard, be one dollar more. And make Barton springs Neal like a real job because I love what I do and I love my city, and I want to keep doing this for my city. And I just wish that I was treated differently than I was five years ago. I still feel interchangeable. And I love what I do. Thank you.

>> Mayor Adler: Thank you very much. Is Joel Manza here?

>> No, he's not.

[3:09:16 PM]

>> Mayor Adler: You have one minute.

>> Hello, mayor, hi, city council. Thank you so much for letting me speak. My name is Sophia. I've been with the city council for -- since 2015 and with Barton springs for a year and a half. Working at Barton springs has just changed me so much and it's such an amazing place, and for everyone in all the city of Austin, it's like the prize jewel of Austin. And I just -- we do so much there, like flood can cleaning, working holidays without getting holiday pay, the amount of saves that we have, we have now 202 saves active victim rescue saves. And other at other public pools, city pools here, maybe one. And I just want that to reflect in our pay. We only get paid 50 cents more and we, the certification that we have and the amount of work that we do doesn't reflect that. I just love working there so much. And I've been working

[3:10:18 PM]

nonstop, so people think that we have -- so we have temp jobs --

[buzzer sounds]

>> Mayor Adler: You can finish your thought.

>> Say that again?

>> Mayor Adler: You can finish your thought. You have to wrap up.

>> So we get -- with seasonal temps, even though we work year-round through the winter, we still are just seasonal temps, and I work year-round nonstop 40 hours a week.

>> Mayor Adler: Thank you very much. Is amber price here? Come on down. And after miss price speaks is piper Nelson here? Why don't you come to the other podium.

>> Hi, I'm amber price, a community health paramedic and I just wanted to follow-up for my co-worker. Casar had asked for an example so I wanted to give you a real quick nitty-gritty example. So we came across an individual and we had three days with him within that amount of time, every single thing that Simon listed we

[3:11:18 PM]

did. Prior to that was 29 months prior to that, there was 124 emergency room visits. R. There were 42 surgeries done and there were two long-term stays in the E.R., secondary to being struck by a vehicle. And then he was let out on to the street prior to that at the beginning of the 29 months. During that time, \$393,000 were spent on his care and after meeting a chp one time, since that time it's been 33 months and he has had absolutely zero dollars spent. And not one visit to the er. And he is housed at community first and he's been sober since the second day he spent with us. So there's an example. Thank you, guys.

>> Mayor Adler: Great example. Thank you.

>> Hi. My name is piper Nelson and I'm here with the safe alliance. And I'm here to talk about the bridge to safety program, which is working to get survivors of domestic

[3:12:18 PM]

violence the help that they need so that they don't need to go into shelter. Our shelter has a waitlist for our waitlist, frankly. What bridge to safety does is it funds a full-time safe line staff member who can immediately safety plan and help survivors to get what they need. For example, you might -- it might allow for someone to buy a bus ticket or if they have a pet that's not allowed on the bus, it might allow for someone to get a taxi to get to a safe place. It might allow for a hotel night. What it's doing is it's allowing safe to immediately serve the needs of people that are in danger so that we can make sure that they stay out of shelter and find a safe, long-term future for themselves. The bridge to safety program was funded, it started in April. Since then we have served 130 individuals. Again, some of them receive funds, some we just help get an immediate protective order. Some of them just need safety planning.

[Buzzer sounds] We've also if you count the 130 people's family members, that's 300 people that you have helped us serve. Thank you.

[3:13:19 PM]

>> Mayor Adler: Thank you. Is anyone else in the room that signed up to speak on the budget at this point? Okay. We're going to go now on the zoning case 94, 95, 96 and 100 and 101. Yes.

>> Pool: As that all is coming to the front, I wanted to ask if you city manager if you could find out how much information would be needed to add a dollar an hour to the Barton springs lifeguard salaries. And I'd also like to get a sense of our policies, our personnel policies on why 40 hour a week employees are categorized as part-time if they are in fact working full time. And what is the city policy on holiday pay.

>> Garza: Did you want to respond?

>> We're working on that.

>> Garza: Okay. I also wanted to ask a question about the costs too. And I understand -- for me

[3:14:20 PM]

it's more the different levels of certification. I think it's great that they have more saves, but there are fire stations in the city that have more saves than other fire stations just because of where they're located so those public safety workers don't get any more based on that. So for me it's less than that, but more the additional certification that those lifeguards have I think is a fair ask for additional pay.

>> Mayor Adler: Okay. Why don't we call up then 94, 95, 96, 100 and 101, Riverside zoning.

>> Mayor and council, Jerry rusthoven. Item 94 is case c-14-2018-026. Item 95 is case c-14-2018-0027. Item 96 is c-14-2018-0028. The related cases are item 100, c-14-2018-0090 rct.

[3:15:25 PM]

These are restrictive covenant related to the zoning cases we mentioned earlier. Staff does not have anything new to add. Council approved the first flee on first reading and the second two only required single approval. So we're available for any questions and if you're watching, Michael, get better.

>> Mayor Adler: Thank you. Councilmembers, we just have two people to speak on this. We're going to begin with the applicant. Do you want to open with five minutes?

>> Mayor, members of the council. My name is Richard suttler. I'm here on behalf of the applicant. I'm also here on behalf of Michael whellan. As most of you know he had a little bicycle wreck and is sitting at home. Michael, I'll tell you right now you're supposed to turn the TV off. You're not supposed to be watching it. I was lucky enough to be able to -- at least I watch all the council meetings so I'm stepping into this thing getting up to speed so I apologize if I miss a detail. I can tell you that since

[3:16:26 PM]

the first reading several things have happened outside of the city process. And there were several things raise and and councilmember Casar asked how do we know that we'll get residential and not use all the density bonus for residential? Again, I'll reiterate what Michael had told you. The way the traffic impact analysis is set up, if you decided to do that, you would only get a portion of redevelopment through the process, you would cap out on your traffic impact analysis and you couldn't get any more site plans other than site plans that were residential. So it's got a safety valve within the traffic tia to make sure that you don't use all the density bonus for the commercial. The other issue that was raised or an issue - - an important issue that was raised is through this zoning case you are getting

[3:17:28 PM]

a free density bonus for the density area above 40 feet or above 50 feet depending on which tract and 60 feet. So what we have done to comply with the law on density bonus programs, we've entered into a restrictive covenant with a third-party, habitat or home base, that takes care of that and essentially takes the density bonus program of the city, puts it on the property privately. Home base has agreed to administer it. And it takes care of the density bonus for between 40 and 60 feet. So it will work just like the city program except that home base will be the enforcer 40 to 60 feet, the city will be the enforcer above 60 feet. We've also entered into a restrictive covenant with home base to ensure that there will be at least 10 spots available for the -- I'll mess this up, but the continuum of care or to alleviate some of the homeless issues that we're

[3:18:29 PM]

facing today. I'm sorry, that's with echo. I'm sorry. Home base is the -- this is where it just gets so confusing. Home base is the budget or the bonus -- density bonus. Echo is the entering into the agreement for the homeless, the 10 slots and the vouchers. And then the concern of the 250 units that wouldn't be demolished for at least five years, that was a little bit of a struggle, but we got that also into a restrictive covenant that home base was willing to be the enforcer on. So we have restrictive covenants signed, notarized and ready to be recorded. This was all done in anticipation and hope of doing second and third reading today. And so within these documents they have a fuse in them that says that if for some reason the zoning skids off the rails we're

[3:19:30 PM]

going to go back and have to redo the contents as to that -- the covenants as to that provision. That is so we didn't have the documents floating around that didn't restrictive covenant the property -- didn't

restrict the property, and the zoning. Hopefully we will get three readings tonight and those issues will be taken care of. That's what's happened since first reading. I'll be happy to answer questions. There were a lot of questions posted on the question and answer board. Some of you have seen those answers. I'd be happy to go through those if y'all want to. And I'll be happy to try to answer any questions you have. Michael galdeni is here, he's fully up to speed. He's really pulled his weight on this one. And again, whellan turn your TV off.

>> Mayor Adler: Thank you. We have two other speakers that have signed up to speak here. Gus Pena, is he here? What about Olivia tansarian. Come on down.

[3:20:32 PM]

You have three minutes.

>> Thank you. My name is Olivia and I work at the mexican-american cultural center, but today I'm speaking just as a resident of Riverside. I'm adamantly against the restrictive covenant on 1600 Wickersham because I'm against the rezoning of acres and acres of land on Riverside to allow the development of the domain. This proposed project is not what Austin residents want. I know this because I have lived in Riverside for 13 years. For seven of those years I didn't have a car so I relied on the bus and bicycle and walking. When you walk in your neighborhood and when you're at those bus stops everyday for seven years, you really get to know your neighborhood. And I love Riverside. It's my home and I want it to continue to be my home. This is a place is the only place in Austin that's still

[3:21:32 PM]

commutable by bike that is affordable to live. We know this. I was hit on my bike three times in south Austin, and that's when I finally decided to purchase a car. But I'm still sticking it out in the Riverside neighborhood. The rezoning in favor of the developers will force people like me out of this area and replace us with folks that can pay domain prices. This threatens everything I've worked for for the last 13 years in Austin. 13 years. What does that look like? Mentoring students at ACC. I voted at the grove library. I watched fourth of July fireworks at the hill, the church on the hill at woodland. I talk to my friends and neighbors. A couple of weeks ago I gave a ride to a girl where the atm was closed on willow creek and Riverside where I live, gave her a ride to the

[3:22:33 PM]

bank and then brought her to el taquito tacos. She cried because it was the first time she tasted tacos that reminded her of home. We need a support system in Riverside. We need to be looking at things like bike lanes, extra lighting, safety precautions, addressing the homelessness issue. We do not need a

domain on Riverside. And I know that y'all know this. Please understand the Riverside neighborhood is not just an address, it is a community that I'm a part of. When you push working class people out of the city by raising their living costs, you do not see the ripple effect that this causes throughout our communities. Just some examples. My friend, we'll call her colleague A, lives on Riverside and Montopolis, works at the Mexicarte museum. Colleague B lives on Riverside and Crossing Place, works at the Mac. Colleague C, Riverside and

[3:23:34 PM]

Sunnyvale, works at the Mac. Colleagues D and E, volunteering at the Mac for six years.

[Buzzer sounds]

>> Mayor Adler: You can finish your thought.

>> In closing, I'd like to point out that my apartment complexes raises my rent every time a new complex goes up. The last time they raised it for the south shore condominiums, it was raised \$150 a month. As a renter, I don't have any control over this, but you as city council do, so I urge you to vote against the domain on Riverside. Thank you.

>> Mayor Adler: Thank you. The applicant has the ability to be able to close if they wish. You have three minutes.

>> Mayor and council, y'all have a long day. I'll just close by saying that we hope that you can do this in second and third reading and let this project go. Thank you.

>> Mayor Adler: Thank you.

>> Renteria: Richard?

>> Mayor Adler: Mr. Renteria.

>> Mayor Adler: There's five requests by the contact team that represents

[3:24:37 PM]

Riverside that have y'all been talking to what their requests has been?

>> My understanding is that we have the support of the contact team and the neighborhood. This has been an interesting case. The neighborhood supports it, the contact team supports it.

>> Renteria: Okay. I just want to make sure that --

>> Let me make sure I'm not mistaking, but I think that's true.

>> Renteria: Thank you.

>> Garza: Question. Mr. Suttle, I have a question about the -- I think it's new. The private restrictive covenant for 250 -- is it 250 of the current units?

>> Yes.

>> Garza: And who would enforce a private restrictive covenant?

>> So that one we did with home -- habitat. And they enforce it. What we did is you have two owners of this property. Between the two of them they have all agreed they're going to allocate them, but there will be 250 units that won't be redeveloped for at least five years on that

[3:25:37 PM]

property.

>> Garza: Okay. That was my next question for how long. Okay, thanks.

>> Mayor Adler: Mr. Renteria, do you want to make a motion to approve these items second and third reading.

>> Renteria: I make a motion to approve. And close the public hearing.

>> Mayor Adler: It's been moved. Is there a second in councilmember harper-madison seconds. Discussion? Councilmember alter.

>> Alter: I wanted to ask a question of staff, and I don't know if the staff that I need is here or not. At work session we had received some information about how with the direction for the land development code we would be handling up zoning in areas that were in the uprooted study, for instance. And I asked a question if we would remain consistent with the land development code rewrite adopted direction what would staff apply with respect to Greg abbotting increased entitlements on this site and to what degree? And the answer I got back was the current approach to

[3:26:38 PM]

the ldc revision is that current regulations for certain districts, including regulating plans, would be carried forward as is. This property falls within the east Riverside corridor regulating plan, therefore the ldc revision would keep current regulations in place as is. So do I interpret to mean that by that logic you would not upzone this area? Is that what that answer means?

>> No. I think what it means is that we have a corridor plan, the east Riverside corridor plan. What this request is is to change the subdistricts within the corridor plan. The answer that you're referring to is that they don't plan on changing the corridor plan. So with the code rewrite, this would still be within the east Riverside corridor plan, which would not change. They could still come in and as they are today

request a change to the Riverside corridor plan to change which subdistrict they are, which is what's before you right now. So the code rewrite would

[3:27:39 PM]

not have proposed -- it proposed leaving it within the corridor plan that would let the applicant make the request that they're making today.

>> Alter: So my question was translated to this question and I think I was really trying to understand the concept of how it would be applied if you were not going to upzone in this area and how you would apply that concept to what is on the ground there now and whether we would not want to be up zoning this type of development.

>> Basically the code rewrite would not address this property. It would be within the Riverside corridor plan today and it would be in the code rewrites adopted about to be recommended by the staff, be in the east Riverside plan tomorrow. The east Riverside plan does allow applicants to change their subdistrict, which is what they're going doing right now, but the code rewrite would not have proposed to change the subdistrict. It would is said leave the Riverside corridor plan as it is today.

[3:28:39 PM]

>> Alter: Would it also be that we wouldn't change any of the density bonus stuff as in the plan?

>> Right now my understanding is there is no plan to adjust the density bonus as part of the code rewrite, but there is a previous council resolution that asked us to look at calibration of density bonus within a variety of programs, including this one.

>> Thank you.

>> Mayor Adler: Okay. There's been a motion and a second. Any further discussion? Councilmember Casar.

>> Casar: I'll say my last piece on this case. As our inequity gets worse in the city and across the country, as our housing shortage continues, gentrification continues to spread, and I just don't think it's too late to fit it. I haven't begin R given up

[3:29:39 PM]

on lots of parts of the community that still have working people near the urban core. This is in one of the lowest income parts of the city. I understand that these apartments could be upgraded and continue to

be out priced. In fact, we've already seen that happen with some of the units in this location, but even with those upgrades they are still relatively affordable, especially rented by the bedroom to people who need it. So again, I respect and understand the arguments for this case, but in this case I just think that this is just not the right thing to do. You know, we get lots of cases before us where folks argue that something is going to cause gentrification, but often times we see a case where actually really it's a symptom where this is really coming after gentrification has occurred where we see a new development if in a zoning case. But I think this is a rare case before us where it is a large enough tract in an area that has actually not gentrified yet where this

[3:30:39 PM]

really can be a cause or an accelerator of gentrification. And that's why I just can't feel good about it. I appreciate the changes that have been made to the case to try to make it better if it is built, but I still can't vote yes. I think if we want to address the housing crisis without exacerbating the problem we need to oppose bad development cases like this one while supporting new housing across the city. And now we're committed to doing that, but in a way that is not largely built on the backs of existing lower priced apartments, which we need so badly.

>> Mayor Adler: Further discussion on the dais? Councilmember Casar?

>> Garza: Yeah. This is a good example of incredibly difficult decisions we have here because there's so many different scenarios of what this -- what could happen either way if we don't

[3:31:40 PM]

rezone it -- if we don't rezone it there's affordable market rate housing now, but there's no guarantee that it will continue to be that. If we do rezone it there's -- I really appreciate the applicant adding the restrictive covenant, but five years really isn't a lot. We've seen how redevelopment is really changing this corridor and the Oracle example of displacement of working class families and-- I'm a big supporter of adding more market rate housing. In fact, I talked about it on Tuesday how we cannot build housing fast enough. This is just a situation where it's not a vacant lot nothing or something. This is displacing people with something totally different. And for very similar reasons to councilmember Casar, I will not be able to support

[3:32:41 PM]

it as well.

>> Mayor Adler: Further discussion on the dais?

>> Renteria: I'd like to make a comment. You know, I was born here in Austin, Texas. I'm 69 years old. We did the same thing that, you know, we fought the gentrification there in east Austin, we were saying the same thing about this is the only affordable area in east Austin that we have. And just right down the street we fought a little small apartment complex and it didn't go up, but what they did is they invested a couple hundred thousand dollars and turned them into condos and sold them all off for about 300,000. And this is what's going on through all the city. We think that we're going to stop gentrification by not building. And it does not work. It does not work. People are coming to Austin, they're going to -- they're

[3:33:42 PM]

going to out price you. They have the funds and the ability to pay more. And if we don't build these market rate housing that these people -- they're going to come after all the other rest of those areas there and they're going to pay more. We need to guarantee and have and work with these developers to have as much affordable units as we can get from them so that we can have working class people stay in their neighborhood. That's what we did with saltillo when we redeveloped that area. At first they wanted single-family houses there at the rail station. And people fought them and fought them and nothing happened, nothing happened for 26 years because they wanted single-family housing there at a rail station. It just does not make sense to me, you know? And we fought and fought and fought and now you can't even buy a single-family

[3:34:44 PM]

house in my neighborhood for under \$500,000. I mean, that's what is happening. If we don't build enough units in this city and we have a traffic jam that's crazy, we have flooding in Guerrero park that's slowly washing that whole park down the river, and we need to do something, we need to do it quickly and we don't have the funds to address all these issues that we're facing, and we need to partnership with these builders to fix this area up. And I just don't see it the way other people see it. I just don't believe that we're going to replace everything. We need to figure out and we've got a lot of projects that I'm working on to create affordable housing. I've got 400 new units going up in Chalmers court for people that are making 30%

[3:35:44 PM]

and under. These are the kind of programs that we need to focus to keep people downtown and support. And we're addressing the need of the seniors there at Rebecca Bain. People may not like that five-story, 60 feet, but we needed to build more senior housing there and it's going on there. So we're working as hard -- I hate gentrification. I had everything planned to retire in my house and pay my little -

- I already paid the house, I said I could afford the taxes here, it will just cost me a thousand dollars a year. And now it's 5,000 every year it's going up. And every time I look across the street there's another new unit being built. And it's up for sale for now up to 700,000. And that's just half a lot

[3:36:44 PM]

for a house with a house on it. And that's what we're experiencing in east Austin. And we need to build so that people -- there's a lot of people coming to town. So it's also in a transit corridor that's going to help with our transportation in which I'm working with also capital metro on it, and we have a future bond election coming up that is the potential to build either rapid buses or rail there, the blue line. So this is going to be the right way of doing it with the density that we're bringing into this area.

>> Mayor Adler: Okay. Further discussion on its dais. It's been moved and seconded. Councilmember harper-madison.

>> Harper-madison: I want to echo what my colleagues, all of them, councilmember Casar, mayor pro tem Garza and councilmember Renteria have introduced as give,

[3:37:46 PM]

complex conversations that we're going to have to have about the ever evolving nature of our city. We are the 11th largest city in the country. We have become a major metropolitan city and we continue to show more and more signs of being a major metropolitan city and a part of that is going to include the city changing in a way that's uncomfortable, in a way that's foreign to us around in a way that causes that discomfort. But I've said it before and I'll say it again, I think often times the growth is in the discomfort. So what we get to do now, and so I'm inclined to vote with my colleague Renteria if for some other reason, we have very similar challenges in our districts, right? So we have the kinds of districts that are these mobility corridors that we're really looking to wrap

[3:38:48 PM]

our heads around transit-oriented development. Consider it development, but not for one-offs. We don't have the kind of districts that have one or two units at a time developing, we have giant swaths, whole corridors that are changing. And our singular recourse is to make certain that we can ask for as much as we can, demand as much as we can in the way of consideration for current residents and in the way of consideration for perpetual affordability. And the truth of the matter is that's all we have. So I would like to implore the general public to make certain to take into consideration that we're not ignoring your pleas, we're not ignoring your concerns. I'm from Austin. This is my city. You don't think

I've watched it grow and change in my 42 years of life? I have. I remember distinctly a different Austin and every stage at which it was more

[3:39:49 PM]

and more unrecognizable to me. And I still love this city and I'm still committed to watching it grow in the most responsible way possible. So I hope you guys will be patient with us as we do have to make very difficult decisions for our future. Queer not just deciding in Austin in 2019. We have to be thinking about Austin 2070, 80 and beyond. What we do now will directly impact how our city continues to grow and I think you should all know that we are definitely not deliberating this, not carefully calculating what is best for our city, not taking everything into consideration. So I believe that my fears have been assuaged about the developers doing what they can and what we've asked of them to introduce as much as they can in affordable housing. And what I would ask people it to do as opposed to all

[3:40:50 PM]

out opposing development, help us come up with creative solutions that address the problems around displacement and around gentrification. We can't dance around them. It exists. It's happening. But we do have the opportunity. And I see this as an opportunity as our city grows and changes. I see this as an opportunity to create systems that work for more people and exist in perpetuity. Let's create the template that works for more people. Perpetuity.

>> Mayor Adler: Further discussion on this. Councilmember pool.

>> Pool: I wanted to draw your attention to the staff direction that I brought. Last time we met on toic I had two items of staff direction that were passed without objection and that's the second page on the staple yellow sheets that I passed out just a minute ago you will see there. And it had to do with transportation easement. And so I have a second item and this is related to

[3:41:51 PM]

requests that the contact team had brought to us and also folks who have the interest. Roy G Guerrero Colorado river metro park deep at heart. So the staff direction

reads: Staff is directed to review Roy G Guerrero Colorado river metro park boundaries for existing easements and right-of-way, in particular existing right-of-way for lakeshore drive within the park, and initiate vacation of any easements and right-of-way unrelated to providing necessary functions, utilities and access to the park. So that is the direction. And just as a point of historical touch stone, if folks wonder why there are existing rights of way through a park that's because at one time there was

conversation in the city about siting I think this was a baseball stadium over at Guerrero park so it was platted out.

[3:42:52 PM]

I think I'm remembering that properly. But that would be my direction to staff. And we have vetted this through staff, which is why nobody is jumping up and saying anything because it works fine with our law enforcement, our parks and rec department and everybody else. >>

>> Mayor Adler: Everybody on staff okay with this? Any further discussion? Councilmember alter.

>> Alter: I wanted to ask Mr. Suttle if you could explain the new developments in terms of what is happening outside of this process? You said them very quickly --

>> Mayor Adler: Before we do that real fast, with respect to the direction from councilmember pool, does anybody have any objection to this being included? Hearing none, that direction is included as well. I'm sorry, councilmember alter.

>> Alter: Thank you. So Mr. Suttle, I was just wondering if you could repeat those additional steps. I'm trying to understand here some of the community benefits that are coming along with this direction.

[3:43:52 PM]

>> So let me hit the one that I don't think is tied to the density bonus program, but is an important component of this and that's the mou with echo. What we've done, and it's executed with echo, it's a program where we're holding back and cooperating with echo for 10 units with preference to single-family -- or single bedroom units, but whatever they need, there are 10 units that are held back so that people coming out of homelessness can take their touch vouchers and be used there and have a place and a preferential place and the managers know about it, they know how to prescreen, they know how to qualify them. It opens up insurance that both through echo and the project manager by accepting folks that just need -- they just need that temporary homecoming out of homelessness. So that's the first document that we have. Move I move on do you want to ask any questions about

[3:44:53 PM]

that one?

>> Alter: No.

>> Kitchen: Mayor? That's something that my office had asked and we had asked for that when we understood that the vacancy rate now in this area allowed for some additional space. So my understanding is that that arrangement is to start immediately and it's not contingent even upon the development.

>> That's correct, it's not contingent on the development.

>> Kitchen: Okay.

>> Mayor Adler: Yes, councilmember tovo.

>> Tovo: Can you help us understand, it's great that they will be available immediately. What is the -- what is the commitment? How long will they -- how long will you continue to have that arrangement with echo?

>> The first term of this is for four years. And then, of course, it can be extended beyond that.

[3:45:53 PM]

>> Tovo: You have signed the restrictive covenants or they're in progress?

>> That one is a memorandum of understanding. It's fully executed.

>> Tovo: And the term period is four years.

>> Four years. There's nothing to keep it from being able to be extended, but the first it term is four years. Both parties would have to agree to extend it.

>> Tovo: And so those units are being considered for individuals that echo identifies who is paying the rent? Is echo providing vouchers and the apartment complex has agreed to provide those vouchers?

>> Yes.

>> Tovo: Is it a market rate --

>> Oh, I don't know about the --

>> Tovo: Or is there an agreed upon amount of rent?

>> I don't know. Do you know what --

[inaudible].

[3:46:57 PM]

>> We're not for certain, but Michael's recollection is that it's 80% mfi and it comes through the vouchers. >>

>> Tovo: Okay, thank you.

>> Mayor Adler: Anything else. Councilmember pool?

>> Pool: I was still waiting for the other two items that he was going to -- you were going to explain all three of the items.

>> Yes. So I was going to go to the next one. I think it would be easier. So the next one is the issue says that you need to stick with your density bonus program and you can't vary from it and your lawyers start getting real itchy if we start doing stuff with the city from the podium. So the way we do it is we voluntarily say that we're going to comply with an additional enhancement to the density bonus program. We find a third-party that steps? And enforces that. And in this case we got home base to enter into a restrictive covenant with us that basically takes the city's density bonus program for over 60 feet and we apply it to the 40 to

[3:47:58 PM]

60 feet that we're getting as part of this plan change. And they administer that portion of the density bonus program up to 60 feet. Once we hit 60 feet then the city steps back in and they enforce it from 60 on up.

>> Alter: And how many units would that yield? Projection?

>> Well, it's not based upon number of units. It's based on the bonus square footage. It's just like I say, it's a certain percentage of whatever you get over a certain height.

>> Alter: And the ratio -- I don't remember the ratio for that area from 60 above.

>> The ratio is --

>> Alter: I may not be asking for the right number. I'm trying to understand the magnitude of its --

>> We have a long paragraph in here that talks about -- it's 50%?

>> There's actually a formula that goes along with that -- Michael galdeni. There's actually a formula that goes along with that in the regulating plan, but

[3:48:59 PM]

when you put out the formula it ends up being 10% of your bonus square footage at 60% mfi and that's how it comes out after you apply the formula to it.

>> Alter: Thank you. And then the third item, Mr. Suttle.

>> The third item is also a covenant with -- >>

>> Harper-madison: Excuse me, I couldn't hear councilmember alter's question, I couldn't hear Michael's response. I'm not sure if you are whispering intentionally or if my hearing is gone, but I can't hear you. If you could speak up or get closer to the mic.

>> That's a first.

[Laughter].

>> Alter: Do you want me to repeat my question? So I'm trying to understand with this -- one of the new developments since we had first reading what the magnitude of the bonus in quotes that they're talking about with home base what that amounts to, and Mr.

[3:50:00 PM]

Suttle is just explaining and Mr. Galden are explaining what that comes up to. And as I understood it, it would be about 10%, would be affordable from that.

>> Mayor Adler: Okay. Do you want to explain the third one then?

>> So then the third one was to address the issue of making sure that some of these units stay around for a certain amount of time. And that was we had determined that we could keep 250 units, shield them from demolition or redevelopment for five years. And we also entered into a restrict with home base that across the property for a period of five years there will be 250 units that won't be demolished and will be available. And that is also part of a covenant. We call them restricted units, but that's also a

[3:51:01 PM]

covenant that has been executed by the owners because there's two owners, and home base.

>> Mayor Adler: Okay. Councilmember pool?

>> I had a couple of comments that I wanted to make before I guess we're about ready to take a vote, is that right?

>> Yes.

>> Pool: I had a couple of things. I wanted to say how much I appreciate the hard work that has gone into the case by the applicants and the agents. And I have closely considered the community benefits outlined by the agents. In particular I appreciate the offer of the continuum of care units. The set aside of the 250 existing units for tenants and almost immediately it sounds like, which is good. And the offer to provide benefits on the increased base entitlements. These would be compelling reasons to support a case as large as this one, especially considering the tenant protections. But what I find own more compelling is the need to protect our long-standing communities from forces that fundamentally change the

[3:52:02 PM]

culture and economics of their neighborhoods. I think we need to be very intentional about these cases and keep in mind that our new code and map may make sweeping changes across our city affecting vulnerable constituents and communities in every district. I appreciate the question asked at work session about how staff would apply new entitlements here through the land development code rewrite, given the council's guiding policy document. On page 6 the policy document guides staff in the following way, and I'll quote a sentence here real quickly. The granting of new entitlements in areas currently or susceptible to gentrification should be limited so as to reduce displacement and disincentivize the redevelopment of multi-family residential redevelopment unless substantial increases in long-term affordable housing will be otherwise achieved, existing market rate affordable housing shall not be mapped to be upzoned.

[3:53:02 PM]

And you may remember on Tuesday that this was a sentence that Councilmember Casar read. Staff responded to the question by saying that regulating plans would be carried forward as is in the new code. But eventually this question will need a response that our workforce can live with. We can move in the right direction if we acknowledge that this area is identified in the uprooted study by the university of Texas as categorized as most vulnerable, which means we need to be really sensitive in what we do here. It's not just about this parcel, it's about the entire surrounding neighborhood and how this development supports or obstructs the community. On this point my staff and I are looking closely at the number and location of existing market affordable multi-family in district 7 on and off the corridors. There's a multitude of properties that are renting two and three-bedroom units

[3:54:02 PM]

at 40% to 60% mfi rates. We can't afford to lose those. I want to make sure that we're not doing damage to our workforce residents and I've said this many, many times, exacerbating already gentrifying areas in my district and vulnerable areas all over the city. As a result I will not be able to support this project or others like it that fundamentally change the economics and culture of an area and exacerbate gentrification and displacement. Thank you.

>> Mayor Adler: Thank you. Councilmember Harper-Madison?

>> Harper-madison: Would you mind coming back up, Mr. Suttle? My question would be and I think it's important to consider that one of the things that -- when I'm contemplating these very, very heavy decisions, one of the things I like to do is consider what would happen if you -- if the developer

[3:55:07 PM]

didn't get the zoning change, what would happen in that case if we did nothing?

>> Well, redevelopment would occur just under the current regs. There wouldn't be the density bonuses, we'd forgo some of the opportunities that our density bonus program brings us, including affordable housing.

>> Harper-Madison: So those 250 units of affordable housing off the table. Those 10 units for folks experiencing homelessness off the table. And then from what I can tell and by participating with this program, the height variance is going from 60 down to 40-50 and offering something more along the lines of 60% MFI. That would also be off the table. So I'm wanting to be clear. Not be dramatic. I want to be very clear that what our options are so we can go with this project or go against the project and I just want you to lay out really clearly what the alternative is.

>> The attendance all your

[3:56:09 PM]

assertions is yes, but more importantly, there's -- the answer to all of your assertions is yes, but more importantly for affordable housing is a burden that I believe we all share across the whole community. It's not really fair to put it on one property owner or one area of the city. I just don't see how stopping a zoning case or redevelopment solves the issue that we're trying to get to. We pass up opportunities, we build in density bonus programs for a purpose, and that is if you want to keep what you have you can keep what you have and you can redevelop it all you want and there's nothing to keep anybody from doing exactly that. But if you're going to ask for more you're going to share. And that's what this program enables us to do is share. If we don't do the zoning case, the opportunity to share goes away.

[3:57:10 PM]

>> Mayor Adler: Okay. Further discussion before we vote? It's been moved and seconded. Those in favor please raise your hand? Harper-Madison, Flannigan, Kitchen. Me, Renteria and Ellis. Those opposed? It's the other five on the dais. So it passes on second reading only. For. Of a seventh vote -- for want of a seventh vote which means it will come back to us, is that right? It has to pass on seven votes, two readings.

>> Yes.

>> Mayor Adler: Okay. All right. Is there anybody here that's come to speak on the budget? Since we were last asking for folks? Did you want to speak on the budget? Does the clerk have your name?

[3:58:14 PM]

>> [Indiscernible]

>> Mayor Adler: Come on down. You have one minute, sir.

>> My name is [saying name]. My name -- I'm born and raised in Austin, Texas. I live in city council district 7. Good afternoon, mayor Adler, Spencer cronk, manager Spencer cronk, and councilmembers.

>> Mayor Adler: Hold on one moment. I had Jen Romos. Is she here?

>> No. I've been a seasonal lifeguard five years straight now, the soul of Austin, Barton springs pool. More and more are moving and visiting to our town every day.

[3:59:15 PM]

More than 1 million visitors are expected to take a plunge into our pool this year with an average of 15 to 20 lifeguards during the months-may, June, July, August, September. As a long-time visitor and city of Austin open water lifeguard at the Barton springs pool holds a special place in my heart. Riding the bus from north Austin to being on lifeguard stand one watching a little girl take the first jump off the diving board with the whole pool in front of her is encouragement. City of Austin needs to take care of the workers that take care of the city of Austin facilities. Barton springs pool is the fourth largest spring system in the state of Texas. Which comes with a lot of curiosity and hard work. Barton springs pool and lifeguards are very unique, which comes with a lot of work. Barton springs is home to the Barton springs salamander, which are

[4:00:15 PM]

protected by the federally endangered species act. Barton springs lifeguards protect the pool with the visitors to salamander visitors to zilker park.

>> Mayor Adler: Thank you. You need to wrap up. You need to conclude.

>> Okay. Y'all need to allocate some money to Barton springs pool. Barton springs lifeguards work during holidays and are expected to work during fourth of July, labor day, memorial day with no holiday pay. Full-time employees receive paid time off or holiday pay.

>> Mayor Adler: Thank you very much. Thank you for coming down.

>> Ellis: Mayor, could I say something real fast?

>> Mayor Adler: Yes.

>> Ellis: I want to thank the lifeguards for coming out and advocating for yourselves and each other on this issue and thank you to councilmember Casar on already getting started on what that cost would be. My first job was lifeguarding and doing something in open water search different than doing something in a chlorinated pool that has a white bottom painted to it.

[4:01:15 PM]

It's a dangerous job but something that -- our community loves Barton springs and it's obviously a sensitive environment, and I think y'all are doing some really, really impressive work, and I'd be happy if city manager cronk could keep me in the loop on that, too, or send it out in a memo because I'm curious to see what we can do for y'all. So thank you.

>> Thank you.

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

>> Casar: I don't -- you don't have to answer a question but I also just want to recognize lifeguards for their continued advocacy. You guys helped us get to \$15 an hour across the city, and I think your advocacy here, I think people have heard you and I think that should -- I think that this is -- sounds like something we should be able to figure out. So we appreciate you all.

>> Thank you so much.

>> Mayor Adler: Thank you. Anyone else hear to speak? You want to take us through the last zoning case?

>> Sure, mayor. I'm sorry before we do that, we failed to get something quick on your last vote. If I could get reconsiderations of items 100 and 101, restrictive covenants related to the Riverside

[4:02:15 PM]

cases because those passed on second reading only, we'll need to postpone the restrictive covenants and bring them back on third reading just like we did last time.

>> Mayor Adler: Therefore a motion to reconsider our votes on 100 and 101.

>> Postpone them to September 9.

>> Mayor Adler: Committee moves to -- those in favor of reconsidering --

>> Tovo: Sorry does the motion to reconsider have to be made by somebody in the prevailing side, which I think councilmember alter voted against it.

>> Mayor Adler: Voted against. That's true. Councilmember Ellis makes the motion. Councilmember alter seconds that motion to reconsider. Can't second?

>> Alter: I'm totally fine. I'm just trying to be helpful.

>> Mayor Adler: I know the person makes the motion can't. I don't know about the second. In any event, councilmember Flannigan is the second on that. Any objection? Hearing none it's reconsidered. Is there a motion to postpone items 100, 101? Councilmember Flannigan

[4:03:16 PM]

makes the motion. Councilmember alter seconds that motion. This is the motion to postpone.

>> Alter: Councilmember Ellis.

>> Mayor Adler: Flannigan making the motion -- sorry? Councilmember Ellis will be the second on that. Those in favor of postponing those two please raise your hand. Those opposed. They're postponed unanimously.

>> Thanks, mayor. Last item is 105c14-2019-0075. 65ed one, it's a half acre tract, existing zoning is sf-3, mp, the requested zoning is sf-5-mp, the planning commission recommendation was to approve the request. The existing property consists of two duplexes and the proposal is to change it into a townhouse development. With that, I think we have one speaker in opposition and the applicant are here.

>> Kitchen: I have questions for staff. If appropriate, I can ask them now because I know

[4:04:17 PM]

staff is against this item or has recommended against this item. Should I ask those questions now? Or --

>> Mayor Adler: You certainly can or we can have speakers first, whichever you prefer.

>> Kitchen: I'd like to go ahead and ask them.

>> Mayor Adler: Go ahead.

>> Kitchen: So I understand that the -- that what this -- what this item does is it asks for a rezoning. Under the current zoning, which is, I believe, sf-3, that property can be subdivided so that there's two location -- so there's two lots and there can be three on each lot, which will allow for six units. And my understanding is that that is what is the intent here to develop, which is perfectly appropriate for this

area. But the good is for zoning sf-5, which doesn't fit this area. It's in the middle of a neighborhood, and it is not

[4:05:18 PM]

in alignment with the neighborhood plan or with imagine Austin, and there's no need to rezone it because this lose for redividing and getting the six units. So I understand that. My question is that I'm thinking that that is the basis for the staff's recommendation not to proceed with the rezoning, and I just want to verify that understanding.

>> Yes, the primary reason is because as you can see from the zoning map on the screen, the surrounding zoning is sf-3, all the way around it, it's not on a corridor on the edge of sf-3, it's kind of in the middle of it. You're correct the lot is large enough to subdied so that was the reason for our recommendation. When we go there on the neighborhood plan part, you mentioned Austin park but certainly with existing zoning it does not meet --

>> Mayor Adler: Sorry, I can't hear you.

>> With regard to imagine Austin, the staff did not weigh in with regard to say that this does not comply with imagine Austin.

[4:06:19 PM]

>> Kitchen: Okay.

>> We do feel it doesn't match existing zoning pattern.

>> Kitchen: So it doesn't match the existing zoning patterns in the middle of a neighborhood and is surrounded by sf-3.

>> The neighborhood plan has a character map as opposed to Flum. They called it residential core.

>> Kitchen: That character map part of the neighborhood plan is consistent with the sf-3?

>> Yes, according to the character map, the residential corridor defines it as a single-family homes, duplexes, small house on small lots, [indiscernible] Clusters and bungalow courts.

>> Kitchen: Last question. Current zoning would allow for duplexes?

>> Yes. There's already duplexes there.

>> Kitchen: All right. It would allow for redividing and having six units. Okay. Those were my questions?

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: What does it mean when you say that it -- you said it doesn't match the zoning pattern? I can't remember exactly how you phrased it.

>> What I would say I would not say it does not comply with imagine Austin, the request.

[4:07:19 PM]

I would say that the request does not comply with the predominant zoning patterns totally surround by single family.

>> Flannigan: How does it not comply with imagine Austin?

>> I'm not saying --

>> Flannigan: You're not saying that.

>> Correct.

>> Flannigan: It's that the area around it is sf-3 so, therefore, we shouldn't change it?

>> That's our recommendation, yes.

>> Flannigan: I don't agree with that as a policy matter. We are changing zoning everywhere. The existence of a zone is not evidence that it's the right zone. So I don't like that as a policy direction.

>> Kitchen: But my -- I would like to just say that you were -- if I understood you correctly, this is in the middle of a neighborhood. It's not on a corridor. It's not in the places that we've talked about, putting more density. So if I'm understanding, that was part of your reasoning in terms of keeping with the current sf-3.

>> That is correct. If it's the -- if the desire were to change the development pattern in the neighborhood and go to higher zoning from sf-3, we could take a look at that

[4:08:21 PM]

but the single tract of sf-5 in an area totally surround by sf-3, that was the problem.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: Two weeks ago we approved on first reading including your vote a zone of Dr to sf-6 in an area surround by sf-1, staff didn't like that one either, to be fair. I don't know why we can't go from sf-3 to sf-5 when we're just talking about townhomes.

>> Mayor Adler: Help me understand so that I can --

[overlapping speakers] Jerry -- right now on this tract are two duplexes or four units. Is that correct?

>> Correct.

>> Mayor Adler: And but if there's no zoning change they could get six units?

>> I think it may be possible. The tract is a half acre so .527 acres so it maybe possible to subdivide it to squeeze another unit out of it.

>> Mayor Adler: If subdivided you could get duplexes.

>> Possibly three duplexes out of it.

>> Mayor Adler: So there would be six houses if you don't do anything else.

>> Correct.

>> Mayor Adler: What you do get with the zoning sought

[4:09:22 PM]

here?

>> With the sf-5 the maximum you could get is ten because there's a cap of ten townhouse units on a collector street such as this one. I don't know what the applicant's intention is as far as how many townhomes they intend to build.

>> Mayor Adler: Was there discussion about limiting it to six?

>> The planning commission recommendation was just to recommend it as requested.

>> Mayor Adler: As requested to allow for the ten.

>> Yes.

>> Mayor Adler: Okay. Further discussion on the dais? Let's call the folks in. The applicant will come up first. You have five minutes, sir.

>> Hi, mayor, councilmembers, my name is Jim Witliff. This property -- this property is, as Jerry said, it's just about a half acre in size. It's two platted lots. There's two somewhat deteriorating duplexes on it. I want you to notice in the aerial photo that the rear of the property is heavily

[4:10:23 PM]

treed. I went out there and measured those trees. They are between 13 and 18 inches each, and so they're not protected, but they're nice trees and there's nice cover there. So what we're looking to do is change the zoning to sf-5, which is per the city code the designation for a moderate density single-family residential use and that it can be done. It's permitted if it's -- the development standards maintain single

family neighborhood characteristics and an sf-5 designation may be applied to a use in an existing single-family residential neighborhood in centrally located area of the city. Now, I'm just gonna step aside for a second and say that there was talk about by staff that, well, this is sf-5 requested in the middle of sf-3. The code does not allow sf-5

[4:11:25 PM]

next to sf-5. You have to have a certain setback from other sf-5 properties. Now, this is the south Austin combined neighborhood plan. It was adopted November 6, 2014. And as you can see on the plan, the red star represents where this property is, and there's another red star in the key to the side that says that all of the area in yellow, which is the majority of the neighborhood plan, is designated as residential core. So what residential core says in the south Austin neighborhood plan is the residential core also presents the opportunity to incorporate some, quote, missing middle housing types into the neighborhood fabric which AIDS affordability and can contribute to walkability. It also says -- I'm gonna read this off my own page because my eyes ain't that good anymore. It also says "The following

[4:12:26 PM]

housing types fit the character of the district and are appropriate as infill or redevelopment options. Single-family houses, duplexes, small houses on small lots, cottage clusters or bungalow courts." So that's what we're proposing. We're proposing six houses on this property. Now, it's true, as Jerry said, that sf-5 allows up to ten houses, but there are site area requirements and the maximum that we can put on this site are six houses. And so this is in general what it would look like, and we do have the option of moving those houses around a little bit to save trees as necessary. Here's what happens if we resubdivide the property. We can squeeze three duplexes in, but let me tell you something, from personal experience about duplexes that are then condod and sold individual sides.

[4:13:27 PM]

Me and a partner just lost \$420,000 by doing just that. We could not sell it for our lives. We built an excellent product just south of the Robert Mueller development and couldn't sell it even at 16% blot appraised value of the property. The lender, our hard money lender, took it back two weeks ago at the foreclosure auction. People do not want to buy common wall condos. That's my personal experience. Now, what kind of a road is cannon league? It is a collector street. I called Austin transportation department and verified that. It's got a vehicle capacity per day of 1800 vehicles. So we were able to obtain in this exact block a 2015 traffic data report. There's 883 vehicles in 2015, which is at that time

[4:14:27 PM]

49% of the street capacity. I mention this because -- and I do have copies of that traffic data report if anybody on the dais wants it. I mention this because the objections from the neighborhood that I read, a lot of them talked about traffic, about the inability of cannon league to handle anymore vehicles. So in the end, they're gonna get six units. Is it six -- or three duplexes or is it six free-standing bungalows, which is what people want to buy.

[Buzzer sounding] Thank you.

>> Mayor Adler: Thank you.

>> Kitchen: I have a question.

>> Mayor Adler: Go ahead, councilmember kitchen.

>> Kitchen: So it's -- so are you saying -- I just want to make sure I'm understanding. Are you saying that people don't want duplexes? That just makes no sense to me, that this is an area of town that is -- that's growing. It's an area just south of Ben white. It's an area where we're

[4:15:29 PM]

seeing more and more people want to find affordable options, which includes duplexes. So I don't understand how you could say that people in this -- that you can't sell a duplex in this area. I used to live near this area, and there are other duplexes in this area right now.

>> Yes, there are. There's duplexes on this property.

>> Kitchen: So why -- I mean, we're talking about six units. So I don't understand why we wouldn't just stay within the existing zoning and allow for duplexes.

>> Well, we could do that. But if we condo those duplexes and try and sell individual units I'm telling you that that's less desirable than the plan that we're proposing, which is six free-standing bungalows on the same property.

>> Kitchen: Less desirable because you'll make less money?

>> No. Less desirable because people have proven that that's not the product they want to buy.

>> Kitchen: That's the part that makes no sense to me, that people don't want to buy duplexes.

>> I wish I could have

[4:16:31 PM]

phoned whoever you think wants to buy duplexes two weeks ago because I had one that I was desperately trying to sell.

>> Kitchen: Well, I've seen plenty of duplexes selling. So that makes no sense. I would also just say it's not our role to talk about how much dollars you can make. I think it's our role to consider what's appropriate in the area. So --

>> Mayor Adler: Further discussion. Councilmember Flannigan.

>> Flannigan: I mean, to be fair --

>> Mayor Adler: We also have one other person to speak.

>> Flannigan: I did not hear the applicant talk about how much money he was going to make. He was talking about struggling to sell half a duplex. Whether or not I agree with that being likely elsewhere or not, most of the duplexes, including the one I live in, is rental, which you can definitely put people in. We're not here to debate that question, and I'm not debating whether or not someone can make money, but there doesn't seem to be a substantive difference between sf-5 and sf-6 but for the additional

[4:17:32 PM]

flexibility for infill missing middle housing so I don't know why we can't move forward with that.

>> Mayor Adler: Okay.

>> Kitchen: I'll respond to that later.

>> Mayor Adler: We have someone signed up to speak. Is Mary Harper here? Mary Harper here? No? Okay. I think that brings us up to the dais to discuss this.

>> Kitchen: Okay. So I'll just respond to the -- my concern here, again, is -- and I'm not in support of this change. There is the need for additional units in this area. Existing zoning allows for additional units. It allows for the number of units that are being requested, which is six. The zoning change that's being requested is not consistent with the surrounding zoning. It's not consistent with the

[4:18:32 PM]

residential core zoning that was contemplated with the -- with the neighborhood plan. It's not consistent with what the staff is recommending. And what's being requested actually would allow more than six units. And I understand that what is being asked for is six units, which can be accomplished under existing zoning. So I'm not gonna be able to support moving forward with this.

>> Mayor Adler: I'm sorry. I have a question, Jerry, help me understand what the difference is between existing zoning and sf-5 with the six units co.

>> The existing zoning allows buildings of two units apiece, a duplex. The sf-5 would allow a town home, which would allow up to ten units, each one could have a common wall but would be on a separate thin --

[4:19:35 PM]

>> Mayor Adler: What if you had a co with six units?

>> They could do up to six of the townhouses.

>> Mayor Adler: What would be the difference between existing zoning and sf-5 with the co limiting the six units?

>> In terms of units, none.

>> Mayor Adler: I'm sorry?

>> In terms of the number of units no, difference.

>> Mayor Adler: In terms of the ease of flexibility to develop.

>> I think it would be easier construction to the applicant because they wouldn't have to do three separate buildings. They could do three buildings.

>> Mayor Adler: At the PC the question came up as to whether or not to do the sf-5 with a limit to six units. My understanding was in that state that was something that worked for you. Is there a difference between the sf-5 with a co limit to six units versus just the existing zoning?

>> Yes. The difference is that we can build the -- what the

[4:20:37 PM]

residential core and neighborhood plan says on page 47 of their document, we can build the missing middle housing type, which is one of the options is cottage clusters or bungalow courts, and that's what we're proposing is six individual free-standing small homes that can be sold to families.

>> Mayor Adler: Okay. So right now you could do six units. So are you okay with sf-5?

>> Yeah. I am okay with sf-5.

>> Mayor Adler: With a six unit limitation imposed on top of it?

>> Yes, I am. At the planning commission what happened was there was an attempt to put a cap of six, and another commissioner said why do we want to cap it, we want density, let him put as many as he can fit on the property. I'm here to tell you the code only allows six units on that property and that's what we intend to do.

>> Mayor Adler: Okay. Thank you. You know, I need help on

[4:21:37 PM]

this one here. I'm trying to figure this one out and this one seems close to me. I'm trying to reconcile this with direction we gave to the manager earlier on the land development code. There were certain allowances we wanted to have we said within the transition area where there was more missing housing that existed that went up to I think r4 is what we talked about the functional equivalent of sf-5. This is not in what I hope will be the transition zone. This is beyond the transition zone. At the same time if I'm already going to have six units and it's allowed to have six units, then it seems to me that in this instance the thing to do is to find that place that's probably -- I'm not sure anybody asked for but seems to be in the middle of it which allows for the six units that could otherwise be achieved but allows for the additional flexibility to make sure that the product that gets designed is the product that might best meet the market. That way you allow for that

[4:22:39 PM]

flexibility but you don't allow the 10-lot option outside of what I would anticipate would be the transition zone. So without, in better, it seems as if the place where I would be on this would be sf-5 with a co that limits to six units. Councilmember kitchen.

>> Kitchen: Well, thank you. The only thing that I would say -- and I understand your question -- is that, you know, duplexes are missing middle. Missing middle is a whole range of housing. I think in this case and given the location, as you pointed out, it is not in a transition area. It is in the middle of the neighborhood. That the existing zoning, you know, allows for the additional units that we want to have there.

>> Mayor Adler: But if it would allow for six units under existing zoning, if I limit it to six units

[4:23:39 PM]

because it's not in the transition zone.

>> Kitchen: Right.

>> Mayor Adler: If I just did the zoning of sf-5, it would allow ten units, which may be appropriate within the transition zone.

>> Kitchen: Right.

>> Mayor Adler: I think that's what we indicated. But this is not in the transition zone. So if I'm limiting it to six units, is there a detriment to saying let's give the additional flexibility to meet market demand here but limited to the same six units that was the limit in the existing zoning. In other words not grant what the planning commission did.

>> Kitchen: Okay.

>> Mayor Adler: Impose the -- a co that limits it to six units but grant that sf-5 zoning.

>> Kitchen: Okay. Well, then there would just be two things I would say about that, is I think -- couple things. I think we're trying to get away from cos. I think that we can consider as part of the land development code process, you know, what an sf-3 might

[4:24:42 PM]

translate to and then finally I would say I don't think we've established that there's not a market for duplexes.

>> Mayor Adler: So if someone else wants to make a motion they can. Otherwise I'm going to make a motion for sf-5 with a six co because I would just give that additional flexibility with the 6-lot limit. Councilmember harper-madison.

>> Harper-madison: Actually --

>> Kitchen: Wait. I have a question. I'm sorry.

>> Harper-madison: Councilmember harper-madison was before you.

>> Mayor Adler: He was before you but he gets to talk a lot more times than you do. If you want to defer --

>> Harper-madison: Sure. Here's my concern and where I agree about flexibility. There's a really similar situation in my district. It's just off 12th street, between Chicon and chestnut and there's a lot that's

[4:25:43 PM]

really similar to this lot and what's being proposed to be built on the lot is ten units. Ten units for ten families in a lot like I said very similar in size and done in a way that is accommodating more housing. So even though that's not what they're proposing now, the life cycle of a house is finite, you know, and neighborhoods change and evolve and our city is changing and evolving so I appreciate having the

opportunity to build in some flexibility but, I mean, I can appreciate councilmember kitchen's assertion that, you know, people are -- the market is interested in duplexes in addition to other options, but just making sure that we recognize that there's lots of tools in the toolbox, lots of options in the too many box. I don't want to take away any by way of limiting what could happen in the future.

>> Mayor Adler: I hear that. It nearly seems to be the rub. I move to go to sf-5 with a 6-lot limitation. Does anybody want to second

[4:26:44 PM]

that? Councilmember Ellis seconds that. Now discussion on the motion. Councilmember Flannigan.

>> Flannigan: So I move to remove the co.

>> Mayor Adler: Okay. The motion to remove the co. Is there a second to that?

>> Harper-madison: Can I ask -- may I ask what the implications much removing the co are?

>> Flannigan: So -- Jerry?

>> Harper-madison: It can be as many as -- as can fit comfortably?

>> Mayor Adler: That's ten.

>> Harper-madison: In which case I second the motion you have first chance?

>> Flannigan: Thank you. Given the conditions on this particular lot and the heritage trees on the back side and all of that, is it possible to get ten townhomes with this code on this property?

>> I don't believe it is. Ten is just the maximum in code that can be on one property. I haven't looked closely enough with regard to that issue. Site planning it, actually. The applicant says they have and feel they can get no more than six but staff has not done that work.

>> Flannigan: My usual reason is because once you

[4:27:45 PM]

look at individual site plans and you look at individual site conditions you are almost never getting the full entitlement of a category but you are, you know, locking in these types of by project zoning regulations. I just don't think it's a good practice and I don't think you can reasonably get more than six anyway so I don't think the co is necessary.

>> Mayor Adler: The reason I was -- we'll -- then we'll go to Ann, councilmember kitchen. I recognize what you said and I think I recognize that that's true. When we were going to give the direction for the manager, there were some discussions on the dais as to how open we should make just residential

generally. And I think the balance that we reached in the direction was to say that we were going to have a transition area where we were going to let something more happen. And in the discussions that we had, a lot of that conversation tracked, allowing what was or used to

[4:28:46 PM]

be in an older version of a draft code r-4. Which in this case would allow for on this kind of lot up to those ten units. But beyond the transition zone, it was going to be something less than that. I recognize that in this case as a practical matter it would be limited to six. In which case I would probably be inclined just to leave the existing zoning the way the existing zoning was. I wish there was a better tool that left the existing zoning the way it was but enabled the additional flexibility on the product to be delivered since it has no additional density to the property. So in this case I wish we had better zoning tools able -- allowed to us and we just don't. So in this case, I think it's not in the transition zone so I'm not ready to go to the equivalent of the r-4, which is the ten units.

[4:29:46 PM]

Six units is the appropriate number but given the flexibility -- and the only way for me to get there is to do the sf-5 with the co at six units. It would be hard for me to vote in favor of the sf-5 on this lot because it's not in a transition zone and that would be an r4 equivalency outside of a transition zone. So I'd appreciate not having your amendment pass so that I would be able to vote for the sf-5 with the limitation to the six units. Councilmember kitchen.

>> Kitchen: Oh, I just wanted to express another concern that I didn't get a chance to raise, and that is -- and that does have to do with the -- I have a concern that it's important that we also have options in this area that allow for

[4:30:46 PM]

more affordable market rate because we're not talking about affordable housing here. We're talking about market rate. And my thought is that residential -- that duplexes perhaps would provide a more affordable option. This is an area that is going to up in price. It's becoming harder to live in this area. And having -- preserving duplexes I think provides for preserving more affordability in that area and that's one of my concerns.

>> Mayor Adler: Okay. Councilmember Flannigan.

>> Flannigan: I don't know that preserving the two duplexes is on the table because it seems like the two options left to the property owner are the flexible rules under sf-5 for 6 individual buildings or three duplexes that would also be brand-new.

>> Kitchen: I'm sorry. I didn't mean --

>> Flannigan: Okay.

>> Kitchen: I didn't mean preserve existing. I just think that duplexes,

[4:31:47 PM]

allowing for new duplexes to be brought here could allow for some housing that is perhaps at a better market rate. In terms of affordability. That's what I meant.

>> Flannigan: I'm not sure I agree with that, but I understand your point.

>> Mayor Adler: Colleagues, we have an hour to go before we break. Let's see what we can do. The amendment is to remove the co. Let's take a vote on that.

>> Kitchen: I'm sorry.

>> Mayor Adler: Second to that. Councilmember Flannigan made the motion to remove the 6-unit limitation. Councilmember harper-madison seconded it. Let's take a vote. Those in favor of removing the co please raise your hand. Harper-madison, Flannigan. Those opposed? Balance of the dais with councilmember Casar and mayor pro tem off. Gets us to the main motion, which is to approve the sf-5 with a 6-unit limitation. Close the public hearing. Can we vote on all three? Let's see if we can do it on

[4:32:48 PM]

all three. Those in favor please raise your hand. Harper-madison, Flannigan, me, Ellis, and -- three, that's five. Those opposed raise your hand. It's the four others that are on the dais with two members gone. In this case I would suggest that we postpone this matter consistent with our earlier issues that we're not going to let something get decided when there's potential votes on the dais to decide something.

>> Kitchen: I'm sorry. Did you mean --

>> Mayor Adler: I move --

>> Kitchen: Postpone --

>> Mayor Adler: To postpone this.

>> Kitchen: Why don't we wait until they get back?

>> Mayor Adler: Okay. Let's wait. Then let's table it for now, see if they come back. So we're going to put this one on the table. All right. Let's go to the next thing. Good point. Let's go to the next thing that we can go to.

[4:33:50 PM]

Let's talk about item number 33. Item number 33 and 102. Which is the river place annexation issue?

>> Excuse me, mayor, I believe that was postponed already earlier today.

>> Mayor Adler: Postponed? We did postpone the second one, that's right. We want back to do that. So let's do the task force on gun violence, item number 69.

>> Harper-madison: Much like the last item I'd really like for more of my colleagues to be present before we discuss something that has so much in the way of importance.

>> Mayor Adler: I think that one is amaroona to that one too. I think you're right. We need the other people on the dais to be able to do that item.

>> Harper-madison: Thank you.

[4:34:58 PM]

117 is the shot clock issue. Let's go ahead and do that. Is staff here to -- okay, councilmember alter. We also have staff here to set that up. If we need it.

>> Alter: Okay. Should I ask my questions first or should we let Mr. Levinski speak?

>> Mayor Adler: Ask your questions first and Mr. Levinski can incorporate it in his comments if he wants to.

>> Alter: I have a couple questions I wasn't able to resolve from my staff and the briefing and memo material that I wanted to understand. First of all the flag lots part of it. I'm not really understanding -- it seems like we're now allowing flag lots, but is that only in a particular situation that we're allowing them?

>> Thank you, councilmember. I'm happy to answer that. Andy, development services. So as part of this action --

[4:36:00 PM]

let me just preference photons listening this, item titles 25 and 30 to make changes to comply with the new state law, house bill 3167, which goes into effect September 1, just to say what we're actually talking about. Staff took an extensive analysis of the subdivision code, looking at the risks associated of how to consider the code and look for opportunities where we can minimize the risk of automatic approval. This legislation requires that we act at the commission level within 30 days. We went through our code and looked at variances, waivers, process, and analyzed where are we exposed that, if something came in that we were really opposed to it could automatically get approved. One of those items we identified was our flag lot process. Today that is a land use commission variance. In the last year we sent approximately 30 to the

[4:37:00 PM]

commission, one was denied. It is routinely approved by the commission. The criteria are pretty straightforward. And we felt like that to minimize our risk of posting errors, notice errors, staff being late and missing something, that that necessitated -- it is to avoid those risks that it would be better to have that become a waiver considered by staff with the guidance from council on the policy, that the chances of staff approving a waiver that were different than the policy direction from council were much less than us missing something and having a subdivision and a variance that we really, really oppose be automatically approved by order of law. So we have recommended that change. We did an extensive analysis of part of this legislation to try to find those opportunities to keep things off of the agenda this legislation also allows things to keep coming back.

[4:38:01 PM]

Today when the commission acts, you're done. That is a final action. Under the changes in legislation, it can come back. The applicant can submit a responsive request and ask for another commission hearing and that can happen multiple times. So we were looking for ways to keep things off of an agenda to minimize our risk of a posting error, a notification error, although we really try our best, those happen. And it would really be unfortunate to have something we were diametrically opposed to and don't support variances on suddenly be automatically approved.

>> Alter: Hold on one second. Would you mind? I can't hear.

>> Yes, to answer your question, that's a long way of saying, yes, we did make that change but after looking at the history of how those variances have been considered by the commission and, you know, that's -- that was actually, I think, the only variance change we made. But we looked at that and said that exposes us to miss

[4:39:01 PM]

a posting error and have something like that get automatically approved.

>> Alter: Thank you. I understand this was not designed to be the most effective, efficient and most desirous code changes for the benefit of our community, and I can see by reading it that you guys worked hard to do the best you could with what you were given from the state legislature in terms of mandates. The county is in this code. We don't usually see things that oblige the county. I know they're supposed to vote. Could you explain why the county is -- their procedures are mentioned in our code?

>> Absolutely. So the legislation changed both the local government code section 212 and 232 which regulates Travis county. And we have a single office with a interlocal agreement with Travis county so things in our etj of Travis county -- that was a previous legislative action that generated that single office, where we jointly

[4:40:01 PM]

review as staff we come together and they -- county staff do their part of the equation. Our staff do our part. We call it title 30, the land development code. It's a single office code. It mirrors very closely title 25. So we have changed both codes. We worked very closely with the county to come up with the regulations that are the same. We'll be holding a joint stakeholder meeting with them. We really are working as a single office. So our request of you is to amend title 30 and 25 so that they match. We've worked with the county to have this on the commissioners court agenda for next Tuesday where they can approve and adopt which then puts it in effect for September 1. So what you're seeing is the single office requirement that we work together with the county with our own code and this is -- it only covers Travis county etj.

>> Alter: Thank you. As this is proposed, I understand that there maybe some fiscal impact in the amount of staff.

[4:41:02 PM]

Is that true? And can you speak to that and how we're going to adjust our fee structure accordingly? We now have to get these done really quickly, which is going to require more staff, I would assume.

>> Thank you. Absolutely. So we work -- we have worked very hard to establish coalition agreements with all departments who review with a mandate of 90% on time. That was our goal. We want to be 90% on time. Effectively the state legislature just changed our goal from 90 to 100. If we are nonresponsive it is approved. So that does have a resource impact. This law was passed and implemented after our budget had already been submitted. So we have not at this time requested any additional resources or changes or fees. Dsd, our department, has in our budget temporary and overtime as rode I think

mentioned in a previous presentation to some of the councilmembers, and that will be our short-term plan

[4:42:02 PM]

of how we intend to comply. We don't have a choice so we will get there. I think we'll be working with other departments to assess after the next couple months what does this really mean? You know, how bad is the impact? And do we need to come back to you and ask for more resources, changes in fee structure? But at this time we don't have enough information -- or enough time really to get that prepared. I want anticipate that there will be resource impacts. We may be able to wait until fy21 budget to address that or may have to come back but I can't tell you with certainty, but there definitely is a resource impact to move from 90% on time to 100. That is absolutely correct.

>> Alter: So I would invite you to make sure that we know our resources at the appropriate time. It may that be it's too quick for the September to know that. But if we need to make fee adjustments to do this on the timetable that the builders who are asking for this in the first place ask for, then we should do that, so that the rest of the processes that we've been working really hard to

[4:43:04 PM]

improve can move forward appropriately. I think it's really important for the community to understand that, you know, we have a lot of the same people who are advocating from the building community for land development code changes are at the same time advocating the state legislature to make it harder for us to do permitting processes that lead to health and safety and allow us to pull whatever code we have. And, you know, I would encourage you to read that list of people who testified. I don't have it in front of me now, but it is eye-opening in that regard. And I appreciate staff working as hard as they can to come up with a process that we can move forward with that we'll do our best to uphold what we need to uphold for the city. So thank you.

>> Mayor Adler: Okay. Councilmember tovo.

>> Tovo: Yeah, I'd appreciate -- I actually do have the list and I appreciate councilmember

[4:44:04 PM]

alter, I think you may have asked the question that yielded that list of those who testified for the bill. And I saw that I believe it was San Antonio's fire department testified against it, and I wonder if you could share with us what some of -- what some of those who testified against the bill were concerned

about. Were they concerned about health and safety issues potentially being overlooked with such a short imposed time clock?

>> Thank you, councilmember. I believe the list might be myself, San Antonio and one person from the American planning association in San Marcos who actually testified against it.

>> Tovo: There were some different ones. I think somebody from Alamo fireworks and nomi and someone from arp, if that's -- that was -- I'm sorry. That's bill 3169. Okay. Actually the San Antonio fire department was on a different issue.

[4:45:05 PM]

>> I mean, I --

>> Tovo: If you would share with us what the staff's concerns were.

>> Yeah, staff -- I mean, what I expressed on behalf of the city was our concern with the time frames being short. But the time frame that they adopted 30 calendar days was within the time frames for our review today, which is 20 business days. The significant challenge that I expressed to the legislature with this legislation was the no new comments, that we are -- if on the first review we must identify all deficiencies and we are prohibited by state law from adding additional comments. That is a significant challenge for us. I think we will find a way to work within it. Where we still protect health safety welfare, but that is extremely challenging for us. So if the application changes, we'll be forced to deny the previous change or we're still working on the formatting of our comments of how we're gonna do that

[4:46:06 PM]

but that was our main concern. Of course this legislation impacted not just city of Austin but all cities in Texas, and we're all struggling with the same thing. What was expressed to them was, you know, that that was gonna be a very, very difficult mandate. And really the biggest concern I expressed personally was about the no new changes.

>> Tovo: So as I understand it, if you have one opportunity to provide comments, as you've just described, and you provide direction that there's a critical environmental feature or some other feature that necessitates their changes, with when they come back with the changes even if they created a bigger issue potentially with regard to flooding risk or some other circumstances, that's the -- that's the challenge you have about figuring out then what we have the ability under state law to do.

>> Yes, ma'am, that's correct. And I believe that our stance on that would be to deny the corrections to the first change.

[4:47:06 PM]

>> Tovo: Okay.

>> That we will include language that your changes to the application cannot create future and other non-compliant issues. So if they change something that then creates another non-compliant issue, we'll have to say that the original change is denied. It's going to change how we work. It's going to make it more difficult. But we will do everything we possibly can to make sure we uphold our code and, you know, more importantly protect health-safety welfare, pieces where it's absolutely critical. But it will be a challenge. There's no doubt.

>> Tovo: Well I appreciate your work and your commitment to making sure that we're still going to find ways to ensure our health and safety of residents. I was disappointed to see organizations like the homebuilders association of greater Austin, the Texas realtors, the Texas department association, kb homes, others who are building lots of properties within the city of Austin because it does seem to me that this makes it more challenging to make sure that the resulting

[4:48:06 PM]

apartments or the resulting homes are gonna be done safely with a real focus on safety for those end users. So thank you again for your work.

>> Alter: Mayor, may I correct something I said? Can I just correct something?

>> Mayor Adler: Okay.

>> Alter: So it's not too far. I wanted to acknowledge there were a few people in our building community who did testify against this legislation. I believe Ron thrower was among those and I appreciate them recognizing that this was not good for our city. I didn't have the list in front of me.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: Thank you, councilmember alter, I'm glad you added that part at the end. There are organizations that have decided to -- on a number of topics that they need to go to the legislature to get what they want. We talked about sustainable food center doing that on

[indiscernible] Earlier and that was also not something I look on favorably but just like with that issue which I was working on to help get a

[4:49:07 PM]

better path forward on food permits we are working on a better path for land codes. It's unfortunate even when we're in the middle of a process to solve the problem folks are going to go the legislature because unevidently what happens the legislature does something very different than what they were asking for. That's certainly how sustainable food center explains it. The legislature is not a city council and really wish they would stop trying to be one. They've got big issues up there they should be solving that would make everyone's lives easier, including the constituents in the city they think are theirs as opposed to the rest.

>> Mayor Adler: Mr. Levinski, you in here? You have three minutes.

>> Thank you. Bobby levinski, save our springs alliance. I won't use all three. I signed in support of the ordinance because I think staff did a really good job with it. There's one thing I want on record. It's not that I have any disagreement with the staff's language, it's just I want to make sure it's clear what's -- I was able

[4:50:07 PM]

to talk talk to the department and I want to make sure it's part of the record that I'm reading it correctly. Part of the concern with the variance process, that's usually what causes delays so staff created this preapplication process for the project assessment to when are variances going to be needed, they do this assessment. The concern that then raises raises in my head is establishing something earlier in the process than initial permit application for grandfathering purposes. So what I understand is 25163e has 180 day deadline and once the project assessment has been approved that they'll have to then attach some case number associated with that, which would be really important to make sure that whatever project was initiated will eventually expire, we don't create perpetual grandfathering. I also understand there's a rules process that follows the ordinance passing today which will establish a deadline for the application process. As long as those are there I think it's good. I just want to make sure we're really careful not to

[4:51:08 PM]

create a problem that we created back in, like, the '60s, '70s where we had permit applications that never had expiration dates. Let's make sure we don't do that. Thank you. Appreciate it.

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

>> Pool: Mr. Linseisen, we've talking abouted about role making procedures from draft up to final. I'd like to have staff come back to the council when those rules are finalized and have a presentation in open meeting. I think that rather than just have a memo -- we can have a memo but I would like to have the opportunity for us to ask questions and interact and make sure that we have a full appreciate if that would be possible.

>> Yes, councilmember. So what I would suggest, so we have prepared draft rules, as Mr. Levinski pointed out. And I do appreciate Mr. Levinski really looking at what we're doing.

[4:52:08 PM]

He sent very good question, we had considered it, and we will as he mentioned be adopting the rules. We were proposing for next week an emergency rule, allowed by ordinance when you pass an emergency thing like this. For us to put in place the procedures, policies that will drive our process through the rules. We're proposing as an emergency next week. Those have a limited life. As part of our permanent rules we'll have a stakeholder process. What I'd like to propose if it would fit for your needs that you give us a couple months to let this play out, where we look for how is it working for staff, how is it working for your constituents, so that you can provide us, feedback, hey, the rules you adopted, that's not working, please consider these things. And we'll have a stakeholder meeting with our stakeholders, our applicants, before we propose a permanent rule to replace the temporary one, the emergency ones we're passing. So we do have a window. I believe we get 120 days to

[4:53:09 PM]

get that accomplished. So we have some time, and then there is an extension. So if your request is to come back in, like, two weeks we certainly could. Or we could, you know, let this play out for a couple months and see what the impacts are and come back with a more holistic approach, hey, this is what's happened, here's what we're proposing for permanent rules to correct anything that we have missed because we did do this in about a month.

>> Pool: Yeah. I think the key is for us to understand what you've seen and how you're dealing with cases that may include variances or waivers and so how staff will deal with the changes it made to applications after submittal, so I think it's perfectly -- it's very reasonable for you to work through it and then come back and brief us fully it may be that some individuals want earlier updates, and I may, but we can do that on a one-on-one. And I'm -- basically I'm just confident that the state legislature has zero

[4:54:11 PM]

understanding about the complexities involved in land development code and processes. Zero understanding. I did want to name some of the folks who supported this bill and then I wanted to make sure that the list of witnesses was made part of our -- thank you, Mr. Linseisen, you don't have to respond to this part. I want to make sure that the witness list from the house bill and senate bill were included in our official minutes. Councilmember tovo had noted some developers in our community were involved. Homebuilders association of greater Austin was involved, the Texas apartment

association, kb homes, Allan booms, Humphreys, Robinson, la that are homes, all of these folks worked against the best interests of the city of Austin in advocating for these changes to our processes, and I really take exception to that. Pool partners, Texas land developers association,

[4:55:12 PM]

Newland, the Texas public policy foundation, the real estate council of Austin. The Texas land developers association. There were seven cities, as well as Austin that spoke against these changes, from the city of galveston, El Paso, Houston. I've never heard of the city of fate, but I think I should go visit that. That's a great name for a city. Plano, Dallas, and San Antonio and then of course the commissioners court sent a resource witness. It's just a short little list of cities, municipalities that are affected by this, but the fact of the matter is when this really becomes clear to everybody across the state, all of the governing entities that are responsible for land development processes and procedures they're gonna understand how our hands have been tied behind our back to the detriment of our communities. And I just want us to be really clear about that. And I'll just repeat that I am confident that the state

[4:56:14 PM]

legislature has zero understanding about the complexities of land development code and processes, and that they probably were happy to make these changes based on the list of folks who came -- oh, here's another one, coats rose law firm, Texas realtors. Greater Houston builders association. It's a big, long list so we'll make sure we get that included in the official minutes. Thank you.

>> Casar: Mayor.

>> Mayor Adler: Councilmember Casar.

>> Casar: Mr. Linseisen, can you help me understand when this starts applying so if somebody submitted their application yesterday or last week or next week, which is still before September 1 or September 3 or whenever this goes into effect, when do you become a part of this new process? How does that work?

>> So for applications in process today we are not able to avail themselves of it. The law actually says for applications submitted after September 1. For us that will actually be September 3. Tuesday is the -- Monday the

[4:57:15 PM]

second is a holiday so the first day would be the third. If you're in process today, the law actually doesn't allow you to take advantage of it. So they will -- if they're in by next Friday on August 30, I guess it is, if they're in the process, if they've submitted for review, we'll process them under our current rules.

>> Casar: And is there -- do we anticipate that there will be any delay of existing applications as you switch over to the-- to this new regime or are you guys set up so --

>> Floss, I don't anticipate a delay. I don't think it will change anything. I think we're okay there. The first applications that will get to commission after going through our process, the 30 day review, will probably be mid-october at the earliest so we have time to get all these final details worked out. And continue to work on the applications that are in process today.

>> Casar: And so the shot clock provisions will apply if you submit on September 3 but if we pass this today and you submit it next week,

[4:58:16 PM]

it still doesn't apply until September 3?

>> Yes, sir, that's correct.

>> Casar: And then did you say something about site plans and whether site plan revisions do or don't apply?

>> Based on our legal guidance, site plans are not included in this legislation.

>> Casar: Got it,

>> Mayor Adler: Before we take a vote, I just say that to remark, today we're forced to delay as a state government mandates local rules. I want to be really clear, the state is making local government more expensive and less responsive to the will of the local community, not just Austin but cities across the state. This again is our state government striking a blow against local liberty. It's a sad day, and unlike the spirit of Texas. Any further discussion? Is there a motion to approve? Mr. Flannigan makes the motion. Is there a second?

[4:59:17 PM]

Councilmember harper-madison seconds it. Any discussion? Those in favor, please raise your hand. Those opposed? Those abstaining? Alter and pool abstain. The others on the dais voting yes. Off the dais is councilmember Garza. Councilmember Garza off the dais, two abstentions, the others voting aye. Passes. Okay? We have 30 minutes left. Are we ready to do signs? We ready to do that? Okay. Let's call up item 83. We have speakers signed up here on item 83. Do you want to lay out the amendment first? Okay. Someone make the motion first?

>> Kitchen: Yeah.

>> Mayor Adler: Councilmember kitchen makes the motion.

[5:00:17 PM]

Is there a second to the motion?

>> Kitchen: Wait, wait, wait. Let me make the motion.

>> Mayor Adler: Motion to postpone.

>> Kitchen: Could I lay out the motion?

>> Mayor Adler: Yes.

>> Kitchen: Okay. You should all have in front of you the motion for item number 83. I'm going to go ahead and read it so it's clear. So this is a motion to postpone item number 83 indefinitely and direct the city manager to include limited allowances for off-premise signs, including options for digital electronic signs on private and public property during the land development code revision process. The allowances must be based on design, smaller sign and locational standards that are similar to those applied to free-standing on-premise signs, and further, the city's interest in protecting safety and visual aesthetics. It is the county's intent that

[5:01:18 PM]

digital off-premise signed are permitted on coefficient of permitted on kiosks along the right-of-way. That's the language. Let me just say the language means -- I don't intend to be talking about the size of signs that are billboards, I'm not talking about billboard signs, that's why it refers to smaller signs, and then staff had selected the language that says that are similar to those applied to free-standing on-premise signs. So intent there is that we're not talking about digital billboards. Because that's not the size that we're talking about. So that's my motion.

>> Mayor Adler: There's a motion. Is there a second to that motion? Mr. Flannigan seconds the motion. Discussion? You can speak first to your motion --

>> Kitchen: Do you want to take the speakers or you want me to speaker?

>> Mayor Adler: Either way.

[5:02:18 PM]

I'm happy to take the speakers. Let's take the speakers. To speak on the direction associated with the postponement. This is item number 83. We have five people that are signed up.

>> Tovo: Mayor, may I make a comment?

>> Mayor Adler: Yes.

>> Tovo: So we have been talking about a particular ordinance that was laid out. We've had an opportunity to talk in executive session about it. We have not really heard much from the public about it, but it was my understanding that there was going to be a motion today to postpone it. I think this, really, in essence, the language that's been added goes well beyond postponing it. It actually initiates -- I mean we're providing direction now to our staff that's writing the land development code to allow kiosks on the public right-of-way. To me that is well beyond what we've been talking about. I don't think that there's -- I mean, I certainly didn't know

[5:03:19 PM]

until I got this that this was becoming a conversation in which we're providing direction on digital kiosks, which we've had in my, in my memory, zero opportunity to discuss as a council, and I think they posed some pretty significant challenges for place making, and I think they deserve -- they deserve a fuller conversation and should not be embedded in a motion to postpone.

>> Kitchen: Mayor, may I speak to that?

>> Mayor Adler: Hang on a second. Councilmember Ellis?

>> Ellis: I'm glad to hear your thoughts on that, councilmember tovo. I had the same sentiment that I'm on board with the first part of it but not the second part. I actually had my staff draft up an alternative motion sheet that incorporates that. I'm happy to hand it out since it seems like you and I are in agreement on this portion of it.

>> Kitchen: Mayor, may I speak to the intent? My intent was not, as councilmember tovo suggested and

[5:04:20 PM]

perhaps the wording is not as it should be and it sounds like maybe councilmember Ellis has some alternative -- I'm not attempting here to direct or make a decision at all. I simply wanted to make sure the scope of what comes back to us allows us to consider it and have those conversations at that point in time. And so I can see how you might be reading it as direction to do that. That was not my intent. So, you know, we could certainly consider other language. I simply want to -- our experience with working on this ordinance over the past, I don't know, seven or eight months or whatever is that the staff had asked us to let them -- to provide direction on the scope of what to bring back to us to consider. So I'm not intending with this to

[5:05:21 PM]

say that we've made a decision that we want off-premise signs on kiosks. But I do want language to come back to me from staff so that we can think about it, consider it, and have a conversation about it, instead of having language come back that doesn't even address it. So that's my only intention. And the reason that I did that is because -- because what has happened to us in the past is we've gone through this process. If we didn't direct staff on the scope, we didn't get language back that even allowed us to consider it. So that was the reason. I'm certainly open to other language.

>> Mayor Adler: Councilmember tovo.

>> Tovo: So I'm going to consider -- councilmember Ellis, thank you for distributing your sheet. On first glance, I feel much more comfortable with this. You know, just general concern I have about having it come back with the land development code is that there will be lots of other

[5:06:21 PM]

things to look at and consider with regard to the land development code, and this has already proven to be a very, very thorny issue. I mean, if I thought about it, I can remember the times it was on the public safety agenda. I mean, there have been various attempts at having this conversation, and it is always controversial and it deserves a lot of consideration. I'm willing to support it coming back in the land development code in an extremely limited way, but again, not -- not in a -- not sort of considering a whole new kind of use. Thank you, councilmember kitchen, for your additional conversation about it. I do think -- I do think we need different language because your language does seem to suggest something very different. But councilmember Ellis's may accomplish that. So I'm going to take a few minutes and kind of look at that one more carefully while our speakers come up.

>> Mayor Adler: Do we want to have speakers yet or do we want to stay on the dais? Councilmember pool.

>> Pool: I like the amended language that came from councilmember Ellis, for the same

[5:07:23 PM]

reasons that councilmember Tovar particular litigated.

>> Mayor Adler: Councilmember harper-madison.

>> Harper-madison: I wasn't here, I don't know if it's fortunately or unfortunately, for the last conversation around the land development code, but I was a witness, and I've got to tell you, it seemed

like the kind of thing that is going to have enough complication of its own built in, and just having watched the initial conversations around signs, I'm inclined to have them be separate conversations. I think they're separate issues and should be separate conversations.

>> Mayor Adler: Okay. Let's hear -- councilmember Ellis.

>> Ellis: I also had similar reservations, and I think in communication with staff, I was able to alleviate some of those concerns. Would it be helpful for me to read it out for the general record just since I kind of threw it out there real fast? It says motion to postpone item number 83 indefinitely and direct the city manager to include limited allowances for

[5:08:23 PM]

off-premise signs during the land development code revision process. The allowances must be based on standards that are similar to those applied to free-standing, on-premise signs and for those the city's interests in protecting safety and visual aesthetics.

>> Kitchen: May I ask a question, councilmember Ellis, about the scope?

>> Ellis: I'm okay with it.

>> Kitchen: I don't have any concern about the language but is it your intent and would the staff -- this is the question for staff -- is it your intent and would the staff understand this language to mean that they can bring back to us, for our consideration, not to decide right now, but for our consideration, options for digital electronic signs that are smaller signs?

>> Ellis: I would be okay with revisiting that if staff sees that that is an appropriate issue to tackle at that time. But I just didn't feel comfortable with it being expressly spelled out in that direct of a manner.

[5:09:24 PM]

>> Kitchen: Okay.

>> Ellis: At this point in time.

>> Kitchen: Well, I'm fine with that. I just don't want to hear from staff that because of this language, they can't bring us back options to allow us consider electronics.

>> Ellis: Correct.

>> Kitchen: So that's a question for staff. Would you read councilmember Ellis's language and then bring back to us options that could include digital so we could have that conversation?

>> I think if that's the direction that council is giving us right now, then we would be able to do that.

>> Kitchen: Okay. Then I don't have any problem with this language.

>> We would want it to be very clear on the record that the intent is for us to bring back digital or electronic proposals.

>> As an option.

>> Kitchen: As an option. Right. Not to decide.

>> We would bring it back as our proposal, and if council does not like the proposal, it can be removed.

>> Casar: Mayor, let's take the speakers, I think we can work through this quickly just with a couple of amendments.

[5:10:26 PM]

>> Mayor Adler: I would just say as people are beginning to work through this, I think that asking our staff to go and look at signs generally in the city is a really good idea. It's been a long time since we've done that. I don't mind coming back with options. I'm uncomfortable giving direction at this point as to preferred choices. I think that the intent is to make sure that we're protecting aesthetics and protecting safety, but certainly, you know, the world has changed in some ways over the last 20 years, and I think you can take that into account. I think it would be -- I think we're looking for options, as opposed to -- to -- as opposed to us giving direction here today, as to which option is the preferred option. Consistent with our overall objective, which is to protect aesthetics and to protect safety in the city. I will say that I'm concerned about doing anything that might

[5:11:27 PM]

mean that the land development code doesn't get accomplished timely, and if it looks like something -- I am concerned about doing something that makes it -- building on what councilmember tovo said -- something that -- and others have said, that could stand in the way of us getting the land development code done timely. So I'm fine with it coming back, so long as it doesn't slow the land development code coming back to us. But if at any point it looked like it was causing delays in the land development code moving forward, I'll say -- I'm going to be ready to sever those two things so that they can move on independent timelines, if that's necessary. Okay. Let's hear from the people that wanted to speak. Annette Garza. No? What about Jared -- what?

[5:12:28 PM]

Okay. Take your time. The second speaker will be Jared ruska. Is Jared ruska here? You'll be up next. Take your time. Elizabeth Bradbury is going to be the third speaker. Ma'am, you have three minutes.

>> Okay. Good afternoon, mayor, city council. I'm a parent, and I signed up for the stakeholder meetings hoping to help our local schools with their funding crisis, letting local companies advertise on campus signs seemed like a good solution. It would give aid a way to raise money without increasing taxes. As I understand it, digital signs would increase that revenue and

[5:13:29 PM]

help our students and teachers even more. But I've since learned that there's a citywide ban on off-premise advertising like this, and that the school district and capital metro are looking for a way around that band -- ban. Sorry. That strikes me as unfair. If the city council is going to change our local sign laws, then they need to do it for everyone in Austin. They shouldn't be playing favorites. Thank you.

>> Mayor Adler: Thank you. Is Elizabeth Bradbury here? Mr. Ruska, why don't you go ahead.

>> Hi there. I have been a resident of Austin for 36 years, and 90% of that time I've spent working with the small business community. I currently hold a senior role with the home-grown Austin

[5:14:32 PM]

business, and I was interested in advertisement capabilities with capital metro so I attended last spring's stakeholder meetings to learn more about those opportunities. Most of the discussion at these meetings centered around digital signage and to me that's what would make the most sense to employers like mine within Austin's small business community. Buying a vinyl billboard or this type of advertisement for, like, a 30-day period isn't always financially feasible or a good value, for that matter. But promotions on digital ads can be changed anytime with the click of a mouse, not to mention urgent messaging from authorities, things like that. I saw that capital metro was very clear about their desire for this type of tool, so if the proposed ordinance does not include digital advertisement, then I would like the council to reconsider this matter. If local laws need to be changed

[5:15:33 PM]

to allow other groups to access the same technology, then so be it. Thank you very much.

>> Mayor Adler: Thank you. Is Kirk Hoffman here? Come on down. You'll be at the other podium. Ms. Bradbury, you have three minutes.

>> Great. Thank you so much. I'm Dr. Bradbury, at the university of Texas in Austin in the biology department. I'm here today primarily as a concerned pta member and parent. I have one daughter and one almost next year daughter at bryker woods elementary. Almost two. 1.5. I attended two stakeholder meetings and planning commission meeting on this ordinance, or on the idea of digital -- or on the idea of signage of off-premise signage. I was honestly a little surprised

[5:16:33 PM]

to hear the dissent among councilmembers over the inclusion of digital signage language because I heard this come up at every single one of these meetings. So I wasn't surprised by that at all. And it's definitely something that's pretty prominent in the public comments that I've heard. I strongly support this proposal as a much-needed fund raising avenue for our schools. I think most people don't realize what the state's recapture policies do to our schools' budgets, particularly our school district suffers dispro proportionately from recapture than other areas of the state. I think people don't realize that this burden, this budget burden has now been placed onto pta's and pta fundraising. We shouldn't be asking parents to pay for services that are rendered in public schools because that's not what public means. And, for example, at bryker woods, on the 2018-2019 school

[5:17:35 PM]

year, our pta pays for half of our assistant principal's salary, half of gym equipment, half of the music and arts programs, it paid for all of our socioand emotional learning specialist's salary, and given the current climate a lot of these kids are facing, social-emotional learning specialists are becoming more and more important. These are really necessary services and I feel like not only is the sign -- ordinance critical but digital inclusion is necessary. This helps raise the overall fundraising ceiling with digital signs, but also provides equal opportunity for fundraising to all schools, regardless of arbitrary variables such as fence length or zoning of a particular school. So to be quite honest, I feel as though if in this instance the city is more invested in preventing signage and fundraising signage and digital signage, perhaps we could be asking ourselves what else we can

[5:18:36 PM]

do to support two of the most vital public services rendered in this city in terms of education and transportation. So for these reasons, I really urge you to support both. The allowment of off premise signage as well as the inclusion of digital signage in this ordinance. Thank you.

>> Alter: I'm your counter I wanted you to reach out to our staff. Since we're postponing it, you can have an opportunity to talk about your thoughts and some of the background on this process. We'd love to share that with you if you're interested.

>> Thank you so much, councilmember.

>> Mayor Adler: Okay. Mr. Hoffman, there's a microphone at the middle table.

>> Can I use this one?

>> Mayor Adler: Yes, you can.

>> Okay. I'm already here.

>> Thank you, council. I very much appreciate it. I've been following this local sign law situation since 2016 when I first appeared at a stakeholder event on digital and outdoor advertising, which at

[5:19:36 PM]

that time was allowed here in Austin. A group of area businesses attended and explained several of the benefits. Amongst those I wrote down were, it's better for the environment than the standard vinyl signs. It's less expensive for local local advertisers, which was pointed out, and it can be displayed in high quality like for amber alerts, and it can be utilized where you might see a license plate number on the current system, here, we can see a person's video, a picture, picture of the vehicle, and I think those can be utilized, and I think that's a really important part. Now, the city ran a poll after those stakeholder meetings and most of the austinites who responded were in favor of digital billboards for those

[5:20:38 PM]

reasons. Now, flash forward to this year, and the city held a new series of stakeholder events, meetings on signs with the downtown alliance, capital metro, aisd, Dr. Bradbury there with the ptas, and they all said they would like access to digital signs, for varying reasons. Now, it seems to me the public sector, the private sector, and voters' role are actually in agreement on something, maybe for the first time in a long time. The future of outdoor communications like this probably is going to be digital signage. I think we should probably embrace it rather than ignore it. We should embrace this fact and take advantage of it while we can. Thank you for your time.

>> Mayor Adler: Our last speaker is Jared Kenny. Do you want to speak on the postponement issue?

[5:21:39 PM]

>> Thank you, mayor and city council. I'm here on behalf of scenic Austin and scenic Texas. We have not seen this language -- this most recent language until this afternoon. In fact, I don't have a printout of it so I'm trying to remember what I was hearing. The -- as you know, scenic Austin opposes billboards in general, and certainly digital billboards. We all think of billboards as big, large things, the way that the signing -- the sign ordinance defines off-premise signage, it includes both what you think of as billboards but also small signs, they're all off-premise signs. So we have a very, very -- we have a very strong concern about the decision to allow digital off-premise signage for advertising, for several reasons, but one reason is, is that you're

[5:22:39 PM]

most certainly giving a lot of fuel to the billboard industry's argument that you should be allowing them to have digital -- large digital billboards. And I'm very concerned that the way that this is written, it may not adequately address that problem. Another thing that I was hearing -- this is the first time I've heard it -- is that staff is apparently talking about having the rules be similar to existing on-premise sign rules. I think in both motions I heard that language. Austin has a terrible on-premise signage ordinance right now in terms of what it allows, in very bright, loud, awful signage. So if you're saying you're going to allow -- allow the public ones to be like that, I think you need to have some kind of language that would modify what the existing allowances works and I didn't hear that in the ordinance

[5:23:39 PM]

language. I would really request that if there's going to -- if this is -- if this idea of digitals is going to come back to council, that there be a process by which the public can be involved in that because we haven't really been involved in it. We were earlier, as was spoken this spring, and winter, frankly, but the process needs to involve the public, and certainly scenic Austin and the state of Texas want to be helpful. We would like to see the research that staff has done in other school districts around the state, how they're handling the same kinds of problems that Austin has, and also what others have been able to do to actually prevent the visual pollution and the distraction that digital advertising represents. Thank you.

>> Kitchen: Mr. Mayor, may I ask

[5:24:40 PM]

a quick question? Thank you for -- I appreciated the opportunity we've had for our conversations, and my understanding is that digital signs is -- that you all are not opposed to digital signs, so long as we're talking about restrictions on the size and we're talking about smaller signs, and as long as we're talking

about restrictions, you know, on the rate at which they change over, the lighting, the -- you know, all of those kinds of things that are really important to restrict. I'm sorry I'm not remembering all of them that we talked about. So is that correct? You all are not opposed to digital signs, you just want to make sure that we talk about these kind of restrictions, and then of course you all have the opportunity to weigh in on those restrictions and make sure they meet the concerns that you have.

>> Well, we appreciate the opportunity to be able to weigh in on them. I do want to make it clear that I did make it clear when we met

[5:25:41 PM]

with you that some of the things that we were saying were our personal views, that the organization has not actually ever taken a position --

>> Kitchen: Okay.

>> -- In favor of digital advertising.

>> Kitchen: Okay. I didn't say that. I just said that our conversation, you were not personally opposed. So any other thing --

>> That was -- plan B. If we have to live with them, we would like to be involved in how they are implemented.

>> Kitchen: Okay. The other thing is, this direction is not -- just to make it clear, and I think we may have talked about this too -- this direction is not making a decision on -- at all, on what would be included in a sign ordinance? It's just trying to establish the scope, so that our staff will come back to us with a whole range of options that we can have a public process about in a conversation to consider what's appropriate. So I just want to make sure you understood that.

>> Thank you.

[5:26:44 PM]

>> Kitchen: Okay.

>> Mayor Adler: We have four minutes until we break for dinner. Do we get to where -- I'm really uncomfortable making a decision today about what signs we want or don't want. And I'm fine saying bring it back for the land development code but I'm ready to -- as soon as it looks like a drag on the land development code. That said, I think the only part that needs to be in here is the motion to postpone item 83 Intel and direct the city manager to include options, to include limited allowances for off-principal signs during the land development code revision pose -- process, furthering the city's interest

in protecting safety and visual aesthetics, which I think is the standard that we have and it's the language that --

>> Kitchen: Uh-huh.

>> Mayor Adler: -- I think we need. That way, the staff can come back, we want options on this. Do you need more direction than that?

>> I think that's --

>> Kitchen: Okay. And -- I'm fine with that, and

[5:27:46 PM]

I'm understanding that that means that no further direction is needed to bring back the range of options that we just talked about, including digital.

>> Mayor Adler: The range of options -- yes, the range of options discussed on the dais today that included digital.

>> Kitchen: Okay.

>> Mayor Adler: But it's coming back as options.

>> Kitchen: Right.

>> Mayor Adler: Councilmember tovo.

>> Tovo: I guess I'm still trying to figure out how this range of options is going to come back to us in the proposed draft and how we're going to have a public process around -- I mean when I hear some of the speakers talking about is having a public process around the sign piece, separate and apart from kind of the public hearings we're going to have about the land development code. So, you know, I will support its inclusion in the land development code if there's a clear understanding that we're going to provide opportunities between now and then no the stakeholders to continue their work on this piece of -- on this piece of it.

>> Flannigan: I'll also propose we come back at a work session to outline that process so before anything comes back to you you'll have an understanding where we're

[5:28:46 PM]

at and how we can involve the public in that discussion as well.

>> Mayor Adler: Understand, too, if you come back and feel like it's going to impair our ability to get the land development code done, come back and tell us that as well. Motion to postpone item 83

indefinitely, direct the city manager to include options for limited allowances for off-premise signs during land development code code process furthering the city's interest in protecting safety and visual aesthetics. Is that language okay with people? Does anybody have objection to that language?
Councilmember alter?

>> Alter: I'm not objecting, I just wanted to say that I haven't had -- I haven't heard anyone say they want big digital signs. As long as we're thinking about drafting options, it should be very focused, limited options, nobody wants a big, giant jumbo electron like times square.

>> Mayor Adler: And to the agree

[5:29:47 PM]

that you can make those decisions consistent with protecting safety and visual aesthetics that are being applied citywide and across categories, I think that's the important thing.

>> Alter: That's what I was opposing, the bigger ones.

>> Mayor Adler: It's an important thing to be able to do so we're not driven by trying to make decisions for any basis other than safety and visual aesthetics, which is really the two grounds we can use to make decisions and filter things. So, with that said, any objection to that language? Those in favor, raise your hand. Those opposed? That's the language we're moving forward on. It is 5:30. That leaves two things. Do we want to postpone the -- we have two things left, we have the gun thing left and we have the zoning case left. Do we want to postpone both those?

>> Alter: I do not want to postpone the gun resolution. I think we need to be addressing this as soon as possible.

>> I agree.

>> Kitchen: And the item 105, we had a vote on it earlier, I think

[5:30:48 PM]

we should stay with that vote unless the two councilmembers that were off the dais would like us to reconsider it.

>> I thought that was tabled.

>> Mayor Adler: We didn't have votes to be able to approve anything in the case because it was a five-four vote. But certainly if you guys wanted to vote to postpone it, we could postpone it till the next time.

>> Kitchen: So, mayor, that was not exactly the characterization of the vote. We voted down moving forward with the zone.

>> Mayor Adler: We voting down my motion to move forward. I'll entertain another motion on that item. The motion that was on the floor was to approve sf-6 -- sf-5, with a six-lot minimum. That was voted down. Because it didn't get the sufficient votes. At-large motion on this 105? Councilmember Casar!

>> Casar: I move to postpone it.

>> Mayor Adler: Councilmember Casar moves to postpone it. Is there a second to that motion? I second the motion to postpone.

[5:31:49 PM]

Discussion on the motion to .105?

>> Casar: I had to step out to handle something. I thought the case was going to get handled. I didn't get to hear the discussion, so I don't want to hash it out because I think we can handle the gun issue and be done before dinner so let's postpone it.

>> Mayor Adler: Motion on the floor to postpone, it's been seconded. Any further discussion?

>> Is that December 19th?

>> Mayor Adler: Any further discussion? Those in favor of the motion to postpone, please raise your hand. Councilmembers Casar, alter, Garza, me. Anyone else? Those opposed to the motion to postpone? It's the balance of the dais. Okay. Is there any other motion?

>> Flannigan: Mayor?

>> Mayor Adler: Yes.

>> Flannigan: Sf-5 co as was previously moved.

>> Mayor Adler: The motion is to approve sf-5. Without the co?

[5:32:51 PM]

>> Flannigan: With the co. I'm willing to accept your co, mayor. Mark it down.

>> Mayor Adler: Okay. Those in favor of sf-5 with the co --

>> Kitchen: I'd like the make a statement.

>> Mayor Adler: Is there a second to that? Mr. Flannigan makes the motion, seconded by councilmember Ellis. Discussion?

>> Kitchen: Just quickly, I oppose this motion for a couple of reasons. I'm concerned that there's -- I'm concerned that this is changing a zoning that's in the middle of the neighborhood. The zoning allows for missing middle. The current zoning of sf-3 allows for missing middle, which is -- which allows for duplexes. Going to an sf-5, even with the co, allows for additional impervious cover which could potentially allow for larger homes, which could potentially counter the need for affordability in the area and the support for duplexes. So I cannot support this motion.

>> Mayor Adler: Any further discussion on the motion to

[5:33:52 PM]

approve it? Let's take a vote. Those in favor of sf-5 with a co limiting to six units, please raise your hand. It is harper-madison, Flannigan, me, Pio, Ellis, Garza. That's six votes. Those opposed, please raise your hand? Tovo, kitchen, pool, and alter. Those abstaining?

>> I wasn't here for the conversation.

>> Mayor Adler: Okay. Casar abstains. It passes on first reading only. Okay? That then gets us to -- we have one more item. If we can handle this one quickly, then we can let 40 people go home. Do we want to try to do the gun thing?

>> I don't have a whole lot to add to what it was that I proposed earlier. As you guys can see, it doesn't have my name or a number on it, but I passed around a resolution with some potential amendment language, and it just -- it just speaks to what my concerns were.

[5:34:59 PM]

>> Mayor Adler: You say you've handed something out?

>> Harper-madison: I did. I set it on your --

>> Mayor Adler: Okay.

>> Mayor Adler: Got it. Did we have a base motion that was made in this?

>> Alter: No, I haven't had a chance to make --

>> Mayor Adler: I'm going to let councilmember alter make the base motion, then we'll come back to the amendment. Councilmember alter?

>> Alter: I was hoping to make a couple comments on my base motion if I might, I'd like to move item 69.

>> Mayor Adler: Is there a second on the motion? 69? Councilmember alter moves her base motion, 69. Is there a second to that? Councilmember pool seconds that. Discussion? Councilmember alter.

>> Alter: Sure. So I want to thank my colleagues for supporting this item today, particularly my co-sponsors, Renteria, tovo, Ellis, and kitchen. Due to the restrictions passed at the state and federal levels, we have limited tools to solve the gun violence crisis. At the last council meeting, I brought forward an emergency resolution calling on our state and federal leaders to take

[5:35:59 PM]

immediate action to pass common sense gun violence prevention measures. And I've been glad to see our cities such as San Antonio subsequently do the same. But we know that our gun violence epidemic takes many forms, and that the majority of lives lost representative en masse shootings but everyday tragedies that don't make the headlines. Over 600 Texas children are killed or injured by guns each year. After the Santa fe high school shooting, the mayor established a task force to examine what week do to address our gun violence crisis and epidemic. The task force in Houston was able to come up with very tailored and specific options for Houston to adopt to help them reduce gun violence in Houston. For instance, they found that there was a lot of gun thefts at sporting events, and they were able to very much tailor a response to that. My hope for a task force is that we bring together a diverse panel

[5:37:01 PM]

of experts to examine best practices and provide us with a thoughtful and detailed list of strategies that the council can advance. The task force may include an er doctor, trauma surgeon, survivors of gun violence, students, first responders, domestic violence service providers, and members of communities that have been particular targets of these horrific acts of gun violence. I strongly believe that we need a dedicated vote focused on this particular issue and when my colleague makes another motion, I will address that more specifically. But I want to speak a little bit to some of the things that I hope that this task force will consider as part of the recommendations that they would put forward to us. Gun surrender programs for individuals who no longer want firearms. Public awareness campaigns on guns stored. An examination of whether we have the resources and litigation we need to track and report on gun thefts. An examination of whether we need

[5:38:01 PM]

a strategic plan to establish a community-based violence reduction program, which was one of the recommendations that came out of Houston. Also I want them to look at our local data and what we need to know, what we can learn, whether we have domestic violence incidents, suicides, et cetera. This resolution also directs the city manager to provide quarterly reports to council and to the public safety commission in order for us to solve the prices -- solve the crisis, we must have as much information as possible. Demographics incidents involving domestic variables national trends in gun violence,

information about individuals' association with any hate groups, and more. Some may say a task force is unnecessary because we know what we need to do. Yes, it's true we know exactly what needs to be done at the federal level and the state level to have the greatest impact, such as finally requiring universal background checks on all gun sales and implementing extreme

[5:39:02 PM]

risk protective order laws. Those all require the cooperation of state and federal government. But I believe we can and must do more at the local level, and we have many members of our community who are passionate and dedicated to this issue, with a tremendous amount of experience and expertise who can help us consider a local roadmap of strategies to advance. I think this body can invest time and energy to give is detailed and tailored interventions that we can consider. Do we have bodies that consider these questions? Probably. But likely they have a lot on their plate and in their purview with competing demands for their attention. I also think we need the level of detail on the recommendations to really make sure we can implement our interventions well. For example, we've made progress on our safe storage campaigns, thanks to the work of councilmember tovo and the implementation of the Austin police department. But I think this body can look at that progress and help us determine how do we scale it and broaden its impact.

[5:40:02 PM]

Can we approach it differently, partner differently. Another example is a gun surrender program. My understanding from A.P.D. is that we have an opportunity to surrender guns, but when we have had conversations over the last several weeks and months as we've been working on this gun resolution, which we started working on before the events of El Paso, we found that activists in the gun control community don't know about this surrender program, and so we have more work to do there. This limited time -- this time-limited body would be focused inclusively on this question because that is the importance that I think it deserves and merits.

>> Mayor Adler: Motion has been moved and seconded. Councilmember harper-madison, do you want to make an amendment?

>> Harper-madison: Yes. Has everybody had an opportunity to review the amendment? And so as you can see, and like I expressed earlier in my concern, I think this is a duplicative

[5:41:03 PM]

effort. So task forces are intended to prevent silos, to encourage interdepartmental and interdisciplinary collaboration and conversation, and that's a result of us having to deal with bureaucratic systems. And I

think this is just an additional measure of bureaucracy to create another task force. And so while I appreciate my colleagues' effort here and everybody who's supportive of the effort, I understand their intention, I just don't think it's necessary, so much so that I asked P.D., you know, whether or not some of the goals of the task force could be accomplished without another task force, and they responded by saying that these are the three points that could be accomplished without another task force. To provide the council and the public safety commission a quarterly report on incidents of gun violence that occur within the city, they can do that without another task force. The report should include geographic information concerning

[5:42:03 PM]

the location of these incidents, demographic information, et cetera, et cetera, can do that without another task force. The report should respect all appropriate and relevant privacy laws and best practices, also can do that without another task force, in which case what I'm recommending is that we rely on the task force that we already have that addresses public safety. It's a commission, and I think -- I think being able to rely on that commission -- additionally, you'll see that some of the language I also introduced has to do with calling on the mayor's task force because the truth of the matter is that -- I agree, councilmember alter, most people who are injured or killed in gun violence aren't in mass shootings, it's local, it's domestic, it's domestic violence, it's community violence, and it's also primarily against black and brown people. So one of my concerns there about creating another task force is that we're going to have another opportunity to have a body of

[5:43:04 PM]

people, a community they really can't speak for. In addition to leaning on the commission for public safety, I really wanted to lean on the mayor's task force for institutional racism and systemic inequities. I think those are the two appropriate bodies to address the concerns here, and so I appreciate the support of my colleagues, but I totally understand if -- if another task force with specific timelines and specific deliverables is the preferred method. One thing I'd like to add, though, when you say that they have to report quarterly, if it's six months, that means two times they would have to report, but they have up to six months to report, so it's entirely possible we have a task force that only reports to us one time, that only offers direction one time. So I just -- yeah, that's where I come from, and I don't know if you had an opportunity to review the language, if there's any of it in there that can influence your decision around moving forward with the task force, I'd encourage you to do so.

[5:44:05 PM]

>> Mayor Adler: Is there a second? Councilmember Flannigan seconds it. Discussion on the amendment?

>> Flannigan: Mayor?

>> Mayor Adler: Yes, councilmember Flannigan.

>> Flannigan: Since I seconded --

>> Mayor Adler: Don't get a right because you seconded, no priority for that, but go ahead no less.

>> Flannigan: Thank you. I don't want to set up that precedent. Thank you, member harper-madison, I agree with your concerns and councilmember alter, as you set a permanent group to work auto this, I think is appropriate, and to my mind, that is the public safety commission.

>> Mayor Adler: Okay. Councilmember tovo.

>> Tovo: Councilmember harper-madison, you had received some information from the police department, and I know you're not able to share it with your colleagues for quorum reasons, but I would just ask whoever provided that to you from the police department, share it with all members of the dais as is kind of our customer practice. I want to better understand what they feel they can -- they can accomplish outside of the resolution. But I continue to agree with

[5:45:06 PM]

councilmember alter, I'm a co-sponsor on this. I believe in the necessity of this. I think it's important. I think the task force is going to provide us with some very good and very focused recommendations, and, you know, I think we do have survivors of gun violence in this community who are very supportive of this task force and look forward to it as an opportunity to make their voices heard on how we might make our community safer.

>> Mayor Adler: Further discussion on the dais? Councilmember kitchen, I think, was next.

>> Kitchen: Yes. I just quickly wanted to say that I appreciate the concerns that were raised, but I think that given the -- the importance of this issue, I think it's important to keep with a task force -- oh, I'm sorry, can you hear me now? I just wanted to say that I appreciate the questions that were raised, and those might be things that I would normally agree with, but in this case, I just think that a task force

[5:46:10 PM]

really raises the profile and the importance of it. I do think that the task force should work with existing commissions, like the public safety commission, but -- and we might all consider when we're making appointments, that we have some overlap perhaps with the public safety commission. But I think in this case, it's very important to designate a task force that is focused on this issue.

>> Mayor Adler: Further discussion? Councilmember pool.

>> Pool: I also think that the task force would be more nimble and laser-focused than the other group. The other group is really big.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: I am going to be supporting the base motion. I think given the emergent nature of finding solutions as quickly as possible and how nimble we're going to have to be as a city to make sure we are able to do

[5:47:11 PM]

things within our legal power as a city is going to be something that needs specific experts on this particular issue, even though councilmember harper-madison, I fully agree with everything you're saying about systemic inequities. All your points are extremely well taken. I appreciate you and councilmember Flannigan trying to keep the boards and commissions and task force list really short, as short as it could be. But I'm going to be supporting the base motion on this one.

>> Mayor Adler: Councilmember Casar?

>> Casar: So to that end, I think my concern with setting up another task force is that then it becomes hard for them to go away and we end up having longer and longer lists that take up so much staff time. So what I would like to do is instead, at the top of page 4 where it says the task force shall begin its work as soon as practicable, issue a report within six months of its first meeting, I would like to add: The task force shall be dissolved after the issuance of this report or eight months from today,

[5:48:14 PM]

whichever is sooner, so it does its work, gives us its report, then we act from there, and maybe that solves at least a portion of the issues for people.

>> Mayor Adler: Okay. We're still discussing. It's good to know --

>> Casar: I would bring that and maybe that solves some of that.

>> Mayor Adler: First we're going to take a vote on harper-madison, unless that comes down, that's the amendment that's on the floor for now. Councilmember -- have you spoken yet?

>> Pool: I have a comment to Mr. Casar's statement.

>> Mayor Adler: I don't think so -- have you already spoken on this?

>> Pool: I did.

>> Mayor Adler: Okay. Councilmember ability, then I'll -- councilmember alter, then I'll come back to you.

>> Alter: Thank you. I appreciate the concern for efficiency of our commissions. I have spent a lot of time over the last several months and over the last years, I think this is my fourth resolution related to violence prevention, and my experience in talking to people in the community who care about this issue, who have been working on it, is that we have treated it as a public safety issue long

[5:49:17 PM]

enough. It is a public health crisis that we face, and it is time that we treated it as such. We have wonderful, dedicated people who work each month on our public safety commission who bring their talents to bear but that commission has a very large breadth of issues it's focused on and we need to focus attention on this issue if we want to address gun violence in our community. I would be happy to add the report as something that they review. I would point out that the resolution already has them reporting to the public safety commission when they do the report, and I would be perfectly comfortable with making sure that they interact with the public safety commission, and I have no doubt that some of our commissioners on there will be very engaged in the conversation in different ways. With respect to what

[5:50:17 PM]

councilmember Casar brought up, it was never my intention for this to go on forever. That's why we established a task force and we worked out with legal when we drafted this that we have definitions in our code, code definition 212 that says a task force means a non-codified temporary advisory Boyd, established by resolution or ordinance, for a specific purpose that expires upon the completion of its assigned task or according to a specified deadline. So its assigned task is to provide its report on recommendations to council, after which it would end. I believe the resolution provides 90 days at max for us to constitute the commission, and we are hoping that they will be done in six months, but I would hate for us to have to vote again because they decided for some reason that they had to have eight months there for the end. But it is my understanding that the commission -- the task force

[5:51:18 PM]

would end as soon as they submit their report. We have already had several people with lots of expertise engage with us about applying to be on the task force. We have people in the community who deal with gun violence in lots of different manners who are as concerned about this issue as most of us on this dais, or all of us on this dais, and we have an opportunity and a time and a place that we can make a difference in our community with respect to gun violence and say this this is a priority. And that is what I hope this dais will choose to do this evening.

>> Mayor Adler: Further discussion on the harper-madison amendment? Councilmember pool.

>> Pool: Yeah, I just wanted to underline the fact that the definition of task force is that it is a short-term with a definite end point. It will not go into perpetuity, it does not add to the list of commissions and boards we have

[5:52:19 PM]

other than for short-term. And I can't believe we're actually arguing over whether to establish a task force on gun safety and gun violence. It just strikes me as bizarre. And I'm very supportive of the original motion, and I thank councilmember alter for all of her significant and diligent work in digging into this issue. It is a definite concern in our community and I fully support this task force.

>> Flannigan: Mayor?

>> Mayor Adler: Further discussion? Yes, councilmember Flannigan.

>> Flannigan: I don't appreciate the implication that there's anyone on this dais that isn't fully concerned or dedicated to addressing this issue. I don't think that's fair. I also don't think it's collegial to read sections of the code at us as if we don't know what's in the code. We all know what a task force is. We all know how they live on. But what will happen at the end of this task force is gun violence will not be solved and people will say, well, why are you going to end the gun violence task force? Have point of making it the

[5:53:20 PM]

public safety commission is to elevate the issue to its permanent work. This is not a problem that one task force will solve, and I don't think one task force is the answer.

>> Mayor Adler: Councilmember harper-madison.

>> Harper-madison: He already touched on what I was going to say. To describe the question of the task force as bizarre is an unfortunate way to put that. I take it as an insult, frankly. What I'm trying to do is make certain that we are responsible to all the citizens of Austin and to our constituents, so when people ask me why we're establishing another task force, I want to be able to respond to them effectively. And so like my colleague pointed out about the longevity of the commission, I think that is the way to go. While I can appreciate the pointed nature of a task force, it's temporary. And the problem won't go away.

[5:54:21 PM]

And so when you describe it as an emergency, as a public health emergency, then I think it's even less necessary to form a temporary task force to address a public health emergency. I think the public safety commission, while the breadth. What it is that they cover is vast, I also think that's the appropriate entity to address the intersectionality around gun violence. It is domestic. It is community. It is frankly -- there's race regarding gun violence, there's so much that won't be addressed by a singular task force that's addressing a singular issue, I think it's more appropriate to have a body that addresses multiple issues be able to address this issue because they have the opportunity to be informed and influenced by the other things that they consider.

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

[Applause]

>> Pool: I appreciate that, and

[5:55:23 PM]

the thing is that that wasn't what I was -- that wasn't what I was talking about. Councilmember Casar had talked about trying to end the task force by a date certain, and what I was saying and what I think that councilmember alter was also saying was, the definition of a task force is that it does end early. If, instead, you're talking about having this be a much longer-lived commission, that's something entirely different. I was responding to what Mr. Casar was saying, which was the other thing, he wanted it to end sooner, was my understanding.

>> Mayor Adler: Councilmember Casar.

>> Casar: Yeah, I don't -- I think that -- it's the end of a long day, and I think that, clearly, this is not a proxy vote for whether one here cares about gun violence or not. We all very clearly care about doing this. We're trying to figure out whether it's 11 people realready have appointed that have -- did -- we already have pointed

[5:56:24 PM]

that have longevity or new people. It's clearly about task force versus commission, obviously not about how much people care about this. I also think -- and I just don't like that there would be any implication any way on that. I also recognize that a task force would end when it issues its report, and it says we hope that we get a report quickly, but I just wanted to put the dissolution date at the report or eight months, I could even do nine months, just so that, as councilmember Flannigan said, there aren't questions about whether we want to dissolve it or not if they don't issue the report. The point is to have -- I'm fine with having a small group of people work really hard at this for a while, then their ongoing work be carried by the council and public safety commission, but in the end, I think we should take quick

votes and everybody here cares a lot about gun violence, especially those of us with the most of it in our communities.

>> Mayor Adler: Okay. We've been going since just before 10 o'clock this morning. It's been a long day. And everybody is working hard. We all want to get these folks to

[5:57:25 PM]

music and to the proclamations, and I think we're repressing on this. It's really clear that this gun issue is something that is an incredible priority for everybody on this dais. There's no four of us that are more interested in this than any others of us. It is something that's really important to -- to all of us. In this case, I think that the point that's been raised by councilmember harper-madison and Mr. Flannigan I think is a very good one, that creating other task forces, we should -- we should take a look and see if we can use the infrastructure that's already laid out. In this case, I think that that discussion is coming late. I would like -- I think that's more of a broader policy consideration, and I think you've brought it up now and I think it's one that we need to have for future and further direction. I like the direction suggested by councilmember Casar, which would have us not do that on this

[5:58:28 PM]

instance here, but then put an expiration of this group in eight months. That's plenty of time. I would want this group to actually work much more quickly than that. The emergency and immediacy of this issue demands that they work much more quickly than that. If they're still working on this eight months from now, there's a really serious problem. So I would then come back if this does not pass the amendment I would come back, approve the end point on it, and then I would have us approve it and get to music and procs. On the harper-madison those in favor please raise your hand. Harper-madison, Flannigan. Todd? It does not pass. Councilmember Casar moves to amend the base motion so as to provide an eight month expiration on the task force within which it has to accomplish its work and get its report to the other commissions and to the

[5:59:29 PM]

council. Is that the motion that you make? Is there a second to that motion? That amendment? Councilmember kitchen seconds that. Discussion? Councilmember alter.

>> Alter: I just want to clarify my hope was that this would be -- we can appoint at our September 19 meeting and by the time it constitutes it would take a little bit of time to constitute and get working. So I totally want them to move as quickly as possible and that was the intention and that was why I had read the code. I would like to ask if we could make it eight months from them being appointed because I

think that we sometimes don't get all of our appointments in, and I hope that we will all get our appointments in quickly for this, given the urgency of this issue. And should we be able to do that, it should be eight months from the appointment and I think that would be -- allow them a little bit of flexibility there so that we could be sure to have it delivered as soon as possible.

[6:00:29 PM]

>> Casar: Mayor, I'm fine with eight months after a quorum is appointed.

>> Mayor Adler: Eight months after a quorum is appointed. Anybody have an objection to having that amendment made? Eight months will start as soon as there's six appointments or one over half. All right. That's added. Let's take a vote on the main motion --

>> Alter: Before we vote can I make one comment? For those of you who are interested in serving on the task force, you can reach out to the clerk's office. They'll be [indiscernible] Through the clerk's office. In order to apply or reach out to your councilmember or reach out to my office, and we will try to route you to the right councilmember. We really do need to have a cross-section of folks who have expertise to make this body effective, and if you also have knowledge or expertise or are unable to serve on the task force and want to reach out to my office, we would be happy to talk with you. Thank you to my colleagues for joining in this effort.

>> Mayor Adler: Those in favor in this motion please raise your hand. Those opposed. It passes. It's now 6:00. We are going to adjourn this

[6:01:30 PM]

meeting, subject to music and to proclamations which will start as soon as we can get the band set up.

>> Alter: Do we need one more vote on the whole thing?

>> Mayor Adler: No. We got back to the main motion and took a vote without amendment. It finally passed unanimously.

>> Tovo: Mayor, before we adjourn you might see if any of them --

>> Mayor Adler: Is there anybody who wants to speak on the budget that we have yet to call? Seeing none, this meeting is adjourned is the 6:00, subject to music. Thank you.

[Applause] Wait a second. There's apparently -- hang on one second. I misspoke.

[6:02:33 PM]

We have some language that the state law requires us to read here, one last vote. Council will continue to receive -- we've been receiving testimony all day relative to the budget. We're going to continue to receive public comment on the proposed budget on August 28, 2019, 6:00 P.M., and we'll vote to adopt the budget for the fiscal year 2019, 2020, the annual budget meetings at city hall, 301 west second street, Austin, Texas. These meetings will begin at 10:00 on Tuesday, September 10, 2019, and continue to Wednesday, September 11, 2019, and continue to Thursday, September 12, 2019, if necessary. I'll entertain a motion to recess today's public comment portion of the budget. Is there motion to do that? Councilmember Ellis makes the motion, second by councilmember tovo. All those in favor please raise your hand. Those opposed. It's unanimous on the dais. Today's public comment portion of the budget hearing is recessed until

[6:03:33 PM]

August 28, 2019. And with that, this meeting is adjourned subject to music and procs. Thank you.

[6:17:00 PM]

[♪ Music ♪]

>> Mayor adler:we want to make this sound just as good as Carnegie hall here so. . .

[Laughter] And I bet we're getting

[6:18:01 PM]

close. While they're setting up the band and the sound system, I think that Austin may be the only city council that I'm aware of anywhere that stops every council meeting to bring in a little live music into this place.

[Applause] There's a certain responsibility that goes along with being the live music capitol of the world. And we try really hard to press the music into the walls of this place. You all watched the last half an hour -- sorry about that.

[Laughter]

-- Of the council meeting. It started at 10:00 this morning and most days it goes well past dinner, so

[6:19:02 PM]

the break that we take to be able to do music and to read a few promotions is just really important. It's important because it centers everybody in this room and in this place. How close are we to letting -- we set? All right. I think we're set. So this is a really special thing on so many different levels. I think you can probably sense a little tension on the dais, and we were voting on something that everybody agreed on there. But now we get to take a break, and we get to hear from Texas native, Andrea Bridgeman.

[Cheers and applause] She has a voice that is big and as beautiful as the lone star state.

[6:20:03 PM]

Through her singing, she has graced audiences from all across the nation with songs from gospel and jazz and country and r&b and more. Church became part of her life at an early age, and that's where she first began singing at the age of. As a well-respected singer she has performed at Austin's city hall, the state capitol, she has sung background for Dr of erinda Clark Cole of the Clark sisters, recorded with Chester D.T. Baldwin and the music ministry gospel choir and with country artist Patty griffin. Since October of 1998 to date mz. Dre has been the lead vocalist and icon for all you need. That's a local jazz band.

[6:21:05 PM]

Their performances have taken her throughout Texas and other parts of the country. Andrea is an employee of Austin energy, so she is one of our very own. Please join me in welcoming mz. Dre & Zonesoul.

[Cheers and applause]

>> This is just a friendly reminder, this song. It's called we are one.

[🎵 Music 🎵]

[6:24:45 PM]

[Cheers and applause]

>> Mayor Adler: That was wonderful. Thank you so much. So if somebody was watching on TV and they wanted to find you, do you have, like, a website or page people go to?

>> Yes. You can log in -- look at mzdre.com.

>> Mayor Adler: While you have people here watching, if they want to get some of your music, what's the best way.

>> Mzdre.com. Instagram, mz. Dre stx.

>> Mayor Adler: I know it's on your website, but do you know where your next gig or two is just to tell people? That's a trick question.

>> [Indiscernible] First Friday. That's the next one we have

[6:25:46 PM]

coming up.

>> Mayor Adler: That sounds good. All right. I have a proclamation. Be it known whereas the city of Austin is blessed with many creative musicians whose talent extent to virtually every musical genre and our music scene thrives because Austin audiences support good music, produced by legends and local newcomers alike and whereas we are pleased to showcase and support local artists I therefore Steve Adler, mayor of the live music capitol hereby proclaim August 22 of the year 2019 as mz. Dre & Zonesoul day in Austin, Texas. Congratulations.

[Cheers and applause]

[6:29:45 PM]

>> Mayor Adler: Tarik, why don't you come on out here. So this is an important proclamation. I don't know if we're going to turn on the cameras. You know, if you were watching the discussion we had in the last half an hour with council, you see the evidence and the signs when people are discussing tough issues. Emotions. People get tired. But they're difficult conversations. And in a city like ours, we can have difficult conversations, too. But it's really important that while we're having difficult conversations in the community that we really maintain the level of civility that's so core to having a democracy that

[6:30:45 PM]

performs. One of the difficult conversations we're having in the community right now and we will find the right way is discussing homelessness in our city. It's a tough conversation to have, and there are a lot of people involved in that conversation in lots of different ways across the city. But this is an important proclamation. It's an important proclamation because Tarik did something that at some level I think we all hoped that we would do if we were in his place and able, but it's certainly something that a community needs to get together and to recognize. So here's a proclamation. Be it known that whereas

on July 17, an unknown person threw a little fire work from a moving vehicle at a tent belonging to Arlene Paige and her partner, a couple experiencing homelessness and that fire cracker set their tent on

[6:31:45 PM]

fire, and whereas tarik wish, a teacher's assistant, teachers are my heroes, working at St. George's episcopal school nearby spotted the flames, raced with a fire extinguisher until the fire department arrived. Whereas Mr. Wish is deserving of public recognition and gratitude for his compassionate and heroic act, now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, on behalf a grateful community do hereby proclaim August 22, 2019, as tarik wish day in Austin, Texas. Thank you, sir.

[Applause]

>> Can I say something?

>> Mayor Adler: Sure.

>> Thank you. You know, you never tell how shiny your bald head is until you see it on TV.

[Laughter] Thank you, guys. I'm honored to be a member

[6:32:47 PM]

of this community. I'm deeply touched by mayor Adler and his kind words. While I know this is a divisive issue, it is not a political issue. It's a human issue. I know that sounds like cotton candy but we've got to keep on with an optimistic and positive attitude. I want to say thank you to the mayor. My mom, actually, fisher and the -- Ashley fisher and the fisher family, thank you so much and every St. George family that supported me. Thank you, guys. Thank you.

[Applause]

[6:35:08 PM]

>> Mayor adler: this is also the time that we have the opportunity to recognize real distinguished service in the community, and we do that with a distinguished service award that we're bestowing on Eric Tiemann here today. We're doing that for his untiring service and commitment to the residents of Austin during a 24-year tenure as a dedicated employee of the city. Eric Tiemann is deserving of public acclaim and recognition for his loyal service to the city of Austin and to the austin/travis county emergency medical services as an ems captain field. Medic team -- he's made a significant impactst lives of those he

served. This certificate is presented in acknowledgment and appreciation thereof this 22nd Dave August in the year 2019 by the city

[6:36:10 PM]

council of the city of Austin. Eric, thank you so much for your service to the city.

[Applause]

>> All I can say about Eric is he's an amazing guy. I wish everybody knew him like I know him. There's people alive today because of him, and there's a lot of people that survived crises, I mean, really bad stuff, because Eric was there. A cool head, a great heart. I think I'll let him say the rest.

[Applause]

>> First of all, I want to thank my family for supporting me over all these years. Doing EMS, you're away from your family a lot and I want to thank you all, thank you for supporting me. I want to thank the citizens of Austin for allowing me the chance to serve and the experiences I gained along the way. Got a bunch of my partners

[6:37:10 PM]

and mentors in the back, and I would never have been able to do it without y'all by my side. Thank you, all.

[Applause]

>> Good evening, I'm Delia

[6:38:11 PM]

Garza, mayor pro tem councilmember for district 2. My little one is here because I got one of those 4:30 texts from the hubby, I'm not going to make it in time to child care, so I raced to go get her, but that's why she's up here with me. The next presentation will be the fire department recognizing some trailblazers and honoring them as honoree fire chiefs, and I asked if I could make a couple of remarks because the fire service is near and dear to my heart. My father served 36 years in the San Antonio fire department, now enjoying retirement with my mother, and I had the privilege to serve as an Austin firefighter for six years as well. I made a very difficult decision to go to law school. I think that I would be at retirement 20 years in a year so maybe I didn't make the smartest choice because I could be retiring in a year, but I just want to thank all the family members here. I know as the previous

[6:39:13 PM]

speaker, ems person said, having family in the fire service takes a lot of sacrifice, so I want to thank the family that's here to recognize. I want to thank these trailblazers. Because of you. Because of the, frankly, difficult things that you dealt with being the first in many ways, people like me were able to join the fire service. And I want to thank chief Joel baker and the rest of AFD for taking this opportunity to recognize these amazing trailblazers. So with that, I introduce chief Joel baker.

[Applause]

>> That was heavy. The white helmet is a symbol of our chiefs all across America. The the honoree fire chief is a testament to not only the first but members of the

[6:40:14 PM]

fire department who have retired from the fire department or who have left the fire department for whatever reason have done something very outstanding. Today we want to recognize five members of the Austin fire department and give them, as I say, as my aunt would tell me, give people their flowers while they're living.

[Laughter] And I just want to -- as the mayor calls up the members I want to tell each one of you why these members are being recognized as honoree chiefs.

>> Mayor Adler: First we'd like to bring up lieutenant Marvin Dennis escorted by firefighter Blair Campbell.

[Applause]

>> And lieutenant Douglas is being honored because he was the first African-American lieutenant on the fire department. Why is that important?

[6:41:15 PM]

It's important because we need to demonstrate that even being the first you can put all differences and challenges aside and you persevere, you work hard, you're gonna make an accomplishment when you set your goals so I want to recognize lieutenant Douglas as being the first African-American lieutenant. Because he's the first African-American officers -- there are many more African-American officers in the department. Thank you, lieutenant Douglas.

[Applause]

>> Thank you, chief baker. First of all, I would like to thank my parents from Texas that raised seven kids and I was able to attend college, which is now houston-tillotson university. I met my wife there. She's a beautiful young lady from Cameron, Texas. And we married December 3,

[6:42:17 PM]

1945, and the person that married us was the Dean. Guess what his name was? Reverend James brown. Not the singer.

[Laughter] But, anyway, we have two children, four grandchildren and three great grandchildren, and I'd like to thank [saying name] For telling me to apply for the fire department. One of the best things that ever happened to me. And I want to thank Austin fire department for letting me work for 32 years, and I appreciate that very much. And I want to thank the Austin city for letting my wife and I raise a beautiful family. There's no musician named duke in this part of the world where I love all of you madly.

[6:43:18 PM]

[Applause] We all get nervous in front of your chief.

[Laughter]

[Applause]

[6:45:59 PM]

>> Mayor adler:so the next honoree we'd like to walk forward is Jan Wesson escorted by lieutenant Lisa millman.

[Applause]

>> Jan Wesson has been an honor. She is the first openly gay member of the Austin fire department. It's hard to be the first of anything.

[Applause] And for her to have the courage to come out and support -- and receive support from the members and she really encouraged other members just to be who they want to be. Thank you, Jan.

[Applause]

>> Okay. I didn't prepare anything because I didn't know we could actually speak. And following Mr. Douglas, you know, how do you do that? He's someone I've respected my whole career.

[6:46:59 PM]

We did recruiting videos together, and I still remember him talking about arriving at station 5 and I got to work at station 5 and I -- I have similar feeling of arriving when we were in the first pride parade in 2007 and when our engine came around the corner and I saw the community so happy to see us there. I felt like that was my time of feeling like, well, we've arrived. And I certainly appreciate the city, mayor Adler, chief baker, and the chance to have gotten to work in this wonderful city, and I just -- you know, I really appreciate the award for myself, but more so for the community and what it means to my community, our community. Thanks a lot. And my partner, Mary Beth, I don't want to make that

[6:48:00 PM]

mistake.

[Applause] Thank you.

[6:49:28 PM]

[Applause]

>> Mayor Adler: let's bring on up Joe Villereal, escorted by battalion chief. Joe, come on.

[Applause]

>> Day it will be an opportunity where we're stop saying the first of anything in the city, in this country. But Joe Villereal -- I know I butchered his name. I do apologize sir. By being one of the first

[6:50:28 PM]

lat continue know-hispanic firefighters in the fire station says a lot to. The struggle and possible discrimination he went through but yet he still came to work, put himself like other members of the organization in harm's way to make sure the citizens, the stakeholders of Austin, Texas, were safe. And we can never thank him enough for the hard work he did. And his son is gonna say something on his behalf.

>> Good evening. Thank you, chief, mayor. First of all, I'd like to thank everybody for being here today, especially our family and dad, we're glad you got to make it today. He almost didn't make it today because of some health issues, but we got him here because he knew there was gonna be a lot of family

members here. So thank god he's here. If dad is not -- dad is not a maven many words. He's a man of few words, but

[6:51:30 PM]

I know he want want to thank mom for all the years that she stood beside him, and was happy that he came home after each shift and that he was there to help raise seven children. So, dad, thank you very much. We love you. And thank you to the Austin fire department.

[Applause]

[6:53:53 PM]

>> Mayor adler:so Lucy grant escorted by fire specialist chafino.

[Applause]

>> So as -- it's time to go to bed, where do you sleep? You have to use the restroom. Where do you go? Well, I'm quite sure when firefighter huff came on board, she had probably figure that out for herself. But because she was a first, she set the example, she broke some barriers, cracked some ceilings, and made it possible for other female firefighters to join the fire department. For that we salute you and we say thank you.

[Applause]

[6:54:56 PM]

>> I didn't really intend to be a trailblazer. I was just looking for a different job.

[Laughter] And it just kind of worked out that way. But I do want to say that there were a lot of people who were really nice and welcoming to me. They were open to the change that was coming, and Marvin Douglas was definitely one of them who sought me you had, met me, and made me feel welcome, so I really appreciate that and wanted to mention that, that he was somebody who meant a lot to me. He and several other first type people, other African-Americans and just made me feel welcome when it was -- it was a little bit of a challenge for me, as I'm sure several things were for him and some of the others here. But I did enjoy my time with Austin fire department. It was a good job. I was really happy to have it and sad when I had to leave. I'm happy now that they have

[6:55:57 PM]

a better maternity leave policy and women are allowed to have hair. That's really nice too. Thank you very much.

[Applause]

[6:57:23 PM]

>> Mayor Adler last but not least Charles Bryant junior, escorted by Jason Bryant, his grandson.

[Applause]

>> Mr. Charles Bryant, Jr, is the oldest retired living member of the Austin fire department.

[Applause] Now, why is that significant? Because probably when he came on the job you didn't wear your self-containing breathing apparatus, you didn't have your three layers of bunker gear, the equipment was not as advanced today as it was when he came on. We didn't have a counselor wellness program and to make sure our members had better health conditions. Yet here he is today, some several decades later, as a testament on how far we have come and knowing our history

[6:58:24 PM]

so we can improve on our future.

[Applause]

>> When I was a little boy, I said the greatest thing I wanted to be is a fireman. And I have fought a lot of big fires, and I have enjoyed being in the fire department, and I'm thankful and grateful for everything. Thank you.

[Applause]

[7:01:26 PM]

>> Tovo: I'm councilmember Kathie Tovo and I'd like to invite those here for the Waller Creek special recognition to come join us, including supporters if you'd like to.

[7:02:40 PM]

So last night many community members and several councilmembers and the mayor and I had an opportunity to attend an event being sponsored by the waller creek conservancy and as some of you may know the waller creek conservancy is a wonderful partner of the city of Austin, helping us develop what is going to be a chain of parks through the eastern portion of our downtown. And they're doing so in a way that is very inclusive and looking to build out programming in those spaces that will really be inviting to austinians from around the city, from east, west, north, south, and they've done so in a way that's -- they've moved forward with their plan and envisioning and implementing this vision in a way that is also very inclusive. So we will be the beneficiaries of this work as well as generations to come as we see those, that chain of parks, open and some of the areas will be quite natural, and it is going to be a tremendous and

[7:03:42 PM]

transformational project. One of the exciting pieces of information that came out of last night's session is that they have renamed themselves so they are no longer the waller creek conservancy. As of last night they are the Waterloo greenway. I had an opportunity to present a proclamation last night and I'd like to invite councilmember alter to present the proclamation this evening.

>> Alter: Thank you. Good evening. Be it known that whereas the waller creek district located in the eastern portion of downtown along waller creek from 15th street to lady bird lake has been a central park of Austin's fabric since the city's founding and whereas the waller creek conservancy community treasure shall now be known as Waterloo green conservancy and informally as Waterloo greenway, in partnership with the city of Austin the conservancy has

[7:04:45 PM]

worked tirelessly since inception to transform this 35 acres of city parkland into a destination for all austinians and visitors with public amenities and whereas this remarkable parks project shall now be known as Waterloo greenway, Waterloo to honor the project's roots with the city's initial name and greenway to highlight the vision for this district as an urban destination for recreational and environmental uses connecting the city's past and future and whereas Waterloo greenway will be the amazing home to a wide array of natural and cultural spaces from epic gardens to meandering trails, creating a community space where all are welcome, discontinued to be an extraordinary shared experience. Our community's inclusive dream. Now, therefore, I, Alison alter on behalf of the mayor and city of Austin proclaim August 22, 2019 as Waterloo

[7:05:47 PM]

greenway day. I'd like to invite Peter Mullan up to speak.

>> Thank you so much. I just want to just express our gratitude to the city of Austin for this and for allowing us to be its partner as a steward of this place. This is a milestone for us because I think it really - it recognizes that we're getting much closer to making this a reality, but also that this is a place for the entire city, and that is our charge, that is our mission, and we are just grateful for the opportunity to be able to create it. So thank you to the city and to the mayor and the city council for their extraordinary support and leadership and vision in creating this opportunity and letting us be a part of it. Thank you.

[Applause]

[7:08:40 PM]

>> Alter:good evening, my name is Alison alter and it's my honor and privilege to represent district 10 on the Austin city council. Today for our last part of this presentation we're here to announce the 2019 awardees of the city's grant for technology opportunity program, also known as top. Gtop was established in 2001 with a vision to create a community where all citizens have access to the internet, and knowledge needed to participate in a digital society. The program provides matching grant funding from 10,000 to \$25,000 to Austin organizations and also awards retired city computers. From 2001 to 2017 top generated a total investment of \$11.9 million in our community. I'm going to announce the funding for this year awarded to nine organizations and before I do that I want to say as you hear this list, you're just

[7:09:42 PM]

going to really see this is kind of a who's who, who is really helping folks in our community connect with the digital world and we're really -- on behalf of the city I want to say thank you for all your work and I'm pleased we're able to support your efforts. So the first organization receiving an award is Austin free net for climate resilience training for the dove springs community.

[Applause] Second organization is break through central Texas for technology access for first in their family college aspirants. The third organization is creative action for a digital media lab and technology learning for youth.

[Applause] E4 youth for digital leadership, literacy,

[7:10:44 PM]

workforce training for youth of color.

[Applause] The girl scouts of central Texas for science, technology, engineering, and mathematics, stem focused afterschool program for girls.

[Applause] Six organization is goodwill industries for basic digital literacy skills and tech related occupational skills training certification for people with barriers to employment.

[Applause] Seventh is latimitas for computer rampup classes for Latina girls. Eighth is motion media art center for digital literacy training for Mac users.

[Applause] And ninth the thinkery for creative tech training for aid educators and classes for students.

[Applause] In addition to these grants, six organizations received

[7:11:46 PM]

130 devices in total. American youth works for computer refurbishment and it training for youth. Which I can tech for hands-on technical workshops for high school aged girls. U4 youth for digital literacy, leadership and creative workforce training for youth of color. Front steps for technology support for the formally homeless. Huston-tillotson university for rigorous stem program for underserved students and the society of St. Vincent de Paul for benefits training, job skills courses and financial literacy classes for individuals experiencing poverty. The Austin community technology and telecommunications commission appointed a volunteer grant review committee to score and recommend awards for the top awards. I'd like to acknowledge those committee members. I understand that Daniel Lucio is here. Other members included Dr. Amanda ihrios, Kevin cox, Jessica Corcoran,

[7:12:47 PM]

Elizabeth Nicole, [saying names]. Please join me in congratulating all the recipients and thanking the committee members.

[Applause]